

Planning Commission
April 1, 2024 at 6:00 p.m.

Commission

Members: Denis McCarthy
Allen Queen
Tom Watkins
Edwin Nash
Nathaniel Miller

Staff Present: Philip Vannoorbeeck
Jennifer Daniel

Chairman McCarthy called the meeting to order at 6:00 p.m.

MINUTES:

Commission Member Miller made a motion to dispense with reading and approve as presented the Planning Commission Minutes from January 10, 2022, March 28, 2022, May 9, 2022, June 28, 2022, August 29, 2022, January 30, 2023 and March 6, 2023. The motion was seconded by Commission Member Nash.

VOTE:

Chairman McCarthy	–	Aye
Commission Member Nash	–	Aye
Commission Member Miller	–	Aye
Commission Member Watkins	–	Aye
Commission Member Queen	–	Aye

PUBLIC HEARINGS:

Rezoning Request for Convenience Store – 342 W. Entrance Road

NOTICE OF PUBLIC HEARING
TOWN OF BLACKSTONE

The Town of Blackstone Planning Commission shall hold a Public Hearing on April 1, 2024 at 6:00 p.m., in the Town Council Chambers, 100 W. Elm Street, Blackstone, Va. The purpose of the Public Hearing is to consider a rezoning request from Josefina Leon-Sanchez to rezone approximately .39 acre from the R-2, Residential District to the B-G, General Business District. The purpose of this request is to permit the operation of a retail convenience store. The property is designated as Nottoway County Tax Map Number 50A39-5-18 through 22. More specifically, the subject property is also known as 342 West Entrance Road. The Planning Commission may make a recommendation following this public hearing. Any person desiring to speak for or against the request should attend the Public Hearing at the above stated date and time.

Manager Vannoorbeeck said the property was known for a barber shop for many years. He said Ms. Sanchez was not in attendance.

Manager Vannoorbeeck said the request was to rezone the property to General Business for the intended use of a convenience store.

Chairman McCarthy asked if there were any business properties in that proximity. Manager Vannoorbeeck said the closest would be Community Convenience.

Commission Member Watkins said he rode out and there were roughly 25 houses between Main Street and the entrance to Pickett.

Chairman McCarthy opened the Public Hearing and asked if there was anyone here to speak for or against the request.

Clerk Daniel said Mr. Charlie Atkinson, Town employee, hand delivered letters to the adjoining property owners. Manager Vannoorbeeck said not everyone gets a letter, State Code requires the letter go to adjoining property owners.

Chairman McCarthy said he was not in favor of this, as it is almost spot rezoning, because it is not a business zone.

Ms. Carol Hagaman – 37 Maple Lane

Ms. Hagaman said when she was on Council, she believed in 1994, the issue came up with the barber shop operating in the residential area. She said at the time, Council voted it could only be a barber shop.

Ms. Tuandra Spratley – 347 W. Entrance Road

Ms. Spratley said the barber shop was privately owned, and was not open late at night. She said she did not want a convenience store directly across the street from her. She said there is store at the corner on Main Street.

Commission Member Watkins asked what the owners of the property could do with it now. Manager Vannoorbeeck replied, they could have a barber shop, but other than that it would be limited to residential.

Commission Member Miller asked if the new property owners were told this information before purchasing. Commission Member Nash said it was not the Town's obligation to do so. Manager Vannoorbeeck said he always recommends to people to get a contingency with purchases.

Commission Member Watkins said there are multiple other uses for this property, other than retail. He said he was not in favor of this request, and would not want it beside him, so he would not put it next to somebody else in a residential area.

Commission Member Queen said the request is for a Hispanic Store.

Mr. Tom Hunter – 36 Maple Lane

Mr. Hunter said since Ms. Sanchez did not show up tonight that should tell you something, she was not here to back up what she wanted to do. He was concerned about parking, and possible undesirable clientele. He thought it would be a mistake to build a convenience store when there are two within spitting distance.

Mr. Wayne Grattan – 38 Maple Lane

Mr. Grattan said he loves where he lives and loves this Town. He was concerned because there are two schools close to them, but not much pedestrian traffic. He was concerned about the parking as well. He said they would have to advertise and would not want flashing lights at night.

Ms. Barbara Jones – owns a house at 341 W. Entrance Road

Ms. Jones did not believe there was a need for a convenience store at that location. She asked the Planning Commission to think about it, and agree with the neighbors.

Ms. Spratley asked if anyone would want a convenience store next to them. She added she would not want flashing lights coming through her windows.

Mr. Mike Carney – 41 Maple Lane

Mr. Carney said the rear of his property, is also the rear of the property in question. He said there is an easement behind everyone's lots on Maple Lane. He said he was concerned about the traffic and parking. He was also concerned about trucks making deliveries, where would they park. He said he loves it here also, and has been here since 2008, and they have a peaceful neighborhood.

Mr. Carney said he wants to keep things safe, and did not know if the activity there could be minimized.

Chairman McCarthy closed the Public Hearing.

Chairman McCarthy said they sound like wonderful people, and wished them the best of luck in establishing their business, but did not think it was an appropriate place for the request.

Commission Member Watkins made a motion to recommend to Council to deny the request to rezone approximately .39 acre from the R-2, Residential District to the B-G, General Business District at 342 West Entrance Road. The motion was seconded by Commission Member Nash.

VOTE:

Chairman McCarthy	–	Aye
Commission Member Nash	–	Aye
Commission Member Miller	–	Aye
Commission Member Watkins	–	Aye
Commission Member Queen	–	Aye

Conditional Use Permit – Dance Hall – 1441 S. Main Street

**NOTICE OF PUBLIC HEARING
TOWN OF BLACKSTONE**

*The Town of Blackstone Planning Commission shall hold a Public Hearing on April 1, 2024 at 6:00 p.m., in the Town Council Chambers, 100 W. Elm Street, Blackstone, Va. The purpose of the Public Hearing is to consider a request from **Myeshia Atkinson** for a conditional use permit. The purpose of the conditional use permit request is to permit the operation of a Dance Hall. The property is currently zoned S-B, Specialized Business District. The property is designated as a portion of Nottoway County Tax Map Numbers 50A44-4-6. More specifically, the subject property is also known as 1441 South Main Street. The Planning Commission may make a recommendation following this public hearing. Any person desiring to speak for or against the request should attend the Public Hearing at the above stated date and time.*

Manager Vannoorbeeck said a dance hall is considered a conditional use. He said the three elements for a dance hall is amplified music, an ABC license, and the potential for people to dance. He said the dance hall request would be located in the Walmart Shopping Center, and is the proper location.

Chairman McCarthy opened the Public Hearing and asked if anyone was here to speak for or against the dance hall request.

Ms. Atkinson said she grew up in Nottoway County and graduated from Nottoway High School in 2012. She wanted to bring something to Blackstone, and thought Safari Sports Bar & Grill would be lucrative for the Town. She said she wanted this to be an upscale bar and grill for 25 and up. She planned to operate Thursday through Sunday from 4:00 p.m. to 1:00 a.m. She said she planned to have security, armed and certified, along with Town to secure the premises.

Ms. Atkinson said she also planned to have a tipsy carriage, which would be for local citizens who may want to have some drinks, this would pick them up and take them back home, to avoid DUIs.

Ms. Atkinson said she wanted to bring new food to the area, such as Caribbean and Jamaican cuisine, and soul food.

Commission Member Queen asked about the hours of operation. Ms. Atkinson said Thursday through Saturday would be 4:00 p.m. to 1:00 a.m., and Sunday 12:00 p.m. – 8:00 p.m. She said she would have DJs, live bands and local artists. She said she wanted to bring some excitement here.

Commission Member Queen asked Ms. Atkinson about her business in North Carolina, is that similar to what she was proposing here. Ms. Atkinson said her business in North Carolina was a development disability group home. She said she provides housing for those that suffer from intellectual or development disabilities.

Commission Member Queen asked how many people were planned per shift for security. Ms. Atkinson replied, 10 per shift. She said because she is young, she did not want people to think there was going to be chaos, she wants this to be structured. She said Monday through Wednesday would not be night club hours and would be family oriented.

Chairman McCarthy asked what would be the maximum occupancy. Ms. Atkinson did not have that yet.

Ms. Atkinson said she has a floor plan and layout, but was not included tonight.

Commission Member Queen asked if the hostess, or someone would have a clicker for the number of occupancy. Ms. Atkinson replied yes sir.

Commission Member Watkins asked if there was a sprinkler system in the building. Ms. Atkinson replied yes sir. She said in the back they would be renovating for a kitchen and adding an extra bathroom.

Commission Member Watkins asked if the fire marshal would inspect the sprinkler system. Manager Vannoorbeeck said yes, they may have to, and they would determine occupancy as well.

Commission Member Miller suggested a divider to separate from the restaurant and the dance hall.

Commission Member Watkins asked if the check would include for weapons. Ms. Atkinson replied absolutely. She said her security officers would have wands and frisk.

Chairman McCarthy closed the Public Hearing.

Clerk Daniel asked Manager Vannoorbeeck for clarification for the tipsy carriage. Manager Vannoorbeeck said that is not zoning, it sounds like a designated driver.

Commission Member Miller made a motion to recommend to Council approval of the Conditional Use Permit request from Ms. Myeshia Atkinson for 1441 South Main Street for a Dance Hall Permit with the following conditions:

- 1. Cameras are to be working at all exits outside of each door***
- 2. Obtain Occupancy Permit through the State of Virginia/Nottoway County***
- 3. Report all ABC violations to Chief Murphy***
- 4. Make all tapes available to Chief Murphy as requested***
- 5. Occupancy will be determined by the Fire Marshal***
- 6. Six month review after opening***
- 7. Hours of Operation: close at 10:00 p.m. Monday – Wednesday; close at 1:00 a.m. Thursday – Saturday; close at 8:00 p.m. on Sundays***
- 8. 25 years and up for bar entry***
- 9. Security Guards required Thursday – Saturday from 9:00 p.m. – 1:00 a.m.***

The motion was seconded by Commission Member Queen.

VOTE:

Chairman McCarthy	–	Aye
Commission Member Nash	–	Aye
Commission Member Miller	–	Aye
Commission Member Watkins	–	Aye
Commission Member Queen	–	Aye

Text Amendment to Zoning Ordinance – Sections 4.8 & 5.8

*Notice of Public Hearing
Town of Blackstone*

The Town of Blackstone Planning Commission shall hold a Public Hearing on April 1, 2024 at 6:00 p.m., in the Town Council Chambers located at 100 W. Elm Street, Blackstone, Va. The purpose of the Public Hearing is to consider proposed text amendments to Sections 4.8 and 5.8 of the Town of Blackstone Zoning Ordinance. Specifically, the proposed amendments would establish side yard setbacks for non-conforming lots in the R-1, Residential and R-2, Residential zoning districts. Currently, side yard setbacks in these districts require main structures to be 15 percent of the lot width at the building lot line from adjoining properties. If approved, the amendments would require main structures to provide side yard setbacks from adjoining properties of not less than 12 feet or 15 percent of the lot width at the building lot line, whichever is greater. The Planning Commission may act on these amendments following this Public Hearing. Any person desiring to speak in favor or opposition to these amendments may do so at the above stated date and time.

Manager Vannoorbeeck said we have a lot of non-conforming lots in Town. He said the West Blackstone Plat shows certain parts of Town being divided into 25' lots. He said 25' and 50' lots are non-conforming, as well as 75'. He said the minimum width of a new lot to build on must be no less than 80' wide.

Manager Vannoorbeeck said the 75' lots he had been working with those internally, requiring a 12' setback. He said the lots with 50' setbacks have been going to the Board of Zoning Appeals. He said this put the BZA in a tough spot, we need to set an established setback.

Manager Vannoorbeeck said the Town's zoning says non-conforming lots can be used as long as they can meet the setback. He proposed for non-conforming lots, they have to meet 12' side setback, which is 15% of an 80' lot, or use the 15% side setback, whichever is greater.

Manager Vannoorbeeck explained front setbacks are 35', or in line with the adjacent house.

Chairman McCarthy opened the Public Hearing and asked if there was anyone here to speak for or against the proposed amendment. There were no comments, so he closed the Public Hearing.

Commission Member Queen made a motion to recommend to Council to approve the amendment that would require main structures to provide side yard setbacks from adjoining properties of not less than 12 feet or 15 percent of the lot width at the building lot line, whichever is greater in the R-1 and R-2 Districts. The motion was seconded by Commission Member Nash.

VOTE:

Chairman McCarthy	–	Aye
Commission Member Nash	–	Aye
Commission Member Miller	–	Aye
Commission Member Watkins	–	Aye
Commission Member Queen	–	Aye

SUBDIVISION REQUESTS:

Subdivision Request – Maben Avenue

Manager Vannoorbeeck said subdivision requests do not require a Public Hearing, but does require the Planning Commission to consider the requests.

Manager Vannoorbeeck said this is a four lot subdivision on Maben Avenue. He said duplexes are being proposed, and a floor plan is included in the packet. He said this will be eight total living units.

Mr. Keith Hall of 4H Construction, said the duplexes would resemble the new ones being built on Church Street now.

Manager Vannoorbeeck said each lot is over 80 linear feet wide, and has to be not less than 10,000 square feet for a single family, and not less than 14,000 square feet for a duplex. He said there is a 50' stem left in case a street ever needed to be developed.

Manager Vannoorbeeck said the request meets the standards, and duplexes are a use by right.

Commission Member Nash believed the duplexes would be a benefit to that part of Town.

Commission Member Miller made a motion to approve the Subdivision Plat on Maben Avenue, as presented. The motion was seconded by Commission Member Nash.

VOTE:

Chairman McCarthy	–	Aye
Commission Member Nash	–	Aye
Commission Member Miller	–	Aye
Commission Member Watkins	–	Aye
Commission Member Queen	–	Aye

Subdivision Request – Farmington

Manager Vannoorbeeck said the plat included shows 27 single family homes. He said the owner of the property is Rock River Homes. He said this would be Phase 3. He said these would be half acre lots, and already permissible.

Manager Vannoorbeeck said there is one parcel that has a stormwater basin, and no road frontage, so there will have to be an easement to this property, or needs to be restricted from being built on.

Chairman McCarthy said the access to all of this will be College Road. Manager Vannoorbeeck said yes, if the request was to rezone the property, the Planning Commission could say no. He said in 1992, the Town zoned this property for half acre lots.

Manager Vannoorbeeck said this area would be on the Town's water and sewer, but the electric will be with Southside Electric.

Commission Member Miller asked if this subdivision would put pressure on the Town for roads. Manager Vannoorbeeck said the Town will have to deal with College Road at some point. He said once the road it widened, it will make people go faster, and the Town will have to move utilities.

Commission Member Watkins asked what the size of the lots were on Rolling Acres Lane. Manager Vannoorbeeck replied one acre lots.

Commission Member Watkins asked if we could go to the property owner and say, we know this is dense, and planning had already been done, but would they conform to the one acre lots. Manager Vannoorbeeck said that would not be the problem, it is the development cost and building that much road. He said the property owner will have to build a road to VDOT standards, and donate it to the Town.

Manager Vannoorbeeck recommended any motion include Stormwater A and B cannot be built on, as described in the drawing presented.

Commission Member Watkins asked if the company installing the subdivision have any responsibility for the road, or can we shut the road off at the end to not have to maintain it. Manager Vannoorbeeck said we cannot shut off the road. He said he could ask the owner if he was interested in sharing in the road cost.

Commission Member Queen made a motion to accept the Subdivision Plat on College Road, with Stormwater Lots A & B not being built on, and not to exceed building 27 total units.

Manager Vannoorbeeck said College Road is narrow enough, that the Town only gets reimbursed for one lane width.

Commission Member Watkins asked about the road installed for the new homes, does that meet State standards. Manager Vannoorbeeck said the right of way width was done and a compaction test was completed. He said a \$28,000.00 bond was provided for the road, which included three shots of tar and gravel, and B&B Consultants tested the compaction.

Commission Member Watkins asked if anyone on the Planning Commission every abstained. Chairman McCarthy asked what happens if the Planning Commission fails to act. Manager Vannoorbeeck said after 90 days, it automatically goes to Council without recommendation.

The motion was seconded by Commission Member Nash.

VOTE:

Chairman McCarthy	–	Nay
Commission Member Nash	–	Aye
Commission Member Miller	–	Abstain
Commission Member Watkins	–	Aye
Commission Member Queen	–	Aye

Manager Vannoorbeeck said this would be a multiyear project. Clerk Daniel said they would probably have to sell each home before building the next home.

Commission Member Nash said Blackstone has had a lot of housing development in recent years, and thought the market would take care of this. Manager Vannoorbeeck believed FASTC housing was saturated, but market rental was needed.

CAPITAL IMPROVEMENT PLAN:

Manager Vannoorbeeck said State Code says the Capital Improvement Plan is ultimately the responsibility of the Planning Commission.

Manager Vannoorbeeck said the Town was facing \$100 Million in utility improvements. He said the priorities are the raw water line and pumps at the Reservoir. He said the raw water line takes untreated water from the Reservoir. He said with the talks about providing water to Crewe, replacing the raw water line was still necessary, regardless.

Manager Vannoorbeeck said if Crewe were to come onto to the Town's water lines, there would be an additional \$10 Million of replacement pipe on Post and in Town. He said from the new National Guard Armory to Main Street would need to be replaced, along with the water line from the Main Gate back to Tenth Street on Ft. Barfoot.

Commission Member Queen asked about the Fire Department ambulance, would that replace what we have in Blackstone. Manager Vannoorbeeck said it did not in Burkeville.

Manager Vannoorbeeck said the items in the Capital Improvement Plan are presented by department heads. He said the bigger concern was the long term staffing at the Fire Department, will it be paid, or volunteer.

Manager Vannoorbeeck said running sidewalk from Tenth Street to Walmart was included in the Plan, with the Town's share being \$1.8 Million and the State providing \$1.8 Million.

Commission Member Watkins asked about the \$10 Million, how much grant is available. Manager Vannoorbeeck said because of the age of the line, with lead and copper, we believe it will qualify for funds from the Health Department.

Commission Member Nash made a motion to recommend to Council approval of the Capital Improvement Plan as presented. The motion was seconded by Commission Member Miller.

VOTE:

Chairman McCarthy	–	Aye
Commission Member Nash	–	Aye
Commission Member Miller	–	Aye
Commission Member Watkins	–	Aye
Commission Member Queen	–	Aye

There being no additional business to discuss, Chairman McCarthy adjourned the meeting at 7:54 p.m.

Henry McCarthy CHAIRMAN
OF THE BLACKSTONE PLANNING COMMISSION

July 1, 2024

APPROVED AND ADOPTED

Jennifer S. Daniel TOWN CLERK
OF THE TOWN OF BLACKSTONE, VIRGINIA