



Planning Commission

County of Prince George, Virginia

Meeting Minutes

June 27, 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, June 27, 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	Present
Mr. Floyd M. Brown	Present
Mr. James A. Easter	Present
Mrs. Imogene S. Elder	Present
Mr. V. Clarence Joyner, Jr.	Present

Also present was: Julie C. Walton, Director of CDCC, Andrea Erard, Asst. County Attorney, Horace Wade, Planner, and Missy Greaves-Smith, Administrative Support Specialist.

III. INVOCATION

Mr. Steve Brockwell provided the Planning Commission's Invocation.

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

Mr. Floyd Brown 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 May 23, 2019 Planning Commission Meeting. A motion was made by Vice-Chairman Bresko and it was seconded by Mr. Joyner and the minutes were adopted, as written. Roll was called on the motion.

Roll Call vote on the Motion:

In Favor: (7) Simmons, Bresko, Brockwell, Brown, Easter, Elder, Joyner

Opposed: (0)

Absent: (0)

Abstain: (0)

VI. CITIZEN COMMENT PERIOD

At 6:32 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 6:33 p.m.

VII. PUBLIC HEARINGS

REZONING CASE RZ-19-01 Request of Blair E. Gilliam to rezone 0.6 acres from B-1, General Business to R-1, Limited Residential Zoning District. The subject property is located at 19805 Halifax Road and is identified as Tax Map 620(OA)00-012-0. The Comprehensive Plan indicates that the subject property is appropriate for commercial uses.

Mr. Wade, Planner, presented the proposed rezoning case to the Commission. The property is currently zoned B-1 and the applicant is requesting a zoning change to R-1 to allow for an addition to the current house of approximately 884 square feet. The house is located on Halifax Road across the street for Carson Fire Station #3. Mr. Wade stated that staff recommends approval of this rezoning request and asked if there were any further questions.

Chairman Simmons asked if the house was currently nonconforming. Mr. Wade stated that the house was currently nonconforming due to the B-1 Zoning and with the requested R-1 Zoning the house would become conforming. The nonconforming use has an expansion limitation of 50%, with regards to the current square footage of the house.

At 6:38 p.m., Chairman Simmons opened the Public Hearing to any one that wished to speak for or against this rezoning case. With no one coming forward, the Public Hearing was closed at 6:39 p.m.

Mr. Brown made a motion that the Commission would recommend to the BOS to approve the rezoning case RZ-19-01 of the 0.6 acres and is identified as Tax Map 620(OA)00-012-0, the Gilliam property, from B-1 to R-1. This motion was seconded by Mr. Easter and Mr. Brockwell abstained from the vote due to a personal conflict of interest.

Roll was called on the motion.

Roll Call vote on the Motion:

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

Opposed: (0)

Absent: (0)

Abstain: (1) Brockwell

Mr. Wade stated to the Commission that this case would be heard at the BOS August 13, 2019 meeting.

SPECIAL EXCEPTION SE-19-03 Request of Beacon Towers (d/b/a AT&T) to construct a 199-foot monopole communication tower pursuant to § 90-103(15) within the R-A, Residential-Agricultural Zoning District. The request property is located on the north line of West Quaker Road and on the west line of Prince George Drive, and is identified as Tax Map 350(0A)00-044-0. The Comprehensive Plan calls for residential uses.

Mr. Wade presented the Commission with an aerial slide of the property and explained how this tower would help the surrounding area with cell service. He stated that staff recommended approval along with the conditions stated in the Staff Report. The applicant was also present if the Commission had any additional questions.

Mr. Bresko abstained himself from this case due to a conflict of interest.

At 6:44 p.m., Chairman Simmons opened the Public Hearing to any one that wished to speak for or against this request.

Jonathan Yates, attorney for the applicant, Mr. Heath (It's His Land, LLC), the land owner of 141 acres on Prince George Drive, explained to the Commission that the purpose of this tower is to provide coverage along Prince George Drive, West Quaker and up to Laurel Spring Road near the two schools. The facility is a 195 foot monopole with a four foot lighting rod, 100 foot by 100 foot lease area and inside the leased area will be a 60 foot by 60 foot compound area. The compound will be secured with an eight foot fence topped with three strands of barbwire and an anti-climbing device. Outside of the compound there will be twenty-five (25) Carolina Cypress trees for additional landscaping buffers.

Chairman Simmons asked Mr. Yates if he had any problems or questions with the conditions or requirements staff had attached. Mr. Yates stated that he and Mr. Heath had no problems with the conditions.

Chairman Simmons asked if there was anyone else that wished to speak on this case. With no one else coming forward, Chairman Simmons closed the Public Hearing at 6:49 p.m.

Mr. Easter made a motion to send to the request SE-19-03 to the BOS with the Planning Commission's recommendation of approval. This motion was seconded by Mr. Brockwell. Roll was called on the motion.

Roll Call vote on the Motion:

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

Opposed: (0)

Absent: (0)

Abstain: (1) Bresko

SPECIAL EXCEPTION SE-19-04 Request of Judy Bland, Pamela Bland, and Stephanie Bland Harris, pursuant to § 90-103 (9) to permit an assembly hall use to be located east of 2815 Tavern Road and known as Tax Maps 430(0A)00-033-C and 430(0A)00-035-B in a R-A, Residential – Agricultural District. The Comprehensive Plan calls for residential use.

Mr. Wade stated the applicants wish to operate a small-medium size assembly hall on Tavern Road east of Timber Road on two parcels totaling 66.5 acres. The applicant provided updated hours of operations, which were added to the Commissioners' packet. The new proposed hours, as noted in the packet, would be Monday-Thursday 9:00 a.m.-5:00 p.m. (as booked events only), Friday-Saturday 9:00 a.m.-10:00 p.m. (as booked events only), and Sunday 10:00 a.m.-8:00 p.m. (as booked events only).

The applicant is proposing to build a minimum of 1300 square foot building with a desired occupancy of 120-130 people. It would be called County Chic Venue at Bland Farm.

VDOT has reviewed this site and has provided comments in reference to commercial entrance requirements. VDH provided comments about having an engineer consult for them in reference to their well and septic systems.

The applicant has provided the Commission with a preliminary diagram of the site proposal. The parcel is currently being farmed and their plan is to continue to farm parts of the 66.5 acres along with the venue. Once the soil test has been completed, the applicant plans to work with the Prince George Health Department (Alice Weathers) for the septic and well placement. The plan is to construct a new building for the venue.

Chairman Simmons asked Ms. Bland if the building they were designing for the main venue was going to be a prefab structure. She responded by stating that she plans to have a Class A contractor build the structure.

Mr. Joyner asked the applicant if the applicant intends to allow live entertainment such as bands and dancing. Ms. Bland explained that the venue would be in compliance with the County's noise ordinance and laws related to that.

Chairman Simmons asked Ms. Bland if she had any problems, questions or concerns with any of the conditions that the staff stated in the recommendation for approval. She stated that she did not have any problems with the recommendations.

Mr. Easter asked Ms. Bland if she could share her timeline for the project. Ms. Bland stated that the farmer she is leasing to will be finishing up in the fall, at that time she would have the soil tested and hopes within one year she would be ready to begin construction on the assembly hall.

Mr. Bresko confirmed with the applicant that the property she owned extended all the way to Timber Road and it is completely surrounded by trees. Chairman Simmons added that there are homes on the other side of Tavern Road.

Mr. Bresko confirmed with Mr. Wade that all the adjacent land owners had been notified of the Public Hearing.

Frederick Perry, 2816 Tavern Road, questioned where the venue was going to be located and if they decided to expand, would there be another special exception process required. Mr. Wade stated there are currently no restrictions to the square footage of assembly halls but there are limitations to how close to the side of Tavern Road and adjacent properties. Mr. Wade explained to Mr. Perry that there was not a limit to the number of buildings that could be erected on this site.

Mr. Perry also noted that he thought the new hours would be more conducive than the first hours that were proposed. Mr. Perry also inquired if there was an alternate location considered for the venue. Ms. Bland responded by stating that the area he was referencing was in the wetlands area and is not an option for building.

Mary Gromovsky, 3000 Tavern Road, addressed the Commission with her concern of an occupancy limit. If the building has an occupancy of 130, what about the number of people outside? Ms. Gromovsky also expressed her concern with the potential traffic on Tavern Road. Mrs. Walton, Director of CDCC, explained that the County has a Special Event Permit process for any large outdoor events. Mrs. Walton stated that the Commission could make a recommendation to limit the total number of guest at an event. Ms. Gromovsky stated that having such limitation could help her concerns.

Mrs. Walton reminded the Commission when they were reviewing the Barns of Kanak, some of the concerns from the neighbors were addressed by having certain distances from the property lines, time limitations per event, and the total number of events allowed per year.

Chairman Simmons asked the Commission if they would consider delaying this application until these concerns could be addressed.

Mr. Bresko asked Andrea Erard, Assistant County Attorney, if the Commission could put a condition in that stated that the maximum number of people per event was based on the total occupancy of the building. Ms. Erard stated the Commission could impose conditions that are generated by the use that address the use.

Chairman Simmons recommended that the Commission leave the Public Hearing open until the next meeting in July to address the citizens and applicants concerns and comments. A motion was made by Mr. Bresko and seconded by Mr. Brockwell. Roll was called on the motion.

Roll Call vote on the Motion:

In Favor: (7) Simmons, Bresko, Brockwell, Brown, Easter, Elder, Joyner

Opposed: (0)

Absent: (0)

Abstain: (0)

VIII. NEW BUSINESS

SUBSTANTIAL ACCORD DETERMINATION SA-19-01

Request of both Fort Powhatan Solar, LLC and Virginia Electric and Power Company, Inc. for Substantial Accord Determination for a 150 MW Solar Energy Facility use. Tax Map Parcels 280(OA)00-042-0, 170(OA)00-003-0, 170(OA)00-001-0, 170(OA)00-006-0 and 180(OA)00-001-A with the last parcel being subsequently withdrawn at the Planning Commission level by the applicant in the case.

Andrea Erard, Assistant County Attorney, explained to the Commission that, in 2018, Fort Powhatan Solar, LLC came before the Planning Commission (the Commission recommended approval of the Special Exception request for a solar farm), and that property has recently been sold to Dominion Energy. Dominion Energy has request that a statement of conformity with the comprehensive plan be granted with a Substantial Accord Determination. Mrs. Erard asked the Commission to approve the resolution in the Commissioner’s packet with minor modifications to the wording, as requested by Dominion Energy.

A motion was made to approve the resolution by Vice-Chairman Bresko and seconded by Mrs. Elder. Roll was called on the motion.

Roll Call vote on the Motion:

In Favor: (7) Simmons, Bresko, Brockwell, Brown, Easter, Elder, Joyner

Opposed: (0)

Absent: (0)

Abstain: (0)

DISCUSSION AND POSSIBLE ACTION ON PUD-19-01

Mrs. Walton addressed the Commission and explained that when the BOS reviewed the PUD-19-01 case, they voted to remand it back to the Planning Commission. The BOS would like further review of the proposed use requested in the PUD amendment. In 2013, the property was rezoned from B-1 to a multi-use PUD Zoning. The property has multiple uses allowed under the PUD, such as apartments, commercial uses, retail, bakeries, coffee shops, etc. PUD-19-01 requested that a food truck type unit be added as a use under the PUD. The trailer would only be used in conjunction with the restaurant onsite. This would allow customers to pick up food outside. With the case being remanded back to the Commission, Mrs. Walton gave the Commission options to consider, including possible revisions to the County’s Zoning Ordinance. These possible actions for future Commission meetings include: revisiting the PUD case and the Planning Commission making new recommendations, and making no changes and recommending approval along with a commitment to look into the zoning ordinance as it relates to food trucks. Mrs. Walton stated she has worked with the County Attorney, Mrs. Erard, and that staff is also willing to work on any additional recommendations to prepare for the next meeting.

Chairman Simmons stated that he (the applicant of the PUD) had asked to do something “legal” according to the PUD environment and that is why we approved it.

Mrs. Erard explained that the recommendation regarding the PUD Amendment brought forth other concerns and that the Planning Commission should use their expertise in terms of land use and re-examine other situations and make recommendations that maybe appropriate.

Mrs. Walton offered for staff to work on some research and background information and bring it back to the Commission. She stated that the BOS has 12 months to consider the PUD case.

Mr. Brown stated that he had been approached by numerous people that have been turned down to do the same type of business. He stated that some research needs to be done and he wishes to review the ordinance that covers what we are considering.

Mrs. Walton explained that the current property is zoned PUD, not B-1. She explained that the PUD zoning is only used on two properties in the County at this time. The properties surrounding the PUD are B-1 and M-2 at the storage location.

Mrs. Walton offered a progress report to update the Commission at the next work session in July with final recommendations in August.

IX. COMMUNICATIONS TO THE COMMISSION

Mr. Wade provided the following updates:

a. Actions of the Board of Zoning Appeals

The July 15, 2019 BZA Meeting has been cancelled.

b. Actions of the Board of Supervisors

The Sign Ordinance will go before the BOS in July.

July 9th Work Session Mr. Wade will discuss transportation with BOS.

The two cases from tonight's meeting will go to the July BOS meeting.

c. General Comments to the Commission

A Rezoning Case has been submitted for the July PC Meeting.

X. ADJOURNMENT

A Motion was made by Mr. Joyner, seconded by Mr. Easter to adjourn the meeting at 7:45 p.m. until Thursday, July 25, 2019 at 6:30 p.m.

Roll Call vote on the Motion:

In Favor: (7) Simmons, Bresko, Brockwell, Easter, Elder, Joyner, Brown

Opposed: (0)

Absent: (0)

Abstain: (0)