

**MINUTES**  
Planning Commission  
County of Prince George, Virginia  
Regular Business Meeting

November 17, 2022

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

**MEETING CONVENED.** The Regular Meeting of the Prince George County Planning Commission was called to order at 6:30 p.m. on Thursday, November 17, 2022 in the Board Room, County Administration Building, 6602 Courts Drive, Prince George, Virginia by Mr. Alex W. Bresko, Chairman.

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

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

Also present: Julie Walton, Director, Dan Whitten, County Attorney, and Tim Graves, Planner I

**INVOCATION.** Mr. Joyner provided the Invocation.

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

Mr. Bresko announced that SW-22-02, a subdivision waiver request for Hank Ross and David Ross, was withdrawn by the applicant and would not proceed. He stated that the notifications had been sent to the adjacent property owners prior to the withdrawal. Mr. Bresko stated that there would be no discussion in reference to this case.

**ADOPTION OF THE AGENDA.** Mr. Bresko asked the Commissioners for a motion to approve the meeting Agenda for the November 17, 2022 Planning Commission. Mr. Joyner made a motion to approve the meeting Agenda and Mrs. Elder seconded the motion.

Roll Call:

In favor: (6) Simmons, Elder, Anderson, Bresko, Brockwell, Joyner

Opposed: (0)

Absent: (1) Brown

**PUBLIC COMMENT PERIOD.** At 6:32 p.m., Mr. Bresko opened the Public Comment Period to anyone who wished to come forward to speak to the Commissioners on topics that were not on

the Agenda as a Public Hearing item. Citizens were asked to limit their comments to three (3) minutes.

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

**ORDER OF BUSINESS.**

**A-1. Adoption of the Work Session Minutes** - Mr. Bresko asked the Commissioners to review the minutes of the October 24, 2022, Work Session of the Planning Commission. Mrs. Elder made a motion to approve the meeting minutes. Mr. Simmons seconded the motion.

Roll Call:

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

Abstain: (1) Joyner

Opposed: (0)

Absent: (1) Brown

**A-2. Adoption of Meeting Minutes** - Mr. Bresko asked the Commissioners to review the minutes of the October 27, 2022, meeting of the Planning Commission. Mr. Brockwell made a motion to approve the October 27, 2022 meeting minutes. Mrs. Elder seconded the motion.

Roll Call:

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

Abstain: (1) Joyner

Opposed: (0)

Absent: (1) Brown

**T-1. SPECIAL EXCEPTION SE-22-07:** Request of PG 1100 Jordan Point LLC to permit a country club with golf course and other recreational activities within a R-A (Residential-Agricultural) Zoning District pursuant to Prince George County Zoning Ordinance Sections 90-103(3) and 90-103(22), and in a R-1 (Limited Residential) Zoning District pursuant to Section 90-203(1). The subject property, formerly known as the Jordan Point Golf Course and Country Club, is approximately 143 acres in size, located at 1100 Jordan Point Road, and consists of Tax Parcels 040(02)00-001-0, 040(02)00-001-A, 040(0A)00-002-A, 040(0A)00-003-A, 140(08)00-00A-1. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Residential uses.

Tim Graves presented postponed case SE-22-07, from the October 27, 2022 Planning Commission meeting. Mr. Graves gave a brief recap of the case. He stated that during the public hearing, the Commission heard from various members of the public and the applicant. Comments were generally in support of the overall project, but some specific concerns and requests were raised. The applicant requested certain changes to conditions and one member of the public also requested specific changes to the conditions.

Staff summarized all the feedback in a document included with the staff report.

The main feedback received in support were:

- General support for the project with no further limitations (5 people and also the applicant)
- Request to increase the number of special events per year beyond 12 (3 people and also the applicant)
- Request to allow walking and bicycle trails even when not associated with a country club or golf course (1 person and also the applicant)

Staff considered this feedback and revised the recommended conditions.

A summary of the revisions:

- All of the changes that were presented by staff at the October 27th meeting
- Prohibit the use of ATVs and gas powered vehicles (other than golf carts and maintenance vehicles on the multi-use trails)
- Updated the Turn Lane Warrant Analysis requirements to clarify that if turn lanes are required based on the approved uses, then uses may be limited to a smaller scale until the turn lanes are installed
- Updated the Turn Lane Warrant Analysis requirements to clarify that if any new or expanded uses are proposed by the applicant after the analysis is initially reviewed, then the analysis will need to be updated to account for those uses
- Added language to minimize water runoff into the James River or any connected waterways as a result of any new impervious surface areas
- Added language to minimize runoff of pet waste from a dog park into the James River or any connected waterways
- Added language to ensure that a Nutrient Management Plan would be submitted to the Virginia Department of Conservation and Recreation for approval by the state

The only requested change that was not accepted or was not otherwise already addressed, was a requirement for the golf course to be constructed or retrofitted to comply with best management practices of a Virginia professional golf course association with a plan prepared by a certified and license golf course engineer. It is staff's view that this condition is not appropriate for this request because it is an optional higher standard that would place a significant burden on the applicant as they attempt to start a successful business on this property. Many of the best management practices may already be covered by existing state and local regulations.

At the Work Session on November 14, Staff reviewed all the changes in detail with the Commissioners, and the Commission allowed the applicant to speak about the remaining items they did not agree with. The applicant provided their requested changes for review.

After the Work Session meeting held on November 14th, the applicant updated staff to say that they accepted most of the requests but still objected to the wording of three of the conditions. After reviewing the remaining requests, staff accepted a change to allow multi-use trails as a private recreational use on the property on the west side of Jordan Point Road, but still does not recommend approval of the other remaining change requests made by the applicant.

For tonight's meeting, Staff has provided two supplements for the Commissioners to review.

- Supplement #1: Staff's recommended changes at this time with all red text and strike- through font removed. The conditions in this supplement encompass all the feedback that has been received and can be supported by staff, including the change referencing the multi-use trails.
- Supplement #2: The three remaining change requests by the applicant that staff does not recommend be included are as follows:
  1. The applicant requested that ATVs and gas powered vehicles be permitted on the west side of the property. Staff does not support this change because there is a risk of unrestricted use of noise vehicles such as ATVs and dirt bikes on the property if this language is removed.
  2. The applicant requested that language be removed pertaining to the Planning Director restricting uses to a smaller scale until turn lanes are installed (if they are required). Staff does not support this change because it would enable the applicant to operate uses on the property that cause enough traffic impact to require turn lanes, before any turn lanes are installed. Staff included this language for transparency about how this condition would be enforced regardless of whether this particular language is included.
  3. The applicant requested to increase the number of special events allowed per year from 12 to 24. Staff does not support this change because it is staff's view that allowing more than 12 special events per year would transition the use of the property from a "country club" to a more intensive main use of the property that should be considered under a separate special exception request and factored into the turn lane analysis. There are many types of events which not be considered "special events" that would not be limited by this condition.

Ms. Anderson asked for clarification on the applicant's request to allow 24 events per year. She asked if any of the public comments expressed negative feedback on the increase proposed by the applicant. Mr. Graves stated that he did not recall any negative public comments specifically about the requested increase from 12 to 24 special events allowed per year.

Ms. Anderson asked if the applicants requested an additional use later, that requires a turn lane, would they not be able to proceed with the new use until they put a turn lane in. Mr. Graves affirmed this was correct.

Mr. Bresko asked if a traffic analysis would need to be requested every time they added a new activity at the property. Mr. Graves explained that yes, the applicant would need to work with staff and update the analysis if a new use was requested that was not considered in the initial analysis.

Mr. Bresko asked Mr. Graves, if the Commissioners approved the request, could staff request VDOT to consider a speed limit reduction? Mr. Graves explained that staff could request a speed limit reduction on Jordan Point Road, but could not make the request a condition.

Mr. Simmons asked to confirm what are the final recommended conditions? Mr. Graves stated the final recommended conditions were all in Supplement #1.

Mr. Simmons said this is an opportunity to make use of the property and a good job has been done to reach a reasonable compromise among staff, the applicant and the public on what the conditions will be for this to proceed forward.

Mr. Simmons made a motion to forward request SE-22-07 to the Board with a recommendation for approval, subject to the recommended conditions in Supplement #1, and the reason for this recommendation is it is compatible with the Comprehensive Plan and current surrounding uses and zoning districts. Mr. Joyner seconded the motion.

Roll Call:

In favor: (4) Simmons, Bresko, Brockwell, Joyner

Opposed: (2) Anderson, Elder

Absent: (1) Brown

Mr. Bresko followed up on Mr. Simmons comment that the Planning Department has done a fine job on getting as close to compromise as we can.

**P-1. SPECIAL EXCEPTION SE-22-11:** Request of Jason and Amelia Ruffin to permit a Family day care home (large) within a Limited Residential (R-1) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-203(3). The purpose of the request is to provide child care services for up to 10 children at a time as a home occupation within an existing single-family dwelling. The subject property is approximately 0.368 acres in size, located at 4481 Branchester Parkway, and is identified as Tax Map 13H(04)0I-011-0. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Residential uses.

Tim Graves presented the case to the Commissioners.

Request Summary:

- Applicant currently provides care for up to 4 children under existing by-right home occupation with a business license
- Former teacher of Prince George County Schools for 10 years
- 1 employee/volunteer other than Amelia Ruffin
- Ages of children: 2 to 10 with a concentration on preschool-aged children
- Hours of care: 8am to 5pm, Monday to Friday
- Owner and employee park in driveway
- Pickup and drop-off of children occurs at the street
- Activities primarily occur in attached garage
- Backyard is play area

Staff Review Comments:

Planning & Zoning – Tim Graves, Planner I

Land Use Classification:

“Family day care home (large)”

Permitted by Special Exception pursuant to Section 90-203(3).

Family day care home means a dwelling unit in which the provider resides that is used to provide care, protection, and guidance to one through 12 children, exclusive of the provider's own children and children who reside in the home, when at least one child receives care for compensation. A family day care home (large) may provide care for one to 12 individual children during any part of the 24-hour day and shall be governed by a license issued by the state department of social services, consistent with the provisions of Code of Virginia, § 15.2-229.

Compatibility with surrounding zoning districts and Comp Plan uses:

Appears to be compatible with the surrounding current and future residential uses.

Expected impacts and mitigation:

- Traffic (during pick-up and drop-off times) – Mitigation: Limited # of children, Limited hours of operation and pickup / drop-off time periods
- Visual and Noise: Children playing in backyard – Mitigation: Limited hours of operation

Building Inspections, Charles Harrison III, Building Official

- New Certificate of Occupancy will be generated
- The proposed increase in the number of children (4 children to 10) will not require an occupancy reclassification nor building permit
- Building code classification will remain R-5 (Single Family Dwelling)
- Must be licensed with oversight by the Virginia Department of Social Services
- Emergency planning and preparedness at this facility must comply with Virginia Statewide Fire Prevention Code. Annual inspections will be required and conducted Building Inspections Division.

Virginia Department of Transportation (VDOT) - Paul Hinson, Area Land Use Engineer

- The existing entrance appears to meet VDOT standards for a low volume commercial entrance.
- VDOT has no objection to the proposed special exception request.

Recommended Conditions (Highlights):

- Family day care home (large), pursuant to Section 90-203(3), for the purpose of providing care services for up to ten (10) children as a home occupation accessory to a single-family dwelling
- Hours of operation: 8a.m. to 5p.m. Monday through Friday, with up to 30 additional minutes allotted for pickup and drop-off of children
- One additional (1) person may be employed other than owner
- Owner(s) and any employee shall park in the on-site driveway during business hours
- Street parking for pickup and drop-off of children

- Maintain all required licenses including VDSS license
- No permanent signage
- Comply with County Noise Ordinance

Mr. Graves stated that staff recommends approval of the case with the recommended conditions. No negative feedback from the community has been received and the applicant has reviewed and agreed to all of the recommended conditions.

Mr. Bresko asked the Commissioners if they had any questions for the applicant before opening the Public Hearing. Mr. Joyner asked for clarification in reference to the children being picked up and dropped off at the street. The applicant, Amelia Ruffin, explained that the children are escorted to the end of the driveway for pick-up. She stated that this process typically takes 3-5 minutes at the end of the day.

Mr. Bresko opened the Public Hearing at 7:01 p.m. No one came forward to speak. Mr. Bresko closed the Public Hearing at 7:02 p.m.

Mrs. Elder made a motion to forward SE-22-11 to the Board with a recommendation for approval, subject to the recommended conditions, and the reason for this recommendation is that it is compatible with the Comprehensive Plan and current surrounding uses and zoning districts. Mr. Brockwell seconded the motion.

Roll Call:

In favor: (6) Simmons, Elder, Brockwell, Anderson, Bresko, Joyner

Opposed: (0)

Absent: (1) Brown

**P-2. ORDINANCE AMENDMENT OA-22-03:** Ordinance to amend “The Code of the County of Prince George, Virginia”, 2005, as amended, by amending §§ 90-52, 90-53.1, 90-102, 90-103.1, 90-152, 90-153.1, 90-202, 90-203.1, 90-242, 90-243.1, 90-292, 90-293.1 and 90-985 to clarify the uses in the Agricultural and certain Residential zoning districts to allow by-right private animal boarding places on parcels of more than one acre and to allow by special exception from the Board of Zoning Appeals private animal boarding places on parcels of one acre or less in size.

Mr. Whitten presented Ordinance Amendment OA-22-03 to the Commissioners. He explained that staff is requesting to amend the Zoning Ordinance in order to clarify which Zoning Districts that private animal boarding places are permitted by right versus which districts they are permitted by special exception by the Board of Zoning Appeals. Mr. Whitten explained the changes and asked the Commissions if they had any questions.

With no questions for Mr. Whitten, Mr. Bresko opened the Public Hearing at 7:05 p.m. No one came forward to speak. Mr. Bresko closed the Public Hearing at 7:06 p.m.

Mrs. Elder made a motion to forward OA-22-03 to the Board of Supervisors with the recommendation of approval to clarify the existing requirements in the County Code. The motion was seconded by Mr. Joyner.

Roll Call:

In favor: (6) Simmons, Elder, Brockwell, Anderson, Bresko, Joyner

Opposed: (0)

Absent: (1) Brown

**P-3. ORDINANCE AMENDMENT OA-22-04:** Ordinance to amend “The Code of the County of Prince George, Virginia”, 2005, as amended, by enacting § 90-707 and amending §§ 90-708, 90-709, 90-711, 90-712, 90-715, 90-717, 90-718, 90-719, 90-721, 90-723, 90-726, 90-727, 90-729, 90-730, and 90-731 to make changes to the Floodplain Ordinance to reflect certain changes in the Virginia Department of Conservation and Recreation Model Ordinance for Localities.

Mrs. Walton presented Ordinance Amendment OA-22-04 to the Commissioners. Mrs. Walton stated that staff is recommending that the County update the current Floodplain Ordinance to reflect the new FEMA Floodplain Maps for Prince George County and to add additional language recommended and/or required by the Virginia Department of Conservation and Recreation regarding floodplain ordinances. The FEMA FIRM updates were recently completed this year, and the County has received those map updates that were produced by FEMA.

Our Floodplain Ordinance should be amended to adopt those new maps for the County, as well as to include the language recommended by FEMA and the State to be included in all Floodplain Ordinances in the State of Virginia. Mrs. Walton explained to the Commissioners that these are mandatory updates.

Mr. Bresko opened the Public Hearing at 7:11 p.m. No one came forward to speak. Mr. Bresko closed the Public Hearing at 7:12 p.m.

Mr. Joyner made a motion to forward OA-22-04 to the Board of Supervisors with the recommendation of approval of the draft ordinance, and the reason for this recommendation is that the update is required by the Code of Virginia and it will improve the administration of floodplain requirements in the County Code. The motion was seconded by Mr. Brockwell.

Roll Call:

In favor: (6) Simmons, Elder, Brockwell, Anderson, Bresko, Joyner

Opposed: (0)

Absent: (1) Brown

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

- A. Actions of the Board of Zoning Appeals
  - a. Meetings Cancelled - no scheduled cases for November
- B. Actions of the Board of Supervisors
  - a. BOS Recap – Oct. 25<sup>th</sup>
    - i. Approved MAT Developments, LLC Rezoning request
    - ii. Denied Grand Slam, LLC Special Exception request
- C. VDOT Update



a. Route 105 and 156 Safety Study

**ADJOURNMENT.** At 7:18 p.m., Mr. Bresko asked the Commissioners if they had any additional questions. If not, he would entertain a motion to adjourn. A motion to adjourn was made by Mr. Simmons and seconded by Mr. Brockwell. Roll was called on the motion.

Roll Call:

In favor: (6) Simmons, Elder, Brockwell, Anderson, Bresko, Joyner

Opposed: (0)

Absent: (1) Brown