

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

December 16, 2021

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

This meeting was held in person and 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, December 16, 2021 in the Board Room, County Administration Building, 6602 Courts Drive, Prince George, Virginia by Mr. Floyd Brown, Sr., Chairman.

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

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

Also present: Julie C. Walton, Director, Dan Whitten, County Attorney, Andre Greene, Planner II, Tim Graves, Planner I and Missy Greaves-Smith, Administrative Support Specialist II

**INVOCATION.** Mr. Simmons provided the Invocation.

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

**PUBLIC COMMENT PERIOD.** At 6:32 p.m., Mr. Brown 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. Citizens were asked to limit their comments to three (3) minutes.

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

**ADOPTION OF THE AGENDA.** Mr. Brown asked the Commissioners for a motion to approve the meeting Agenda for the December 16, 2021 Planning Commission. Mr. Bresko made a motion to approve the meeting Agenda and Mr. Brockwell seconded the motion.

Roll Call:

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

Opposed: (0)

Absent: (1) Joyner

**OLD BUSINESS.**

A-1. Approval of the Meeting Minutes. Mr. Brown asked the Commissioners to review the November 18, 2021 Minutes of the Planning Commission for approval. Mr. Simmons made a motion to approve the November 18, 2021 Minutes as presented and Mr. Brockwell seconded the motion.

Roll Call:

In favor: (5) Simmons, Brown, Elder, Easter, Brockwell

Abstain: (1) Bresko

Absent: (1) Joyner

A-2. Bylaws Discussion. Mr. Whitten, County Attorney reviewed a few changes in the VA Code that went into effect July 1, 2021 that he suggested. He indicated the Board of Supervisors (BOS) had already adopted these changes. He directed them to the section that references “participation by electronic means”. The new provision allows a member of the Planning Commission to attend electronically if they have a family member that has a medical condition that prevents them from attending. Due to personal matters, the Commissioner would be allowed to attend 25% of the meetings remotely, held in a calendar year. The minutes would need to indicate the reason for using the electronic means. A quorum would still need to be present in person unless there was a State of Emergency declared by the State or the County.

Mr. Whitten stated that the draft changes would be presented for consideration to the Commissioners at the January 27, 2022 meeting.

Mr. Simmons asked for clarification about members participating by Zoom and not being considered as part of the quorum. Mr. Whitten explained that a quorum is determined based on in-person attendance.

## **PUBLIC HEARING.**

**P-1.** Ordinance Amendment OA-21-01: Ordinance to amend The Code of the County of Prince George, Virginia, by amending §§ 90-1, 90-3, 90-201, 90-241, 90-291 and Chapter 90, Article XIII to define the term “Townhouse”, to establish a zoning district known as “R-TH Residential Townhouse” where townhouses are permitted, to distinguish the intent of the new district from that of the existing residential zoning districts (R-1, R-2, R-3), and to define the intent and requirements for the new R-TH zoning district. The purpose of the proposed amendment is to permit attached townhouses with each unit on its own lot, subject to appropriate development standards and reviews by the Planning Commission and the Board of Supervisors.

Mr. Graves began the presentation by explaining the purpose of the amendment was to define the word “Townhouse” and allow them on individual lots by rezoning.

Background Information:

Applicant working with D.R. Horton on a potential townhouse development

- Primary goal/request: Townhouses on individually-owned lots
- Townhouses on individually-owned lots not permitted by Ordinance
- Options to proceed included:
  - Revise plans to replace with multi-family structures (single ownership of entire building on one lot)
  - Planned Unit Development Rezoning (requires 25+ acres)
  - Request ordinance amendment
- Applicant requested Ordinance Amendment and provided a draft ordinance which added townhouses as a Special Exception in the R-2 zoning district
- Staff modified the draft submitted by applicant and scheduled public hearing. Staff did not support lowering setbacks within existing zoning districts (from 35’).
- Planning Commission Public Hearing: September 23, 2021 (Meeting cancelled)
- Staff and the applicant discussed potential for a new zoning district for townhouses with shorter setbacks
- Planning Commission Public Hearing: October 28, 2021 (Item withdrawn from the agenda to allow Staff time to update draft)
- Staff updated draft ordinance and reviewed with applicant

Sample images of a two-story townhouses were presented. Mr. Graves stated that each unit proposed would be individually owned. The units would have a front and back yard and its own entrance. A sample floor plan of a 3 bedroom unit with a 2 ½ bathroom was provided. A draft site design was also presented showing 51 units on an example site.

Mr. Graves explained that if this ordinance amendment is approved there would be a rezoning case to follow.

Planning & Zoning Staff Review Comments:

Similar uses permitted by the current ordinance:

- Two-family dwellings (doesn’t match applicant goals)

- Multiple-family dwellings (doesn't match applicant goals)
- Attached dwellings (doesn't match applicant goals)
- Planned Unit Development (requires 25+ acres)

Staff reviewed townhouse requirements in other localities:

- Chesterfield County – Dedicated zoning district for townhouses
- Henrico County – Dedicated zoning districts for townhouses
- New Kent County – permitted by PUD only
- Hanover County – permitted as a type of “attached housing” in certain zoning districts

Prince George County's 2007 Zoning Ordinance permitted townhouses on individual lots (before the entire ordinance was repealed for unrelated reasons).

Cash proffers are required for rezonings in order to offset impacts on County resources.

Townhouse developments will require Subdivision Plat review and Site Plan review.

The request is compatible with the Comprehensive Plan:

- Townhouses specified as a type of housing which should be included in the ordinance
- Fits future land use map categories

Development standards to include:

- Lower setback requirements than other zoning districts (compact neighborhood feel)
- Served by public water and sewer
- Lots shall front on public rights-of-way
- Minimum development size of 10 acres and 24 units
- Requirements for common areas and recreation space or facilities
- A homeowners association shall own and operate all of the common elements of the development

Additional development standards maybe established during individual zoning cases.

Staff Recommendation:

Staff recommends approval of the ordinance amendment as proposed based on the following:

- It was prepared by Staff with the applicant team's input and agreement
- It will permit a housing type which is popular in the current housing market
- The housing type is supported by the comprehensive plan

Mr. Simmons asked for clarification on the minimum acreage allowed for development.

Mr. Graves explained the proposed parcel is 15 acres and they are proposing to develop 10 acres. The proposed ordinance requires a minimum of (10) ten acres to develop.

Mr. Brown asked if 24 units would fit on (10) ten acres. Mr. Graves used the site design provided by the applicant to explain. The site design, provided by the applicant, shows 51

units on approximately (8) eight acres. Mr. Graves also stated a “common area” would limit the density allowed. He stated that the size of common areas do not include road calculations.

Mr. Simmons asked for an explanation of the setbacks in the proposed ordinance amendment compared to the current zoning setbacks. Mr. Graves explained that the standard setbacks in most of the residential zoning districts are 35 feet. This ordinance amendment would allow for a minimum of 15 feet. For the proposed new zoning district for townhouses, staff would support a smaller setback.

Mrs. Elder asked about a traffic study. Mr. Graves explained that VDOT classifies different types of roads based on volume and location. This would also play a part in the determination of the setbacks.

Mrs. Elder asked who would be responsible for the common areas. Mr. Graves explained the developers would construct and have the homeowners association maintain the common areas within the development.

Mr. Brown asked if the developer had an expected start date of construction if approved. The developer stated they would like to start approximately (6) six months after the rezoning case is approved. The rezoning case is scheduled for the Planning Commission in January 2022 if the proposed ordinance amendment proceeds to the BOS.

Mr. Brown asked if the legal aspects for the ordinance were reviewed by the County. Mr. Graves confirmed that Mr. Whitten has reviewed this ordinance.

Mr. Simmons asked about the setback requirements from Prince George Drive (Route 156). Mr. Graves explained that Route 156 is a public right-of-way and that there are setback requirements for that. Mr. Graves also stated the developer’s site design shows an entrance off of Prince George Drive and the units would be on interior roads.

Mr. Brown opened the Public Hearing at 7:06 p.m. to anyone wishing to speak for or against this case. With no one coming forward in person or via Zoom, the Public Hearing was closed at 7:07 p.m.

Mr. Brockwell made a motion to forward Ordinance Amendment OA-21-01 to the Board with a recommendation for approval. This motion was then seconded by Mrs. Elder.

Roll Call:

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

Opposed: (0)

Absent: (1) Joyner

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

1. Actions of the Board of Zoning Appeals (BZA)
  - a. December BZA meeting was cancelled due to no cases

- b. Organization & Business Meeting will be held on Monday, January 24, 2022
- 2. Actions of the Board of Supervisors (BOS)
  - a. November 23<sup>rd</sup> they approved the Home Occupation in an Accessory Building for a Massage Therapy business
  - b. November 23<sup>rd</sup> they approved the rezoning case for New Visions
  - c. Mr. Percy Ashcraft resigned as County Administrator and is moving to King William County as County Administrator
  - d. Jeff Stoke has been appointed as Interim County Administrator
- 3. Planning Commission Communications
  - a. Mr. Easter declined his reappointment

Mr. Easter thanked the staff for their help and support throughout the years and expressed his gratitude for being allowed to service the community. He extended an invite to assist in any capacity if ever needed.

- b. Ms. Tammy Anderson was appointed to the Planning Commission
- c. Steve Brockwell was reappointed by the BOS
- d. Three Upcoming Cases:
  - 1. Special Exception for a special care hospital
  - 2. Rezoning request related to the Townhouse Ordinance Amendment (contingent on the approval of OA-21-01 by the BOS)
  - 3. Ordinance Amendment for Battery Storage Facilities

Mr. Brown thanked Mr. Easter for his years of contribution and wished everyone a Merry Christmas.

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

Roll Call:

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

Opposed: (0)

Absent: (1) Joyner