

TOWN OF ROCKY MOUNT
345 DONALD AVE.
ROCKY MOUNT, VIRGINIA 24151

540.483.0907
FAX : 540.483.8830

E-MAIL: MHANKINS@ROCKYMOUNTVA.ORG
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PLANNING COMMISSION
JANET STOCKTON, CHAIR
JOHN SPEIDEL, VICE CHAIR

BUD BLANCHARD JERRY W. GREER, SR.
INA CLEMENTS DERWIN HALL
JOHN TIGGLE

MATTHEW C. HANKINS
*Assistant Town Manager &
Community Development Director*

PLANNING COMMISSION AGENDA WEDNESDAY, MARCH 2, 2016

COUNCIL CHAMBERS, ROCKY MOUNT MUNICIPAL BUILDING
345 DONALD AVENUE, ROCKY MOUNT, VIRGINIA

Call to Order and Welcome

- I. Roll Call of Members Present
- II. Approval of Agenda
- III. Review and Consideration of Minutes
 - February 2, 2016 - Regular Meeting Minutes
- IV. Public Hearing
 - a. Rocky Mount Ready Mix, Inc. requests a rezoning of property located off Market Place Drive, Franklin County Tax Map and Parcel Number 2030006100, from General Business (GB) to General Industry District (M2). The applicant intends to relocate its cement plant from its current location at 110 Old Franklin Turnpike to the subject property.
 - i. Application
 - ii. Staff Report
 - b. Applicant Presentation
 - c. Public Comment
 - d. Planning Commission Deliberation
- V. New Business
- VI. Commissioner Concerns
- VII. Staff Updates
- VIII. Adjournment

Thank you for attending tonight's Planning Commission meeting and/or Public Hearing. The Planning Commission appreciates and welcomes public participation in its meetings. If you have a cell phone, please silence it during the meeting. If you have need for special accommodation during the meeting, please notify the clerk. The Town has assistive listening devices available for those who are hard of hearing. If you wish to speak during a public hearing, please sign in on the appropriate sheet located at the front table. There will be one sheet for each public hearing.

**TOWN OF ROCKY MOUNT
PLANNING COMMISSION
REGULAR MEETING MINUTES
February 2, 2016
6:00 p.m.**

The Planning Commission of the Town of Rocky Mount, Virginia met in the Council Chambers of the Rocky Mount Municipal Building, located at 345 Donald Avenue, Rocky Mount, Virginia, at 6:00 p.m. on February 2, 2016, for its regular monthly meeting with Madame Chair Janet Stockton presiding.

Commission Members Present:

- Janet Stockton, Chair
- John Speidel, Vice Chairman
- MEMBER Bud Blanchard
- MEMBER Ina Clements
- MEMBER Derwin Hall
- MEMBER John Tiggle

Commission Members Absent:

- MEMBER Jerry Greer

Staff Members Present:

- Assistant Town Manager, Matt Hankins
- Town Planner, Josh Gibson
- Planning Commission Clerk Jessica H. Heckman

Appointment of Planning Commission Clerk

Matt Hankins recommended Jessica H. Heckman be appointed as Clerk for the Planning Commission.

Motion: To appoint Jessica H. Heckman as Planning Commission Clerk

Motion By: Vice Chairman John Speidel

Second: Member Bud Blanchard

Action: Approved by a unanimous vote of members present

APPROVAL OF AGENDA

Additions or Corrections: Removal of Public Hearing (postponed)

Motion: To approve the agenda with removal of Public hearing

Motion By: Commission Member John Tiggle

Second: Vice Chairman John Speidel

Action: Approved by a unanimous vote of members present

REVIEW AND CONSIDERATION OF MINUTES

Let the record show that prior to the meeting, Planning Commission received the following draft minutes for review and consideration of approval: **January 5, 2016 - regular meeting minutes.**

Additions or Corrections: None

Motion: To approve the minutes as presented

Motion By: Commission Member Ina Clements

Second: John Speidel

Action: Approved by a unanimous vote of members present

PUBLIC HEARING

Postponed

OLD BUSINESS

Review of Comprehensive Plan produced by Hill Studio:

Town Planner Josh Gibson presented two posters prepared by Hill Studio and advised Commission bound copies of the plan would be provided at a later date.

Vice Chair John Speidel asked if Hill Studio had met their obligation, Matt Hankins advised the commission they have met their contract and have been paid in full. Reminded commission that there will be a revision later in the year or early next year in order to stay current.

NEW BUSINESS

None

COMMISSION CONCERNS AND STAFF UPDATES:

Matt Hankins addressed a previous concern noted by Member Clements relative to Channel 13 displaying old information. He advised the commission that Jessica Heckman is working toward updating.

No other concerns noted.

Staff Remarks:

Matt Hankins gave a brief update on Murphy Oil, which will begin construction soon.

Josh Gibson informed the commission that the Public Hearing for the Special Use Permit for the Franklin County Tower on Grassy Hill has been continued to allow the County to work with the neighboring property owners.

Matt Hankins gave an update on the Century Link Tower. Century Link and Ntelos have not reached an agreement at this time due to a price change.

Matt Hankins informed the commission we are still working to get scheduled for the appeal of the Board of Zoning Appeals decision on the tower for Blue Ridge Towers on the Cornerstone Property.

Member Derwin Hall questioned if there was an update on the VDOT funding for the plans in front of the Hub. Mr. Hankins replied that we are not likely to get funding this year. Josh Gibson gave a brief explanation of why the project is not likely to be funded.

Matt Hankins informed the commission of traffic lights being upgraded at the intersection of Grassy Hill and North Main. The new traffic light will utilize a camera system that monitors the entire intersection, tracking each vehicle as it goes through. He noted it will still be safe and will allow traffic to flow better. If the lights work as expected, funding from VDOT will be utilized to install the system at other intersections in town.

Ina Clements questioned work being performed at the Holiday Inn. Matt and Josh explained it was remaining work on the Route 40 East sidewalk project. They also gave an update on the Scuffling Hill project.

Chairman Stockton hearing no further comments entertained a motion to adjourn.

ADJOURNMENT

Motion to Adjourn By: Vice Chair John Speidel

Second: Commission Member Ina Clements

Action: Approved by a unanimous vote of members present

Time of Adjournment: 6:30

Janet Stockton, Chairman

ATTEST:

Jessica H. Heckman, Clerk

JHH/



Town of Rocky Mount SPECIAL ZONING APPLICATION

Date Received:
Received by:
PC/BZA Date:

REZONING REQUEST SPECIAL EXCEPTION/USE VARIANCE

PRE-FILING CONSULTATION WITH THE TOWN PLANNING STAFF TO REVIEW THE PROPOSED REQUEST AND TO OBTAIN RECOMMENDED PROCEDURES AND TECHNICAL ASSISTANCE IS REQUIRED. TO SCHEDULE A PRE-FILING CONSULTATION, PLEASE CONTACT THE TOWN OF ROCKY MOUNT COMMUNITY DEVELOPMENT DEPARTMENT AT 540-483-0907.

APPLICANT NAME: Rocky Mount Ready Mix Concrete, Incorporated
 ADDRESS: 110 Old Franklin Turnpike, Rocky Mount, VA 24151
 PHONE: 540-483-1288 EMAIL: _____

PROPERTY OWNERS NAME & ADDRESS: see above
(IF DIFFERENT FROM APPLICANT)

TAX MAP & PARCEL NUMBER: 203-61 newly combined LOT SIZE (ACRES/SQ.FT.) 34.664 acres

CURRENT ZONING: R-1 R-2 R-3 RA RB RPUD POS C-1 C-2 M-1 M-2 CBD CBD-ARTS & CULTURE GB

CURRENT LAND USE: VACANT AGRICULTURAL RESIDENTIAL COMMERCIAL INDUSTRIAL 34-1-16 Concrete

REZONING REQUEST: PROPOSED ZONING: M2 PROPOSED LAND USE: mixing plant
 SPECIAL EXCEPTION/USE REQUEST OF SECTION(S) _____ OF THE TOWN ZONING ORDINANCE. 34-1-3 Sand, gravel, crushed stone op
 VARIANCE REQUEST OF SECTION(S) _____ OF THE TOWN ZONING ORDINANCE.

NATURE OF REQUEST - BRIEFLY DESCRIBE THE PROPOSED PROJECT AND SPECIFIC DEVIATION REQUEST FROM THE ZONING ORDINANCE.

see attached letter

I HEARBY CERTIFY THAT I AM ACTING WITH THE KNOWLEGE AND CONSENT OF THE PROPERTY OWNER TO THE REQUEST DESCRIBED ON THE APPLICATION. BY SIGNING BELOW, I AGREE THE INFORMATION PROVIDED ON THE APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE.

Arnold E. May JAN 7TH 2016
 APPLICANT SIGNATURE DATE

BY SIGNING BELOW, I CERTIFY I AM AWARE OF THE REQUEST SUBMITTED AND THE INFORMATION PROVIDED IS TRUE TO THE BEST OF MY KNOWLEDGE.

Arnold E. May JAN 7TH 2016
 OWNER SIGNATURE DATE

PRE-FILING CONSULTATION WITH THE TOWN PLANNING STAFF TO REVIEW THE PROPOSED REQUEST AND TO OBTAIN RECOMMENDED PROCEDURES AND TECHNICAL ASSISTANCE IS REQUIRED. TO SCHEDULE A PRE-FILING CONSULTATION, PLEASE CONTACT THE TOWN OF ROCKY MOUNT COMMUNITY DEVELOPMENT DEPARTMENT AT 540-483-0907.

WHAT IS A REZONING?

A rezoning is a legal change to the Official Zoning Map. The rezoning of property is a legal matter, we strongly recommend applicants consult with an attorney to for assistance with the preparation of the rezoning application. A rezoning may be initiated by the property owner, by a contract purchaser with the owner's written consent, or by the owner's agent. Original signatures are required by all parties.

Rezoning requests will be submitted to the zoning administrator and referred to the planning commission for its review and recommendation. The final determination on the rezoning request will be made by the governing body (Town Council).

1. The written request for rezoning shall be submitted to the planning commission by the zoning administrator.
2. Notice shall be given of the required public hearing in accordance with the requirements of Code of Virginia, § 15.2-2204. Adjacent property owners (front, back and side) and the applicant shall be notified in writing as to the rezoning or conditional zoning request and public hearing date.
3. A public hearing shall be held by the planning commission. If requested, the zoning administrator may make a report and recommendation to the planning commission on the subject request. Other parties may appear in person and present their views.
4. The commission shall make a recommendation to go on the rezoning request after the public hearing is held.
5. The governing body (Town Council) shall then hold its own public hearing in conformity with all notice requirements under Code of Virginia, § 15.2-2204, and make the final determination on the rezoning request.

WHAT IS A SPECIAL EXCEPTION?

A special exception/use permit allows a specific exception to the Town's Zoning Ordinance on a particular parcel of land in a district of a particular zoning character. Uses and dimensional standards allowed only by special exception are those considered to have potentially greater impact upon neighboring properties or the public. The special exception process allows potential impacts to be addressed through conditions. A granted special exception runs with the property.

WHAT IS A VARIANCE?

A variance is a request for a reasonable deviation from a provision of the Town's Zoning Ordinance when strict application of the ordinance would result in unnecessary or unreasonable hardship to the property owner. A variance may not allow a use in a district not authorized by district regulations. A granted variance runs with the property.

The authorization to hear and decide on applications for special exception/use permit and a variance request has been delegated to the Board of Zoning Appeals (BZA), a quasi-judicial five (5) member Circuit Court appointed body.

Special Exception and Variance application requests will be submitted to the zoning administrator for review and recommendation; then referred to the to the Board of Zoning Appeals (BZA) for a public hearing. A determination on the application will be made by the Board of Zoning Appeals (BZA). Additional approval and final determinations by the Planning Commission and/or by the governing body (Town Council) could be required to complete the request.

1. The Special Exception or Variance application shall be submitted to the Board of Zoning Appeals (BZA) by the zoning administrator.
2. Notice shall be given of the required public hearing in accordance with the requirements of Code of Virginia, § 15.2-2204. Adjacent property owners (front, back and side) and the applicant shall be notified in writing as to the application request and public hearing date.
3. A public hearing shall be held by the Board of Zoning Appeals (BZA). If requested, the zoning administrator may make report and recommendation to the Board of Zoning Appeals (BZA) on the subject request. Other parties may appear in person and present their views.
4. The Board of Zoning Appeals (BZA) shall make a decision on the application request after the public hearing is held.
5. If additional approval and final determination is needed by the planning commission and/or the governing body (Town Council); each shall then hold its own public hearing in conformity with all notice requirements under Code of Virginia, § 15.2-2204, and will each make the final determination on the application request.

W. COLBY BROWN
Attorney at Law
25 East Court Street
Rocky Mount, VA 24151
(540) 483-7878

January 7, 2016

Town of Rocky Mount
Rocky Mount Planning Commission
345 Donald Ave.
Rocky Mount, VA 24151

RE: Rocky Mount Ready Mix Concrete, Incorporated

Dear Mrs. Stockton,

Rocky Mount Ready Mix Concrete, Incorporated plans to move their concrete manufacturing plant, to the 34.644 acre site that Rocky Mount Ready Mix Concrete, Incorporated recently purchased. Attached is the Deed, dated December 15, 2015, and of record in the Clerk's Office of the Circuit Court of Franklin County, Virginia, in Deed Book 1070, at page 3101.

The mixing plant and the cement, sand and gravel used to make concrete, will be moved to a new location on the 34.664 acre parcel. A copy of the plat of the parcel, prepared by Cornerstone Land Surveying is also attached.

The two buildings located on the present Rocky Mount Ready Mix Concrete Incorporated property will continue to be utilized by Rocky Mount Ready Mix Concrete Incorporated until and unless the former Rocky Mount Ready Mix Concrete Incorporated property is sold or redeveloped.

Rocky Mount Ready Mix has been in business in Rocky Mount since June 7, 1967, and this will be the second time the concrete manufacturing plant will have been moved.

Rocky Mount Ready Mix Concrete Incorporated is requesting that this property be rezoned from B1 to M2, which is required for a concrete manufacturing plant.

Very truly yours,

W. Colby Brown
Ronald E. Wray (President)

Ronald E. Wray, President,
Rocky Mount Ready Mix
Concrete Incorporated

BK 1070PG3 101

Grantor: Warren Preston Coleman, II
Grantee: Rocky Mount Ready Mix Concrete, Incorporated
Grantee Address: 110 Old Franklin Turnpike, Rocky Mount, VA 24151
Tax Parcel #2030006100, 2030007500, 2030006900
To be known as _____
Title Insurance: Fidelity Title Insurance
Consideration: 591,128.40

THIS DEED, made and entered into this 15th day of December, 2015, by and between **WARREN PRESTON COLEMAN, II**, party of the first part, (GRANTOR), and **ROCKY MOUNT READY MIX CONCRETE, INCORPORATED**, a Virginia Corporation in good standing, party of the second part, (GRANTEE).

: WITNESSETH :

THAT FOR AND IN CONSIDERATION of the sum of TEN DOLLARS (\$10.00), cash in hand paid by the party of the second part, to the party of the first part, and other good and valuable consideration, the receipt of which is hereby acknowledged, the said party of the first part does hereby grant, bargain, sell and convey with General Warranty and English Covenants of Title unto the party of the second part, Rocky Mount Ready Mix Concrete Incorporated, a Virginia Corporation, subject to the following easement, the following described property, to-wit:

All that certain tract or parcel of land, (Tax Parcels 2030006100, 2030007500, and 2030006900 combined), containing 34.664 acres more or less, situated, lying and being in the Town of Rocky Mount, Franklin County, Virginia, and being more particularly described as 34.664 acres according to the plat and survey,

This Document was prepared by:
W. Colby Brown
25 East Court Street
Rocky Mount, VA 24151

2015 DEC 15 AM 10:50

150007855

prepared by Robert C. Jeans, L.S., Cert. #1584, dated September 21, 2015, revised December 8, 2015, said plat being of record in the Clerk's Office of the Circuit Court of Franklin County immediately following the recordation of this Deed, in Deed Book 1070, at page 3105, reference to which is made for a more particular description.

The grantee herein, Rocky Mount Ready Mix Concrete, Inc., desires to vacate the common boundary lines running between the three tracts as shown in the aforesaid survey to form one tract of land containing 34.664 acres.

This conveyance is subject to the 50 foot easement of right of way, for the benefit of Tax Parcel 0630025400 (23.004 acres), for the purposes of ingress and egress to Market Place Drive, and being more particularly described as the "New 50' Private R/W" on the aforesaid plat.

It being a portion of the property devised to Warren Preston Coleman II, from Warren Preston Coleman, who departed this life on November 29, 2011, and in accordance with Article Second of his Last Will and Testament, "My estate of every description, both real and personal property and whatever stocks, I hereby give, devise and bequeath to my son, Warren Preston Coleman II to belong absolute," said Will being dated July 24, 2011, and probated on December 20, 2011, as instrument Number 110000899, in the Clerk's Office of the Circuit Court of the City of Roanoke, Virginia, and being of record in the Clerk's Office of the Circuit Court of Franklin County, Virginia in Will Book 118, at page 817.

It being a portion of the Parcel No. 1, conveyed to Warren P. Coleman, by Deed dated May 17, 2001, from Bobby W. Zeigler, widower, Gerald Lee Wray and Ada B. Wray, husband and wife, and Edith A. Wray, widow, said Deed being of record in the Clerk's Office of the Circuit Court of Franklin County, Virginia, in Deed Book 701, at page 995; and

It also being all the 3.65 acres parcel conveyed to Warren P. Coleman, by Deed dated May 17, 2001, from Gerald Lee Wray and Ada B. Wray, said Deed being of record in the aforesaid Clerk's Office in Deed Book 701, at page 984; and

BK 1070PG3103

It being the 0.731 acre parcel conveyed to Warren P. Coleman, by Deed dated February 21, 2001, from Bobby W. Zeigler, said Deed being of record in the aforesaid Clerk's Office in Deed Book 693, at page 1204; and

It being the remainder of the property (containing 0.353 acre) conveyed by to Warren P. Coleman, by Deed dated January 5, 2001, from Arrington Properties East, LLC., said Deed being of record in the aforesaid Clerk's Office in Deed Book 690, at page 1296.

This 0.353 acre parcel is subject to the following restrictions.

“(i) The following restaurants are specifically excluded from operating on this property: McDonald's Hardees, Burger King, Boston Market, Church's Kentucky Fried Chicken, Popeye's and Biscuitville; for the benefit of Arrington Properties East, L.L.C.

(ii) In addition to restaurants specifically excluded in paragraph (i) herein, any business that generates twenty five percent (25%) or more of their gross sales from the sale of any of the following product categories are excluded from operating on this property: Fried chicken, hamburgers, hot dogs or biscuit breakfast products.

This restriction (ii) can be removed if and when the “L.D. Arrington Family” has less than a twenty five percent (25%) ownership interest in any corporation, limited liability company or partnership that owns or controls Parcel II-A, as shown on the Phillip W. Nester survey recorded at Deed Book 690, at Page 1302, in the Clerk's Office of the Circuit Court of Franklin County, Virginia, and the party requesting said removal is to pay all costs associated with the removal.”

This conveyance is made subject to any and all recorded easements, reservations, conditions and restrictions affecting said land, including the existing 20' sanitary sewer easement as shown on the above referenced plat.

BK1070PG3104

TO HAVE AND TO HOLD unto the said ROCKY MOUNT READY MIX CONCRETE INCORPORATED, and to its assigns forever in fee simple.

WITNESS the following signature and seal:

Warren Preston Coleman, II (SEAL)
Warren Preston Coleman, II

STATE OF NC
CITY/COUNTY OF Hickory/Catawba, to-wit:

The foregoing instrument was acknowledged before me this the 11 day of December, 2015, by Warren Preston Coleman, II.

My commission expires: Dec. 11, 2018
Dana F. Campbell
Notary Public

Dana F. Campbell
NOTARY PUBLIC
Catawba County, NC
My Commission Expires December 11, 2018

INSTRUMENT #150007855
RECORDED IN THE CLERK'S OFFICE OF
FRANKLIN COUNTY ON
DECEMBER 15, 2015 AT 10:50AM
\$591.50 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-802 OF THE VA. CODE
STATE: \$295.75 LOCAL: \$295.75

TERESA J. BROWN, CLERK
RECORDED BY: JFL

TOWN OF ROCKY MOUNT
345 DONALD AVE.
ROCKY MOUNT, VIRGINIA 24151

540.483.7660
FAX : 540.483.8830



TOWN COUNCIL
STEVEN C. ANGLE, MAYOR
GREGORY B. WALKER, VICE MAYOR

BOBBY M. CUNDIFF BOBBY L. MOYER
P. ANN LOVE JON W. SNEAD
BILLIE W. STOCKTON

JOSH GIBSON
TOWN PLANNER

E-MAIL: JGIBSON@ROCKYMOUNTVA.ORG
WWW.ROCKYMOUNTVA.ORG

PLANNING COMMISSION STAFF REPORT

PETITIONER:	Rocky Mount Ready Mix, Inc.
LOCATION:	Off Market Place Drive (former Coleman property)
REQUEST:	To rezone approximately 34.664 acres from GB (General Business) to M2 (General Industrial District)
HEARING DATE:	March 2, 2016
TAX PARCEL:	2030006100

EXECUTIVE SUMMARY:

An application for rezoning has been submitted by Rocky Mount Ready Mix, Inc. (represented by President Ronald Wray) to rezone approximately 34.664 acres off of Market Place Drive, from the current GB (General Business) to M2 (General Industrial District). The property is located off Market Place Drive and is shown as Franklin County Tax Map/Parcel No. 2030006100. The intent of the request is to relocate the applicant's cement plant from its location at 110 Old Franklin Turnpike to the subject property. The subject property is currently vacant, with no prominent buildings or structures and no current uses, commercial or otherwise.

This property was last rezoned in 2002, when applicant Warren P. Coleman's request to rezone the property from RA (Residential Agriculture) to GB (General Business) was recommended favorably by the Planning Commission and approved by Town Council.

Staff has identified several benefits and several potential conflicts associated with this proposal. Staff has also listed some amendments to the submitted application which would bring it more into compliance with the Comprehensive Plan. At the time of the drafting of this staff report, there are no proffers included as a part of this rezoning application and the proposal before you stands as originally submitted.

I. APPLICABLE REGULATIONS:

ARTICLE 34. INDUSTRIAL, GENERAL DISTRICT M2, from the district's "Statement of Intent": The primary purpose of this district is to establish an area where the principal use of land is for heavy industrial operations, which may create some nuisance, and which are not properly associated with, nor particularly compatible with, residential, institutional and neighborhood commercial service establishments. The specific intent of this district is to: (a) encourage the construction of and continued use of the land for heavy commercial and industrial purposes; (b) discourage residential and neighborhood commercial use of the land and to prohibit any other use which would substantially interfere with the development, continuation or expansion of commercial and industrial uses in the district; (c) to encourage the discontinuance of existing uses that would not be permitted as new uses under the provisions of this ordinance.

DEFINITIONS

The primary use intended for this parcel could be considered either **Sand, gravel and crushed stone operation** or **Concrete mixing plant**; these uses are listed as uses-by-right in the M2 regulations

chapter of the Zoning and Development Ordinance (Article 34), but there is no specific definition in the code for either use. Although it is not specifically defined, staff considers the proposed (and existing) cement plant to align with one or both of these listed by-right uses.

34-1. USES BY RIGHT (applicable here):

- 34-1-3. Sand, gravel and crushed stone operations
- 34-1-16. Concrete mixing plants

OTHER REGULATIONS OF NOTE

- The February 11, 2002, rezoning of the property to GB (General Business) did not include any proffers which might be considered in later rezoning cases
- If rezoned, Town site plan review will be required for the business expansion and construction of roads, buildings, and pads, including County review of any applicable E&S, stormwater, and floodplain requirements

II. EXISTING CONDITIONS:

The property proposed for rezoning is currently vacant. Since 2002, there has been (to the knowledge of staff and the owner) no official use of the property for any commercial purpose, including leasing for hay, agriculture or commercial timbering. There are currently no buildings or structures on the property. There are several access roads on the property, but they are unimproved in nature and are used for property maintenance and access. The main access to the property is an unnamed spur road off Market Place Drive (adjacent to Taco Bell).

The property is large compared to other Town parcels and is adjacent to several other uses and zoning districts. It is bound on the north by land zoned GB (General Business), on the west by land zoned M2 (General Industrial), and to the south across Powder Mill Creek it is bound by R1 (Residential) and RA (Residential Agricultural).

The Rocky Mount Ready Mix business operation is currently located on approximately 6-7 acres adjacent to the property proposed for rezoning. The 34.664 acres is a recent acquisition by the applicant and no portion of that new property is currently being used in Rocky Mount Ready Mix operations. At its current location, the egress of cement trucks creates a safety hazard for truck drivers and other motorists. For cement trucks destined for any direction other than 40 East, exiting Rocky Mount Ready Mix involves crossing at least three lanes of traffic.

III. PROPOSED CONDITIONS:

The applicant intends to relocate the majority of the operations of Rocky Mount Ready Mix from the property at 110 Old Franklin Turnpike to the new property. The entire cement plant will be moved, and eventually buildings and equipment sheds will be constructed there as well. The current site will retain use of two buildings and the washout pond during the transition, but normal cement mixing and plant operations will be moved from the current site. The primary entrance for the property will be from Franklin Road near the existing entrance and curb cut, but trucks will utilize the light at Market Place drive as the primary exit for improved exiting safety.

TRAFFIC IMPACT: The proposed development is expected to have a net increase in safety along the SR 40 commercial corridor. Once the plant moves locations, trucks are expected to exit primarily at the Market Place Drive/Route 40 traffic light. This will greatly reduce the number of lane crossings required of the trucks at non-signaled locations on Route 40. The number of truck trips along Market

Place will increase, but from a safety standpoint the increased traffic there is preferential to the current truck exit situation at Route 40. One negative impact is the potential for cement trailing being deposited onto town roads in the commercial area along Market Place Drive, but with proper site design and additions during site plan review, this could be addressed onsite prior to trucks entering public roads. The biggest potential negative traffic impact relates to other, currently-unknown by-right uses in the M2 zoning district, which are not being contemplated for this site but would be allowed by the rezoning. There are several listed by-right uses in M2 which have the potential for significant potential traffic conflicts in the existing commercial area along Market Place Drive.

Although the subject parcel does front along Muse Field Road, there is no exit planned for that street and any proposed in the future may require significant traffic review and safety features, such as warning signage and acceleration lanes.

PROPOSED SITE LAYOUT NOTES: Existing vegetated buffer will be retained (a minimum of 30 feet adjacent to commercial areas and 60 feet adjacent to residential areas); the majority of cement plant buildings and structures are at a minimum 500 feet away from Market Place Drive and at a minimum 700 feet away from residential structures on Market Place Drive; other details will be addressed during site plan review.

IV. CONFORMANCE WITH COMPREHENSIVE PLAN:

Conformance:

- Relocation of the cement plant is a step toward enhancing gateway corridors with land use and physical enhancements to retain and attract new development along Route 40
- Comp Plan stresses Town's desire to attract and retain businesses and jobs
- Net positive transportation safety enhancements will result from plant relocation
- Infill and utilization of a currently vacant property

Nonconformance:

- Lack of land use considerations for industrial uses which may arise in M2 district by-right
- Traffic impacts for other by-right M-2 uses could be significant
- Future Land Use Map designates the parcel as *General Business* and not *Industrial* as is proposed here
- Public utilities were originally installed on property in anticipation of commercial and/or retail development

V. STAFF ANALYSIS:

Planning Staff identifies both merit and risk involved in the proposal as presented.

MERIT:

- New use of a large parcel of land in town which has not been utilized for at least 14 years
- A net improvement in traffic safety along Route 40
- Improved corridor and town entrance aesthetics when plant moves
- Eventual redevelopment of current cement site for non-industrial use is possible
- According to site plan, the cement operation will be set back from Market Place drive at least 500 feet, reducing the visual impact of the project

- The existing vegetative buffer serves as an instant visual buffer not available for most new developments

RISK:

- Rezoning the entire property without limitation allows a wide range of industrial uses not contemplated by this rezoning, which could have a significant impact on the Town’s main eastern commercial corridor in the future
- Significantly reduces the Town inventory of available commercial land
- Traffic: though the existing intersection at Market Place and Franklin is expected to handle cement truck entry/exit without major impact, the potential for other by-right uses with heavier truck traffic exists and will be a concern moving forward.

OVERALL RECCOMENDATIONS FOR PROJECT:

Town planning staff analyzed the submitted application and made several findings pertaining to identified impacts and suggested improvements to the project. These findings were discussed with the applicants prior to final advertisement/submission.

1. Whether rezoned as a whole or in part, the major concern from a planning standpoint and concerning future harmony among land uses in that area is the by-right uses which could develop on the property with M2 zoning without public review. Such by-right uses include petroleum refineries, brick manufacturing and similar, high-impact projects. (Other more intensive uses, such as junk yards and animal processing, would still require an additional special exception permit.) The applicant has no intention of developing any of these uses but once rezoned the Town’s ability to review and analyze such uses is severely diminished. The proximity to residential and retail centers is the primary concern for such situations. Suggested mitigation for this concern includes a limitation on the uses permitted by right as a part of this rezoning.
2. A partial rezoning of the property rather than a total rezoning would retain some of the available retail/commercial land and still allow for relocation of the plant, including future expansions. This would address come of the concerns related to Future Land Use Map and loss of retail inventory.
3. Concurrently rezoning the existing Rocky Mount Ready Mix site (from manufacturing to commercial) would dampen the impact of the loss of commercial property in Town and could allow for continued operation of the existing plant as a nonconforming use, which would be allowed by state law to continue to operate in perpetuity while the operations are transferred to the new site.

POSSIBLE MOTIONS:

REMINDER: You may not recommend conditions as a part of the motion. Rezoning proceedings must involve voluntary proffers, presented in writing and signed by the applicant prior to the public hearing. If you make a recommendation to deny the project before you, staff suggests stating reasons for the record so that the applicant can decide whether to address those impacts through proffers before future hearings.

Approval: I move to approve the rezoning request for Tax Map Parcel 2030006100 (on the following grounds, if needed): _____

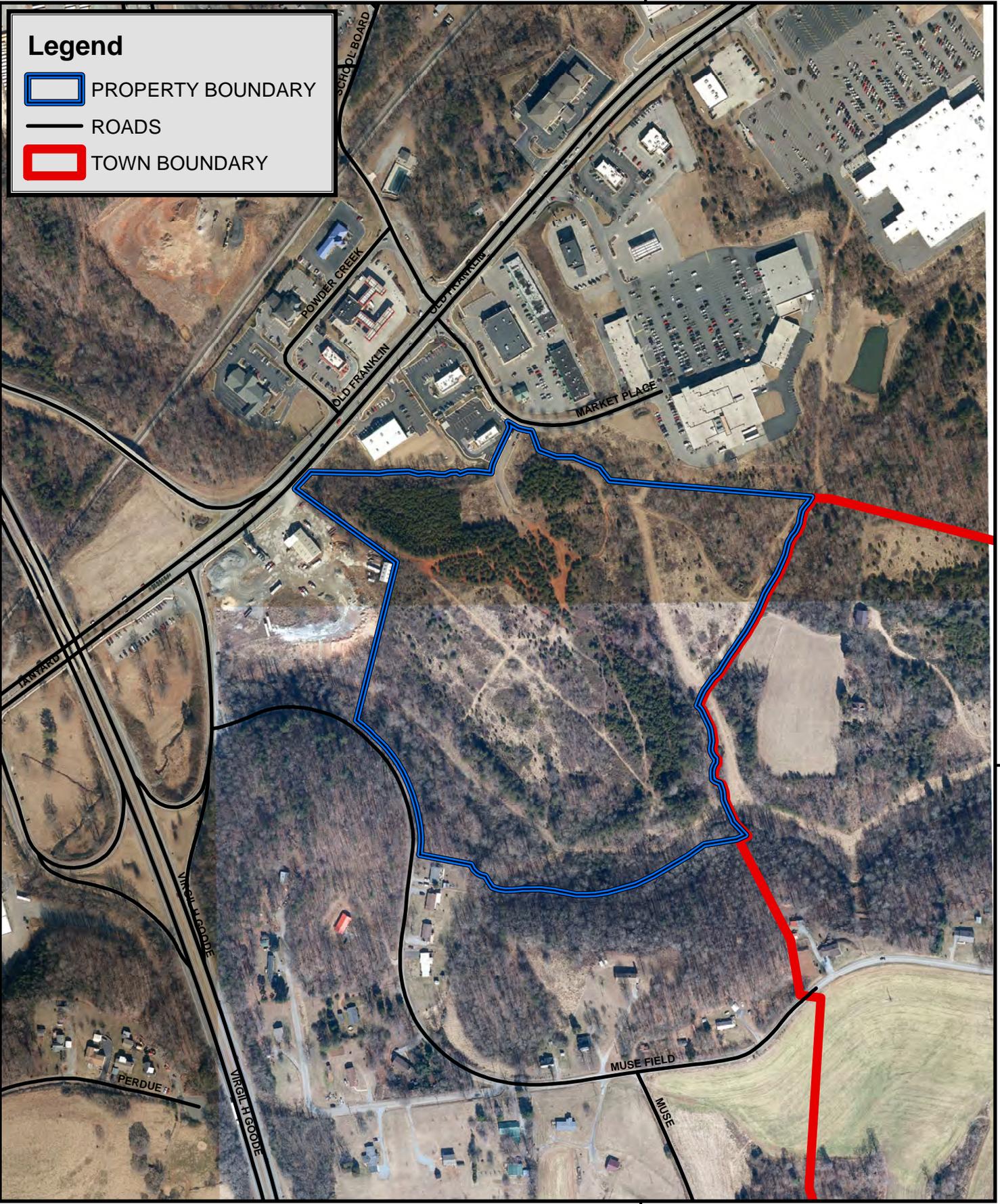
ONLY IF APPLICABLE:

Conditional Approval: I move to approve the rezoning request for Tax Map Parcel 2030006100 **with the following submitted proffers:**_____

Denial: I move to deny the rezoning request for Tax Map Parcel 2030006100 (on the following grounds, if needed):_____

PREPARED BY: Josh Gibson
HEARING DATES: Planning Commission, March 2, 2016
ATTACHMENTS: Aerial Map
Zoning Map
Future Land Use Map

79°52'0"W



Legend

-  PROPERTY BOUNDARY
-  ROADS
-  TOWN BOUNDARY

37°0'30"N

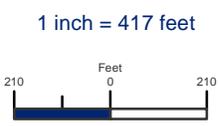
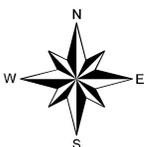
37°0'30"N

79°52'0"W



AERIAL MAP RMRM REZONING

DATE CREATED: 1/25/2016
TOWN OF ROCKY MOUNT, VA



Projection: Lambert Conformal Conic
GCS North America 1983
Datum: D North America 1983

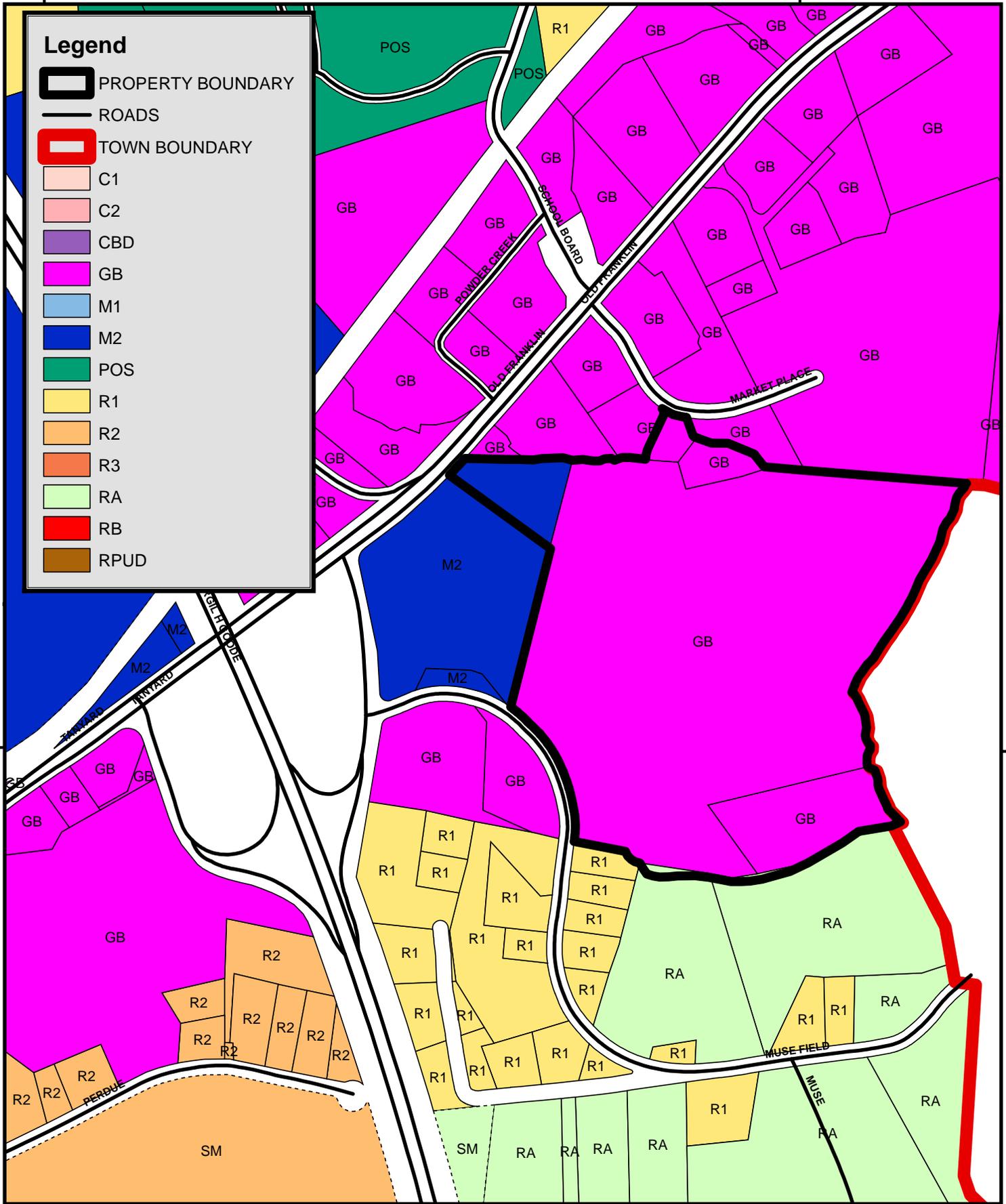
Map created by jgibson
This map is for general reference and display purposes only.

79°52'30"W

79°52'0"W

Legend

-  PROPERTY BOUNDARY
-  ROADS
-  TOWN BOUNDARY
-  C1
-  C2
-  CBD
-  GB
-  M1
-  M2
-  POS
-  R1
-  R2
-  R3
-  RA
-  RB
-  RPUD



37°0'30"N

37°0'30"N

79°52'30"W

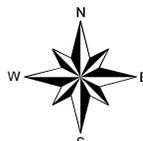
79°52'0"W



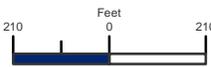
ZONING MAP

RMRM REZONING

DATE CREATED: 1/25/2016
TOWN OF ROCKY MOUNT, VA



1 inch = 417 feet



Projection: Lambert Conformal Conic
GCS North America 1983
Datum: D North America 1983

Map created by jgibson
This map is for general reference and display purposes only.

