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VIRGINIA: At a Regular Meeting, of the Hanover County Planning Commission in the Board Auditorium of the Hanover County Government Building, Hanover County, Virginia, on Thursday, February 20, 2020 at 7:00 P.M.

PRESENT: Mr. Alan Abbott, Chairman
Mr. Fredric I. McGhee, Jr., Vice-Chairman
Mr. Jerry W. Bailey
Mr. Steven F. Hadra
Mr. Larry A. Leadbetter
Mr. Randy A. Whittaker

ABSENT: Mrs. Edmonia P. Iverson

STAFF

PRESENT: Mr. David P. Maloney
Mr. Lee W. Garman
Mr. Dennis A. Walter
Ms. Tiffany M. Burton
Ms. Gretchen W. Biernot

Chairman Abbott called the meeting to order at 7:00 P.M. *All members were present, except Mrs. Iverson.*

Welcome and Pledge of Allegiance

Mr. Whittaker took a moment to recognize Will Miles, a Cub Scout from Troop 502 in Mechanicsville working to earn his Eagle Scout Badge. Will led the Pledge of Allegiance for the Planning Commission meeting.

Citizens' Time

Citizens' Time is limited to 20 minutes, and each speaker shall be allotted five minutes.

Chairman Abbott opened Citizen's Time, asking if there was anyone wishing to speak to the Commission on an issue not on the Agenda.

No one addressed the Commission during Citizens' time.

Chairman Abbott closed Citizens' Time.

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EXPEDITED PUBLIC HEARINGS

Chairman Abbott explained that the Expedited Agenda contains cases that have moved through the process with little if any opposition and that the applicant is in agreement with Staff recommendations. He asked if anyone wished to speak in opposition to the case on tonight's Expedited Agenda. Seeing no one, the cases remained as Expedited Public Hearings.

Rezoning

REZ2019-00029, RIVA RIDGE DEVELOPMENT, L.L.C.

Request(s) to rezone from A-1, Agricultural District to AR-6(c), Agricultural Residential District with conditions, on GPIN 7860-76-8346, consisting of approximately 53.23 acres, and located on the south line of West Patrick Henry Road (State Route 54) approximately 550 feet east of its intersection with Poplar Valley Place (state route pending). The subject property is designated on the General Land Use Plan Map as Agricultural. The proposed zoning amendment would permit the creation of eight (8) building lots for a gross density of one (1) dwelling unit per 6.65 acres.

Magisterial District: Beaverdam

Mr. Garman gave a brief presentation of the request to rezone to AR-6(c), Agricultural Residential District with conditions, to permit the creation of eight building lots. He concluded by stating staff recommends approval subject to the submitted proffers.

Chairman Abbott asked if any of the Commissioners had any questions. Seeing none, he asked if the applicant was present and in agreement with staff recommendations. From the audience, the applicant acknowledged that he was in agreement. Chairman Abbott asked if anyone wished to speak in favor of or in opposition to the request. Seeing none, he closed the public hearing.

Upon a motion by Mr. Whittaker, seconded by Mr. Hadra, the Planning Commission voted

UNANIMOUSLY TO RECOMMEND APPROVAL OF REZ2019-00029, RIVA RIDGE DEVELOPMENT, L.L.C., SUBJECT TO THE SUBMITTED PROFFERS, DATED FEBRUARY 10, 2020:

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- 1) **Concept Plan.** The Property shall be developed in substantial conformity with the conceptual plan attached entitled "RIVA RIDGE SUBDIVISION, BEAVERDAM DISTRICT, HANOVER COUNTY, VIRGINIA", prepared by Youngblood, Tyler & Associates PC, and dated October 1, 2019, and last revised February 3, 2020 (the "Concept Plan").
- 2) **Protective Covenants.** Prior to or concurrent with the final approval of the subdivision for the Property, a document setting forth covenants that shall be recorded in the Clerk's Office of the Circuit Court of Hanover County, Virginia, setting forth controls on the development and maintenance of the Property and establishing an owners' association (the "Association"). The Association shall establish uniform rules related to the standards for approval by the Association of improvements within the Property.
- 3) **Right of Way Dedication.** The Owner agrees to dedicate fifty feet (50') of right-of-way from the centerline of West Patrick Henry Road (State Route 54) to the property for the future road widening, free of cost to the County, upon request of the County or VDOT.
- 4) **Tree Preservation.** Existing trees of 5 inch caliper or greater on the Property shall not be removed with the exception of dead or diseased trees or parts thereof. This shall not prevent the removal of all trees necessary for the construction of improvements, driveways, drainfields, drainage facilities, and for agricultural purposes, such as orchards, pastures, or cultivated fields, all as generally shown on the Concept Plan. Nothing herein shall be interpreted to permit the mass grading or clear-cutting of the entire Property. A grading plan shall be submitted at the time of building permit for the Planning Department to review to ensure conformity with the limits of clearing shown on the Concept Plan.
- 5) **Brick or Stone Foundations.** Exterior of all foundations shall be of brick or stone unless the residence is constructed with synthetic stucco, in which case the foundation may be synthetic stucco. No cinder block, cement block, solite block, or asbestos shingle shall be permitted for the finished exterior of any structures.
- 6) **Access.** No lot shall have direct access to West Patrick Henry Road (State Route 54).

The vote was as follows:

Mr. Abbott	Aye
Mr. Bailey	Aye
Mr. Hadra	Aye
Mrs. Iverson	Absent
Mr. Leadbetter	Aye
Mr. McGhee	Aye
Mr. Whittaker	Aye

The motion carried.

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Combined Rezoning & Conditional Use Permit

REZ2019-00036, PENCE HOLDINGS, INC.

Request(s) to rezone from B-3(c), General Business District with conditions, to M-2(c), Light Industrial District with conditions, on GPIN 7788-06-7720, consisting of approximately 9.44 acres, and located on the north line of Vermeer Place (State route pending) at its intersection with Washington Highway (U.S. Route 1). The subject property is designated on the General Land Use Plan Map as Business-Industrial. The proposed zoning amendment would allow for various M-2, Light Industrial District uses including a recreational vehicle storage site.

Magisterial District: South Anna

Mr. Garman gave a brief presentation of the request to rezone to M-2(c), Light Industrial District with conditions, to allow various M-2, Light Industrial District uses including a recreational vehicle storage site. He stated subsequent to the staff report, the applicant has submitted a revised conceptual plan based on staff's comments and staff now recommends approval of the rezoning request subject to the submitted proffers.

CUP2019-00010, MEGAWASH, L.L.C.

Request(s) a Conditional Use Permit in accordance with Section 26-174.2 of the Hanover County Zoning Ordinance to permit a vehicle washing facility on GPIN 7788-06-7720(part), consisting of approximately 2.81 acres, zoned B-3(c), General Business District with conditions (rezoning to M-2(c), Light Industrial District pending with REZ2019-00036), and located on the north line of Vermeer Place (State route pending) at its intersection with Washington Highway (U.S. Route 1). The subject property is designated on the General Land Use Plan Map as Business-Industrial.

Magisterial District: South Anna

Mr. Garman gave a brief presentation of the request for a Conditional Use Permit to permit a carwash or vehicle washing facility, automatic or otherwise. He stated M-2(c), Light Industrial zoning is pending with the case previously presented. Staff recommends approval subject to the conditions as outlined in the staff report.

Chairman Abbott asked if any of the Commissioners had any questions. Seeing none, he asked if the applicant was present and in agreement with staff recommendations. From the audience, the applicant acknowledged that he was in agreement. Chairman Abbott asked if anyone wished to speak in favor of or in opposition to the request. Seeing none, he closed the public hearing.

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Upon a motion by Mr. Leadbetter, seconded by Mr. Whittaker, the Planning Commission voted **UNANIMOUSLY TO RECOMMEND APPROVAL OF REZ2019-00036, PENCE HOLDINGS, INC., SUBJECT TO THE SUBMITTED PROFFERS DATED JANUARY 29, 2020, AND SUBMITTED ELEVATIONS, WITH THE CHANGES TO THE CONCEPTUAL PLAN AS RECOMMENDED BY STAFF:**

1. The Property shall be developed in substantial conformity with the conceptual plan (“the Plan”), titled “MegaWash and Mega RV Parking and Storage,” dated November 27, 2019, last revised by _____, prepared by vhb.
2. The car wash structure shall be constructed in substantial conformity with the elevations entitled “Mega Wash Building Elevations”, by Ionic Dezign Studios, dated November 26, 2019.
3. The Property Owner agrees to dedicate sixty feet (60’) of right-of-way measured from the centerline of Washington Highway (U. S. Route 1) to the property for future road widening as shown on the Hanover County Major Thoroughfare Plan. Dedication shall take place when requested by the County, and shall be free of cost and free of encumbrances interfering with the use for road purposes.
4. All heating, ventilation and air conditioning equipment shall be located so as not to be visible from adjoining properties or from the public right-of-way. Provisions for screening shall be reviewed and approved by the Planning Director at the time elevations are submitted for approval.
5. All freestanding signs on the Property shall be monument type, matching building materials and style.
6. Access. Entrances to the Property shall be at the locations shown on the conceptual plan. Any additional entrance locations shall require an amendment to the conceptual plan.
7. The following M-2 uses shall not be permitted:
 - a. Coal and wood yards, coke storage and sales
 - b. Dry cleaning plants
 - c. Industrial gases (storage, transfer and distribution only); provided that such storage occurs in tanks no larger than five thousand (5,000) gallons and does not exceed twenty thousand (20,000) gallons per lot
 - d. Lumber yards
 - e. Poultry packing and slaughtering (wholesale)
 - f. Railroad switching yard, primarily for railroad service in the district, team tracks and spur tracks.

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The vote was as follows:

Mr. Abbott	Aye
Mr. Bailey	Aye
Mr. Hadra	Aye
Mrs. Iverson	Absent
Mr. Leadbetter	Aye
Mr. McGhee	Aye
Mr. Whittaker	Aye

The motion carried.

Upon a motion by Mr. Leadbetter, seconded by Mr. Whittaker, the Planning Commission voted

**UNANIMOUSLY TO RECOMMEND APPROVAL OF CUP2019-00010, MEGAWASH, L.L.C.,
SUBJECT TO THE TECHNICAL CHANGES TO THE SKETCH PLAN AND THE
CONDITIONS AS OUTLINED IN THE STAFF REPORT:**

1. Upon request of the County or VDOT, the applicant shall dedicate sixty feet (60') of right-of-way from the centerline of Washington Highway (U.S. Route 1) to the property for future road widening, free of cost to the County and free of encumbrances for road use purposes.
2. Unless a lighting plan is submitted that meets the requirements of the Chapter 26, Article 5, Division 6, Lighting Regulations, the hours of operation shall be limited to the hours between dawn and dusk.
3. A major thoroughfare buffer shall be shown on the site plan, approved and installed in accordance with Section 26-264 of the ordinance prior to commencement of the use.
4. The commercial entrance shall be designed and constructed in accordance with VDOT standards and specifications.
5. All requirements of the Public Utilities Department, Public Works Department, Fire Department, and Building Inspector's Office shall be met.
6. All development and use of the property shall comply with all federal, State and local statutes, ordinances and regulations.

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The vote was as follows:

Mr. Abbott	Aye
Mr. Bailey	Aye
Mr. Hadra	Aye
Mrs. Iverson	Absent
Mr. Leadbetter	Aye
Mr. McGhee	Aye
Mr. Whittaker	Aye

The motion carried.

Conditional Use Permit

CUP2019-00011, COMPASS CHRISTIAN CHURCH

Request(s) an amendment to a Conditional Use Permit (CUP-3-80, AM. 1-09) in accordance with Section 26-20.21 of the Hanover County Zoning Ordinance to permit a church expansion and its related uses on GPINs 8725-31-9218, 8725-30-8257, 8725-40-1234, 8725-40-2226 and 8725-40-1473, consisting of approximately 17.57 acres. The property is zoned A-1, Agricultural District, and located at the terminus of Liberty Circle (private road) north of its intersection with Mechanicsville Turnpike (U.S. Route 360). The subject property is designated on the General Land Use Plan Map as Commercial and Suburban High (3-7 Dwelling Units per Acre).

Magisterial District: Henry

Mr. Garman gave a brief presentation of the request for an amendment to a conditional use permit to permit a church expansion and its related uses. He said staff notes this request only applies to Phase I of the expansion area as it is shown on the submitted master plan. Staff recommends approval subject to the conditions as outlined in the staff report.

Chairman Abbott asked if any of the Commissioners had any questions. Seeing none, he asked if the applicant was present and in agreement with staff recommendations. From the audience, the applicant acknowledged that he was in agreement. Chairman Abbott asked if anyone wished to speak in favor of or in opposition to the request. Seeing none, he closed the public hearing.

Mr. Bailey expressed the need to provide clarity to the Commissioners regarding comments mentioned in the staff report. VDOT recommended that a traffic analysis study needed to be done for this CUP amendment. Mr. Bailey said there is no requirement to implement the analysis for Phase I. It must be completed once the applicant moves on the Phase II. The second clarification provided by

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Mr. Bailey was in reference to obtaining a food permit from the Health Department. He said Liberty Christian School is a separate entity from Compass Christian Church; therefore, the permit is not applicable. With that being said, Mr. Bailey made a motion.

Upon a motion by Mr. Bailey, seconded by Mr. McGhee, the Planning Commission voted **UNANIMOUSLY TO RECOMMEND APPROVAL OF CUP2019-00011, COMPASS CHRISTIAN CHURCH, FINDING THAT THE ELEVATIONS ARE SATISFACTORY SUBJECT TO THE CONDITIONS OUTLINED IN THE STAFF REPORT:**

1. The Property which is the subject of this request shall be used only for a church and its related uses and associated activities, and for the operation of a school. Only the Phase 1 Education Addition may be constructed. Future development will require an amendment to the Conditional Use Permit and a traffic impact analysis if warranted.
2. The applicant shall dedicate no less than sixty feet (60') of right-of-way from the centerline of Mechanicsville Turnpike (U.S. Route 301) to the property for future road widening, free of cost and free of encumbrances for road use purposes to the County or VDOT. Such dedication shall be in accordance with the Major Arterial, Urban Section typical section found in the Section 3, Transportation, of the Comprehensive Plan, Hanover, Virginia 2017-2037.
3. The parking lot shall be landscaped in accordance with Article 4, Division 2, and all other applicable site plan requirements.
4. A 25' thoroughfare buffer shall be provided along Mechanicsville Turnpike in accordance with Article 5, Division 5. Should public utilities be located within the area of the buffer, additional width shall be provided to allow the space necessary for the required landscaping within the buffer.
5. All entrances shall be designed and constructed in accordance with VDOT standards and specifications.
6. All development and use of the Property shall comply with all Federal, state and local statutes, ordinances and regulations.

The vote was as follows:

Mr. Abbott	Aye
Mr. Bailey	Aye
Mr. Hadra	Aye
Mrs. Iverson	Absent
Mr. Leadbetter	Aye
Mr. McGhee	Aye
Mr. Whittaker	Aye

The motion carried.

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INDIVIDUAL PUBLIC HEARING

Chairman Abbott gave the citizens direction regarding the transition to the individual public hearing. He stated the Commission would take a five-minute recess to transition to the next case.

The Commission recessed at 7:16 P.M.

Meeting Reconvened

Chairman Abbott called the meeting to order at 7:24 P.M. *All members were present, except Mrs. Iverson.*

Chairman Abbott asked Mr. Walter to remind the Commission of their role and function pertaining to this case before them.

Mr. Walter stated the primary focus for the Commission tonight is a land use decision. In 1995, the Board of Supervisors rezoned this property to M-2 with voluntary proffers submitted by the applicant and approved by the Board. The current application to amend the proffers is intended to enhance the community as a whole.

Rezoning

REZ2019-00037, AIR PARK ASSOCIATES, L.P.

Request(s) an amendment to the proffers approved with rezoning request C-13-94(c), Air Park Associates, on GPINs 7798-44-0937, 7798-44-0663, 7798-44-2350, 7798-33-3765, 7798-34-2121, 7798-24-8382, 7798-24-6569, 7798-24-4811, 7798-25-1001, 7798-35-3160, 7798-35-4750, 7798-35-0225, 7798-25-6471, 7798-45-3554, 7798-54-5903, 7798-33-9427, 7798-43-4904, 7798-43-4481, 7798-43-8505, 7798-53-1614, and 7798-35-1840, consisting of approximately 217.34 acres, zoned M-2(c), Light Industrial District with conditions. The property is located on the west line of Sliding Hill Road (State Route 656) approximately 1000 feet south of its intersection with Ashcake Road (State Route 657) and on the south line of Ashcake Road (State Route 657) approximately 800 feet west of its intersection with Sliding Hill Road (State Route 656). The subject property is designated on the General Land Use Plan Map as Limited Industrial. The proposed zoning amendment would permit the development of a warehouse/distribution facility.

Magisterial District: Ashland

Mr. Garman presented the request to amend the proffers approved with rezoning request C-13-94(c), Air Park Associates. He stated the subject property was rezoned to M-2(c), Light Industrial District with conditions, in 1995. The proposed user of the subject property is a grocery distribution

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facility; a use permitted by right within the M-1, Limited Industrial District (Section 26-163.20, warehousing, storage, wholesaling, and distribution) and therefore, also permitted in the M-2 district. However, the applicant is requesting to amend the previously approved proffers to bring the requirements more in line with today's site development standards and to address transportation improvements, landscape buffers, light pole height, fencing requirements, and cemeteries. A companion Special Exception application (SE2020-00005) for an exception to building height requirements has also been submitted for consideration by the Board of Supervisors. Mr. Garman concluded by stating staff recommends approval subject to the submitted proffers.

Chairman Abbott asked if the Commissioners had any questions or comments. Seeing none, he opened the public hearing. He asked if the applicant or representative for the applicant wished to come forward to present the case to the Commission.

Andy Condlin, representative for the applicant, presented the rezoning request on behalf of Wegmans. He began by stating this distribution center will serve twenty-five stores between Maryland and North Carolina. This property was chosen because of its size, existing zoning, and close proximity to I-95. The parcel has been zoned M-2 since 1995. It has been listed on the Comprehensive Plan as industrial since 1988. The request to amend the proffers is to ensure a more efficient development. This exact facility could go on this parcel today as is without any changes to the proffers. Changing the proffers would make things better for Wegmans and the community. The Hanover County Ordinance has already codified many of the proffers so they do not apply anymore. Others have been fulfilled such as Merry Oaks Tavern study or are no longer applicable such as cemeteries since there are no graves on the site. Mr. Condlin presented a PowerPoint slide with a side-by-side comparison of the current proffers and the proposed proffers. He explained the changes to enhance the following: the buffers on Sliding Hill and Ashcake Roads, the access points for the trucks, the height of the parking lot lights, fencing,

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and traffic. Mr. Condlin concluded by reminding the Commission that the discussion tonight is whether Wegmans will go under the 1995 proffers or the proposed proffers.

Chairman Abbott asked if the Commissioners had any questions for Mr. Condlin. Seeing none, he opened the floor for the public hearing. Due to the large number of speakers, Chairman Abbott said he would call the names of the speakers in opposition first.

Kathy Woodcock, resident of the Beavertown Magisterial District, lives on Ashcake Road. She recommended the Commission consider a 150' buffer to reduce noise. Ms. Woodcock stated her concerns regarding Peaks and Mt. Herman Roads being inadequate and unsafe today, flooding, the height of the building, lighting, and the timing of notifications regarding the community meeting. She asked the Commission to consider deferring the case to reconsider the impacts.

Jeff Hetzer from the Ashland Magisterial District stated his concerns regarding traffic, the volume of heavy trucks, and the turn lane improvements.

Weeden Cloe, resident of the Ashland Magisterial District voiced concerns about stormwater and the proposed buffer. He asked the Commission to consider a 150' buffer, a berm to stop noise pollution, and to defer the case for 90 days to address citizens' concerns.

Chris French from the Chickahominy District stated concerns about the archeological surveys. He said they are not sufficient in determining if graves are still on this property.

Daniel Pettyjohn from the Chickahominy Magisterial District asked the Commission to consider deferral for further analysis regarding the archeological study, traffic, noise pollution, and to allow time for to hear citizen's voices.

Mary Helen Crowder expressed concerns regarding the buffer and new teen drivers on the road with increased truck traffic. She asked the Commission to take more time to consider the concerns of the residents and readdress what is best for Hanover citizens.

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Donald Pleasants, resident of the Chickahominy District, suggested that Wegmans build their own road from I-95 to U.S. Route 301 to keep neighbors and neighborhoods safe from accidents. He inquired who would police truck traffic once the facility is up and running.

Kathy Billups from the Ashland Magisterial District referred to the rezoning application and read responses written by the applicant. She voiced concerns regarding truck traffic access to I-95 and I-295, safety of roads, and the need for sidewalks or crosswalks.

Kenneth Spurlock, resident of the Beaverdam Magisterial District and deacon at Brown Grove Baptist Church, came forward and asked the Commissioners to consider the concerns of the citizens. He said Ashcake Road in its current state is dangerous causing many accidents and has excessive flooding. Mr. Spurlock said currently the church has experienced accidents involving knocking over the marquee, running into their gates, and trucks turning around in their parking lot. He expressed his concerns about these matters getting worse with this facility.

Cliff Duris expressed concerns regarding drainage on Ashcake Road and the light spillage.

Brian Donohue, resident of the Ashcreek Subdivision, voiced concerns about increased truck traffic near the vicinity of Pearson's Corner Elementary School.

Anita Philip brought up issues raised from her neighbor in the Forest Lake Hill Subdivision regarding diesel fuel pollution soaking into ground water of wells in the area. Ms. Philip said the 1995 proffers were put in place to prevent a Wegmans type of development. She also said the vehicle trips per day of a tractor-trailer are not comparable to those of passenger vehicles.

Laurel Cummings from the Foxhead Subdivision spoke about her concerns about the height increase of the light poles and the color temperature of the lights based on the recommendations of the Dark Skies Association.

Melanie Fennell, resident of the Chickahominy Magisterial District, is a concerned mom worried that the changes to the proffers will affect the children in the future.

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Rose Pittman from the Beaverdam District stated her concerns about the buffers, traffic, flooding, environmental impacts, the height of light poles being dangerous to wildlife, and the need for road improvements.

Bonnica Cotman resident of the Chickahominy District asked the Commission to consider deferring their decision in order to address the concerns of the citizens. She also had concerns regarding traffic, accidents, flooding, her community becoming an illegal junkyard, and industrial impacts.

Michael Soiland from the Ashland Magisterial District stated his concerns about the Wegmans project being next to the biggest residential area in Hanover County, the increase in the height of the light poles, the height of the building, and the buffers. He asked the Commission to consider deferring the case to address the concerns of the citizens.

Collin Moseley of the Ashland Magisterial District said he submitted a 35-page research packet to the Commission on how property values are affected by this type of land use. He asked the Commission to create a two-way dialogue between Wegmans and the citizens.

Lori Ann Freeman resident of the Ashland District voiced her concerns regarding truck traffic on the local roads.

Chairman Abbott called the names of the citizens who wished to speak in favor of the case.

Eric Lambert from the Mechanicsville Magisterial District stated he is in favor of this case because it will provide a training opportunity for trades and careers for electricians.

Richard Snyder from the South Anna District voiced his support for the case. He felt that the site plan was good and the zoning was appropriate for the Wegmans project.

Chairman Abbott closed the public hearing. He asked Mr. Condlin to come forward for rebuttal.

Mr. Condlin stated many of the concerns raised tonight are relevant to the site plan portion of this project verses the rezoning process. He addressed them as follows:

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- Many things attribute to the impacts of property value. No one specific thing is a determining factor.
- The highest points of the building are enclosures of the chilling units. It is not the entire building. This is part of the Special Exception request for the Board of Supervisors.
- Cultural Resources- the applicant will comply with all State regulations and laws regarding gravesites, should any be found.
- The applicant must accommodate post-development runoff in regards to stormwater.
- Trees and natural areas that surround the parcel will screen the 45' light poles.
- Wegmans will control 80% of the tractor-trailer trucks.
- Delivery must be scheduled. Trucks will not be allowed to drop off their products unless a delivery is scheduled.
- The traffic impact analysis was done based on the standards of the International Traffic of Engineers (ITE) code. The reference to the Pottsville site in Pennsylvania is that it serves more stores yet generates less traffic than what the ITE code calls for.

Mr. Condlin concluded by saying by right, the Wegmans Distribution Center can go in under the 1995 proffers. The proposal to amend the proffers would have less negative impacts and would benefit both Wegmans and the citizens.

Chairman Abbott asked if the Commissioners had any questions or discussion.

The Commissioners had questions and discussion with representatives from Wegmans and the engineering company regarding:

- Monitoring the Wegmans trucks
- The Traffic Impact Analysis to include operating levels of the intersections
- Shift changes of Wegmans employees

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- Future development on the site
- Route of truck traffic
- Entrance used by employees
- Tandem trailers
- Increasing the size of the buffer
- Fencing to include soundproofing
- VDOT study for road improvements on Ashcake Road
- Proposal for quiet days
- Emergency access
- Public comment period for Virginia Department of Environmental Quality (VDEQ)
- Pedestrian/bicycle accommodations

Chairman Abbott asked if the Commissioners had any further questions or discussion. Seeing none, he made a motion.

Upon a motion by Mr. Abbott, seconded by Mr. Hadra, the Planning Commission voted **UNANIMOUSLY TO RECOMMEND APPROVAL OF REZ2019-00037, AIR PARK ASSOCIATES, L.P., WITH THE PROFFERS AS RECOMMENDED BY STAFF, WHICH ARE INCLUDED IN THE STAFF REPORT, AND WITH ADDITIONAL PROFFERS WHICH INCLUDE OPERATIONAL STANDARDS DIRECTING TRUCK TRAFFIC TO I-95 VIA SLIDING HILL ROAD, A PROHIBITION ON TANDEM TRAILERS ENTERING THE SITE, LIMITING THE HEIGHT OF ALL LIGHTING ON THE NORTH SIDE PARKING LOTS, INCLUDING EMPLOYEE PARKING, TO THIRTY FEET IN HEIGHT, DESIGN AND CONSTRUCTION OF SHARED PEDESTRIAN AND BICYCLE PATHS ALONG SLIDING HILL AND ASHCAKE ROADS, A 150' BUFFER ALONG THE WESTERN PROPERTY LINE,**

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**AND FENCING WHICH FRONTS ASHCAKE ROAD TO BE OPAQUE, AND INCLUDE
SOUND ATTENUATION MATERIAL:**

1. Concept Plan. The property shall be developed in substantial conformity with the conceptual plan attached, titled “WEGMANS VIRGINIA DISTRIBUTION CENTER PROFFERED CONCEPTUAL PLAN” dated January 24, 2020, and prepared by Timmons Group (the “Concept Plan”). Any improvements not shown on the Concept Plan that consist of more than a total of 400,000 square feet in the area shown as “POTENTIAL FUTURE DEVELOPMENT” shall be reviewed and approved by the Planning Commission prior to site plan approval to ensure compatibility with existing development.
2. Architectural Treatment. The Phase I building shall be designed and constructed in substantial conformity with the elevations to be provided (the “Elevations”). Any additional structures shall be consistent with the Elevations in scale, design, and materials. Otherwise, any such additional structures shall be reviewed and approved by the Planning Commission prior to site plan approval to ensure compatibility with the existing development.
3. Signs. All freestanding signs, if lighted, shall be monument type and shall be internally illuminated and/or externally lit with down lighting.
4. Parking. The passenger vehicle and truck parking and storage areas shall be designed and constructed in accordance with the following standards:
 - a. Employee and passenger vehicle parking areas shall be designed and constructed to include hard surface paving, curb and gutter, and shall be landscaped in accordance with the standards of Section 26-192 of the Hanover County Zoning Ordinance.
 - b. Truck and trailer parking areas shall be designed to include the use of curb and gutter and hard surface paving, and shall be striped to clearly delineate individual parking stalls from drive isles.
 - c. Truck storage areas shall be designed to include curb and gutter and shall be hard surface paved.
 - d. All such parking and storage areas shall be clearly delineated on the site plan for such improvements.
5. Screening, Thoroughfare Buffers, and No Build Areas. Buffers and screening shall be provided in accordance with the following standards:
 - a. Areas fronting Ashcake Road (State Route 657) and Sliding Hill Road (State Route 656) shall include a thoroughfare buffer no less than twenty-five feet (25’) measured from the ultimate right of way. The inner-most project side of the buffer shall be planted with a vegetated screen in accordance with the standards of Section 26-263(b) of the Hanover County Zoning Ordinance. The remaining portion of the buffer shall be planted in accordance with the standards of 26-264 of the Hanover County Zoning Ordinance. The installation of the buffer along Sliding Hill Road shall be phased with the approvals of the final plans for the ultimate right-of-way determination for the realignment of Sliding Hill along the Property.

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- b. A variable width natural no build area shall be provided along Sliding Hill Road as shown on the Concept Plan such that all trees five inches (5") or more in diameter shall not be removed, with the exception of dead or diseased trees and the removal of trees as necessary for the construction of improvements shown on the Concept Plan (such as for grading or roads).
 - c. The Buffer along Ashcake Road shall be widened to fifty feet (50') in the area shown on the Concept Plan.
6. Utility Lines Underground. Except for major transmission lines that traverse the property, all utility lines, such as electric, telephone, CATV, or other similar lines shall be installed underground or located overhead along rear property lines. To the extent possible, utility service lines shall be located so as to minimize disturbance of any tree of 15 inch caliper or greater on site. All junction and access boxes, when located on sites fronting on Ashcake or Sliding Hill Roads shall be screened from view with landscaping.
7. Use Restrictions. Primary permitted use of the Property shall be limited to the following uses:
- a. Warehousing and distribution, food and beverage production, and related accessory uses such as office, security, and vehicle and trailer maintenance.
 - b. Any use permitted in the B-O, business office district, B-1, neighborhood business district, other than the following:
 - i. Funeral homes and funeral services.
 - ii. Hospitals.
 - c. Any use permitted in the M-1, limited industrial district.
 - d. The following uses permitted in the M-2, light industrial district:
 - i. Any use otherwise permitted herein.
 - ii. Boat and boat trailer sales and storage, both new and used, including display, repair, and storage, and including accessory uses.
 - iii. Brewery.
 - iv. Commercial and industrial machinery and equipment sales, rental and leasing.
 - v. Commercial landscaping operation.
 - vi. Construction equipment sales, rental or leasing.
 - vii. Contractor's equipment storage yard or plant or rental of equipment commonly used by contractors.
 - viii. Craft brewery.
 - ix. Greenhouses, commercial, wholesale or retail.
 - x. Industrial vocational training school, including internal combustion engines.
 - xi. Laundry and linen services.
 - xii. Lumber and other building material, storage and sales, open or enclosed, but not manufacture, steel fabricating or junk storage.
 - xiii. Lumber yards.
 - xiv. Recreational vehicle sales and rentals, both new and used, including display, repair, and storage, and including accessory uses.
8. Right-of-Way Dedication. The owner agrees to dedicate the following right-of-way free of cost to the County, upon the request of the County or VDOT:
- a. Thirty feet (30') of right-of-way measured from the centerline of Ashcake Road (State Route 657);

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- b. Fifty feet (50') of right-of-way measured from the centerline of Sliding Hill Road (State Route 656).
 - c. Right-of-way no greater than 100 feet in width for the purpose of realigning Sliding Hill Road (State Route 657) once the alignment is designed and determined by the Department of Public Works.
9. Road Improvements. The Owner agrees to undertake the following study and construct the following road improvements:
- a. Prepare a Signal Justification Study for the intersection of Sliding Hill Road and New Ashcake Road (the "Study Intersection") and submit the study to VDOT for review and approval or disapproval prior to site plan approval;
 - b. Install either a traffic signal or other traffic control improvements at the Study Intersection, as approved by VDOT, to ensure the safe movement of traffic through the Study Intersection, provided the cost of such other traffic control improvements shall not exceed the projected cost of the traffic signal (the "Study Intersection Improvements"). Such installation shall commence at such time as VDOT deems the improvement to be warranted;
 - c. The Study Intersection Improvements, if required, shall be bonded through a performance agreement which shall be executed prior to or contemporaneously with issuance of Certificate of Occupancy approval for the Property.
 - d. Install left and right turn lanes (only if warranted by VDOT) at the Main Entrance as depicted on the Concept Plan with the first phase of development.

All road improvements shall be designed and constructed in accordance with VDOT standards.

10. Cemetery Removal or Relocation. Should a grave or cemetery be discovered, and should the location of the grave or cemetery be in conflict with the Concept Plan and necessary infrastructure such as roads, drainage, and utilities, the grave or cemetery shall be relocated in accordance with the procedure administered by the Virginia Department of Historic Resources. The property owner shall be responsible for all costs and expenses associated with the cemetery removal or relocation.

The vote was as follows:

Mr. Abbott	Aye
Mr. Bailey	Aye
Mr. Hadra	Aye
Mrs. Iverson	Absent
Mr. Leadbetter	Aye
Mr. McGhee	Aye
Mr. Whittaker	Aye

The motion carried.

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Miscellaneous

A. Approval of Minutes

Upon a motion by Mr. Bailey, seconded by Mr. McGhee, the Planning Commission voted unanimously to approve the January 16, 2020, minutes as submitted.

ADJOURNMENT

There being no further business on the regular agenda, Chairman Abbott adjourned the meeting at 10:52 P. M. The next regularly scheduled meeting is March 19, 2020.