

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

October 27, 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, October 27, 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	Absent
Mrs. Anderson	Present
Mr. Brown	Absent
Mr. Brockwell	Present

Also present: Julie Walton, Director, Dan Whitten, County Attorney, Tim Graves, Planner I and Missy Greaves-Smith, Office Manager

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

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

**ADOPTION OF THE AGENDA.** Mr. Bresko asked the Commissioners for a motion to approve the meeting Agenda for the October 27, 2022 Planning Commission. Mrs. Elder made a motion to approve the meeting Agenda and Mr. Brockwell seconded the motion.

Roll Call:

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

Opposed: (0)

Absent: (2) Brown, Joyner

**PUBLIC COMMENT PERIOD.** At 6:33 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 6:34 p.m.

**ORDER OF BUSINESS.**

**A-1. Adoption of the Work Session Minutes** - Mr. Bresko asked the Commissioners to review the minutes of the September 19, 2022, Work Session of the Planning Commission. Ms. Anderson made a motion to approve the meeting minutes. Mrs. Elder seconded the motion.

Roll Call:

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

Opposed: (0)

Absent: (2) Brown, Joyner

**A-2. Adoption of Meeting Minutes** - Mr. Bresko asked the Commissioners to review the minutes of the September 22, 2022, meeting of the Planning Commission. Mrs. Elder made a motion to approve the August 25, 2022 meeting minutes. Ms. Anderson seconded the motion.

Roll Call:

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

Opposed: (0)

Absent: (2) Brown, Joyner

**P-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 the case to the Planning Commission.

Background information:

Prior to 2012, the property was owned and operated by the Jordan Point Golf and Country Club. For the past 7-10 years, the property has not been in use. On June 6, 2022, the applicant submitted application for Special Exception and on July 25, 2022, the applicant purchased property. At the August 22, 2022, Planning Commission Work Session, staff reviewed the case and the public hearing scheduled for August 25<sup>th</sup> was postponed due to staff error. On September 7<sup>th</sup>, a Community meeting was held at the Hopewell Library. The public hearing scheduled for September 22, 2022 was postponed to allow for additional time to review and prepare respond to community feedback.

Request Summary:

- Country club amenities using existing facilities to include swimming pool, snack bar and food, and activities to encourage health and wellness such as biking trails, pickleball courts, driving range, dog park
- No initial plans for golf course, but possibly implement a 9-hole golf course in the future
- Allow events such as weddings, receptions, etc. Other events might include: “class reunions, a pumpkin patch event, Easter egg hunt event, Halloween event with hayrides, New Years’ Eve event and possibly teaming up with some charities and hosting classic car events, etc.”
- Membership: “We will have membership dues to join. Members will have access to [the facilities]”
- Open initially from 10 AM to 10 PM - 7 days a week (subject to change over time)
- Signage: Use existing entrance signs

Mr. Graves shared the site layout and conceptual plan provided by the applicant.

Summary of Staff Reviews from departments:

Planning & Zoning – Tim Graves, Planner I

Activities described by applicant in the application materials	Matching land use in <u>R-A Residential Agricultural Zoning District</u>
“country club”	90-103(3) Lodge, hunting club, yacht club, <u>golf course, country club.</u>
“golf course”	
“Host events such as weddings and receptions, etc.” *	
“driving range”	90-103 (22): <u>Recreation structure and uses related to outdoor recreation</u> , commercial and noncommercial recreational vehicle park.
Activities to encourage health and wellness such as biking trails, pickleball courts, driving ranges, dog park, etc.	

\*Staff considers these events generally part of the “country club” land use for this request, however, events open to the general public require a Special Event Permit.

Mr. Graves presented the Zoning Ordinance definitions for reference and clarification.

- “Country club” - Not defined in Section 90-1. Merriam-Webster online dictionary definition: “a suburban club for social life and recreation” - Staff has recommended a definition within the conditions for approval
- “Golf course - any golf course, publicly or privately owned, on which the game of golf is played, including accessory uses and buildings customary thereto, but excluding golf driving ranges”
- “Golf driving range - a limited area on which golf players do not walk, but onto which they drive golf balls from a central driving tee”

West side of Jordan Point Rd:

- Zoned R-A Residential Agricultural
- Previously used as country club, golf course, golf driving range
- Proposed for same uses

East side of Jordan Point Rd:

- Zoned R-1 Limited Residential
- Previously used as golf course
- Proposed for possible future golf course uses

The proposed uses are similar to previous uses and compatible with the surrounding area, so long as recommended conditions are in place. A Special Event Permit is required for events that are open to the general public, charge admission, etc.

Staff has recommended conditions to address possible impacts including, but not limited to: stray golf balls, hours of operation, permitted activities, adequate on-site parking, signage, and limit events to the west side of property, and protection of Resource Protection Areas (RPAs).

Regarding traffic impacts:

- VDOT said the existing commercial entrance is adequate based on proposed uses
- Entrance road/driveway is long and wide to accommodate traffic in both directions
- No Chapter 527 Traffic Impact Analysis (TIA) required based on estimated traffic volumes
- No turn lane warrant analysis (TLWA) required because no physical development proposed
- Trip generation estimates provided by applicant suggest that a turn lane would not be required if/when a TLWA is provided
- A recommended condition requires a TLWA to be provided within 12 months and owner must install any required improvements at their expense within 36 months (if required)
- The recommended condition allows time to monitor and measure the actual traffic impacts to improve the accuracy of a TLWA

Staff finds the request compatible with the Comprehensive Plan based on the following:

- Future Land Use designation of “Residential” can accommodate recreational activities for residents
- Supported by Economic Development goals to encourage tourism and provide amenities for quality of life

Paul Hinson, P.E., LEED AP, VDOT Land Use Engineer - paul.hinson@vdot.virginia.gov

1. Commercial entrance required and is already in place
2. No objection to this request

Building Inspections Division – Charles Harrison III, Building Official

1. Any new structures or renovations will be reviewed for compliance with the Virginia USBC (building code)

Rachel A. Lumpkin, Utility Project Engineer - rlumpkin@princegeorgecountyva.gov

1. Since the applicant is proposing to continue the use of the existing building as a country club, the extension of public water and wastewater to serve the property would not be required. If new structures were proposed in the future or other development that would require the use of water and sewer is proposed, public water and wastewater would need to be extended to serve the property.

The majority of the public comments were received during the September 7<sup>th</sup> Community Meeting held between the applicant and the Jordan on the James Homeowners Association (HOA). The overall sentiment was supportive of the request. Some of the questions and concerns included: activities allowed, timeline for a golf course, possible traffic impacts, parking, types of events and size of events. The recommended conditions were updated based on the feedback received and staff assured all concerns in a FAQ document were included with Staff Report material.

#### Recommended Conditions (Highlights):

- Use of East side of property: Golf course as defined
- Use of West side of property:
  - Golf course as defined
  - Country club in existing structures. For the purposes of this special exception, the country club land use is defined as “a suburban club for social life and recreation”, and it will permit amenities consistent with this definition, including a swimming pool and snack bar, and allowing the hosting of events such as weddings and receptions.
- Recreation structures and uses related to outdoor recreation. Only the following activities shall be permitted as part of this land use:
  - Bike/multi-use trails
  - Tennis/pickleball courts
  - Driving range (limited to the existing location)
  - Dog park
  - Other recreational activities with similar impacts, as approved by Director of Planning
- Parking on-site only and no parking on Jordan Point Road
- A turn lane warrant analysis shall be provided within 12 months and owner must install any required improvements at their expense within 36 months (if required)
- Water quality protection:
  - Use porous materials for new parking areas
  - Delineate RPA areas before any development
  - Use eco-friendly fertilizer
- Signage limited to existing signage and no electronic message boards
- Obtain and comply with all required permits and licenses
- Owner must certify well and septic systems to determine capacity of buildings
- Public water/sewer connection required for future development that requires connection
- Comply with noise ordinance
- Hours and days for operations:
  - 9am to 10pm Monday through Thursday.

- 9am to midnight Friday through Sunday.
- 9am to 2am for New Year’s Eve holiday.
- All music and activities on weekends and New Year’s Eve shall occur indoors after 10pm.
- Conditions for all events:
  - Staffing shall be provided for parking and traffic circulation
  - Number of attendees limited by building code and health code
  - Notify the PG Police Department at least 15 days prior to any scheduled event expected to exceed 150 event attendees
  - No more than 12 special events requiring a “Special Event Permit” shall be permitted each calendar year
  - No special events permitted on the East side of Jordan Point Road

Mr. Graves explained to the Commissioners that an updated Draft Ordinance from October 27, 2022, was provided to them prior to the meeting. Staff recommended approval of the special exception based on the following:

- The applicant proffered conditions with the application materials
- Staff recommended additional conditions for this request with the intent to ensure code requirements be met and limit impacts on adjacent property owners and the community
- The applicant reviewed and generally supports Staff’s recommended conditions
- The applicant’s request (with the recommended conditions) appears to be compatible with current and future surrounding land uses

Mr. Graves expressed to the Commissioners that the owner/applicant requested to address the Commissioners and answer any questions they may have.

Ihab Attallah, the owner of PG Jordan Point LLC, began with sharing some of his background. He stated he was born in Egypt and came to the United States, where he lived in Virginia. He currently lives in Florida but has plans to move back to Virginia. He owns another property close by at 700 Jordan Point Road. He purchased this abandoned property to help enhance the area and provide amenities to the community.

Michael Lafayette, Attorney for Mr. Attallah, addressed the Commission in reference to the new conditions that were presented. He explained that he had a phone conversation with Mr. Attallah and Ms. Rogers that afternoon to make additional adjustments to the conditions. He reviewed the changes (marked in red) that were made to the conditions after their conversation. These changes included the following:

3. The use of the portions of the property located on the east side of Jordan Point Road, zoned R-1 Limited Residential shall be restricted to the following uses:
  - a. “Golf course” activities as defined; **and/or**
  - b. Bicycle/multi-use trails excluding gas-powered vehicle except golf carts and maintenance vehicles, in association with country club or club golf course activities on the property.**
4. The following uses and activities shall be permitted on the portions of the property located on the west side of Jordan Point Road, zoned R-A Residential-Agricultural:
  - a. Golf course as defined

- b. Country club in existing structures. For the purposes of this special exception, the country club land use is defined as “a suburban club for social life and recreation” **where membership is offered**, and it will permit amenities consistent with this definition, including a swimming pool and snack bar, and allowing the hosting of events such as weddings and receptions.
  - c. Recreation structures and uses related to outdoor recreation. Only the following activities shall be permitted as part of this land use:
    - i. **BikeBicycle**/multi-use trails
    - ii. Tennis/pickleball courts
    - iii. Driving range (limited to the existing location as depicted on the map dated 7-20-22)
    - iv. Dog park
    - v. Other recreational activities with similar impacts to the other approved activities, as approved in writing by the Director of Planning.
8. The Owner shall conduct a Turn Lane Warrant Analysis using trip generation data for the proposed uses including peak hour traffic volume as agreed upon by the Planning Office and VDOT. The analysis shall be completed within 12 months of the special exception approval date, and any opening the development for use. Any infrastructure improvements determined to be needed according to the analysis shall be installed at the owner’s expense within 36 months of the date of the County’s acceptance of the analysis. The Owner shall conduct a Turn Lane Warrant Analysis using trip generation data for the proposed uses including peak hour traffic volume as agreed upon by the Planning Office and VDOT. The analysis shall be completed within 12 months of the special exception approval date, and any opening of the development for use. Any infrastructure improvements determined to be needed according to the analysis shall be installed at the owner’s expense within 36 months of the date of the County’s acceptance of the analysis.
9. For water quality protection purposes within the Chesapeake Bay Preservation Area (CBPA), in addition to applicable requirements in the zoning ordinance:
- a. Porous materials shall be used to the greatest extent practicable for any new parking areas to be established on the property after special exception approval, as approved by the Director of Planning.
  - b. The Owner shall complete an on-site delineation of wetlands and Resource Protection Areas and submit it to the Planning & Zoning office prior to the first subsequent zoning approval involving development, including land disturbance, construction of buildings or parking areas, or boundary line changes such as subdivision. The delineation required by this condition shall at a minimum cover the areas on parcel 040(02)00-001-0 as of the date of this approval and any additional areas of the property that are likely to be affected by the development that triggers this requirement.
  - c. **If fertilizer is used, t**~~The~~ Owner shall use eco-friendly fertilizer on the property.
10. Signage for the business shall be limited to the two existing monument signs at the existing entrance. Refacing of the signs shall require a sign permit. No electronic message boards shall be permitted. Any lighting of the signs shall be limited to soft spotlighting.
11. Hours and days for operations shall be limited to:

- a. 9am to 10pm Monday through Thursday.
- b. 9am to midnight Friday through Sunday.
- c. 9am to 2am for New Year's Eve holiday.
- d. All music and activities ~~on weekends and New Year's Eve~~ shall occur indoors after 10pm.

Mr. Lafayette asked the Commissioners to review Condition 18-e. He stated that staff is recommending the following:

- e. No more than 12 special events requiring a "Special Event Permit" shall be permitted each calendar year.

He explained that his client would like the Commissioners to consider increasing the 12 special events per year to a 24 special events per year. He expressed concerns with limiting them to only one special event per month (on average). Their goal is to make this location a viable business.

Mrs. Elder asked Mr. Lafayette to clarify the idea of having memberships offered and asked if there was going to have board overseeing the country club. Mr. Lafayette said they would not need to have a board with the type of activities that are planned.

Mr. Simmons asked for a better understanding of the 143 acres if the plan does not include a full golf course. Mr. Lafayette stated that the goal is to update the existing buildings on the property to make them viable to start generating income. In the beginning, they would like to open the facility to host weddings and social events. The project will be developed over-time.

Mr. Simmons asked if the idea of increasing the special events from 12 to 24 would make the business more viable. Mr. Lafayette stated it could make the business more viable because it would open the venue up for additional events.

Mr. Bresko expressed his concern about the condition that limits gas-operated ATVs. He stated that ATVs are being built with electric power. Mr. Lafayette explained that they have no desire to have any types of ATVs on the walking trails and would have no objection to adding that to the conditions.

Mr. Graves stated that a condition change for 3-b. could be added to prohibit all ATVs. In reference to the number of special events permitted per month, Mr. Graves explained the criteria for a Special Event Permit. For example, events that have an admittance fee, outdoor music, entertainment, etc., require such a permit, but private events, such as weddings, do not. Mr. Graves stated that if the Commissioners wished to change the number in the Draft Ordinance, they could but staff recommends 12.

Mr. Simmons asked Mr. Graves if he recalled of any restrictions that had been placed on other approved event locations, like the Barns of Kanak. Mr. Graves stated that staff did not recommend such restriction on the Barns of Kanak and they had not applied for any special events.



Mrs. Elder asked if there had been any problems with the Holy Mackerel restaurant. Mr. Graves explained that there has been some issues with parking but the applicant is working with the Community Development staff separately on these issues. Mr. Graves stated that the parking issues relate primarily to building code compliance and the small size of that property.

Mr. Bresko opened the Public Hearing at 7:21 p.m. for anyone wishing to speak for or against SE-22-07. Citizen were asked to state their name and address and would be allowed three (3) minutes to speak.

Beverly Rogers, 249 Lighthouse Point, North Prince George expressed that she lives in the Jordan on the James subdivision and is President of the HOA. She stated that she was speaking on behalf of herself as a resident of the community and was not representing the HOA. She wished to clarify some of the statements made by Mr. Lafayette in reference to their conversion. Ms. Rogers expressed her enthusiasm for the positive prospects that the project will bring to the community. Her concerns are with the changes that have occurred since the golf course was built in 1954. The Clean Water Act and the Chesapeake Bay Act were not in place when the golf course was built. The increase in traffic along Jordan Point Road and water quality in nearby water areas are her concerns.

Ms. Rogers presented the Commissioners with her own revisions to the Draft Ordinance. She requested that Condition 9 be modified to address minimizing the potential adverse impact on Billy's Creek and ultimately Lake Simms. She stated that, while current State and County regulations address some of the requirements that had been outlined, those standards may change and including them in the requirements assures that every effort will be made to minimize the impact on water quality. The inclusion of the conditions is no different than other conditions that have been recommended by staff but are required under current law. In her opinion, Lake Simms should not become a Regional BMP that acts to filter runoff before it enters the James River.

Ms. Rogers added that the lack of turn lanes along the road, especially left turn lanes, is of grave concern due to the potential for rear end collisions. Although the speed limit is 55 MPH, tractor trailer and logging trucks are often travelling in excess of that limit. There have been instances of rear end collisions that have resulted in Jordan Point Road being closed for hours with the inability for emergency vehicles to get to her neighborhood from Rt. 10. The Comprehensive Plan also recommends that a traffic impact study be performed for development that is expected to generate over 250 vehicles per day. The Trip Generation numbers from the applicant indicate the potential for 273 average daily trips to be generated by the golf course alone, yet an impact analysis has not been required. As I understand from speaking with Mr. Paul Hinson, VDOT Land Use Engineer, who reviewed the zoning proposal, a turn lane analysis is not required unless there is submission of a site plan. There is the potential that uses may occur on the property that do not require a site plan. Therefore, the modification of the Condition #8 as I have recommended would assure that the traffic situation would be monitored each time a use is proposed that was not included in the original analysis.

Ms. Rogers concluded with her concerns in reference to pedestrian and bicycle connectivity. The County's Comprehensive Plan recommends that bike lanes and paths be encouraged and required with development. Condition 3 would allow such uses on the

east side of Rt. 156. Ms. Rogers would recommend that the walking and biking not be limited to occurring in association with golf course activities.

In conclusion, Ms. Rogers stated she fully support the project but only under the right set of circumstances, especially provisions that minimize the impact of pollution runoff into Billy's Creek.

Richard Grainger, 10481 Jordan Parkway, stated he is an advocate for turn lines along Jordan Point Road and that the analysis should be updated each time there is a new use. He stated he was disappointed that the focus has not been on the safety.

Torsten E. Peterson, Jr., 1712 Jordan Point Road, stated he lives adjacent to Mr. Attallah's property. In reference to the ATV discussion, he feels that adding "gas or diesel" powered vehicles to the revised Draft Ordinance would be a positive change.

Shanna Neshelaar, 811 Jordan Point Road, explained that she lives across the street from the Holy Mackerel restaurant. Her biggest concern is with the volume to traffic and with the safety of the community and her dogs.

Chet Dixon, 10420 Jordan Parkway, explained that his concern is with the water quality at Simms Lake. He also stated his concern about the traffic on Jordan Point Road.

Norwood Wilson, stated he was an adjacent property owner and spoke in favor of this project. He asked the Commissioners to consider increasing the number of special events allowed per year.

Dino Lunsford, 4017 Birchett Place, explained to the Commissioners that he is an entrepreneur and a businessman in the County. Mr. Lunsford spoke with Mr. Attallah in reference his multiple business adventures, and is highly in favor of this proposal. In regards to the limitations on special events, Mr. Lunsford stated that with his experience as a coordinator of special events, the number should be higher to generate more revenue.

Paul Dunbar, 11421 Prince George Drive, spoke in reference to his concerns as a citizen of the County. Mr. Dunbar indicated that the noise, traffic, and water quality issues need to be addressed prior to moving forward. He also suggested allowing for more signage.

Mike Wynn, former owner of the Jordan Point Yacht Haven, applauded the applicant for his efforts to take on an abandoned property and invest a substantial amount of money to improve this property. Mr. Wynn encouraged the Commission not to overload the applicant with conditions that would cause a financial hardship from the beginning.

Wilhelm Neshelarr, 811 Jordan Point Road, stated he was in support of the project and expressed his concern for the traffic and noted it should not be the applicant's responsibility alone.

Cody Cole, 101 Jordan Point Road, stated he was present to represent the Jordan Point Marina, formerly the Jordan Point Yacht Haven. Mr. Cole expressed his opinion on how the James River is underutilized and looks forward to what this project could bring to the community.

Mr. Whitten stated that the applicant could come and speak in rebuttal to the public comments before the Public Hearing closes. Mr. Bresko asked the applicant if he wished to speak.

Derrick Johnson, Timmons Group, stated that Timmons Group is the Civil Engineer firm representing the applicant. Mr. Johnson stated he wished to address the following:

1. The water quality concerns of Simms Lake
  - a. A large portion of the property drains into the lake and the other portion into the river. The golf course has always drained into the lake, even before Jordan on the James and Eagle Preserve were developed.
  - b. The applicant has agreed to use eco-friendly fertilizer.
  - c. Any land disturbance over 2,500 sq ft would require a site plan. All water quality regulations would be addressed in the site plan.
  
2. The traffic concerns on Jordan Point Road
  - a. The applicant would be in favor of a speed reduction.
  - b. VDOT stated there is no need for turn lanes at this time at this property.
  - c. The applicant agreed to a Traffic Warrant Analysis. He has also agreed to install turning lanes in three years, if required.
  - d. The County Code provides for multiple opportunities to update the traffic analysis over time, even without any change to conditions.
  
3. The Noise Ordinance concern at the location
  - a. The hours of operation are in compliance to the Noise Ordinance.
  - b. The regulations would be followed.

Mr. Lafayette, Attorney for the applicant, stated that staff did not recommend the additional revisions that Ms. Rogers submitted and the applicant is opposed to the additional restrictions presented during her presentation.

Mr. Graves clarified to the Commissioners that staff had not seen the recommended changes from Ms. Rogers prior to the meeting. He stated that staff does not have an opinion on the recommended changes at this time.

With no one else coming forward to speak, Mr. Bresko closed the Public Hearing at 8:07 p.m.

Mr. Simmons made a motion to postpone SE-22-07, until the November 17, 2022 meeting to give staff time to review the comments and concerns presented. The motion was seconded by Mrs. Elder.

Roll Call:

In favor: (3) Simmons, Elder, Brockwell

Opposed: (2) Anderson, Bresko

Absent: (2) Brown, Joyner

**P-2. SPECIAL EXCEPTION SE-22-10:** Request of Robert and Tonya Dempsey to permit a Home Occupation within an accessory building within a R-A (Residential Agricultural)

Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-103(53). The purpose of the request is to open a car repair shop as a home-based business on a residential property. The subject property is approximately 4.18 acres in size, located at 19725 Carson Ruritan Road and is identified as Tax Map 620(0A)00-035-E. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Agricultural uses.

Tim Graves presented the case to the Commissioners.

#### Request Summary:

- Run an auto maintenance shop on property
- Services include: oil changes, brakes, engine repair, tune-ups, lift kits, suspension work
- Hours of operation: 9:00am to 6:00pm Monday to Friday
- Max number of customers per day: 0 to 10
- Existing shop building is 30' x 30' = 900 square feet
- No signage
- No fence planned to be installed, however, parking will be on the left side of the shop where cars are not visible from the road
- Robert Dempsey will initially be the only person working in the shop, but he may employ one (1) helper in the future
- Max number of vehicles stored on the property for work: up to 5

#### Staff Review Comments:

##### Planning & Zoning – Tim Graves, Planner I

- Prior similar zoning cases: Approximately 20 since 1974
- Adjacent uses: Low density residential
- Expected Impacts on adjacent properties and roadways: Limited traffic, possible noise during work hours, some cars parked on-site awaiting work or retrieval by customers
- Mitigation of expected impacts: See recommended conditions limiting vehicles on property, hours of operation, customer visits per day, max 1 employee
- Compatibility with the comprehensive plan: OK – no change to primary land use, limited impact on adjacent properties

##### Building Inspections, Charles Harrison III, Building Official

- Change of use required for shop building
- Accessible parking space
- Fire safety compliance
- Storage and disposal of waste in compliance with code

##### Virginia Department of Health (VDH) – Alice Weathers, Environmental Health Specialist

- Well and septic system must be evaluated

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

- Low volume commercial entrance required. Existing entrance appears to meet the criteria. No objection to request.

Police Department – Herold Shreves, Police Officer

- Request has been discussed with applicant and no concerns

Recommended Conditions (Highlights):

- No signage
- Hours and days of operation: 9:00am to 6:00pm Monday to Friday
- Adequate parking to serve customers on-site, avoid any visibility of the business activities from any public road
- One additional employee/helper may assist
- No outside storage of materials related to car-repair
- No work performed outside the shop building
- Max # of customer visits per day: 10
- Max # of vehicles being repair or awaiting pickup: 5
- Cooperate with police department to prevent storage of inoperable vehicles.
- Comply with noise ordinance

Mr. Graves stated that staff recommends approval of the case with the recommended conditions. Approval basis on the following:

- Request appears compatible with current and future surrounding land uses.
- No negative feedback was received.
- Recommended conditions provided to ensure applicable code requirements are met and limit any expected impacts on the community.
- The applicant has reviewed and supports the conditions.

Mr. Bresko asked the Commissioners if they had any questions for the applicant before opening the Public Hearing. With no one having any initial questions, Mr. Bresko opened the Public Hearing at 8:18 p.m. No one came forward to speak. Mr. Bresko closed the Public Hearing at 8:19 p.m.

Ms. Anderson made a motion to forward SE-22-10 to the Board with a recommendation for approval, subject to the recommended conditions, and the reason for this recommendation is the expected off-site impacts appear to be adequately addressed by the conditions. Mr. Brockwell seconded the motion.

Roll Call:

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

Opposed: (0)

Absent: (2) Brown, Joyner

- P-3. COMPREHENSIVE PLAN AMENDMENT CPA-22-02:** Request of Prince George County to amend the Comprehensive Plan Future Land Use Map designation for a specific property from Residential to Commercial. The subject property, approximately 2.18 acres in size, is identified as Tax Map 430(03)00-00B-0 and addressed as 11800 South Crater Road. The purpose of the amendment is to update the Future Land Use Map to be

consistent with the County's Exit 45 Strategic Plan, which calls for restaurant or retail business development on the subject property.

Julie Walton presented the amendment case to the Commissioners. She explained that the subject property was the former Continental Motel property currently zoned Residential. The County recently purchased the property and demolished the motel to be more consistent with the County's Exit 45 Strategic Plan. The Future Land Use Map shows the property Multi-Family Residential and the County is requesting it be changed to B-1 Commercial.

Staff Review Comments:

Planning & Zoning – Planning Staff

- The Zoning of the surrounding properties are as follows:
  - North - R-1, Limited Residential
  - South - B-1, General Business
  - East - B-1, General Business
  - West - R-1, Limited Residential
- The change of future land use designation would be consistent with the development pattern in the immediate vicinity, which is commercial
  - Surrounding land uses include Star Express, Dollar General and Nanny's restaurant
  - The proposed use(s) of the property for either a retail store or a restaurant would be consistent and compatible with existing commercial land uses
- The request is supported by the County's Exit 45 Strategic Plan

Mrs. Walton stated that staff notified adjacent property owners by mail prior to the public hearing and ran the required advertisements in the newspaper. The applicant has reviewed a copy of the Staff Report. She explained that no public comments were received prior to finalizing the report, but a citizen inquiry was received concerning the buffer requirements between a commercial property and residential areas. Staff spoke with the citizen and explained the requirements for buffers on a commercial property. The property has an existing tree line and would need to be maintained during construction. The citizen seemed to be satisfied with staff's response.

Staff recommends that the Future Land Use Map designation for Tax Map 430(03)00-00B-0 be amended from Residential-Multi-Family to Commercial. This recommendation is based on the following considerations:

- Historically, the site in question has been used commercially as a motel (legal nonconforming).
- The development pattern, in the vicinity of the affected location, is commercial as opposed to residential. The site is directly across South Crater Road from the Star Express Travel Center and is across Clary Road from Nanny's restaurant.
- The proposed Comprehensive Plan Amendment would facilitate achievement of the goals and objectives of the County's Exit 45 Strategic Plan.

Mr. Bresko asked if there were any potential businesses looking to purchase the property at this time. Mrs. Walton directed the questions to Mr. Jabri, Director of Economic

Development. Mr. Jabri stated that the County does not have a prospective buyer at this time but would like to have the property zoned Commercial for the future.

At 8:29 p.m., Mr. Bresko opened the public hearing to anyone wishing to speak for or against this case. With no one coming forward, the public hearing was closed at 8:30 p.m.

Mr. Simmons made a motion to forward request CPA-22-02 to the Board of Supervisors with the recommendation of approval along with the reasons given by staff. The motion was seconded by Mrs. Elder.

Roll Call:

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

Opposed: (0)

Absent: (2) Brown, Joyner

**P-4. REZONING RZ-22-03:** Request of Prince George County to rezone approximately 2.18 acres from R-1 (General Residential) District to B-1 (General Business) District. The purpose of the rezoning is to attract a restaurant or retail business in accordance with the County's Exit 45 Strategic Plan. The subject property is located on the west side of South Crater Road and was formerly occupied by the Continental Motel, addressed as 11800 S. Crater Road, before its demolition in 2022. The subject property is identified as Tax Map 430(03)00-00B-0. The Comprehensive Plan Future Land Use Map indicates the property is planned for "Residential" development; however, the County has requested to amend the future use designation for this property to "Commercial".

Mrs. Walton presented the companion case, RZ-22-03, the request of Prince George County Economic Development Department to rezone 2.18 acres from R-1 to B-1. The property had a nonconforming use because it is R-1. The applicant wishes to attract a restaurant or hotel to this location, which is in accordance with the County's Exit 45 Strategic Plan.

Staff Review Comments:

Planning & Zoning – Planning Staff

- Expected impacts of proposed uses on adjacent properties and roadways
- Compatibility with existing/surrounding land uses
- Compatibility with the Comprehensive Plan

Community Development & Code Compliance – Charles Harrison III, Building Official

- Land disturbance associated with this project, including demolition in excess of 10,000 sq. ft., will require a Land Disturbance Permit issued by Prince George County. Additionally, if the area of disturbance for demolition and new construction reaches or exceeds 1 acre, a Construction General Permit issued by the Virginia Department of Environmental Quality will also be required.

Utilities – Frank Haltom, Director

- The site is located within the Prince George County Planning Area. Connection to the public water and wastewater systems will be required.

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

- Chapter 527 Traffic Impact Analysis will not be required
- VDOT will evaluate whether either of the existing entrances will be suitable for the new user at the time of site plan submittal
- VDOT has no objection to the proposed rezoning application

Mrs. Walton explained that staff notified adjacent property owners by mail and ran the required legal ads for the request in the newspaper. The applicant reviewed a copy of the report prior to the meeting. She stated that there were no comments from the community received prior to finalizing the report. One citizen inquiry was received concerning the buffer requirements between a commercial property and residential areas.

Staff recommended approval based on the following considerations:

1. The applicant's request is compatible with existing and surrounding land uses.
2. A rezoning from R-1 General Residential to B-1 General Business would be consistent with the adopted Comprehensive Plan.
3. Historically, the site in question has been used commercially as a motel.
4. A site plan will be required which will address erosion and sediment control, stormwater runoff, buffering, landscaping, and outdoor lighting concerns.
5. No negative feedback was received from adjacent property owners and community prior to publishing this staff report.
6. The proposed Rezoning would facilitate achievement of the goals and objectives of the County's Exit 45 Strategic Plan.

At 8:35 p.m., Mr. Bresko opened the public hearing to anyone wishing to speak for or against this case. With no one coming forward, the public hearing was closed at 8:35 p.m.

Ms. Anderson made a motion to forward request RZ-22-03 to the Board of Supervisors with the recommendation of approval based on the following:

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

Mr. Brockwell seconded the motion.

Roll Call:

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

Opposed: (0)

Absent: (2) Brown, Joyner

**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 October and November
- B. Actions of the Board of Supervisors
  - a. BOS Recap – Oct. 11<sup>th</sup>



- i. Reappointed Carol Woodward to the BZA
    - ii. Appointed Mrs. Shanna Story to the BZA
  - b. BOS Recap – Oct. 25<sup>th</sup>
    - i. Approved MAT Developments, LLC Rezoning request
    - ii. Denied Grand Slam, LLC Special Exception request
- C. Upcoming Cases for November 2022
  - a. SW-22-03 Ross Subdivision Waiver
  - b. SE-22-11 Ruffin Home Day Care
  - c. OA-22-04 Floodplain Ordinance Update
  - d. SE-22-07 PG 1100 Jordan Point LLC
  - e. Ordinance change for the number of dogs allowed on a property

**ADJOURNMENT.** At 8:39 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 Mrs. Elder and seconded by Mr. Simmons. Roll was called on the motion.

Roll Call:

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

Opposed: (0)

Absent: (2) Brown, Joyner