

**DRAFT MINUTES**  
Planning Commission  
County of Prince George, Virginia

October 22, 2020

County Administration Building, Board Room, Third Floor  
6602 Courts Drive, Prince George, Virginia 23875

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

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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, October 22, 2020 in the Board Room, County Administration Building, 6602 Courts Drive, Prince George, Virginia by Chairman Bresko.

**ATTENDANCE.** The following members responded to Roll Call:

Mr. Simmons	Absent
Mrs. Elder	Present
Chairman Bresko	Present
Mr. Joyner	Present
Mr. Easter	Present
Vice-Chairman Brown	Present
Mr. Brockwell	Present (by phone, at home, due to health reasons)

Also present: Julie C. Walton, Deputy County Administrator, Cliff Young, Director of IT, Horace Wade, Planner II, Tim Graves, Planner I and Teresa Knott, Clerk of the Board of Supervisors

**INVOCATION.** Mr. Easter provided the Invocation.

**PLEDGE OF ALLEGIANCE TO THE FLAG.** Mr. Brown led in the Pledge of Allegiance to the United States flag.

**ADOPTION OF MEETING AGENDA.** Chairman Bresko asked the Commissioners for a motion to approve the Meeting Agenda for the October 22, 2020 Planning Commission meeting. Mr. Joyner made a motion to approve the Meeting Agenda and Mrs. Elder seconded the motion. Roll was called on the motion.

In favor: (6) Bresko, Brown, Elder, Easter, Joyner, Brockwell  
Abstain: (0)  
Absent: (1) Simmons

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

In favor: (5) Bresko, Brown, Elder, Easter, Brockwell  
Abstain: (1) Brown  
Absent: (1) Simmons

**APPROVAL OF THE MEETING MINUTES.** Chairman Bresko asked the Commissioners to review the September 24, 2020 Minutes of the Planning Commission for approval. Mr. Easter made a motion to approve the Minutes as presented and Mr. Brown seconded the motion. Roll was called on the motion.

In favor: (6) Bresko, Brown, Elder, Easter, Brockwell, Brown  
Abstain: (0)  
Absent: (1) Simmons

**CITIZEN COMMENT PERIOD.** At 6:37 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.

With no one coming forward and no one on Zoom indicated they wished to speak, the Citizen Comment Period was closed at 6:37 p.m.

### **NEW BUSINESS.**

#### **Public Hearing:**

ORDINANCE AMENDMENT OA-20-03

Adoption of an Ordinance to amend "The Code of the County of Prince George, Virginia," by amending §90-492 by amending the permitted uses in M-2, General Industrial District to allow M-1, Limited Industrial District uses, and amending §90-542 by amending the permitted uses in M-3, Heavy Industrial District to allow M-2, General Industrial District Uses.

Mr. Wade presented to the Commission the concept of Pyramiding Industrial Uses. With this proposed Ordinance amendment, businesses with M-2 zoning could incorporate M-1 uses, and

businesses with M-3 zoning could utilize all of the M-1, M-2 and M-3 uses. These changes would reduce delays and costs for developers, businesses and County staff.

Support for these proposed changes has been expressed by the County's Economic Development team, property owners, developers and Timmons Group.

Vice-Chairman Brown asked Mr. Wade for clarification in reference to M-2 zoning including M-1 uses. Mr. Wade provided an example: a business that is zoned M-2 would be allowed all M-1 uses in addition to the M-2 uses. If a business applies for M-3 uses, they would be allowed all the uses for M-1, M-2 and M-3 but if they apply for M-1 they would only be allowed M-1 uses.

Chairman Bresko opened the Public Hearing at 6:49 p.m. to anyone who wished to speak in reference to OA-20-03. The Public Hearing was opened to all meeting attendees, Zoom participants and any call-in participants. Participants were asked to limit their comments to three (3) minutes.

Mr. Derrick Johnson, 7716 Hunters Ridge Drive, an Engineer with Timmons Group and the Vice-Chairman of the Industrial Development Authority for Prince George County, asked to speak on Zoom. He stated he was in support of the amendment and the changes to the Ordinance. Mr. Johnson stated the "Pyramid Zoning" is an example of how other localities are currently oriented. If a business is zoned M-2, they would acquire the benefits of the M-1 uses without the need to go back to the County for additional approval. Mr. Johnson stated, from a developer's standpoint, this makes a lot of sense. Mr. Johnson indicated he would be in favor of these changes and encouraged the Commissioners to make the recommendations to the Board of Supervisors for approval of this amendment.

Mr. Nick Walker with Roslyn Farms, a local land developer in Prince George County, wished to speak on Zoom. Mr. Walker stated he agreed with Mr. Johnson and Mr. Wade's recommendation to amend the Ordinance and stated the current Ordinance puts the County at a disadvantage in comparison to neighboring localities that already have this type of pyramid zoning in place. He concluded by expressing his full support.

Mr. Tom Wortham, Senior Vice-President of Architecture & Business Development at The Hollingsworth Company, wished to speak on Zoom. He expressed his support for the Ordinance amendment. He confirmed that this type of pyramid zoning is common in most jurisdictions. He stated he would highly recommend adopting this change.

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 6:58 p.m.

Vice-Chairman Brown made a motion to forward OA-20-03 with the recommendation of approval along with the stated conditions to the Board of Supervisors (BOS) for consideration. Mrs. Elder seconded the motion. Roll was called on the motion.

In favor: (6) Bresko, Joyner, Brown, Elder, Easter, Brockwell  
Absent: (1) Simmons

**Public Hearing:**

REZONING CASE RZ-20-04

Request of SI Virginia II, LLC to conditionally rezone 141.79 acres from M-3, Heavy Industrial Zoning District to M-1, Limited Industrial Zoning District, and conditionally rezone 15.36 acres from M-1, Limited Industrial Zoning District to M-1, Limited Industrial Zoning District. The subject properties are located along Quality Way and Hardware Drive in the Southpoint Business Park, Lot 10 & 13, and are identified as Tax Maps 340(22)00-010-0 and 340(22)00-013-0. The Comprehensive Plan indicates that the subject properties are appropriate for industrial uses.

Mr. Wade stated the property owner wishes to rezone the property from M-3 to M-1. The applicant has also filed a Subdivision application to consolidate Lots 10 and 13 and a Site Plan application to construct a 650,000 square foot commercial building.

Mr. Wade provided the following Uses Summary:

- Permits all uses in M-1 with the exception of certain uses under section (13) Wholesale businesses and storage warehouses
- Voluntarily restricts high traffic volume generating uses as requested by VDOT described in the Institute of Traffic Engineers Trip Generation Manual:
  - 155 High-Cube Fulfillment Center Warehouse
  - 156 High-Cube Parcel Hub Warehouse
- Restricted uses will require an amendment to the Rezoning case and a Chapter 527 Traffic Impact Analysis to be completed

Mr. Wade stated that Staff recommends approval with the proffer conditions proposed.

Chairman Bresko asked Mr. Wade why the applicant requested to be rezoned to M-1 if they were currently zoned M-3, based on the previous recommendation of the pyramid zoning. Mr. Wade stated that this particular property has proffered conditions that only allowed two (2) uses.

Mr. Joyner asked if the applicant was aware of the proposed Ordinance change. Mr. Wade stated the applicant is Tom Wortham, of The Hollingsworth Company, and he is aware and spoke earlier in the previous Public Hearing.

Chairman Bresko opened the Public Hearing at 7:07 p.m. to anyone who wished to speak in reference to RZ-20-04. The Public Hearing was opened to all meeting attendees, Zoom participants and any call-in participants. Participants were asked to limit their comments to three (3) minutes.

Mr. Tom Wortham, Senior Vice-President of Architecture & Business Development at The Hollingsworth Company confirmed his request to down zone and stated he has submitted a site plan for a distribution facility for this property. He asked for the Commissioners support in recommending this rezoning.

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 7:10 p.m.

Mrs. Elder asked for clarification on the Utility Department's comments that the company would be responsible for upgrading the water and sewer to this property due to the fact the current lines are near capacity. Mr. Wade confirmed that The Hollingsworth Company would be responsible

for this upgrade, if needed. Chairman Bresko asked if the business had agreed to these terms and Mr. Wade confirmed they had.

Vice-Chairman Brown made a motion to forward RZ-20-04 with the recommendation of approval to the Board of Supervisors (BOS) for consideration. Mr. Easter seconded the motion. Roll was called on the motion.

In favor: (6) Bresko, Joyner, Brown, Elder, Easter, Brockwell

Absent: (1) Simmons

**Public Hearing:**

REZONING CASE RZ-20-05

Request of SI Virginia II, LLC pursuant to § 90-788, Change of Approved Conditions, to add conditions to Zoning Case ZM-97-004 for a 15.363 acre parcel located along Quality Way. The subject property is located in the Southpoint Business Park, Lot 13, and is identified as Tax Map 340(22)00-013-0. The Comprehensive Plan indicates that the subject property is appropriate for industrial uses.

Mr. Wade presented to the Commissioners a rezoning case amendment of ZM-97-004 with additional conditions for Lot 13.

Mr. Wade provided the following Uses Summary:

- Current Zoning: M-1, Rezoned in 1997 without conditions
- Requested Zoning: M-1, Light Industrial with conditions for a 650,000 square foot speculative distribution warehouse
- Surrounding Zonings: M-1 & M-3
- Location: Across from 6062 Quality Way
- Comprehensive Plan: Appropriate for Industrial Uses
- Staff recommends approval

Chairman Bresko opened the Public Hearing at 7:16 p.m. to anyone who wished to speak in reference to RZ-20-05. The Public Hearing was opened to all meeting attendees, Zoom participants and any call-in participants. Participants were asked to limit their comments to three (3) minutes.

Mr. Tom Wortham, Senior Vice-President of Architecture & Business Development at The Hollingsworth Company wished to speak on Zoom. Mr. Wortham explained, with the current process of consolidating these two lots (140 acres), the rezoning of this property would allow the consolidated lots to have the same zoning.

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 7:17 p.m.

Mrs. Elder made a motion to forward RZ-20-05 with the recommendation of approval to the Board of Supervisors (BOS) for consideration. Mr. Joyner seconded the motion. Roll was called on the motion.

In favor: (6) Bresko, Joyner, Brown, Elder, Easter, Brockwell

Absent: (1) Simmons

## **OLD BUSINESS.**

### A. Residential Poultry Ordinance Update:

Mr. Graves presented an update to the Commissioners on the Draft Residential Poultry Ordinance Amendment. Public notification of this proposed Ordinance was accomplished by mailing over 3,900 postcards, information was presented on the County's Facebook page, a press release was published in the local newspaper and information was available to citizens on the Planning Division's website page. These media sources directed citizens to an online survey through the County's website, an email option and a phone number were also available to direct comments. Approximately 112 citizens participated in the survey; seven (7) additional citizens provided comments by phone or email. Copies of their responses were provided to the Commissioners.

Mr. Graves reviewed some feedback received by the citizens:

- In reference to the keeping of poultry on lots less than 2 acres – 74% in support
- Reasonable lot size to have poultry - .50 acres should be the minimum
- In reference to property line consideration – neighbor's property 6-24 feet
- Option of the number of chickens on less than 2 acres – 3-6 chickens total
- Not in support of poultry on lots less than 2 acres – 24 participants
- Survey results attached

Staff has been in partnership with the Animal Control Department in reference to enforcement and general input. Staff has also received feedback from the Virginia Department of Agriculture.

Mr. Graves suggested that the Commissioners could consider the small percentage of feedback when making their recommendation and could also consider other localities' ordinances and feedback from other agencies.

Mr. Graves stated that Staff recommends minor modifications to the draft Ordinance. For example, to make the current language more clear and more enforceable, and to reference the State Code for the care of animals. Additionally the Commission could consider less restrictive setbacks, number of poultry permitted per lot and minimum lot size.

Mr. Graves presented to the Commissioners three (3) options to consider. The first option (Option A) would be to have no changes to the existing Ordinance at this time. Option B would be a reflection of the draft Ordinance amendment presented previously and Option C would be to make further changes to the draft Ordinance regarding the setbacks, minimum lots sizes and number of poultry allowed per lot.

Vice-Chairman Brown stated he would be in favor of Option A, to have no change to the existing Ordinance at this time and Mrs. Elder agreed. Chairman Bresko stated that according to the survey, the majority of people that said "No" have neighbors who have chickens, and then stated that he agreed with Option A. Mr. Graves asked if there was a general consensus among the Commissioners for Option A and, after seeing and hearing

no opposition from the other Commissioners present, affirmed that Staff would not advertise for a Public Hearing for an Ordinance amendment. Mr. Easter thanked the Planning staff for all of their hard work in preparing and obtaining this information.

#### B. Draft Sign Ordinance Update

Mr. Wade provided the Commissioners an update on the Draft Sign Ordinance. He stated he had briefed the BOS at their Work Session on September 8<sup>th</sup> and reviewed a proposed timeline with them. Members of the BOS expressed concerns with the section of “people as signs” and the BOS requested that the Planning Commission review this again. Mr. Wade stated he had addressed this section with the County Attorney, Dan Whitten. Section 592.3 refers to people carrying commercial signs and/or dressing up in costumes to attract attention. The conclusion by Mr. Whitten was that this section refers to commercial businesses and does not refer to one-day fundraising, for example, a car wash. This would also not refer to yard sale signs or non-profit organization signs.

Additional areas of concerns from the BOS were vehicles used as signs and limited duration signs. Mr. Wade explained that only vehicles that are operable could be used as a sign. Inoperable vehicles and vehicles with expired registrations could not be used as a sign. Limited duration signs are discussed in Section 599 referencing signs for special events. Mr. Wade asked the Commissioners to review the sections the BOS highlighted.

Mr. Wade explained to the Commissioners that the Planning Division would like to have the draft Ordinance ready for the business community and schedule a Public Input meeting. Their input would be obtained prior to the Public Hearing. The Public Hearing would be advertised for the November 19, 2020 Planning Commission meeting.

**PLANNER’S COMMUNICATION TO THE COMMISSION.** Mr. Wade presented to the Commissioners the following updates:

1. Actions of the Board of Zoning Appeals
  - a. October 26, 2020 meeting has been cancelled
  - b. November 23, 2020 meeting has been cancelled
2. Actions of the Board of Supervisors (BOS)
  - a. Industrial zonings were discussed
  - b. Update on the Draft Sign Ordinance
  - c. BOS will hear OA-20-03, RZ-20-3 and RZ-20-04 cases on Oct 27<sup>th</sup>

**ADJOURNMENT.** At 7:48 p.m., Chairman Bresko asked the Commissioners if they had any questions; if not he would entertain a motion to adjourn. Mr. Joyner made a motion to adjourn and Mr. Easter seconded the motion. Roll was called on the motion.

In favor: (6) Bresko, Brown, Elder, Easter, Joyner, Brockwell  
Abstain: (0)  
Absent: (1) Simmons