

MINUTES
Planning Commission
County of Prince George, Virginia

June 25, 2020

County Administration Bldg. Board Room, Third Floor
6602 Courts Drive, Prince George, Virginia

This meeting was held electronically in accord with Virginia Code Section 15.2-1413. The meeting was accessible by:

Zoom: <https://zoom.us/j/5053851421?pwd=V2pjSHFneFRLUUE2bjNqQnR3emZoUT09>

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MEETING CONVENED. The Regular Meeting of the Prince George County Planning Commission was called to order at 6:30 p.m. on Thursday, June 25, 2020 in the Boardroom, County Administration Building, 6602 Courts Drive, Prince George, Virginia by Chairman Bresko.

ATTENDANCE. The following members responded to Roll Call:

Mr. Simmons	Present
Mrs. Elder	Present
Mr. Bresko	Present
Mr. Joyner	Present
Mr. Easter	Present
Mr. Brown	Absent
Mr. Brockwell	Absent

Also present: Julie C. Walton, Deputy County Administrator, Jeff Stoke, Deputy County Administrator, Cliff Young, Director of IT, Horace Wade, Planner, Tim Graves, Missy Greaves-Smith, Administrator Support Specialist

INVOCATION. Mr. Simmons provided the Invocation.

POLICY ADOPTION. Chairman Bresko asked the Commissioners to review the policy allowing for and governing participation of Planning Commission members by electronic communication means. Mr. Easter made a motion to approve the policy and Mr. Joyner seconded the motion. Roll was called on the motion.

In favor: (5) Bresko, Joyner, Simmons, Elder, Easter
Absent: (2) Brown, Brockwell

At 6:34 p.m. a second Roll Call was made after the adoption of the Policy.

Mr. Simmons	Present
Mrs. Elder	Present
Mr. Bresko	Present
Mr. Joyner	Present
Mr. Easter	Present
Mr. Brown	Present (from home)
Mr. Brockwell	Present (from home)

PLEDGE OF ALLEGIANCE TO THE FLAG. Mrs. Elder led in the Pledge of Allegiance to the United States flag.

APPROVAL OF MEETING AGENDA. Chairman Bresko asked the Commissioners for a motion to approve the Meeting Agenda for the June 25, 2020 Planning Commission. Mr. Easter made a motion to approve the Meeting Agenda and the motion was seconded by Mrs. Elder.

In favor: (7) Bresko, Joyner, Brown, Simmons, Elder, Easter, Brockwell
Abstain: (0)

APPROVAL OF THE MEETING MINUTES. Chairman Bresko asked the Commissioners to review the February 27, 2020 Minutes of the Planning Commission for approval. Mr. Joyner made a motion to approve the Minutes as presented and the motion was seconded by Mr. Easter. Roll was called on the motion.

In favor: (7) Bresko, Joyner, Brown, Simmons, Elder, Easter, Brockwell
Abstain: (0)

APPROVAL OF THE MEETING MINUTES. Chairman Bresko asked the Commissioners to review the May 28, 2020 Minutes of the Planning Commission for approval. Mrs. Elder made a motion to approve the Minutes as presented and the motion was seconded by Mr. Easter. Roll was called on the motion.

In favor: (7) Bresko, Joyner, Brown, Simmons, Elder, Brockwell
Abstain: (1) Easter

CITIZEN COMMENT PERIOD. At 6:36 p.m., Chairman Bresko opened the Citizen Comment Period to anyone who wished to come forward to speak to the Commissioners on only topics that were not on the agenda. Citizens were asked to limit their comments to three (3) minutes. Mr. Stoke asked the participants on Zoom who wished to speak to raise their electronic

hand at this time. With no one coming forward and no notifications on Zoom, the Citizen Comment Period closed at 6:37 p.m.

NEW BUSINESS.

REZONING CASE AMENDMENT RZ-20-01

Request of Skycass Marketing pursuant to § 90-788, Change of Approved Conditions, to amend Proffered Condition 1 of Section 2 of Zoning Case ZM-84-5 relative to the permitted uses on the M-2, General Industrial Zoned parcel by adding the following additional permitted uses: 1) Blacksmith shops, welding or machine shops, 2) Building material sales yard and plumbing supplies, 3) Contractors' equipment storage yard or plant or rental of equipment commonly used by contractors, 4) Off street parking as required by this chapter, 5) Accessory uses, 6) Business signs, and 7) Wholesale businesses and storage warehouses. The subject property is located at 5106 Prince George Drive and is identified as Tax Map 240(16)00-004-0. The Comprehensive Plan indicates the property is suitable for commercial uses.

Mr. Wade presented to the Commissioners the RZ-20-01 case of Skycass Marketing, LLC to amend proffered conditions of Zoning case ZM-84-5 by adding additional General Industrial (M-2) permitted uses. The property is currently zoned M-2 with only one use allowed. The adjacent property to the north of the subject property is zoned M-2 with no restrictions and the properties to the east are zoned B-1. The property to the west is zoned R-A and the property just north of that is zoned M-2 with the same restrictions as the subject parcel.

The current M-2 Zoning permitted use is for automobile painting, repair, rebuilding, reconditioning and body and fender work. The applicant is proposing seven additional uses:

1. Blacksmith shops
2. Building material sales yards and plumbing supplies
3. Contractor's equipment storage yard or plant or rental of equipment commonly used by contractors
4. Off street parking as required by this chapter
5. Accessory uses
6. Business signs
7. Wholesale businesses and storage warehouses

The applicant would like to use the warehouse place as rental space for contractor/plumber office space(s) and additional storage.

Staff Comments:

- The Planning & Zoning Division:
 - Uses appear compatible with previously approved automotive body and maintenance shop uses
 - Adjacent parcel north of the subject parcel is zoned M-2 with no restriction
 - Outside storage of materials to be screened by ordinance
- Building Official:
 - Structures over 256 SF are required to obtain a building permit
- VDOT:
 - Property is accessed by an appropriate commercial entrance
 - Turn lane warrant analysis was conducted and a turn lane is not required
 - Road Maintenance agreement should be in place

Mr. Wade reviewed the Comprehensive Plan – Future Land Use map and stated the subject property is designated for commercial uses. Public water and wastewater facilities are generally available or planned for these areas. However, water and sewer is not available at this location. At this time, the Economic Development Goal #1 states, “to enhance the economic base and employment opportunities in Prince George” with the objective to develop a strong and diversified tax base through guided office, commercial retain and industrial development.

Mr. Wade stated staff recommends approval, subject to recommended conditions in the Staff Report. This recommended approval is based on being compatible with the Comprehensive Plan, compatible with existing permitted uses and adjacent properties and diversifying the tax base.

Mr. Simmons asked for clarification on a turning lane slide in Mr. Wade’s presentation. Mr. Wade stated that after VDOT’s review, a turning lane would not be required at this location. Mr. Simmons questioned the number of inoperable cars at the subject location. Mr. Wade stated that under the current conditions for an auto body shop, it is permitted to have customer’s vehicles onsite.

Mrs. Elder inquired about the building on the left being an auto body shop. Mr. Wade clarified by stating the property on the left is not included in this request. Mr. Simmons clarified that the cars he was referring to were located at the business on the left, not the subject property.

At 6:48 p.m., Chairman Bresko opened the Public Hearing for RZ-20-01 to anyone wishing to speak for or against the proposed rezoning. Mr. Stoke asked if anyone on Zoom wished to speak to raise his or her hand electronically.

Troy Gibbs, of 4244 Cedar Creek Lane and the applicant for RZ-20-01, wished to speak through Zoom. Mr. Gibbs wished to clarify some of the questions the Commissioners had during the presentation. The property on the left is currently operating as a body shop and has different property owners. The cars in the photo are customer cars for that auto body shop next door. He stated there are currently no inoperable vehicles on the subject property.

Chairman Bresko asked Mr. Gibbs to clarify if he was going to have a “Blacksmith Shop or Welding Shop”. Mr. Gibbs explained that it would be a permitted use but at this time, they are looking to use the space for contractor storage and office space. As the zoning is currently, it limits them to just an auto body shop.

Chairman Bresko asked if anyone else had any questions or comments. With no one else coming forward or requesting to speak on Zoom, Chairman Bresko closed the Public Hearing at 6:52 p.m.

Mr. Simmons made a motion to forward RZ-20-01 with the recommendation of approval along with the stated conditions to the Board of Supervisors (BOS) for consideration. The motion was seconded by Mr. Brockwell and roll called on the motion.

In favor: (7) Bresko, Joyner, Brown, Simmons, Elder, Easter, Brockwell
Abstain: (0)

SPECIAL EXCEPTION SE-20-01

Request of Craig Owen pursuant to Prince George County Zoning Ordinance Section 90-53(55) to permit a Home Occupation in an accessory building within an A-1, General Agricultural District, for the purpose of operating a pest control business as a home occupation. The subject property is located at 12700 Silvercrest Lane and is identified as Tax Map 260(07)00-015-0. The Comprehensive Plan indicates the property is suitable for agricultural uses.

Mr. Graves presented a slide presentation indicating the subject property's location is on the northeast side of the County on Silvercrest Lane, which is a private road near the intersection of Old Stage Road and Heritage Road. The subject property and all of the surrounding properties are Zoned A-1. The subject property is approximately 5.14 acres in size.

The applicant operated a pest control business in Idaho before moving to Virginia. He is currently trying to operate his business at his residence. A 40' x 60' accessory building is part of the proposal, to be used for storage of operating supplies and company vehicles. The two (2) existing storage containers that are currently on the property are being used primarily for personal use.

Mr. Graves explained that Commercial Pesticide Applicator businesses are regulated by the Virginia Department of Agriculture and Consumer Services (VDACS) and require a license. The applicant is currently in the process of acquiring the required license(s).

This Home Occupation Zoning Approval requires a special exception because the applicant is requesting to have two (2) company vehicles, outside storage and an accessory building used primarily for the business.

Staff Comments:

- Planning & Zoning Division:
 - Shipping containers must be relocated to meet setbacks for accessory buildings
- Review Team:
 - Safety Data Sheets must be available upon request
 - Items need to be secured and maintained to prevent accidental leaks of products
 - Structures over 256' are required to obtain a Building Permit
 - Any land disturbance activity exceeding 2500 SF is required to obtain a Land Disturbance Permit
 - Silvercrest Lane is a private road with sufficient access onto Heritage Road

Recommended Conditions from Staff:

- Applicant to maintain Applicator's license
- Maximum size of building for the use is 2,400 SF
- No outside storage except the existing (2) shipping containers (must meet accessory building setbacks)
- Chemicals to be contained and locked at all times and otherwise stored in accordance with license and any other applicable regulations
- Limit of 4 gallons of chemicals on the property
- No customers, employees, permanent signage on the property

As a result of the Adjacent Property Owner's Notification mailing, the Planning & Zoning Division received comments from two (2) neighboring property owners. Mr. Graves indicated that the questions from the citizens along with staff's responses were included in their packets. Staff recommends approval with the recommended conditions on this request.

Mr. Simmons asked Mr. Graves a question in reference to the limited amount of chemicals allowed to be stored onsite and if this needs to be reviewed by the Department of Environmental Quality (DEQ). Mr. Graves confirmed that due to a limitation of four (4) gallons of chemicals, DEQ would not need to review this case.

At 7:03 p.m., Chairman Bresko opened the Public Hearing for SE-20-01 to anyone wishing to speak for or against the proposed special exception. Mr. Stoke asked if anyone on Zoom wished to speak to raise his or her hand electronically. No one wished to speak through Zoom.

Chairman Bresko asked the applicant, Craig Owen, about the concentration of the chemicals in reference to only having four (4) gallons of products on hand at a time. Mr. Owen explained he only has onsite the amount of products needed for the current jobs. He stated that four (4) gallons would be the most he would have and typically he only has approximately two (2) quarts on hand. He confirmed the chemicals are highly concentrated. For example, a 100 gallon tank would only need 12 ounces of product for spraying spiders, flies and ants.

Mr. Simmons asked the applicant if the supplier delivers the products or does he pick them up. Mr. Owen stated he would use a local company and he would pick them up himself and transport them in a locked box in the back of his vehicle.

At 7:07 p.m., Chairman Bresko closed the Public Hearing. He asked the Commissioners if they had any further questions; if not he would entertain a motion. Mr. Easter made a motion to forward SE-20-01 to the BOS with the recommendation of approval with conditions. This motion was seconded by Mrs. Elder. Roll was called on the motion.

In favor: (7) Bresko, Joyner, Brown, Simmons, Elder, Easter, Brockwell
Abstain: (0)

REZONING CASE RZ-20-02[7]

Request of Prince George 105, LLC to conditionally rezone 1.452 acres from R-A, Residential Agricultural to B-1, General Business. The subject parcel is located at 4521 County Drive at the northwest intersection of County Drive and Bull Hill Road and is identified as Tax Map 340(08)00-00A-0. The Comprehensive Plan indicates the property is suitable for industrial or commercial uses.

Mr. Wade presented to the Commissioners a map to show the zoning of surrounding properties. The new intended use of this property is a 3,000 SF fast food restaurant. The subject property would be developed in accordance with a proffer statement and a schematic plan and excludes certain uses permitted by right and by special exception.

Staff Comments:

- Planning & Zoning Division:
 - Surrounding Tax Map parcels are zoned General Business (B-1)
 - Additional site design requirements required by the Zoning Ordinance

- Sidewalk connection along Bull Hill Road to provide pedestrian connectivity per Comprehensive Plan
- VTRANS Mid-Term needs indicate there is a regional need for bicycle access along Bull Hill Road
- Building Official:
 - Property has been reviewed for compliance with Building Code
- Economic Development:
 - Property is located in the Enterprise Zone
- Utilities:
 - Sewer system serving this property is near capacity
 - Connection to sewer system must be made on Route 460 to gravity sewer system
 - Connection to the County's water can be made to either of the 12" water lines located on Route 460 and Bull Hill Road
- Transportation:
 - Proposed accesses along Bull Hill Road and County Drive are acceptable
 - The easement shown within the proposed BMP is a VDOT drainage easement VDOT easements must be abandoned by the Commonwealth Transportation Board

Recommended Conditions:

- Exclusion of certain permitted uses and uses requiring special exception
- Site development requirements
- Building and design requirements
- Five (5) foot wide sidewalk installed along Bull Hill Road connecting to the property north of subject property
- Development in strict accordance with conditions and as generally depicted on the Schematic Plan dated March 9, 2020

The recommended conditions have been reviewed by the applicant and Mr. Wade stated the applicant's representative is available to answer any questions.

Mr. Wade stated staff recommends approval of RZ-20-02 along with the recommended conditions. This project is compatible with the Comprehensive Plan recommendations, the Schematic Plan is acceptable for traffic access management, according to VDOT and it provides a diversifying tax base. The sewer/wastewater system in the area is near capacity. The applicant will be required to have an analysis to determine if improvements to the existing facilities are required to service the needs of the property.

Mr. Easter asked for clarification of the subject location. Mr. Wade reviewed the map slide with the Commissioners for better understanding.

Mr. Joyner questioned the water and sewer capacity. Mr. Wade stated the owners would need to work with the Utilities Department and the engineers to determine availability.

Mr. Simmons stated that the Commissioners objective is to consider the use of the land, not if the utilities have the capacity. Mr. Wade agreed that this case is a land use decision.

At 7:20 p.m., Chairman Bresko opened the Public Hearing for RZ-20-02 to anyone wishing to speak for or against the proposed rezoning.

Derick Johnson P.E., Timmons Group, representing the applicant in this case, wished to clarify some questions about utilities. He stated the County's Engineer is in the process of conducting a study about sewer going down Route 460 and discussed it with the Board of Supervisors (BOS) last month. At the last BOS Work Session, the Board authorized the County Engineer to look into the sewer capacity on Route 460. The limiting factor, Mr. Johnson stated, is the 12" sewer line pipe that goes under Interstate 295 into Petersburg. Currently, there is 160,000 gallons per day still available along Route 460. The proposed Hardee's and 7-11 will need to feed into that, but it is on a first come first service basis for the sewer use. Mr. Johnson explained that the BOS is looking into the capacity of the sewer for future development in that area. Mr. Johnson also stated his clients have reviewed the conditions and the proffers and they are in agreement.

Mr. Simmons stated that the subject property has been vacant for several years since the nursery was operational. His concern is in reference to the environmental qualities of the soil. Mr. Simmons asked Mr. Johnson if they had environmental clearance in reference to the property being developable. Mr. Johnson explained Timmons Group had done a wetlands study on the property but is not aware of any contamination problems.

Mr. Stoke asked if anyone on Zoom wished to speak. No one wished to speak on Zoom.

At 7:27 p.m., Chairman Bresko closed the Public Hearing. He asked the Commissioners if they had any questions; if not he would entertain a motion. Mr. Easter made a motion to forward RZ-20-02 to the BOS with the recommendation of approval with conditions. This motion was seconded by Mr. Joyner. Roll was called on the motion.

In favor: (7) Bresko, Joyner, Brown, Simmons, Elder, Easter, Brockwell
Abstain: (0)

Planner's Communications to the Commission.

Mr. Wade presented to the Commissioners the following updates:

1. Actions of the Board of Zoning Appeals
 - a. No cases
2. Actions of the Board of Supervisors
 - a. Two (2) Special Exceptions for solar facilities pending
 - b. Tonight's PC cases will be scheduled for the July 14th meeting
3. Draft July 23, 2020 Agenda
 - a. Please review
 - b. Nominees for the CIP committee – Two (2) PC members needed
4. Zoning Ordinance Amendment related to Keeping of Chickens
 - a. Review Ordinance and be prepared to have a discussion

- b. Mr. Wade to provide an update with suggestions to the Commissioners at the July Work Session
- 5. Sign Ordinance Update
 - a. Draft Sign Ordinance will be presented to the PC in July
- 6. Comprehensive Plan Update
 - a. Planning is working on completing a VDOT technical review
 - b. Planning is working on updating content in reference to housing and transportation
- 7. Solar Energy Facility Siting Policy Public Meeting
 - a. Public Meeting to be held at the Central Wellness Center on June 30th at 6:30 p.m.
- 8. General Comments
 - a. Mr. Simmons asked what the next step of the Solar Energy Facility Siting Policy would be. Mr. Wade explained the Policy is scheduled to be heard at the July 14th BOS meeting and on June 30th a Public Meeting is scheduled.

Adjournment.

At 7:45 p.m., Chairman Bresko asked the Commissioners if they had any questions; if not he would entertain a motion to adjourn. Mr. Simmons made a motion to adjourn and the motion was seconded by Mr. Joyner. Roll was called on the motion.

In favor: (7) Bresko, Joyner, Brown, Simmons, Elder, Easter, Brockwell
Abstain: (0)