

Mount Jackson  
Planning Commission Meeting Minutes

May 6, 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 Mses. W. Miller, A. Miller, and Burner, as well as Messrs. Thompson, Andrick and Hines. Town Manager, Kevin Fauber, and Town Clerk, Debbie Stover, were also present.

Regular Meeting

Agenda Additions/Deletions/Changes: None

Introduction of Guests: Max Thornberry, NVD; Ron Zerkel; Bonnie Good; Wayne Whitmer, Harman Construction; Chad Soule, Bowman Andros; Jamie Dodson, Bowman Andros; Eric Gottshall, Greenway Engineering; Jamie MacLean, Greenway Engineering, and Billy French, French Brothers LLC.

Presentation: None

Hear from Visitors:

1. Bonnie Good spoke more on her presentation from last month to get some closure. She stated the Commonwealth of Virginia named their board a Planning Commission, and in addition to being an advisory group to the Town Council, their main responsibility is to develop, understand, and update the Comprehensive Plan to direct growth and development in this community. Ms. Good stated last month the board members said they base some of their decision-making on the general public, friends, neighbors, relatives, planning commission members, town manager and town attorney, but Bonnie says none of these have any training in planning. Bonnie stated last month Bob Thompson made a comment that the planning commission board is an advisory board, and they rely on the paperwork, not their personal judgement, to make their decisions. She disagrees with this point of view, and feels the committee's judgement should come into play, and be in alliance with our Comprehensive Plan, which is based on the community's ideas and values.

2. Ron Zerkel spoke in regards to his property on Daniel Gray Dr. and the adjoining property project by TG Land Holdings. He said he gave the town council, in December of last year, information on town codes he felt were not being upheld. He addressed the board, asking if they passed a parking lot and landscaping plan, both of which are required by our town code. Whitney Miller asked for more information on this project, and Bob Thompson brought her up to date. Mr. Zerkel stated he is not happy he had to hire an attorney to get the town to enforce their own codes. He stated there is a 20 foot setback that the retention pond oversteps, and that BZA couldn't address this at their last meeting. Ronnie said a pond was never on the initial drawings, that it was supposed to be French drain. He maintains neither a landscaping plan nor parking lot plan was done. Mr. Zerkel spoke on a letter from his attorney that was sent to Kevin Fauber and Matt Akers, and said he has not gotten a response. Kevin replied they did receive the letter from Mr. Zerkel's attorney outlining their concerns on the alleged violations, and that himself and Matt Akers will address the letter. Mr. Zerkel said a town representative told him his grass was tall, and to mow it within two weeks or the town will, and send him a bill. He asked how it is fair his grass is an issue, yet his property concerns have been ongoing in excess of one year, with no results. Mr. Ambrose advised Mr. Zerkel to come back to next month's meeting for any updates or resolutions.

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Approval of the previous Meeting Minutes – Commissioner Thompson MOVED, seconded by Commissioner Burner to APPROVE the Minutes of April 1, 2019, Regular Meeting.

VOTE:

AYE

NAY

ABSENT

Commissioner Thompson  
“ W. Miller  
“ Andrick  
“ A. Miller  
“ Burner  
“ Hines

6 AYES, motion carried

Old Business: None

New 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). Introduction and Set Joint Public Hearing Date – June 3, 2019.

Billy French spoke giving basic information regarding the rezoning request above. Larry Ambrose asked how many parking spots are required under the zoned regulations. Mr. French answered it's based on the size of the building, the number of employees, and the number of seats. Kevin stated they are proposing 42 parking spaces. Discussions then began on the entranceway. Mr. French said VDOT would not grant an entrance off Route 11 due to regulation requirements of 800 feet off the intersection. He said the proposed entrance will be off the road that turns into Food Lion, turning left, and there will be a street parallel to Route 11 that runs behind the parking lot. Kevin added the sketch is preliminary and more detailed plans should be available before the public hearing on June 3<sup>rd</sup>. Mr. French stated the current B-3 zoning is for shopping centers, and it didn't fit Hardees needs, which is the reason behind the request to rezone to B-2, but keeping two B-3 stipulations.

Approval of a Public Hearing on the French Brothers rezoning request noted above, for June 3, 2019 – Commissioner W. Miller MOVED, seconded by Commissioner A. Miller to APPROVE the Public Hearing for June 3, 2019.

VOTE:

AYE

NAY

ABSENT

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. Introduction and Set Joint Public Hearing Date – June 3, 2019.

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Jamie MacLean from Greenway Engineering spoke that this Special Use Permit is to expand the existing Food Processing Plant. The project location is on Old Valley Pike, bordered to the NW by I-81, NE by Hawkins Rd., SE by Route 11 and an unused railroad crossing, and SW by E. Avondale Ave. She referenced the hand out slide presentation which shows a map as to where the expansion will be. She stated the expansion will be done in 3 phases totaling approximately 238,000 square feet. Phase 1 will be 150,000 square feet, phase two 37,000 square feet, and phase three 51,000 square feet. She referenced the Mt. Jackson zoning map showing they are in the I-1 limited industrial district, and the proposed use should be in compliance with that district. She referenced the Comprehensive Plan and that the proposed use is in alignment with that plan and the future development goals of Mt. Jackson as well. Mr. Ambrose asked how many employees would be added with this expansion, and she responded Bowman Andros is doing market research on that. It was stated Plant 3 of the existing plant is going offline but Andros will maintain those employees for the new expansion. Ms. MacLean said the parcel is approximately 47 acres zoned I-1 limited industrial, and they are only expanding, and adding some privacy fencing along Route 11/railroad right-of-way. She said a raised railroad and some existing natural vegetative buffering is there now, but they are proposing to add the fence as well. Ms. Burner asked if Andros would be adding mostly automated equipment in this expansion. Jamie Dodson from Bowman Andros responded potentially yes, given their struggle with sourcing labor due to their rapid growth. Mr. Ambrose asked if they hire temps (or seasonal asked by Ms. Burner). Per Jamie, no seasonal, but they do use two temp agencies, which is now a low percentage because they've converted most of those employees to their staff. Ms. MacLean stated the site will be served by Bowman's private water system and waste collection system which goes into their lagoon then across Route 11 before going to the town's water treatment facility. She stated the water and wastewater volumes associated with this proposed expansion have been evaluated and expected to be the same, since Plant 3 is going offline. Mr. Thompson asked why Plant 3 is going offline, to which Mr. Dodson answered it was a hot fill beverage facility where they traditionally bottled apple juice and some products for other businesses. He stated that market segment is very competitive and Andros is traditionally not a beverage business. He said they have changed a lot of their processes relating to apples, in order to capture more apple material yield, so they are not generating the amount of product needed for juice. He stated Plant 3 operation ceased the first of the year, and those employees were pulled into other facilities on the property with the forethought of doing this expansion project. Mr. Andrick asked what was to be done with the facility that was shut down. Mr. Dodson answered it had been used prior for 50% production and 50% warehouse, and are looking to make it mostly warehouse. They want to pull some of the off-site warehousing back into this location for their finished goods and possibly some limited production. They feel this project is realistically 1<sup>st</sup> quarter 2021 to be complete and operational so they are looking to purchase some of the production equipment in advance and store in this facility. Ms. MacLean stated they wanted to show due diligence that this proposed expansion would fit the intent of the I-1 district for providing the appropriate location for processing, packaging, and contributing to the economic-based enhancement employment opportunities encouraging efficient use of the land. She stated in town code section 66-499 there are some considerations for a special use permit, and this project meets those needs. There was some discussion on the current 185 parking spaces and Greenway Engineering feels it will service the expansion, but if more spaces are needed they can be added to the existing lot. Mr. Hines asked about the drainage pattern, and if water will drain into that retention pond shown on the map. Mr. Gottshall responded the vast majority of that sight west of the railroad is all enforced to drain into that pond, held there, and released at the rate required, and that there's a 24 inch culvert underneath Hawkins Rd. heading north. There was some discussion on what the houses on the property were used for. Mr. Dodson said the first house adjacent to the employee entrance is used as an office, and the house beside that they do own, but currently is not in use. He added that the new project will move the office from that first house, to the newly expanded building.

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Approval of a Public Hearing for Bowman Andros Special Use Permit noted above, for June 3, 2019  
– Commissioner Thompson MOVED, seconded by Commissioner Andrick to APPROVE the Public Hearing for June 3, 2019.

VOTE:

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

6 AYES, motion carried

Actions of the Board of Zoning Appeals: Bob Thompson spoke on the approval by the BZA at their last meeting on April 30, to grant TG Land Holdings a variance request to the code which requires a buffer be ran from property-line to property-line between a business and residential location. He stated Mr. Zerkel’s lawyer found an ordinance that allows a driveway to be part of the landscaping and therefore all parties found and agreed to a location, possibly temporary but feasible, to install the fence for now to block the view of the business.

Report on Town Council Items: Dennis Andrick had nothing to report.

Zoning Administrator’s Report: Kevin Fauber had nothing to report.

Board Member’s Report: None

Commissioner A. Miller made a motion, seconded by Commissioner Thompson, to adjourn the meeting at 8:00 p.m.

Submitted by:  
Debbie Stover  
Town Clerk