



Planning Commission
County of Prince George, Virginia

Regular Meeting
October 25, 2018
6:30 p.m.

I. CALL TO ORDER

Chairman Easter called to order the October 26, 2018 meeting of the Prince George County Planning Commission at 6:30 p.m. in the Board Room of the County Administration Building, 6602 Courts Drive, Prince George, Virginia.

II. ATTENDANCE

The following members responded to Roll Call:

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

Also present were: Douglas Miles, Planning Manager, Andrea Erard, Assistant County Attorney, Paul Hinson, VDOT, Horace Wade, Planner and Missy Greaves-Smith, Administrative Support Specialist II.

III. INVOCATION

Mrs. Elder provided the Planning Commission's invocation.

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

Mr. Brown led in the Pledge of Allegiance to the United States flag.

V. APPROVAL OF MINUTES

Chairman Easter asked if the Planning Commissioners had reviewed the September 27, 2018 meeting minutes. A motion was made by Mr. Bresko and seconded by Mr. Brockwell and the minutes were adopted as written. Roll was called on the motion.

Roll call vote on the motion:

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

VI. CITIZENS COMMENTS PERIOD

At 6:32 p.m. Chairman Easter 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, Chairman Easter closed the citizen comments period at 6:33 p.m.

VII. OLD BUSINESS

None

VIII. NEW BUSINESS - PUBLIC HEARINGS:

REZONING CASE RZ-18-02 Request of Nathaniel E. Dozier Jr. to conditionally rezone 31+/- acres north of County Drive and west of Wells Station Road from R-A, Residential-Agricultural to B-1, General Business Zoning District to permit certain uses. The Comprehensive Plan indicates that the subject properties are appropriate for commercial uses. The subject properties are located at 5200 County Drive and the parcels are known as Tax Maps 340(0A)00-117-0, 118-0 and 119-0.

Mr. Wade presented to the Planning Commission the following information:

The applicant is requesting to conditionally rezone 31 acres from R-A, Residential – Agricultural to B-1, General Business to allow the property to be developed for certain commercial uses.

The subject property is currently zoned R-A, Residential Agricultural and is located in the Prince George Planning Area (PGPA). New Development within the PGPA is required to be connected to utility services, which ensures that new development does not run the risk of septic or well failure, and bear the financial cost of extending services to the development site to the developer. The future land use plan calls for commercial land use. The request for B-1, General Business Zoning District is consistent with the Comprehensive Plan.

In addition to a development project being consistent with the Future Land Use portion of the Comprehensive Plan, the development project must also be consistent with the Transportation portion of the Plan. The Transportation Plan requires applicants with development projects seeking rezoning or special exceptions that generate over 250 trips per day to submit a traffic impact study to evaluate any expected needs relative to transportation. This transportation requirement will be coordinated with the Virginia Department of Transportation (VDOT) and in this case the VDOT Petersburg Residency.

§ 90-782 of the Prince George County Zoning Ordinance states that the owner of the property may voluntarily proffer in writing, items for which are deemed, by the owner, appropriate for particular zoning case conditions that for the rezoning gives rise for the need for the rezoning, have a reasonable relation to the rezoning, and be in conformity with the Comprehensive Plan.

The applicant has submitted a textual statement signed and received on October 12, 2018. The applicant proposes to exclude certain uses, such as: general advertising signs (billboards), cemeteries, waterfront business activities, noncommercial fairgrounds, and mobile home and recreational vehicle sales, service and repair.

Paul Hinson, VDOT, PE, LEED AP provided further information on the case:

The proposed development will generate in excess of 5,000 vehicle trips per day (VPD) and requires the submission of a Traffic Impact Analysis (TIA) prepared in accordance with VDOT's Chapter 527 regulations. A pre-scoping meeting was held with the applicant, Prince George County and VDOT to discuss the roadway intersections, trip distributions and study parameters to be included in the TIA. The Virginia Department of Transportation, Southern Region Land Development Office has reviewed the Chapter 527 Traffic Impact Analysis dated August 2018 received at the Petersburg Residency on September 6, 2018 and the rezoning application dated September 21, 2019 received at the Petersburg Residency on October 1, 2018 and has the following comments:

1. VDOT requested in the scoping form that the applicant identify whether the proposed main road shown on the Overall Conceptual Plan was proposed to be constructed to VDOT standards for eventually acceptance into the State system for maintenance. The TIA did not identify whether the roads were proposed to be State maintained, but this information was relayed to VDOT in a subsequent meeting with the applicant and his engineer. It was stated that the intent was for main road to be constructed to VDOT standards for eventually acceptance as a State maintained road. Any roadway to be accepted into the State system of maintenance would have to be constructed in accordance with VDOT's *Secondary Street Acceptance Requirements 2011 Edition* (SSAR) and Chapter 92 Secondary Street Acceptance Requirements. The roadway as proposed in the Overall Conceptual Plan included with the TIA would not meet VDOT's connectivity requirements for State acceptance. For roadways with expected trip generation in excess of 2,000 VPD, an additional external connection is required for each 2,000 VPD or portion of each over and above the initial 2,000 VPD. With an anticipated trip generation in excess of 6,107 VPD, five external street connections will be required in order for the roadway to meet the connectivity requirement and qualify for State acceptance and maintenance. One of the five connections must be to a publicly maintained roadway. The remaining external connections may be satisfied by providing "stub out" connections in accordance with the SSAR. An exception would be required from the District Engineer to waive any of the five required connections. It is also required that at least three separate owners own portions of the retail property for a roadway to be accepted into the State system of maintenance unless an exception is approved by the District Engineer.
2. The proposed entrance roadway will be required to meet VDOT's Access Management Regulations. US 460, County Drive is classified as a Principal

Arterial with a posted speed limit of 50 MPH. Full access entrances and intersections are required to be a minimum of 750' from other full access commercial entrances and intersections. The proposed entrance road intersection with US 460, County Drive does not meet the spacing requirements from the commercial entrance to the trailer park to the east and an existing commercial entrance to the west. An Access Management Exception will be required to construct the entrance in its proposed location.

3. It is anticipated that the proposed main road will be functionally classified as a "local" roadway. Local roadways are not subject to VDOT's Access Management Regulations. The commercial parcel access locations as shown on the Overall Conceptual Plan appear to meet VDOT criteria for a local road. If the roadway is functionally classified as a "collector" road or higher, the roadway would be subject to VDOT's Access Management Regulations and the proposed entrances to the commercial areas may require modifications.
4. The Overall Conceptual Plan does not show a sidewalk along the proposed access road, but inclusion of a sidewalk along the access road is discussed in the proffers. Sidewalks must meet ADA requirements and be completely contained within the proposed ROW to be accepted into the State system of maintenance.
5. The Overall Conceptual Plan did not include any centerline geometries for the proposed road and VDOT cannot determine based upon the plan whether the roadway geometry meets VDOT standards.
6. Page 13 of the TIA noted existence of a trip generation table (Table 5-1) but was not included. We assume Table 5-1 should contain the same data included in Appendix A. The TIA also does not mention the source of derived trip generation data. VDOT requires calculations from ITE Trip Generation 10th Edition and this source needs documentation within the report.
7. Capacity analyses for various build scenarios do not indicate heavy truck percentages assigned to turning movements in and out on Route 460 at the site driveway. Given a warehouse land use component, delivery vehicles servicing restaurants and trucks already using Route 460, we expect some heavy truck usage.
8. Although various LOS/Delay/Queue summary tables show queue length results for various traffic movements, Synchro worksheets do not show 95th percentile queues for signalized intersection analyses, nor does the study include SimTraffic analyses. We require this information to verify that auxiliary turn lanes can accommodate expected traffic at Route 460 and Bull Hill Road/Rives Road and when warranted, proposed signal operation at the site entrance.
9. EPR conducted signal warrant analyses for Phase 2 build in 2024 and justified signalization at 100 percent and 70 percent thresholds. However, these analyses assumed all side street approach traffic using one

lane. Given two planned approach lanes, EPR should perform warrant analyses excluding all right turns and the right turn lane. Analyses should therefore assume one minor street approach lane using only left turn volumes at 100 percent thresholds, with 70 percent thresholds at the consultant's discretion. Lesser thresholds appear in the MUTCD as a "may" condition but does not mandate utilization with higher speeds and/or isolated community population. We will only consider Warrant 1 (Eight-Hour Volume) and Warrant 2 (Four-Hour Volume) as all other MUTCD criteria do not apply under proposed conditions.

10. The proffers do not discuss if a traffic signal is warranted at the intersection of US 460 and the access road who will responsible for the cost to design and construct the traffic signal.

Mr. Hinson indicated that he has met with the applicant and the Planning Staff and feels confident that they can work together on these conditions.

Mr. Wade further stated that the Planning Staff recommended the Planning Commission take a 90 day deferral to provide the applicant time to respond and receive further comments from Prince George County and VDOT staff.

Chairman Easter asked for clarification on the proposed Route US 460 entrance to the development and what had changed since the 2012 case.

Mr. Hinson responded by stating the proposed entrance does not meet the access management standards. He stated VDOT is willing to work with the applicant and staff to develop an exception, if one is needed or to utilize the recommended deferral time to work towards meeting access management.

Ms. Brittney Rawlinson, of Rawlinson Law Firm, stated that her client, Mr. Dozier, is in agreement with the recommended ninety (90) day deferral.

Chairman Easter opened the Public Hearing at 6:55 p.m. for any public comments to anyone wishing to speak for or against this rezoning case.

Mrs. Karen Pannill, of 5617 West Quaker Road, stated she was very concerned with having new commercial buildings in her backyard especially with already having the industrial park entrance on West Quaker Road and a truck stop. She asked the Commission to please consider the people that pay taxes and that it would not be fair for them not to have peace and quiet.

Mr. Mark Tibbedeaux, of 5303 West Quaker Road, he explained to the Planning Commission that he has a drainage problem on the rear of his lot that Mr. Dozier the applicant has yet to address from a past logging project.

Mr. Tibbedeaux would like to know if there is a site drainage plan for this proposed project. In addition, he stated that he is a target shooter and that he had purchased property out in the country so he could do things like that.

At 6:56, Chairman Easter closed the Hearing with no further comments.

Vice Chairman Simmons made the Planning Commission's motion to defer:

I, Joseph E. Simmons, do move to defer **REZONING CASE RZ-18-02**, Request of Nathaniel E. Dozier Jr. to conditionally rezone 31+/- acres north of County Drive and west of Wells Station Road from R-A, Residential-Agricultural to B-1, General Business Zoning District to permit certain uses located at 5200 County Drive and on Tax Map Parcels 340(0A)00-117-0, 340(0A)00-118-0, and 340(0A)00-119-0 until January 24, 2019 to allow the applicant a sufficient amount of time to address transportation concerns.

The stated motion was seconded by Mr. Bresko and there was no further discussion by the Planning Commission and it was deferred to

Roll call vote on the motion:

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

Opposed: (0) Absent: (0) Abstain: (0)

REZONING CASE RZ-18-03 Request of Breez-In Associates LC to conditionally rezone one (1) acre from R-A, Residential-Agricultural to B-1, General Business Zoning District to permit certain uses.

The Comprehensive Plan indicates that the subject property is appropriate for residential uses. The subject property is part of Tax Map 140(05)00-001-B and is located east of the Miller Mart at 10101 James River Drive that is currently zoned B-1, General Business.

Mr. Miles presented to the Commission the following information:

The case applicant proposes to conditionally rezone 1.0 acre from R-A, Residential – Agricultural to B-1, General Business to permit certain B-1 uses to include a professional office building use.

The applicant is requesting to allow for the construction of a 3,000 square foot office building for the applicant's corporate headquarters. The one (1) acre site will be accessed by a connection to the adjacent commercial properties owned by the applicant with no access to State Route 10.

The 2018 Comprehensive Plan identifies this general area for residential land uses. The Future Land Use Map serves as a general guide for the future development of the county. The current Comprehensive Plan is under review for potential changes and this portion of Route 10 is more suitable for commercial office, retail and service land uses. The applicant owns the adjoining commercial uses and would like to locate his corporate office building next to his business uses.

Mr. Miles stated VDOT had reviewed it and had the following comments:

VDOT Transportation Comments:

VDOT has reviewed this request and the proposed office building use will require a commercial entrance. The application indicates that access to the proposed use will be from the adjacent site. The adjacent commercial property owned by the applicant contains three full access entrances that meet VDOT's requirements for a commercial entrance. No modifications to the existing commercial entrances are anticipated to be required to serve the proposed B-1 uses.

If an additional entrance is proposed for the office building to SR 10, the entrance spacing would be required to meet VDOT's Access Management spacing standards. There is not sufficient road frontage along SR 10 to meet VDOT Access Management spacing standards from the existing commercial entrance to the west. If an entrance is proposed to connect to SR 10, an Access Management Exception would be needed.

Mr. Miles discussed the applicant's proffered site design requirements:

The materials for exterior walls will be constructed with finish materials, including but not limited to, brick, stone, wood, metal, architectural block and pre-cast panels and no full vinyl siding will be used in the development.

Lights will be provided within the parking area of the development and maintained at the developer's cost and the exact location of the lights will be reviewed and approved through the administrative site plan review process.

Planning Staff recommends Approval of this conditional rezoning case request along with the applicant's textual statement and proffered conditions that are dated September 26, 2018 along with compliance with the Subdivision and Zoning Ordinance requirements for this site development.

Vice Chairman Simmons asked about a future access to the commercial property if the applicant decided to sell some of his property in the future.

Mr. Miles stated that he and Derrick Johnson, Timmons Group, had been working on this request together. He stated through the Subdivision Plat approval process and the Site Plan approval process the County would continue to work with Timmons Group for the required access easements.

Mr. Johnson came forward and represented Breez-In Associates, LC in this case request. He explained that the applicant's current corporate office is in currently located in Hopewell. The applicant would like to build a 3,000 square foot corporate headquarters building on his property next to his current retail and service buildings complex. The plan is to use the existing entrance at the traffic light and the current plans show a future access road. Timmons Group has been working with the Utilities Department, VDOT and the Prince George Health Department staff members to develop this site.

Mr. Bresko asked Mr. Johnson about the future access road running parallel to Route 10 as is shown on the proposed site layout from Timmons Group.

Mr. Johnson stated he had been working with Paul Hinson, VDOT and Mr. Miles on this project. The plan is to construct the building back far enough from the road for the future access road to be parallel to Route 10 due to VDOT requirements. Mr. Miles had worked with Timmons on future access to the remaining portion of this property and the other parcels off Route 10.

Chairman Easter opened the Public Hearing at 7:10 p.m. to anyone wishing to speak for or against the Breez-In Rezoning case request. With no one coming forward to speak, Chairman Easter closed the Hearing at 7:11 p.m.

Mr. Brown made a motion to recommend Approval along with the proffered conditions and be sent onto the Board of Supervisors for their consideration. The motion was seconded by Mr. Brockwell and with no further discussion by the Planning Commission members.

Roll call vote on the motion:

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

Opposed: (0) Absent: (0) Abstain: (0)

Mr. Miles stated that this rezoning case request would be scheduled for a Board of Supervisors Public Hearing on Tuesday, December 11, 2018.

REZONING CASE RZ-18-04 Request of Mitchell Homes Inc. to rezone 21+/- acres from R-E, Residential Estate to R-2, Limited Residential Zoning District. This request will permit the reduction of the front yard setbacks on twelve (12) existing lots from (R-E) 75 feet to (R-2) 35 feet. The R-E front yard setback creates a hardship for buildable lots due to steep slopes and environmental features. The Comprehensive Plan indicates that the subject properties are appropriate for residential uses. The subject properties are known as lots 27-32 and 35-40 of The Meadows Section 2 subdivision and are known as Tax Maps 13J(02)00-027-0,028-0,029-0,030-0,031-0,032-0,035-0,036-0,037-0,038-0,039-0 and 040-0.

Mr. Miles provided the Planning Commission with his zoning case analysis:

The applicant proposes to rezone 21 acres from R-E, Residential Estate to the R-2, Limited Residential District in order to decrease the required front yard setback amount from 75 feet to 35 feet.

The applicant has filed "The Meadows Section 2, Lots 27 through 41, Subdivision Plat" dated September 18, 2018 showing potential house sites on these lots using a 35 foot front setback for a suitable building envelope.

The applicant proposes to build on these recorded lots once the building envelope is changed on the front and will match the Meadows subdivision sections relative to single family dwellings.

He stated that he worked with both the applicant, Mitchell Homes, Inc. and with their consultant, Timmons Group to walk through the various options to make these R-E recorded lots to become buildable given the steep slopes

and extensive environmental features, such as the RPA and the Floodplain areas. Front yard setback Variance requests were ruled out as all of the lots would need a forty (40) foot Variance to the R-E seventy-five (75) foot front yard setback.

The Board of Zoning Appeals (BZA) cannot issue Variances to all of the recorded lots under the State Code of Virginia requirements. The Code states that an applicant shall first seek all other administrative and/or local legislative action relief prior to requesting a Variance as any State relief.

Therefore, the applicant is requesting a rezoning from R-E to R-2 on all of these lots to reduce the front yard setback and then, if needed, they will administratively perform a Boundary Line Adjustment (BLA) to consolidate the unbuildable lots into Meadows Section 2 open space

Mr. Miles stated The Virginia Department of Transportation (VDOT) has reviewed this request and has stated the rezoning request does not include additional lots so no increase in anticipated trip generations will occur with the proposed rezoning. The Meadows Section 2 roads have not been accepted into the State system of maintenance. VDOT provided a list of deficiencies that need to be corrected prior to acceptance on October 24, 2014. No corrections have been made and this section was auctioned off and no additional subdivision road work has been done in this section.

Planning Staff recommends Approval of this rezoning request from R-E to R-2 to allow for the front yard setback to be adjusted so that these recorded lots can become buildable allowing for the lots to have single family dwellings constructed and the subdivision section to be completed. The applicant is looking to be able to build on 60 to 80% of the recorded lots.

Vice Chairman Simmons referenced the map that showed some of these properties having wetlands and asked if it was legal to build a home there. He voiced concerns relative to the lack of back yard space on these lots.

Mr. Miles stated that they would not be building within the wetlands as the wetlands are more to the rear of all of the properties. Mr. Miles expressed his concerns with the steep slopes on some of these properties and stated not all of the lots would become buildable lots. The applicant and Planning Staff are equally looking for the best compromise to make them buildable.

Scott Sleeme, President of Mitchell Homes, Inc, he asked the Commission if they had any additional questions that he could answer for them. He stated his company had been working with Timmons Group to make at least 60 to 80% of these lots buildable for additional, affordable single-family homes.

Chairman Easter opened the Public Hearing at 7:25 p.m. for anyone wishing to speak for or against the Mitchell Homes, Inc. Rezoning case. With no one coming forward, Chairman Easter closed the Public Hearing at 7:26 p.m.

Vice Chairman Simmons communicated with the Commissioners that the reduced setbacks do not bother him. However, uncertainty of what would be available for living space in the back yard for children was a concern.

Mr. Miles articulated to the Commission that the applicant would continue to work with Timmons Group as their surveyor to stake out future home sites as it has been done by Timmons Group over in The Meadows Section 4.

Mr. Bresko made a motion to recommend Approval to rezone from R-E to R-2 for the front yard setbacks. The motion was seconded by Mr. Joyner. There was no further discussion by Commissioners on the rezoning case.

Roll call vote on the motion:

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

Opposed: (0) Absent: (0) Abstain: (0)

Mr. Miles stated that this rezoning case request would be scheduled for a Board of Supervisors Public Hearing on Tuesday, December 11, 2018.

IX: 2020 Comprehensive Plan Subcommittees Discussion:

Mr. Miles stated that Planning Staff would continue to perform Housing and Transportation research for the 2020 Comprehensive Plan and the Planner has attended VDOT Transportation training seminars and that the Planning Manager would be attending Rural Planning Transportation training seminar classes in October to prepare for working on the Thoroughfare Plan in 2019.

X: Planning Manager Communications to the Planning Commission:

Mr. Miles provided the following communication updates to the Commission:

a. Actions of the Board of Zoning Appeals:

There was a cancellation of the BZA Meeting scheduled for November 26, 2018 as there were no Appeal or Variance cases filed for the docket.

b. Actions of the Board of Supervisors:

At the October 23, 2018 Board meeting, the Tree Time Adventures lease was discussed and it was deferred to Wednesday, November 14, 2018 meeting along with the Special Exception for Tree Time Adventures, Inc.

c. Comments to the Planning Commission:

Potential Special Exception case request for the Crater Criminal Justice Academy to construct a driver training track and obstacle course off 460.

They currently utilize the existing track in Chesterfield County or they have to travel up to Spotsylvania County to use a larger training track.

Verizon Wireless 199' communications tower request on Route 10 and east of Anderson Lumber is currently in pre-application process stage.

Retail Store request across from the former Parker's Grocery Store on Route 10 is currently in the pre-application stage for a B-1 zoning use.

X. ADJOURNMENT

A motion was made by Mr. Bresko, seconded by Mr. Brockwell, to adjourn the Planning Commission meeting at 7:32 pm until Thursday, November 13, 2018 at 6:30 pm. Roll was called on the motion.

Roll call vote on the motion:

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

Opposed: (0) Absent: (0) Abstain: (0)