



## ***County of Prince George, Virginia***

*"A global community where families thrive and businesses prosper"*

### **Planning Commission**

Regular Meeting

Thursday, September 26, 2019

6:30 p.m. County Board Room

- I. Call to Order
- II. Roll Call
- III. Invocation
- IV. Pledge of Allegiance to the U.S. Flag
- V. Approval of the Meeting Minutes – August 22, 2019 [2]
- VI. Citizen Comment Period
- VII. New Business – Public Hearings

#### **SPECIAL EXCEPTION SE-19-05 [3]**

Request of Mark and Terri Perkinson pursuant to § § 90-103 (23) to permit an animal boarding place within a R-A, Residential - Agricultural District. The request property is located at 10610 Merchants Hope Road and is identified as Tax Map 140(0A)00-059-A. The Comprehensive Plan indicates the property is suitable for residential uses.

- VIII. Planner's Communications to the Commission
  - 1. Actions of the Board of Zoning Appeals
  - 2. Actions of the Board of Supervisors
  - 3. General Comments
- IX. Adjournment

The next regularly scheduled meeting will be **Thursday, October 24, 2019**



## ***County of Prince George, Virginia***

*"A global community where families thrive and businesses prosper"*

### **Planning Commission**

#### **Meeting Minutes**

**August 22, 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, August 22, 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: Horace Wade, Planner and Missy Greaves-Smith, Administrative Support Specialist.

#### **III. INVOCATION**

Chairman Simmons provided the Planning Commission's Invocation.

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

Mr. Clarence Joyner 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 July 25, 2019 Planning Commission Meeting. A motion was made by Mr. Brown and it was 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) Simmons, Bresko, Brockwell, Brown, Elder, Joyner

Opposed: (0)

Absent: (0)

Abstain: (1) Easter

## **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**

### **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 this cases was deferred from the June 27, 2019 Planning Commission meeting. The Commission had asked staff to research past special exception cases to compare the applicant's request. Mr. Wade provided the Commission with the Board of Supervisors Resolutions from the past four assembly hall cases that relate to this case. Research was conducted on the number of attendees permitted on site. In all four cases, there were not a limited number of attendees associated with any of the cases. Occupancy is determined by the Building Official based on the size of the hall.

The applicant has asked to amend the hours of operation to Monday-Sunday 9:00 a.m. to 10:00 p.m. These hours will be utilized only as events are scheduled.

Staff proposed recommended conditions to ensure that this use complies with all Federal, State and County Code requirements. One condition is that the assembly hall be a minimum of 500 feet from Tavern Road and 200 feet from any adjacent properties. The amended hours of operations were changed after the work session Monday evening, so the new hours will be changed on the BOS Staff Report.

Ms. Pamela Bland, the applicant, explained to the Commission the reason behind changing the hours of the venue is to be in line with the other assembly halls the Board had approved previously. In addition, she wishes to be in compliance with the noise ordinance that the

County has in place which is 10:00 p.m.

Chairman Simmons asked Ms. Bland to explain to the Commission what the general plan is for the assembly hall. Ms. Bland has a 100 acre farm on Tavern Road that was left to her from her grandfather, Samuel Bland. She would like to enhance the Economic and Tourism Plan in the County by having this venue located less than a mile from the Garden Exit 45 off of I-95. This location would be convenient for small to medium sized weddings and business meetings.

Ms. Johnson-Ruffin spoke in favor of this special exception. She stated that Pamela Bland is a medical doctor at MCV and is a veteran that served in the US Navy for eight years and is a honors graduate of Prince George High School. Her wishes to the Commission would be to approve this special exception because she wants to make a contribution to the community and bring in revenue to the County.

At 6:50 pm, Chairman Simmons closed the public hearing.

Chairman Simmons asked the Commissioners if they had any questions or discussion and if not he would entertain a motion. Mr. Brown made a motion to forward SE-19-04 to the Board of Supervisors for their consideration with the Planning Commission's recommendation of approval and the motion was seconded by Mr. Bresko. Roll was called on the motion.

Roll Call vote on the Motion:

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

Opposed: (0)

Absent: (0)

Abstain: (0)

This case will be heard at the BOS September 10, 2019 meeting.

#### **ORDINANCE AMENDMENT OA-19-02 [4]**

An Ordinance to amend and update "The Code of the County of Prince George, Virginia," by amending § 90- 542 "Permitted Uses" in a M-3 Heavy Industrial District by adding a permitted use.

An applicant has requested rezoning from M-1 to M-3. The applicant has requested two (2) uses for the property. One use currently exists in the M-3, Heavy Industrial Zoning District, while the other use exists only in the M-1, Light Industrial District. To assist the applicant with allowing the two (2) uses on the property, staff recommends the addition of a Light Industrial Use to the M-3, Heavy Industrial Zoning District.

The use to be added is:

Manufacturing, compounding, assembling or treatment of merchandise from previously prepared materials including bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastic, precious or semiprecious metals or stone, shell, straw, textiles, tobacco, wood, yarn, and paint.

Mr. Wade stated that staff recommends approval of these changes.

The Public hearing was opened at 6:55 p.m. by Chairman Simmons, for anyone that wished to speak for or against this application.

Derrick Johnson, 7716 Hunters Ridge Drive, spoke in favor of this change. He has seen this work in other locations and hopes staff will address this so the County will not have this situation again in the future.

With no one else coming forward, Chairman Simmons closed the Public Hearing at 6:56 p.m.

Chairman Simmons asked the Commissioners if they had any further questions or comments and if not, he would entertain a motion. Mrs. Elder had a motion to forward OA-19-02 to the BOS with the recommendation of the Planning Commission. This motion was seconded by Mr. Joyner. Roll was called on the motion.

Roll Call vote on the Motion:

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

Opposed: (0)

Absent: (0)

Abstain: (0)

This case will be heard at the BOS September 10, 2019 meeting.

#### **REZONING CASE RZ-19-02 [5]**

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

Mr. Wade stated that the subject property is currently zoned M-1, Limited Industrial 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 bears the financial cost of extending services to the development site to the developer. The future land use plan calls for industrial land use. The request for M-3, Heavy Industrial Zoning District is consistent with the comprehensive plan.

Currently, the use from the M-1 district is not a permitted use in the M-3 district. Staff has recommended that the M-1 use, listed in 90-442(4), be added to the M-3, Heavy Industrial District as an ordinance amendment OA-19-02.

Staff recommends the Planning Commission recommend approval to the Board of Supervisors as the request is consistent with the Comprehensive Plan, and the applicant has addressed traffic, aesthetics, function, and impacts of the proposed development.

Derrick Johnson, of Timmons Group, representing the applicant, The Hollingsworth Company, was available to address any questions the Commission may have. The company is presently doing two separate activities on two separate parcels. The first activity is a re-melt activity in the M-3 district (heavy use) where they are taking scrap aluminium and melting it down and forming logs. These logs are then sent over to the M-1 district parcel to make the different products.

Chairman Simmons inquired if there was going to be any other material, other than aluminium being processed at these locations. Mr. Johnson stated they are only processing aluminium at this time.

Chairman Simmons opened the Public Hearing at 7:06 p.m. to anyone who wished to speak for or against this rezoning case. With no one coming forward, the Public Hearing was closed at 7:07 p.m.

Vice-Chairman Bresko made a motion to recommend approval of **REZONING CASE RZ-19-02**, request of SI Virginia II, LLC to conditionally rezone 141.79 acres along Quality Way and Hardware Drive from M-1, Limited Industrial Zoning District to M-3, Heavy Industrial Zoning District to permit certain uses and subject to the proffered statement dated July 22, 2019, located across from 6062 Quality Way and on Southpoint Business Park, Lot 10, and is identified as Tax Map 340(22)00-010-0. This motion was seconded by Mr. Brockwell. Roll was called on the motion.

Roll Call vote on the Motion:

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

Opposed: (0)

Absent: (0)

Abstain: (0)

This case will be heard at the BOS September 10, 2019 meeting.

## **VIII. COMMUNICATIONS TO THE COMMISSION**

Mr. Wade provided the following updates:

### **a. Actions of the Board of Zoning Appeals**

The August 19, 2019 BZA Meeting has been cancelled. The BZA will be meeting on September 16<sup>th</sup> to hear the height variance case for AT&T.

### **b. Actions of the Board of Supervisors**

The BOS approved the Gilliam rezoning case from B-1 to R-1 and approved the special exception case for the AT&T tower. The BOS remanded the Sign Ordinance back to the Planning Commission.

c. General Comments to the Commission

The September 26, 2019 Planning Commission meeting will have a case from the Jefferson Pointe Apartment Complex. The applicant is asking to amend the proffer statement in reference to the recreation facility.

**IX. ADJOURNMENT**

A Motion was made by Mr. Brockwell, seconded by Vice-Chairman Bresko to adjourn the meeting at 7:11 p.m. until Thursday, September 26, 2019 at 6:30 p.m.

Roll Call vote on the Motion:

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

Opposed: (0)

Absent: (0)

Abstain: (0)

**PLANNING COMMISSION STAFF REPORT**

**SE-19-05 MARK & TERRI PERKINSON**

**SEPTEMBER 26, 2019**

**RESUME**

The applicants, Mark and Terri Perkinson, are requesting a Special Exception to permit an Animal Boarding Place use on a property zoned for both R-A, Residential Agricultural District, and R-2 Limited Residential District, with the proposed use to occur on the R-A portion of the property.

Staff recommends Approval of this Special Exception request, subject to recommended conditions.



**PLANNING COMMISSION -- STAFF REPORT**

**SPECIAL EXCEPTION REQUEST**

**CASE NUMBER:** SE-19-05

**REQUEST:** Special Exception to permit Animal Boarding Place as an Accessory Use on home property

**APPLICANTS:** Mark and Terri Perkinson

**LOCATION:** 10610 Merchants Hope Road

**TAX MAP ID:** 140(0A)00-059-A (5.57 ac)

**EXISTING ZONING:** R-A Residential Agricultural Zoning District (+/- 2.75 ac)  
R-2 Limited Residential District (+/- 2.82 ac)

**SURROUNDING ZONING:** R-A Residential Agricultural Zoning District  
R-2 Limited Residential District

**EXISTING USE:** Residential < 20 acres Improved

**PROPOSED USE:** Animal Boarding Place

**UTILITIES:** Well and Septic

**REAL ESTATE TAXES:** Taxes have been paid as of September 9, 2019

**MEETING INFORMATION:**

**Planning Commission:** Thursday, September 26, 2019 at 6:30 p.m.

**Board of Supervisors:** TBD

**RECOMMENDATION:** Staff recommends Approval with recommended conditions

**ATTACHMENTS:**

1. Location Map
2. Satellite / Aerial Map
3. Zoning Map
4. Site Sketch (Applicant-Provided)

## **PLANNING COMMISSION STAFF REPORT**

### **SPECIAL EXCEPTION CASE SE-19-05**

#### **MARK AND TERRI PERKINSON**

**PUBLIC HEARING: SEPTEMBER 26, 2019**

#### **Request:**

The applicants are requesting a Special Exception to permit an Animal Boarding Place as an Accessory Use on a property zoned for both R-A, Residential – Agricultural District, and R-2 Limited Residential District, with the proposed use to occur on the R-A portion of the property.

#### **Request Details:**

The applicants are proposing to operate a “doggie daycare” and small-scale dog boarding business as part of an “animal boarding place use” on the portion of their property zoned R-A, consisting of approximately 2.75 acres out of the 5.57 acres. The applicants will utilize an existing 1,500 square-foot detached garage and fenced areas as shown on the attached site sketch. The proposed operation is no-crate, no-kennel, allowing the dogs freedom to move during the day within the structure and fenced areas. Customer visits would generally entail dropping off and/or picking up their dogs, for those customers who choose not to utilize the transportation services offered by the applicants. Impact on neighbors and total vehicle trips would be limited by various factors including available transportation services, a proposed maximum number of dogs, overnight boarding only within the home, and increased well-being afforded to the dogs by the no-crate, no-kennel model. The applicants propose to comply with all local, state and federal codes related to the care and keeping of animals, and propose to cooperate with Animal Services before and after opening the facility.

#### **Proposed Use**

Based on the activities described by the applicants, the use would be considered “*animal boarding place*”, which is defined in Sec. 90-1 as “*any structure or any land or any combination of either used, designed and arranged for the boarding, breeding or care of dogs cats, pets, fowl, ponies, horses or other domestic animals for profit, but exclusive or animals used for agricultural purposes.*”

This use is permitted by special exception under Sec. 90-103 in the R-A Residential Agricultural District.

*(23) Animal hospital, animal boarding place, veterinary service.*

#### **Comprehensive Plan**

The Comprehensive Plan Future Land Use Map identifies this area, including the property and surrounding properties, as appropriate for residential use.

**Other County Staff Review Comments:**

**Building Inspections:** No new construction is proposed, therefore no further comments at this time. No Change of Use required for buildings on the property since primary use is still Residential.

**Environmental:** No land disturbance, therefore no comments.

**Transportation (VDOT):** This would be a low volume commercial entrance, therefore no entrance improvements necessary.

**Health (VDH):**

- Sewage disposal and well requirements will need to be evaluated by an AOSE/OSE or Engineer for this commercial use. The evaluation information will need to be supplied to the Health Department.
- The permit on file for this property (HDID# 89-174-0126) shows the design was to serve 3 bedrooms. The County GIS system states that there are 4 bedrooms. This will need to be sorted out.

**Utilities:** No public water and sewer connection required or present, therefore no comments.

**Animal Services:** Applicant must comply with the provisions of state code related to animal care and recommend meeting with Animal Services prior to opening facility.

**Economic Development:** No comments

**Police Department:** Observe the County Noise Ordinance related to barking dogs kept overnight to avoid violations

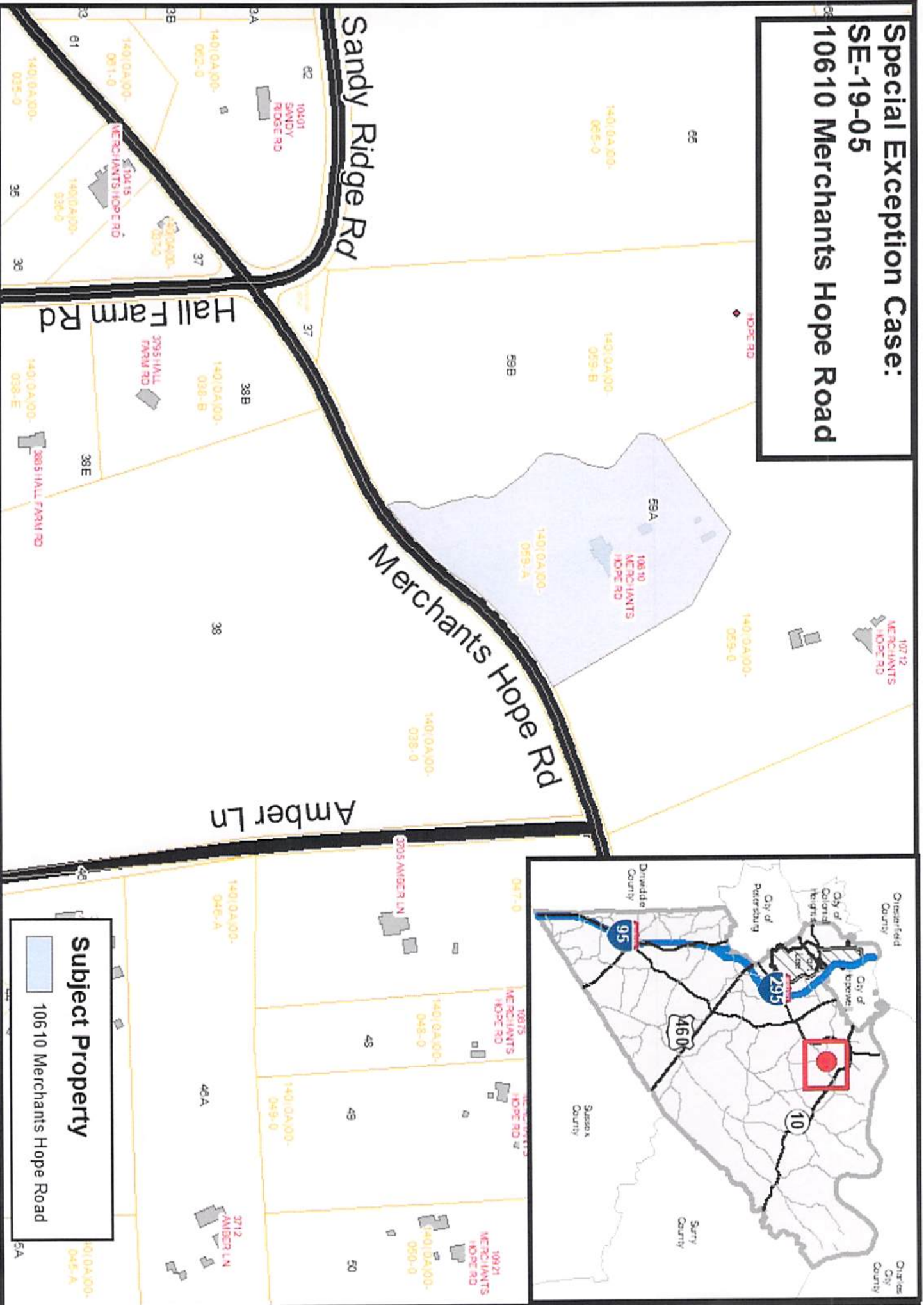
**Recommendation:**

County Staff recommend Approval of the proposed animal boarding place use, subject to the following conditions intended to minimize the impact on surrounding property owners and ensure that this use complies with all local, state and federal requirements:

1. The Special Exception is granted for an Animal Boarding Place use to Mark and Terri Perkinson on Tax Map 140(OA)00-059-A. It is not transferable and it does not run with the land.
2. The Special Exception is granted for an animal boarding place for the purpose of daytime care of dogs on the premises and limited overnight lodging of dogs in the home.
3. The Special Exception is granted only for the portion of the property zoned R-A, therefore animal boarding place activities shall only be permitted to take place on the portion of the property zoned R-A.
4. Sewage disposal and well requirements shall be evaluated by an AOSE/OSE or Engineer for this commercial use. The evaluation information will be supplied to the Health Department prior to issuance of a business license.

5. All dogs will be required to be screened prior to acceptance into the facility, including verification of good health by a veterinarian and being current on all shots.
6. The applicants shall operate in compliance with all applicable local, state and federal codes.
7. 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.
8. The applicants shall meet with Animal Services prior to opening to inspect the facility, shall accommodate unannounced visits from Animal Services during operations, and take appropriate measures for health and safety of the animals as recommended by Animal Services.
9. A maximum of 20 dogs shall be permitted for day care on the premises, in conjunction with the use.
10. A maximum of 4 dogs shall be permitted for overnight stays, to be kept indoors in the home, in conjunction with the use.
11. Dogs will be kept within fenced areas or indoors at all times when not in transport.
12. The hours of operation for the daytime care activities shall be limited to Monday through Friday 6:00 a.m. to 6:00 p.m.
13. A maximum of 2 personnel may be present on the premises in conjunction with this use, other than members of the family residing on the premises.
14. If the requested use of the premises is abandoned for a period of twenty-four (24) consecutive months, then the Special Exception shall become null and void.
15. This Special Exception may be revoked by Prince George County or by its designated agent for failure by the applicants to comply with any of the listed conditions or any provision of federal, state or local regulations.

**Special Exception Case:  
SE-19-05  
10610 Merchants Hope Road**



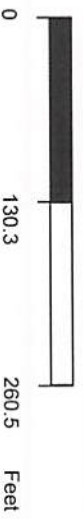


# County of Prince George



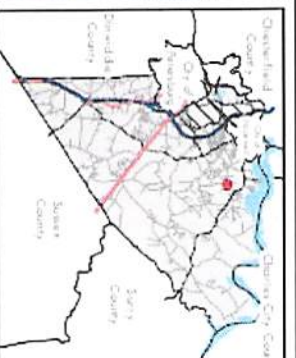
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Map Scale 1 : 1,563

9/6/2019



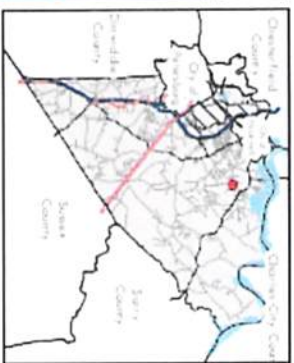
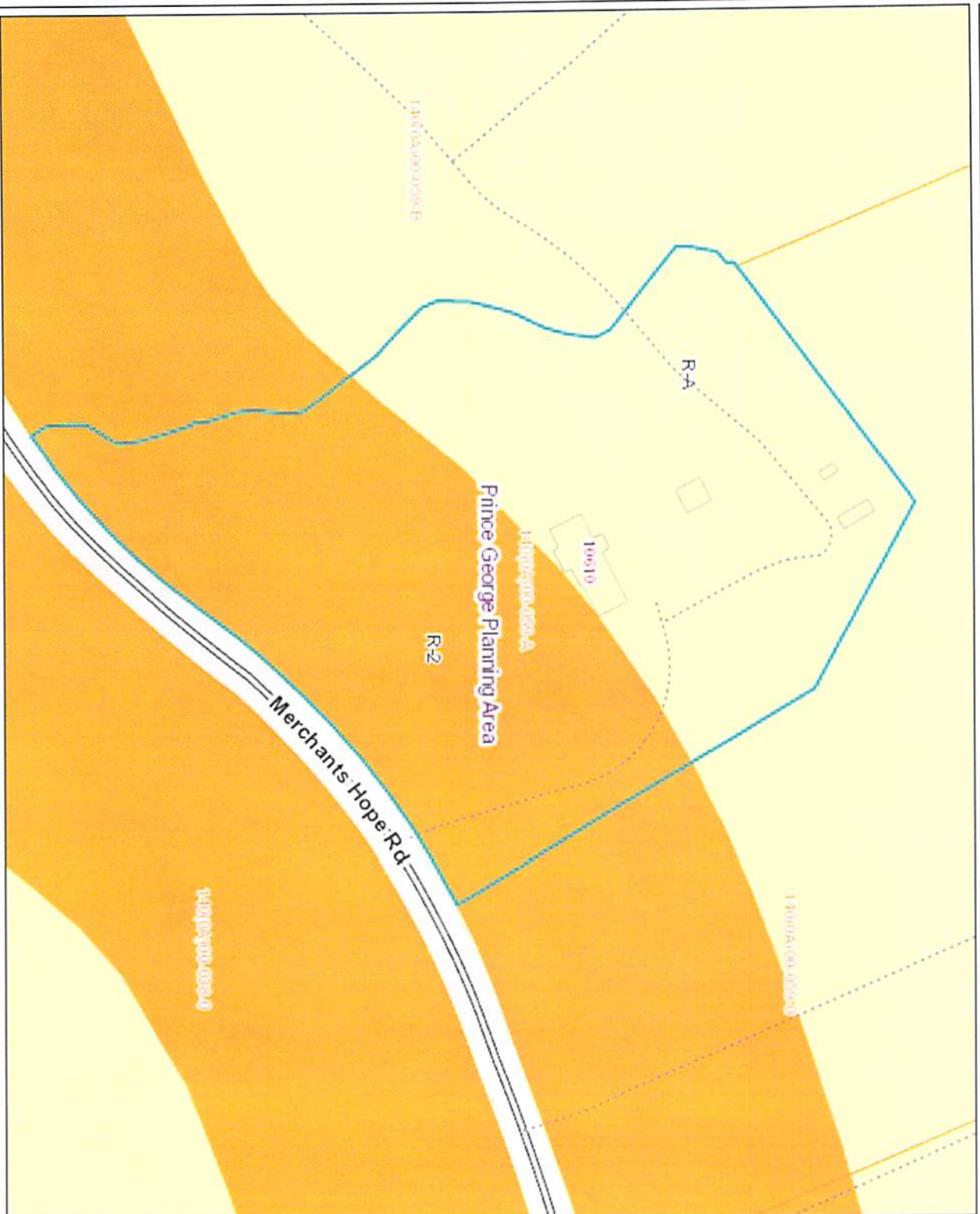
## Legend

- Political Boundaries
- FEMA Floodzones
- Taxparcels
- Access Easements
- Wetlands
- Swamps
- Planning Area

## Notes



# County of Prince George



## Legend

- Political Boundaries
- FEMA Floodzones
- Taxparcels
- Access Easements
- Wetlands
- Swamps
- Planning Area
- Zoning**
- A-1
- B-1
- M-1
- M-2
- M-3
- R-1
- R-2
- R-3
- R-4
- R-E
- PUD

## Notes



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SE-19-05

Mark and Terri Perkinson

Site Sketch

