



CITY OF SUFFOLK

442 W. WASHINGTON ST., POST OFFICE BOX 1858, SUFFOLK, VIRGINIA 23439-1858
PHONE: (757) 514-4060 FAX: (757) 514-4099

DEPARTMENT OF
PLANNING & COMMUNITY DEVELOPMENT

Division of Planning

September 5, 2017

Jeffrey S. Murray, P.E.,
555 Fayetteville Street, Suite 900
Raleigh, NC 27601

RE: REZONING REQUEST, RZ10-16, (Conditional), SPSA Regional Landfill, submitted to rezone and amend the official zoning map of the City of Suffolk to change the zoning from A, Agricultural zoning district, to M-2, Heavy Industrial zoning district, for property located to the southeast of 1 Bob Foeller Drive, Zoning Map 27, Parcel(s) 28A.

CONDITIONAL USE PERMIT REQUEST, C08-16, SPSA Cell VII Landfill Composting System, Confined (vegetative waste or yard) and Borrow Pit, submitted to grant a Conditional Use Permit to establish solid waste management facility, composting system, confined (vegetative waste or yard) and borrow pit, for property located at 1 Bob Foeller Drive, Zoning Map 27, Parcel(s) 28A.

Dear Mr. Murray:

With regard to the above-referenced Rezoning Request, RZ10-16 and Conditional Use Permit Request, C08-16, please be advised that the Suffolk City Council voted, at its August 16, 2017 meeting, to approve both applications. The original certified Ordinances are enclosed and must be recorded separately with the Clerk of the Circuit Court at the courthouse. Please be sure the Land Systems cover sheet is prepared and attached to the ordinance at the time of recording. Please be sure the Land Systems cover sheet is prepared and attached to each document at the time of recording. This cover sheet can be obtained from www.courts.state.va.us or completed by you at the courthouse on their designated computer. If you have any questions regarding this cover sheet, please contact the Clerk of Courts at 514-7800 for assistance.

If you have not already done so, the Notice of Hearing signs that were posted on the property may now be removed and disposed. If you have any questions regarding this matter please feel free to contact me at 757-514-4068 or (email: nward@suffolkva.us).

Sincerely,

Nicole J. Ward

Current Planning Manager

ORDINANCE NUMBER 17-O-072**AN ORDINANCE TO REZONE AND AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SUFFOLK TO CHANGE THE ZONING FROM A, AGRICULTURAL ZONING DISTRICT, TO M-2, HEAVY INDUSTRIAL ZONING DISTRICT, FOR THE PROPERTY LOCATED AT 1 BOB FOELLER DRIVE, ZONING MAP 27, PARCEL 28A; RZ10-16 (CONDITIONAL)**

WHEREAS, Jeffrey S. Murray, P.E. of HDR Engineering, Inc., agent(s), on the behalf of the Southeastern Public Service Authority, applicant(s), and property owner(s), have requested a change in zoning from A, Agricultural zoning district, to M-2, Heavy Industrial zoning district, for the property located at 1 Bob Foeller Drive, Zoning Map 27, Parcel 28A, which land is depicted on Exhibit "C"; and

WHEREAS, the proposed rezoning and amendment to the official zoning map have been advertised and reviewed by the Planning Commission in compliance with the requirements of state law; and

WHEREAS, the Planning Commission has made a recommendation as stated in Exhibit "A"; and

WHEREAS, a public hearing before City Council was duly advertised as required by law and held on the 16th day of August, 2017, at which public hearing the public was presented with the opportunity to comment on the proposed rezoning.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

Section 1. Exhibits.

Exhibit "A", "Planning Commission Recommendation", Exhibit "B", "Proffered Conditions", Exhibit "C", "Property Map", and Exhibit "D", "Master Plan" which are attached hereto, are hereby incorporated as part of this ordinance.

Section 2. Findings.

A. Council finds that the proposed rezoning is reasonable and warranted due to a change in circumstances affecting the property, and has considered the following factors and finds that the proposed rezoning does not conflict with:

1. the existing use and character of property within the City;
2. the Comprehensive Plan;
3. the suitability of the property for various uses;
4. the trends of growth or change;

5. the current or future requirements of the community as to land for various purposes as determined by the population and economic studies and other studies;
6. the transportation requirements of the community;
7. the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services;
8. the conservation of natural resources;
9. the preservation of flood plains;
10. the preservation of agricultural and forestal land;
11. the conservation of properties and their values;
12. the encouragement of the most appropriate use of land throughout the City; and
13. the expressed purpose of the City's Unified Development Ordinance as set out in Section 31-102 of the Code of the City of Suffolk (1998), as amended, and Section 15.2-2283 of the Code of Virginia (1950), as amended ("Va. Code").

B. The Suffolk City Council makes the following specific findings to the conditions of the rezoning:

1. the proposed rezoning itself gives rise to the need for the proffered conditions;
2. the proffered conditions have a reasonable relationship to the rezoning; and
3. the proffered conditions are in conformity with the 2035 Comprehensive Plan as adopted by City Council on April 1, 2015.

Section 3. Rezoning.

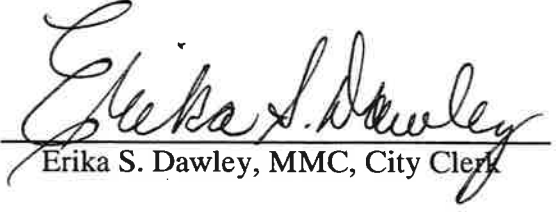
- A. The conditions proffered in the attached Exhibit "B" be, and they are hereby, accepted.
- B. The property be, as shown on attached Exhibit "C" and it is hereby, conditionally rezoned and the official zoning map be, and it is hereby, amended from A, Agricultural, to M-2, Heavy Industrial zoning district.
- C. The foregoing rezoning and amendment to the official zoning map are expressly made subject to the performance of the conditions hereby proffered and accepted and these conditions shall remain in effect until a subsequent amendment changes the zoning of the property; however, such conditions shall continue if the subsequent amendment is part of a comprehensive implementation of a new or substantially revised zoning ordinance.

Section 4. Recordation.

A certified copy of this ordinance shall be recorded, by the applicant, in the name of the property owner as grantor in the office of the Clerk of Circuit Court.

This ordinance shall be effective upon passage and shall not be published or codified.

READ AND PASSED: AUGUST 16, 2017

TESTE: 
Erika S. Dawley, MMC, City Clerk

A TRUE COPY

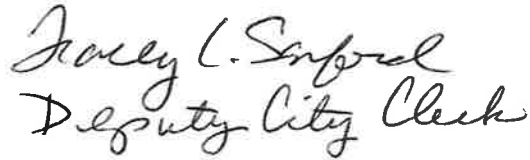

Deputy City Clerk

Exhibit A

RESOLUTION NO. 17-07-1

CITY OF SUFFOLK PLANNING COMMISSION

**A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION
TO CITY COUNCIL RELATING TO REZONING REQUEST
RZ10-16 (CONDITIONAL)**

**A, AGRICULTURAL ZONING DISTRICT, TO M-2, HEAVY INDUSTRIAL ZONING
DISTRICT, FOR THE PROPERTY LOCATED AT 1 BOB FOELLER DRIVE, ZONING
MAP 27, PARCEL 28A**

WHEREAS, Jeffrey S. Murray, P.E. of HDR Engineering, Inc., agent(s), on the behalf of the Southeastern Public Service Authority, applicant(s), and property owner(s), have requested a change in zoning from A, Agricultural zoning district, to M-2, Heavy Industrial zoning district (Conditional); and

WHEREAS, the procedural requirements for the consideration of this request by the Planning Commission have been met.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Suffolk, Virginia, that:

Section 1. Findings.

- A. The Suffolk Planning Commission finds that the proposed rezoning is reasonable, and warranted due to a change in circumstances affecting the property, and has considered the following factors and finds that the proposed rezoning does not conflict with:
1. the existing use and character of property within the City;
 2. the Comprehensive Plan;
 3. the suitability of the property for various uses;
 4. the trends of growth or change;
 5. the current or future requirements of the community as to land for various purposes as determined by population and economic studies and other studies;
 6. the transportation requirements of the community;
 7. the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services;
 8. the conservation of natural resources;

9. the preservation of flood plains;
10. the preservation of agricultural and forestal land;
11. the conservation of properties and their values;
12. the encouragement of the most appropriate use of land throughout the City;
13. the expressed purpose of the City's Unified Development Ordinances as set out in Section 31-102 of the Code of the City of Suffolk (1998), as amended, and Section 15.2-2283 of the Code of Virginia, (1950), as amended ("Va. Code").

B. The Suffolk Planning Commission makes the following specific findings to the conditions of the rezoning:

1. the proposed rezoning itself gives rise to the need for the proffered conditions;
2. the proffered conditions have a reasonable relationship to the rezoning; and
3. the proffered conditions are in conformity with the 2035 Comprehensive Plan as adopted by City Council on April 1, 2015.

Section 2. Recommendation to Council.

The Planning Commission recommends to City Council that the request, RZ10-16 (Conditional), be:

- a) Granted as submitted, and that the City Council adopt the proposed Ordinance without modification.
- b) Denied, and that Council not adopt the proposed Ordinance.
- c) Granted with the modifications set forth on the attached listing of specific recommendations and that Council adopt the proposed Ordinance with such modifications.

READ AND PASSED:

July 19 / 17

TESTE:

[Signature]

EXHIBIT B

I hereby voluntarily proffer that the development of the property owned by me proposed for reclassification under this application shall be in strict accordance with the conditions set forth below.

The following conditions (add additional sheets if necessary) are voluntarily proffered for the reclassification of property identified as Tax Map 27*28A, Block _____, Parcel Number _____: **Conditional Rezoning is for 440.34 acre portion of property, and does not include area zoned M-2 containing Cell VII, See Drawing 01C-02.


The Property shall be developed substantially in accordance with the "Southeastern Public Service Authority Conditional Rezoning Application, Master Plan Drawing 01C-01", prepared by HDR Engineers, Inc., dated June 2016, Revised September 2016 and February 2017.

Uses of the Property include Solid Waste Management Facilities, Sand or Gravel Extraction, and Vegetative Waste Composting Systems and no other uses.

The development of Sand and Gravel Extraction areas (borrow areas) shall be in support of landfill construction, operation, and closure and for no other use.

The maximum heights of Cells VIII through XII, as delineated on the Master Plan Drawing 01C-01, shall not exceed 220 feet from mean sea level.

Signed:




(Applicant)

Rowland L. Taylor

(Printed Name)

6.28.17

(Date)



(Property Owner)

Rowland L. Taylor

(Printed Name)

6.28.17

(Date)

(Property Owner)

(Printed Name)

(Date)



PROPERTY MAP RZ10-16

