

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

540.483.7660
FAX : 540.483.8830

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



PLANNING COMMISSION
JANET STOCKTON, CHAIR
JOHN SPEIDEL, VICE CHAIR

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

JESSICA HECKMAN
TOWN PLANNER
ZONING ADMINISTRATOR

PLANNING COMMISSION AGENDA
TUESDAY, OCTOBER 6, 2020
6:00 P.M.

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

Call to Order and Welcome

- I. Roll Call of Members Present
- II. Election of Officers
- III. Approval of Agenda
- IV. Review and Consideration of Minutes
 - a. August 5, 2020-Regular Meeting Minutes
- V. Public Hearing
 - a. The applicant, Luanne Wray, requests a rezoning of property located on Pell Avenue, Franklin County Tax Map and Parcel Number 2040054400, from General Business (GB) to Residential Business (RB).
 - i. Staff Report
 - ii. Applicant Comments
 - iii. Public Comments
- VI. Public Hearing
 - a. The applicant, LJMT 515 Weaver Street LLC (Empire Foods) is requesting a Special Exception/Use Permit to operate a business to consumer outlet, selling finished baked goods at their manufacturing property located at 515 WEAVER STREET, ROCKY MOUNT, VA, 24151, Franklin County Tax Map and Parcel Number 2030000101A. The property is zoned M2 (Industrial, General District).
 - i. Staff Report
 - ii. Applicant Comments
 - iii. Public Comments
- VII. New Business
- VIII. Old Business

- IX. Commissioner Concerns
- X. Staff Updates
- XI. Business for upcoming months
- XII. Adjournment

**TOWN OF ROCKY MOUNT
PLANNING COMMISSION
REGULAR MEETING MINUTES
August 5, 2020
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 August 5, 2020, for its regular monthly meeting with Madam Chair Janet Stockton presiding.

Commission Members Present:

- Janet Stockton, Chair
- Member Ina Clements
- Member Bud Blanchard
- Member John Tiggle
- Member Derwin Hall
- Vice Chairman John Speidel joined the meeting via conference phone

Commission Members Absent:

- Member Jerry Greer

Staff Members Present:

- Town Planner, Jessica H. Heckman
- Planning Commission Clerk, Cherie Compton
- Cultural & Economic Development Director, Beth Simms

APPROVAL OF AGENDA

Additions or Corrections: None at this time

Motion: To approve the agenda as presented

Motion By: Commission Member Ina Clements

Second: Commission Member John Tiggle

Action: Approved by a unanimous vote of members present

REVIEW AND CONSIDERATION OF MINUTES

Let the record show that prior to the meeting, the Planning Commission received the following draft minutes for review and consideration of approval:

July 7, 2020-Regular Meeting Minutes

Additions or Corrections: None

Motion: To approve minutes as presented

Motion By: Commission Member John Tiggie

Second: Commission Member Ina Clements

Action: Approved by unanimous vote of members present

NEW BUSINESS

None at this time.

OLD BUSINESS

Town Planner Jessica Heckman advised the commission that staff had sent out a survey to residents of Old Fort Road regarding on-street parking. The survey asked the residents to mark the statement that best reflected their stance regarding on-street parking, or to use the space provided to voice any recommendation they may have for the on-street parking. They could choose either, I have no issues or concerns with the on-street parking, or they had concerns and would like to help in finding a resolution. The survey and letter were used to make contact due to the COVID19 situation and the letter stated that there would be public hearings and further notification before any decision was to be made. Thirty surveys were mailed with the due date of August 4, 2020. The town received nine responses as of the meeting date, all of which had no concerns except for two. The two concerns were that one resident has had to call several times for the contractors equipment setting in the cul-de-sac making it hard to use for large vehicles to turn around, and vehicles parking the wrong direction and the other concern was you have to weave in and out of the parked vehicles making it hard to see people walking especially small children. The previous recommendation was kicked back to Planning Commission to review further and decide if a change needed to be made at this point or to leave as is to a further date. The consensus was to leave it as is and will revisit at a later date if needed.

COMMISSIONER CONCERNS

Member Ina Clements asked about Parkers Car Lot off 220. Jessica Heckman informed the board that letters have been sent and they came back as vacant and community development is still researching the owners to have something done. An open discussion ensued.

STAFF UPDATES

Town Planner Jessica Heckman gave an update on:

- the Angle Bridge rehab delay.
- She informed the board that she had sent a nuisance letter to Philip Bain about the windows from the 325 Franklin Street building informing him of abatement if a plan wasn't submitted within 30 days letting the Town know of any delays with the repairs.
- 35 applicants to date for the Reset Rocky Mount Program
- Vacant buildings-helping property owners with these with possible window decals with ideas that the building could be used for
- Possible prospect for the Hardees building
- Old gas station beside the Hub is seems to be moving forward
- Train Depot will not be opening this year, the railroad plans to use it for office space as Angle Bridge park goes underway, also looking for quotes to paint the exterior
- Warren Street Festival is still on but is a one day event and were notified that they have to maintain any governors orders that are issued.
- Fidelity building sold
- New car wash broke ground beside Kroger gas station

Business for Upcoming Months

Commission members and staff discussed potential business for upcoming months, chair Janet Stockton asked about looking into cleaning up the town making it look more attractive to businesses coming into town also possibly doing incentives for opening. Jessica informed members that is a big part of what Economic Development Coordinator Beth Simms has been working on.

ADJOURNMENT

Motion to Adjourn By: Commission Member Derwin Hall

Second: Commission Member Ina Clements

Action: Approved by a unanimous vote of members present

Time of Adjournment: 6:55 p.m.

Janet Stockton, Chairman

ATTEST:

Cherie Compton, Clerk

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

540.483.7660
FAX : 540.483.8830

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



TOWN COUNCIL
STEVEN C. ANGLE, MAYOR
JON W. SNEAD, VICE MAYOR

BOBBY M. CUNDIFF J. TYLER LEE
BOBBY L. MOYER MARK H. NEWBILL
BILLIE W. STOCKTON

JESSICA H. HECKMAN
Planning & Zoning Administrator

STAFF REPORT

PETITIONER: Luanne Wray
REQUEST: To rezone approximately 3.75 acres from General Business to Residential Business.
LOCATION: Pell Avenue, Rocky Mount, VA
HEARING DATE: Planning Commission, October 6, 2020
Town Council, October 12, 2020
TAX PARCEL: 2040054400

EXECUTIVE SUMMARY:

Luanne Wray, of 555 Pell Avenue, proposes to rezone her adjoining property from GB(General Business) to RB (Residential Business). This land is currently vacant and is pending sale along with her property at 555 Pell Avenue. The applicant wishes to have the property rezoned so that they may sell their home along with the vacant lot. The rezoning is necessary to make this purchase one transaction, as lenders are not able to finance properties that are zoned differently.

This application has been advertised in the Franklin News-Post as required by law, and the public hearing notice sign been posted on the site.

I. APPLICABLE REGULATIONS:

DEFINITIONS

RESIDENTIAL BUSINESS DISTRICT RB -Statement of Intent- The purpose of this district is to allow certain types of neighborhood commercial uses to be developed in an area that is generally residential in character. The purpose is to stabilize neighborhood aesthetics by enabling light density commercial purposes that will not detract from the residential character of a neighborhood.

This zoning district is characterized by a number of smaller lots of insufficient lot areas to comply with the minimum lot requirements for an R1 and R2 district. Consequently, the light density commercial uses add value and flexibility of use to residential property which might otherwise diminish in value.

Traffic and parking congestion is held to a minimum to protect and preserve property values in the surrounding residential area. Commercial uses shall provide off street parking in accordance with this ordinance. The commercial uses permitted should include only activities which will not detract from the normal operation of area households. Business related activities hours of operation shall not be conducted later than 8:00 p.m. or earlier than 8:00 a.m. such as to maintain the residential harmony of the area. No outside sales, service or storage is permitted. Direct on-site retail sales are prohibited in an RB district. (See definition of retail stores and shops).

GENERAL BUSINESS DISTRICT GB -Statement of Intent- This district covers that portion of the community intended for the conduct of general business to which the public requires direct and frequent access and is characterized by heavy traffic, and noise and congestion of people and passenger vehicles. This district includes numerous commercial activities serving the needs of the community such as retail stores, business offices, restaurants and garages, located predominantly on primary arteries. Special conditions exist within this zone to permit the operation of business traditionally located within the central business district, and those traditionally found along arterial strip developments

II. EXISTING CONDITIONS:

The property is approximately 3.75 acres of vacant land and is primarily surrounded by residential properties.

III. PROPOSED CONDITIONS:

If approved, the applicant intends to sell both parcels to one buyer as one transaction. All of the residential properties along Pell Avenue are zoned Residential Business with the exception of the last home at the intersection of Pell and Tanyard, it is a residence but is zoned General Business.

IV. CONFORMANCE WITH COMPREHENSIVE PLAN:

The Comprehensive plan calls for maintaining quality residential neighborhoods. Residential business allows neighborhood commercial uses to be developed in an area that is generally residential in character but maintains characteristics of a neighborhood. Alternatively, leaving the parcel as general business allows commercial purposes that will detract from the residential character of the neighborhood.

V. STAFF CONCLUSIONS

Staff supports the rezoning of the property to Residential Business District. This parcel is amongst residential properties and would be better suited zoned as residential business. Staff believes general business uses would negatively affect the surrounding properties and the rezone will protect the residential nature of the district.

POSSIBLE MOTIONS:

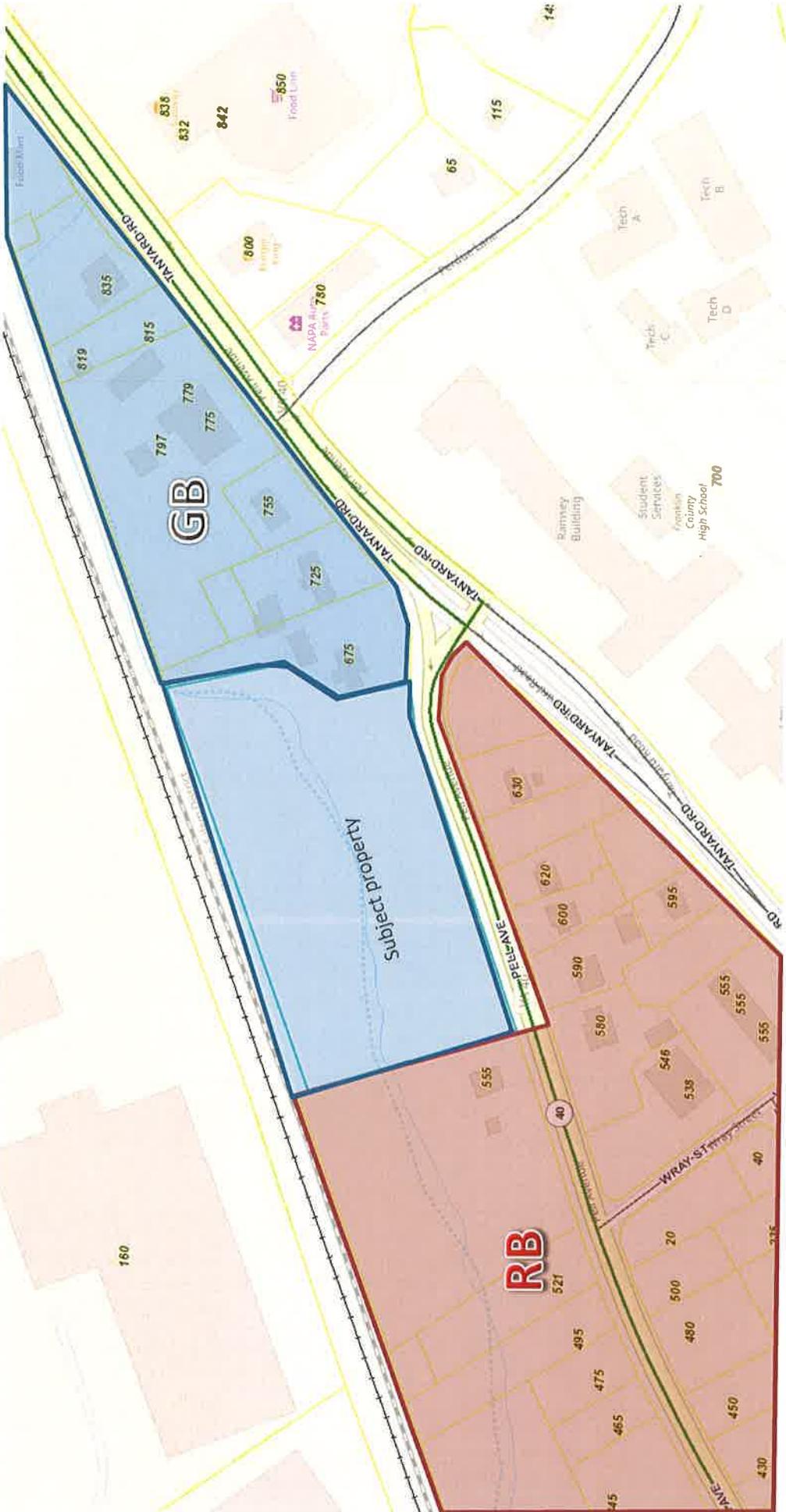
Approval: I move to approve the rezoning request for Tax Map Parcel 2040054400 (on the following grounds, if needed): _____

ONLY IF APPLICABLE:

Approval, with Imposed Conditions: I move to approve the rezoning request for Tax Map Parcel 2040054400 with the following conditions: _____

Denial: I move to deny the special exception request for Tax Map Parcel 2040054400 (on the following grounds, if needed): _____

PREPARED BY: Jessica H. Heckman
HEARING DATES: Planning Commission, October 6, 2020
Town Council, October 12, 2020



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

540.483.7660
FAX : 540.483.8830

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



TOWN COUNCIL
STEVEN C. ANGLE, MAYOR
JON W. SNEAD, VICE MAYOR

BOBBY M. CUNDIFF J. TYLER LEE
BOBBY L. MOYER MARK H. NEWBILL
BILLIE W. STOCKTON

JESSICA H. HECKMAN
Planning & Zoning Administrator

STAFF REPORT

PETITIONER: LJMT 515 Weaver Street LLC (Empire Bakery)
REQUEST: Special Exception/Use Permit in the M2(Industrial, General District) in order to operate a retail outlet space for business to consumer outlet offering finished baked goods
LOCATION: 515 Weaver Street, Rocky Mount, VA
HEARING DATE: Planning Commission, October 6, 2020
Town Council, October 12, 2020
TAX PARCEL: 2030000101A

EXECUTIVE SUMMARY:

LJMT 515 Weaver Street LLC (Empire Bakery) has applied for a special use/exception permit in order to operate a business to consumer retail outlet space offering finished baked goods. If approved, the applicant intends to install a cooler in the lobby area to house the finished baked goods being offered.

This application has been advertised in the Franklin News-Post as required by law, and the public hearing notice sign been posted on the site.

I. APPLICABLE REGULATIONS:

DEFINITIONS

COMMERCIAL OFFICE, GENERAL DISTRICT C2 - 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.

5-3. USES NOT PROVIDED FOR (applicable here):

5-3-1. A use not provided for is a use that is not included within the text of the permitted district uses. Because of their nature and anticipated impact, these uses require a review by the commission and governing body before approval is granted. Uses not provided for are treated as a zoning amendment and the town council hereby reserves unto itself the right to approve or disapprove uses not provided for.

II. EXISTING CONDITIONS:

The building is currently used as a food processing plant. The applicant will continue the current use, but utilize a small space in the lobby to house the goods to be sold to consumers. The plant currently produces ready to sell desserts for in-store bakeries, club stores, food service and dessert manufacturers.

III. PROPOSED CONDITIONS:

If approved, the applicant intends to install coolers in the lobby area to house the finished baked goods to be offered for sale. Empire Bakery Commissary desires to give their customers an additional option, outside of local major retailers (i.e. Kroger and Food Lion) to purchase bakery items at a discounted rate. These items would not be items currently offered at retailers and would consist of overstock that is produced for retailers not in the region. None of the items would be custom/made to order products, therefore not in competition with any locally owned small businesses. Per the applicant the retail outlet would also have the potential in the future to create 3-5 more jobs, thereby increasing employment opportunities in the area. The proposed outlet hours will be Wednesday through Friday from 1:00pm - 6:00pm. The facility has ample parking at their lobby entrance to accommodate outlet customers.

There are no known negative impacts to surrounding properties nor do we foresee any traffic impacts. According to the Town of Rocky Mount Zoning Ordinance, retail/outlet is not a use provided for in the M2 - Industrial General District. The zoning administrator has determined that the proposed use of retail/outlet falls under "Uses not provided for" which require a special exception permit.

IV. CONFORMANCE WITH COMPREHENSIVE PLAN:

The Comprehensive plan calls for us to encourage economic development and services that will provide a benefit to the community. If successful, the proposed use has the potential to create up to five jobs. The use will also help one of our industries cut down on product waste and costs and provide a benefit to the community.

V. STAFF ANALYSIS

Staff has reviewed the proposal and can see no negative impacts for approving the retail outlet use in the lobby. Staff does not foresee any notable increase in traffic or any impact on surrounding properties. Allowing the use will allow them to offer discounted products not offered in our region, potentially add up to five jobs, and cut down waste. Having found no negative impacts, staff recommends approval of the special use permit with the condition that the special use permit is only valid so long as the food production plant remains in operation.

POSSIBLE MOTIONS:

Approval: I move to approve the special exception request for Tax Map Parcel 2030000101A (on the following grounds, if needed): _____

ONLY IF APPLICABLE:

Approval, with Imposed Conditions: I move to approve the special exception request for Tax Map Parcel 2030000101A **with the following conditions:** _____

Denial: I move to deny the special exception request for Tax Map Parcel 2030000101A (on the following grounds, if needed): _____

PREPARED BY: Jessica H. Heckman
HEARING DATES: Planning Commission, October 6, 2020
Town Council, October 12, 2020



Town of Rocky Mount SPECIAL ZONING APPLICATION

REZONING REQUEST SPECIAL EXCEPTION/USE VARIANCE

Date Received:	9-15-20
Received by:	[Signature]
PC/BZA Date:	10/6/20 / 10/12/20

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: LJMT 515 Weaver Street LLC
 ADDRESS: 11243 Cornell Park ~~Dr~~ Dr. Cincinnati OH 45242
 PHONE: 540-489-5550 EMAIL: _____

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

TAX MAP & PARCEL NUMBER: 2030000101 A LOT SIZE (ACRES/SQ.FT.) _____

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

REZONING REQUEST: PROPOSED ZONING: _____ PROPOSED LAND USE: _____

SPECIAL EXCEPTION/USE REQUEST OF SECTION(S) _____ OF THE TOWN ZONING ORDINANCE.

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.

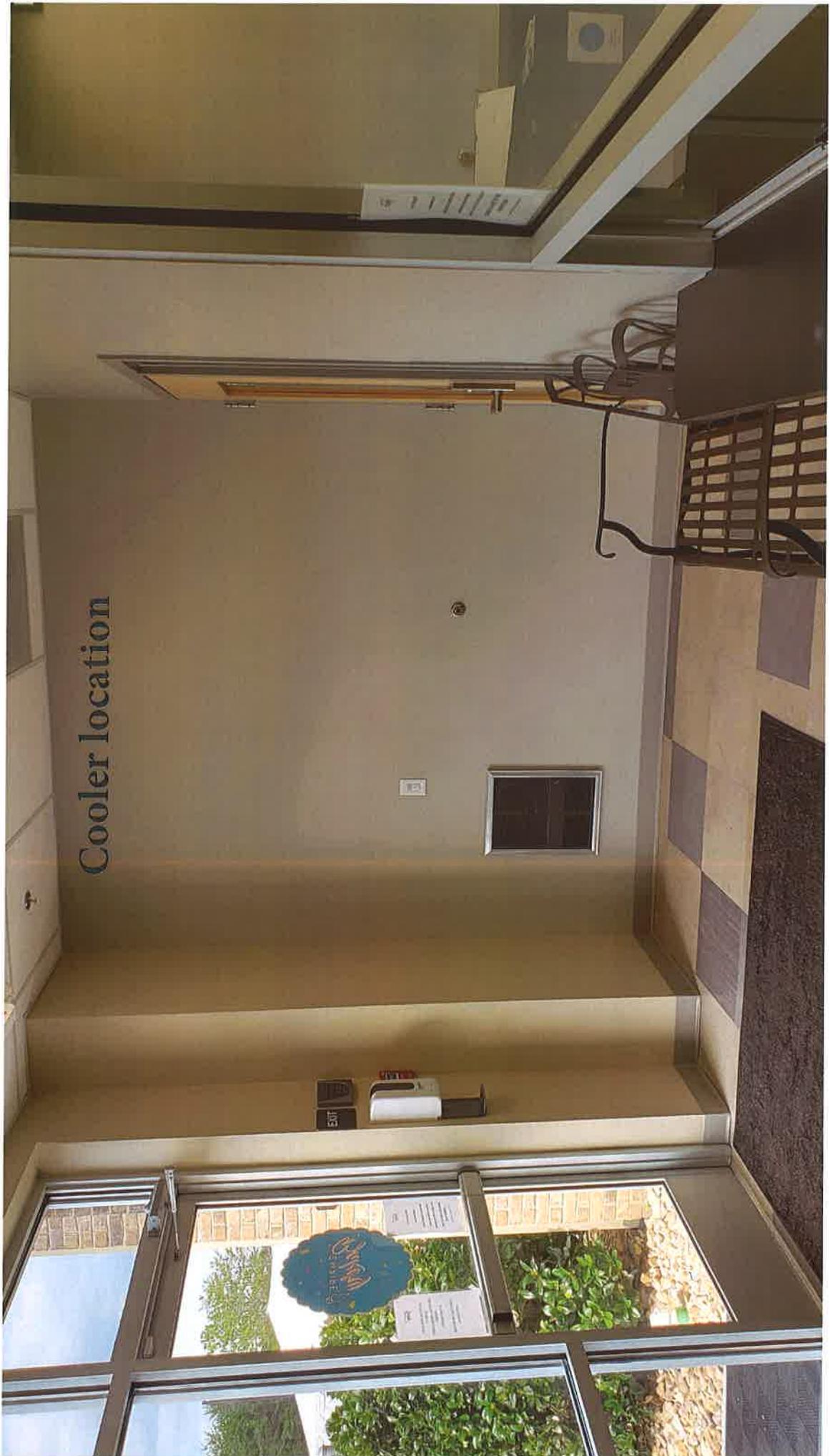
Create a retail space for a business to consumer outlet, selling finished baked goods.

I HEARBY CERTIFY THAT I AM ACTING WITH THE KNOWLEDGE 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.

X [Signature] 9-10-2020
 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.

[Signature] 9/10/20
 OWNER SIGNATURE DATE



Cooler location

EXIT

Puffin
Puffin
Puffin

Entrance to Lobby and Proposed outlet space



Lobby

