

Mount Jackson
Planning Commission Meeting and Joint Public Hearing Minutes

June 3, 2019

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Chairman Larry Ambrose called the meeting to order at 7:00 PM in the council chamber at 5901 Main Street. Commissioners in attendance were Meses. W. Miller, A. Miller, and Burner, as well as Messrs. Thompson, Andrick and Hines. Councilmembers in attendance were Shepherd, Pifer, Rudy, Good and Fultz. Town Manager, Kevin Fauber and Town Clerk, Debbie Stover, were present. Rob Heavner, Scott Keene, and Reggie Barnacascel, all representing Hardee's, were present. Max Thornberry from NVD and many visitors from the community were also present.

Joint Public Hearing

1. French Brothers, LLC, Tax Map 080 04 002A, Tracts A & B totaling 18.214 acres, Conditional Rezoning Application from B-3 to B-2, keeping B-3 Parking Requirements per Section 66-233 and B-3 front yard setbacks requirements per Section 66-230 (a).

Mr. Billy French spoke this is in regards to the property along Route 11 on the north side of the Food Lion Shopping Center. French Brothers LLC received a request from Hardees with an interest in putting their restaurant on that corner lot between Route 11 and the access road going into the shopping center. Mr. French stated the property is currently zoned B-3, which is for shopping centers, therefore they are requesting a conditional rezoning to B-2, keeping B-3 parking and front yard setback requirements, because B-2 is more conducive to the Hardees project. Mr. French said Hardees is the only interested party at this time and he feels it will be a while before the remaining acreage would get developed. Mr. Ambrose asked how many acres the Hardees restaurant will use, and was answered by a Hardees representative, about 1 ¼ acres. Mr. French spoke the 18 acres were surveyed and he explained the property lines in general. Ms. Burner said she's hearing concerns from town residents fearful that the entrance would be from Route 11. Mr. French said VDOT's regulations state an entrance cannot be within 800 feet of an intersection, therefore the entrance will be off of the access road. A visitor from the community asked if there are town codes requiring privacy fencing between Avondale Acres neighborhood and Hardees, and he also asked how tall the lights and signage would be. Reggie Barnacascel representing Hardees stated the light poles will be LED lights of about 22' facing downward and that they can cut off the lighting at the property line so it does not bleed onto other properties. He stated the restaurant is not directly beside Avondale Acres so they would not put a privacy fence up, but they will provide landscaping on their property line that meets town code requirements. He spoke that signage in general can vary from a monument sign of 8-10' to a pylon sign of 50' or more. Kevin Fauber spoke the town's maximum height allowance for a free-standing sign is 30-35', and the town encourages monument signs. Mr. Hines asked how many parking spots will be included, and was answered 42 spaces are projected. Mr. Barnacascel made available several maps showing what the proposed Hardees building will look like. Mr. Fauber added tonight's request is for rezoning only, and the applicants would need to return for site plan approval. Visitor Ann Hamilton spoke she has concerns that other fast food restaurants will want to build on the remaining acreage closer to her home in Avondale Acres. Mr. Thompson stated town code requires a fencing buffer from property line to property line between a business and residence, therefore any developed land connecting to Avondale Acres would have to adhere to this code requirement. Scott Keene with Hardees stated they only build with a restriction prohibiting other fast food facilities be built near them.

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2. Bowman Andros Products. LLC, 10119 Old Valley Pike, Special Use Permit Application, New Construction of a Food Processing Plant, Parcel 81-A-61, Current Zoning is I-1.

Jamie MacLean from Greenway Engineering gave a PowerPoint presentation on this. The property address is 10119 Old Valley Pike, bordered NW by I-81, NE by Hawkins Road, SE by Rt. 11 and an unused railroad right-of-way, and SW by W. Avondale Rd. The next few slides showed the design of the new building as being modern and aesthetically pleasing. She stated Bowman Andros is in the Limited Industrial I-1 district, and the proposed expansion will meet those requirements, as well as the future land use requirements. Ms. MacLean spoke this expansion will be done in three Phases, and will include a new office, pedestrian walkway, cold storage expansion, proposed fence for screening, and a new storm water management facility. She stated Plant 3 associated with the existing plant will go offline with the expansion, but Andros is retaining those employees. She stated the water and wastewater volumes have been evaluated and should remain the same since existing Plant 3 is going offline. Whitney Miller asked if the new privacy fencing will match the current fencing already in place, and was answered yes. There was some discussion on the height of the roof lines, and Greenway Engineering said they are within the 45' town code requirements. Ms. MacLean ended her presentation stating this project fits the intent of the I-1 district, and the special use permit considerations. Mr. Andrick asked what the old Plant 3 would be used for, and was answered a warehouse for storage. Whitney Miller asked if the HVAC units would be on the roof or ground level, and Eric Gotshall answered roof units which will be screened properly. Mr. Ambrose asked about the drainage from the parking lot, and if it would be an added problem with this expansion. Mr. Gotshall stated the flooding on the east side of the railroad tracks, has nothing to do with this site development, and this expansion will neither impact nor benefit that area that's already prone to flooding. Mr. Dan Bowman from the community asked how trucks would get back into that area, to which Mr. Gotshall answered there are no new entrances proposed, therefore they'd use the existing entrance from Route 11, and that there is a temporary construction entrance from Hawkins Rd. Mr. Hines referred to the slides of the new building asking which direction it would face, to which Mr. Gotshall answered the drawing is showing the view from south to north.

Regular Meeting

Agenda Additions/Deletions/Changes: None

Introduction of Guests: None

Presentation: None

Hear from Visitors: None

Approval of the previous month Meeting Minutes – Commissioner Thompson MOVED, seconded by Commissioner A. Miller to APPROVE the Minutes of May 6, 2019, Regular Meeting.

VOTE:

AYE

NAY

ABSENT

Commissioner Thompson

“ W. Miller

“ Andrick

“ A. Miller

“ Burner

“ Hines

6 AYES, motion carried

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Old Business:

1. French Brothers, LLC, Tax Map 080 04 002A, Tracts A & B totaling 18.214 acres, Conditional Rezoning Application from B-3 to B-2, keeping B-3 Parking Requirements per Section 66-233 and B-3 front yard setbacks requirements per Section 66-230 (a).

Approval of the French Brothers Rezoning Application – Commissioner Thompson MOVED, seconded by Commissioner Andrick to APPROVE the Rezoning Application.

VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Commissioner Thompson		
“ W. Miller		
“ Andrick		
“ A. Miller		
“ Burner		
“ Hines		

6 AYES, motion carried

2. Bowman Andros Products. LLC, 10119 Old Valley Pike, Special Use Permit Application, New Construction of a Food Processing Plant, Parcel 81-A-61, Current Zoning is I-1.

Approval of the Bowman Andros Special Use Permit Application – Commissioner Andrick MOVED, seconded by Commissioner Thompson to APPROVE the Special Use Permit Application.

VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Commissioner Thompson		
“ W. Miller		
“ Andrick		
“ A. Miller		
“ Burner		
“ Hines		

6 AYES, motion carried

New Business: None

Actions of the Board of Zoning Appeals: None

Report on Town Council Items: Dennis Andrick had nothing to report. Kevin Fauber stated we will be taking up these two matters, as well as the FY20 budget, at the Town Council Meeting next Tuesday.

Zoning Administrator’s Report: Kevin Fauber spoke there will be paving going on in town as VDOT is putting down latex on Route 11. They started in Edinburg and will be moving south, and some of the side streets will be treated as well. Mr. Fauber said our Well Project is 60-70% complete at this time, and the next sidewalk phase is on track. He stated after meeting with VDOT a few weeks ago, some modifications need to be made to the plans, and VDOT is hoping we get them finalized and put out to bid by September.

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Board Member's Report: None

Commissioner A. Miller made a motion, seconded by Commissioner Thompson, to adjourn the meeting at 7:50 p.m.

Submitted by:
Debbie Stover
Town Clerk