



PLANNING COMMISSION

Alex W. Bresko, Jr.
R. Steven Brockwell
Floyd M. Brown, Sr.
James A. Easter
Imogene S. Elder
V. Clarence Joyner, Jr.
Joseph E. Simmons

County of Prince George, Virginia

"A global community where families thrive and businesses prosper"

INTEROFFICE MEMORANDUM

TO: Alex W. Bresko, Jr.
R. Steven Brockwell
Floyd M. Brown, Sr.
James A. Easter
Imogene S. Elder
V. Clarence Joyner, Jr.
Joseph E. Simmons

FROM: Missy Greaves-Smith, Administration Support Specialist II

RE: Planning Commission Organizational & Business Meeting

DATE: February 19, 2021

CC: Percy C. Ashcraft, County Administrator
Julie C. Walton, Director
Dan Whitten, County Attorney
Horace Wade III, Planner II
Tim Graves, Planner I

The Planning Commission Work Session will be Monday, February 22, 2021 at 6:30 p.m. in the County's Boardroom. The Planning Commission's Organizational and Business Meeting will be Thursday, February 25, 2021 at 6:30 p.m. in the County's Boardroom. Please contact me at (804)722-8678 or via e-mail at <mailto:mgreaves-smith@princegeorgecountyva.gov> with any questions.

1

Agenda

2

Planning Commission By-Laws

3

2021 Draft Meeting Dates

4

2020 Draft Annual Report

5

Draft Minutes December 17, 2020

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Special Exception Case SE-20-03

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Communications

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AGENDA
Planning Commission
County of Prince George, Virginia
Organizational and Business Meeting: Thursday, February 25, 2021
County Administration Bldg. Boardroom, Third Floor
6602 Courts Drive, Prince George, Virginia

Organizational and Business Meeting
6:30 p.m.

This meeting is being held electronically in accord with Virginia Code Section 15.2-1413. The meeting is accessible by:

If you would like to participate in the meeting via Zoom –

<https://zoom.us/j/5053851421?pwd=V2pjSHFneFRUUE2bjNqQnR3emZoUT09>

Meeting ID: 505 385 1421

Password: 200726

One tap mobile

+19294362866,,5053851421#,,1#,200726# US (New York)

+13017158592,,5053851421#,,1#,200726# US (Germantown)

Dial by your location

+1 929 436 2866 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 669 900 6833 US (San Jose)

During the public comment period you may raise your hand using the Zoom controls on your screen or press *9 on your phone. Visit the Zoom Help Center for more information. If you would like to view the meeting in real time use this link:

<https://www.youtube.com/c/princegeorgevirginia>

Public comments may be made in person during any meeting. You may also submit any public comments on our website at

https://www.princegeorgecountyva.gov/departments/board_of_supervisors/public_comment_form.php.

Any public comments received via Zoom, in person or by the website form up until the public comment section is closed by the Chairman of the Planning Commission on February 25, 2021 shall be entered into the meeting minutes.

CALL TO ORDER

Roll Call

ELECTION OF OFFICERS

Election of Planning Commission Officers for 2021

- A. Election of Chairman
- B. Election of Vice-Chairman

INVOCATION

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

PUBLIC COMMENTS

ADOPTION OF AGENDA [1]

ORDER OF BUSINESS

- A-1. Planning Commission By-Laws Adoption [2]
- A-2. Adoption of 2021 Planning Commission Meeting Dates [3]
- A-3. Approval of 2020 Planning Commission Annual Report [4]
- A-4. Approval of Meeting Minutes – December 17, 2020 [5]

PUBLIC HEARING

- P-1. PUBLIC HEARING; SPECIAL EXCEPTION CASE SE-20-03 Request of Tom and Diane McCormick, pursuant to § 90-103 (52) and (53), to permit a cottage industry home occupation on a parcel of five acres or more for bed and board in an accessory building, and sales/rental of formal wear in a single-family residence in a R-A, Residential-Agricultural, Zoning District. The subject property is located at 5503 Ruffin Road and is known as Tax Map 240(0A)00-115-A. The Comprehensive Plan indicates the property is suitable for commercial or village center uses. [6]

COMMUNICATIONS [7]

- A. Battery Energy Storage
- B. Actions of the Board of Zoning Appeals
- C. Actions of the Board of Supervisors

ADJOURNMENT



**BYLAWS AND RULES OF PROCEDURE
FOR THE
PLANNING COMMISSION
OF THE
COUNTY OF PRINCE GEORGE, VIRGINIA**

Effective: February ~~2325~~, ~~2012~~2021

**COUNTY OF PRINCE GEORGE
PLANNING COMMISSION**

PRINCE GEORGE, VIRGINIA 23875

**BYLAWS AND RULES OF PROCEDURE FOR
THE PLANNING COMMISSION OF THE
COUNTY OF PRINCE GEORGE, VIRGINIA**

PREAMBLE

The goals of the Planning Commission of Prince George County are as follows:

- to improve public health, safety, convenience and the welfare of its citizens;
- to plan for the future development of communities to the end that transportation systems be carefully planned;
- that new community centers be developed with adequate highway, utility, health, educational, and recreational facilities;
- that the need for mineral resources and the needs of agriculture, industry and business be recognized in future growth;
- that residential areas be provided with healthy surroundings for family life;
- that agricultural and forestal land be preserved; and
- that the growth of the community shall be consonant with the efficient and economical use of public funds.

ARTICLE I. OBJECTIVES

The objectives and purposes of the Planning Commission of the County of Prince George, Virginia are those set forth in Section 15.2-2200 and 15.2-2210 of the Code of Virginia (1950, as amended) and those powers and duties delegated to the Planning Commission by the Board of Supervisors of the County of Prince George by Chapter 62, Article II of the County Code adopted in accordance with the enabling laws and all amendments and changes thereto.

ARTICLE II. MEETINGS

1. All meetings of the Commission shall be open to the public, and all persons shall be encouraged to attend any meeting of said Commission except as otherwise provided in these by-laws or by statute.
2. Regular meetings of the Commission are held on the fourth Thursday of each month at 6:30 p.m. in the Public Meeting Room, Third Floor of the County Administration Building, 6602 Courts Drive, Prince George, Virginia located at the intersection of Laurel Springs Road and Courts Drive in the County Government Complex or at such location as designated by the Commission. If at any time any regular meeting falls on a holiday, such regular meeting shall be held on a date as determined by the Commission. The

Commission, by resolution adopted at a regular meeting, may also fix the day or days to which any meeting shall be continued. If County Government operations are deemed to be closed by the County Administrator or his designee the day of a scheduled meeting due to inclement weather or other unforeseen instances then the meeting shall be cancelled and rescheduled to the next available meeting date. Such cancellation shall be communicated to the members and to the press as promptly as possible. All hearings and other matters previously advertised for such meeting shall be conducted at the continued meeting and no further advertisement is required. ~~The [DW1] Commission shall cause a copy of such resolution to be inserted in a qualified newspaper having general circulation in the locality at least seven days prior to the first meeting held pursuant to the adopted schedule.~~ Workshops will be held on that Monday prior to the regular meeting date or as otherwise determined by the Commission. The Workshops will be held in the Planning Conference Room on the first floor of the County Administration Building at the address above or at a location as determined by the Commission.

3. The Planning Commission may adjourn any meeting to a time and place specified. If all members are absent from any regular meeting, the Secretary may declare the meeting adjourned to a stated time and place and he shall cause a written notice of the adjournment to be given in the same manner as provided in the following section for special meetings, unless such notice is waived as provided for special meetings. When a regular or adjourned regular meeting is adjourned as provided in this section, the resulting adjourned regular meeting is a regular meeting for all purposes. When an order of adjournment of any meeting fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings.

4. Special meetings of the Commission may be called by the Chair or by two members upon written request to the Secretary. The Secretary shall mail to all members, at least ~~three~~five days in advance of a special meeting, a written notice fixing the time and place of the meeting and the purpose thereof.

Written notice to members of a special meeting is not required if the time of the special meeting has been fixed at a regular meeting, or if all members are present at the special meeting or file a written waiver of notice. No other business shall be considered at such special meetings by the Planning Commission than that for which the special meeting was called.

5. The annual meeting for the election of officers for Chair and Vice-Chair shall be held on the regular meeting date in January of each year, under the order of New Business and the newly elected officers shall immediately preside upon election.
6. A quorum is a majority of all members. A quorum must be present at all meetings. A majority vote of those members present and voting is necessary to take any official action including, but not limited to rezonings, reclassifications, special exception uses, amendments to the zoning regulations or official map, subdivision plats, site plans, general plan, and these by-laws. In case of a tie vote, or deadlock, the chair shall have the item of business placed on the next agenda of the Commission as a matter under old business for reconsideration and vote, but not for rehearing. If the returned matter again results in a tied vote it will be forwarded to the Board of Supervisors with no recommendation.
7. The Secretary shall keep minutes and records of all its meetings, resolutions, transactions, findings and determinations, and the vote of each member present shall be recorded with each motion, order or resolution and the minutes, records, resolutions, transactions, findings and determinations shall be of public record.

ARTICLE III. OFFICERS, DUTIES OF

1. The officers of the Commission shall consist of a Chair, a Vice-Chair and a Secretary.

2. Chair.

The Chair shall have the following duties:

- a. The Chair shall preside at meetings of the Commission.
- b. When authorized by the Commission, The Chair shall execute in its name all contracts, bonds, and other obligations.
- c. The Chair shall appoint all committees and subcommittees.
- d. The Chair shall have general supervision of the conduct of the affairs of the Commission and shall instruct the Secretary in conducting Commission business.
- e. The Chair shall perform such other duties as are usually exercised by the Chair of a Commission or a Chief Officer of a corporation.
- f. The Chair shall sign all communications of the Commission and all recommendations to the Board of Supervisors of Prince George County unless otherwise authorized by the Chair. The Chair may authorize the Secretary to sign official Commission communications.
- g. The Chair shall have the discretion to set time limits on public speakers, not to exceed 3 minutes. Those matters raised by citizens not set for public hearing shall be included only in the Citizens Comment Period or by discretion of the Chair for additional public comments.

3. Vice-Chair.

The Vice-Chair shall have the following duties:

The Vice-Chair shall perform the duties of the Chair during the absence or disability of the Chair.

4. Temporary Chair.

- a. In the absence or disability of the Chair and Vice-Chair at any regular or regular adjourned meeting where a quorum of the membership is present, the most senior member alphabetically shall preside at said meeting until the Chair or Vice-Chair is present.
- b. The Temporary Chair shall perform the duties of the Chair during the absence or disability of the Chair or Vice-Chair.

5. Secretary.

The Secretary or the Secretary's designee shall have the following duties:

- a. The Secretary shall attend all regular, regular adjourned, special adjourned meetings and public hearings, and keep or supervise the keeping of a record of same and transcribe same properly in the minute books of the Commission.
- b. The Secretary shall send all notices of all meetings of the Commission required to be sent under these bylaws, State law, zoning ordinance or subdivision ordinance or as directed by the Chair.
- c. The Secretary shall have charge of all official books, papers, maps, and records of the Commission and shall conduct all official correspondence relative to hearings, meetings, decisions, and other business of the Commission.
- d. The Secretary or his assigned staff personnel, unless otherwise directed, shall attend meetings of the committees and, when directed, transcribe and preserve the records thereof.
- e. The Secretary shall prepare the agenda and staff reports for items of business on the Commission's agenda. The reports must contain factual background information and professional planning guidelines to guide the Commission in its actions.
- f. The Secretary shall notify the Vice-Chair, by phoning or in person, on the day the Chair informs the Secretary that he will not attend a future Commission meeting.

ARTICLE IV. COMMITTEES

1. Committees shall be appointed by the Chair at the time deemed necessary or advisable by him so as to conduct Commission business properly.
2. Each committee shall consist of no fewer than two (2) and no more than three (3) Commission members.
3. Subcommittees may be appointed by the Chair of any committee and may consist of non-members of the Commission and shall be advisory to the entire committee.
4. The Chair of the Commission shall appoint one (1) member of each committee as the Chair and the committee shall meet at such time and place as directed by the Chair of the committee. The Chair of the Commission shall serve as an ex-officio member of all standing or temporary committees.
5. The members of committees shall serve for the duration of the committee unless a reassignment is made of the committee personnel by the Commission Chair, in which case they shall serve until their successors are appointed. The Commission Chair shall fill any vacancy in committees.
6. All reports of committees shall be made at the direction of the Chair of the Commission; however, no committee shall be required to make a formal report prior to the next regular Commission meeting following that meeting at which the committee was directed by the Chair of the Commission to report on the matter of business referred to such committee.
7. Reports of subcommittees shall be made orally or in writing at the request of the Committee related to the subcommittee or by the Chair of the Commission, and if in writing, the original copy thereof shall be filed with the Secretary and become a part of the records of the committee.

8. All committees shall give notice of the date, time and location of any committee meeting with at least three (3) days' notice prior to the meeting. The notice shall be emailed to the Commission members, posted on the County website and placed in a prominent public location at which notices are regularly posted. The committees shall not be required to present an agenda or take minutes of the meeting.

ARTICLE V. ELECTIONS AND APPOINTMENTS

1. The Chair of the Commission shall be elected by the members of the Commission at each annual meeting thereof and shall hold office for one (1) year.
2. The Vice-Chair shall be elected by the members of the Commission at each Annual meeting of the Commission, immediately after the election of the Chair, and shall hold office for one (1) year.
3. Any vacancy in the office of Chair or Vice-Chair of the Commission may be filled by the members of the Commission at any meeting called for such purpose after such vacancy has occurred in a manner prescribed in Article II, Section 3 of these bylaws.
4. The Director of Planning or the person acting in this capacity shall serve as Secretary of the Commission.
5. No later than the next regular meeting after the January meeting, the Chair of the Commission, elected at the annual meeting in January, shall appoint members to standing committees and the Chair thereof. Such appointments may be made before this meeting if the Chair so desires.

ARTICLE VI. ORDER OF BUSINESS

The order of business at regular meetings shall be as follows:

- ~~1.~~ 4. ~~Call to Order~~
2. Roll Call
2. Planning Commission Invocation
3. Pledge of Allegiance
- ~~4.~~ Roll Call
- ~~54.~~ Public Comments
5. Adoption of Meeting Agenda ~~Approval of Draft Minutes~~
- ~~66.~~ Approval of Draft Minutes ~~Citizen Comment Period~~
- ~~77.~~ Old Business
8. New Business – Public Hearings
9. PC Secretary Communications
10. Adjournment

ARTICLE VII. MATTERS PENDING BEFORE THE COMMISSION

1. Every matter on which the Commission is authorized or required to act or brought before the Commission by any person, official, organization or agency, shall be presented in writing or on forms provided by the Commission for a specific presentation and shall include all information necessary for a clear understanding and informed action by the Commission. Such information, when requested by the Commission, shall include maps, surveys, drawings, plans, charts, and descriptive information.
2. All matters for Commission consideration and recommendation shall be filed in the Planning Office with the Secretary at least twenty-one (21) days prior to a meeting of the Commission at which the item is to be on the agenda. Final revised proffers shall be submitted ~~ten~~ seven (107) days prior to the Planning Commission Meeting [DW2] on which the matter is to be on the agenda. The time limits provided for in this section may be waived if the Commission, by unanimous vote of those present, suspends the application of this section for a specific case. All proffers must be signed by the owner, or a representative of the owner authorized by a valid power of attorney, and by a Notary Public. A proffer statement submitted by an attorney representing the owner is not sufficient. Deferral is appropriate to resolve late submittals and other inadequacies under this policy. The Secretary shall not accept presentations unless they are properly made, or on prescribed forms properly filled out and with all required information attached.

ARTICLE VIII. THE DOCKET AND AGENDA

1. Each matter or presentation shall be filed under the proper heading and shall be placed upon the docket and remain upon the docket until placed upon the agenda or withdrawn by the applicant, presenter, sponsor, or other duly authorized agent or attorney.
2. All matters docketed at least ten (10) days prior to a meeting of the Commission shall appear on the agenda at that meeting unless regulations or requirements necessitate a greater length of time between the date of filing a matter and the date it appears on the agenda.
3. The agenda shall consist of all those cases which, by reason of time of filing or continuation or other order of the Commission, are to be heard at subject meeting of the Commission and the Agenda shall state that it is the agenda for the (date) _____ day of (month) and the year.
4. All matters where a publication of notice is required by law, shall be docketed for the next regular meeting in accordance with the notice of hearing following the publication of notice thereof.
5. When all matters cannot be disposed of on the date set, the Commission may adjourn from day to day, or until the next regular meeting as it may order.
6. The agenda of cases to be heard shall be posted in the Planning Office not less than four (4) days before each regular meeting, and the agenda of cases to be heard at a special meeting shall be posted in the Planning Office and on the door of the meeting place not less than twenty-four (24) hours before such special meeting.
7. Any matter that comes before the Commission orally, except Secretary reports, which would not be shown on the posted agenda shall not be acted upon by the Commission until it is placed on the agenda of the next regular or special meeting.

ARTICLE IX. HEARINGS

1. Hearings shall be held in the Public Meeting Room, Third Floor of the County Administration Building, 6602 Courts Drive, Prince George, Virginia located at the intersection of Laurel Spring Road and Courts Drive in the County Government Complex or at such location as designated by the Commission.
2. Only those cases set for hearing on a given date will be heard and they shall be heard in the order in which they appear on the agenda unless otherwise directed by the Chair.
3. When a matter is set for a public hearing pursuant to advertisement the matter shall be heard even though no one in favor of or in opposition to the application appears at the hearing, unless the Commission, for good and sufficient reason, directs otherwise.
4. Each person who speaks at the public hearing shall furnish his name and address to the Commission and shall thereby become a party of record; however, a member of the public shall not be required, as a condition to attendance at a meeting of the Commission, to register his name and other information, to complete a questionnaire, or otherwise fulfill any condition precedent to his attendance.
5. At every public hearing, individuals who wish to speak shall sign in using a sheet made available by the Secretary or a designated staff member prior to the opening of the public hearing. Each zoning matter in the public hearing shall be heard in the following order^[DW3]:
 - a. ~~The Chair of the Commission shall request the Secretary or a designated staff member to describe the subject of the public hearing, the Secretary or a designated person shall read the notice of hearing, agenda reports, and the findings of the planning staff.~~
 - b. Any applicant for an item that is subject of the public hearing shall then be allowed a period of time to present detailed information about the issue or application. The chair shall determine the time allotted for the presentation by the applicant. The applicant, or his representative, may make a statement in support of the application.
 - c. At the conclusion of the applicant's presentation, the members of the Commission shall be allowed to ask questions of the applicant and staff to clarify anything that has been presented. Other persons in favor of the application shall be heard.
 - d. ~~Those persons opposed to the application shall be heard. The chair shall officially open the public hearing, and members of the public shall then be allowed to speak in the order in which they registered with the Secretary.~~
 - e. After all registrants from the list have spoken, additional individuals may speak. The applicant or his representative may be heard in rebuttal.
 - f. Speakers shall come to the podium and give their name and address before addressing the Commission.
 - g. Speakers are requested to keep their comments within the time set by the chair, and the comments shall be relevant to the subject of the public hearing.

- h. Each member of the public may speak once at the hearing.
- i. Speakers will not be permitted to use audiovisual materials or other visual displays, but may present written and photographic materials to the Commission members.
- j. If at any time during the public hearing, a member of the public has a question, the written question may be presented to the Secretary or designated staff.
- k. After the chair closes the public hearing, no further public comments are in order.
- l. After the chair closes the public hearing, the applicant will be granted a period of time set by the chair to respond to what has been said by the public. The applicant will use this time only to respond to comments which have been made during the public hearing.
- m. When the applicant has completed their response to the public comments, the chair will read any questions submitted by a member of the public and request a response from the appropriate party.

The chair, with approval of the Commission, has the authority to vary the guidelines as necessary.

~~f. The Secretary or other staff member may summarize pertinent information and present the recommendation of the staff.~~

6. After the close of the public hearing, no person shall testify before the Commission and no other new evidence shall be received by it; provided, however, this rule shall not prohibit the members of the Commission from examining:
 - a. The subject land and its surroundings, either before or after the public hearing, and reporting to other members of the Commission.
 - b. Any part of the Comprehensive Plan previously adopted or being considered.
 - c. Any public record.
 - d. Any file, report or map already in the Planning Office.
 - e. Or requesting additional information from staff.
7. Any applicant may voluntarily submit restrictive covenants with respect to the use of land in question. The applicant may impose conditions on the use and effectiveness of said restrictive covenants. Any restrictive covenants or conditions must comport with the same requirements as to form, signature and timing of submission for proffers in Section VII, paragraph 2 above.
8. The applicant may withdraw any matter pending before the Commission at any time prior to the Commission acting on such matter.
9. Within sixty-five (65) days following the closing of a public hearing, the Commission shall make a specific finding as to whether the change is consistent with the "Purpose of Chapter" of the zoning regulations prescribed in Chapter 90 of the County Code, or any subsequent amendments of the County Code and shall recommend that the application be granted, granted in modified form, or rejected.

10. No Commissioner shall participate, as a Commissioner, in any discussion or voting if his participation would violate the Virginia Conflict of Interest Act.
11. Within fourteen (14) working days following the date of a decision, the Secretary shall transmit a written notice of the decision and the entire record to the Board of Supervisors, via the County Administrator's Office.
12. The Commission shall be allowed to table a request for up to 65 days from the meeting date of the public hearing so long as the Commission will hear such matter within applicable time limits.

ARTICLE X. PARTICIPATION OF COMMISSION MEMBERS BY ELECTRONIC COMMUNICATION MEANS

The Planning Commission may conduct any meeting wherein the public business is discussed or transacted through electronic communication means as provided in Code of Virginia Section 2.2-3708.2 subject to the following requirements:

1. A member of the Commission must notify the Chairman that the member is unable to attend the meeting due to either (a) a temporary or permanent disability or other medical condition that prevents the member's physical attendance; or (b) a personal matter and the member identifies with the specificity the nature of the personal matter. Participation by a member due to a personal matter is limited to two meetings per calendar year.
2. A quorum of the Commission must be physically assembled at one primary or central meeting location.
3. The Commission must make arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.
4. The Commission shall record in its minutes the remote location from which the member participated but the location does not have to be open to the public.
5. The Commission shall record in its minutes that the member participated through electronic communications due to either (a) a temporary or permanent disability or other medical condition; or (b) a personal matter and the minutes shall include the specific nature of the personal matter.
6. If a member's participation from a remote location is disapproved because such participation would violate this policy, such disapproval shall be recorded in the minutes with specificity.
7. The policy shall be applied strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

The Commission may meet by electronic communication means without a quorum of the Commission physically assembled at one location when the Governor has declared a state of emergency pursuant to Virginia Code Section 44-146.17 provided that (a) the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single

location; and (b) the purpose of the meeting is to address the emergency. The Commission convening such a meeting shall (a) give public notice using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to members of the Commission; (b) make arrangements for public access to the meeting; and (c) otherwise comply with the provisions of Virginia Code Section 2.2-3708.2. The nature of the emergency, the fact the meeting was held by electronic communication means, and the type of electronic communications means by which the meeting was held shall be stated in the minutes.

ARTICLE XI. AMENDMENT OF BYLAWS AND RULES OF PROCEDURE

The foregoing bylaws and rules of procedure, or any part thereof, may be amended at any Meeting of the Commission after not less than twenty-four (24) hours notice has been given to all members of the Commission and a copy of the proposed amendment sent with the notice; provided, however, it shall require the concurring vote of a majority of the entire membership.

Effective February ~~2325~~, 20122021



County of Prince George, Virginia

"A global community where families thrive and businesses prosper"

2021 Planning Commission Meeting Schedule

The Prince George County Planning Commission has scheduled the following meeting dates. All Work Sessions will be held at 5:30 p.m. in the Board Room, Third Floor. All Planning Commission meetings will commence at 6:30 p.m., in the Board Room, Third Floor, of the County Administration Building, 6602 Courts Drive, Prince George, VA, 23875.

In order to schedule a pre-application appointment to be placed onto the Planning Commission Docket or for any additional information concerning a scheduled Planning Commission Case, please call the Planning Division at 804.722.8678, e-mail planning@princegeorgecountyva.gov, or please visit www.princegeorgecountyva.gov

<u>Work Session Date</u> The Monday prior to the Public Meeting	<u>Public Meeting Date</u> 4th Thursday of each month	<u>Deadline to File</u>
January 25, 2021	January 28, 2021	December 10, 2020
February 22, 2021	February 25, 2021	January 14, 2021
March 22, 2021	March 25, 2021	February 11, 2021
April 19, 2021	April 22, 2021	March 11, 2021
May 24, 2021	May 27, 2021	April 8, 2021
June 21, 2021	June 24, 2021	May 13, 2021
July 19, 2021	July 22, 2021	June 10, 2021
August 23, 2021	August 26, 2021	July 8, 2021
September 20, 2021	September 23, 2021	August 12, 2021
October 25, 2021	October 28, 2021	September 9, 2021
November 15, 2021*	November 18, 2021*	October 7, 2021*
December 13, 2021*	December 16, 2021*	November 4, 2021*
January 24, 2022	January 27, 2022	December 9, 2021

These dates are subject to change
*Changes due to scheduled County holidays



**County of Prince George
Planning Commission**

**2020 Annual Report
January – December 2020**

Approved on ____, 2021

2020 Planning Commission Members

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

Planning Division Staff Members

Julie C. Walton, DCA - Director of Community Development and Code Compliance
Horace Wade, III, CFM, Planner II
Tim Graves, Planner I
Missy Greaves-Smith, Administrative Support Specialist II

Planning Commission Officers and Appointments

The Planning Commission elected Alex W. Bresko as Chairman, and Floyd M. Brown as Vice-Chairman, for the 2020 calendar year.

Introduction

Section 15.2-2221, of the Code of Virginia, as amended, prescribes the duties of the local Planning Commission. One of these duties is to "Make recommendations and an annual report to the governing body concerning the operation of the commission and the status of planning within its jurisdiction". This document is intended to satisfy the annual report requirement in the form of a report by the Prince George County Planning Commission to the Prince George County Board of Supervisors.

Planning Commission Case Summary

Special Exception Cases

In 2020, three (3) new Special Exception applications were received and five (5) cases were heard before the Planning Commission. These cases included:

1. An amendment of conditions of a 2018 Special Exception case involving commercial outdoor recreation uses in Scott Park (Application received 2019). Planning Commission Recommended Approval 7-0 with conditions on January 23, 2020. The Board of Supervisors approved the request 5-0 on February 25, 2020.
2. A Solar Power Energy Facility on twenty (20) parcels totaling 1,071 acres on Arwood Road (Application received in 2019). Planning Commission recommended approval 5-1 with 1 abstaining on February 27, 2020. The Board of Supervisors approved the request 4-1 on November 10, 2020.
3. A Solar Power Energy Facility on 212 acres on Sebera Road (Application received in 2019). Planning Commission recommended approval 7-0 on February 27, 2020. The Board of Supervisors approved the request 4-0 on September 22, 2020.
4. A Home Occupation in an accessory building for a pest control business on Silvercrest Drive. Planning Commission recommended approval 7-0 on June 25, 2020. The Board of Supervisors approved the request 5-0 on July 14, 2020.
5. A Warehousing with indoor storage use on a property located at the intersection of South Crater Road and Birdsong Road for the purpose of a mini-storage facility. Planning Commission recommended approval 6-0 on December 17, 2020. The case is scheduled to be heard by the Board of Supervisors on January 26, 2021.
6. An amendment of a 2018 Special Exception case to allow a home occupation cottage industry in an accessory building in addition to Assembly Hall uses on a property located on Ruffin Road. The case is scheduled to be heard by the Planning Commission on February 25, 2021.

Rezoning Cases

In 2020, six (6) Rezoning cases were submitted to the Planning Division, and five (5) cases were heard before the Planning Commission:

1. A request by Skycass Marketing to amend conditions of a 1984 Re-zoning case for an industrial zoned property on Prince George Drive to allow additional permitted uses. Planning Commission recommended approval 7-0 on June 25, 2020. The Board of Supervisors approved the request 5-0 on July 14, 2020.
2. A request by Prince George 105 LLC to conditionally rezone a R-A zoned property to B-1 at the intersection of County Drive and Bill Hill Road to allow for commercial uses. Planning Commission recommended approval 7-0 on June 25, 2020. The Board of Supervisors approved the request 5-0 on July 14, 2020.
3. A request by SI Virginia II, LLC to conditionally rezone a property from M-3 to M-1 on Quality Way to allow a distribution warehouse. Planning Commission recommended approval 6-0 on October 22, 2020. The Board of Supervisors approved the request 5-0 on October 27, 2020.
4. A request by SI Virginia II, LLC to amend conditions of a 1997 zoning case for property on Quality Way to allow a distribution warehouse. Planning Commission

recommended approval 6-0 on October 22, 2020. The Board of Supervisors approved the request 5-0 on October 27, 2020.

5. A request by Lampe Management Company, Inc. to conditionally rezone a property located at the intersection of South Crater Road and Birdsong Road from R-1 to B-1, to allow for commercial uses. Planning Commission recommended approval 6-0 on December 17, 2020. The case is scheduled to be heard by the Board of Supervisors on January 26, 2021.
6. A request by James R. Jones to rezone a property at the intersection of Brandywine Road and Jefferson Park Road from R-2 and B-1 to R-3 to permit a multi-family project (Currently under review and a public hearing has not been scheduled).

Ordinance Amendments

The Planning Commission held public hearings and made recommendations on three (3) Zoning Ordinance Amendments:

1. An amendment that would add requirements for Mobile Food Units and permit them in B-1, M-1 and M-2 zoning districts. The Planning Commission recommended approval 6-1. The Board of Supervisors approved the request 5-0 on August 11, 2020.
2. An amendment that would "pyramid" industrial uses such that M-1 permitted uses are permitted in M-2 and M-3 districts and M-2 permitted uses are permitted M-3 districts. Planning Commission recommended approval 6-0 on October 22, 2020. The Board of Supervisors approved the amendment 5-0 on December 16, 2020.
3. An amendment that would consolidate all sign requirements and definitions to provide a clear and consistent set of regulations pertaining to signs and to meet requirements of Reed v. Town of Gilbert. Planning Commission recommended approval 5-0 on November 19, 2020. On January 12, 2021, the Board of Supervisors voted 5-0 to remand the Ordinance to the Planning Commission to address only content-based language in the Ordinance.

Progress on Comprehensive Plan Update

Planning & Zoning Staff continued work on the Comprehensive Plan update, with progress for the year including first drafts for Chapters I through IV, a technical review by VDOT, and a report to the Board of Supervisors summarizing the history of the Comprehensive Plan and the current revisions, as well as the process to finish the update in 2021.

Planning & Zoning Division: Administrative Review Summary

In addition to the Planning Commission cases involving public hearings, the Planning & Zoning Division also received the following additional applications involving administrative reviews in 2019:

- 51 Applications for Subdivisions, Boundary Line Adjustments and Parcel Consolidations, and other Plat reviews
- 23 Site Plan applications for projects such as: Swaders Pavilion, Chappel Creek on the James – Revisions, Fort Powhatan Solar – Phase II, New Dixie Oil, 7-Eleven, ICS Warehouse Addition, Columbia Gas Transmission on Baxter Road, Scott Park

Concession Stand, Quality Properties Industrial Improvements, Crossroads Detail Center, Prince George County New Elementary School, Mount-It, Heartwood Enterprises, New Automobile Dealership, Prince George Central Wellness Center, Davis Fast Food Restaurant, Chudoba Property, Unity Baptist, and Meadows Section 3.

- 15 Administrative Second Dwelling renewals and 2 new Second Dwelling applications
- 42 Zoning Approvals issued for professional businesses (48 received)
- 180 Zoning Approvals issued for home occupation businesses
- 455 Zoning Permits reviewed for construction projects
- 2 Administrative Variance applications
- 17 Zoning Confirmation Letters

Planning & Zoning Division: Special Projects

The Planning & Zoning Division handled additional special projects, including:

1. The Division prepared a Solar Energy Facility Siting Policy which was recommended by the Planning Commission and adopted by the Board of Supervisors. The policy aids the public, applicants, staff and the decision-making boards in reviewing applications for large-scale solar facilities.
2. The Division submitted three Smart Scale transportation projects for review by the Commonwealth Transportation Board (CTB). The three (3) projects are: a roundabout at the intersection of Jefferson Park Road and Middle Road, a roundabout at Prince George Drive and Middle Road, and the realignment of Hines Road at County Drive (Route 460).
3. The Division completed updates or created new forms for most application, with changes intended to streamline processes and improve the quality of application submittals.
4. The Division created a public map resource showing the approximate locations and major details of zoning cases approved since 1974, as part of ongoing efforts to consolidate and organize historic zoning case records.
5. The Division prepared a board packet including a resolution to request authorization to apply for funding for trails in Scott Park. This grant project was put on hold due to budgeting limitations during the pandemic.
6. In addition to those ordinance amendments which received a public hearing before the Planning Commission and were forwarded to the Board of Supervisors, the Division prepared a draft ordinance amendment reducing the minimum lot size for keeping poultry and included "housekeeping updates" for the requirements for keeping poultry on residential properties in the County. The Division conducted extensive public outreach as part of this process, however the Planning Commission decided not to proceed with a public hearing to consider the ordinance amendment.
7. The Division completed research on requirements for private roads in the County in an effort to provide clear and consistent requirements for applicants prior to application. Updates to applications and summary sheets were created as part of this work, and an ordinance amendment will be developed with the County Attorney for review and consideration in 2021.

DRAFT MINUTES
Planning Commission
County of Prince George, Virginia

December 17, 2020

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

This meeting was held electronically in accord with Virginia Code Section 15.2-1413. The meeting was accessible by:

Zoom: <https://zoom.us/j/5053851421?pwd=V2pjSHFneFRLUUE2bjNqQnR3emZoUT09>

Meeting ID: 505 385 1421

Password: 200726

One tap mobile

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+13017158592,,91749744760#,,1#,106239# US (Germantown)

Dial by your location

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+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

MEETING CONVENED. The Regular Meeting of the Prince George County Planning Commission was called to order at 6:30 p.m. on Thursday, December 17, 2020 in the Board Room, County Administration Building, 6602 Courts Drive, Prince George, Virginia by Chairman Bresko.

ATTENDANCE. The following members responded to Roll Call:

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

Also present: Julie C. Walton, Deputy County Administrator (via Zoom), Daniel Whitten, County Attorney, Cliff Young, Director of IT, Horace Wade, Planner II, Tim Graves, Planner I and Missy Greaves-Smith, Administrative Specialist II

INVOCATION. Mr. Easter provided the Invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG. Vice-Chairman Brown led in the Pledge of Allegiance to the United States flag.

ADOPTION OF MEETING AGENDA. Chairman Bresko asked the Commissioners for a motion to approve the Meeting Agenda for the December 17, 2020 Planning Commission meeting. Vice-Chairman Brown made a motion to approve the Meeting Agenda and Mrs. Elder seconded the motion. Roll was called on the motion.

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

APPROVAL OF THE MEETING MINUTES. Chairman Bresko asked the Commissioners to review the November 19, 2020 Minutes of the Planning Commission for approval. Mr. Simmons made a motion to approve the Minutes as presented and Vice-Chairman Brown seconded the motion. Roll was called on the motion.

In favor: (4) Brown, Elder, Easter, Simmons
Abstain: (2) Joyner, Bresko
Absent: (1) Brockwell

CITIZEN COMMENT PERIOD. At 6:34 p.m., Chairman Bresko opened the Citizen Comment Period to anyone who wished to come forward to speak to the Commissioners on only topics that were not on the agenda. Citizens were asked to limit their comments to three (3) minutes.

With no one coming forward and no one on Zoom indicating they wished to speak, the Citizen Comment Period was closed at 6:35 p.m.

NEW BUSINESS.

Public Hearing:

REZONING CASE RZ-20-06

Request of Lampe Management Company, Inc. to conditionally rezone 6.48 acres from R-1, Limited Residential to B-1, General Business. The properties are located at the northwestern quadrant of the intersection of South Crater Road and Birdsong Road and are identified as portions of Tax Maps 330(0A)00-003-0 and 330(0A)00-006-0. The Comprehensive Plan indicates the properties are suitable for village center uses.

Mr. Wade presented to the Commission an overview of the request to rezone 6.48 acres from R-1 to B-1. These properties are at the northwest corner of Birdsong Road and South Crater Road. Lampe Management Company, LLC is requesting to rezone 6.48 acres of the sixty-five (65) acres to B-1 for a warehousing and indoor storage facility.

Mr. Wade reviewed the proffered conditions for this request. These include the following:

- Underground utilities
- Screening for mechanical and electrical equipment
- Right-of-way dedication (15' wide) along Birdsong Road
- Development to occur as generally depicted on conceptual plan (regarding access and developable area)

- Certain Permitted and Special Exception uses to be excluded on this property

Staff Review Comments:

Planning & Zoning - Comprehensive Plan

- Request appears to be compatible with Comprehensive Plan Future Land Use Map
- Traffic Impact Analysis not required for proposed use
- Located in Prince George Planning Area = Development must connect to public sewer

Planning & Zoning - General

- Compatible with existing adjacent B-1 zoning
- Setbacks of 25' or more will be required for buildings
- Existing mobile homes to be removed (as a result of SE-20-02)

Other Departments

- Developer to extend Water/Wastewater infrastructure (determined at Site Plan)
- Environmental permitting required (determined at Site Plan)

Staff recommended approval with the proffered conditions. Mr. Wade stated the applicant (via Zoom) and the applicant's engineer, Mr. Johnson, from Timmons Group were present to answer any additional questions the Commissioners may have.

Mr. Simmons asked for clarification referencing the 15-foot right-of-way that is proposed to be dedicated to the County along Birdsong Road. Mr. Wade explained Birdsong Road is classified as a "collector" road. This proffer would be used for any needed improvements in the future for Birdsong Road.

Mr. Simmons asked Mr. Wade about the setbacks for the property after the dedication. Mr. Wade explained the setbacks would be from the new property line after the 15-foot dedication.

Mr. Simmons inquired about VDOT's review referencing the Traffic Impact Analysis and transportation improvements not being required, but a commercial entrance would be. Mr. Wade stated that due to the traffic volume of a mini-storage facility of this size, a Traffic Impact Analysis is not required but a commercial entrance would be addressed during the Site Plan process.

Chairman Bresko asked about the current mobile homes that are located on one of the parcels. Mr. Wade stated the removal of mobile homes are included as a proffer in the Special Exception case to follow.

Mr. Johnson, Engineer with Timmons Group and the representative for the applicant, responded to Mr. Simmons' question about the current Farmer's Market located on the property. He referenced the "gravel area" on the Conceptual Plan in the slide presentation, which indicated the specific location. Chairman Bresko asked if the Farmer's Market would have to relocate. Mr. Johnson indicated, as part of this project, it would be removed.

Mr. Wade explained to the Commissioners the property owner is B & K Farms, LLC and the contract purchaser/applicant is Lampe Management Company, Inc. Lampe Management Company, Inc is a mini-storage development company for Ample Storage.

Chairman Bresko asked Mr. Johnson from Timmons Group if he had anything else he wished to add. Mr. Johnson stated Lampe Management Company, Inc is looking to purchase a total of sixty-five (65) acres and is requesting to rezone approximately 6.5 acres to B-1. Currently, there are no plans for the remainder of the property and the plan is to leave it zoned R-1 at this time.

Mr. Johnson wished to clarify some of the previous questions the Commissioners had. The County requires a Traffic Impact Analysis study on projects that may have over 250 vehicles per day in traffic. Therefore, Mr. Johnson confirmed this location would not warrant this study. The proposed entrance to the facility would need to be located in a proper location for access management, 485 feet away from Birdsong Road.

In reference to the mobile homes on the property, Mr. Johnson explained that part of the contract between the property owner and Lampe Management Company, Inc, B & K Farms, LLC would be responsible for the removal of the existing mobile homes. Mr. Johnson confirmed the land the mobile homes are on currently is owned by B & K Farms, LLC. He could not confirm who owned the mobile homes.

Mr. Johnson reviewed concerns in reference to the 15-foot dedication of the right-of-way. Currently, Birdsong Road is forty-feet wide. This dedication to the County would allow for future road improvements in this area. The plans have addressed all the setback requirements and the proposed setback is forty feet off of the current Birdsong Road.

Mr. Simmons asked Mr. Johnson about the line of sight at the intersection of Birdsong Road and South Crater Road. Mr. Johnson explained they were not proposing any improvements to Birdsong Road or to the South toward Prince George that would block any line of sight.

At 6:56 p.m., Chairman Bresko opened the Public Hearing to anyone who wished to speak for or against this rezoning. Citizens were asked to state their name and address to the Commissioners, and limit their comments to four (4) minutes.

Darian Christian, 2100 Birdsong Road, South Prince George, stated her property is adjacent to this proposed development. She stated she was confused with the letter she received and questioned the total acreage of the properties. She expressed concerns about drainage and the amount of buffering that would be required. She also stated surveying was done on and near her property without her knowledge.

Shaunt'e Harris, 2006 Birdsong Road, South Prince George, expressed concerns with the site view at Birdsong Road and South Crater Road. She expressed her concern in reference to the map that was mailed to her and stated it was different from the map on the slide that was presented during Mr. Wade's presentation. She also had a question in reference to a "Village Center" that was noted in the letter she received. She concluded by expressing concerns with the possible drainage that could occur with this type of development.

Paul Christian, 2100 Birdsong Road, South Prince George, asked for clarification of the setback requirements for the wetlands. Mr. Wade responded that there is only a setback requirement in the Chesapeake Bay Preservation Area and the request property is not located in the Chesapeake Bay Preservation Area.

Darian Christian, 2100 Birdsong Road, South Prince George, added to her previous concerns by asking about water runoff from commercial property potentially affecting her well and drainage.

At 7:05 p.m., Mr. Graves asked if any of the Zoom participants wished to speak for or against this rezoning. Citizens were asked to state their name and address to the Commissioners, and limited their comments to four (4) minutes. With no one wishing to speak, Chairman Bresko closed the Public Hearing at 7:06 p.m.

Vice-Chairman Brown asked the Chairman to have staff respond the questions that were presented during the Public Hearing.

The applicant's representative, Derrick Johnson from Timmons Group provided more details in reference to the request to rezone. There is (approximately) a 250' strip of land that is currently zoned B-1. The proposed rezoning would continue back another 350'. The remaining portion of the property would not be developed. The proposed development is on the west side of the low area. The wetlands would not be disturbed.

In reference to the drainage concerns, Mr. Johnson confirmed the project has to meet the 2019 Stormwater Management requirements set by the Department of Environmental Quality (DEQ). The Site Plans will be required to be reviewed and approved by DEQ before development starts. The site layout is designed to avoid the wetlands.

Mr. Joyner asked staff if all the adjacent property owners were notified. Mr. Wade confirmed that all adjacent property owners were sent a letter of notification and no comments were received.

Chairman Bresko asked the Commissioners if they had any additional questions or concerns. Vice-Chairman Brown made a motion that the 6.48 acres be rezoned from R-1 zoning to B-1 zoning and to forward the RZ-20-06 request to the Board of Supervisors for consideration with the Planning Commission recommendation for approval. Mr. Joyner seconded the motion. Roll was called on the motion.

In favor: (6) Simmons, Brown, Elder, Easter, Bresko, Joyner
Absent: (1) Brockwell

Public Hearing:

PUBLIC HEARING; SPECIAL EXCEPTION SE-20-02 [4]

Request of Lampe Management Company, Inc. pursuant to Prince George County Zoning Ordinance Section 90-393(15) to permit warehousing with indoor storage on 11.63 acres within a B-1, General Business District, for the purpose of operating a mini-storage facility. The property is located at the northwestern quadrant of the intersection of South Crater Road and Birdsong Road and is identified as portions of Tax Maps 330(0A)00-003-0 and 330(0A)00-006-0. The Comprehensive Plan indicates the property is suitable for village center uses.

Mr. Wade presented to the Commissioners SE-20-02 request of Lampe Management Company, Inc. to have a warehouse with indoor storage [Section 90-393 (15)] for a mini-storage facility on 11.63 acres in a B-1 Zoning District. The request is contingent on the approval of the previous case, RZ-20-06.

This project is proposed to be completed in two (2) phases to include a 132,750 SF indoor storage facility. The facility will include a manager's office and an area for vehicle storage.

Proffered Conditions:

- Substantially conform to Conceptual Plan
- Limitations on aesthetic materials
- Screening for any vehicles, RVs, campers, boats, etc.
- Gate with keyless entry to control access
- Existing mobile homes on property to be relocated

Staff Review Comments:

Comprehensive Plan

- Compatible with Future Land Use: Village Center / Commercial Uses
- Traffic Impact Study not required

Planning & Zoning

- Elevation drawings should be incorporated into conditions for approval.

Utilities

- Required to connect to public sewer at construction
- May be required to connect to public water

VDOT

- The planned entrances meet requirements

Mr. Wade indicated staff recommends approval with conditions. He noted that the applicant and their representative were available to answer any additional questions the Commissioners may have.

Chairman Bresko asked Mr. Johnson from Timmons Group if he wished to add any additional comments. Mr. Johnson explained Lampe Management Company is a large corporation that does these types of projects often. He referenced the diagram of the proposed building provided in the Commissioners' packets, shows a building with a brick front façade and a metal roof, facing South Crater Road. The facility will not be renting trucks to customers but will have a courtesy vehicle available to them.

The proposed plan is to develop the site in two (2) phases. All the land disturbance for this project would be done at the same time. The area designated as Phase 2 would be utilized as vehicle storage, with the proper screening, until Phase 2 is ready for building development. Mr. Johnson asked the Commissioners if they had any additional questions.

Mr. Joyner asked Mr. Johnson about their proposed screening plan. Mr. Johnson stated the tree line along Birdsong Road would remain and explained the storage facility would be a gated facility going approximately 750 feet back from South Crater Road.

Mr. Simmons asked Mr. Johnson to review the slide that shows the whole sixty-five (65) acre parcel. Mr. Johnson reviewed the slide and gave a recap of the project area for clarification.

At 7:32 p.m., Chairman Bresko opened the Public Hearing to anyone who wished to speak for or against SE-20-02. Citizens were asked to state their name and address to the Commissioners, and limit their comments to four (4) minutes.

Paul Christian, 2100 Birdsong Road, South Prince George, asked to see the diagrams of the front façade of the proposed facility.

At 7:34 p.m., Mr. Graves asked if any of the Zoom participants wished to speak for or against this Special Exception. Citizens were asked to state their name and address to the Commissioners, and limited their comments to four (4) minutes. With no one wishing to speak, Chairman Bresko closed the Public Hearing at 7:35 p.m.

Mrs. Elder asked Mr. Wade to clarify why the Staff Report states they “may be subject to rollback taxes” noted on page 5. Chairman Bresko added an inquiry if the land was currently in Land Use they would be subject to rollback taxes. Mr. Wade confirmed the land is currently in Land Use. Mr. Wade stated he would adjust the content on the Staff Report and replace “should” with “may” in reference to paying the rollback taxes before the case is presented to the BOS.

Chairman Bresko asked the Commissioners if they had any additional questions or concerns. Vice-Chairman Brown made a motion to forward SE-20-02 to the Board of Supervisors for consideration with the Planning Commission recommendation for approval. Mr. Joyner seconded the motion. Roll was called on the motion.

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

Absent: (1) Brockwell

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

1. Actions of the Board of Zoning Appeals
 - a. December 28, 2020 meeting has been cancelled
 - b. January 25, 2021 BZA Organization Meeting
2. Actions of the Board of Supervisors (BOS)
 - a. December 8, 2020 the BOS approved OA-20-03, RZ-20-03 and RZ-20-04
 - b. January 12, 2021 Sign Ordinance Public Hearing
 - c. January 26, 2021 RZ-20-06 and SE-20-02 Public Hearings
3. December Planning Commission
 - a. January 28, 2021 Planning Commission Organization Meeting

Chairman Bresko wished the Commissioners and the Planning staff a Merry Christmas and thanked them for all their support during the trying year.

ADJOURNMENT. At 7:40 p.m., Chairman Bresko asked the Commissioners if they had any additional questions. If not, he would entertain a motion to adjourn. Mr. Joyner made a motion to adjourn and Mr. Simmons seconded the motion. Roll was called on the motion.

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

Absent: (1) Brockwell

SPECIAL EXCEPTION REQUEST -- SE-20-03
PLANNING COMMISSION STAFF REPORT – FEBRUARY 25, 2021

RESUME

APPLICANTS:

Tom and Diane McCormick (Barns of Kanak)

REQUEST:

The applicants currently operate an events venue on their property under an existing Assembly Hall use permitted under Special Exception 18-03 and they wish to add additional activities on the property, specifically:

1. Accommodate overnight guests
2. Offer formal wear sales/rentals as an additional service for clients book formal events at the facility

The applicants have requested a Special Exception to accommodate these activities.

STAFF RECOMMENDATION:

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

Staff Report Contents:

1. Sample Motion
2. Draft Ordinance
3. Staff Report
4. Application and attachments
5. APO list, map and letter
6. Powerpoint Presentation

SPECIAL EXCEPTION REQUEST -- SE-20-03
PLANNING COMMISSION STAFF REPORT – FEBRUARY 25, 2021

Sample Motions

Sample APPROVAL Motion:

I move to forward request SE-20-03 to the Board with a recommendation for APPROVAL, subject to the recommended conditions in the Staff Report, and the reason(s) for this recommendation are:

(EXAMPLES):

- It is compatible with the Comprehensive Plan and current surrounding uses and zoning districts
- It is expected to benefit the general welfare of the community
- The expected off-site impacts appear to be adequately addressed by the conditions
- Other _____

(OPTIONAL): I would recommend approval if the following items are addressed / conditions are added:

Sample DENIAL Motion:

I move to forward request SE-20-03 to the Board with a recommendation for DENIAL and the reason(s) for this recommendation are:

Sample Motion to POSTPONE:

I move to POSTPONE request SE-20-03 until _____.
(DATE)

County of Prince George, Virginia

DRAFT Ordinance

SPECIAL EXCEPTION SE-20-03: Request of Tom and Diane McCormick, pursuant to § 90-103 (52) and (53), to permit a cottage industry home occupation on a parcel of five acres or more for bed and board in an accessory building, and sales/rental of formal wear in a single-family residence in a R-A, Residential-Agricultural, Zoning District. The subject property is located at 5503 Ruffin Road and is known as Tax Map 240(0A)00-115-A. The Comprehensive Plan indicates the property is suitable for commercial or village center uses.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Special Exception Application identified as SE-20-03 is granted as an amendment to the official zoning map with the following conditions:

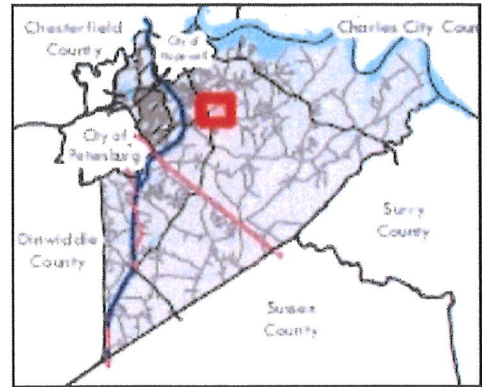
1. This Special Exception is granted for a Cottage industry home occupation on a parcel of five acres or more for bed and board in an accessory building, and sales/rental of formal wear in a single-family residence on Tax Map 240(0A)00-115-A.
2. This Special Exception is transferrable to future owners without additional approval from the Board of Supervisors so long as there are no deviations from the expressed conditions and the scope of activities described in the Application and Staff Report.
3. The Applicants shall provide adequate on-site parking.
4. Days and hours of operation for the formalwear sales and rental shall be Monday through Sunday between the hours of 9am and 8pm, by appointment only.
5. Signage shall be limited as provided for with the Assembly Hall Special Exception or as defined by law.
6. Unless otherwise permitted by law, only one single-family dwelling use is permitted on the property. In order to certify that only one single-family dwelling is present, the applicants will remove the kitchen facilities (ovens and stoves) from the accessory structure.
7. During any period in which the property is used for the permitted Cottage industry home occupation uses, either the property owner or business operator shall live in the permitted dwelling unit on the property.

8. Overnight stays are subject to the following provisions:
- A. Not to exceed four (4) rooms including bed and board (food); and
 - B. The term of overnight stays shall be limited to seven (7) consecutive nights and occupants may only rent again after a seven (7) night absence; and
 - 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; and
 - 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.
9. All buildings shall comply with applicable building codes.
10. 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 for rental of rooms.
11. This Special Exception is in addition to the existing SE-18-03 use on the property. The conditions for that case remain in effect.
12. 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.
13. The applicants shall obtain and hold all required State and County permit or license approvals, including a drinking water permit from the Virginia Department of Health, an entrance permit from the Virginia Department of Transportation and applicable business licenses from the Commissioner of Revenue.
14. This Special Exception shall become null and void if both Cottage industry home occupation uses are abandoned for a period of twenty-four (24) consecutive months.
15. 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.

Adopted on _____, 2021 and becoming effective immediately.

SPECIAL EXCEPTION REQUEST -- SE-20-03
PLANNING COMMISSION STAFF REPORT – FEBRUARY 25, 2021

SPECIAL EXCEPTION SE-20-03: Request of Tom and Diane McCormick, pursuant to § 90-103 (52) and (53), to permit a cottage industry home occupation on a parcel of five acres or more for bed and board in an accessory building, and sales/rental of formal wear in a single-family residence in a R-A, Residential-Agricultural, Zoning District. The subject property is located at 5503 Ruffin Road and is known as Tax Map 240(0A)00-115-A. The Comprehensive Plan indicates the property is suitable for commercial or village center uses.



Applicant:	Tom and Diane McCormick
Legal Land Owner:	Living Well LLC
Location / Address:	5503 Ruffin Road
Tax Map ID:	240(0A)00-115-A
Size of Property:	13.468 Acres
Utilities:	Well and Septic
Real Estate Taxes:	Current as of January 19, 2021
Current Use:	Assembly Hall, Single-Family Residential
Proposed Use(s):	Cottage industry home occupation on a parcel of five acres or more for bed and board in an accessory building; Cottage industry home occupation for sales/rental of formal wear in a single-family residence
Comprehensive Plan Future Use:	Commercial, Village Center
Planning Area:	Prince George County Planning Area
Zoning District:	R-A Residential Agricultural / R-2 Limited Residential (dual-zoned)
Surrounding Zoning:	R-A, R-2
Meeting Information:	
Planning Commission:	Thursday, February 25, 2021
Board of Supervisors:	TBD

SPECIAL EXCEPTION REQUEST -- SE-20-03
PLANNING COMMISSION STAFF REPORT – FEBRUARY 25, 2021

Request Summary:

The applicant would like to add additional activities to supplement the existing Assembly Hall use on the property, specifically:

1. Accommodate overnight guests on the property
2. Offer formal wear sales/rentals as an additional service for clients booking formal events at the facility

As part of adding these uses to the property, some changes to building uses are proposed:

1. Convert the existing farmhouse into a building used exclusively for customers, for both the daytime assembly hall activities as well as limited overnight stays.
2. Construct an additional structure (approximately 2,200 square feet) to use as a single-family dwelling and for sales/rentals of formalwear.

Zoning Ordinance / County Code Review:

This request is eligible for Special Exception under the following sections of the Prince George County Zoning Ordinance:

Sec. 90-103. - Uses and structures permitted by special exception.

The following uses and structures are permitted by special exception in the R-A residential agricultural district:

(52) Cottage industry home occupation on a parcel of five acres or more in area.

(53) Home occupation within an accessory building.

The following uses are existing or will be retained on the property:

Sec. 90-102. - Uses and structures permitted by right

(2) Detached single-family dwelling on an individual lot.

Sec. 90-103. - Uses and structures permitted by special exception.

(9) Assembly hall.

The definition of “Cottage industry” under Sec. 90-1 is as follows:

(3) Cottage industry, in addition to those uses permitted under subsections (1) and (2) of this definition, means a home occupation which shall permit the preparation of food products for sale; the rental of rooms not to exceed four, including bed and board; arts and crafts; construction of wood, leather goods, saddles, clothing and other similar products; and lawn care and landscaping businesses with outside storage or the storage or parking of more than one vehicle and one trailer used in association with the business.

The definition of “Bed and board” on Merriam-Webster.com is as follows:

Bed and board: food and place to sleep

SPECIAL EXCEPTION REQUEST -- SE-20-03
PLANNING COMMISSION STAFF REPORT – FEBRUARY 25, 2021

Property History:

1. The BOS granted Special Exception SE-17-03 to Ambrusta Development, LLC (Mark and Terri Perkinson) on 5/23/2017 on parcel 240(0A)00-115-0 (approximately 200 acres). The applicants proposed an Assembly Hall use and proposed that the business operator would live on the property.
2. Parcel 240(0A)00-115-A was divided from parcel 240(0A)00-115-0 in mid-2018.
3. The BOS granted Special Exception SE-18-03 to Living Well, LLC (Tom and Diane McCormick) on 9/25/2018 on parcel 240(0A)00-115-A (13.468 ac). The applicants were purchasing the property from the Perkinsons and the surrounding farmland was not part of the request.
4. At this time the applicants are requesting to add an additional Special Exception for home occupation uses on the property.

Compatibility with the Comprehensive Plan

The request is compatible with the Comprehensive Plan Future Land Use Map (FLUM), which calls for Village Center and Commercial uses on this property and in the vicinity.

Village Center

This category designates those areas of the County in the PGPA that are suitable for a mixture of residential and small-scale commercial uses to meet the needs of community residents.

Commercial

This category designates areas where commercial developments have occurred and where future urban and suburban commercial developments are encouraged. Public water and wastewater facilities are generally available or planned for these areas.

Staff Review Comments: (* Indicates a condition has been recommended to address the comment)

Planning & Zoning:

1. Comments on the existing land uses:
 - a. Special Exception Assembly Hall pursuant to Section 90-103(9) and case SE-18-03:
 - i. As long as this land use continues, all the conditions of case SE-18-03 will still apply to that use.*
 - b. Single-family dwelling pursuant to Section 90-102(2):
 - i. In the original Special Exception (SE-17-03), the farmhouse was intended to be used as a single-family dwelling and support the Assembly Hall activities. The applicants propose to build a new single-family dwelling on the property and use the farmhouse as an accessory building.
 - ii. Only one single-family dwelling is allowed on the property. The new structure is proposed to replace the farmhouse as the legal single-family dwelling use on the property and the farmhouse will be modified so as to not be classified as a single family dwelling.*
 - iii. The applicants could later change which building is used as the single-family dwelling structure so long as applicable requirements are met.

SPECIAL EXCEPTION REQUEST -- SE-20-03
PLANNING COMMISSION STAFF REPORT – FEBRUARY 25, 2021

2. Comments on the requested uses:
 - a. Special Exception Cottage industry home occupation pursuant to Section 90-103(52):
 - i. The ordinance requires a minimum of 5 acres. The request property has 13.468 acres.
 - ii. The definition for “Home Occupation - Cottage industry” permits “the rental of rooms not to exceed four, including bed and board”.*
 - iii. The definition of “bed and board” according to Merriam-Webster Dictionary is “food and a place to sleep”, therefore food must be provided.*
 - iv. In the application, the Applicant described a limited frequency of overnight stays. *
 - v. The formalwear sales and rental office is a type of “Trade Office”. The definition of “Cottage Industry” indicates that “Home Professional and Trade Offices” may be permitted as a cottage industry.
 - b. Special Exception Home Occupation in an Accessory Building under Section 90-103(53):
 - i. This allows the bed and board Cottage industry home occupation use to occur in an accessory building.
 - ii. The bed and board use is proposed to occur in a building (the farmhouse) which will be an accessory building in relation to the proposed single-family dwelling building.
3. Clarifications about the application:
 - a. On the application, the applicants applied to amend case SE-18-03. However, after review of the details, Staff determined that the request is for a new use and has therefore prepared the Staff Report and the legal ad as a new request and not an amendment of the previous case.
 - b. The applicant provided two proffered conditions, which have been integrated into the Recommended Conditions.
4. Expected impacts of the request:
 - a. Traffic: Negligible beyond those addressed in SE-18-03
 - b. Noise: Negligible beyond those addressed in SE-18-03
 - c. Visual impacts: Proposed structures are in character and scale with existing structures
5. Other:
 - a. Home occupation uses are only allowed if the business owner/operator lives on the property.*
 - b. There are two zoning districts on the property. The more restrictive R-A setbacks will apply unless the parcel is rezoned or subdivided. The Special Exception activities may only occur on the R-A zoned portion of the property.

Contact: Tim Graves, Planner I

Virginia Department of Health:

The owner needs to consult with an Authorized Onsite Soil Evaluator or Professional Engineer to have the existing sewage disposal system and existing water well evaluated to determine if any modifications need to be made to support their proposed usage. Information about private consultants was sent to the owner in mid-December.

Update: As of 2/11/21, Applicant is working with an engineer to confirm the systems are sufficient to accommodate usage from the proposed additional structure.*

Contact: Alice Weathers, Environmental Health Specialist

SPECIAL EXCEPTION REQUEST -- SE-20-03
PLANNING COMMISSION STAFF REPORT – FEBRUARY 25, 2021

Virginia Department of Transportation (VDOT):

The proposed use will require a commercial entrance. The existing entrance meets VDOT's criteria for an appropriate commercial entrance.

Contact: Paul Hinson, Area Land Use Engineer, Virginia Department of Transportation

Building Official:

The current proposal has been evaluated under the provisions of the 2015 Virginia USBC and the 2015 Virginia SFPC. I have the following comments.

1. The Small structure to include sales/rental on the first floor with living space on upper floor, will be considered a Live Work unit as defined in the 2015 Virginia Construction Code. This unit shall meet the limitation of Section 419.1 of the 2015 VCC of 3,000 square feet. The nonresidential area is permitted to be not more than 50 percent of each Live/Work unit. Nonresident area function shall be limited to first or main floor only and, not more than five nonresidential workers or employees.*
2. The Farmhouse shall be considered under exception 1 of Section 310.3 of the VCC as an R-3 occupancy classification and meet all requirement of such use, to include smoke alarm requirements per Section 907.2.11.2 of the VCC.*

Contact: Dean Simmons, Building Official

Utilities Department:

1. Per County Ordinance Sec. 82-313 & Sec. 82-595, where an existing individual water supply system and/or wastewater disposal system is providing service to a commercial establishments, such a system may continue in service as long as the system is operated at all times in strict accordance with federal, state and local requirements. The applicable availability fee and user fees must still be paid in accordance to county code.
2. Should the parcel be subdivided, public water and sewer facilities must be extended to the property and all services must be connected to the public facilities.

Contact: Frank Haltom, Director of Engineering and Utilities

Commissioner of Revenue:

Two additional Business licenses will be needed: One for the real estate rental/Airbnb and one for the retail sales for the formal wear.*

Contact: Lina Howard, Deputy License Inspector

Real Estate Assessor: *Contact: Carol Crawford, Real Estate Operations Coordinator*

Economic Development: *Contact: Jeff Stoke, Deputy County Administrator*

Environmental Division: *Contact: Angela Blount, Environmental Program Coordinator*

Stated "No comments."

Police Department: *Contact: Chris Douglas*

Fire & EMS Department: *Contact: Paul Mauger*

Did not provide any comments.

SPECIAL EXCEPTION REQUEST -- SE-20-03
PLANNING COMMISSION STAFF REPORT – FEBRUARY 25, 2021

Public Notice:

22 adjacent property owners were notified by mailing on 2/12/2021.
A legal ad was run for the request in the *Progress-Index* on 2/10/2021 and 2/17/2021.
A copy of this report was reviewed with the Applicant on 2/11/2021.

Community Feedback:

No comments from the community were received as of 2/16/21.

Staff Recommendation:

Staff recommends approval for this request, subject to the recommended conditions below.

This recommendation is based on the following considerations:

1. The requested use is provided for in the Zoning Ordinance.
2. The requested use is compatible with the Comprehensive Plan.
3. The requested use is compatible with the current surrounding zoning and uses.
4. No negative feedback has been received from adjacent property owners and community.

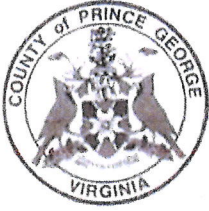
Recommended Conditions:

Staff has recommended the below conditions to accompany Special Exception SE-20-03 which are intended to ensure applicable code requirements are met and limit any expected impacts on adjacent property owners and the surrounding community. On 2/11/2021, the conditions were reviewed with the Applicant, who subsequently indicated their support for all of them.

1. This Special Exception is granted for a Cottage industry home occupation on a parcel of five acres or more for bed and board in an accessory building, and sales/rental of formal wear in a single-family residence on Tax Map 240(0A)00-115-A.
2. This Special Exception is transferrable to future owners without additional approval from the Board of Supervisors so long as there are no deviations from the expressed conditions and the scope of activities described in the Application and Staff Report.
3. The Applicants shall provide adequate on-site parking.
4. Days and hours of operation for the formalwear sales and rental shall be Monday through Sunday between the hours of 9am and 8pm, by appointment only.
5. Signage shall be limited as provided for with the Assembly Hall Special Exception or as defined by law.
6. Unless otherwise permitted by law, only one single-family dwelling use is permitted on the property. In order to certify that only one single-family dwelling is present, the applicants will remove the kitchen facilities (ovens and stoves) from the accessory structure.

SPECIAL EXCEPTION REQUEST -- SE-20-03
PLANNING COMMISSION STAFF REPORT – FEBRUARY 25, 2021

7. During any period in which the property is used for the permitted Cottage industry home occupation uses, either the property owner or business operator shall live in the permitted dwelling unit on the property.
8. Overnight stays are subject to the following provisions:
 - A. Not to exceed four (4) rooms including bed and board (food); and
 - B. The term of overnight stays shall be limited to seven (7) consecutive nights and occupants may only rent again after a seven (7) night absence; and
 - 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; and
 - 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.
9. All buildings shall comply with applicable building codes.
10. 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 for rental of rooms.
11. This Special Exception is in addition to the existing SE-18-03 use on the property. The conditions for that case remain in effect.
12. 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.
13. The applicants shall obtain and hold all required State and County permit or license approvals, including a drinking water permit from the Virginia Department of Health, an entrance permit from the Virginia Department of Transportation and applicable business licenses from the Commissioner of Revenue.
14. This Special Exception shall become null and void if both Cottage industry home occupation uses are abandoned for a period of twenty-four (24) consecutive months.
15. 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.



SPECIAL EXCEPTION FINAL APPLICATION

Department of Community Development and Code Compliance
Planning & Zoning Division
6602 Courts Drive, Prince George, VA 23875
(804) 722-8678 | www.princegeorgecountyva.gov

OFFICE USE ONLY

APPLICATION #:

SE-20-03

DATE SUBMITTED:

DEC 15 2020

BY: TIM

APPLICANT FILL-IN ALL BLANKS

REQUEST:

AMMEND SPECIAL EXCEPTION SE-18-03 to INCLUDE COFFAGE INDUSTRY

REQUEST PROPERTY ADDRESS / LOCATION: HOME OCCUPATION IN AN ACCESSORY BUILDING w/ CONDITIONS.

5503 RUFFIN ROAD. PRINCE GEORGE, VA 23875

REQUEST TAX MAP(S): (LIST ALL)

240(OA)00-115-A

AFFECTED ACREAGE:

13.5

ENTIRE PARCEL (Y / N):

YES

REQUIRED ATTACHMENTS (CHECK ATTACHED):

☒ PROJECT DETAILS DOCUMENT(S)

☒ PROPOSED CONDITIONS

☒ CONCEPTUAL SITE PLAN
(USE GIS OR ENGINEER DRAWING)

☐ COMMUNITY MEETING SUMMARY (IF REQUIRED)

☒ ADDITIONAL ATTACHMENTS:

AS STATED IN PRIOR

EMAILS

RECEIVED DRAWING OF
NEW BUILDING

NAME(S):

LIVING WELL LLC.

MAILING ADDRESS (INCL. CITY, STATE, ZIP):

12601 INVERNESS DR. CHESTER, VA 23836

E-MAIL:

TOM@THEBARNSOFKANAWA.COM

PHONE:

804-263-3404

NAME(S) (IF DIFFERENT THAN OWNER):

TOM AND DIANE MCCORMICK

RELATION TO OWNER:

MEMBER / PARTNERS

MAILING ADDRESS (INCL. CITY, STATE, ZIP):

12601 INVERNESS DR. CHESTER, VA. 23836

E-MAIL:

TOM@THEBARNSOFKANAWA.COM

PHONE:

804-263 3404

The undersigned Property Owner(s) or duly authorized Agent or Representative certifies that this petition and the foregoing answers, statement, and other information herewith submitted are in all respect true and correct to the best of their knowledge and belief.

NAME:

Thomas Paul McCormick

NAME:

Diane McCormick

SIGNED:

Thomas Paul McCormick

SIGNED:

Diane McCormick

DATE:

12/15/20

DATE:

12-15-20

NOTARIZATION:

STATE OF VIRGINIA

COUNTY OF:

Prince George

Subscribed and sworn before me this

15th

day of

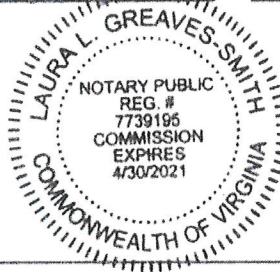
December

, 20 20

Notary Public

My Commission expires:

4-30, 20 21



OFFICE USE ONLY (COMPLETED AT TIME OF APPLICATION)

REQUEST LAND USE(S) CODE REFERENCE(S):

ZONING INQUIRY #:

DEED REFERENCE:

APPLICABLE CASES:

CURRENT ZONING DISTRICT(S):

SURROUNDING ZONING DISTRICT(S):

CURRENT LAND USE(S):

SURROUNDING LAND USE(S):

COMP PLAN FUTURE LAND USE:

SURROUNDING FUTURE LAND USE:

PRE-APPLICATION MEETING REQUIRED?

Y / N

DATE:

TIME:

COMMUNITY MEETING REQUIRED?

Y / N

DATE:

TIME:

PAYMENT

FEE DUE:

Special Exception: \$700

Special Exception Home Occ: \$350

FEE PAID:

\$350

PAYMENT TYPE:

CHECK / CASH / CREDIT / DEBIT

CHECK # / TRANSACTION #:

29131

DATE RECEIVED:

12/15/2020

RECEIVED BY:

TWG/TS

PROJECT DETAILS - Amendment to Special Exception Application

Tom McCormick, Living Well LLC (DBA The Barns of Kanak)

- Living Well LLC DBA "The Barns of Kanak" is looking to utilize the property at 5503 Ruffin Road in Prince George to include an overnight stay option for wedding guests or as an occasional short term rental.
- In addition, there will be formal wear sales/rentals offered as another service for clients booking formal events at our facility.
- We are expecting to build a small structure (approximately 2200sq ft) which will be office space to support the rentals on the first floor with a living space on the upper floor. Owners will be occupying the living space on the upper floor.
- No new signage or advertising will be required, as the formal wear rentals will be by invite only and primarily offered to our guests booking events at our venue.
- The farmhouse will be used for overnight stays on occasion for wedding guests. Most stays will be limited to one to two night stays and in terms of frequency once per month on average.
- Please see attached photos, which shows the location of the new home we are building on the property as well as the location of the existing farmhouse. The existing farmhouse will be used for the occasional overnight, short term guest stays.
- There is no intention for general/independent advertising of an overnight space as we are not prioritizing

**STATEMENT OF PROFFER
SPECIAL EXCEPTION**

Pursuant to Article XVIII of the Prince George County Zoning Ordinance,
LIVING WALL LLC / Tom McCormick do/does hereby voluntarily proffer, as the
applicant / owner of record of the property which is the subject of this
special exception request, that the use and development of the property
shall be in strict accordance with the following conditions set forth in this
submission:

We/I present the following conditions for the requested use on Tax Map
Parcel 240(OA)00-115-A.

1. ENSURE ALL APPLICABLE BUILDING CODES
ARE MET
2. ENSURE ALL NECESSARY BUSINESS LICENSES
ARE SECURED.

3.

4.

5.

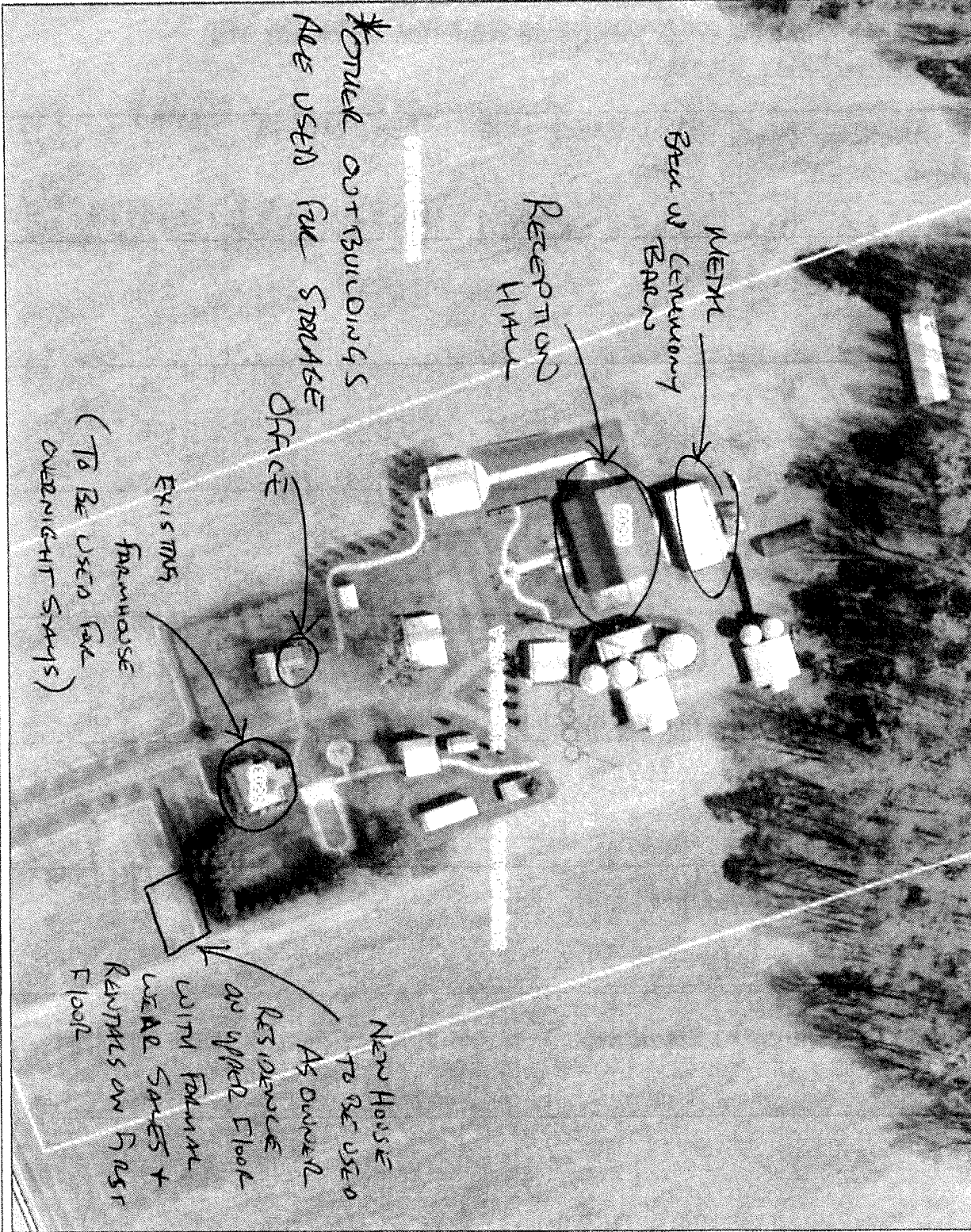
We/I hereby acknowledge that the Special Exception gives rise to the
need for these conditions.

Tom McCormick
Owner of Record – Signature

Date 12/14/20

Tom McCormick
Applicant (if different) – Signature

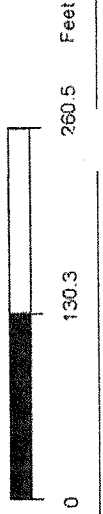
Date 12/14/20



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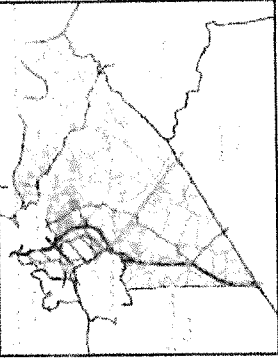


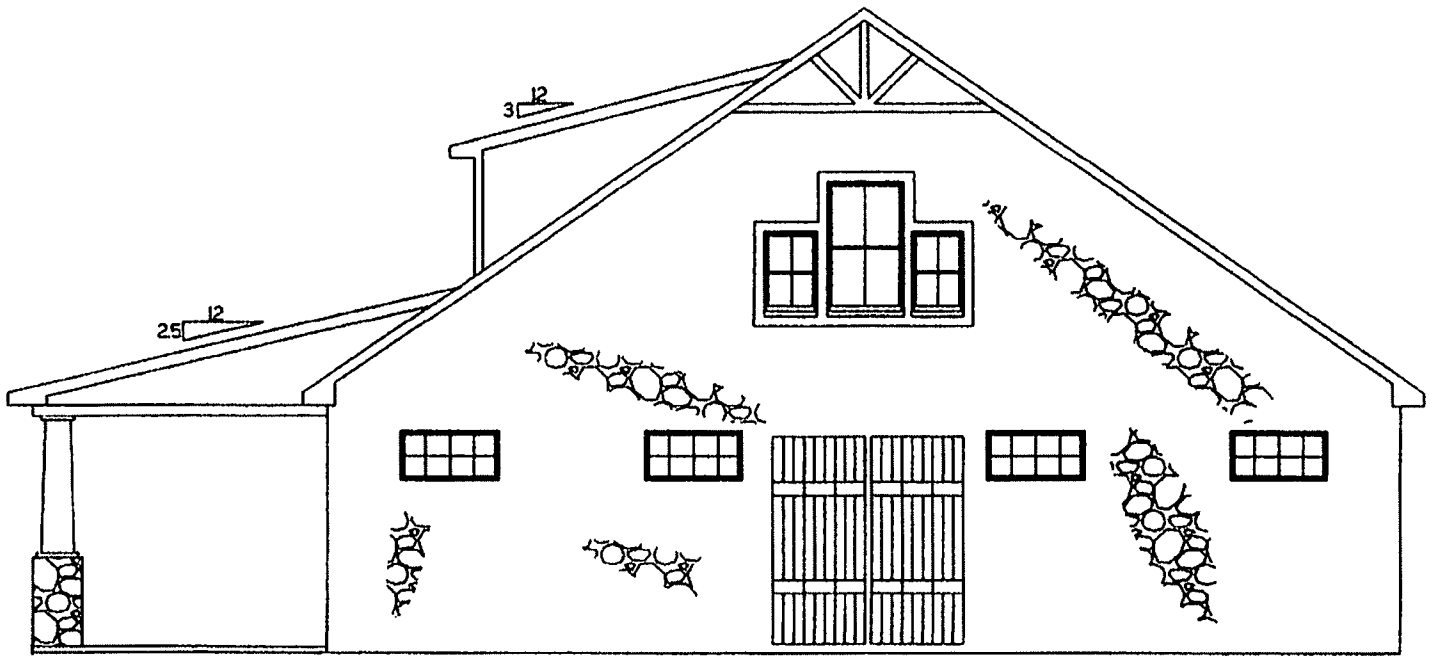
Map Scale 1: 1,563
 12/7/2020



Notes

- Legend**
- Political Boundaries
 - FEMA Floodzones
 - Taxparcels
 - Access Easements
 - Wetlands
 - RPA





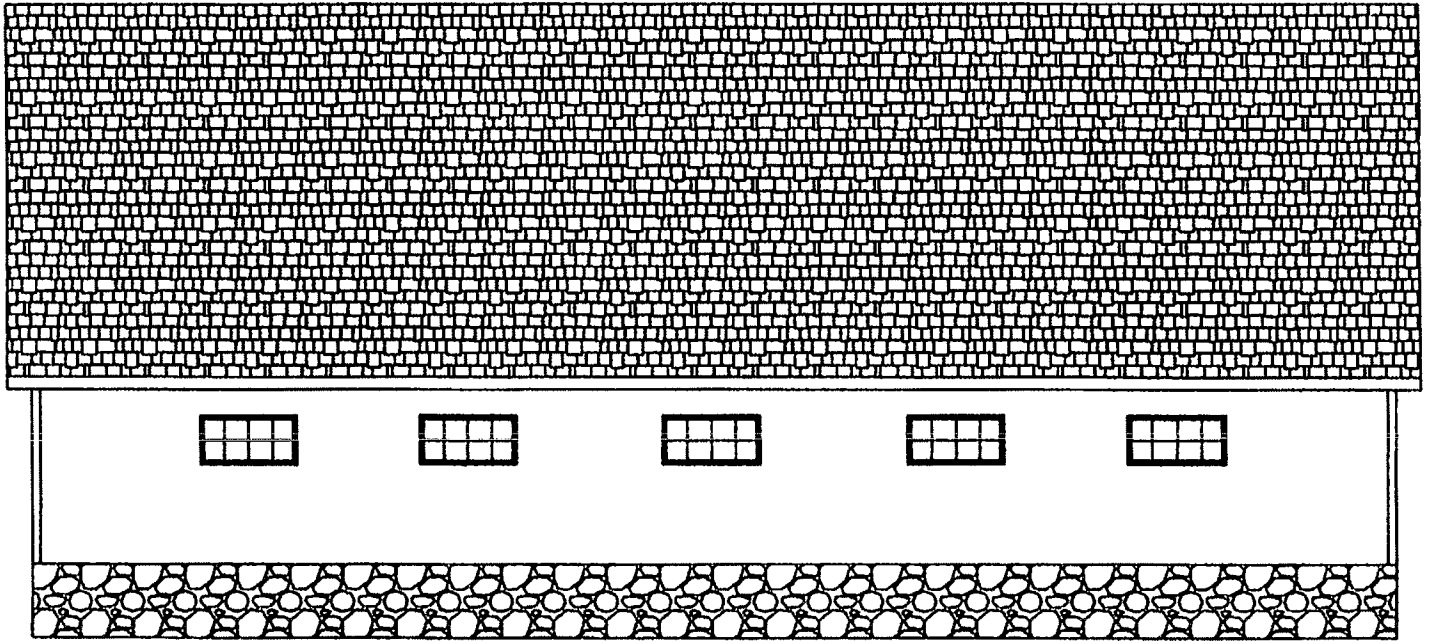
Left Elevation

Scale 1/8"=1'



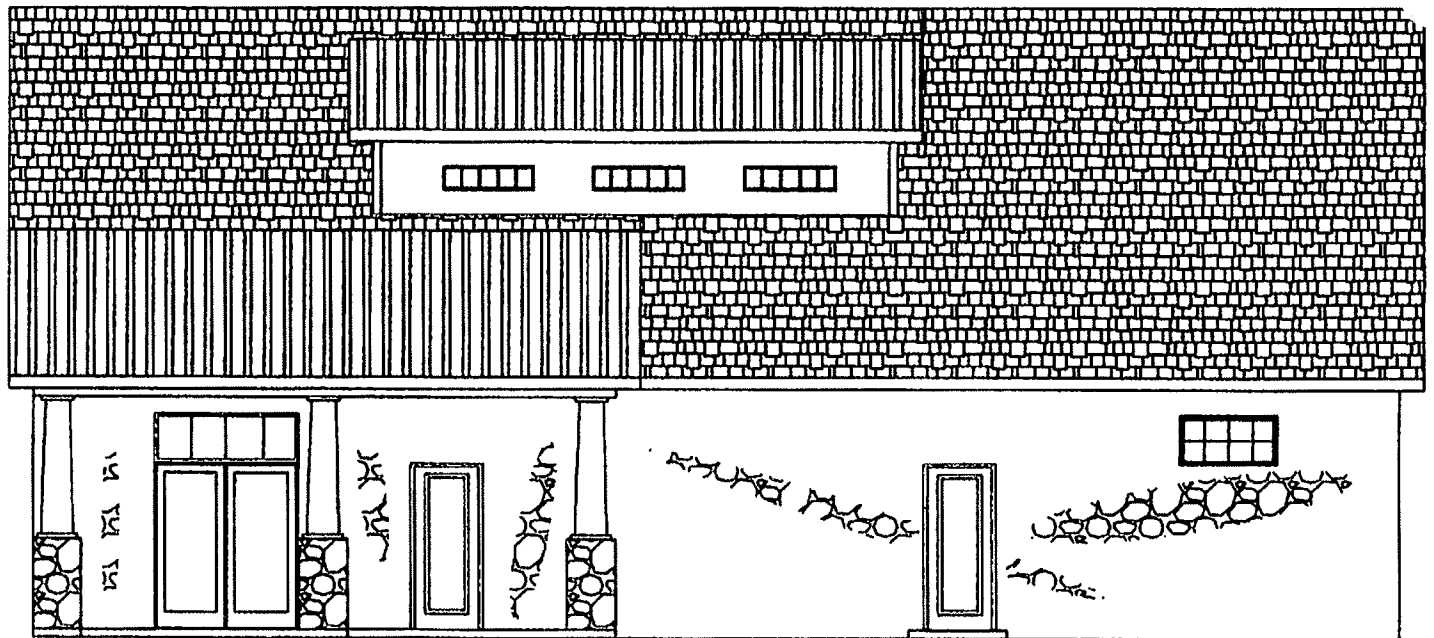
Right Elevation

Scale 1/8"=1'



Front Elevation

Scale 1/4"=1'



Rear Elevation

Scale 1/4"=1'



County of Prince George, Virginia

"A global community where families thrive and businesses prosper"

February 12, 2021

PLANNING COMMISSION - NOTICE OF PUBLIC HEARING

Dear owner, agent or occupant of each parcel that is abutting, immediately across the street or road, or within close proximity of the property affected:

This is notification that the Prince George County Planning Commission will hold a public hearing on **Thursday, February 25, 2021 beginning at 6:30 pm** in the Board Room, located on the third floor of the County Administration Building, 6602 Courts Drive, Prince George, Virginia, to consider the following request that involves the Prince George County Zoning Ordinance:

SPECIAL EXCEPTION SE-20-03: Request of Tom and Diane McCormick, pursuant to § 90-103 (52) and (53), to permit a cottage industry home occupation on a parcel of five acres or more for bed and board in an accessory building, and sales/rental of formal wear in a single-family residence in a R-A, Residential-Agricultural, Zoning District. The subject property is located at 5503 Ruffin Road and is known as Tax Map 240(0A)00-115-A. The Comprehensive Plan indicates the property is suitable for commercial or village center uses.

Due to the COVID-19 pandemic, Prince George County's February 25th Planning Commission meeting will be held electronically and in person. The changes are designed to accommodate public input while encouraging the public to practice social distancing as recommended by health officials. If you wish to make comments prior to meeting, you are encouraged to do so via the Public Comment Form on the County website at

https://www.princegeorgecountyva.gov/departments/board_of_supervisors/public_comment_form.php.

The meeting will also be accessible by Zoom or YouTube. Information on accessing this meeting electronically is available at <https://www.princegeorgecountyva.gov/>.

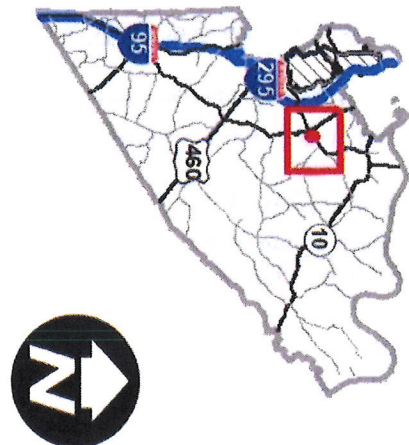
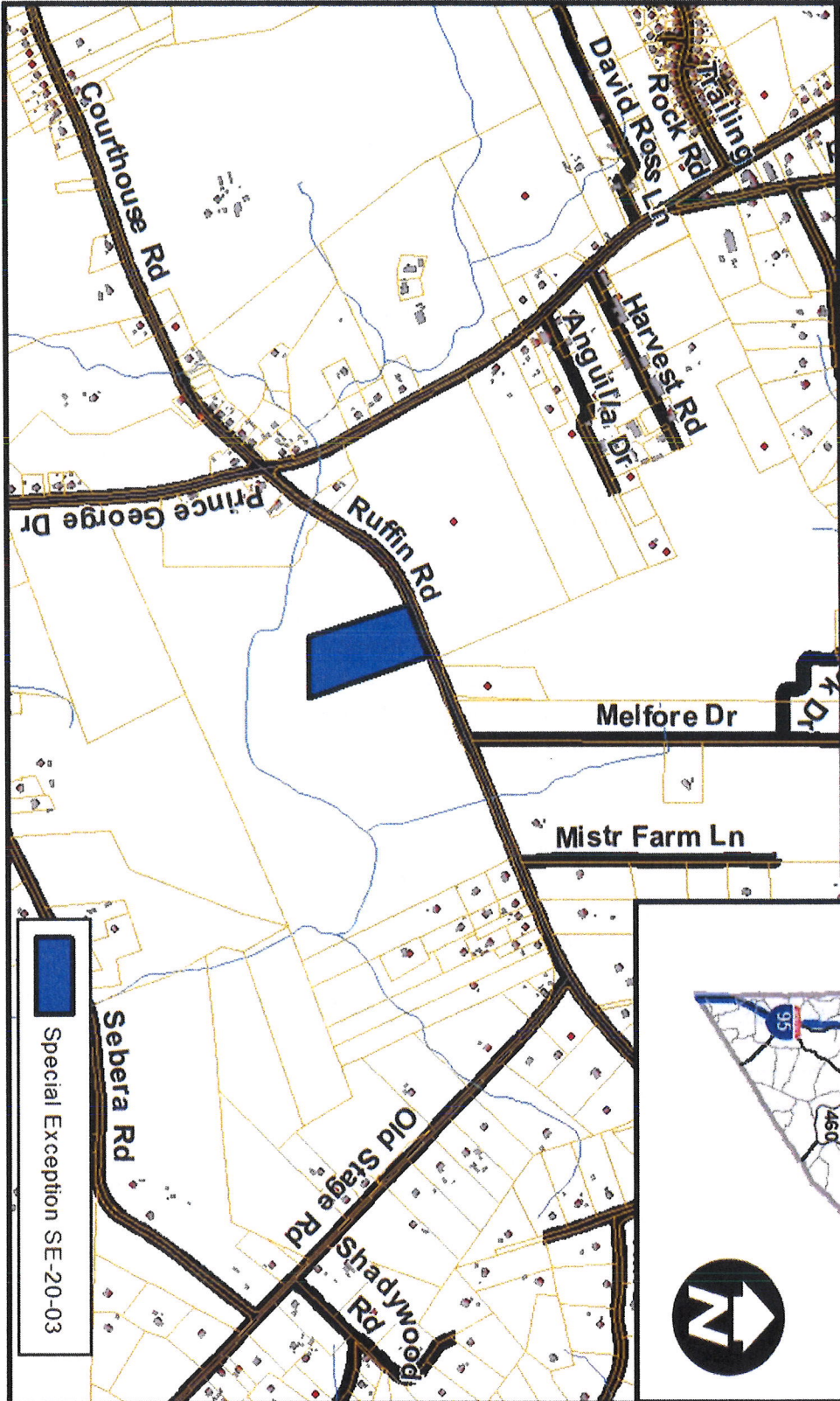
You may also contact Planning and Zoning Division at (804)722-8678 or by e-mail at planning@princegeorgecountyva.gov with any questions prior to the scheduled meeting. We have included a GIS Map showing the general location of the request.

Sincerely,

A handwritten signature in blue ink, appearing to read "H. H. Wade III".

Horace H. Wade III, CFM
Planner II

Public Hearing Case:
SE-20-03 Special Exception for a cottage industry home occupation on a parcel of five acres or more for bed and board in an accessory building, and sales/rental of formal wear in a single-family residence.



KANAK BEATRICE J TR
C/O REBECCA K F FOX TRUSTEE
8 CONCORDIA ST
FAIRFAX, VA 22032

NOBLIN JUSTIN D
8724 CENTENNIAL RD
DISPUTANTA, VA 23842

BANK OF MCKENNEY
PO BOX 2230
PRINCE GEORGE, VA 23875

PRINCE GEORGE 105 LLC
PO DRAWER C
STONY CREEK, VA 23882

PRINCE GEORGE 105 LLC
PO DRAWER C
STONY CREEK, VA 23882

JARRATT BOB W SR
JARRATT SHIRLEY A
6108 PRINCE GEORGE DR
PRINCE GEORGE, VA 23875

FRANCHOK LIVING TRUST
8500 SEBERA RD
PRINCE GEORGE, VA 23875

MAILE THOMAS R JR
MAILE PAULA M
5409 RUFFIN RD
PRINCE GEORGE, VA 23875

NICKELSON ELLIE Q
NICKELSON LUCRETIA D
5325 RUFFIN RD
PRINCE GEORGE, VA 23875

ROBINSON TIMOTHY C
VANDERVOORT BRITTANY D
5401 RUFFIN RD
PRINCE GEORGE, VA 23875

BLAKE MARY MISTR
PO BOX 2363
PRINCE GEORGE, VA 23875-0599

FOREHAND ROBERT E JR
FOREHAND LINDA M
PO BOX 2050
PRINCE GEORGE, VA 23875-1339

FOREHAND ROBERT E JR
FOREHAND LINDA M
PO BOX 2050
PRINCE GEORGE, VA 23875-1339

DAVIS MELVIN OIL CO INC
11042 BLUE STAR HWY
STONEY CREEK, VA 23882

OAKLEY JEFFREY S
5115 PRINCE GEORGE DR
PRINCE GEORGE, VA 23875

JOPKINS REBECCA G
7804 COURTHOUSE RD
PRINCE GEORGE, VA 23875

MCLEAN MELODY C
9001 OLD STAGE RD
PRINCE GEORGE, VA 23875

FRANCHOK LIVING TRUST
8500 SEBERA RD
PRINCE GEORGE, VA 23875

PRINCE GEORGE RURITAN CLUB INC
17431 JEFFERSON DAVIS HWY
RUTHER GLEN, VA 22546

TARR ROSE MARIE
6100 PRINCE GEORGE DR
PRINCE GEORGE, VA 23875

DAVIS MELVIN OIL CO INC
11042 BLUE STAR HWY
STONEY CREEK, VA 23882

PRINCE GEORGE LODGE #115
ANCIENT FREE & ACCEPTED MASONS
P O BOX 115
PRINCE GEORGE, VA 23875

SPECIAL EXCEPTION SE-20-03:

Request of Tom and Diane McCormick,
pursuant to § 90-103 (52) and (53),

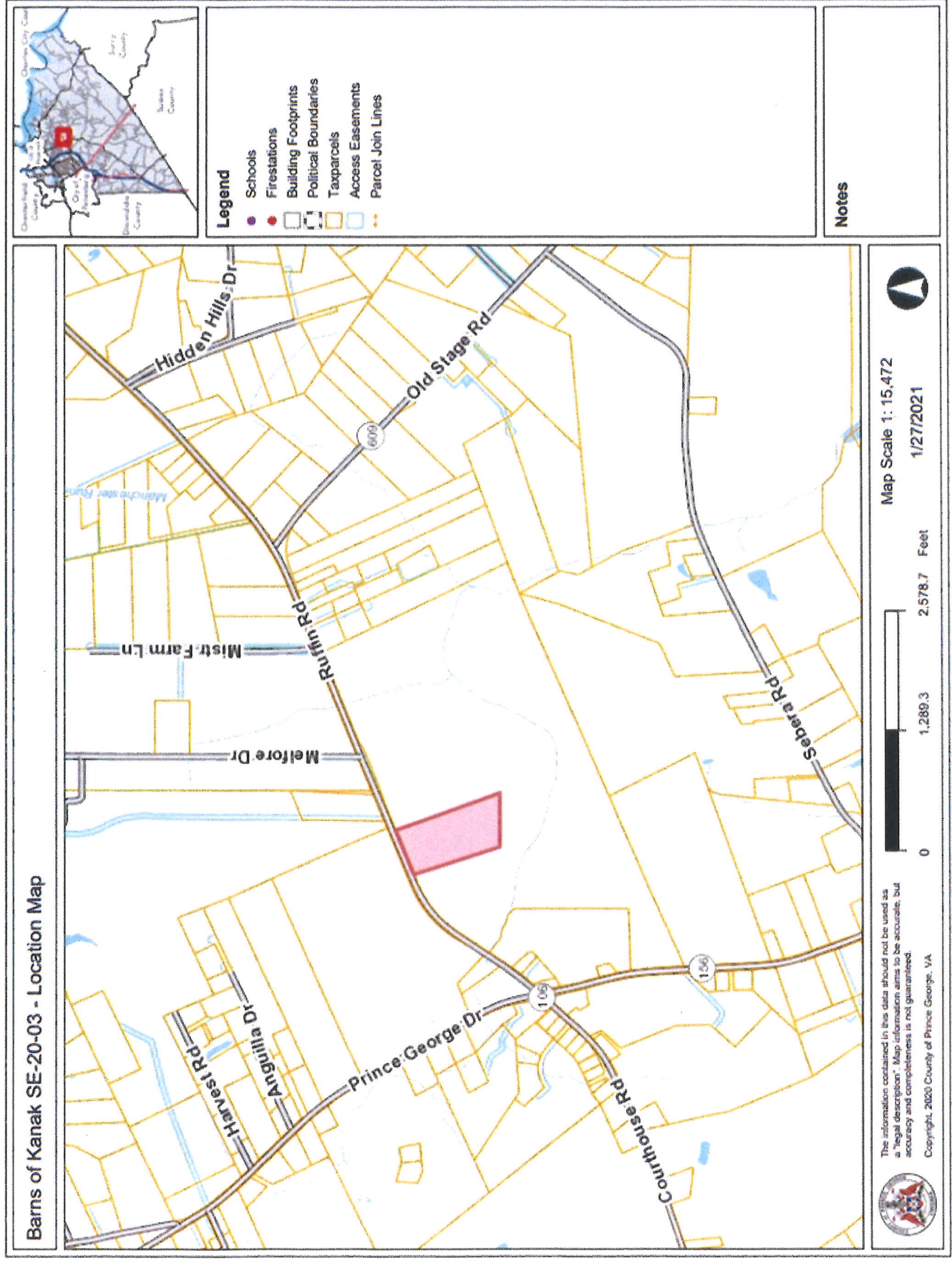
to permit a cottage industry home occupation on a parcel of five acres or more for bed and board in an accessory building, and sales/rental of formal wear in a single-family residence

in a R-A, Residential-Agricultural, Zoning District.

The subject property is located at 5503 Ruffin Road and is known as Tax Map 240(0A)00-115-A.

The Comprehensive Plan indicates the property is suitable for commercial or village center uses.

SE-20-03 | Tom & Diane McCormick (Barns of Kanak)



SE-20-03 | Tom & Diane McCormick (Barns of Kanak)



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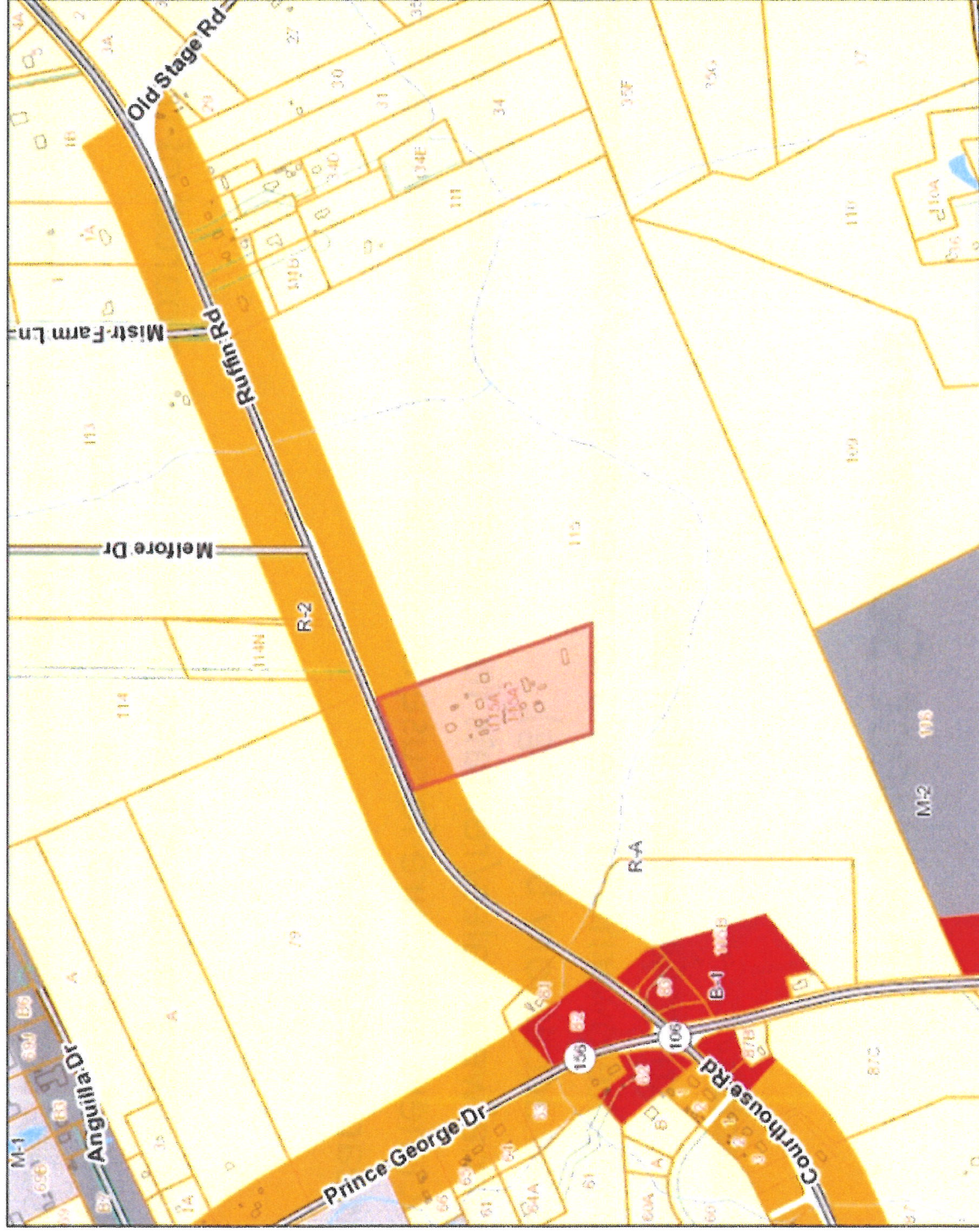


Feet

Map Scale 1: 3,126
11/13/2020



SE-20-03 | Tom & Diane McCormick (Barns of Kanak)



The information contained in this data should not be used as a "legal description". Map information aims to be accurate, but accuracy and completeness is not guaranteed.

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0 773.6 1,547.2 Feet

Map Scale 1:9,283

1/27/2021



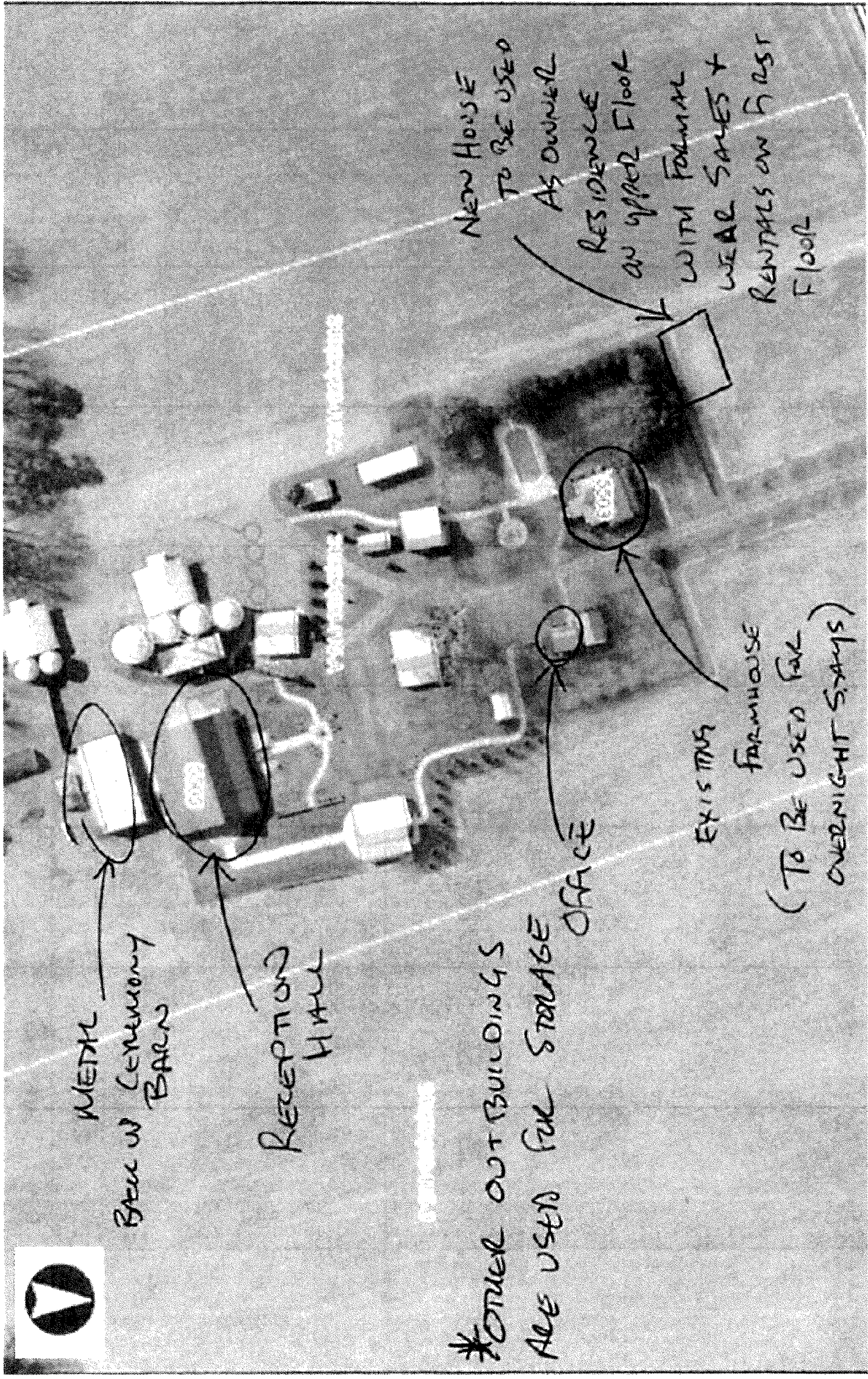
Request Summary

Applicant Goals:

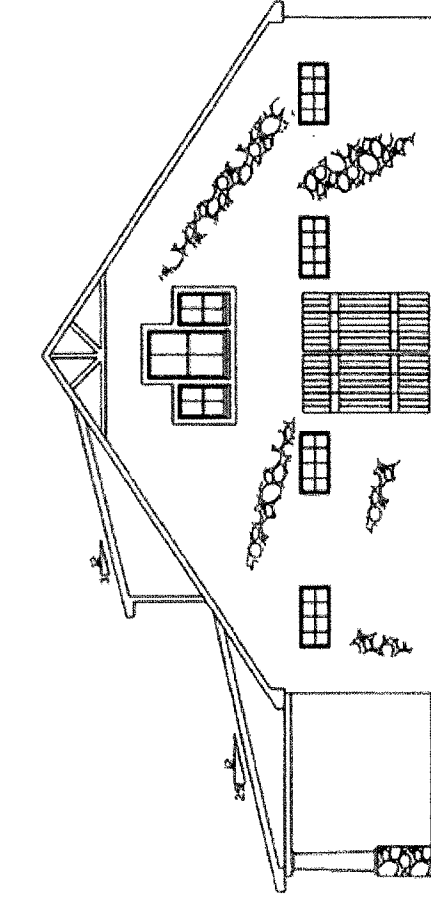
- Continue existing Assembly Hall use
- Accommodate overnight guests in an existing building (Proposed to become an accessory building)
- Offer formalwear sales/rentals for clients booking events at the facility
- Construct new structure for use as single-family dwelling (and also the formalwear sales/rental)

Request:

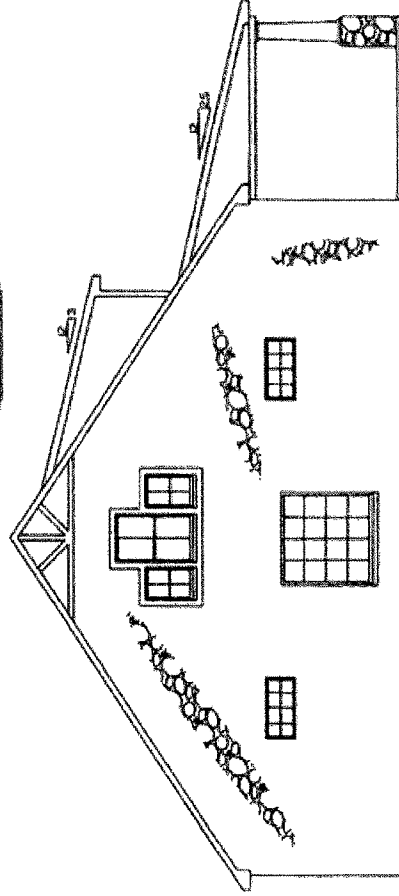
- Permit a cottage industry home occupation on a parcel of five acres or more for bed and board in an accessory building
- Permit sales and rental of formalwear in a single-family residence



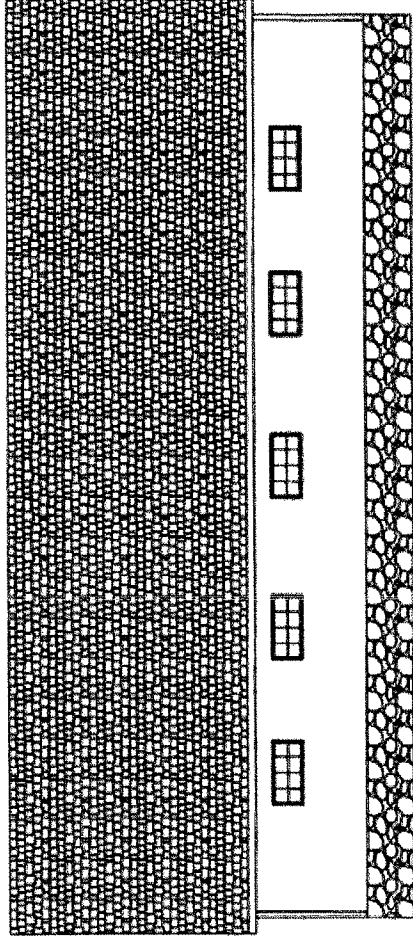
Proposed New Structure



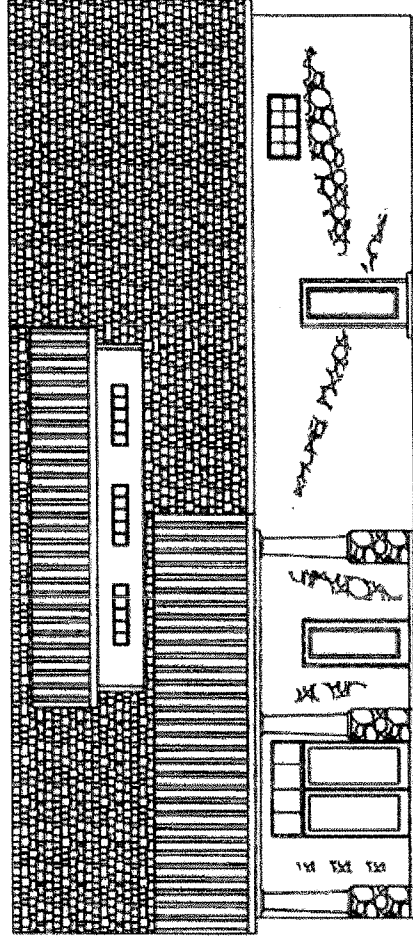
Left Elevation
Scale 1/8"=1'



Right Elevation
Scale 1/8"=1'



Front Elevation
Scale 1/4"=1'



Rear Elevation
Scale 1/4"=1'

Applicant-Provided Conditions

- Ensure all applicable building codes are met
- Ensure all necessary business licenses are secured

Staff Review – Key Comments

Planning & Zoning Division

- Single-family dwelling use – Only one is permitted:
 - Previously: the “Farmhouse”
 - Proposed: new structure
- Overnight room rental in accessory building:
 - “Home Occupation - Cottage industry” - permits “the rental of rooms not to exceed four, including bed and board”
 - Owner/operator required to live on the property
- Formal wear rentals and sales: Permitted as a “Cottage industry”

Health Department

- An authorized soil evaluator must determine if any modifications to well and septic systems are necessary (in progress)

Building Official

- Certain building code requirements apply to the structures (details in Staff Report)

Recommended Conditions

(Full list of recommended conditions in Staff Report)

Highlights:

- Owner/operator must live on the property
- Hours of operation for formalwear sales/rental office (9am to 8pm)
- Building codes to be met for existing and proposed structures
- Well and septic system evaluation required
- Only one single-family dwelling on the property
- Overnight room rentals conditions:
 - Limited to four rooms
 - Not to exceed 7 consecutive nights stay, 7-night absence required
 - Maintain lodging records to provide upon request
 - Lodging taxes apply

Public Notice

- ✓ Adjacent property owners notified as required by law.
- ✓ Legal advertisement in local newspaper as required by law.
- ✓ A copy of the Staff Report was reviewed with Applicant prior to the meeting.
- ✓ No comments were received from the adjacent property owners or general community as of 2/16/21.

Recommendation

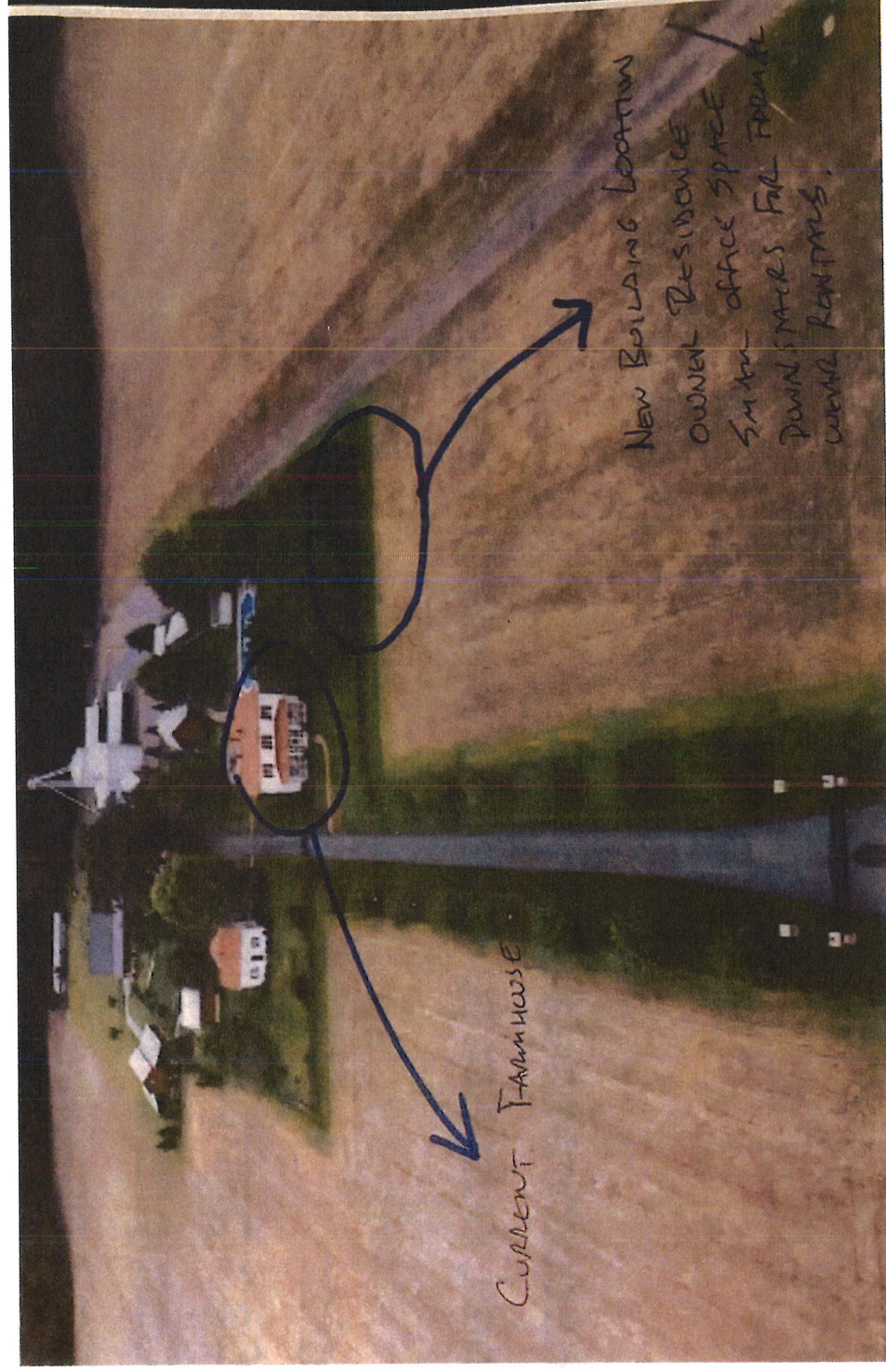
Staff Recommendation:

Approval, subject to recommended conditions

Basis:

- Compatible with current land uses, zoning districts, and Comprehensive Plan
- No negative public feedback received
- Conditions are recommended to ensure impacts are minimal and requirements are met

Questions?



Sample Motions: See Staff Report

January 12 Meeting Recap

BOS Terminates Contract to Design New Jefferson Park Fire Station

The Board of Supervisors in 2019 voted to construct a new fire station at Jefferson Park, and subsequently approved borrowing in the amount of \$3.2 million also in 2019. The Board voted in August, 2019, to hire the firm of HBA to perform A&E services in the amount of \$227,793. An actual groundbreaking for the project to be located along Brandywine Road was held October 6, 2019. Since that time, a team consisting of County Staff, volunteer representatives and the architect has spent many hours providing input into the specs for the building. The message given to the team was to design a new station along the same footprint as Station 7, which opened in 2018. An update to the Board of Supervisors was given at the October 13, 2020 meeting on the project, and the estimated cost was \$3,947,312.11, a \$747,312.11 increase over the project budget. There were also undefined costs related to stormwater that were not included in the estimate as part of an agreement with developer James Jones. There are also no funds available currently for furnishings and technology. The remaining funds available for the project are \$2,930,499.50. Since the October 13 meeting, Staff has been working with the architect to attempt to reduce costs. This would naturally call for a decrease in the size of the building and its contents.

After reviewing the total cost and lengthy discussions at its January 7 Pre-Budget Work Session, it has been decided to explore the possibility of a renovation of the current Jefferson Park Fire Station and the possibility of repurposing the funds for another Fire/EMS Capital Project. The Board voted unanimously at its January 12, 2021 meeting to terminate the contract to design the new Jefferson Park Fire Station.

Other matters to come before the BOS at its worksession & meeting:

- Approved on consent and presented a commendation to Police Officer Thomas J. Milazzo for his service to Prince George County.
- Approved on consent a commendation for Chief Deputy Treasurer Gloria A. Tereschenko for her service to Prince George County.
- Approved on consent an appropriation in the amount of \$75,000 for School Virginia Tiered Systems of Support Grant and Cameron Foundation Grant funds.
- Approved on consent an appropriation in the amount of \$23,675 in insurance recoveries for Police vehicle repair.
- Approved on consent a transfer from General Fund Contingency in the amount of \$39,846.65 for continuation of part-time COVID-19 response workers formerly funded using CARES Coronavirus Relief funds.

- Approved on consent a Settlement and Release Agreement between the County of Prince George and Anthony and Patricia Dasilva.
- Approved on consent a Settlement and Release Agreement between the County of Prince George and James D. Foster.
- Received a road maintenance report from the Virginia Department of Transportation.
- Received a CARES Funding report.
- Received an update of the Municipal COVID Relief Funds.
- Received a report on Fire and EMS building projects.
- Unanimously approved proposed revisions to the Prince George County Personnel Policies regarding Wireless Devices and Electronic Information, Internet and Network Resources.
- Unanimously authorized the County Administrator to enter into an Agreement with VDOT for the construction, construction management, and inspection services related to the completion of Koolwood Lane for acceptance into the State-maintained secondary system of road and appropriation of performance bond funds.
- Unanimously authorized a contract amendment between Prince George County and Kalyan Hospitality relating to emergency hotel rooms for Staff quarantine for COVID-19.
- Unanimously authorized an amendment to COVID-19 Small Business Micro-Grant Agreement.
- Unanimously approved an appropriation in the amount of \$399,042.06 for School Federal Department of Defense Funds.
- Unanimously authorized the advertisement of a public hearing for February 9 for an ordinance to amend The Code of the County of Prince George to allocate \$.01 of the real estate tax for fire equipment replacement for the coordinated Fire/EMS System.
- Unanimously authorized the advertisement of a public hearing for February 9 for an ordinance to The Code of the County of Prince George to clarify the language for a dog running at large.

- Discussed and had no negative comments regarding VA ABC License application notice from Los Arrieros Inc.
- Unanimously appointed Chairman Brown, Vice-Chair Waymack as alternate, and Donald Hunter as alternate two, to the Crater Regional Chief Elected Official Consortium.
- Received the County Administrator's Six-Month Work Plan.
- Held a public hearing and unanimously agreed to send back an Ordinance to Amend the Code of the County of Prince George pertaining to signs for less restrictive changes by specifically removing current content based restrictions on signage as an outcome of the United States Supreme Court verdict of the Reed v. Town of Gilbert case.
- Held a public hearing and unanimously approved a budget amendment and appropriation in the amount of \$1,877,866.32 for FY20 School Division carry-over funds.