BRISTOL VIRGINIA PLANNING COMMISSION MEETING

Monday, April 15, 2019

A meeting of the Bristol Virginia Planning Commission will be held at 12 Noon on Monday, April 15, 2019 in the City Council Chambers in City Hall, 300 Lee Street.

AGENDA

I. Call to Order

II. Approval of the Minutes of March 4 Work Session, March 18 Regular Meeting, and April 1 Called Meeting.

III. Public Comment (for items not on the agenda)

IV. New Business – None Scheduled

V. Old Business

A. Consideration of Recommendation on Special Exception Application 02-2019 for a concrete block production operation at 200 Bob Morrison Boulevard (Zoned M-1).

B. Consideration of Approval for Activity in the Flood Hazard Zone (Floodplain) – 200 Bob Morrison Boulevard

C. Consideration of Recommendation on Future Land Use Map Revisions to Comprehensive Plan

D. Consideration of Zoning Amendment to add new Section 50-177 (Campground and RV Park Standards) and revise existing Section 50-109 (b)

E. Zoning Ordinance Revision - Review of Proposed Approach to Update Zoning Map

VI. For Information – Request Regarding Food Trucks on State Street

VII. Adjournment

Joint Public Hearing on Special Exception applications 03-2019 and 04-2019 – Tuesday, April 23, 2019 at 6 p.m.

Next Regular Meeting – Monday, May 20, 2019
BRISTOL VIRGINIA PLANNING COMMISSION  
Monday, March 4, 2019 – 12 Noon  
Work Session

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<th>MEMBERS PRESENT:</th>
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<tr>
<td>Todd Buchanan</td>
<td>Susan Long</td>
<td>Sally Morgan</td>
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<td>Michael Pollard</td>
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<td>Amy Thompson</td>
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<td>Bart Long</td>
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<td>Kevin Wingard</td>
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<td>Jordan Pennington</td>
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A. Comprehensive Plan – Future Land Use Map Revisions

Ms. Morgan opened the work session stating that an annual review of the Comprehensive Plan is due. She advised there were potential changes to the Future Land Use Map in light of changed conditions in certain areas, and to better prepare for possible zoning ordinance revisions to follow. Commissioners reviewed the existing Future Land Use map and proposed revisions. The following areas were presented in a PowerPoint presentation and changes summarized below were discussed:

- Exit 1 area – Adding more Regional Commercial along Gate City Highway and Local Commercial along Island Road
- Pittstown Rd/Island Rd. area – Adding Light Industrial adjoining existing industrial area; adding Local Commercial in and around the proposed Mendota trailhead;
- Exit 5 – Adding more Regional Commercial along Long Crescent Road parallel to Interstate 8 and changing Multi-Family behind Settlers Life to Professional Office. After discussion on this, it was consensus to keep that third area the same due to lack of developable land for business/office use.
- Bonham Rd area – Add more Local Commercial near intersection with Linden Dr. and change Professional Office to Semi-Public due to church at that location. Mr. Long noted that the church may not always be there and probably it would be better to show that entire area as Local Business which was agreed upon.
- Williams St. area - Changing Industrial to Flex land use to encourage creative mixed-uses for the area because it is no longer attractive for modern manufacturing.
- Beacon Rd area – Expand the light industrial land use category adjoining existing industrial uses.

B. Campground and RV Park Standards

Ms. Morgan distributed a draft amendment to the current zoning ordinance to address standards for campgrounds and recreational vehicle parks – something, she noted, the city does not currently have in city code. She asked that members review this draft and provide her any feedback.

There being no further business, the meeting was adjourned at 1:58 pm.

Sally H. Morgan, City Planner/City Planner
I. Call to Order

Mr. Pennington called the meeting to order at 12:00 pm.

Ms. Morgan recommended revisions to the agenda by moving the March 4, 2019 minutes to the April regular meeting and adding motions to approve the preliminary and final plats in item IV-A.

Mr. Pollard made a motion to approve the agenda as revised. Motion was seconded by Mr. Long and carried by the following votes:

Ayes: Buchanan, B. Long, S. Long, Pollard, Wingard and Pennington

II. Approval of the Minutes of February 19, 2019 Regular Meeting

Mr. Long made a motion to approve the minutes of February 19, 2019. Motion was seconded by Mr. Buchanan and carried by the following votes:

Ayes: Buchanan, B. Long, Pollard, Wingard and Pennington
Abstentions: S. Long

III. Public Comment (for items not on the agenda) No public comment.

IV. New Business

A. Consideration of The Falls – Phase 3 Subdivision Preliminary Plat and Final Plat

Ms. Morgan reported that the applicant is seeking preliminary and final plat approval to create seven new lots from a 10.9 acre tract now referenced as Tax Map. No. 226-A-4 and containing one structure, an existing restaurant. Ms. Morgan reported the property is currently owned by the City of Bristol and the resulting tracts will be Lot 26 (2.282 ac.), Lot 27 (1.024 ac), Lot 28 (.517 ac), Tract 29 (.0729 ac), Lot 30 (4.606 ac),
Lot 31 (1.734 ac), and Lot 32 (0.183 ac). Ms. Morgan stated that the applicant is a private developer.

Mr. Pollard expressed concerns regarding the access easement to serve Lot 28. Mr. Kreg Ramey (KBM Commercial Properties) stated that the structure proposed for Lot 27 will be a three-tenant building and will be designed on the lot to allow for traffic flow through the parking lot to access both Lot 28 and 26.

Mr. Long asked about the guidelines regarding the landscaping. Ms. Morgan stated that the city does not have a landscaping ordinance, but there are guidelines for landscaping at The Falls. She noted that the developer had asked that the 10 foot wide “utility and landscape easement” along Cascade Drive be revised to a 10 foot utility easement only in order to accommodate the prospective tenant needs for parking space. That change is shown on the plat under consideration.

Ms. Long made a motion to approve preliminary plat of The Falls – Phase 3 Subdivision. Motion was seconded by Mr. Pollard and carried by the following votes:

Ayes: Buchanan, B. Long, S. Long, Pollard, Wingard and Pennington

Mr. Pollard made a motion to approve the final plat of The Falls – Phase 3 Subdivision. Motion was seconded by Ms. Long carried by the following votes:

Ayes: Buchanan, B. Long, S. Long, Pollard, Wingard and Pennington

B. Consideration of Special Exception Application 02-2019 for a concrete block production operation at 200 Bob Morrison Boulevard (Zoned M-1)

Ms. Morgan reported that the city received a Special Exception application for a concrete block production operation at 200 Bob Morrison Boulevard (Zoned M-1). Ms. Morgan reported that the owner, Kilo Delta, LLC a company associated with King Commercial Contractors, is requesting approval for a special exception application to manufacture retaining wall blocks for its own construction projects and sell to other vendors. A small concrete plant will be used to produce the concrete to be poured into molds located inside the warehouse and the finished blocks will be stored inside the building.

Ms. Morgan advised the property is zoned M-1 (light industrial) which by Bristol Virginia City Code does not allow the manufacture of block or concrete manufacturing as a permitted use by right.

Ms. Long asked if any ground work or construction will be a problem because the property is in a flood zone and Ms. Morgan noted that the Planning Commission will need to approve the activity in the floodplain but that the activity consisted only of the installation of the concrete plant equipment which is elevated on concrete. She also asked if the adjoining property owners will be notified of the application and Ms. Morgan responded that there are seven adjoining landowners who will receive certified letters.

Mr. Pollard expressed concerns about the increased noise activity should the company decide to crush the stone to make the concrete. Ms. Morgan stated that the
company will only be making the blocks and will not be producing concrete for delivery or crushing stone.

Ms. Morgan noted that the staff recommendation is to forward the Special Exception application to the City Council for a joint public hearing on April 9, 2019.

Mr. Long made a motion to send the Special Exception application 02-2019 for a concrete block production operation at 200 Bob Morrison Boulevard (Zoned M-1) to City Council for a Joint Public Hearing. Motion was seconded by Mr. Buchanan and carried by the following votes:

AYES: Buchanan, B. Long, S. Long, Pollard, Wingard and Pennington

C. Report on Special Exception Applications 03-2019 and 04-2019 for 500 Gate City Highway.

Ms. Morgan reported that the City has received applications for a Special Exception from Par Ventures, Inc. for two locations (both addressed 500 Gate City Highway) to allow pharmaceutical processing. Application #03-2019 is for the 1 acre undeveloped site adjoining the former Bristol Mall. Application #04-2019 is for the former JC Penny store located in the mall building. Ms. Morgan reported that these applications are being submitted to cover both potential location options. Ms. Morgan stated that both of the applications were recently submitted and city staff is still in the progress of doing its review of the applications and recommended tabling both items until staff has completed its review.

Ms. Long made a motion to table applications until staff report is available. The motion was seconded by Mr. Wingard and carried by the following votes:

AYES: Buchanan, B. Long, S. Long, Pollard, Wingard and Pennington

V. Old Business

A. Consideration of Future Land Use Map Revisions to Comprehensive Plan

Ms. Morgan reported that the Comprehensive Plan was adopted in March 2017 with the stipulation that it be reviewed on an annual basis. Ms. Morgan stated that last year, the Commission reviewed the implementation matrix in terms of current actions being implemented and provided a summary report to the City Council along with the regular annual report from the Commission. Ms. Morgan stated that this year, city staff is recommending some revisions to the Future Land Use Map which is an integral part of the plan. She gave a presentation showing six maps of different areas that reflect recommended changes in the maps and incorporated revisions discussed at the March 4 Work Session. Mr. Long requested that the staff also look at adding light industrial land use category to the area near the intersection of Pittstown Road and Island Rd. as that location was already developed with industrial type activity.
Mr. Long made a motion to send revised changes to the Future Land Use Map to City Council for a joint public hearing. Motion was seconded by Ms. Long and carried by the following votes:

Ayes: Buchanan, B. Long, S. Long, Pollard, and Pennington
Abstentions: Wingard

B. Consideration of Zoning Amendment to add new Section 50-177 and revise existing Section 50-109 (b)

Ms. Morgan reported that the city ordinance has no mention of campgrounds and RV parks. Ms. Morgan stated there has been an interest expressed by a landowner which prompted the drafting of a proposed amendment to City Code Section 50-177 (Supplemental Regulations) for Campground and RV Park Standards. Ms. Morgan stated there would also need to be a revision to Section 50-109 (b) to add “Campgrounds and RV Parks” to list of permitted uses in B-3 as well as some additions to Section 50-28 Definitions.

It was a general consensus to table the item to allow more time for the Planning Commission and staff to research and learn about existing campgrounds in the region.

Mr. Long made a motion to table item V-B. Motion was seconded by Mr. Buchanan and carried by the following votes:

Ayes: Buchanan, B. Long, S. Long, Pollard, and Pennington
Abstentions: Wingard

There being no further business, the meeting was adjourned at 1:58 pm.

Sally H. Morgan
City Planner
A called meeting of the Bristol Virginia Planning Commission was held at 12 Noon on Monday, April 1, 2019 in the City Council Chambers in City Hall, 300 Lee Street.

I. Call to Order

Mr. Pennington called the meeting to order at 12:03 p.m.

II. Consideration of Special Exception Applications #03-2019 and #04-2019 for 500 Gate City Highway (for forwarding to City Council for joint public hearing)

Ms. Morgan prefaced the presentation about these applications with some comments about the definition of a Special Exception and the process involved. She also briefly summarized the history of developments regarding the former Bristol mall property owned by, Par Ventures Inc., including the approval of the application from Dharma Pharmaceuticals from the VA Board of Pharmacy for a pharmaceutical processing and retail operation, and the announcement of proposed plans for a Resort and Casino at the Bristol Mall.

Ms. Morgan reported that Par Ventures, Inc., the property owner of 500 Gate City Highway, submitted applications for a Special Exception for pharmaceutical processing operations to be located in one of either two adjoining locations. The proposed locations are zoned B-3 which by Bristol Virginia City Code only allows very limited manufacturing. The proposed business includes a retail pharmacy which would be a permitted use in B-3; however the processing operation will employ more than five operators and will not be “incidental to the retail business.”

Ms. Morgan stated the proposed pharmaceutical processing activity will be the production of cannabidiol or THC-A oil from the on-site cultivation of cannabis plants through an extraction process, as authorized pursuant to Code of VA Title 54.1, Chapter 34, Article 4.2.

Ms. Morgan stated the project will entail the conversion of the former retail space once occupied by the J. C. Penny and Eckerd Drug Store into areas for the following: retail pharmacy, offices, security control, plant growing area, extraction, and testing. Phase I of the project will utilize approximately one acre of the existing parking lot area to be fenced and secured and only accessed by employees, approved customers, and for deliveries. Ms. Morgan stated the first phase of the project anticipates approximately 30 employees with potential to grow to 125-150 employees.

Ms. Morgan advised that there have been no previous Planning Commission actions related to this request.

b. SE 03-2019 – Tax Map No. 22-1-15A (Property Owner – Par Ventures Inc.)
Ms. Morgan stated the project will entail the construction of a building with dimensions of 80 feet by 135 feet with three levels (basement, first floor, and second floor) for a total square footage of 32,400. The building will be a metal, pre-fabricated structure with wainscoting, windows, and awnings. A 30-space parking lot will be on-site for customers and employees with additional parking across the private entrance drive on the mall tract and the customer entrance will be from the on-site parking lot. Ms. Morgan stated that approximately 3,600 s.f. of the building space on the first floor will be the retail pharmacy area and administrative offices, while the remainder of the building will be used for security functions, grow area, extraction, and testing.

Ms. Morgan stated that following the evaluation of both applications, city staff finds that the proposed use would not necessarily negatively impact the surrounding area, but the staff does have serious concerns about the compatibility of proposed use for the former mall property and conditions may need to be specified for the facility if the special exception is granted. Ms. Morgan recommended forwarding the application to City Council for a joint public hearing.

Mr. Pollard expressed concerns about the building design on the 1 acre adjoining site (SE 03-2014) matching the surrounding buildings. He also asked if there were any existing offices surrounding the proposed one acre lot, specifically to the west where the property is zoned Office-Institutional. Ms. Morgan stated that there is a parking lot on the rehabilitation hospital property owned by Ballad Health that borders the subject property.

Mr. Long made a motion to forward the applications to the City Council for a joint public hearing on April 23, 2019. Motion was seconded by Mr. Pollard and carried by the following votes:

Ayes: B. Long, S. Long, Pennington and Pollard

III. Adjournment
There being no further business, the meeting was adjourned at 1:16 pm.

Sally H. Morgan
City Planner
Meeting Date: April 15, 2019  Department: Planning/Community Development
Bulk Item: Yes _  No X_  Staff Contact: Sally Morgan, City Planner

AGENDA ITEM WORDING:
Consideration of Recommendation on Special Exception application #02-2019 from Kilo Delta LLC for 200 Bob Morrison Boulevard (Tax Map #25-7-13-D) for the installation of a block manufacturing operation with associated concrete plant in an M-1 zone.

ITEM BACKGROUND:
Kilo Delta, LLC, the owner of 200 Bob Morrison Boulevard, has submitted a request for a Special Exception for a block manufacturing and associated concrete plant to be located at the rear of the property in an existing warehouse. The proposed location is zoned M-1 (Light Industrial) which by Bristol Virginia City Code does not allow the manufacture of block or concrete manufacturing as a permitted use by right. This use is allowed in M-2 as listed in City Code Sec. 50-122 (b) 52.

The company desires to produce retaining wall blocks for its own construction projects and sell to other vendors. A small concrete plant will be used to produce the concrete to be poured into molds located inside the warehouse. Finished blocks will be stored inside the building. No concrete will be made for delivery off-site.

PREVIOUS RELEVANT ACTION:
February 2017 - Planning Commission determined that “firearms assembly” was a similar use to other uses in the M-1 zoning district, so it was allowed for the subject property and is contained in the front warehouse on the property.

STAFF RECOMMENDATION:
Staff recommends approval of the Special Exception #02-2019 for block manufacturing and associated concrete plant with the following conditions:

1) The applicant shall comply with all state and local requirements for storm water management and for air pollution control; and

2) The hours of operation for the concrete plant shall be limited to 7 a.m. to 6 p.m.

DOCUMENTATION: Included X  Not Required____

RECOMMENDED MOTION FOR PLANNING COMMISSION:

"I move to recommend approval of Special Exception #02-2019 for block manufacturing and associated concrete plant with the two conditions recommended by city staff."
To: Planning Commission
From: Sally H. Morgan, City Planner
Date: March 18, 2019. Updated and Revised for April 9, 2019
RE: Special Exception Request #02-2019 for Concrete Plant at 200 Bob Morrison Boulevard

1) Applicant/Agent: Kilo Delta LLC
P. O. Box 16278
Bristol, VA 24209

2) Property Owner: same

3) Property Address
200 Bob Morrison Boulevard
Bristol, VA 24201
TAX MAP #25-7-13-D

4) Property Zoning: Light Industrial (M-1)

5) Location Map:
6) Zoning Map

7) Flood Zone Map
Zone AE – Light Green
Floodway - Red
9) *Request:*

Kilo Delta, LLC, the owner of 200 Bob Morrison Boulevard, has submitted a request for a Special Exception for a block manufacturing and associated concrete plant to be located on the rear of the existing warehouse at this address. The proposed location is zoned M-1 (Light Industrial) which by Bristol Virginia City Code does not allow the manufacture of block or concrete manufacturing as a permitted use by right. That use is allowed in M-2 as listed in City Code Sec. 50-122 (b) 52. City staff recommended that the property owner pursue a Special Exception request to allow this use as it is a “use of the property which would not otherwise be permitted” (Section 50-39 of BCC).
The applicant desires to produce retaining wall blocks for its own construction projects and sell to other vendors. A small concrete plant will be used to produce the concrete to be poured into molds located inside the existing warehouse on-site. Finished blocks will be stored inside the building. No concrete will be made for delivery off-site.

As a part of the application, a one-page narrative description was provided by the applicant and made a part of this staff report.

10) Background and Existing Conditions:

The proposed location is on a 3.4 acre tract that has a history of industrial use. The current use of the property is contractor storage area and vehicle and equipment servicing associated with King General Contractors, Inc. The buildings on site are also used for warehousing and offices. Previous use of the property was for coal-related machinery production under the name DSI Underground. The property had been vacant for several years prior to the acquisition of the property by Kilo Delta in October 2016.

The property contains the main building visible from Bob Morrison Boulevard which is a combination of warehouse and office use. A portion of the office section is leased to the Virginia Employment Commission while the remainder is used by King General Contractors. A second 19,000 s.f. warehouse building is located in the rear of the property. The proposed concrete plant is located at the northern end of that warehouse.

The subject property is located in a Special Flood Hazard Zone (Zone AE) as shown by the Flood Zone Map on Page 2. A small part of the property is located in the floodway, but not the site of the proposed concrete plant. The Planning Commission will need to take separate action to approve the activity in the flood zone.

The subject property has been zoned M-1 since at least the 1970's. The property is surrounded by M-1 zoning to the north and south; R-3 (Moderate-family residential) to the west along Seward Avenue; and M-2 (General Industrial) across Bob Morrison Boulevard to the east.

11) Previous Planning Commission Actions:

In February 2017, the Planning Commission determined that “firearms assembly” was a similar use to other uses in the M-1 zoning district, so it was allowed for the subject property and is contained in the front warehouse on the property.

12) Authority to Act:

Virginia Code §15.2-2286, as amended, provides the authority to City Council to grant special exceptions. The process for granting an exception is largely left to the local ordinance or code to define. City Code §50-39 stipulates that a special exception may be granted following due consideration of eight (8) particular questions regarding the impact of the proposed use and the availability of local services for the planned use. A complete application is required along with the applicable fee. The Planning Commission is required to provide a positive or negative recommendation to the City Council following a joint public hearing. The City Council, after hearing comments from the public, shall decide to grant or deny the request based on the facts and evidence presented by the staff, the Planning Commission and the public.
13) City and State Code Requirements:

City Code §50-39 stipulates that a special exception may be granted following due consideration of eight (8) particular questions regarding the impact of the proposed use and the availability of local services for the planned use. The Planning Department has circulated the application materials and solicited responses from the various departments responsible for providing services and received the following responses:

1. The sufficiency of streets and public ways to accommodate increased traffic flow, the considered opinion of the City Engineer and of any certified traffic engineer being given particular weight by the council.
   
   Staff Response: The concrete plant will generate additional truck traffic, however it is not anticipated that this will decrease the level of service on Bob Morrison Boulevard which is a four-lane roadway. The applicant estimates up to an additional 20 vehicle trips per day with truck deliveries and 2 additional employees. The city’s transportation planner reports that Bob Morrison Boulevard “is well below vehicle capacity, so the addition of the trucks should have little to no impact on the roadway.” No concrete trucks will be leaving the site as the concrete is only being made for use in block manufacturing on site.

2. The sufficiency of electrical, sewer and water services for the proposed project, the considered opinion of the general manager of the utility board being given particular weight by the council.
   
   Staff Response: BVU has reviewed the project and has identified no issues. Phase 3 electric power is on-site, as well as sewer and water.

3. The sufficiency of fire, police, garbage, and other services of the City to meet the needs of the proposed project, the opinion of the department head of each department providing such City service being given particular weight.
   
   Staff Response: The Bristol, VA fire and police department has reviewed the proposed request and have identified no issues in terms of fire protection and law enforcement.

4. The adequacy of protection to adjoining properties and to the air and water of the commonwealth from noise, odor, pollution and health hazards, the opinion of the state health department, state air pollution control board, state water quality control board, being given particular weight by the council.
   
   Staff Response: The proposed use of the property will generate some noise during its operational hours; however most of the manufacturing activity will be conducted inside the building. Air emissions will be regulated by the Virginia Department of Environmental Quality (DEQ). The applicant is seeking an air emissions permit from VDEQ which is moving forward with no issues identified by VDEQ staff that would prevent the issuance of the permit. The permit will require measures to contain dust from the raw materials (sand and gravel) and will be limited to a certain amount of concrete production (in cubic yards) per year.

5. The impact of the proposed project upon the property values of contiguous property owners as evidenced by the testimony or written opinion of the city's Economic Development Committee Director, a certified property appraiser, or opinion of a realtor licensed by the Commonwealth and regularly listing and selling properties within the City.
   
   Staff Response: The proposed use is not expected by city staff to have a negative impact on property values of contiguous properties. The operation is separated by a tree buffer from the residential neighborhood on Seward Avenue. The remaining surrounding properties are industrial in land use.
6. Whether the natural topography, natural screening or proposed screening to be put in place by the applicant is sufficient to promote the health, safety and general welfare of the community, to protect and conserve the value of contiguous properties and to encourage the most appropriate use of contiguous properties.
Staff Response: There is an existing tree line along the western boundary of the property. Adding additional screening on the applicant’s property would not provide any additional buffer with the residential-zoned property due to the difference in elevation.

7. Any other factor materially affecting the health, safety and general welfare of other citizens.
Staff Response: There is potential for dust due to the presence of the two raw materials (sand and stone), however those materials will be stored in two small contained areas. Wash water is expected to be discharged into an existing pit inside the warehouse and water will be recycled through the concrete plant. The applicant is working with DEQ on the necessary storm water permit which is also currently in progress. Any flows of water into the city storm drainage system must also comply with the local storm water ordinance.

8. If the project is to construct a parking garage or a parking lot as a primary use of a property in the B-2 district, certain additional requirements must be met, as defined in section 50-108(c)(1) and (2).
Staff Response: Not Applicable.

14) Staff Analysis:

Staff has reviewed the circumstances surrounding the application for a special exception at 200 Bob Morrison Boulevard and has the following analysis:

Consistency with the Comprehensive Plan: The Bob Morrison Boulevard area is planned for office and light industrial. The proposed heavier, more intensive concrete block making is still only accessory to the other lighter-intensity activities already on the property. The only visual outside will be the storage of sand and stone in designated bins and the concrete plant itself attached to the end of the existing warehouse. The concrete truck when loading from the hopper will sit mostly inside the building and the pouring of molds and storage of finished product will be inside the warehouse. Very little activity will be visible from the front of the property except the ingress and egress of trucks bringing sand and stone to the site, and trucks from customers that will be picking up the finished blocks.

Compatibility with Surrounding Uses: The site is surrounded on two sides by industrial uses with Twin City Welding to the north and Bill Gatton Collision Repair business on the south side. Across the road is a vacant 7.4 acre property that is zoned M-2 (General Industrial). To the west and up the hill behind the proposed concrete plant are residences located on Seward Avenue. None of the lots are immediately adjacent to the Kilo Delta property but are separated by a 40-foot alley (the extension of Division Street), Susong Branch, and a line of mature trees along the hillside behind the homes, providing an adequate buffer. Also, because of that and the fact that the plant will only be operating no more than four to five daytime hours without concrete trucks going in and out, the proposed use should not be detrimental to the nearby residences. A limit on the hours of operation could be established for the permit, if granted, to insure that noise is not generated at night-time hours.
15) Conclusion:

Following the evaluation of the application, staff finds that the proposed use would not negatively impact the surrounding area, although some conditions may need to be specified for the facility in order to mitigate any adverse effects on neighboring properties.

**The staff recommends that the Special Exception #02-2019 be approved with the following conditions:**

1) **The applicant shall comply with all state and local requirements for storm water management and for air pollution control; and**

2) **The hours of operation for the concrete plant shall be limited to 7 a.m. to 6 p.m.**
Kilo Delta, LLC
200 Bob Morrison Blvd.
Special Exception Application
February 26, 2019

The property at 200 Bob Morrison Blvd. is currently used for several activities related to the operation of King General Contractors (King), a heavy civil contractor. Current activities include to storage of materials, the servicing of equipment and automobiles, offices and warehousing. The property in question is currently zoned M-1. The property to the north and south is zoned M-1 as well. The property to the east is zoned M-2. The property to the west is zoned R-3.

King desires to conduct two additional activities on site. We desire to make Redi-Rock retaining wall blocks. King currently installs the blocks as part of their operations. King desires to be their own supplier. In order to make the blocks, King needs to install a small concrete plant. The plant will be located on the western side of the existing warehouse. The concrete King manufactures will only be used for block making. The blocks will be stored on site until sold for use in a construction project.

King anticipates that 2 additional full-time employees will be hired at full production of the Redi-Rock blocks. We expect no more than 6 trucks (tri-axle) per day delivering aggregate to the site at full production. We expect that King will have no more than 2 trucks per day taking blocks from the site. This will not be daily. Additional blocks may be taken from the site by other contractors. This will be sporadic with exact timing unknown.

Noise should be limited. The concrete plant will only run 2 – 2.5 hours twice a day. Concrete will be made in the morning with the molds being filled. While this concrete is setting, the concrete plant will not be running. The molds will be emptied in the early afternoon. The concrete plant will be restarted in the afternoon for the second 2 – 2.5 hour period. The molds will be filled again as they were in the morning.

Emissions will be limited as well. All work in the concrete is considered “wet” which limits the production of emissions. All conveyors are covered. All work with the molds is done in doors. An air-permit will be obtained from the VA Department of Environmental Quality.

In accordance with Sec. 50-121 (d), we feel the making of Redi-Rock blocks is similar to the permitted uses for a M-1 district and will not be detrimental to the district. Therefore we are asking for a Special Exception to allow these proposed activities.

A drawing is attached which shows the location of the proposed concrete plant in relation to Bob Morrison Boulevard and the existing office building.
AGENDA ITEM WORDING:
Consideration of Approval of Activity in the 100-yr. floodplain – Concrete Plant – 200 Bob Morrison Boulevard (Tax Parcel 25-7-13-D).

ITEM BACKGROUND:
The property proposed for the concrete plant is located in a Special Flood Hazard Zone (Zone AE which is also known as the 100-year floodplain). The property improvements associated with the concrete and block making operation is the installation of the concrete plant equipment itself including a mixer and conveyor. The height above ground of the piers for the mixer are 2 feet, the height of the piers for the conveyor are 4’5”, and the height of the electrical controls is 5 feet. This raised placement should protect the activity from flooding. (Based on available engineering data, the elevation at the ground at this location is approximately equal to the base flood elevation of 1674 feet).

Section 50-138(c) of the City Code requires Planning Commission approval for any activity in the floodplain.

PREVIOUS RELEVANT ACTION: None

STAFF RECOMMENDATION:
The staff recommends approval of the proposed activity in the 100-year floodplain.
BRISTOL, VIRGINIA PLANNING COMMISSION
AGENDA ITEM SUMMARY

Meeting Date: April 15, 2019  Department: Planning/Community Development

Bulk Item: Yes  No  X  Staff Contact: Sally Morgan, City Planner

AGENDA ITEM WORDING:
Consideration of Recommendation to City Council on Proposed Future Land Use Map Revisions to Comprehensive Plan

ITEM BACKGROUND:
The Comprehensive Plan was adopted in March 2017 with the stipulation that it be reviewed on an annual basis. Last year, the Commission reviewed the implementation matrix in terms of current actions being implemented and provided a summary report to the City Council along with the regular annual report from the Commission. This year, city staff is recommending some revisions to the Future Land Use Map which is an integral part of the plan. The proposed revisions have been reviewed and revised by the Planning Commission, and a joint public hearing was held on April 9 with the City Council. No comments from citizens were received at the public hearing.

PREVIOUS RELEVANT ACTION:
- March 28, 2017 - Comprehensive Plan adopted by City Council
- August 20, 2018 – Planning Commission approved Comp Plan Review report
- February 19, 2019 Meeting and March 4, 2019 Planning Commission Work Sessions – Possible Future Land Use Map Changes
- March 18, 2019 – Planning Commission voted to forward the proposed changes to the City Council for a joint public hearing
- April 9, 2019 – Joint Public Hearing was held by Planning Commission and City Council

STAFF RECOMMENDATION:
The staff recommends that the Planning Commission recommend the proposed revisions to the City Council for adoption.

ATTACHMENTS:
Six maps showing proposed changes to Future Land Use Map
BRISTOL, VIRGINIA PLANNING COMMISSION
AGENDA ITEM SUMMARY

Meeting Date: April 15, 2019
Department: Planning/Community Development

Bulk Item: Yes _ No X
Staff Contact: Sally Morgan, City Planner

AGENDA ITEM WORDING:
Consideration of Zoning Amendment to add language to address Campground and Recreational Vehicle Parks

ITEM BACKGROUND:
As discussed at the March 4 Work Session, the city zoning ordinance has no mention of campgrounds and RV parks. There has been an interest expressed by a landowner which prompted the drafting of a proposed amendment to City Code Section 50-177 (Supplemental Regulations) for Campground and RV Park Standards. There would also need to be a revision to Section 50-109 (b) to add “Campgrounds and RV Parks” to list of permitted uses in B-3 as well as some additions to Section 50-28 Definitions.

At the March 18 regular meeting, the Planning Commission asked that any action be tabled in order for members to do more research and deliberation on the matter. Staff has received written comments from two Commission members, and has subsequently made some changes to the draft as a result of that input. Attached is a revised draft with the changes shown.

PREVIOUS RELEVANT ACTION:
None

STAFF RECOMMENDATION:
Staff recommends forwarding of the proposed changes (with any additional changes agreed upon by the Planning Commission) to City Council for scheduling a joint public hearing on the proposed ordinance revisions.
Proposed New City Code Section 50-177 under Supplementary Regulations

Overnight Recreational Development Standards

(a) Purpose: The purpose of these standards is to provide regulations for the development of attractive, well-maintained commercial campgrounds, recreational vehicle parks, and recreational cabins. These types of developments are allowed only by Special Exception permit and will be governed by an approved site plan. This district section is intended for unified developments occupying a single or adjacent tracts of land under one ownership, and not a subdivision with individual landowners.

(b) Procedure for application: Each application for an overnight recreational development shall follow the following procedure:

1. Initial Application Meeting. Prior to submittal of a Special Exception permit for an overnight recreational development and before any site improvements are made, the applicant shall meet with appropriate city staff to review conceptual site plans, sketch proposals, and other information relating to the proposed application.

2. Formal Application. Following the initial meeting, a formal Special Exception application shall be filed with a preliminary Site Plan drawn on a scale of not less than one inch equals fifty (50) feet with the following information:

   a. Project location, present zoning, adjacent zoning, adjacent land use, and acreage and general topographic contours;
   b. Proposed private street layout and dimensions, including a typical cross section of proposed streets and proposed minimum and maximum grades;
   c. Location of all individual campsites, recreational vehicle parking pads (RV pads), structures, associated vehicle parking spaces, and common recreational space facilities;
   d. Utility plans, including Existing utilities and proposed utility layout. Plans for connections to existing or proposed new water, sewer, electric, and storm water drainage facilities, system. shall be included and shall indicate line size and appurtenances such as hydrant locations, manholes, and storm drainage structures;
   e. Landscaping and buffering plan for the development;
   f. Flood plain information, including identified floodway and flood elevation data;
   g. Existing easements, covenants, right-of-ways, or other restrictions located on the property;
   h. Other additional information as may be reasonably required by city staff on the preliminary site plan, including but not limited to, utilities, drainage, lighting, and other features by the city manager, planning director, or the Planning Commission.
3. Final Site Plan and Final Construction Drawings. Following approval of the application for Special Exception, the applicant shall prepare a final site plan and construction drawings consistent with the provisions of Article VII, Division 3.

(c) Phased Development. In the case of a phased development, final approval may be granted for phases. All improvements for each phase shall be completed prior to the issuance of a letter of completion, and no camping spaces, recreational vehicle sites, or overnight cabins shall be occupied in the applicable phase until a certificate of occupancy or letter of completion has been issued. Improvements may be required by the Planning Commission within the development but outside the proposed phase, when it is determined by the City Engineer, Building Official, or the Virginia Department of Health to be necessary for public health or safety.

(d) In accordance with Section 50-601 (d), the final site plan is null and void if construction or development has not commenced within six months of site plan approval. The approval of a final site plan shall terminate six (6) months following approval. Final site plans consistent with the special exception approval may be resubmitted for approval. Any substantial design changes in the final site plan from the preliminary site plan as presented to the Planning Commission shall require approval of the Planning Commission and City Council through the special exception process, provided in Section 50-39.

(e) Applicable State or City Requirements. An overnight recreational development shall comply with the following requirements:
1. Any campground shall be properly approved by the Virginia Department of Health and comply with applicable standards in Code of Virginia Title 35.1 and related Virginia administrative code;
2. Any cabin structures must meet requirements of the Virginia Uniform Statewide Building Code for single-family residential structures;
3. Any development under this Section shall comply with city and/or state standards for land disturbance, storm water management, and any other applicable city or state requirements.

(f) Development Standards
1. The overall density of a campground or RV park, including tent campsites, shall not exceed thirteen (13) individual campsites or RV pads per acre.
2. The overall density of recreational cabin development shall not exceed six (6) units per acre.
3. All campsites and RV spaces shall be designed such that no recreational vehicle is parked closer than thirty-five (35) feet from a public right-of-way and twenty-five (25) feet from any adjoining property boundary, and there shall be at least fifteen (15) feet between recreational vehicles.
4. Any accessory uses or structures shall meet the setbacks above for distance from a public right-of-way and an adjoining property boundary. Any structure shall also be at least fifteen (15) feet from the edge of any internal street.

5. Each recreational vehicle site shall contain a parking pad with a minimum length of 40 feet and width of 12 feet, and one associated motor vehicle parking space that is a minimum of 18 feet long by 9 feet wide. RV parking pads and parking spaces shall be paved with asphalt, concrete, impermeable or permeable pavers, or other similar material, including crushed stone if approved by the City Engineer.

(g) Road Access and Internal Streets. An overnight recreational development shall meet the following street access and construction requirements:

1. The development shall have a minimum of fifty (50) feet of street frontage on a public, city-maintained street which provides sufficient access to an arterial roadway.

2. Each campsite, RV pad, and overnight cabin must have direct access to an internal street in the development. All internal streets shall be private and shall, at a minimum, be constructed to standards contained in this section.

3. Access shall be constructed to ensure recreational vehicles utilize transportation circulation within the development and are only permitted ingress and egress from the development from approved, limited access driveway entrances, as shown on the approved site plan.

4. Private streets shall be indicated on the approved site plan or subdivision plat. All private streets shall:
   a. Be a minimum twenty-two (22) feet in width if two-way streets are utilized or a minimum twelve (12) feet in width if one-way streets are utilized, with a minimum 25 foot inside turning radius at all intersections.
   b. Be constructed in accordance with the construction standards for private streets as required in §50-356 (k) of city code and the minimum state subdivision street standards excluding right-of-way requirements.
   c. Unless otherwise approved, all dead end streets/drives shall be designed with a cul-de-sac having a minimum pavement radius of 45 feet.

(h) Utilities. Overnight recreational developments shall meet the following utility infrastructure requirements:

1. The development shall be provided with public water service supplied by a minimum six (6) inch water line with adequate fire flow.

2. Each campsite, RV pad, or cabin shall have an approved individual connection to the public water system.

3. Fire hydrants shall be located at each entrance of the development and, internal to the development, not more than 500 feet apart as measured along the servicing street and shall be not more than 250 feet from any camp site, RV pad, or cabin.

4. Each RV pad or cabin shall have an approved individual connection to the public wastewater system.

5. Each RV pad or cabin shall have an approved electrical service.
6. The development shall provide for solid waste disposal utilizing an adequate number of waste dumpsters that are shielded from view with proper screening.

(i) Fires. Any fire pits for recreational use and cooking shall be no more than a 3 foot by 3 foot in size. Any local, state, and federal restrictions on burning bans shall apply within the development.

(j) Accessory Uses. The overnight recreational development may include other structures and uses that are a component of the overall development and for use only by those guests staying at the development. These uses shall be only incidental to the primary use of the property for overnight accommodations. These types of uses would include the following:

1. Small grocery store and concessions
2. Bathhouse and restroom facilities
3. Laundry facilities
4. Common living or clubhouse space
5. Recreational facilities such as playgrounds, swimming pools, tennis courts, ballfields, picnic areas, and game rooms.

(k) Landscaping and Buffering. The overnight recreational development shall meet the following requirements to provide sufficient open space and protect adjoining properties:

1. A minimum of twenty-five (25) percent of the overall Overnight Recreational Development must be green space including the required landscaping and buffering areas.
2. The green space should be dispersed to provide a break in the impervious surfacing of the development and be landscaped to improve the esthetic quality of the development.
3. A peripheral boundary shall be provided. The area within the peripheral boundary shall remain as open space without any type of development, except for the direct ingress and egress to and from the property, signage, and fencing.
4. The peripheral boundary shall be along the full length of all outer property line boundaries of the proposed development site. Its width shall be a minimum of twenty-five (25) feet along the length of property lines that abut residentially used or zoned property and shall be a minimum width of ten (10) feet along the length of property lines which abut non-residentially used or zoned property and along public roadways.

(l) Permanent and Long-Term Occupancy Prohibited. No campsite, RV space pad, or overnight cabin shall be used as a permanent or long-term living place. Continuous occupancy beyond sixty (60) days in any 12-month period shall be presumed to be permanent occupancy and is prohibited.
3. No permanent external appurtenances such as carports, additions, or patio may be attached to any camping unit or RV.
4. Any operator of a campground, RV park, or overnight cabin development shall maintain records of occupancy sufficient to demonstrate compliance with the prohibition against permanent occupancy. Such records shall include the initial date of arrival and final departure for the party of each responsible camper, RV, or cabin renter.

- Also Need to Revise Section 50-109 (b) adding (44) Campground and RV Park as a permitted use in B-3 zone.

- Add Definition to current section 50-28:

**Campground or Recreational Vehicle Park:** An area that is occupied or intended for occupancy by recreational vehicles or by camping in tents or yurts on a transient basis.

**Recreational Vehicle:** A vehicular-type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or pulled by another vehicle.

**Recreational Cabin:** A structure that is occupied or intended for occupancy as a vacation dwelling and subject to occupancy and other standards in Section 50-177.

**Campsite:** A plot of ground within a campground or recreational vehicle park intended for the occupancy of camping tents or recreational vehicles.

**RV Pad:** A plot of ground within a campground or recreational vehicle park intended for occupancy by recreational vehicles.

**Cabin:** A small, one-story dwelling built and designed for temporary, recreational use as a part of an overnight recreational development.
BRISTOL, VIRGINIA PLANNING COMMISSION
AGENDA ITEM SUMMARY

Meeting Date: April 15, 2019
Bulk Item: Yes _ No X
Department: Planning/Community Development
Staff Contact: Sally Morgan, City Planner

AGENDA ITEM WORDING:

Zoning Ordinance Revision Project – Review of Proposed Approach to Updating Zoning Map

ITEM BACKGROUND:

The Planning Commission requested at the March regular meeting that the staff begin dividing up the city into specific areas to start working on the updating of the city zoning map. Staff proposes dividing the city in four work areas as shown on the attached maps.

Work Area 1 – Western city limits to Commonwealth Avenue
Work Area 2 – Central city from Commonwealth to Lee Highway
Work Area 3 - East city from Railroad to city limits to Bonham Rd. and Interstate 81
Work Area 4 - Northeast city from Bonham Rd and Interstate 81 to Clear Creek

Time allowing, the Commission can begin discussing Work Area 1 and/or arrange for a work session if desired.

PREVIOUS RELEVANT ACTION:

None

STAFF RECOMMENDATION:

For information.
Meeting Date: April 15, 2019

Bulk Item: Yes _ No X

Department: Planning/Community Development

Staff Contact: Sally Morgan, City Planner

AGENDA ITEM WORDING:
Request regarding Food Trucks on State Street

ITEM BACKGROUND:
We have been asked by a new business downtown about whether the city would allow food trucks parked on State Street. This would currently not be in compliance with several city code sections, including the zoning ordinance under Temporary Uses (Section 50-176) which was adopted in 2016. City staff would like to get input from the Planning Commission on this issue.

PREVIOUS RELEVANT ACTION:
None

STAFF RECOMMENDATION:
For input only at this time.