

DRAFT MINUTES
Planning Commission
County of Prince George, Virginia

August 25, 2022

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

MEETING CONVENED. The Regular Meeting of the Prince George County Planning Commission was called to order at 6:30 p.m. on Thursday, August 25, 2022 in the Board Room, County Administration Building, 6602 Courts Drive, Prince George, Virginia by Mr. Alex W. Bresko, Chairman.

ATTENDANCE. The following members responded to Roll Call:

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

Also present: Julie Walton, Director, Dan Whitten, County Attorney, Tim Graves, Planner I and Missy Greaves-Smith, Office Manager

INVOCATION. Mr. Simmons provided the Invocation.

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

ADOPTION OF THE AGENDA. Mr. Bresko asked the Commissioners for a motion to approve the meeting Agenda for the August 25, 2022 Planning Commission. Mr. Joyner made a motion to approve the meeting Agenda and Ms. Anderson seconded the motion.

Roll Call:

In favor: (5) Simmons, Elder, Anderson, Bresko, Joyner

Opposed: (0)

Absent: (2) Brown, Brockwell

PUBLIC COMMENT PERIOD. At 6:33 p.m., Mr. Bresko opened the Public Comment Period to anyone who wished to come forward to speak to the Commissioners on topics that were not on the Agenda as a Public Hearing item. Citizens were asked to limit their comments to three (3) minutes.

With no one present indicating they wished to speak, the Public Comment Period was closed at 6:33 p.m.

ORDER OF BUSINESS.

- A-1.** Mr. Bresko asked the Commissioners to review the minutes of the July 25, 2022 Work Session of the Planning Commission. Mrs. Elder made a motion to approve the July 25, 2022, Work Session minutes. Mr. Simmons seconded the motion.

Roll Call:

In favor: (4) Simmons, Elder, Anderson, Bresko

Abstain: (1) Joyner

Opposed: (0)

Absent: (2) Brown, Brockwell

- A-2.** Mr. Bresko asked the Commissioners to review the minutes of the July 28, 2022, meeting of the Planning Commission. Mr. Simmons made a motion to approve the July 28, 2022 meeting minutes. Mrs. Elder seconded the motion.

Roll Call:

In favor: (4) Simmons, Elder, Anderson, Bresko

Abstain: (1) Joyner

Opposed: (0)

Absent: (2) Brown, Brockwell

- A-3.** SPECIAL EXCEPTION – SE-22-06: Request of Charles Skalsky, pursuant to §90-103(21) of the Zoning Ordinance to continue and expand the extraction of natural resources (borrow pit) in an R-A (Residential-Agricultural) Zoning District. The subject property is approximately 23.4 acres in size, located on West Quaker Road (SR 629) and is identified by Tax Maps 340(0A) 00-136-0, 137-0, 139-0, and 108-0. The Prince George County Comprehensive Plan Future Land Use Map indicates that the property is planned for Residential uses.

Mrs. Walton presented the case to the Planning Commission.

Background information:

The applicant submitted a preliminary application on March 4, 2021 and a formal special exception application on June 10, 2022.

The borrow pit has operated since May 13, 2018 without a renewed special exception by the Board of Supervisors (BOS).

First granted in 1990 by the BOS, the Special Exception has been renewed several times through the years.

Request Summary:

Mr. Skalsky and Co-Applicant, Mr. Ellis, request to renew the Special Exception and expand the borrow pit that was previously approved in 2013. They would like to continue the borrow pit operations in the three parcels and an additional parcel in this new application. The proposed disturbed area consists of approximately 23.4 acres divided into three (3) work areas/zones that impact four (4) parcels of land. Approximately 10% of the farm is used in the borrow

pit operation. Proposed hours of operation will be Monday-Saturday from 7:00 a.m. to 5:30 p.m. with some occasional work on Sundays.

Summary from all Staff Review from all departments:

1. Land Disturbing activity not covered under the Department of Mines and Minerals permit in excess of 10,000 square feet but under one acre will need to be covered under a Land Disturbance Permit issued by Prince George County. In addition to the local permit, activities one acre and above will need to be covered under a Construction General Permit issued by the Virginia Department of Environmental Quality.
2. A commercial entrance is proposed from SR 629, West Quaker Road to access the project. SR 629 West Quaker Road has a functional classification of major collector and an AADT of 2205.
3. The proposed use as outlined in the application will require a commercial entrance meeting VDOT standards.
4. The applicant discussed constructing a construction entrance from the unnamed road to the Petersburg Jail Annex and Farm. This is not a VDOT maintained state road and VDOT does not have the authority to issue permits or allow new users on the roadway.
5. Pursuant to opinion from the Department of Taxation, the acreage affected by this Special Exception would not be eligible for the Land Use Assessment Program; therefore, the Owner would need to submit an acreage change application each time the site changes.
6. The access road being used for the borrow pit off Route 460 is actually a private road owned by the City of Petersburg. It is not a VDOT maintained road. I am assuming the property owner has the legal ability to access his property from the City of Petersburg-owned road since it is adjacent to the subject parcel. The City of Petersburg may want to review this action.

Recommended Conditions:

1. This Special Exception is granted to Charles Skalsky for the following uses for the extraction of natural resources (borrow pit) on Tax Maps 340(OA)00-0136, 137-0, 139-0 and 108-0.
2. This Special Exception is renewable or transferrable to future owners only by approval of the Board of Supervisors without a public hearing so long as there are no deviations from the conditions.
3. All applicable requirements of Chapter 54-6 (Quarries, Pits and Mines) of the Code of the County of Prince George, Virginia and all other applicable Federal, State and County Code requirements are shall be observed and adhered to.
4. The owner/applicant shall retain existing trees for visual and noise buffering purposes. Any removal of trees that currently contribute to the visual and noise buffer shall require advance permission in writing from the Director of Planning.
5. The owner/applicant shall obtain an updated letter from the City of Petersburg granting the applicant permission to utilize the existing access road located off County Drive (U.S. Route 460). This letter is shall be provided to the Director of Planning prior to Site Plan approval. If updated permission is not obtained from the City of Petersburg, then the entrance utilizing this road shall not be permitted.
6. The Borrow Pit shall be limited to 10 acres of mining operation at any one time.

7. The applicant shall modify their existing permit held with VDMM prior to disturbing in excess of the 3.6 acres that has been permitted by the VDMM.
8. A Site Plan shall be approved before excavation activities can begin.
9. This Special Exception shall become null and void if no Site Plan has been submitted within a period of 12 months from the date of Special Exception Approval.
10. The Special Exception shall become null and void if the use is abandoned for a period of twenty-four (24) consecutive months.
11. This Special Exception may be revoked by Prince George County or by its designated agent for failure by the applicant to comply with any of the listed conditions or any provision of federal, state or local regulations.

Staff recommended approval of this renewal request for a Borrow Pit.

Mr. Simmons asked if the surrounding property owners of Mr. Skalsky's operation, for the last 22 years, have coexisted without major conflicts? Mrs. Walton indicated yes, to her knowledge, there have been no major conflicts.

Mr. Bresko opened the Public Hearing at 6:44 p.m. anyone wishing to speak for or against SE-22-06. Citizen were asked to state their name and address and would be allowed three (3) minutes to speak.

Richard Shaver, of 6571 West Quaker Road, asked if the operation would have any burning. His wife has asthma and he would have concerns for her health. Mr. Bresko asked Mr. Ellis to comment. Mr. Ellis stated that there would be no burning and if the dust became a problem, he would spray to control it.

With no one else wishing to speak, Mr. Bresko closed the Public Hearing at 6:46 p.m.

Mrs. Elder moved that the Planning Commission forward SE-22-06 to the BOS with the recommendation of approval along with the conditions stated in the Staff Report. Mr. Joyner seconded the motion.

Roll Call:

In favor: (5) Simmons, Elder, Anderson, Bresko, Joyner

Opposed: (0)

Absent: (2) Brown, Brockwell

- A-4.** SPECIAL EXCEPTION SE-22-08: Request of Vonda Capria to permit the rental of rooms not to exceed four, including bed and board, within a R-A (Residential-Agricultural) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-103(52) "Cottage industry home occupation on a parcel of five acres or more in area.". The subject property is approximately 6.18 acres in size, located at 8601 Robin Road, and is identified as Tax Map 530(0A)00-043-A. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Agriculture uses.

Tim Graves presented the case to the Planning Commission.

Background information:

The applicant wishes to convert an existing post mid-century split level home into a single-family and a bed and breakfast. The existing home will be converted from a four (4) bedroom split level to a four (4) bedroom with private baths and a working fireplace.

The bed and breakfast will be the owner's private residence.

The bed and breakfast will operate year round commencing in 2023.

Request Summary:

The applicant would like to renovate an existing single-family dwelling and convert it into a Bed & Breakfast (Cottage industry home occupation for the rental of rooms).

Summary from all Staff Review from all departments:

1. The use is described as a "Lodging House" and is permitted to be classified as "R-5" per the VUSBC. All requirements of Sections R310, R311, R340, R330, R331 of the Virginia Residential Code (VRC) must be satisfied by this request. Any construction or Improvements to this structure that is not defined as exempt per the VUSBC section(s) 102.3 and/or 108.2 will require all associated construction documents, plan reviews, permits and inspections Other items may become apparent during future submissions requests.
2. Applicant needs to work with an Authorized Onsite Evaluator or Professional Engineer who can determine what sewage disposal system and water supply needs are for the proposed project. The P.E. can provide you with a Waste Characterization Letter which will state the waste strength and water flow needed to support the proposed usage for your project. Since this a B & B, you will need to submit an application to the Health Department with the \$40.00 fee.
3. The proposed use will require a low volume commercial entrance to provide access. The existing entrance from SR 618 appears to meet VDOT's requirements for a low volume commercial entrance.
4. VDOT has no objection to the submitted special exception application.

Recommended Conditions:

1. This Special Exception is granted for the following use on Tax Map 530(0A)00-043-A
 - A. Cottage industry home occupation on a parcel of no less than five acres in size, for the rental of rooms not to exceed four, including bed and board.
2. The cottage industry home occupation (bed and breakfast) use is subject to the following conditions:
 - A. Overnight accommodations shall not exceed four (4) bedrooms including bed and board (food).
 - B. The term of overnight stays shall be limited to fourteen (14) consecutive nights and occupants may only rent again after a seven (7) night absence.
 - C. The owner or operator shall maintain records to uniquely identify occupants and length of stay, which shall be provided to the County upon written request.

- D. The owner or operator shall collect transient lodging tax, which shall be reported and submitted to the Commissioner of Revenue office on a schedule as required by law.
 - E. During any period in which the property is used for the permitted Cottage industry home occupation use, either the property owner or business operator shall live in the permitted dwelling unit on the property.
3. The applicants shall provide adequate parking on-site.
 4. Signage for the business on the property shall be limited to two freestanding signs with an aggregate square footage no greater than sixty (60) square feet located outside of the VDOT right-of-way and meeting sign setback requirements in the zoning ordinance.
 5. The applicants shall take appropriate measures to ensure compliance with the County Noise Ordinance of the Code of the County of Prince George, as adopted, and as enforced by the Police Department.
 6. The applicants shall obtain certification from an Authorized Onsite Soil Evaluator or Professional Engineer indicating the sewage disposal system and water well have been evaluated to support their proposed usage, with review and approval by the Health Department prior to the granting of a business license.
 7. The applicants shall obtain and hold all required State and County permit or license approvals, which may include: Drinking water permit from the Virginia Department of Health; Entrance permit from the Virginia Department of Transportation; Compliance with applicable building codes; Permits as required for any on-site or off-site food preparation; Business licenses from the Commissioner of Revenue.
 8. This Special Exception is renewable or transferrable to future owners only with approval from the Board of Supervisors without a public hearing so long as there are no deviations from the conditions.
 9. This Special Exception shall become null and void if the use is abandoned for a period of twenty-four (24) consecutive months.
 10. This Special Exception may be revoked by Prince George County, or by its designated agent, for failure by the applicant to comply with any of the listed conditions or any provision of federal, state or local regulations.

Vonda Green Capria, applicant and owner, gave a brief history of her life growing up in Disputanta and her family's history to the area. Her retirement dreams include turning the family home place into a bed & breakfast.

Mr. Bresko asked for clarification on the number of bedrooms in the home. Ms. Capria stated that she would be renting out four (4) bedrooms and would be living in the fifth. Mr. Bresko asked about the number of bathrooms. Mrs. Capria explained that upstairs there is a master suite with a bathroom and two additional rooms that would share a bathroom. Downstairs she would like to offer her guests a handicap suite option. There is also a half bathroom near the kitchen.

Mr. Bresko opened the Public Hearing at 7:10 p.m. anyone wishing to speak for or against SE-22-08. Citizen were asked to state their name and address and would be allowed three (3) minutes to speak.

With no one wishing to speak, Mr. Bresko closed the Public Hearing at 7:10 p.m.

Ms. Anderson moved that the Planning Commission forward SE-22-08 to the BOS with the recommendation of approval along with the conditions stated in the Staff Report. Mr. Simmons seconded the motion.

Roll Call:

In favor: (5) Simmons, Elder, Anderson, Bresko, Joyner

Opposed: (0)

Absent: (2) Brown, Brockwell

PLANNER'S COMMUNICATION TO THE COMMISSION. Mr. Graves presented to the Commissioners the following updates:

- A. Actions of the Board of Zoning Appeals
 - a. Approved SE-BZA-22-02
 - b. No scheduled cases for September
- B. Actions of the Board of Supervisors
 - a. BOS Recap
- C. Upcoming Cases for September 2022
 - a. (SW-22-02) Sutton Subdivision Waiver Request
 - b. (SE-22-09) Grand Slam LLC – Day support (Special care hospital)
 - c. (RZ-21-05) MAT Developments Rezoning M-1 to M-2
 - d. (RZ-22-01) Wells Station Road Rezoning I-2 to M-2

ADJOURNMENT. At 7:15 p.m., Mr. Bresko asked the Commissioners if they had any additional questions. If not, he would entertain a motion to adjourn. A motion to adjourn was made by Mr. Joyner and seconded by Mrs. Anderson. Roll was called on the motion.

Roll Call:

In favor: (5) Simmons, Elder, Anderson, Bresko, Joyner

Opposed: (0)

Absent: (2) Brown, Brockwell