



## *County of Prince George, Virginia*

*“A global community where families thrive and businesses prosper”*

### **Planning Commission**

**Meeting Minutes  
November 21, 2019**

#### **I. CALL TO ORDER**

A regular meeting of the Planning Commission of the County of Prince George, Virginia was called to order at 6:30 p.m. on Thursday, November 21, 2019 in the Boardroom, County Administration Building, 6602 Courts Drive, Prince George, Virginia by Joseph E. Simmons, Chairman.

#### **II. ATTENDANCE**

The following members responded to Roll Call:

Joseph E. Simmons, Chairman	Present
Alex W. Bresko, Jr., Vice-Chairman	Present
Mr. R. Stephen Brockwell	Absent
Mr. Floyd M. Brown	Present
Mr. James A. Easter	Present
Mrs. Imogene S. Elder	Present
Mr. V. Clarence Joyner, Jr.	Present

Also present: Horace Wade, Planner; Tim Graves, Planner; Missy Greaves-Smith, Administrative Support Specialist

#### **III. INVOCATION**

Chairman Simmons provided the Planning Commission’s Invocation.

#### **IV. PLEDGE OF ALLEGIANCE TO THE U.S. FLAG**

Mr. Easter led the Pledge of Allegiance to the United States Flag.

**V. APPROVAL OF THE MEETING MINUTES**

Chairman Simmons asked for the Approval of the Minutes for the October 24, 2019 Planning Commission Meeting. A motion was made by Mr. Bresko and it was seconded by Mrs. Elder and the minutes were adopted as presented.  
Roll was called on the motion.

Roll Call vote on the Motion:

In Favor: (6) Simmons, Bresko, Brown, Elder, Joyner, Easter

Opposed: (0)

Absent: (1) Brockwell

Abstain: (0)

**VI. CITIZEN COMMENT PERIOD**

At 6:33 p.m. Chairman Simmons opened the Citizen Comments Period to anyone who wished to speak on any subject not on the agenda. He asked that persons limit their remarks to three (3) minutes. With no one coming forward to speak, Chairman Simmons closed the Citizen Comments Period at 6:34 p.m.

**VII. PUBLIC HEARINGS**

SPECIAL EXCEPTION SE-19-07: Request of Farm Life Pets LLC pursuant to § § 90-53(2), (23), and (40) to permit a riding school, riding stable, animal hospital, animal boarding place, veterinary services, and a gift shop within an A-1, General Agricultural District. The request property is located at 12620 Johnson Road and is identified as Tax Map 430(0A)00-066-0. The Comprehensive Plan indicates the property is suitable for residential uses.

Mr. Graves provided a presentation of the applicants request for a Special Exception with the following uses:

1. Riding school, riding stable
2. Animal hospital, animal boarding place, veterinary service
3. Gift shop

**Request Details:**

The applicant purchased the request property in October 2019 and proposes the following use of the property:

“I plan to open and operate a pet boarding and doggy daycare business to include a gift shop and pet grooming initially with future plans to provide horse stables with boarding and riding school.

Approximately 15 acres of the property is woodland and 12 acres is currently being farmed. The remainder of the property contains the building, exercise yards and driveway.

I would eventually put in a barn and provide fenced-in areas for horse boarding, riding and instruction. I will fence in about 6 acres leaving the rest of the field as hay crop.

The dog kennel will use the existing fenced in areas and the building only initially. I

have future plans to build a standalone building for additional space for doggy daycare and a training facility.”

Mr. Graves stated the building and property had previously been the site of animal boarding activities, with the following Special Exceptions previously approved:

1. Brenda Smith (SE-05-01) approved March 22, 2005, for construction and operation of an animal boarding place (commercial kennel), operated as Cedar Creek Kennels.
2. Greg and Betty Meredith (SE-10-04) approved December 14, 2010, to operate in the existing facility and add dog training to the use.
3. Joseph and Hope Kvasnicka (SE-13-12) approved February 25, 2014, for an animal boarding place for the purpose of animal boarding, grooming and training and an animal hospital and veterinary services and a gift shop that permits the retail sale of animal products.

The use was subsequently abandoned for a period of more than two years.

### **Comprehensive Plan:**

Mr. Graves stated the Comprehensive Plan Future Land Use Map identifies this area, including the request property and surrounding properties, as appropriate for residential uses.

### **Staff Review Comments:**

Mr. Graves presented to the Commissioners the comments from the review team that were noted in the Staff Report.

### Planning & Zoning Division:

1. The request property has a zoning classification (A-1) which is similar to that of surrounding properties (A-1, R-A, and R-1).
2. Special Exceptions have previously been granted for the requested uses on this property in 2005, 2010, and 2014, establishing a history of similar uses on the property.
3. The existing kennel building was approved for use as a kennel.
4. The proposed uses appear to be compatible with existing surrounding uses, with the nearest existing dwelling located approximately 500 feet away.

### Building Inspections Division:

This is an existing use of property and was reviewed for compliance with the Uniform Statewide Building Code at time of construction. All future structures over 256 sq. feet will be required to be reviewed, permitted and inspected to meet the requirements of the applicable Virginia Statewide Building Code, and maintained in compliance with the applicable Virginia Statewide Fire Prevention Code.

### Environmental Division:

1. I offer no comments or objections at this time for the operation of the proposed business in the existing building on site.
2. The property owner has proposed “Future Plans” for construction of horse stables with boarding. Any additional construction and/or land disturbance may require wetlands delineation, site plan and land disturbance permit application.

Contact: Angela Blount, Environmental Program Coordinator Contact: Dean Simmons, Building

Virginia Department of Transportation (VDOT):

1. Based on the information provided, it is anticipated that the proposed use will require a commercial entrance in accordance with the VDOT Standards and Specifications. There is an existing commercial entrance that serves the site that meets VDOT’s standards and specifications.
2. Based on the anticipated trip generation for the proposed use, the site will not warrant the construction of any turn lanes.

VDOT has no objection to the County approving a special use permit for this site based on the information contained in the submitted application and recent staff/applicant meeting.

Contact: Paul Hinson, Southern Region Land Use Engineer, VDOT

Health (VDH):

The repair permit for the dog kennel was issued 10/28/19 (HDID# 19-174-0091). Any further expansion of the business will need to be evaluated by an AOSE/OSE or PE.

Contact: Alice Weathers, Environmental Health Specialist, VDH

Animal Services:

Animal Services is familiar with the location and the previous business that was there and sees no issues with the applicant’s request. They recommend that the applicant reach out to one of the Animal Control Officers to ensure that the kennel is up to standard prior to opening.

Contact: Nicholas Wilder, Supervisor, Animal Services Facility

Assessor:

The property was transferred on October 15, 2019 (Inst. # 19-3039) from Joseph Anthony Kvasnicka to Farm Life Pets, LLC, a Virginia limited liability company. Ms. O’Hare is, however, the Registered Agent for Farm Life Pets, LLC, and should sign the application as Registered Agent. (P&Z NOTE: This has been completed as requested.)

Contact: Carol Crawford, Real Estate Operations Coordinator

Economic Development; Police Department; Fire Department:

No comments

The Planning staff sent eleven adjacent property owners notification of the special exception by mail on 11/8/19. A legal advertisement was run in the Progress Index for the request on 11/6/19 and 11/13/19.

Mr. Graves stated that County Staff recommends Approval of the request, subject to the following conditions intended to minimize the impact on surrounding property owners and ensure that this use complies with all applicable local, state and federal requirements:

1. This Special Exception request is granted to Farm Life Pets, LLC for Riding school, riding stable; Animal hospital, animal boarding place, veterinary services; and Gift shop on Tax Map 430(0A)00-066-0. This Special Exception is not transferable and does not run with the land.
2. All areas used for overnight animal boarding located within 400 feet of a dwelling shall be screened with evergreen vegetative materials to provide a visual and auditory buffer between the animal boarding place and any adjacent residential uses.
3. The applicants shall permit unannounced inspections during regular business hours by County Animal Service Officers to ensure proper treatment of the animals at the facility.
4. All areas used for animal boarding and training activities shall be cleaned and made free of animal waste on a regular basis. In addition, the applicants shall employ a means of eliminating any odor problems and the propagation of insects on the premises.
5. One (1) non-illuminated, freestanding sign, no greater than twenty (20) square feet in area and a height of six (6) feet, may be placed for directional purposes near the main entrance, located outside of the VDOT right-of-way and meeting setback requirements.
6. Hours of operation for the use shall be 6am to 6pm Monday to Friday, 6am to 4pm on Saturdays, and 12pm to 5pm on Sundays, with on-call availability outside of those hours.
7. The applicants shall take appropriate measures to ensure compliance with the County's Noise Ordinance (Section 54-23.1).
8. If the requested use of the premises is abandoned for a period of twenty-four (24) consecutive months, then the Special Exception shall become null and void.
9. This permit may be revoked by the County of Prince George or its designated agent for failure by the applicants to comply with any of the listed conditions or any provision of Federal, State or County regulations.

Chairman Simmons asked Mr. Graves if all the property taxes had been paid and were current. Mr. Graves stated that he had verified with the Treasurer's Office that all taxes are current.

Mr. Joyner inquired if any of the adjacent property owners that had been notified had any comments. Mr. Graves stated that the Planning Department notified eleven adjacent property owners and ran the legal advertisement in the newspaper and there were no comments.

At 6:45 p.m. Chairman Simmons opened the public hearing to any who wished to speak for or against this special exception request. With no one coming forward, the public hearing was closed at 6:46 p.m.

Chairman Simmons asked the Commissioners if they had any questions or needed to have any discussions amongst themselves, and if not, he would entertain a motion.

Vice-Chairman Bresko asked the applicants if any of the owners were veterinarians. The owners responded that they were not veterinarians; they would need to hire them as needed in the future.

Mrs. Elder made a motion to forward SE-19-07 to the Board of Supervisors for their consideration with the Planning Commission's recommendation of approval with the stated conditions in the staff report. The motion was seconded by Vice-Chairman Bresko. Roll was called on the motion.

Roll Call vote on the Motion:

In Favor: (6) Simmons, Bresko, Brown, Elder, Joyner, Easter

Opposed: (0)

Absent: (1) Brockwell

Abstain: (0)

## **VIII. COMMUNICATIONS TO THE COMMISSION**

Mr. Wade provided the following updates:

a. Actions of the Board of Zoning Appeals

- 11/20 Variance Request 11.58 ft corner side yard setback – BZA approved a 4.9 ft variance.
- The BZA will not meet in December but will have an organizational meeting in January 2020

b. Actions of the Board of Supervisors

- 11/26 SE-19-06 Hamlin Horse Therapy case will be heard.
- 12/10 SE-19-07 O'Hare (Farm Life Pets) will go to the BOS.

c. General Comments to the Commission

- 11/19 the Planning Department hosted a Community Meeting for food truck operators and local restaurant owners. We received great feedback to use for the food truck ordinance that staff is currently working on amending.
- On 12/3 there will be a Community Meeting for the Sebera Solar Facility at Sycamore Unity Methodist Church from 5:30-7:00 p.m.

**IX. ADJOURNMENT**

A motion was made by Mr. Easter, seconded by Mr. Joyner to adjourn the meeting at 6:55 p.m. until Thursday, December 19, 2019 at 6:30 p.m.

Roll Call vote on the Motion:

In Favor: (6) Simmons, Bresko, Elder, Joyner, Brown, Easter

Opposed: (0)

Absent: (1) Brockwell

Abstain: (0)