



County of Prince George, Virginia

"A global community where families thrive and businesses prosper"

INTEROFFICE MEMORANDUM

TO: Alex W. Bresko, Jr., Chairman
R. Steven Brockwell, Vice-Chairman
Tammy Anderson
Floyd M. Brown, Sr.
Imogene S. Elder
V. Clarence Joyner, Jr.
Joseph E. Simmons

FROM: Tim Graves, Planner I

RE: December Planning Commission Work Session & Business Meeting

DATE: December 15, 2022

CC: Julie C. Walton, Director
Dan Whitten, County Attorney
Andre Greene, Planner II
Missy Greaves-Smith, Office Manager

The Planning Commission's Work Session will be Monday, December 19, 2022 at 5:30 p.m. in the Board Room.

The Planning Commission's regular Business Meeting will be Thursday, December 22, 2022 at 6:30 p.m. in the Board Room.

Please contact me at (804)722-8678 or via e-mail at tgraves@princegeorgecountyva.gov with any questions.

1	Agenda
2	Draft Work Session Minutes November 14, 2022
3	Draft Business Meeting Minutes November 17, 2022
4	Rezoning RZ-22-02 Harvest Road Rezone M-1 to M-2
5	Special Exception SE-22-12 Plear – Dog Breeding Kennel
6	Comprehensive Plan Amnd. CPA-22-03 Diamond Park LLC
7	Rezoning RZ-22-04 Diamond Park LLC
8	Communications
9	
10	
11	
12	

Begin

TAB 1

AGENDA – BUSINESS MEETING
Planning Commission of Prince George County, Virginia

Thursday, December 22, 2022 at 6:30 p.m.
County Administration Bldg. Boardroom, Third Floor
6602 Courts Drive, Prince George, Virginia

CALL TO ORDER – Chairman Bresko
Roll Call - Clerk

INVOCATION

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

ADOPTION OF AGENDA [1] – Chairman Bresko

PUBLIC COMMENTS - Chairman Bresko

The Public Comment period is open to anyone who wishes to speak to the Commissioners on any items not being heard as Public Hearing items this evening. Please state your name and address, and you will have three (3) minutes to speak.

ORDER OF BUSINESS

A-1. Adoption of the Work Session Minutes – November 14, 2022 [2] **Chairman Bresko**

A-2. Adoption of Meeting Minutes – November 17, 2022 [3] **Chairman Bresko**

PUBLIC HEARINGS

P-1. REZONING RZ-22-02: Request of Jeff Oakley, Robert Forehand Jr., and Buckingham Pines, LLC to rezone approximately 12.18 acres from M-1 (Limited Industrial) District to M-2 (General Industrial) District, to accommodate existing and future industrial land uses. The subject property consists of seven (7) tax parcels located on the north and south sides of Harvest Road within an existing industrial park, and is identified as Tax Maps 240(0A)00-069-A, B, F, G, K, L, and M. The Comprehensive Plan Future Land Use Map indicates that the land underlying all affected tax parcels is planned for Industrial uses. [4] **Andre Greene**

P-2. SPECIAL EXCEPTION SE-22-12: Request of Dennis and Wendy Plear to permit an Animal Boarding Place in a Residential Agricultural (R-A) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-103(23). The purpose of the request is to allow a dog-breeding business to operate within the existing single-family dwelling on the property. The subject property is approximately 2.76 acres in size, located at 10608 Walton Lake Road, and is identified as Tax Map 440(0A)00-001-0. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Residential uses. [5] **Tim Graves**

- P-3. COMPREHENSIVE PLAN AMENDMENT CPA-22-03:** Request of Diamond Park, LLC to amend the Comprehensive Plan Future Land Use Map designation for a specific property from Commercial to Industrial. The subject property, approximately 44.5 acres in size, is identified as Tax Maps 340(0A)00-007-D and 340(0A)00-007-E and is located at the end of Wagner Way near the intersection of Courthouse Road and County Drive. The change is requested so that the County's Future Land Use Map may support the companion-rezoning request identified as RZ-22-04. [6] **Andre Greene**
- P-4. REZONING RZ-22-04:** Request of Diamond Park, LLC to rezone approximately 44.5 acres from B-1 General Business to M-3 Heavy Industrial. The subject property is located at the end of Wagner Way near the intersection of Courthouse Road and County Drive and is identified as Tax Maps 340(0A)00-007-D and 340(0A)00-007-E. The Comprehensive Plan Future Land Use Map indicates the property is planned for Commercial uses, however the applicant has submitted a companion request identified as CPA-22-03 to change the Future Land Use designation from Commercial to Industrial. The purpose of the request is to enable speculative industrial development to occur on the property. [7] **Andre Greene**

COMMUNICATIONS – Tim Graves, Planner [8]

- A. Actions of the Board of Zoning Appeals
- B. Actions of the Board of Supervisors
 - a. BOS Recap
- C. Upcoming Cases for January 2023
- D. Draft PC Meeting Schedule for 2023

ADJOURNMENT – Chairman Bresko

Begin

TAB 2

DRAFT MINUTES - WORK SESSION

Planning Commission of Prince George County, Virginia

Monday, November 14, 2022 at 5:30 p.m.

County Administration Bldg., Board Room (Third Floor)

6602 Courts Drive, Prince George, Virginia

CALL TO ORDER – 5:30 p.m.

Roll Call – **Commissioners Present: Simmons, Elder, Bresko, Anderson**
Commissioners Absent: Joyner, Brockwell, Brown
Staff Present: Julie Walton, Tim Graves

AGENDA REVIEW FOR OCTOBER 27 BUSINESS MEETING - Tim Graves

CASE REVIEW

- 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 reviewed Staff's recommended conditions which were revised based on feedback from the public and the applicant during the Public Hearing on October 27. Staff also discussed a letter that was sent to the Commission by Beverly Rogers for the Jordan on the James Homeowners Association, dated 11-17-22. The letter included additional requested changes to the conditions. The Chairman allowed the applicant team to speak to discuss certain conditions recommended by staff that they still did not agree with.**
- 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 reviewed the staff report and answered questions from the Commission.**
- 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. **Julie Walton reviewed the staff report and answered questions from the Commission.**

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. **Julie Walton reviewed the staff report and answered questions from the Commission.**

COMMUNICATIONS – None (reserved for the Public Hearing on November 17)

ADJOURNMENT – 6:55 p.m. (Motion by Elder, Second by Simmons, Vote 4-0)

Begin

TAB 3

DRAFT 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 also 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. 25th
 - 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

DRAFT

Begin

TAB 4

REZONING REQUEST – RZ-22-02
PLANNING COMMISSION STAFF REPORT – December 22, 2022

RESUME

APPLICANT: Ashley Forehand Oakley

PROPERTY OWNER: Jeff Oakley, Robert Forehand, Jr. and Buckingham Pines

REQUEST: This request is to conditionally rezone approximately 12.18 acres from M-1, Limited Industrial to M-2, General Industrial in order accommodate existing and future land uses.

STAFF RECOMMENDATION: Staff recommends APPROVAL, subject to the recommended/proffered conditions.

STAFF REPORT CONTENTS/

ATTACHMENTS

1. Resume
2. Sample Motions
3. Draft Ordinance for Board of Supervisors
4. Staff Report
5. Copy of the Application with Attachments
6. Copy of Permitted/SE Uses in M-2 Zoning District
8. APO letter, map, mailing list, and newspaper ad
9. Power Point Presentation

Sample Motions

APPROVE:

"I move to forward request RZ-22-02 to the Board of Supervisors with a recommendation for APPROVAL, subject to the recommended conditions in the Staff Report and the Applicant's proffers, and the reason(s) for this recommendation is/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 _____

APPROVE WITH CHANGES:

I move to forward request RZ-22-02 to the Board of Supervisors with a recommendation for APPROVAL, subject to the following changes:

DENY:

I move to forward request RZ-22-02 to the Board of Supervisors with a recommendation for DENIAL for the following reason(s): (SPECIFY)

POSTPONE:

I move to POSTPONE request RZ-22-02 until _____ to allow time for _____
(MEETING DATE)

(ACTION/EVENT)

Board of Supervisors
County of Prince George, Virginia

Ordinance

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia this ____ day of ____, 2022:

Present:

Marlene J. Waymack, Chair
Donald R. Hunter, Vice-Chair
Floyd M. Brown, Jr.
Alan R. Carmichael
T. J. Webb

Vote:

REZONING RZ-22-02: Request of Jeff Oakley, Robert Forehand Jr., and Buckingham Pines, LLC to rezone approximately 12.18 acres from M-1 (Limited Industrial) District to M-2 (General Industrial) District, to accommodate existing and future industrial land uses. The subject property consists of seven (7) tax parcels located on the north and south sides of Harvest Road within an existing industrial park, and is identified as Tax Maps 240(0A)00-069-A, B, F, G, K, L, and M. The Comprehensive Plan Future Land Use Map indicates that the land underlying all affected tax parcels is planned for Industrial uses.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Rezoning Application identified as RZ-22-02 is granted as an amendment to the official zoning map; and

The Property, known as Tax Maps # 240(0A)00-069-A, B, F, G, K, L, and M, consisting of 12.18 acres, is hereby rezoned from M-1, Limited Industrial District to M-2, General Industrial District; and

The Owner in this zoning case, pursuant to §15.2 2303 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Prince George County, for themselves and their successors or assigns, proffer that the Property will be developed in accordance with the following conditions voluntarily agreed to by the Applicant:

1. The use of the Property shall be subject to, unless otherwise excluded or limited by these proffers, the uses and development standards permitted in the M-2 (General Industrial) Zoning District, as stipulated in the current adopted County of Prince George Zoning Ordinance. The following uses will not be permitted upon the Property:
 - 1) Blacksmith shops.
 - 2) Sawmills and planing mills.
 - 3) Brick manufacture.
 - 4) Boiler shops.

- 5) Meat, poultry and fish processing.
 - 6) Conservation areas.
 - 7) Game preserves.
2. The following development standards shall be applicable to the Property: The first 15-20 feet of the Harvest Road commercial entrance off Route 156 (Prince George Drive) will be repaved within 12 months of the date of this Ordinance.

Additional development standard shall be applicable to the Property:

3. Any new business or businesses proposed to locate in the park in the future will require trip generation data and a turn warrant analysis at the time of site plan submittal.

Adopted on _____, 2022 and becoming effective immediately.



PLANNING COMMISSION STAFF REPORT

Public Hearing December 22, 2022

RZ-22-02– Harvest Road

Applicant: Ashley Forehand Oakley

Owner: Jeff Oakley, Robert Forehand, Jr. and Buckingham Pines LLC

Case Manager: Andre Greene - (804)722-8678

I. Request

This request is to conditionally rezone approximately 12.18 acres from M-1, Limited Industrial to M-2, General Industrial in order accommodate existing and future land uses.

II. Property

Address: Harvest Road Industrial

Tax Map: 240(0A)00-069- A,B,
F,G,K,L and M

Site Size: Approximately 12.18 acres

RE Taxes Paid?: Yes

Zoning District: M-1, Limited Industrial

Current Use: Industrial (Trucking and Truck
Repair and Maintenance)

Comp Plan Land Use: Industrial

Planning Area: Prince George Planning Area

Previous Zoning Cases: None

Figure 1: Aerial view of request area



III. Meeting Information

Planning Commission Public Hearing: December 22, 2022

Board of Supervisors Public Hearing: January 24, 2023 (Tentative)

IV. Background

Since 1981, industrial uses related to trucking and truck repair and maintenance have located in the Harvest Road Industrial Park located off Prince George Drive (Route 156). The current zoning of the properties utilized for trucking related purposes is M-1, Limited Industrial. However, through discussions with the property owners, staff has determined that the appropriate zoning for the type of uses in the industrial park is M-2, General Industrial.

V. Applicant Proposal & Rationale

The owners of the lots in the industrial park wish to have the existing tenants and any future industrial users to be in conformance/compliance with County's Zoning regulations. Therefore, they are requesting a rezoning from M-1 to M-2. The owners have stated that no new businesses will be locating in the Harvest Road Industrial Park at this time. So there will be no increase in traffic, no disturbance of land and no increase in noise.

VI. Exhibits

Exhibit 1: Zoning Map – Light Grey is M-1, Limited Industrial, Dark Grey is M -2, General Industrial

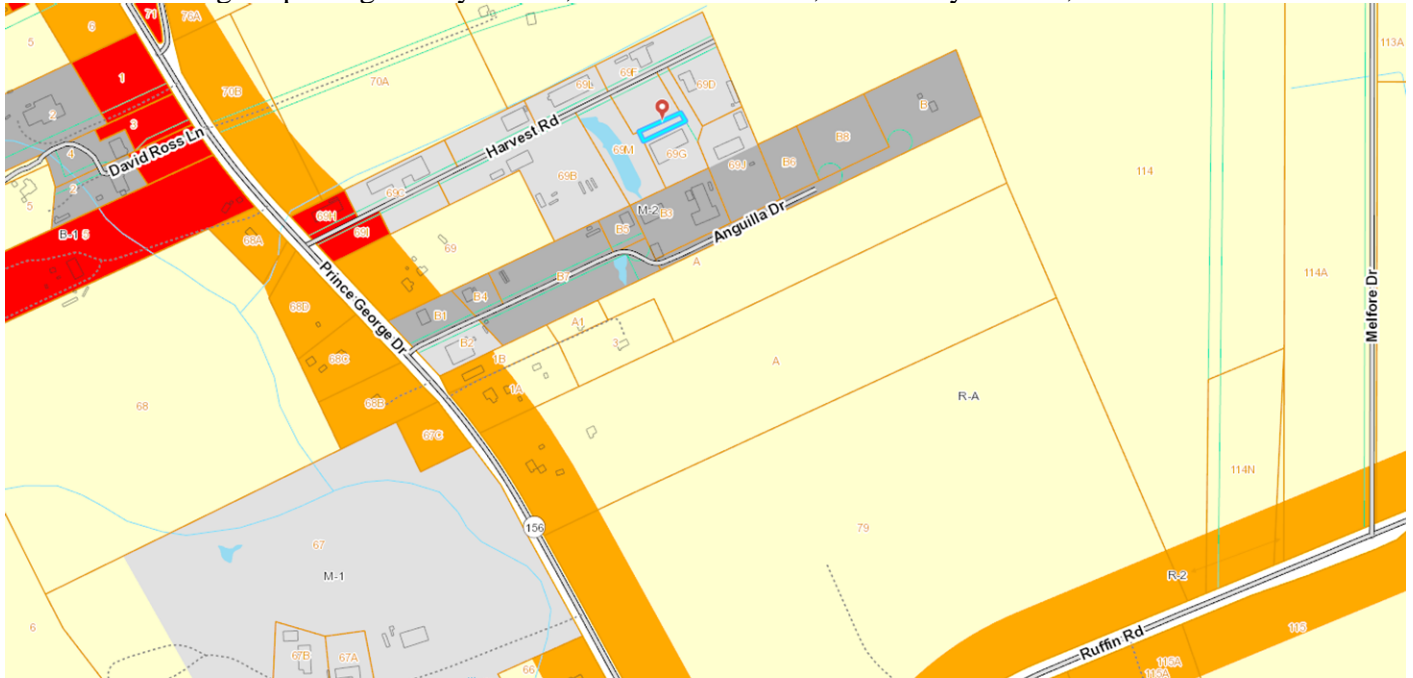


Exhibit 2: Future Land Use Map Purple = Industrial, Red=Commercial

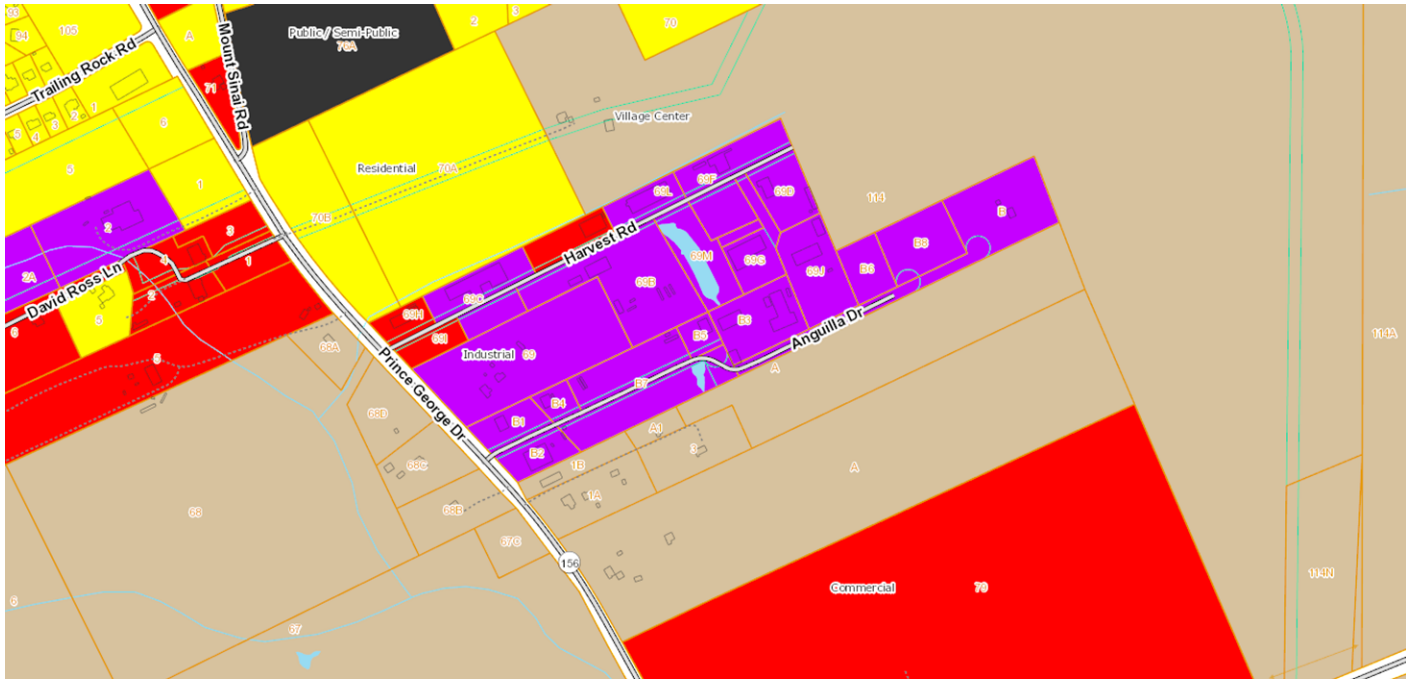


Exhibit 3-5 - Photos of Harvest Road Industrial Park





VII. Planning and Zoning Review Comments

1. The proposed rezoning affects land and structures that have been utilized over the years (since 1981) for industrial purposes and are land uses currently permitted “by-right” in the M-2, General Industrial, Zoning District. There are no new development plans and no new establishments will be locating in the industrial park at the time of this request. Consequently, there will be no change in the flow of traffic in and out of the existing industrial park.
2. The proposed rezoning is consistent with the Comprehensive Plan because The Future Land Use Map calls for Industrial Uses in this area (See Exhibit 2: Comprehensive Plan Future Land Use Map). There appears to be a commercial designation on one (1) of the lots in question but a rezoning to M-2, General Industrial is justified because the property has been used for industrial purposes over many years.
3. Any new tenants or owners will be limited by existing infrastructure space and current requirements.

VIII. Supplemental Staff Review Comments

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

The Virginia Department of Transportation, Southern Region Land Development Office has reviewed the rezoning application dated 8-22-22 received at the Petersburg Residency on 10-12-22 and offers the following comments for the applicant’s and the County’s use:

1. The proposed blanket zoning case involves over 18 acres of land. The proposed zoning application did not provide a concept plan or potential trip generation numbers for the undeveloped parcel for review. VDOT is recommending that the County require trip generation data be submitted. VDOT also suggests that the County require the submission of turn lane warrant analyses for the existing entrance road. It is likely that the existing uses alone would warrant a right and/or left turn lane from SR 156.

P&Z Response/Update: This issue has been resolved because new businesses are not locating into the existing industrial park. If a new business or businesses are to locate in the park in the future, then the County can require trip generation data and a turn warrant analysis at the time of site plan submittal.

2. The existing entrance serving the property does not meet VDOT's current standards for commercial entrances on roads with AADT in excess of 5,000 VPD. Consideration should be given to requiring repairs or improvements to the commercial entrance serving the parcels in this zoning case to bring it into compliance with current VDOT standards.

P&Z Response/Update: The applicants have voluntarily proffered to repave the first 15-20 feet of commercial entrance.

3. It appears the parcels are all accessed by a private road. VDOT recommends that a road and entrance maintenance agreement be required in conjunction with the proposed rezoning case that binds all users to the continued maintenance of the commercial entrance and private road.

P&Z Response/Update: The applicants are planning to repair the entrance and Harvest Road appears to be in satisfactory condition.

4. Parcel 240(0A)00-069-0 does not appear to have access to Harvest Road or Anguilla Road. Access to this parcel will be restricted to a right-in/right-out entrance as there is not sufficient spacing between Harvest Road and Anguilla Road for a full access commercial entrance that meets VDOT's Access Management spacing standards. 470' is required between full access entrances on a road with a functional classification of minor arterial and a 45 MPH speed limit. An exception can be requested for entrances that do not meet spacing standards, but must be approved by the Richmond District TLUD.

P&Z Response/Update: The applicants removed Parcel 240(0A)00-069-0 from their rezoning request.

The departments below reviewed this request and had no comments.

Environmental Division

Real Estate Assessor

Fire & EMS Department

Building Inspections Division

Virginia Department of Health

PG Police Department

PG Sheriff's Department

IX. Public Notice and Community Feedback

- Staff notified adjacent property owners by mailing prior to the public hearing.
- Staff ran the required legal ads for this request in the *Progress-Index* prior to the public hearing.
- The applicant reviewed a copy of this report prior to the Planning Commission hearing date.
- No comments from the community were received prior to finalizing this report.

X. Staff Recommendation

Approval, subject to the applicant's proffered conditions and staff's recommended conditions.

This recommendation is based on the following considerations:

1. The applicant's request is compatible with existing and surrounding land uses.
2. A rezoning from M-1, Limited Industrial to M-2, General Industrial is consistent with the Prince George County adopted Comprehensive Plan.
3. The issues and concerns of VDOT have been addressed.
4. No negative feedback was received from adjacent property owners and community prior to publishing this staff report.
5. The applicant has proffered several conditions which staff finds acceptable and supports (see proffer statement).

XI. Proffered Conditions

1. The following M-2, General Industrial uses will not be permitted upon the Property:
 - Blacksmith shops.
 - Sawmills and planing mills.
 - Brick manufacture.
 - Boiler shops.
 - Meat, poultry and fish processing.
 - Conservation areas.
 - Game preserves.
2. The Applicants have proffered to repave the first 15-20 feet of the Harvest Road commercial entrance off Route 156 (Prince George Drive).

XII. Additional Staff Recommended Condition

1. Additional recommended development standard shall be applicable to the Property: Any new business or businesses proposed to locate in the park in the future will require trip generation data and a turn warrant analysis at the time of site plan submittal.

XIII. Additional information:

The following is a list of all M-2, General Industrial Uses (uses in red will not be allowed, per the applicant's proffers):

Sec. 90-492. - Permitted uses.

In the M-2 general industrial district, buildings to be erected or land to be used shall be for one or more of the following uses:

- (1) Truck terminals.
- (2) Automobile assembling, painting, upholstering, repairing, rebuilding, reconditioning, body and fender work, truck repairing or overhauling, tire retreading or recapping.
- (3) **Blacksmith shops**, welding or machine shops.
- (4) Building material sales yards and plumbing supplies storage.

- (5) Contractors' equipment storage yard or plant or rental of equipment commonly used by contractors.
- (6) Petroleum storage.
- (7) Sawmills and planing mills.
- (8) Brick manufacture.
- (9) Boiler shops.
- (10) Meat, poultry and fish processing.
- (11) Public utilities.
- (12) Conservation areas.
- (13) Game preserves.
- (14) Accessory uses.
- (15) General advertising signs.
- (16) Location signs.
- (17) Concrete products or central mixing and proportioning plants.
- (18) Agriculture. Notwithstanding any other provision of this article, only accessory structures may be erected for the use of agriculture in an M-2 district; site plan review is not required on land used exclusively for agricultural pursuits.
- (19) Vehicle impound facility.
- (20) All M-1 permitted uses.

Sec. 90-493. - Uses and structures permitted by special exception.

The following uses are permitted by special exception in the M-2 general industrial district:

- (1) Sanitary landfill in accordance with the requirements of [section 90-1033](#).
- (2) Tree stump landfills. Stumps and other natural vegetation may be buried in designated areas, provided:
 - a. A surveyed plat of the landfilling site so designated is recorded in the clerk of the circuit court's office;
 - b. All county erosion control and reclamation ordinances are adhered to; and
 - c. Such other conditions as required by the board of supervisors that are deemed appropriate.
- (3) Dredged material disposal site.
- (4) Public utility generating station, transmission station, transmission line and tower other than normal distribution facilities, pipe, meter, railroad, water and sewerage installation, compressor station, measurement station, regulation station.
- (5) Small solar energy facility.
- (6) Large-scale solar energy facility.
- (7) Tier 2 battery energy storage system, in accordance with [section 90-1042](#).

Sec. 90-493.1. - Uses and structures permitted by special exception granted by the board of zoning appeals.

Animal boarding place, private.

(Code 1988, § 17-232; Ord. No. O-09-11, 11-12-2009; Ord. No. O-13-14, § 1, 8-13-2013; Ord. No. O-14-16, § 1, 7-22-2014; Ord. No. O-20-18, § 4, 8-11-2020; Ord. No. O-20-26, § 1, 12-16-2020)
 (Code 1988, § 17-233; Ord. No. O-17-04, § 1, 4-25-2017; Ord. No. O-22-13, § 3, 5-10-2022)
 (Ord. No. O-12-37, § 1, 11-27-2012)



R2-22-0006
INV 00002692



BY: _____

REZONING 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 #:

R2-22-02

DATE SUBMITTED:

AUG 22 2022

BY: TWG

APPLICANT FILL-IN ALL BLANKS

REQUEST:

Rezone to M2

REQUEST PROPERTY ADDRESS / LOCATION:

7526 Harvest Rd. 7530 Harvest Rd. 7543 Harvest Rd.
7515 Harvest Rd. 7540 Harvest Rd. 5201 Prince George Dr.

REQUEST TAX MAP(S): (List all)

240(OA)00-069-A 240(OA)00-069-B 240(OA)00-069-C
240(OA)00-069-L 240(OA)00-069-D 19
240(OA)00-069-E 240(OA)00-069-F
240(OA)00-069-M 240(OA)00-069-K

AFFECTED ACREAGE:

19

ENTIRE PARCEL?: (Y / N)

Y

CURRENT ZONING:

M1,
R-A, R-290

PROPOSED ZONING:

M2

REQUIRED ATTACHMENTS: (Check if Attached; * = Required)

☐ APPLICANT STATEMENT* (Specify goals, details, etc.)

☒ PROPOSED CONDITIONS / PROFFER STATEMENT

☐ CONCEPTUAL SITE PLAN*

(Show any planned improvements; Use GIS or Engineer Drawing)

☐ COMMUNITY MEETING SUMMARY

☐ SURVEY OR LEGAL DESCRIPTION OF REZONING
REQUEST AREA (If different than recorded lot)

☒ ADDITIONAL ATTACHMENTS:

NAME(S):

Jeff Oakley, Robert E Forehand Jr.

MAILING ADDRESS (Incl. City, State, Zip)

5115 Prince George Dr. Prince George, VA 23875

E-MAIL: bforehand@oakleytanklines.com

joakley@oakleytanklines.com

PHONE: Jeff Oakley, Bob Forehand

804-543-4173 804-731-2278

NAME(S) (If different than owner):

Ashley Forehand Oakley

RELATION TO OWNER:

Spouse, daughter

MAILING ADDRESS (Incl. City, State, Zip)

5115 Prince George Drive, Prince George, VA 23875

E-MAIL:

ashley@ashleyfoakley.com

PHONE:

804-731-2755

OFFICE USE ONLY (Completed at time of application)

COMMENTS:

PAYMENT

FEE DUE:

\$3,710
Rezoning: \$1,050 + [See Fee Schedule]
Amend Existing Zoning Case: \$1,050

FEE PAID:

PAYMENT TYPE:

CHECK / CASH / CREDIT / DEBIT

CHECK # / TRANSACTION #:

DATE RECEIVED:

RECEIVED BY:

OWNER AFFIDAVIT

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:

Jeffrey S. Oakley

NAME:

Robert E. Forehand Jr

SIGNED:

Jeffrey S. Oakley

SIGNED:

Robert E. Forehand Jr

DATE:

8/22/22

DATE:

8/22/2022

NOTARIZATION:

STATE OF VIRGINIA

COUNTY OF: Prince GeorgeSubscribed and sworn before me this 22 day of August, 20 22.

Notary Public

Cathy Diane TaylorMy Commission expires: 8-31-, 20 23

COUNTY OF PRINCE GEORGE
COMM DEV & CODE COMPLIANCE
PO BOX 156
6602 COURTS DR
PRINCE GEORGE, VA 23875-0156
(804)722-8750
Welcome

19997685-0001 Teresa C. 08/25/2022 03:50PM

EG INVOICE

Oakley, Ashley

2022 Item: INV-00002692

Base fee for a Rezoning
Application request 1,050.00

PGC Rezoning to M-2
\$140 per acre
calculated 2,660.00

3,710.00

Subtotal 3,710.00
Total 3,710.00

CHECK 3,710.00
Check Number 4062

Change due 0.00

Paid by: Oakley, Ashley

Thank you for your payment

CUSTOMER COPY

August 19, 2022

Re: Preliminary Rezoning Application #21-03 Response to Comments

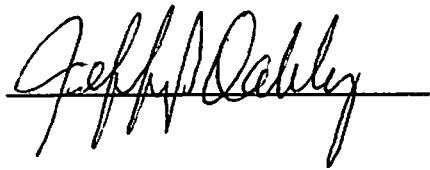
For the past 30 years at least 75% of the business in this park have required M-2 zoning. This includes some 25 different businesses.

Through this time county officials, property owners in the park, and neighbors all thought this park was zoned M-2.

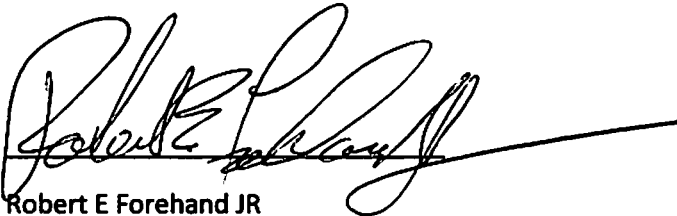
We are seeking consistent zoning in this small Industrial park so current businesses which have all been issued appropriate business license are in compliance.

Additionally, the rezoning is for existing parcels only. There are no new development plans, there will be no increased traffic in to and out of the park, and the present buildings have all been in existence since 1981.

Ultimately when the zoning is corrected there will be no change to the impact for VDOT, public safety, business uses, or public opinion. The only change will be that current and future businesses will be operating in compliance with zoning laws and county tax income from the park will increase vs decrease.

A handwritten signature in black ink, appearing to read "Jeffrey S Oakley", written over a horizontal line.

Jeffrey S Oakley

A handwritten signature in black ink, appearing to read "Robert E Forehand JR", written over a horizontal line.

Robert E Forehand JR

August 10, 2022

**RE: Rezoning request from M-1 to M-2
7526, 7530, 7543, 7515, 7540, Harvest Drive
5201 Prince George Drive**

To whom it may concern:

Please consider the below conditions for the Rezoning request of the property owners for the above referenced properties.

The properties are located in an industrial park off Prince George Drive which has been in existence since before 1981. The properties over the years have been zoned various classifications, including Business, M-1, M-2 and I-2 (I-2 has since been removed from the Zoning districts). Our goal is to have one consistent Zoning that encompasses all the uses currently in park and allows for future owners and tenant to have clear guidance on allowable uses in the park.

The M-2 Zoning district designation for the industrial park would best fit the current and planned uses for the properties, with the following use restrictions:

Under Section 90-492. – Permitted Uses.

(1) Truck terminals.

(2) Automobile assembling, painting, upholstering, repairing, rebuilding, reconditioning, body and fender work, truck repairing or overhauling, tire retreading or recapping.

~~(3) Blacksmith shops, welding or machine shops.~~

(4) Building material sales yards and plumbing supplies storage.

(5) Contractors' equipment storage yard or plant or rental of equipment commonly used by contractors.

(6) Petroleum storage.

~~(7) Sawmills and planing mills.~~

~~(8) Brick manufacture.~~

- ~~(9) Boiler shops.~~
- ~~(10) Meat, poultry and fish processing.~~
- (11) Public utilities.
- ~~(12) Conservation areas.~~
- ~~(13) Game preserves.~~
- (14) Accessory uses.
- (15) General advertising signs.
- (16) Location signs.
- (17) Concrete products or central mixing and proportioning plants.
- ~~(18) Agriculture. Notwithstanding any other provision of this article, only accessory structures may be erected for the use of agriculture in an M-2 district; site plan review is not required on land used exclusively for agricultural pursuits.~~
- (19) Vehicle impound facility.
- (20) All M-1 permitted uses.

Thank you for your review and consideration of this Rezoning request.

Sincerely,

The image shows two handwritten signatures in blue ink. The first signature, 'Jeff Oakley', is written in a cursive style. Below it is a longer, more complex signature that appears to be 'Robert E. Forehand Jr.', also in cursive. A horizontal line extends from the end of the second signature.

Jeff Oakley and Robert E. Forehand Jr.

Robert E. Forehand, Jr.
P. O. Box 2050
Prince George, VA 23875

Jeffrey S. Oakley
P. O. Box 2528
Prince George, VA 23875

Prince George Planning Department
P. O. Box 68
Prince George VA 23875

Attention: Andre Green, Planner II

Reference: Rezoning Application RZA-22-02

Dear Sir,

The applicants are please to proffer the following:

- Re-pave the entrance at Harvest Drive and Prince George Drive. The extent of the repaving will cover and area 15-20 feet in length and 25 feet into Harvest Drive.

We would appreciate your consideration and approval of this rezoning case.

We thank you in advance for your support and understanding on this issue.

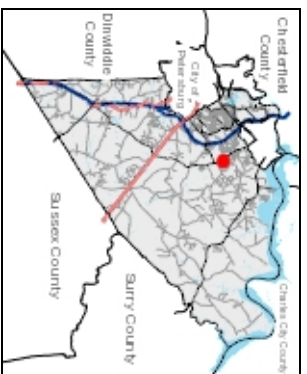
 *Robert E Forehand Jr* 12/14/22

Robert E. Forehand, Jr. Date

 *Jeffrey S Oakley* 12/14/22

Jeffrey S. Oakley

County of Prince George

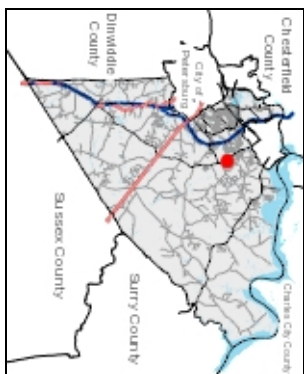
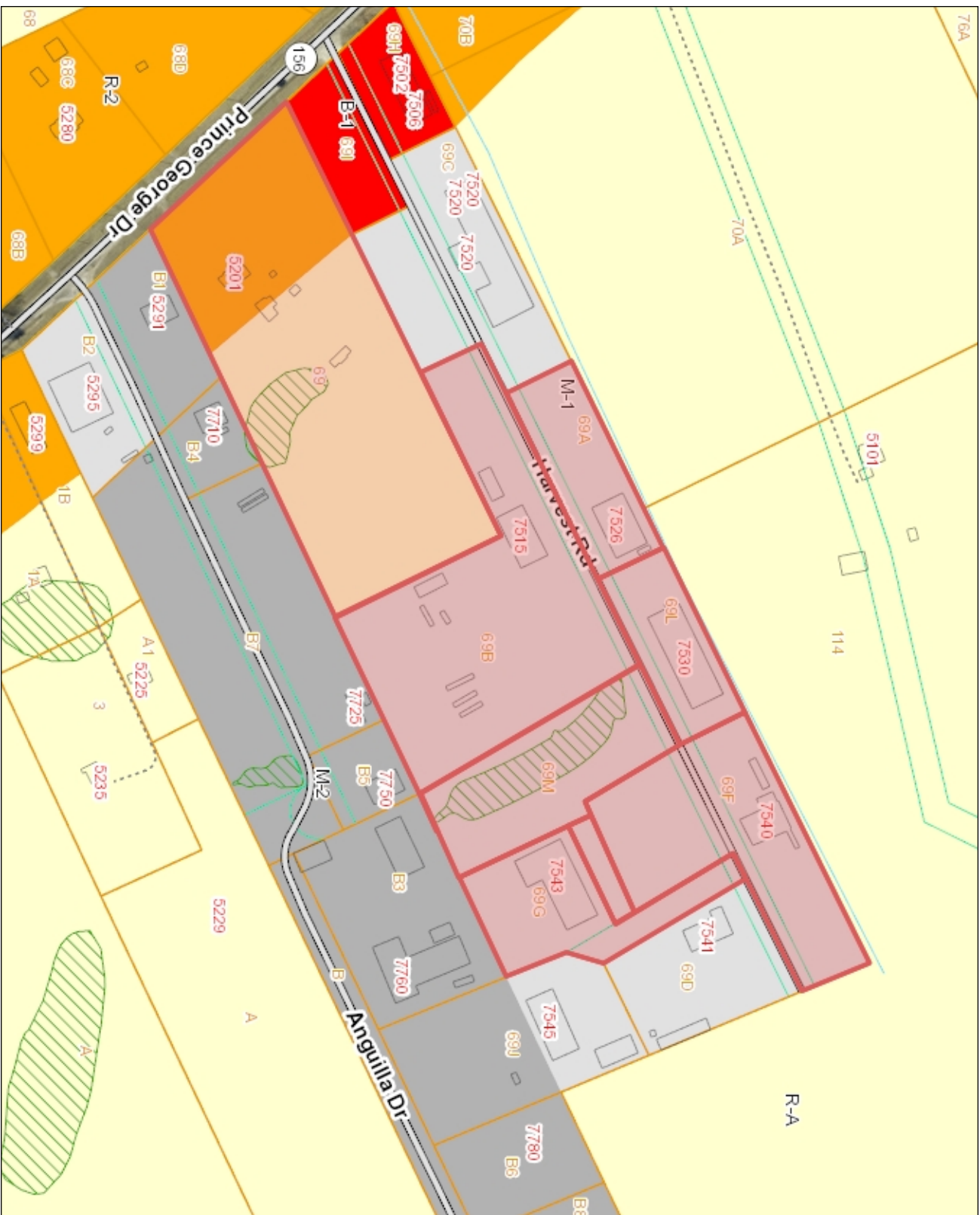


Legend

- County Parks
- Schools
- Firestations
- Political Boundaries
- Taxparcels
- Access Easements
- Wetlands
- Swamps

Notes

County of Prince George



Legend

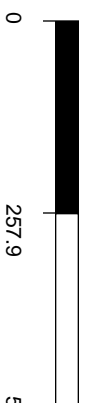
- County Parks
- Schools
- Firestations
- Political Boundaries
- Taxparcels
- Access Easements
- Wetlands
- Swamps
- Zoning**
- A-1
- B-1
- M-1
- M-2
- M-3
- R-1
- R-2
- R-3
- R-4
- R-E
- R-TH
- PUD
- Other

Notes



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.

Copyright, 2020 County of Prince George, VA



Feet

Map Scale 1: 3,094

8/23/2022



Tim Graves

From: Ashley Oakley <ashley@ashleyfoakley.com>
Sent: Monday, December 5, 2022 1:55 PM
To: Andre M. Greene; Tim Graves; Julie Walton; Dad
Subject: Fwd: Rezoning. Parcel 240(OA)00-069-0 6.02 acres

Ashley Oakley
Hometown Realty
(804)731-2755

Begin forwarded message:

From: bforehandjr <bforehandjr@aol.com>
Date: December 5, 2022 at 1:10:11 PM EST
To: Andre Greene <agreene@princegeorgecountyva.gov>
Cc: Ashley Oakley <ashley@ashleyfoakley.com>, Jeff Oakley <joakley@oakleytanklines.com>, Linda Forehand <lindforehand@aol.com>
Subject: Rezoning. Parcel 240(OA)00-069-0 6.02 acres

Please remove the referenced parcel from the rezoning request to be heard before the planning commission on December 22, 2022. We anticipate other uses for the parcel moving forward. We thank you in advance for your consideration.
Robert and Linda Forehand
Sent from my iPhone



County of Prince George, Virginia

"A global community where families thrive and businesses prosper"

December 9, 2022

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, December 22, 2022 beginning at 6:30 pm** to consider the following request that involves the Prince George County Zoning Ordinance:

REZONING RZ-22-02: Request of Jeff Oakley, Robert Forehand Jr., and Buckingham Pines, LLC to rezone approximately 12.18 acres from M-1 (Limited Industrial) District to M-2 (General Industrial) District, to accommodate existing and future industrial land uses. The subject property consists of seven (7) tax parcels located on the north and south sides of Harvest Road within an existing industrial park, and is identified as Tax Maps 240(0A)00-069-A, B, F, G, K, L, and M. The Comprehensive Plan Future Land Use Map indicates that the land underlying all affected tax parcels is planned for Industrial uses.

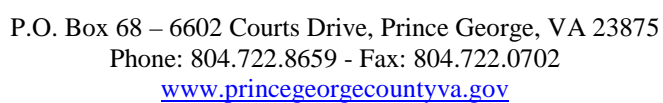
The public hearing will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875, pursuant to §15.2-2204, §15.2-2225, §15.2-2232, and §15.2-2285 of The Code of Virginia (1950, as amended). A copy of the related material may be reviewed or obtained at the Community Development and Code Compliance Department in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday–Friday. All interested persons are invited to participate in the public hearings in person. A live video stream will be available at https://www.princegeorgecountyva.gov/live_stream/. Public comments can be submitted prior to 4:30 p.m. on the public hearing date. Public Comment submittal forms and information on accessing this meeting electronically are 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 black ink that reads "Andre M. Greene".

Andre Greene
Planner II



BENNETT JOSEPH L JR
PO BOX 238
DISPUTANTA, VA 23842-0238

BUCKINGHAM PINES LLC
5115 PRINCE GEORGE DR
PRINCE GEORGE, VA 23875

CLEAN HARBORS INDUSTRIAL SERVICES
C/O CLEAN HARBORS ENVIRO SERV
PO BOX 9149
NORWELL, VA 02061

COOPER LONNIE D & THELMA F
117 CHRISTOPHER NEWPORT DR
HOPEWELL, VA 23860

EDWARDS JOHN D & DEBORAH H
PO BOX 669
PRINCE GEORGE, VA 23875

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

FOREHAND ROBERT E JR ET ALS
PO BOX 2050
PRINCE GEORGE, VA 23875-1339

LAWSON KENNETH H
PO BOX 338
PRINCE GEORGE, VA 23875

LUCY LAWRENCE A JR & KEVIN
5280 PRINCE GEORGE DR
PRINCE GEORGE, VA 23875

LUCY TIMOTHY A
5116 PRINCE GEORGE DR
PRINCE GEORGE, VA 23875

MELlichAMPE ENTERPRISES LLC
6801 CYPRESS DR
PRINCE GEORGE, VA 23875

OAKLEY REALTY LLC
5115 PRINCE GEORGE DR
PRINCE GEORGE, VA 23875

PRINCE GEORGE CTY FARM BUREAU
5291 PRINCE GEORGE DR
PRINCE GEORGE, VA 23875

RENTALS BY STIRLING LLC
PO BOX 334
PRINCE GEORGE, VA 23875

VAUGHANS CUSTOM CRAFTSMANSHIP
14821 PLEASANT GROVE DR
DISPUTANTA, VA 23842

YMCA OF GREATER RICHMOND
2 W FRANKLIN ST
RICHMOND, VA 23220

**PUBLIC NOTICE
PRINCE GEORGE COUNTY**

Notice is hereby given to all interested parties regarding the following public meeting: The Prince George County Planning Commission will hold public hearings on Thursday, December 22, 2022 beginning at 6:30 p.m. concerning the following requests:

REZONING RZ-22-02: Request of Jeff Oakley, Robert Forehand Jr., and Buckingham Pines, LLC to rezone approximately 12.18 acres from M-1 (Limited Industrial) District to M-2 (General Industrial) District, to accommodate existing and future industrial land uses. The subject property consists of seven (7) tax parcels located on the north and south sides of Harvest Road within an existing industrial park, and is identified as Tax Maps 240(0A)00-069-A, B, F, G, K, L, and M. The Comprehensive Plan Future Land Use Map indicates that the land underlying all affected tax parcels is planned for Industrial uses.

SPECIAL EXCEPTION SE-22-12: Request of Dennis and Wendy Plear to permit an Animal Boarding Place in a Residential Agricultural (R-A) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-103(23). The purpose of the request is to allow a dog-breeding business to operate within the existing single-family dwelling on the property. The subject property is approximately 2.76 acres in size, located at 10608 Walton Lake Road, and is identified as Tax Map 440(0A)00-001-0. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Residential uses.

COMPREHENSIVE PLAN AMENDMENT CPA-22-03: Request of Diamond Park, LLC to amend the Comprehensive Plan Future Land Use Map designation for a specific property from Commercial to Industrial. The subject property, approximately 44.5 acres in size, is identified as Tax Maps 340(0A)00-007-D and 340(0A)00-007-E and is located at the end of Wagner Way near the intersection of Courthouse Road and County Drive. The change is requested so that the County's Future Land Use Map may support the companion-rezoning request identified as RZ-22-04.

REZONING RZ-22-04: Request of Diamond Park, LLC to rezone approximately 44.5 acres from B-1 General Business to M-3 Heavy Industrial. The subject property is located at the end of Wagner Way near the intersection of Courthouse Road and County Drive and is identified as Tax Maps 340(0A)00-007-D and 340(0A)00-007-E. The Comprehensive Plan Future Land Use Map indicates the property is planned for Commercial uses, however the applicant has submitted a companion request identified as CPA-22-03 to change the Future Land Use designation from Commercial to Industrial. The purpose of the request is to enable speculative industrial development to occur on the property.

The public hearings will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875, pursuant to §15.2-2204, §15.2-2225, §15.2-2232, and §15.2-2285 of The Code of Virginia (1950, as amended). A copy of the related material may be reviewed or obtained at the Community Development and Code Compliance Department in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday-Friday. All interested persons are invited to participate in the public hearings in person.

A live video stream will be available at https://www.princegeorgecountyva.gov/live_stream/. Public comments can be submitted prior to 5:00 p.m. on the public hearing date. Public Comment submittal forms and information on accessing this meeting electronically are available at <https://www.princegeorgecountyva.gov>.

Tim Graves
Planner
(804)722-8678

Begin

TAB 5

SPECIAL EXCEPTION REQUEST – SE-22-12
PLANNING COMMISSION STAFF REPORT – December 22, 2022

RESUME

APPLICANT: Dennis and Wendy Plear

PROPERTY OWNER: Dennis and Wendy Plear

REQUEST: The applicants would like to start a dog breeding program as a business at their home. In order for this to be permitted, they are requesting a Special Exception for an Animal Boarding Place.

STAFF RECOMMENDATION: Staff recommends Approval, subject to the recommended conditions.

STAFF REPORT CONTENTS/

ATTACHMENTS

1. Resume
2. Sample Motions
3. Draft Ordinance for Board of Supervisors
4. Staff Report
5. Copy of the Application with Attachments
6. APO letter, map, mailing list, and newspaper ad
7. Power Point Presentation

Sample Motions

APPROVE:

"I move to forward request SE-22-12 to the Board with a recommendation for APPROVAL, subject to the recommended conditions in the Staff Report, and the reason(s) for this recommendation is/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 _____

APPROVE WITH CHANGES:

I move to forward request SE-22-12 to the Board with a recommendation for APPROVAL, subject to the following changes:

DENY:

I move to forward request SE-22-12 to the Board with a recommendation for DENIAL for the following reason(s): (SPECIFY)

POSTPONE:

I move to POSTPONE request SE-22-12 until _____ to allow time for _____
(MEETING DATE)

(ACTION/EVENT)

Board of Supervisors
County of Prince George, Virginia

DRAFT Ordinance

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia this ____ day of ____, 2022:

Present:

Marlene J. Waymack, Chair
Donald R. Hunter, Vice-Chair
Floyd M. Brown, Jr.
Alan R. Carmichael
T. J. Webb

Vote:

SPECIAL EXCEPTION SE-22-12: Request of Dennis and Wendy Plear to permit an Animal Boarding Place in a Residential Agricultural (R-A) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-103(23). The purpose of the request is to allow a dog-breeding business to operate within the existing single-family dwelling on the property. The subject property is approximately 2.76 acres in size, located at 10608 Walton Lake Road, and is identified as Tax Map 440(0A)00-001-0. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Residential uses.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Special Exception Application identified as SE-22-12 is granted as an amendment to the official zoning map with the following conditions:

1. This Special Exception is granted to Dennis and Wendy Plear for the following use on Tax Map 440(0A)00-001-0: Animal Boarding Place pursuant to 90-103(23), specifically for the breeding, raising and training of dogs intended to be sold, and shall not include overnight boarding of dogs other than those permitted under the below conditions.
2. There shall be no more than seven (7) dogs permanently kept on the premises as breeders or pets of the owners.
3. There shall be no more than 20 puppies between the ages of 0 and 12 weeks temporarily living on the property while growing and awaiting adoption. All puppies shall be adopted before they reach 12 weeks (3 months) of age unless taking the place of one the seven (7) permanent dogs on the property.
4. There shall be no more than six (6) litters per year, which shall all be whelped indoors within dedicated and permitted accessory buildings, or within the house.
5. The owners shall maintain adequate records to uniquely identify and provide an age for all dogs on the property at any given time, and any additional information as needed to confirm compliance.

6. Customer visits shall be limited to 1 family at a time by appointment only, between the hours of 9am-6pm, with the majority of appointments occurring on weekends (Friday-Sunday).
7. Customers shall park on-site in the driveway or in an established parking area on the property.
8. The owners shall employ effective means to prevent conflicts with neighbors resulting from excessive barking. Any dog that proves to be a nuisance shall be removed from the breeding program and adopted out.
9. Dogs shall be kept fenced, leashed or indoors at all times when not in transport.
10. The owners shall maintain adequate visual screening such as a fence or vegetation to effectively obscure view of the kennels from the road.
11. All areas associated with the animal boarding and training facility shall be cleaned and made free of waste on a regular basis. In addition, the applicant shall employ effective means of eliminating any odor problems and the propagation of insects on the premises.
12. Signage for the business shall be limited to one business sign of no more than 16 square feet located the front of the property and meeting all applicable ordinance requirements for a business sign including but not limited to setback requirements.
13. No employees shall be permitted in conjunction with this use other than members of the family residing on the premises.
14. The owners shall submit all documentation required by the Virginia Department of Health, with approval from the Health Department prior to the granting of a business license.
15. The owners 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.
16. The owners shall accommodate unannounced visits from Animal Services during business hours, and take appropriate measures for health and safety of the animals as recommended by Animal Services.
17. The owners shall operate in compliance with all applicable local, state and federal codes, including but not limited to, state codes for commercial dog breeders and County dog licenses.
18. The Special Exception shall become null and void if the use is abandoned for a period of twenty-four 24 consecutive months.
19. This Special Exception is renewable or transferrable to future owners only by approval of the Board of Supervisors without a public hearing so long as there are no deviations from the conditions.
20. 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 _____, 2022 and becoming effective immediately.



PLANNING COMMISSION STAFF REPORT

Public Hearing December 22, 2022

SE-22-12 – Animal Boarding Place (Dog Breeding Kennel)

Applicant: Dennis and Wendy Plear

Case Manager: Tim Graves - (804)722-8678

I. Request

The applicants would like to start a dog breeding program as a business at their home. In order for this to be permitted, they are requesting a Special Exception for an Animal Boarding Place.

II. Property

Address: 10608 Walton Lake Road

Tax Map: 440(0A)00-001-0

Site Size: 2.76 acres

Legal Owner: Dennis and Wendy Plear

RE Taxes Paid?: Yes

Zoning District: Residential Agricultural (R-A)

Current Use(s): Single-Family Residential

Comp Plan Land Use: Residential

Planning Area: Prince George Planning Area

Previous Zoning Cases: N/A

Figure 1: Aerial view of request property from County GIS



Note: Property lines not exact on County GIS.

Figure 2: Photo (Google Street View, May 2018)



III. Meeting Information

Planning Commission Public Hearing: December 22, 2022

Board of Supervisors Public Hearing: January 24, 2022 (Tentative)

IV. Background

- The applicants already have an approved kennel license for 5 adult Labrador Retrievers as pets.
- The applicants submitted a preliminary application identified as # PSE-22-12 on August 8, 2022 and received a comment letter from staff. On October 6, they submitted the formal application.

V. Applicant Proposal

Based on the application materials (attached to staff report) and subsequent discussions, the applicants:

- Are currently approved for a kennel license for 5 adult Labrador Retrievers as pets.
- Would like to start a breeding program as a business, with a focus on providing service dogs for disabled veterans.
- Have the following plans for the layout of the property in conjunction with the use:
 - Relocate two existing sheds and the existing kennels toward the front of the property.
 - Whelp (birth) the puppies primarily within the two sheds to be relocated, though some whelping may occur indoors within the home.
 - Install a fence around the kennel areas.
 - Install a fence between the kennels and the road for security and visual screening purposes.
 - Install French drains and concrete slabs to assist in keeping areas dry and clean.
 - Possibly place a new shed in the front part of the property to be used as a reception area.
 - Provide onsite parking in driveway or in the front of the lot.
 - Have a small sign for advertising the business at the front of the property.
- Have the following plans regarding number and ages of dogs on the property:
 - Maintain 7 adult dogs (2 breedable males and 3-4 breedable females) that will produce an average of 4-6 litters per year with 5-10 puppies per litter (avg. 7).
 - Make puppies available for adoption/purchase when they are 6-12 weeks old, with most adopted at around 8 weeks old. Limit of 12 weeks before adoption.
 - Limit of 20 puppies on the property at one time.
- Have the following plans regarding operation of the business:
 - Will limit customer visits to 1 family at a time by appointment, mostly on weekends, between the hours of 9am-6pm.
 - Have various means to cut down on barking. Any dog that is a nuisance would be removed from breeding program and adopted out.
 - Use bark collars only if needed in the event of a nuisance and only on dogs over 1 year old. For dogs under 1 year old they have other means to keep puppies quiet if needed, such as tone machines, vibration collars, etc.
 - Clean and dispose of waste regularly, and use a solution to clean the kennel areas, groom dogs regularly, etc. to reduce or eliminate pests and odor.
- Have spoken with neighbors and have not heard any concerns
- Have spoken with Animal Services and noted their recommendations

VI. Exhibits

Photo 1 – Existing kennels to be relocated



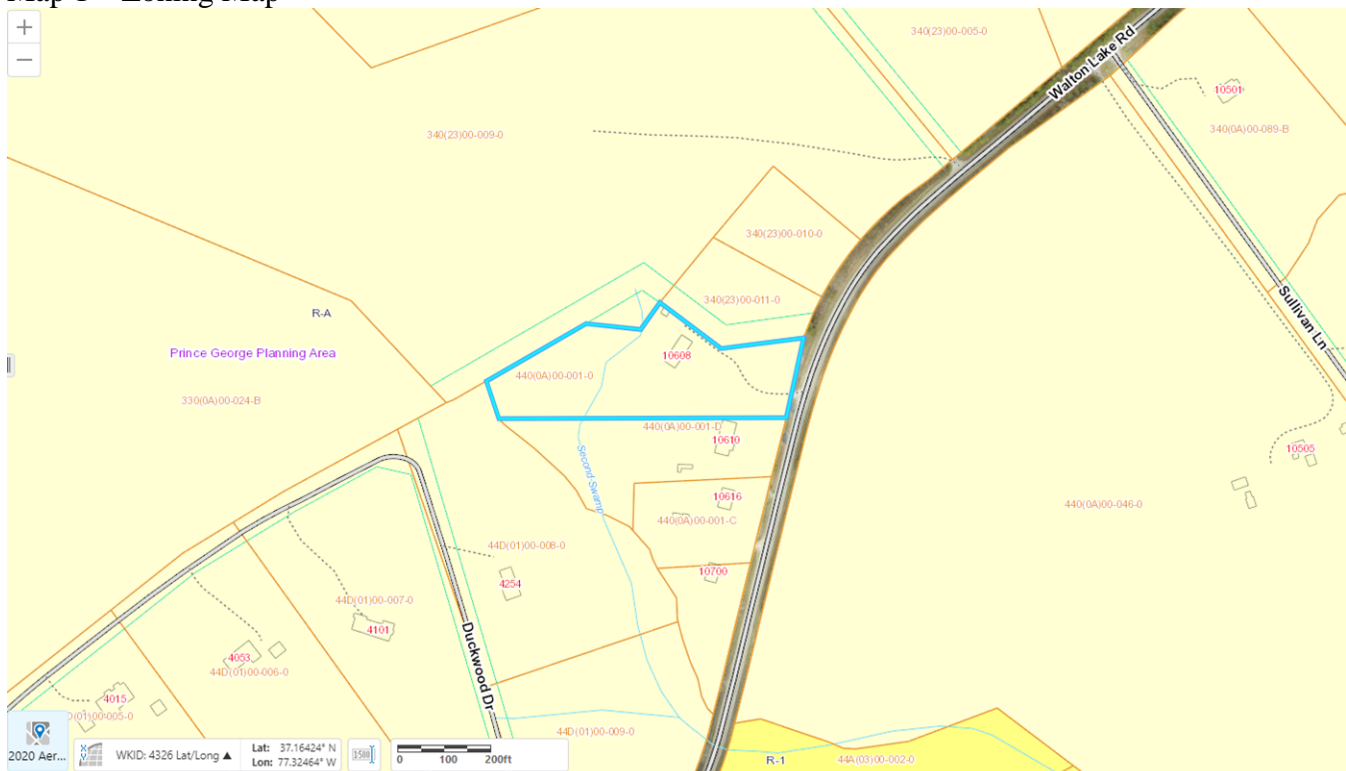
Photo 2 – Area where kennels will be relocated to



Photo 3 – one of the sheds to be relocated for whelping the dogs



Map 1 – Zoning Map



Map 2 – Aerial view of area including subject property



X to be moved — to be removed

Virginia Surveys

P.O. BOX 118
CHESTERFIELD, VA 23632
(804) 748-9481

COPYRIGHT © VIRGINIA SURVEYS
All rights reserved.

DATE: 10-26-2022
COMPILED BY JEFFREY K. FLOYD
VIRGINIA CERTIFICATE NO. 001905

SCALE: 1"=50'
JOB NO. 170811669

print 11 x 17

County of Prince George

Future Location

Walton Lake Road

Walton Lake

Future Fence Line

Amish Kennel

Amish shed to house adult dogs + whelping area

5x10 Retriever Runs for Bitches

Runs for Studs

Notes Future Shed to be used for introducing puppies to owners

Legend

- Political Boundaries
- Taxparcels
- Access Easements
- Swamps

Map Scale 1:782

12/8/2022

Copyright, 2020 County of Prince George, VA

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.

0 65.1 130.3 Feet

VII. Planning and Zoning Review Comments

1. The subject property is approximately 2.76 acres in area and is zoned R-A Residential Agricultural.
2. The desired land use is classified as:
 - a. “animal boarding place” – This land use is permitted by Special Exception under Section 90-103(23). This land use is defined in the Zoning Ordinance as: “*Animal boarding place means any structure or any land or any combination of either used, designed and arranged for the boarding, breeding or care of dogs cats, pets, fowl, ponies, horses or other domestic animals for profit, but exclusive of animals used for agricultural purposes.*”
3. Other relevant zoning cases considered by Staff in developing recommended conditions for this case:
 - a. Special Exception SE-09-12 was a request to allow dog breeding of up to 2 litters per year based at a residence on Taylor Drive (approved 9-22-2009).
 - b. Special Exception SE-19-05 was a request for a dog boarding “doggie daycare” business based at a residence on Merchants Hope Road (approved 10-22-2019).
4. Other zoning approvals required after the SE is approved:
 - a. Building Permit and/or Zoning Permit for any new or relocated building.
 - b. Professional Business Zoning Approval for the new business prior to beginning operations. Note that this is in addition to the special exception approval.
 - c. Dog kennel license from Treasurer’s office.
5. Expected impacts and mitigation for this request:
 - a. Traffic from customer visits: – Mitigation: Applicant volunteered to have only one customer visit at a time by appointment. Staff has recommended a condition to enforce this.
 - b. Visual/Noise from 7 adult dogs and upwards of 20 puppies on the property at any given time – Mitigation: Staff recommends that conditions be included with the use to limit the maximum number of dogs and prevent issues from barking.
 - c. Potential for Odor – Mitigation: Staff has recommended conditions to be included with the use to prevent odors and ensure regular cleaning.
 - d. Staff also recommends that there be conditions to address additional topics that may impact neighbors, such as parking, hours of operation and signage.
6. Compatibility with surrounding zoning districts, surrounding uses, and Comprehensive Plan: The recommended conditions are intended to ensure the proposed use is compatible with the surrounding neighborhood and the continued residential uses that are planned in the neighborhood for the future.
7. In application materials, the applicants stated that they discussed their plans with all surrounding property owners immediately surrounding their property on their side of Walton Lake Road. They stated that none of the owners they spoke with had any issue with the dogs they already own, nor their full plans as laid out in the application. There is no house anywhere in the vicinity on the opposite side of the road.
8. All sheds are considered accessory buildings in relation to the single-family dwelling and therefore need to meet setback requirements for accessory buildings, specifically at least 75 feet from the front property line along Walton Lake Road and at least 5 feet from any side property line. If the applicants relocate the existing shed or to place a new shed on the property, a building/zoning permit is required for each proposed building location or relocation.
9. There is a floodplain on the property. Any new or relocated accessory buildings will be required to be located outside of the floodplain or raised above the base flood elevation.

VIII. Supplemental Staff Review Comments

Building Inspections Division – Charles Harrison III, Building Official

1. The applicant(s) will be required to submit plans/layout of proposed reception area to the building inspections department to be considered for mixed-occupancy change of use. Any structure(s) mentioned to be used as a meeting/reception area in the future will be required to meet the VUSBC occupancy requirements.
2. The owner(s) shall obtain all required permit(s) for any addition(s), renovation(s), or alteration(s) to existing structure(s), or new structures not meeting the exemption criteria of Section(s) 102.3 and/or 108.2 of the Virginia Uniform Statewide Building Code. All subsequent inspection(s) shall be performed and receive approval prior to issuance of any associated Occupancy Certificate(s) granting use of the structure(s).

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

1. A low volume commercial entrance will be required for the proposed use. The existing entrance appears to meet VDOT's criteria for a low volume commercial entrance.
2. VDOT has no objection to the submitted special exception application.

Environmental Division - Angela Blount, Environmental Program Coordinator

1. All land disturbance associated with this project in excess of 10,000 sq. ft. will be required to obtain a land disturbance permit from Prince George County. Additionally, land disturbance exceeding .99 acres (42,124 sq. ft.) will require both a local land disturbance permit as well as a Construction General Permit issued by the Virginia Department of Environmental Quality.

Virginia Department of Health - Alice Weathers, Environmental Health Specialist

Since this is a proposed commercial project, an AOSE (Authorized Onsite Soil Evaluator) or PE (Professional Engineer) would need to be contacted to evaluate the sewage disposal system and well. A Waste Characterization Letter from a PE which provides information about the waste strength and water flow required for this proposed project would need to be submitted to the Health Department.

The permit on file for this property (HDID# 95-174-0151, Whittle) states that the sewage disposal system was designed for 3 bedrooms (450 gpd) only. Also, the well installed is a IIC well (20' casing min.; 20' grout min.).

PG Animal Services may also need to be informed of this proposed venture. There may be comments from that department.

Animal Services – Nicholas Wilder

1. The only [potential] issue I can see with this request is the potential for noise complaints with similar kennels in the county. I am not aware of any calls for service or problems with the person nor the address listed on the application.

Police Department / Sheriff's Department – Harold Shreves

Mr. Shreves submitted the following comments on the preliminary application:

1. In regards to this Preliminary Special Exception request for an Animal Boarding Place for a Dog Breeding Kennel, I would need to know that the state codes for commercial dog breeder requirements have been consulted and followed:
 - a. VA State code 3.2-6507.1 - Business License Required
 - b. VA State Code 3.2-6507.2 - Commercial Dog Breeding – Requirements

- c. VA State Code 3.2-6507.3 - Right of Entry by The Commissioner, the State Veterinarian or his assistant, any animal control officer, and any public health or safety official employed by the locality.
2. I would also suggest that the Plears contact the Prince George Animal Services to check for local ordinances on dog breeders and guidance from the State Veterinarian's office.

The departments below reviewed this request and had no comments.

Economic Development – *Stacey English, Economic Development Specialist*

Real Estate Assessor – *Randall Horne, Senior Real Estate Appraiser*

Utilities Department – *Rachael Lumpkin, Utility Project Engineer*

The departments below received a copy of this request and did not provide comments.

Fire & EMS Department – *Paul Beamon, Chief*

IX. Public Notice and Community Feedback

- Staff notified adjacent property owners by mailing prior to the public hearing.
- Staff ran the required legal ads for this request in the *Progress-Index* prior to the public hearing.
- Staff posted a sign on the property on December 12, 2022.
- No comments from the community were received prior to finalizing this report.

X. Staff Recommendation

Approval, subject to the recommended conditions in the section below.

This recommendation is based on the following considerations:

1. The applicant's request appears to be compatible with current and future surrounding land uses.
2. No negative feedback was received from adjacent property owners and community prior to publishing this staff report.
3. Staff has recommended the below conditions for this request which are intended to ensure applicable code requirements are met and limit any expected impacts on adjacent property owners and the surrounding community. The Applicant has reviewed and supports these conditions.


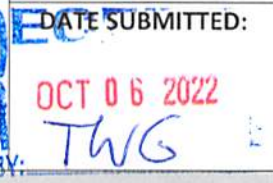
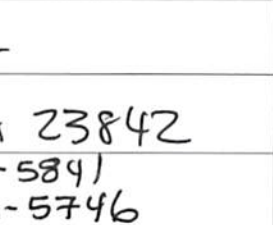
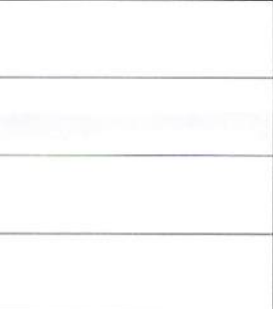
XI. Recommended Conditions

1. This Special Exception is granted to Dennis and Wendy Plear for the following use on Tax Map 440(OA)00-001-0: Animal Boarding Place pursuant to 90-103(23), specifically for the breeding, raising and training of dogs intended to be sold, and shall not include overnight boarding of dogs other than those permitted under the below conditions.
2. There shall be no more than seven (7) dogs permanently kept on the premises as breeders or pets of the owners.
3. There shall be no more than 20 puppies between the ages of 0 and 12 weeks temporarily living on the property while growing and awaiting adoption. All puppies shall be adopted before they reach 12 weeks (3 months) of age unless taking the place of one the seven (7) permanent dogs on the property.
4. There shall be no more than six (6) litters per year, which shall all be whelped indoors within dedicated and permitted accessory buildings, or within the house.
5. The owners shall maintain adequate records to uniquely identify and provide an age for all dogs on the property at any given time, and any additional information as needed to confirm compliance.

6. Customer visits shall be limited to 1 family at a time by appointment only, between the hours of 9am-6pm, with the majority of appointments occurring on weekends (Friday-Sunday).
7. Customers shall park on-site in the driveway or in an established parking area on the property.
8. The owners shall employ effective means to prevent conflicts with neighbors resulting from excessive barking. Any dog that proves to be a nuisance shall be removed from the breeding program and adopted out.
9. Dogs shall be kept fenced, leashed or indoors at all times when not in transport.
10. The owners shall maintain adequate visual screening such as a fence or vegetation to effectively obscure view of the kennels from the road.
11. All areas associated with the animal boarding and training facility shall be cleaned and made free of waste on a regular basis. In addition, the applicant shall employ effective means of eliminating any odor problems and the propagation of insects on the premises.
12. Signage for the business shall be limited to one business sign of no more than 16 square feet located the front of the property and meeting all applicable ordinance requirements for a business sign including but not limited to setback requirements.
13. No employees shall be permitted in conjunction with this use other than members of the family residing on the premises.
14. The owners shall submit all documentation required by the Virginia Department of Health, with approval from the Health Department prior to the granting of a business license.
15. The owners 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.
16. The owners shall accommodate unannounced visits from Animal Services during business hours, and take appropriate measures for health and safety of the animals as recommended by Animal Services.
17. The owners shall operate in compliance with all applicable local, state and federal codes, including but not limited to, state codes for commercial dog breeders and County dog licenses.
18. The Special Exception shall become null and void if the use is abandoned for a period of twenty-four 24 consecutive months.
19. This Special Exception is renewable or transferrable to future owners only by approval of the Board of Supervisors without a public hearing so long as there are no deviations from the conditions.
20. 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.

Vmr. 2955

Enin Gov SE-22-0018

	<h2 style="text-align: center;">SPECIAL EXCEPTION APPLICATION</h2> <p style="text-align: center;">Department of Community Development and Code Compliance Planning & Zoning Division 6602 Courts Drive, Prince George, VA 23875 (804) 722-8678 www.princegeorgecountyva.gov</p>		<div style="border: 1px solid black; padding: 5px;"> OFFICE USE ONLY APPLICATION #: SE-22-12 DATE SUBMITTED: OCT 06 2022 BY: TWG </div>
APPLICANT FILL-IN ALL BLANKS			
REQUEST	REQUEST: Animal Boarding Place		
	REQUEST PROPERTY ADDRESS / LOCATION: 10608 Walton Lake Rd. Disputanta, VA 23842		
	REQUEST TAX MAP PIN(S): (List all) 440(OA)00-001-0		
	AFFECTED ACREAGE (Each parcel): 50.0000		
ENTIRE PARCEL - Each parcel: 50.0000	ATTACHMENTS (Check if Attached; * = Required): <input checked="" type="checkbox"/> APPLICANT STATEMENT* (Specify goals, details, etc.) <input type="checkbox"/> PROPOSED CONDITIONS <input checked="" type="checkbox"/> SITE LAYOUT SKETCH OR CONCEPTUAL SITE PLAN* (Show proposed improvements; Use GIS or Engineer Drawing)		
LEGAL OWNER	NAME(S): Dennis Plear Jr. Wendy Plear		
	MAILING ADDRESS: (Incl. City, State, Zip): 10608 Walton Lake Rd. Disputanta VA 23842		
	E-MAIL: dmplear@gmail.com wwplear@gmail.com PHONE: 804-943-5841 804-943-5746		
APPLICANT CONTACT	NAME(S): If different than owner:		
	RELATION TO OWNER: Self		
	MAILING ADDRESS: (Incl. City, State, Zip):		
	E-MAIL: PHONE:		
OFFICE USE ONLY (Completed at the time of application)			
ZONING DISTRICT(S): R-A	LAND USE(S) CODE REFERENCE(S): 90-103(23)		
PAYMENT	FEE DUE: Special Exception: \$700 Special Exception Home Occ: \$350	FEE PAID:	
	CHECK # / TRANSACTION #:	PAYMENT TYPE: CHECK / CASH / CREDIT / DEBIT DATE RECEIVED: RECEIVED BY:	

OWNER AFFIDAVIT

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:

Dennis M. Plear, Jr.

SIGNED:

DENNIS M. PLEAR, JR.

DATE:

5 Oct 2022

NOTARIZATION:

STATE OF VIRGINIA

COUNTY OF: COLONIAL HEIGHTS

Subscribed and sworn before me this

5TH

day of

OCTOBER, 20 22.

Notary Public

David Craig Stallard

My Commission expires:

Nov 30, 2024

NAME:

Wendy Plear

SIGNED:

Wendy Plear

DATE:

Oct. 5, 2022

DAVID CRAIG STALLARD
Notary Public
Commonwealth of Virginia
Registration No. 7685690
My Commission Expires Nov 30, 2024

AFFIDAVIT

Special Exception Request

Animal Boarding Place

October 6, 2022

Our names are Dennis and Wendy Plear. We live at 10608 Walton Lake Road Disputanta, VA 23842 on 2.77 Acres. We are currently approved for a kennel license for housing our 5 adult Labrador Retrievers as pets only. We are requesting a special exception to turn the kennel license(pet only) into a kennel to start a small family breeding program as a business. Dennis is a 100% (total & permanent)Disabled Veteran of the Navy and is currently an Instructor for the DAV at the Army Logistics on Fort Lee VA. He is set to retire this year and we are wanting to turn our love for Labradors into a lucrative business as we plan for retirement age. Our heart is to breed the healthiest and smartest Labradors and serve not only our local community but as a generational Military family, we have a heart to serve our Disabled Veterans in need of service dogs.

Currently we have a 12 x 12 chain link kennel with 2 dog houses,2- 5 x 12 Retriever Kennels with dog houses and a 7 x 12 Amish kennel in the area to the south side of our home. We will be doing improvements to this area. Upon approval, we will have a perimeter fence surrounding the kennels that will allow them to have full access to a large play yard/work area. We will also be pouring some concrete slabs and installing French drains to be able to keep the area neat, dry and clean. Currently we have a 12 x 14 shed on our property that is being used for storage that we would like to possibly have moved(if necessary) to the dog's area for them to be housed at night inside and this would allow us to have an appropriate area for whelping puppies inside with heat and A/C. We would also have a place inside our home that we could bring the breeders inside to whelp a litter if need be. In the future we would love to get approval for a small shed to be placed toward the front of our land as a reception area for clients to meet and greet their new babies in a comfortable/quiet setting.

We would maintain approximately 7 adult dogs (2 breed able males/ 3-4 breed able females). We would expect an average of 4-6 litters a year and an estimate of 8-12 puppies with each litter.

We would like to request a small sign for advertising our business at the front of our property. This will also serve as a sign for visitors.

On premise customer hours would be limited to 1 family at a time(by apt only), cutting down on traffic and parking. Our hours for receiving, on promise customers would be limited to mostly when we have 6-10 week old puppies that are available for adoption/purchase and by previously scheduled appointments. Most of my interactions will be over the phone/internet. Times would be mostly on weekends(Friday-Sunday, 9am-6pm). We have plenty of parking in our current driveway but are willing to designate parking at the front of our lot for customers.

We will also be using professional trainers and training collars to cut down on obsessive barking issues to keep the noise down. Any dog that becomes a nuisance would be removed from the breeding program and adopted out. We love our neighbors and do not want disturb the peace.

We will be keeping the kennel area clean of feces which will cut down on pests and smell. We will be using a local garbage pickup to dispose of this, keeping the smell down. We will also use a solution to clean the kennel areas that brings a pleasant smell. The dogs will be groomed regularly and treated for fleas, ticks and wormed regularly to keep down parasite cycles. Our feed will be stored in 50 gallon metal trash cans inside to eliminate rodents.

We have spoken with the neighbors that directly meet up to our property lines and they have all given the o.k. for this endeavor. We discussed our plans in full detail that has been laid out in this document. They didn't have any concerns, as they know we currently have many dogs and have not had any issues with noise, smell, ect. We did ensure them that they can come to us at any time, day or night, and let us know if there is anything that arises that is a disturbance. We have given each of them our phone number if they need to reach out to us. Here are their names; Larry Henshaw(map pin #s 340(23)00-011-0, 340(23)00-009-0), Edward Whitmore JR(map pin# 44D(01)00-008-0), Balmer Lopez (Map pin # 440(OA)00-001-D). We also spoke with Doaty Stiles currently residing at 10700 Walton Lake Rd.

We are looking forward to working with Prince George County to establish another business to serve of community. We are open to any suggestions that our local and state offiicals would deem necessary in this process. Thank you for your time and expertise.

With Great Pleasure,

Dennis and Wendy Plear

(804)943-5746

wwplear@gmail.com

Follow Up Questions for the Staff Report Answered

1. Have you discussed your plans with PG Animal Services to see if there are any particular rules or guidelines you need to follow? If so, what did they say?

As of this morning, ***I have spoken with a SGT. Wilder*** at the Prince George Animal Shelter.

His only concerns were the welfare of the animals. ***Making sure they are properly housed, fed, vetted and when bred that I stay within the limits that are established. He mentioned the state code is 1 year old dogs are not to be limited to more than 50. He mentioned that the county would require a business license to operate.***

He said that neighbors' usual complaints are barking and confinement.

When I asked him for any advice that he could give that would be helpful, he said that most complaints he receives, that are code driven are about noise...barking violations. He also said that the smells/cleanliness coming from the hunting kennels is the second most calls they receive. Dogs running at large and lastly, general welfare of an animal.

I believe the steps we have in place will cover any of these potential issues. Once again, I am happy to work with the County Authorities to ensure what's best for everyone.

2. Since you could not move the shed in the floodplain as originally planned, do you still plan to provide any building for dogs?

I was given the approval to move the shed in the flood zone with the stipulation that we would have to raise the sheds to 1 foot above the 120' elevation, which means they would be raised 4' in the air. That is not ideal. After speaking with Virginia Surveyors, ***we decided it best to move the 2 buildings up toward the front left/north side of the land.*** We will keep in the parameters that the county allows. That being at least 75' from the front and 5' from the property line. A county representative came out to the property and took pictures of the new location and the current location today.

3. What is the updated plan regarding the whelping of litters? Will that all occur in the house?

I will have the 2 buildings set up to whelp ***litters outside***. We will also be prepared to have those litters inside if the need arises or we feel it best to do so. ***We are open to either or both.***

4. Do you have a survey plat that shows actual property lines for the property? If so, please send it or deliver it?

I do have a plot and have ***attached*** that to this letter.

5. Will you use training collars on the puppies, or just the breeders?

I will only use bark collars as needed on the **dogs that are over 1 year** and only when they are violating a county code. If a dog is under 1, we would use other ways that to keep puppies quiet if they would be considered to violate the 10-minute constant barkingcounty noise code. Other means would be tending to their individual needs, vibration collars, tone machines, etc.

6. What is a reasonable maximum number of puppies you wish to allow on the property at any one time. We need a limit.

7. What is a reasonable maximum age by which the puppies will need to be adopted? We need a limit.

Limited to 20 puppies on the property at one time. According to AKC and UKC Kennel clubs, Labradors tend to have 5-10 puppies a litter with the average of 7. My goal would be to not have but one female dog having puppies at a time but there may be some instances where 2 litters are on the property at one time. The way I plan to care for them and train them, I would prefer it that way. I can control when they breed and who breeds and this will be a planned event(s).

Most of the puppies will be adopted at 8 weeks. Limit 12 weeks at the max just in case 1 or 2 do not get adopted out or the parents need a little more time.

8. What age do you consider to be an “adult” dog?

For the purpose of a “breeding kennel business”, I will answer with this. I would consider an adult dog, on my property, any dog that I am going to keep, to fulfill a purpose for the business. **Limit will be 7**, to include the female dogs to be bred, Studs(males) for the purpose of breeding and to include any dogs to be kept as retired/spayed/neutered. This excludes litters. Let’s say that I have 7 adult dogs on the property and want to keep/buy a puppy to raise up, I would adopt that adult dog out that is going to be replaced by that puppy.

9. Please send or deliver a sketch (you may use the attached aerial view or other means) to show the planned fence location, existing kennels, planned kennels.

Attached are 2 arial views of before and after locations.

Thank you all for your time and efforts in this matter!

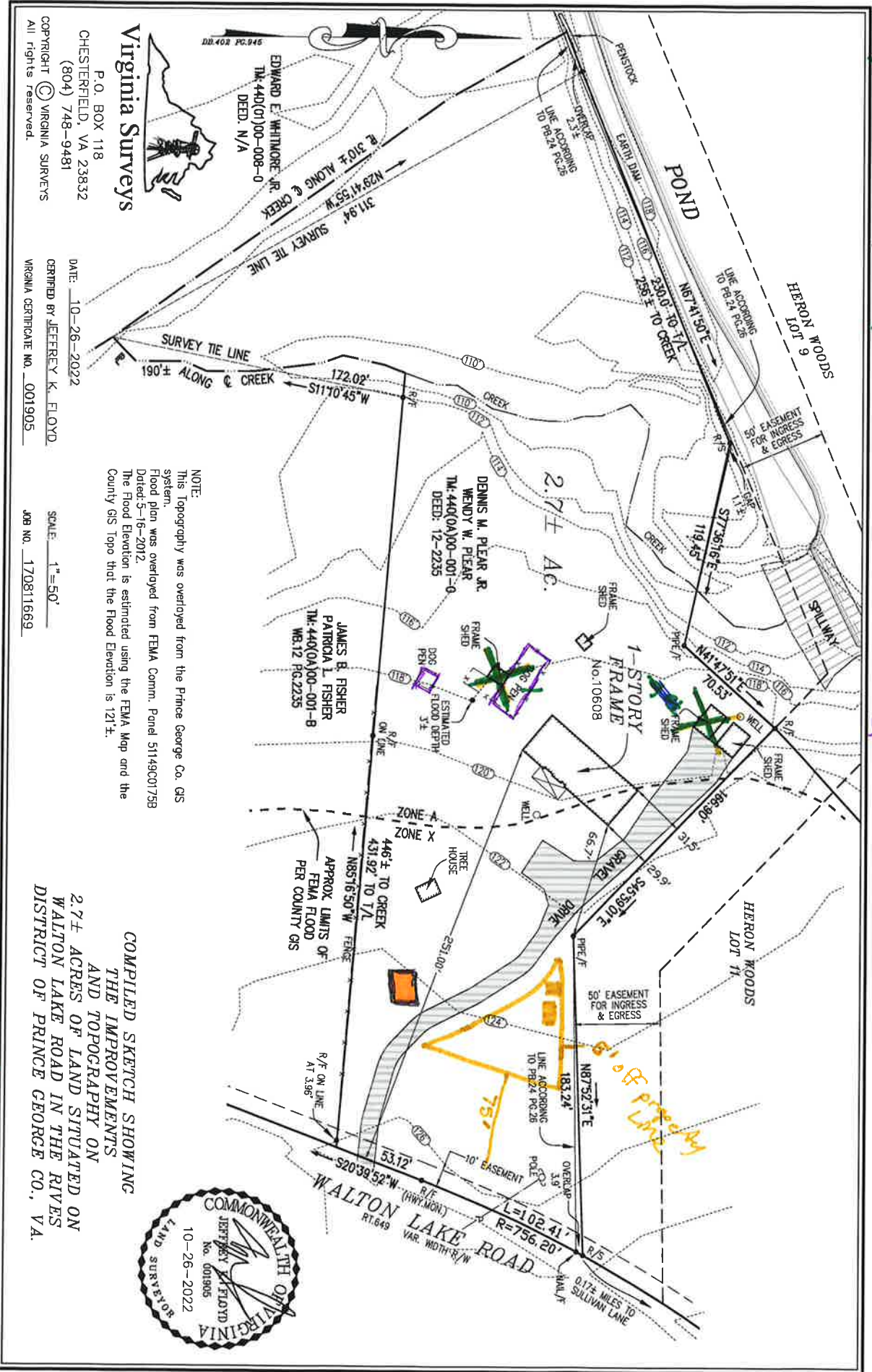
Sincerely,

Wendy Plear

~If you get your dog from a responsible breeder....

know that they have trusted you with a piece of their legacy,

X to be moved - to be removed



Virginia Surveys
P.O. BOX 118
CHESTERFIELD, VA 23832
(804) 748-9481
COPYRIGHT © VIRGINIA SURVEYS
All rights reserved.

DATE: 10-26-2022
CERTIFIED BY JEFFREY K. FLOYD
VIRGINIA CERTIFICATE NO. 001905

SCALE: 1"=50'
JOB NO. 170811669

NOTE:
This Topography was overlaid from the Prince George Co. GIS system.
Flood plan was overlaid from FEMA Comm. Panel 51149C0175B Dated: 5-16-2012.
The Flood Elevation is estimated using the FEMA Map and the County GIS Topo that the Flood Elevation is 121'±.

COMPILED SKETCH SHOWING
THE IMPROVEMENTS
AND TOPOGRAPHY ON
2.7± ACRES OF LAND SITUATED ON
WALTON LAKE ROAD IN THE RIVERS
DISTRICT OF PRINCE GEORGE CO., VA.



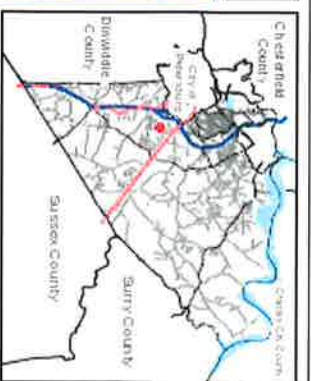
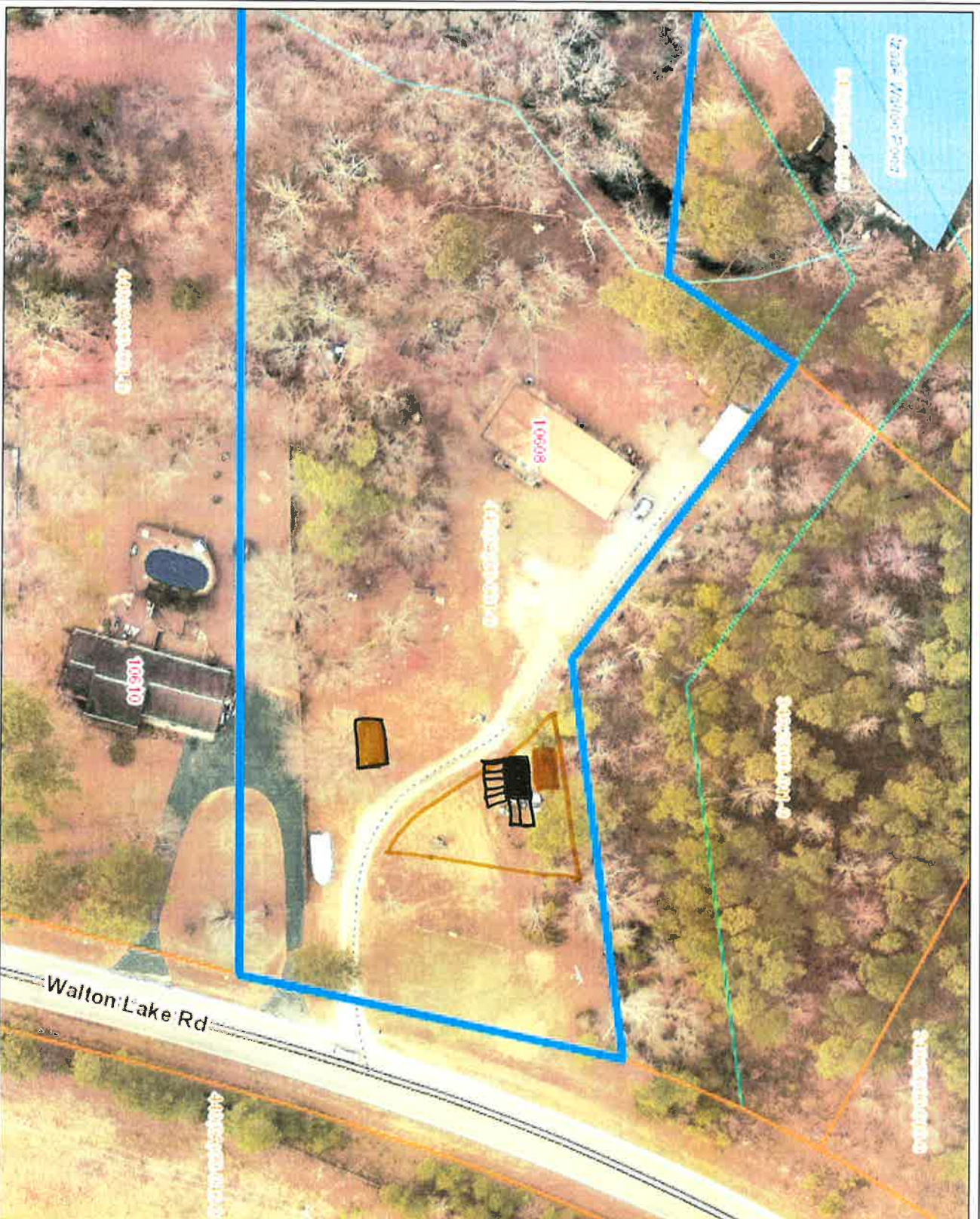
Future shed
for introducing
puppies to new
owners

= Fence line
= Sheds

Purposed location due to
flood zone. After approval.
Setback - 5' off property line, 85' off road/75' from easement.

print 11 x 17

Future Location



- Legend**
- Political Boundaries
 - Taxparcels
 - Access Easements
 - Swamps

Outer fence line

Amish Kennel

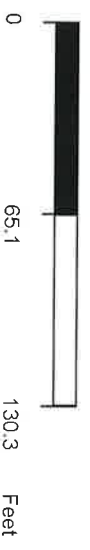
Amish shed to house adult dogs + whelping area

Retriever runs for Bitches
= 5x10
Runs for Studs

Notes Future Shed to be used for introducing puppies to owners



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.



Map Scale 1: 782
12/8/2022





County of Prince George, Virginia

"A global community where families thrive and businesses prosper"

December 9, 2022

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, December 22, 2022 beginning at 6:30 pm** to consider the following request that involves the Prince George County Zoning Ordinance:

SPECIAL EXCEPTION SE-22-12: Request of Dennis and Wendy Plear to permit an Animal Boarding Place in a Residential Agricultural (R-A) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-103(23). The purpose of the request is to allow a dog-breeding business to operate within the existing single-family dwelling on the property. The subject property is approximately 2.76 acres in size, located at 10608 Walton Lake Road, and is identified as Tax Map 440(0A)00-001-0. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Residential uses.

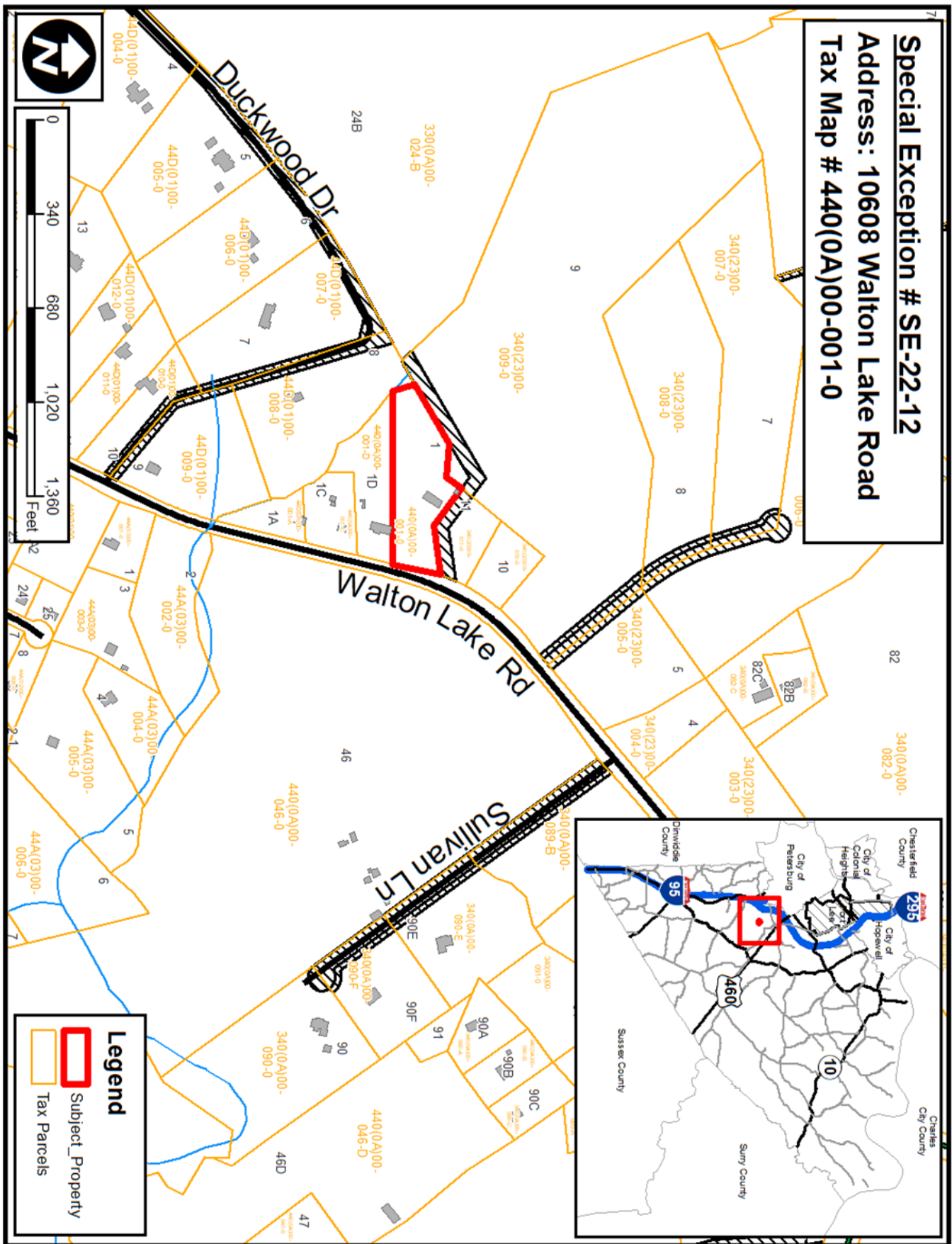
The public hearing will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875, pursuant to §15.2-2204, §15.2-2225, §15.2-2232, and §15.2-2285 of The Code of Virginia (1950, as amended). A copy of the related material may be reviewed or obtained at the Community Development and Code Compliance Department in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday–Friday. All interested persons are invited to participate in the public hearings in person. A live video stream will be available at https://www.princegeorgecountyva.gov/live_stream/. Public comments can be submitted prior to 4:30 p.m. on the public hearing date. Public Comment submittal forms and information on accessing this meeting electronically are 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 that reads "Tim Graves".

Tim Graves
Planner



HENSHAW LARRY L & JUDITH C
505 SANDHURST DR
SOUTH PRINCE GEORGE, VA 23805

PLEAR WENDY W & DENNIS M JR
10608 WALTON LAKE RD
DISPUTANTA, VA 23842

STILES MICHAEL R
10700 WALTON LAKE RD
DISPUTANTA, VA 23842

JOHNSON CHRISTOPHER TYLER
15660 GREENBRIAR BLVD
DISPUTANTA, VA 23842

LOPEZ BALMER N
10610 WALTON LAKE RD
DISPUTANTA, VA 23842

THE GIBBS AND STORY TEAM LLC
2200 RIVER ROAD
PRINCE GEORGE, VA 23875

WHITMORE EDWARD E JR
4254 DUCKWOOD DR
DISPUTANTA, VA 23842

**PUBLIC NOTICE
PRINCE GEORGE COUNTY**

Notice is hereby given to all interested parties regarding the following public meeting: The Prince George County Planning Commission will hold public hearings on Thursday, December 22, 2022 beginning at 6:30 p.m. concerning the following requests:

REZONING RZ-22-02: Request of Jeff Oakley, Robert Forehand Jr., and Buckingham Pines, LLC to rezone approximately 12.18 acres from M-1 (Limited Industrial) District to M-2 (General Industrial) District, to accommodate existing and future industrial land uses. The subject property consists of seven (7) tax parcels located on the north and south sides of Harvest Road within an existing industrial park, and is identified as Tax Maps 240(0A)00-069-A, B, F, G, K, L, and M. The Comprehensive Plan Future Land Use Map indicates that the land underlying all affected tax parcels is planned for Industrial uses.

SPECIAL EXCEPTION SE-22-12: Request of Dennis and Wendy Plear to permit an Animal Boarding Place in a Residential Agricultural (R-A) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-103(23). The purpose of the request is to allow a dog-breeding business to operate within the existing single-family dwelling on the property. The subject property is approximately 2.76 acres in size, located at 10608 Walton Lake Road, and is identified as Tax Map 440(0A)00-001-0. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Residential uses.

COMPREHENSIVE PLAN AMENDMENT CPA-22-03: Request of Diamond Park, LLC to amend the Comprehensive Plan Future Land Use Map designation for a specific property from Commercial to Industrial. The subject property, approximately 44.5 acres in size, is identified as Tax Maps 340(0A)00-007-D and 340(0A)00-007-E and is located at the end of Wagner Way near the intersection of Courthouse Road and County Drive. The change is requested so that the County's Future Land Use Map may support the companion-rezoning request identified as RZ-22-04.

REZONING RZ-22-04: Request of Diamond Park, LLC to rezone approximately 44.5 acres from B-1 General Business to M-3 Heavy Industrial. The subject property is located at the end of Wagner Way near the intersection of Courthouse Road and County Drive and is identified as Tax Maps 340(0A)00-007-D and 340(0A)00-007-E. The Comprehensive Plan Future Land Use Map indicates the property is planned for Commercial uses, however the applicant has submitted a companion request identified as CPA-22-03 to change the Future Land Use designation from Commercial to Industrial. The purpose of the request is to enable speculative industrial development to occur on the property.

The public hearings will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875, pursuant to §15.2-2204, §15.2-2225, §15.2-2232, and §15.2-2285 of The Code of Virginia (1950, as amended). A copy of the related material may be reviewed or obtained at the Community Development and Code Compliance Department in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday-Friday. All interested persons are invited to participate in the public hearings in person.

A live video stream will be available at https://www.princegeorgecountyva.gov/live_stream/. Public comments can be submitted prior to 5:00 p.m. on the public hearing date. Public Comment submittal forms and information on accessing this meeting electronically are available at <https://www.princegeorgecountyva.gov>.

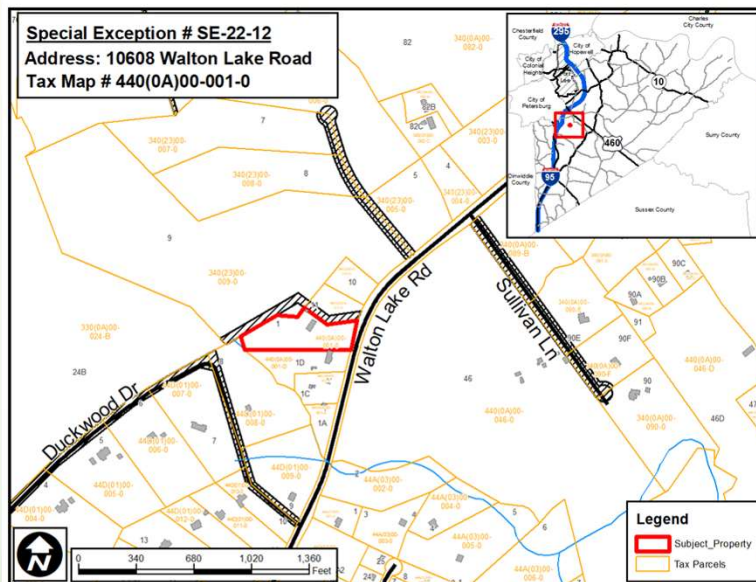
Tim Graves
Planner
(804)722-8678

SPECIAL EXCEPTION SE-22-12:

Request of Dennis and Wendy Plear to permit an Animal Boarding Place in a Residential Agricultural (R-A) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-103(23). The purpose of the request is to allow a dog-breeding business to operate within the existing single-family dwelling on the property. The subject property is approximately 2.76 acres in size, located at 10608 Walton Lake Road, and is identified as Tax Map 440(0A)00-001-0. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Residential uses.

SE-22-12 | Dennis & Wendy Plear

Location Map



Zoning Map



Aerial View



Request Summary

Objective: Start a breeding program as a business, with a focus on providing service dogs for disabled veterans.

- Maintain 7 adult dogs (2 breedable males and 3-4 breedable females) that will produce an average of 4-6 litters per year with 5-10 puppies per litter (avg. 7)
- Make puppies available for adoption/purchase when they are 6-12 weeks old, with most adopted at around 8 weeks old.
- Limit of 12 weeks before adoption.
- Limit of 20 puppies on the property at one time.

Request Summary

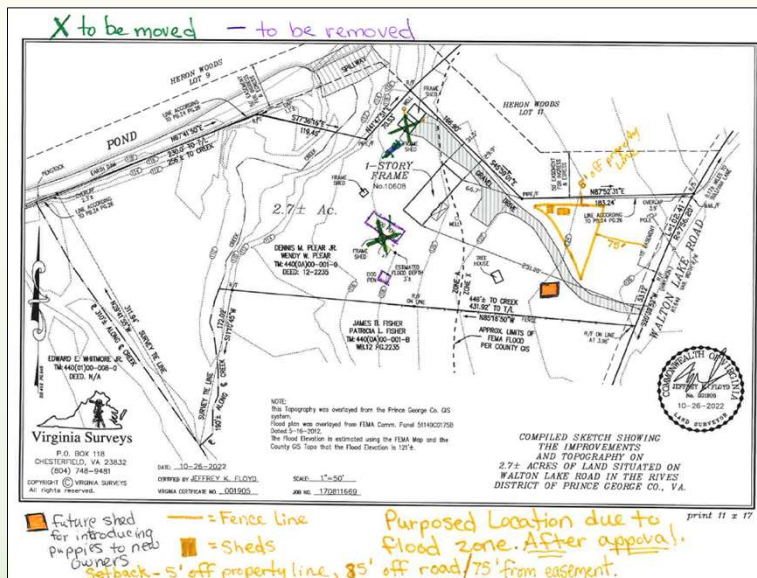
Planned changes to the property:

- Relocate two existing sheds and the existing kennels toward the front of the property
- Whelp (birth) the puppies primarily in the sheds and sometimes possibly in the dwelling
- Install a fence around the kennel areas
- Install a fence between the kennels and the road
- Install French drains and concrete slabs to keep areas dry
- Possibly place a new shed for a reception area
- Provide onsite parking in driveway or in the front of the lot
- Have a small sign for advertising the business

Request Summary

- Limit customer visits to 1 family at a time by appointment, mostly on weekends, between hours of 9am-6pm.
- Prevent or limit barking:
 - Any dog that is a nuisance would be removed from breeding program and adopted out
 - Use bark collars only if needed in the event of a nuisance and only on dogs over 1 year old
 - For dogs under 1 year old, use other means to keep puppies quiet if needed, such as tone machines, vibration collars, etc.
- Reduce or eliminate pests and odor:
 - Clean and dispose of waste regularly
 - Use a solution to clean the kennel areas
 - Groom dogs regularly

Sketch on survey plat



Sketch on aerial view



Site photos



Planning & Zoning Staff Review Comments

The desired land use is classified as:

“animal boarding place” – This land use is permitted by Special Exception under Section 90-103(23).

Zoning Ordinance Definition: *“Animal boarding place means any structure or any land or any combination of either used, designed and arranged for the boarding, breeding or care of dogs cats, pets, fowl, ponies, horses or other domestic animals for profit, but exclusive of animals used for agricultural purposes.”*

Other relevant zoning cases considered by Staff :

- Special Exception SE-09-12 was a request to allow dog breeding of up to 2 litters per year based at a residence on Taylor Drive (approved 9-22-2009)
- Special Exception SE-19-05 was a request for a dog boarding “doggie daycare” business based at a residence on Merchants Hope Road (approved 10-22-2019)

Planning & Zoning Staff Review Comments

- Expected impacts for this request:
 - Traffic from customer visits
 - Visual/Noise from 7 adult dogs and upwards of 20 puppies on the property at any given time, and kennels
 - Odor from dogs and waste
- Mitigation: Staff recommends conditions to address these impacts
- All sheds are accessory structures and will need building/zoning permits for final locations and must meet setback requirements
- Compatibility with surrounding zoning districts, surrounding uses, and Comprehensive Plan: Yes, low impacts to surrounding residential uses with recommended conditions
- Applicants discussed plans with neighbors and invited them to contact them to resolve any issues if they arise

Other Staff Review Comments

Building Inspections Division – *Charles Harrison III, Building Official*

- Submit plans/layout of proposed reception area to Building Inspections office. Any meeting/reception structure(s) required to meet Building Code requirements.
- Obtain all required permit(s) for any addition(s), renovation(s), or alteration(s) to existing structure(s), or new structures, and obtain inspections/approval for all

Virginia Department of Transportation (VDOT)

Existing entrance appears to meet VDOT's criteria, no objection to this use

Virginia Department of Health

Provide waste characterization letter to confirm systems capacities are adequate

Animal Services

Potential for noise complaints. Not aware of any calls for service or problems with the applicants.

Police Department / Sheriff's Department

Adhere to state codes for commercial dog breeder requirements

Recommended Conditions (Highlights)

- Animal Boarding Place is specifically for breeding, not for overnight boarding, etc.
- Max 7 dogs, 20 puppies
- Max 12 weeks age for puppies
- Max 6 litters per year, whelped indoors
- Maintain adequate records to confirm compliance
- Onsite parking
- Dogs kept leashed, fenced or indoors (not running free on the business property)
- Screen view of kennels from the road
- Clean everything regularly
- One small sign on front of property
- No employees
- Accommodate Animal Services visits

(Full list of recommended conditions in the Staff Report / Draft Ordinance)

Staff Recommendation

Approval, subject to the recommended conditions

Basis:

- Appears compatible with current and future surrounding land uses
- No negative feedback from adjacent property owners and community
- Conditions are recommended to mitigate any expected impacts
- Applicant has reviewed and supports Staff's recommended conditions

Questions?

See Staff Report for Sample Motions



Begin

TAB 6

**COMPREHENSIVE PLAN AMENDMENT REQUEST – CPA-22-03
PLANNING COMMISSION STAFF REPORT – December 22, 2022**

RESUME

APPLICANT: Lingerfelt Development LLC
PROPERTY OWNER: Diamond Park LLC
REQUEST: Amend the Future Land Use Map designation for approximately 44.2 acres from Commercial to Industrial to support companion rezoning case RZ-22-04.

STAFF RECOMMENDATION: Staff recommends Denial.

STAFF REPORT CONTENTS/

ATTACHMENTS

1. Resume
2. Sample Motions
3. Draft Ordinance for Board of Supervisors
4. Staff Report
5. Copy of the Application with Attachments
6. APO letter, map, mailing list, and newspaper ad

Sample Motions

DENY: (Consistent with Staff's Recommendation)

I move to forward request CPA-22-03 to the Board with a recommendation for DENIAL for the following reason(s):

- Industrial development of the subject property is incompatible with the existing development pattern and development plans of the surrounding properties for commercial and residential uses.
- The County has more suitable alternative areas for industrial development.

(Other: SPECIFY)

POSTPONE:

I move to POSTPONE request CPA-22-03 until _____ to allow time for _____
(MEETING DATE)

(ACTION/EVENT)

APPROVE:

"I move to forward request CPA-22-03 to the Board with a recommendation for APPROVAL and the reason(s) for this recommendation is/are:"

APPROVE WITH CHANGES:

I move to forward request CPA-22-03 to the Board with a recommendation for APPROVAL, subject to the following changes:

County of Prince George, Virginia

DRAFT Ordinance

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia this ____ day of ____, 2022:

Present:

Marlene J. Waymack, Chair
 Donald R. Hunter, Vice-Chair
 Floyd M. Brown, Jr.
 Alan R. Carmichael
 T. J. Webb

Vote:

COMPREHENSIVE PLAN AMENDMENT CPA-22-03: Request of Diamond Park, LLC to amend the Comprehensive Plan Future Land Use Map designation for a specific property from Commercial to Industrial. The subject property, approximately 44.5 acres in size, is identified as Tax Maps 340(0A)00-007-D and 340(0A)00-007-E and is located at the end of Wagner Way near the intersection of Courthouse Road and County Drive. The change is requested so that the County's Future Land Use Map may support the companion-rezoning request identified as RZ-22-04.

On a motion of _____, seconded by _____, which carried a vote of _____, the following Ordinance was adopted:

BE IT ORDAINED by the Board of Supervisors of Prince George County:

- (1) That the Prince George County Comprehensive Plan be amended to _____.*
- (2) This ordinance shall be effective immediately upon adoption.*

 Adopted on _____, 2022 pursuant to Sections 15.2-2204 and 15.2-2229 The Code of Virginia (1950, as amended) and becoming effective immediately.



PLANNING COMMISSION STAFF REPORT

Public Hearing December 22, 2022

CPA-22-03:

Amend Future Land Use of Property from Commercial to Industrial

Applicant: Lingerfelt Development LLC

Case Manager: Andre Greene - (804)722-8678

I. Request

The applicant wishes to amend the Comprehensive Plan Future Land Use Map designation for two (2) specific properties from Commercial to Industrial to support a companion rezoning request: RZ-22-04.

II. Property

Location: At the end of Wagner Way

Tax Maps: 340(0A)00-007- D & E

Site Size: Approximately 44.235 acres

Legal Owner: Diamond Park LLC

RE Taxes Paid?: Yes

Zoning District: B-1, General Business

Current Use: Parcel D is wooded and Parcel E is open

Comp Plan Land Use:

Current: Commercial Proposed: Industrial

Planning Area: Prince George Planning Area

Previous Zoning Cases: ZM-90-03

Figure 1. Aerial Photo



Figure 2: Site Photo



III. Meeting Information

Planning Commission Public Hearing: December 22, 2022

Board of Supervisors Public Hearing: January 24, 2023 (Tentative)

IV. Purpose of Request

The purpose of the request is to amend the Future Land Use Map to facilitate a conditional rezoning of the affected properties from B-1, General Business to M-3 (Heavy Industrial) for speculative industrial development. The applicant has submitted a conceptual plan showing a proposed 480,000 square foot industrial building to be located on the subject properties.

V. Exhibits

Exhibit 1: Zoning Map (Red = Commercial)

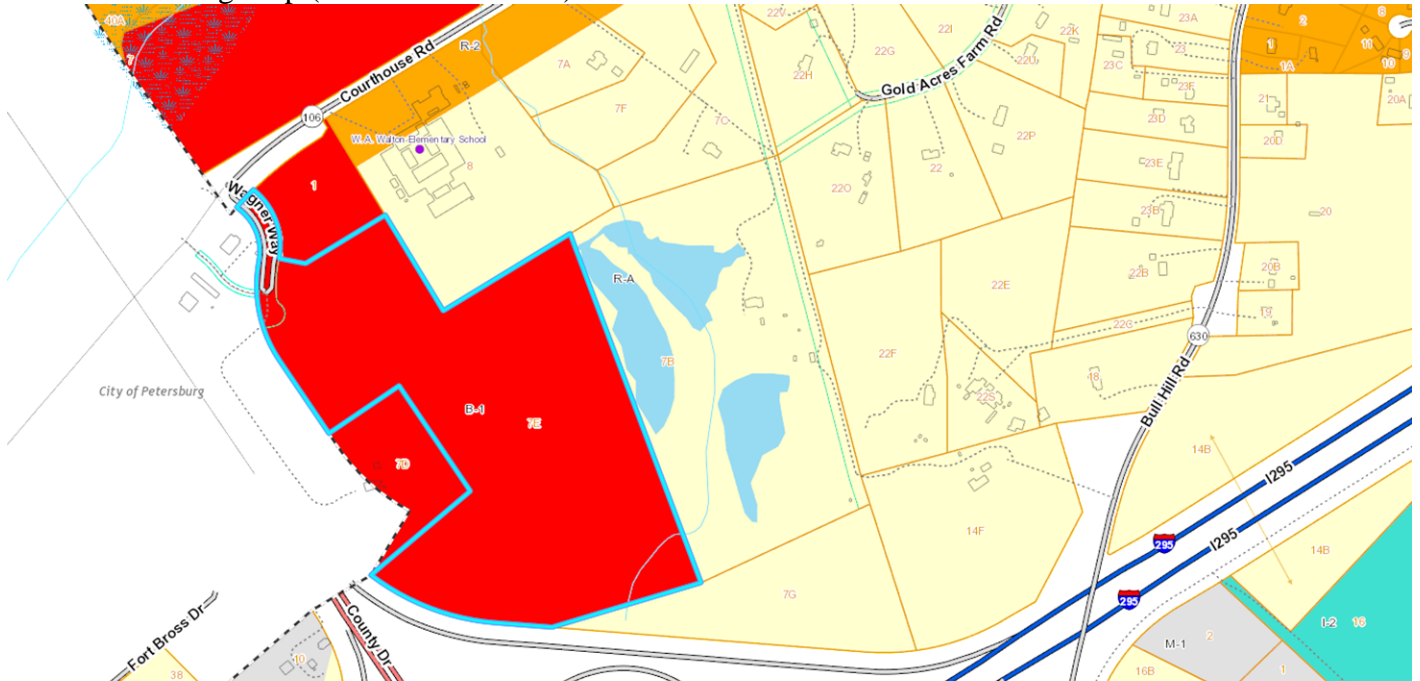


Exhibit 2: Future Land Use Map (Red = Commercial)

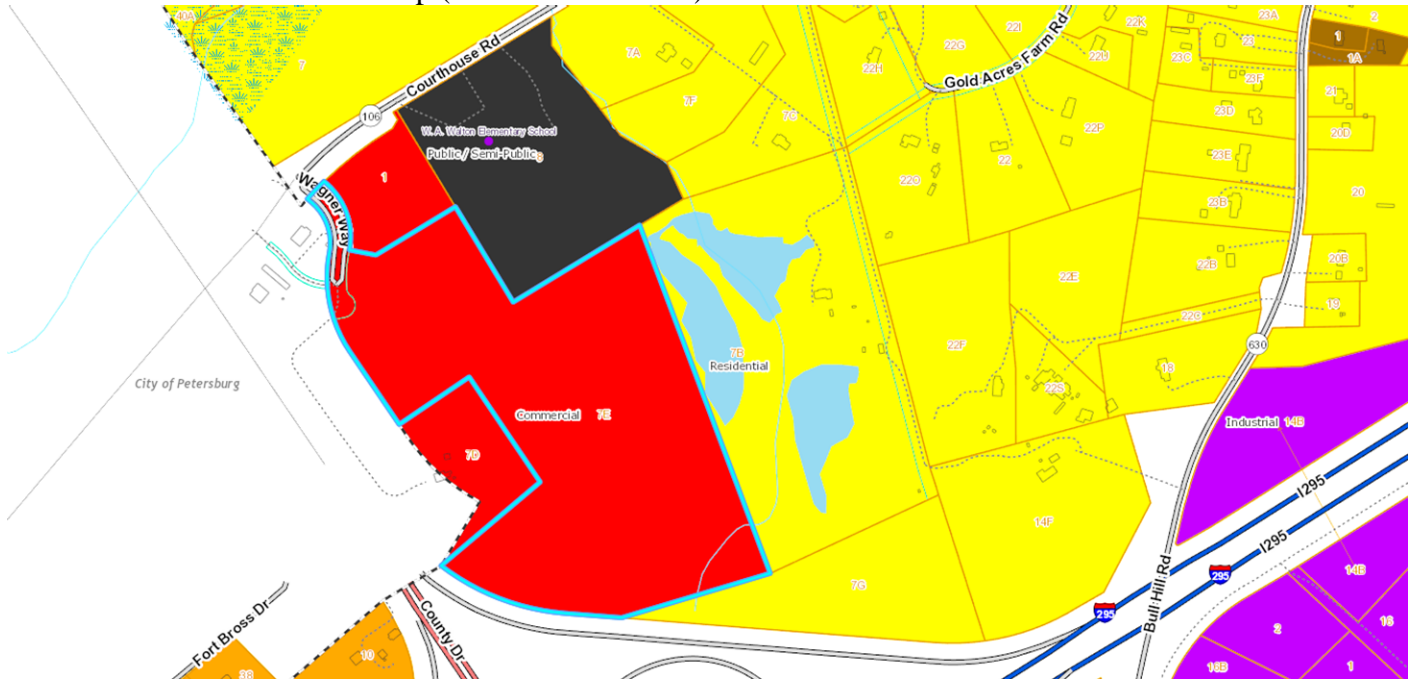


Exhibit 3: Photos of Surrounding Land Uses



VI. Planning and Zoning Review Comments

1. The subject properties' Comp Plan Future Land designations are both Commercial.
2. The Comp Plan Future Land Use designations of properties adjoining the affected site in question are as follows:
North: Commercial and Public/Semi-Public South: Residential
West: City of Petersburg corporate limits East: Residential
3. The purpose of the request is to support the applicant's plans to rezone the property for speculative industrial development. The Comprehensive Plan's Future Land Use Map has the affected properties designated for commercial land uses, which does not support the request to rezone to M-3 Heavy Industrial.

4. Surrounding land uses include a fast-food restaurant (McDonald's) and a convenience store (Miller Mart/gas station (BP) (located in corporate limits of the City of Petersburg); a Tractor Supply Company; Walton Elementary School; and the I-295 off ramp. The requested Future Land Use Map change would be inconsistent and incompatible with surrounding land uses.


VII. Public Notice and Community Feedback

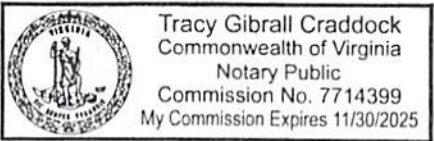
- Staff notified adjacent property owners by mailing prior to the public hearing.
- Staff ran the required legal ads for this request in the *Progress-Index* prior to the public hearing.
- The applicant reviewed a copy of this report prior to the Planning Commission hearing date.
- No comments from the community were received prior to finalizing this report.

VIII. Staff Recommendation

DENIAL – Staff recommends that the request be denied for the following reasons:

1. The development pattern in the immediate vicinity of the affected location is commercial and not industrial. The area is already in the process of developing commercially in accordance with the County's adopted Comprehensive Plan.
2. There is no compelling need for industrial development on the subject property or immediate vicinity.
3. Heavy truck traffic is not desired at this location which is mostly trafficked by passenger vehicles to surrounding commercial and residential uses.
4. The County has designated and invested in two (2) industrial park sites (South Point Business Park and Cross Pointe Center Business Park) to accommodate future industrial development. These two parks are located approximately 1.5 miles from the subject property. Staff recommends that new industrial development should be directed to these areas that already have industrial grade infrastructure and are not yet fully developed.
5. The site is adjacent to Walton Elementary School. The school is scheduled to be closed in February of 2023 when the new elementary on Middle Road opens. It is the intent of the County to market the abandoned school site for commercial development which would be consistent with the already established development pattern in the area. Heavy industrial development may not be generally compatible with the surrounding commercial and residential land uses.

	<h2 style="margin: 0;">COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT APPLICATION</h2> <p style="margin: 0;">Department of Community Development and Code Compliance Planning & Zoning Division 6602 Courts Drive, Prince George, VA 23875 (804) 722-8678 www.princegeorgecountyva.gov</p>		OFFICE USE ONLY APPLICATION #: CPA-22-03 DATE SUBMITTED: <div style="border: 1px solid blue; padding: 2px; display: inline-block; color: blue;"> RECEIVE OCT 25 2022 BY: <i>Andrews</i> </div>					
	APPLICANT FILL-IN ALL BLANKS BELOW							
	REQUEST / PROPERTY DETAILS							
IS THIS REQUEST RELATED TO A CURRENT ZONING APPLICATION? (IF SO, SPECIFY ID#): Yes RZ-22-04								
REQUEST ADDRESS / LOCATION: Courthouse Road (Route 106) and Route 460								
<table style="width: 100%; border: none;"> <tr> <td style="width: 33%; border: none;">REQUEST TAX MAP(S):</td> <td style="width: 33%; border: none;">AFFECTED ACREAGE:</td> <td style="width: 33%; border: none;">ENTIRE PARCEL (Y / N):</td> </tr> <tr> <td style="border: none;">340(0A)00-007-D and 340(0A)00-007-E</td> <td style="border: none;">44.235 acres</td> <td style="border: none;">Yes</td> </tr> </table>			REQUEST TAX MAP(S):	AFFECTED ACREAGE:	ENTIRE PARCEL (Y / N):	340(0A)00-007-D and 340(0A)00-007-E	44.235 acres	Yes
REQUEST TAX MAP(S):	AFFECTED ACREAGE:	ENTIRE PARCEL (Y / N):						
340(0A)00-007-D and 340(0A)00-007-E	44.235 acres	Yes						
WHAT SPECIFIC CHANGE(S) IS/ARE REQUESTED FOR THE FUTURE LAND USE MAP? Please see the attached								
EXISTING FUTURE LAND USE DESIGNATION: Commercial		REQUESTED FUTURE LAND USE DESIGNATION: Industrial						
REQUIRED ATTACHMENTS (CHECK IF ATTACHED):								
<input checked="" type="checkbox"/> RATIONALE DOCUMENT (SUPPORTING FACTS, REASONS)		<input checked="" type="checkbox"/> ADDITIONAL ATTACHMENTS (LIST): Power of Attorney Survey						
<input checked="" type="checkbox"/> MAP TO SCALE (USE GIS OR ENGINEER DRAWING)								
LEGAL OWNER	NAME(S): Diamond Park LLC							
	MAILING ADDRESS (INCL. CITY, STATE, ZIP): 8907 Brook Road Glen Allen, Virginia 23060							
	E-MAIL:	PHONE:						
APPLICANT CONTACT	NAME(S) (IF DIFFERENT THAN OWNER): Andrew M. Condlin - Roth Jackson Gibbons Condlin, PLC							
	RELATION TO OWNER: Attorney for the Contract Purchaser							
	MAILING ADDRESS (INCL. CITY, STATE, ZIP): 1519 Summit Avenue, Suite 102 Richmond, Virginia 23230							
	E-MAIL: acondlin@rothjackson.com	PHONE: 804-977-3373						

OWNER AFFIDAVIT	
AFFIDAVIT	<p>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.</p> <p>NAME: _____</p> <p>Andrew M. Condlin, by Power of Attorney</p> <p>SIGNED: <u><i>[Signature]</i></u></p> <p>DATE: <u>10/24/2022</u></p> <p>NOTARIZATION:</p> <p>STATE OF VIRGINIA</p> <p>CITY OF: <u>Richmond</u></p> <p>Subscribed and sworn before me this <u>24th</u> day of <u>October</u>, 20<u>22</u>.</p> <p><u><i>Tracy Gibrall Craddock</i></u></p> <p>Notary Public</p> <p>My Commission expires: <u>November 30</u>, 20<u>25</u></p>
	<p>NAME: _____</p> <p>SIGNED: _____</p> <p>DATE: _____</p>
	

OFFICE USE ONLY			
CURRENT ZONING DISTRICT(S):		SURROUNDING ZONING DISTRICT(S):	
<u>B-1</u>			
CURRENT LAND USE(S):		SURROUNDING LAND USE(S):	
PRE-APPLICATION MEETING REQUIRED? (CIRCLE ONE)		COMMUNITY MEETING REQUIRED? (CIRCLE ONE)	
Y / N / TBD / Held: _____		Y / N / TBD / Held: _____	
COMMENTS:			
PAYMENT	FEE DUE:	FEE PAID:	PAYMENT TYPE:
	AMEND COMPREHENSIVE PLAN: \$700		CHECK / CASH / CREDIT / DEBIT
	CHECK # / TRANSACTION #:	DATE RECEIVED:	RECEIVED BY:
	<u>006674</u>		



ROTH JACKSON

ROTH JACKSON GIBBONS CONDLIN, PLC

October 24, 2022

Andrew M. Condlin

Richmond Office

(804) 977-3373 (direct)

acondlin@rothjackson.com

VIA FEDERAL EXPRESS

Prince George Planning Department
Attn: Andre Greene
6602 Courts Drive
Prince George Virginia 23875

Re: Diamond Park, LLC – Comprehensive Plan Amendment Application
RZ-22-04

Dear Mr. Greene:

Attached please find an application for an amendment of the Comprehensive Plan for the County of Prince George, for the above referenced property. Our request is to change the County's designation for this property from its current designation of Planning Area - Commercial to Planning Area - Industrial.

We are simultaneously applying for a rezoning and hope that both applications can be processed simultaneously.

I trust everything is in order and you will contact us should you have any questions.

Sincerely,

Andrew M. Condlin

Enclosures

{01473390;v1}

RICHMOND

1519 Summit Avenue, Suite 102, Richmond, VA 23230

P: 804-441-8440 F: 804-441-8438

TYSONS CORNER

8200 Greensboro Drive, Suite 820, McLean, VA 22102

P: 703-485-3535 F: 703-485-3525

**SPECIAL LIMITED POWER OF ATTORNEY
LAND USE APPLICATIONS**

KNOW ALL MEN BY THESE PRESENTS, that **DIAMOND PARK LLC** has made, constituted and appointed, and by these presents do hereby make, constitute and appoint **MARK J. KRONENTHAL** or **ANDREW M. CONDLIN**, either of whom may act, our true and lawful attorney-in-fact ("Attorney"), to act as our true and lawful attorney-in-fact in our name, place and stead with such full power and authority we would have, if acting personally, to file all such applications required by Prince George County, Virginia (the "County"), with respect to that certain real property currently owned by the undersigned, such real estate being located in the County, commonly known as situated along Route 460, containing approximately 44.49 acres, and designated in the Real Estate Assessment Records of the County as Tax Parcel 340(0A)00-007-D and Tax Parcel 340(0A)00-007E, including, but not limited to, a pre-application form and application to rezone the properties. Our said Attorney is also authorized and directed to sign, seal, acknowledge and deliver all such documentation and consents as required for the Prince George Application, and to do, execute and perform all and every other act or acts, thing or things in law needful and necessary to be done as required for the Prince George Application and related to the Property, as fully as we might or could do if acting personally.

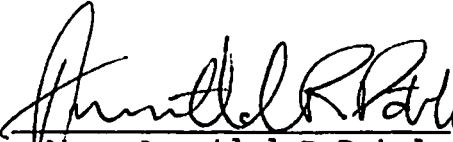
The undersigned hereby confirm all lawful acts done by our Attorney pursuant to this Special Limited Power of Attorney. We further declare that as against ourselves or persons claiming under us, everything which our Attorney shall do pursuant to this Special Limited Power of Attorney shall be valid and binding in favor of any person or entity claiming the benefit hereof who has not received actual written notice that this Special Limited Power of Attorney has been revoked.

(01412213)/v11

This authorization shall continue until it is otherwise rescinded or modified.

WITNESS the following signatures and seals this 22nd day of APRIL, 2022.

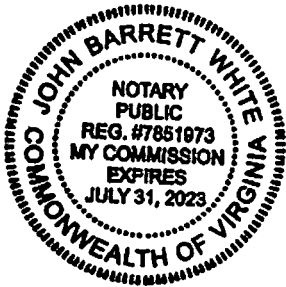
DIAMOND PARK, LLC

By:  (SEAL)
Name: Amratlal R. Patel
Its: Managing Member

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF Virginia, to-wit:

The foregoing instrument was acknowledged before me in my jurisdiction aforesaid by
Amratlal R. Patel, as Managing Member of Diamond Park, LLC, on this
22nd day of April, 2022.




Notary Public

My Commission expires: July 31st, 2023

My Registration No.: 7851973

COUNTY OF PRINCE GEORGE
COMM DEV & CODE COMPLIANCE
PO BOX 156
6602 COURTS DR
PRINCE GEORGE, VA 23875-0156
Prince
Welcome

19998024-0002 Jill A. 10/25/2022 12:00PM

EG INVOICE

Condlin, Andrew (Roth Jackson Gibbons
Condlin, PLC)

2022 Item: INV-00003063

Amend Comprehensive
Plan

700.00

700.00

Subtotal 700.00

Total 700.00

CHECK 700.00

Check Number 006674

Change due 0.00

Paid by: Condlin, Andrew (Roth Jackson
Gibbons Condlin, PLC)

Thank you for your payment

CUSTOMER COPY

006674
700.00

9/26/2022

Comp. Plan Fee

Lingerfelt Development

Treasurer of Prince George County
Proposed Projects: Wagner Way

700.00

First Community Bank Comp. Plan Fee

Diamond Park, LLC – Comprehensive Plan Amendment Request

Benefits of Industrial Development in General

- The background of the request is the market demand for industrial and flex space and in particular what the market describes as speculative (spec) industrial space.
- The region's industrial market continues to push to record levels in nearly all aspects.
- Demand for spec industrial space in particular is higher than ever in the region despite shrinking availability among existing product.
- Over 8 million square feet (MSF) is expected to deliver to the region later in the year, with 70%, or 5.6 million SF, already leased.
- Overall industrial market rental rates closed at \$6.72 per-square-foot, and vacancy fell to 2.1%.
- High bay product over 100,000 square feet was the most sought-after property class of the quarter with an availability rate of 1.7%, or a 79-basis point decrease quarter-over-quarter.
- The region continued to attract new business as major players announced large leases. AutoZone, TemperPack, and Thermo Fisher all signed leases greater than 100,000 square feet, despite facing space limitations and record high asking rates.
- Lingerfelt Development (the Applicant) has 1.3 MSF of industrial under construction or under contract and, excluding Wagner Way, another 4.5 MSF of industrial in the development pipeline. All of its development is spec industrial development.
 - On its two existing construction projects, Lingerfelt expects to be fully leased prior to receiving its certificate of occupancy.

Benefits of Spec Industrial Development Applicable to Subject Site

- Its specific location positions the County well.
- The region continues to need new supply of industrial space in the 100,000-500,000 square feet range in order to keep up with existing growth and new-to-market growth.
- Given the leasing velocity seen by the Applicant in its current construction projects, and the fact that 70% of the region's 8 million square feet currently under development is pre-leased, a speculative project like this in Prince George positions the County very well comparatively against its peer localities to take advantage of the continued industrial growth along the I-95 corridor.
- It is anticipated that this development would be either distribution (70-75% probability) or light manufacturing (25-30% probability) and is likely to have 600+ jobs associated with its end user.

Summary of Meetings with County Agencies to Date

- Over the past months the Applicant and its representatives have had several meetings with Mr. Frank Haltom, PE, of the County Department of Public Utilities (DPU) to discuss sewer and water availability for the proposed project. From those call-ins we have a good understanding of the current constraints of domestic water availability.

- Using current County DPU water system pressure/flows the Applicant has run projected fire suppression demands for the proposed project to conclude that County water availability appears to support the conceptual plan.
- The Applicant has completed a study to consider development of a private on-site well system to provide the projected domestic water demand. The report indicates that the site may be able to deliver the domestic water to support the lower expectation of possible employee counts that could occupy the facility. Any well demand would need to run the Virginia Department of Environmental Quality (DEQ) permitting process. No test well investigation has been released at this time.
- We have had number of follow up call-in meetings w/ DPU to review other on-going County sewer and water easement alignments looking forward to the development of the land and working w/ DPU on system improvements in the near future.
- Comments were received from various County agencies pursuant to an August 29, 2022 letter from Mr. Andre Green of the County Department of Community Development & Code Compliance.

(Referenced by corresponding number in Commentary)

[illegible]

- 1) *Staph. aureus* 1025120 and 1025121
- 2) *Staph. aureus* 1025122 and 1025123
- 3) *Staph. aureus* 1025124 and 1025125
- 4) *Staph. aureus* 1025126 and 1025127
- 5) *Staph. aureus* 1025128 and 1025129
- 6) *Staph. aureus* 1025130 and 1025131
- 7) *Staph. aureus* 1025132 and 1025133
- 8) *Staph. aureus* 1025134 and 1025135
- 9) *Staph. aureus* 1025136 and 1025137
- 10) *Staph. aureus* 1025138 and 1025139
- 11) *Staph. aureus* 1025140 and 1025141
- 12) *Staph. aureus* 1025142 and 1025143
- 13) *Staph. aureus* 1025144 and 1025145
- 14) *Staph. aureus* 1025146 and 1025147
- 15) *Staph. aureus* 1025148 and 1025149
- 16) *Staph. aureus* 1025150 and 1025151
- 17) *Staph. aureus* 1025152 and 1025153
- 18) *Staph. aureus* 1025154 and 1025155
- 19) *Staph. aureus* 1025156 and 1025157
- 20) *Staph. aureus* 1025158 and 1025159
- 21) *Staph. aureus* 1025160 and 1025161
- 22) *Staph. aureus* 1025162 and 1025163
- 23) *Staph. aureus* 1025164 and 1025165
- 24) *Staph. aureus* 1025166 and 1025167
- 25) *Staph. aureus* 1025168 and 1025169
- 26) *Staph. aureus* 1025170 and 1025171
- 27) *Staph. aureus* 1025172 and 1025173
- 28) *Staph. aureus* 1025174 and 1025175
- 29) *Staph. aureus* 1025176 and 1025177
- 30) *Staph. aureus* 1025178 and 1025179
- 31) *Staph. aureus* 1025180 and 1025181
- 32) *Staph. aureus* 1025182 and 1025183
- 33) *Staph. aureus* 1025184 and 1025185
- 34) *Staph. aureus* 1025186 and 1025187
- 35) *Staph. aureus* 1025188 and 1025189
- 36) *Staph. aureus* 1025190 and 1025191
- 37) *Staph. aureus* 1025192 and 1025193
- 38) *Staph. aureus* 1025194 and 1025195
- 39) *Staph. aureus* 1025196 and 1025197
- 40) *Staph. aureus* 1025198 and 1025199
- 41) *Staph. aureus* 1025200 and 1025201
- 42) *Staph. aureus* 1025202 and 1025203
- 43) *Staph. aureus* 1025204 and 1025205
- 44) *Staph. aureus* 1025206 and 1025207
- 45) *Staph. aureus* 1025208 and 1025209
- 46) *Staph. aureus* 1025210 and 1025211
- 47) *Staph. aureus* 1025212 and 1025213
- 48) *Staph. aureus* 1025214 and 1025215
- 49) *Staph. aureus* 1025216 and 1025217
- 50) *Staph. aureus* 1025218 and 1025219
- 51) *Staph. aureus* 1025220 and 1025221
- 52) *Staph. aureus* 1025222 and 1025223
- 53) *Staph. aureus* 1025224 and 1025225
- 54) *Staph. aureus* 1025226 and 1025227
- 55) *Staph. aureus* 1025228 and 1025229
- 56) *Staph. aureus* 1025230 and 1025231
- 57) *Staph. aureus* 1025232 and 1025233
- 58) *Staph. aureus* 1025234 and 1025235
- 59) *Staph. aureus* 1025236 and 1025237
- 60) *Staph. aureus* 1025238 and 1025239
- 61) *Staph. aureus* 1025240 and 1025241
- 62) *Staph. aureus* 1025242 and 1025243
- 63) *Staph. aureus* 1025244 and 1025245
- 64) *Staph. aureus* 1025246 and 1025247
- 65) *Staph. aureus* 1025248 and 1025249
- 66) *Staph. aureus* 1025250 and 1025251
- 67) *Staph. aureus* 1025252 and 1025253
- 68) *Staph. aureus* 1025254 and 1025255
- 69) *Staph. aureus* 1025256 and 1025257
- 70) *Staph. aureus* 1025258 and 1025259
- 71) *Staph. aureus* 1025260 and 1025261
- 72) *Staph. aureus* 1025262 and 1025263
- 73) *Staph. aureus* 1025264 and 1025265
- 74) *Staph. aureus* 1025266 and 1025267
- 75) *Staph. aureus* 1025268 and 1025269
- 76) *Staph. aureus* 1025270 and 1025271
- 77) *Staph. aureus* 1025272 and 1025273
- 78) *Staph. aureus* 1025274 and 1025275
- 79) *Staph. aureus* 1025276 and 1025277
- 80) *Staph. aureus* 1025278 and 1025279
- 81) *Staph. aureus* 1025280 and 1025281
- 82) *Staph. aureus* 1025282 and 1025283
- 83) *Staph. aureus* 1025284 and 1025285
- 84) *Staph. aureus* 1025286 and 1025287
- 85) *Staph. aureus* 1025288 and 1025289
- 86) *Staph. aureus* 1025290 and 1025291
- 87) *Staph. aureus* 1025292 and 1025293
- 88) *Staph. aureus* 1025294 and 1025295
- 89) *Staph. aureus* 1025296 and 1025297
- 90) *Staph. aureus* 1025298 and 1025299
- 91) *Staph. aureus* 1025300 and 1025301
- 92) *Staph. aureus* 1025302 and 1025303
- 93) *Staph. aureus* 1025304 and 1025305
- 94) *Staph. aureus* 1025306 and 1025307
- 95) *Staph. aureus* 1025308 and 1025309
- 96) *Staph. aureus* 1025310 and 1025311
- 97) *Staph. aureus* 1025312 and 1025313
- 98) *Staph. aureus* 1025314 and 1025315
- 99) *Staph. aureus* 1025316 and 1025317
- 100) *Staph. aureus* 1025318 and 1025319
- 101) *Staph. aureus* 1025320 and 1025321
- 102) *Staph. aureus* 1025322 and 1025323
- 103) *Staph. aureus* 1025324 and 1025325
- 104) *Staph. aureus* 1025326 and 1025327
- 105) *Staph. aureus* 1025328 and 1025329
- 106) *Staph. aureus* 1025330 and 1025331
- 107) *Staph. aureus* 1025332 and 1025333
- 108) *Staph. aureus* 1025334 and 1025335
- 109) *Staph. aureus* 1025336 and 1025337
- 110) *Staph. aureus* 1025338 and 1025339
- 111) *Staph. aureus* 1025340 and 1025341
- 112) *Staph. aureus* 1025342 and 1025343
- 113) *Staph. aureus* 1025344 and 1025345
- 114) *Staph. aure*

ATTORNEYS at a point on the southern boundary of the right of way line of Chestnut Street (N. Angle 112° 58' 12" and 121° 42' 10" and east of the point of intersection of the eastern boundary of the right of way line of Chestnut Street (N. Angle 112° 58' 12" and 121° 42' 10") thence generally along the southern boundary of the right of way line of Chestnut Street to a southerly direction, then a curve to the right having a radius of 154.12 feet, a deflection angle of 142° 20' and an arc length of 123.17 feet to a point.

- [illegible]

- [illegible]

Current Faculty
Richard George Clancy, Jr. (Pharmaceutics Director)
 Dept. of Pharmacy, 6-2 (Pharmaceutics Director)

[illegible]

1207 1208 1209 1210 1211 1212 1213 1214 1215 1216 1217 1218 1219 1220 1221 1222 1223 1224 1225 1226 1227 1228 1229 1230 1231 1232 1233 1234 1235 1236 1237 1238 1239 1240 1241 1242 1243 1244 1245 1246 1247 1248 1249 1250 1251 1252 1253 1254 1255 1256 1257 1258 1259 1260 1261 1262 1263 1264 1265 1266 1267 1268 1269 1270 1271 1272 1273 1274 1275 1276 1277 1278 1279 1280 1281 1282 1283 1284 1285 1286 1287 1288 1289 1290 1291 1292 1293 1294 1295 1296 1297 1298 1299 1300 1301 1302 1303 1304 1305 1306 1307 1308 1309 1310 1311 1312 1313 1314 1315 1316 1317 1318 1319 1320 1321 1322 1323 1324 1325 1326 1327 1328 1329 1330 1331 1332 1333 1334 1335 1336 1337 1338 1339 1340 1341 1342 1343 1344 1345 1346 1347 1348 1349 1350 1351 1352 1353 1354 1355 1356 1357 1358 1359 1360 1361 1362 1363 1364 1365 1366 1367 1368 1369 1370 1371 1372 1373 1374 1375 1376 1377 1378 1379 1380 1381 1382 1383 1384 1385 1386 1387 1388 1389 1390 1391 1392 1393 1394 1395 1396 1397 1398 1399 1400 1401 1402 1403 1404 1405 1406 1407 1408 1409 1410 1411 1412 1413 1414 1415 1416 1417 1418 1419 1420 1421 1422 1423 1424 1425 1426 1427 1428 1429 1430 1431 1432 1433 1434 1435 1436 1437 1438 1439 1440 1441 1442 1443 1444 1445 1446 1447 1448 1449 1450 1451 1452 1453 1454 1455 1456 1457 1458 1459 1460 1461 1462 1463 1464 1465 1466 1467 1468 1469 1470 1471 1472 1473 1474 1475 1476 1477 1478 1479 1480 1481 1482 1483 1484 1485 1486 1487 1488 1489 1490 1491 1492 1493 1494 1495 1496 1497 1498 1499 1500 1501 1502 1503 1504 1505 1506 1507 1508 1509 1510 1511 1512 1513 1514 1515 1516 1517 1518 1519 1520 1521 1522 1523 1524 1525 1526 1527 1528 1529 1530 1531 1532 1533 1534 1535 1536 1537 1538 1539 1540 1541 1542 1543 1544 1545 1546 1547 1548 1549 1550 1551 1552 1553 1554 1555 1556 1557 1558 1559 1560 1561 1562 1563 1564 1565 1566 1567 1568 1569 1570 1571 1572 1573 1574 1575 1576 1577 1578 1579 1580 1581 1582 1583 1584 1585 1586 1587 1588 1589 1590 1591 1592 1593 1594 1595 1596 1597 1598 1599 1600 1601 1602 1603 1604 1605 1606 1607 1608 1609 1610 1611 1612 1613 1614 1615 1616 1617 1618 1619 1620 1621 1622 1623 1624 1625 1626 1627 1628 1629 1630 1631 1632 1633 1634 1635 1636 1637 1638 1639 1640 1641 1642 1643 1644 1645 1646 1647 1648 1649 1650 1651 1652 1653 1654 1655 1656 1657 1658 1659 1660 1661 1662 1663 1664 1665 1666 1667 1668 1669 1670 1671 1672 1673 1674 1675 1676 1677 1678 1679 1680 1681 1682 1683 1684 1685 1686 1687 1688 1689 1690 1691 1692 1693 1694 1695 1696 1697 1698 1699 1700 1701 1702 1703 1704 1705 1706 1707 1708 1709 1710 1711 1712 1713 1714 1715 1716 1717 1718 1719 1720 1721 1722 1723 1724 1725 1726 1727 1728 1729 1730 1731 1732 1733 1734 1735 1736 1737 1738 1739 1740 1741 1742 1743 1744 1745 1746 1747 1748 1749 1750 1751 1752 1753 1754 1755 1756 1757 1758 1759 1760 1761 1762 1763 1764 1765 1766 1767 1768 1769 1770 1771 1772 1773 1774 1775 1776 1777 1778 1779 1780 1781 1782 1783 1784 1785 1786 1787 1788 1789 1790 1791 1792 1793 1794 1795 1796 1797 1798 1799 1800 1801 1802 1803 1804 1805 1806 1807 1808 1809 1810 1811 1812 1813 1814 1815 1816 1817 1818 1819 1820 1821 1822 1823 1824 1825 1826 1827 1828 1829 1830 1831 1832 1833 1834 1835 1836 1837 1838 1839 1840 1841 1842 1843 1844 1845 1846 1847 1848 1849 1850 1851 1852 1853 1854 1855 1856 1857 1858 1859 1860 1861 1862 1863 1864 1865 1866 1867 1868 1869 1870 1871 1872 1873 1874 1875 1876 1877 1878 1879 1880 1881 1882 1883 1884 1885 1886 1887 1888 1889 1890 1891 1892 1893 1894 1895 1896 1897 1898 1899 1900 1901 1902 1903 1904 1905 1906 1907 1908 1909 1910 1911 1912 1913 1914 1915 1916 1917 1918 1919 1920 1921 1922 1923 1924 1925 1926 1927 1928 1929 1930 1931 1932 1933 1934 1935 1936 1937 1938 1939 1940 1941 1942 1943 1944 1945 1946 1947 1948 1949 1950 1951 1952 1953 1954 1955 1956 1957 1958 1959 1960 1961 1962 1963 1964 1965 1966 1967 1968 1969 1970 1971 1972 1973 1974 1975 1976 1977 1978 1979 1980 1981 1982 1983 1984 1985 1986 1987 1988 1989 1990 1991 1992 1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2

First Day After
 5:30 PM 12 last cigarette with 3 minutes left of smoking a Kentucky Derby
 After 10:23 PM
 Another night 12 PM or 3 PM

NO DISCOUNTS

For further information of zoning requirements - Contact
Pitts County County Planning and Zoning Director
Nancy Davis, 404

City of Monterey Planning Department
115 South State Street
(408) 721-6039

[illegible]

The survey is certified to not represent for the sole and exclusive benefit of the creditors of the bankrupt estate, but to be for the benefit of all creditors. The survey is not to be used for the benefit of any one or a class of creditors.

Do it to verify that the map is just over the wrong as well as to avoid some nasty conversations with the FG1's advisors. Standard Chart Requirements for ALE/ACV and J2000.0, kindly submitted and accepted by ALE and NCST and includes items 1-4 of the FG1 and 11, 13, 16, 17, 19 and 20 of Table A. However, the advisors are sensitive to any ALE FG2's.

2022
 Bishop A. Dufford, L.S. #2779
 Dufford & Associates LLC

001223
Page

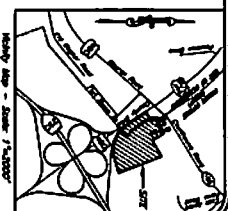


I hereby certify that the foregoing amounts to the best of my professional knowledge and belief to current and existing and to minimum practices and standards established by the highest State Board of Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects.

Sheet 1 of 2

 **Shadrach & Associates LLC**
LAND SURVEYING
220 Madison Ave., Suite 400 • New York, NY 10017 • 212.691.1234

ALVINSON LAND TITLE SURVEY
SHOWING EXISTING IMPROVEMENTS
TO TWO PARCELS OF LAND SITUATED ON
THE NORTH LINE OF U.S. ROUTE 460
RIVES DISTRICT, PRINCE GEORGE COUNTY
AND CITY OF PETERSBURG, VIRGINIA
DATE: AUGUST 1, 2012



[illegible]

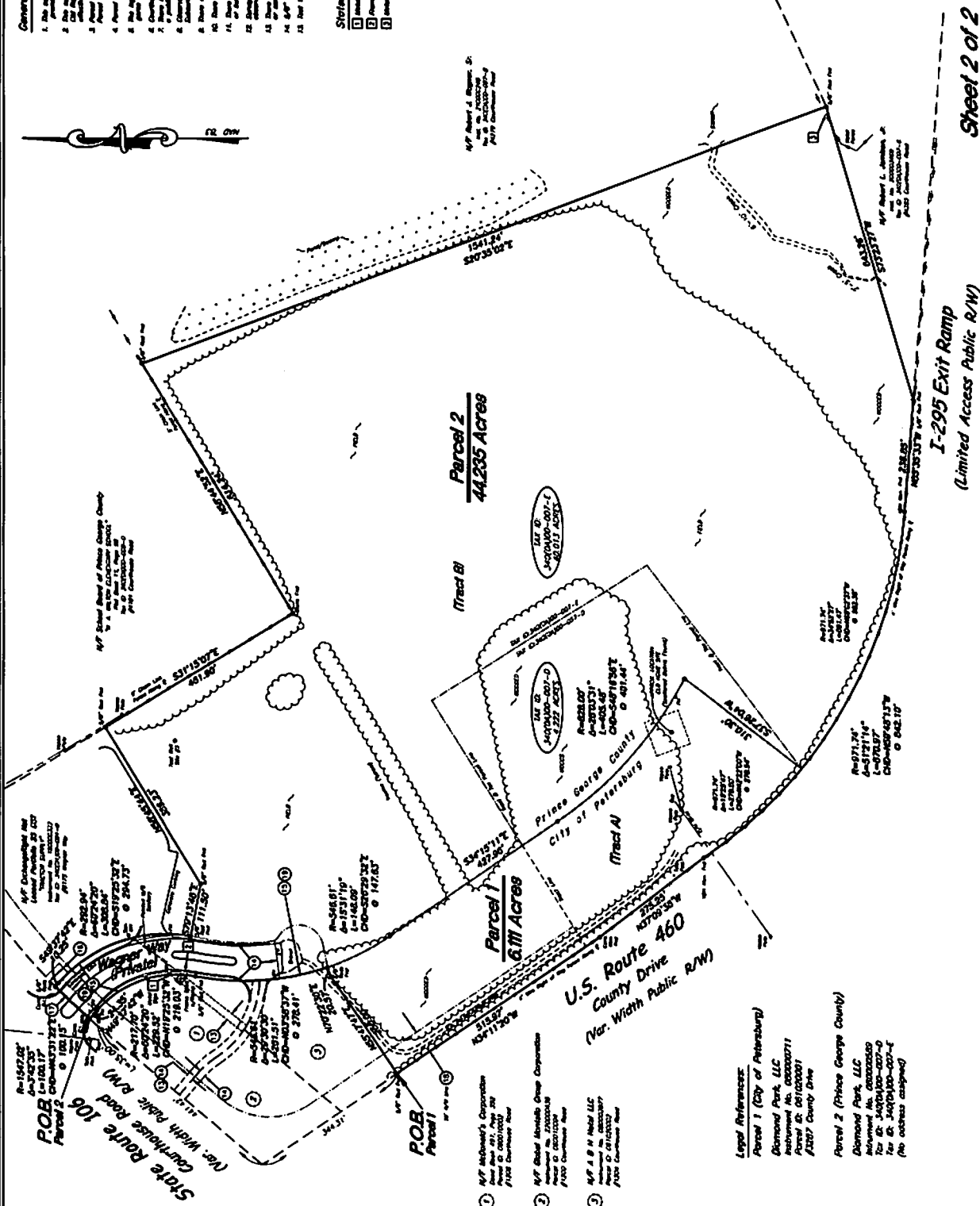
Statement of Encroachments

1. **Hold Title encumbers 0.70 Acre with Subject Property**
2. **Owner Died and Being encumbers 0.17 Acre with Subject Property**
3. **Hold Title encumbers 0.11 Acre with Subject Property**

ALTA'S LAND TITLE SURVEY
SHOWING EXISTING IMPROVEMENTS
TO TWO PARCELS OF LAND SITUATED ON
THE NORTH LINE OF U.S. ROUTE 460
AND CITY OF PETERSBURG, VIRGINIA

DATE: AUGUST 1, 2022

Shadrach & Associates LLC
LAND SURVEYING
400 S. Main St., Suite 200 • Portland, Oregon 97204
Phone: 503.228.1111 • Fax: 503.228.1112 • www.shadrachllc.com





County of Prince George, Virginia

"A global community where families thrive and businesses prosper"

December 9, 2022

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, December 22, 2022 beginning at 6:30 pm** to consider the following request that involves the Prince George County Zoning Ordinance:

COMPREHENSIVE PLAN AMENDMENT CPA-22-03: Request of Diamond Park, LLC to amend the Comprehensive Plan Future Land Use Map designation for a specific property from Commercial to Industrial. The subject property, approximately 44.5 acres in size, is identified as Tax Maps 340(0A)00-007-D and 340(0A)00-007-E and is located at the end of Wagner Way near the intersection of Courthouse Road and County Drive. The change is requested so that the County's Future Land Use Map may support the companion-rezoning request identified as RZ-22-04.

The public hearing will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875, pursuant to §15.2-2204, §15.2-2225, §15.2-2232, and §15.2-2285 of The Code of Virginia (1950, as amended). A copy of the related material may be reviewed or obtained at the Community Development and Code Compliance Department in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday–Friday. All interested persons are invited to participate in the public hearings in person. A live video stream will be available at https://www.princegeorgecountyva.gov/live_stream/. Public comments can be submitted prior to 4:30 p.m. on the public hearing date. Public Comment submittal forms and information on accessing this meeting electronically are 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 black ink that reads "Andre M. Greene".

Andre Greene
Planner II



Legend

 Subject_Property

AMERICAN EAGLE SELF STORAGE LLC
4595 SANDESARA DR
PRINCE GEORGE, VA 23875

AMERICAN STAR SELF STORAGE LLC
4595 SANDESARA DR
PRINCE GEORGE, VA 23875

CLEMENTS LARRY T
401 RIVERS BEND CT
CHESTER, VA 23836

DIAMOND PARK LLC
8901 BROOK RD
GLEN ALLEN, VA 23060

EXCHANGERIGHT NET LEASED /
PORTFOLIO 25 DST
1055 E COLORADO BLVD STE 310
PASADENA, CA 91106

HANZLIK EDWARD G
4422 RIVES RD
SOUTH PRINCE GEORGE, VA 23805

HANZLIK JOSEPH J
15307 CHIEFTAIN RD
DISPUTANTA, VA 23842

INDUS HOLDINGS OF VIRGINIA LLC
4595 SANDESARA DR
PRINCE GEORGE, VA 23875

KLIMEK ADAM JR & PATRICIA M
PO BOX 613
PRINCE GEORGE, VA 23875

LEWIS DAVID P & DAWN M
4293 COURTHOUSE RD
PRINCE GEORGE, GA 23875

MOXLEY THOMAS W
4277 COURTHOUSE RD
PRINCE GEORGE, VA 23875

PATEL DAKSHAY J
4595 SANDESARA DR
PRINCE GEORGE, VA 23875

PETRICK SHARRON L
4001 COUNTY DR
SOUTH PRINCE GEORGE, VA 23805

PRINCE GEORGE COMMERCE PARK LLC
4029 IRONBOUND RD STE 100
WILLIAMSBURG, VA 23188

SACRED HEART CATHOLIC CHURCH
RECTOR COMMUNITY BUILDING
9300 COMMUNITY LN
SOUTH PRINCE GEORGE, VA 23805

SCHOOL BOARD OF PR GEO COUNTY
PO BOX 400
PRINCE GEORGE, VA 23875

VANDERBILT MORTGAGE AND
FINANCE INC
PO BOX 9800
MARYVILLE, TN 37802

ROBERT WAGNER SR & ROBERT
WAGNER II
4279 COURTHOUSE RD
PRINCE GEORGE, VA 23875

WILLIS LARRY E & MANUELA
4281 COURTHOUSE RD
PRINCE GEORGE, VA 23875

**PUBLIC NOTICE
PRINCE GEORGE COUNTY**

Notice is hereby given to all interested parties regarding the following public meeting: The Prince George County Planning Commission will hold public hearings on Thursday, December 22, 2022 beginning at 6:30 p.m. concerning the following requests:

REZONING RZ-22-02: Request of Jeff Oakley, Robert Forehand Jr., and Buckingham Pines, LLC to rezone approximately 12.18 acres from M-1 (Limited Industrial) District to M-2 (General Industrial) District, to accommodate existing and future industrial land uses. The subject property consists of seven (7) tax parcels located on the north and south sides of Harvest Road within an existing industrial park, and is identified as Tax Maps 240(0A)00-069-A, B, F, G, K, L, and M. The Comprehensive Plan Future Land Use Map indicates that the land underlying all affected tax parcels is planned for Industrial uses.

SPECIAL EXCEPTION SE-22-12: Request of Dennis and Wendy Plear to permit an Animal Boarding Place in a Residential Agricultural (R-A) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-103(23). The purpose of the request is to allow a dog-breeding business to operate within the existing single-family dwelling on the property. The subject property is approximately 2.76 acres in size, located at 10608 Walton Lake Road, and is identified as Tax Map 440(0A)00-001-0. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Residential uses.

COMPREHENSIVE PLAN AMENDMENT CPA-22-03: Request of Diamond Park, LLC to amend the Comprehensive Plan Future Land Use Map designation for a specific property from Commercial to Industrial. The subject property, approximately 44.5 acres in size, is identified as Tax Maps 340(0A)00-007-D and 340(0A)00-007-E and is located at the end of Wagner Way near the intersection of Courthouse Road and County Drive. The change is requested so that the County's Future Land Use Map may support the companion-rezoning request identified as RZ-22-04.

REZONING RZ-22-04: Request of Diamond Park, LLC to rezone approximately 44.5 acres from B-1 General Business to M-3 Heavy Industrial. The subject property is located at the end of Wagner Way near the intersection of Courthouse Road and County Drive and is identified as Tax Maps 340(0A)00-007-D and 340(0A)00-007-E. The Comprehensive Plan Future Land Use Map indicates the property is planned for Commercial uses, however the applicant has submitted a companion request identified as CPA-22-03 to change the Future Land Use designation from Commercial to Industrial. The purpose of the request is to enable speculative industrial development to occur on the property.

The public hearings will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875, pursuant to §15.2-2204, §15.2-2225, §15.2-2232, and §15.2-2285 of The Code of Virginia (1950, as amended). A copy of the related material may be reviewed or obtained at the Community Development and Code Compliance Department in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday–Friday. All interested persons are invited to participate in the public hearings in person.

A live video stream will be available at https://www.princegeorgecountyva.gov/live_stream/. Public comments can be submitted prior to 5:00 p.m. on the public hearing date. Public Comment submittal forms and information on accessing this meeting electronically are available at <https://www.princegeorgecountyva.gov>.

Tim Graves
Planner
(804)722-8678

Begin

TAB 7

REZONING REQUEST – RZ-22-04
PLANNING COMMISSION STAFF REPORT – December 22, 2022

RESUME

APPLICANT: Lingerfelt Development LLC

PROPERTY OWNER: Diamond Park LLC

REQUEST: Conditionally rezone approximately 44.235 acres from B-1, General Business to M-3, Heavy Industrial to allow for speculative industrial development.

STAFF RECOMMENDATION: Staff recommends Denial.

STAFF REPORT CONTENTS/

ATTACHMENTS

1. Resume
2. Sample Motions
3. Draft Ordinance for Board of Supervisors
4. Staff Report
5. Copy of the Application with Attachments
6. APO letter, map, mailing list, and newspaper ad

Sample Motions

DENY: (Consistent with Staff's Recommendation)

I move to forward request RZ-22-04 to the Board with a recommendation for DENIAL for the following reason(s): (SPECIFY)

The requested heavy industrial zoning is not compatible with the Comprehensive Plan and current surrounding uses and zoning districts.

(Other: SPECIFY)

POSTPONE:

I move to POSTPONE request RZ-22-04 until _____ to allow time for _____
(MEETING DATE)

(ACTION/EVENT)

APPROVE:

"I move to forward request RZ-22-04 to the Board with a recommendation for APPROVAL, subject to the proffered conditions, and the reason(s) for this recommendation is/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 _____

APPROVE WITH CHANGES:

I move to forward request RZ-22-04 to the Board with a recommendation for APPROVAL, subject to the following changes:

Board of Supervisors
County of Prince George, Virginia

Ordinance

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia this ____ day of ____, 2022:

Present:

Marlene J. Waymack, Chair
Donald R. Hunter, Vice-Chair
Floyd M. Brown, Jr.
Alan R. Carmichael
T. J. Webb

Vote:

REZONING RZ-22-04: Request of Diamond Park, LLC to rezone approximately 44.5 acres from B-1 General Business to M-3 Heavy Industrial. The subject property is located at the end of Wagner Way near the intersection of Courthouse Road and County Drive and is identified as Tax Maps 340(OA)00-007-D and 340(OA)00-007-E. The Comprehensive Plan Future Land Use Map indicates the property is planned for Commercial uses, however the applicant has submitted a companion request identified as CPA-22-03 to change the Future Land Use designation from Commercial to Industrial. The purpose of the request is to enable speculative industrial development to occur on the property.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Rezoning Application identified as ____ is granted as an amendment to the official zoning map; and

The Property, known as Tax Map # ____, consisting of ____ acres, as delineated ____, is hereby rezoned from ____ District to ____ District; and

The Owner in this zoning case, pursuant to §15.2 2303 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Prince George County, for themselves and their successors or assigns, proffer that the Property will be developed in accordance with the following conditions voluntarily agreed to by the Applicant:

[PROFFERED CONDITIONS TO BE ADDED FOLLOWING PC RECOMMENDATION]

Adopted on ____, 2022 and becoming effective immediately.



PLANNING COMMISSION STAFF REPORT

Public Hearing December 22, 2022

RZ-22-02-04: Conditional Rezoning Request (B-1 to M-3)

Applicant: Lingerfelt Development LLC

Case Manager: Andre Greene - (804)722-8678

I. Request

This request is to conditionally rezone approximately 44.235 acres from B-1, General Business to M-3, Heavy Industrial to allow for speculative industrial development.

II. Property

Location: At the end of Wagner Way

Tax Maps: 340(0A)00-007- D & E

Site Size: Approximately 44.235 acres

Legal Owner: Diamond Park LLC

RE Taxes Paid?: Yes

Zoning District: B-1, General Business

Current Use: Parcel D is wooded and Parcel E is open

Comp Plan Land Use: Current: Commercial

If CPA-22-03 is approved: Industrial

Planning Area: Prince George Planning Area

Previous Zoning Cases: Yes: ZM-90-03 approved
February 27, 1990

Figure 1. Aerial Photo



Figure 2: Site Photo



III. Meeting Information

Planning Commission Public Hearing: December 22, 2022

Board of Supervisors Public Hearing: January 24, 2023 (Tentative)

IV. Background and Purpose of Request

The property was originally rezoned (conditionally) to B-1 in 1990 from R-2 and A-1.

The applicant submitted a preliminary rezoning request on August 5, 2022 and received departmental comments on August 29, 2022. Planning staff notified the applicant that the Comprehensive Plan Future Land Use Map designation of Commercial for this area, and surrounding Residential, does not support the request to rezone. Staff further notified the applicant that if they wished to proceed with the rezoning, they should also submit a request to change the Future Land Use Map designation to support their rezoning request. They did submit such a companion request, identified as CPA-22-03.

The purpose of the rezoning request is to conditionally rezoning the affected properties from B-1, General Business to M-3 (Heavy Industrial) for speculative industrial development. The applicant has submitted a conceptual plan showing a proposed 480,000 square foot industrial building to be located on the subject properties along with the applicant's rationale for the requested rezoning.

VI. Exhibits

Exhibit 1: Zoning Map (Red = Commercial, Tan = Residential Agricultural)

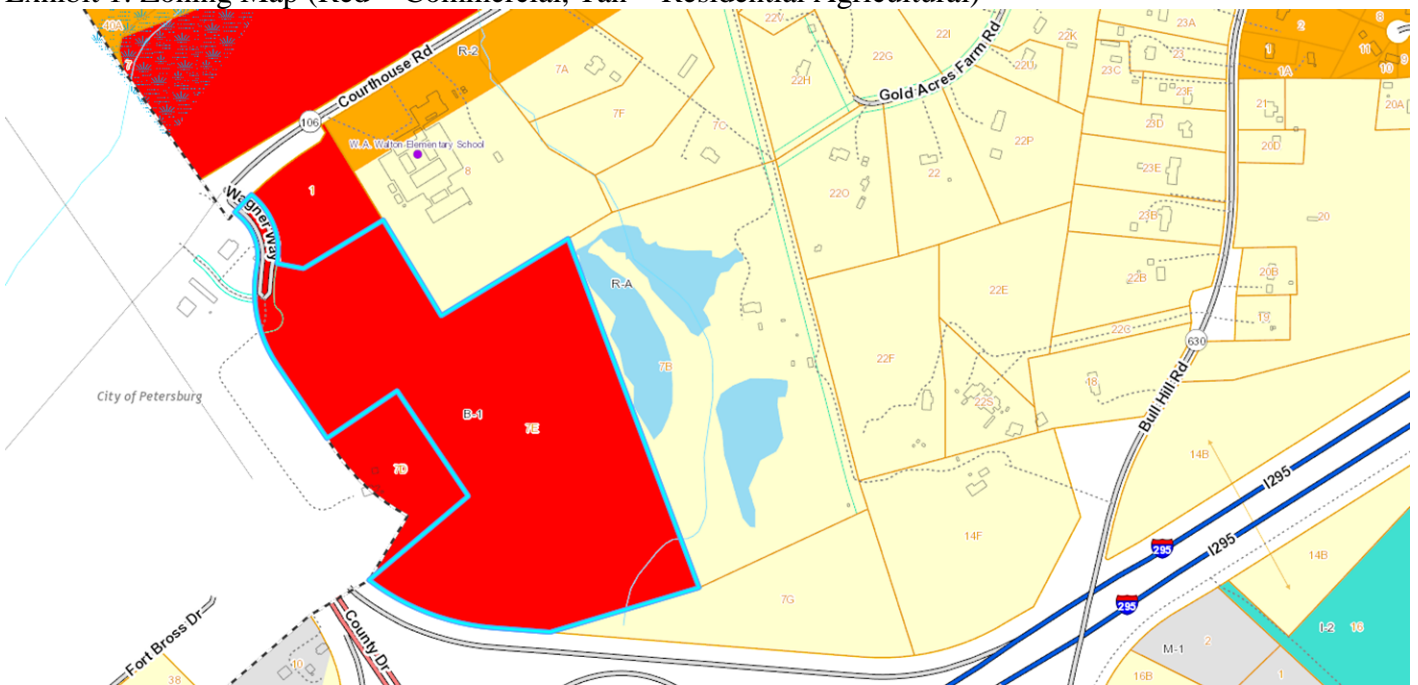


Exhibit 2: Future Land Use Map (Red = Commercial; Yellow = Residential)

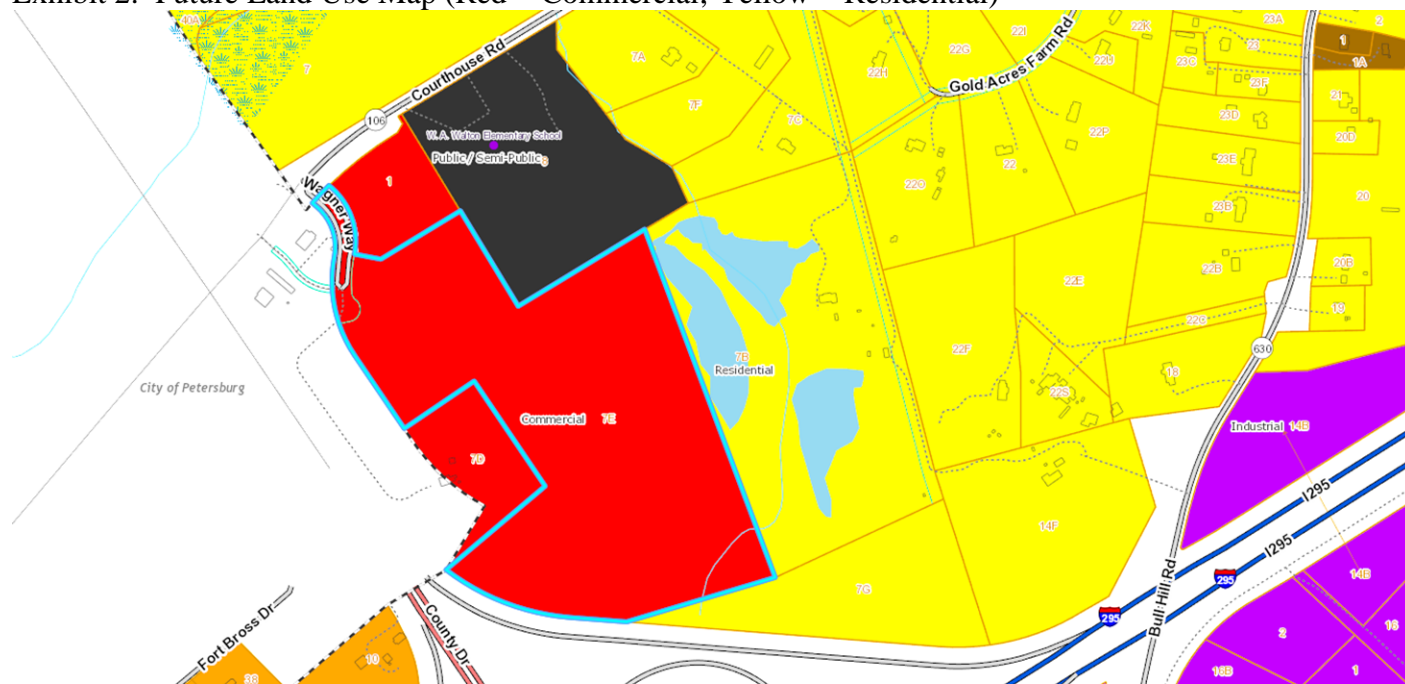


Exhibit 3: Photos of Surrounding Land Uses





VII. Planning and Zoning Review Comments

1. The subject properties are both zoned B-1 General Business.
2. The request is to rezone the two parcels from B-1, General Business, District to M-3, Heavy Industrial, District in order to market the property for industrial use(s).
3. The Comprehensive Plan's Future Land Use designation for this site calls for commercial land uses, which does not support a rezoning to M-3. The applicant submitted Comp Plan Amendment Request CPA-22-03 to change the Future Land Use designation to Commercial.
4. The zoning of properties in the vicinity of the site in question is as follows:
 North – B-1 (General Business), R-A (Residential Agricultural) and R-2 (Limited Residential)
 South – R-A (Residential Agricultural) and M-1 (Limited Industrial) across I-295 on Bull Hill Road
 East – R-A (Residential Agricultural) and M-1 (Limited Industrial) across U.S. Route 460
 West – R-A (Residential Agricultural)
5. Surrounding land uses include a fast-food restaurant (McDonald's) and a convenience store (Miller Mart/gas station (BP) located in corporate limits of the City of Petersburg; a Tractor Supply Company; Walton Elementary School; and the I-295 off ramp. A rezoning from B-1 to M-3 would be inconsistent and incompatible with surrounding land uses.
6. There are several proffers currently attached to Tax Parcel 340(0A)00-007-E as part of rezoning case ZM-90-03 that was approved on February 27, 1990.
7. Any new development will require the preparation of a site plan by a licensed professional (in accordance with the requirements for major site plans) and its submittal to the County for approval.
8. Issues/Concerns of VDOT must be addressed and VDOT approval of the site plan is required.
9. Off-street parking, lighting, buffering and landscaping must be provided in accordance with requirements of the Zoning Ordinance.
10. Any planned disturbances to wetlands must authorized/permitted by the Army Corps of Engineers.

VIII. Supplemental Staff Review Comments

Angela Blount, Environmental Program Coordinator

1. Land disturbance associated with this project 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 new construction reaches or exceeds 1 acre, a Construction General Permit issued by the Virginia Department of Environmental Quality will also be required.

2. Further comments will be given at the time of Site Plan review.

Paul Hinson, P.E., LEED AP, VDOT Land Use Engineer

No trip generation data was provided for the proposed use. If the site will generate in excess of 5,000 VPD, a chapter 527 Traffic Impact Analysis will be required in conjunction with the rezoning application.

1. Wagner Way is not a state maintained roadway and VDOT has no authority to grant access or issue permits for any work within the Wagner Way right-of-way (ROW).
2. The ROW for US 460 and I-295 ramp adjacent to the site are limited access ROW. No access, entrances, utility services or construction will be allowed within the limited access ROW.
3. Any drainage directed into the I-295 must demonstrate no increase in storm-water runoff for a 25-year storm.
4. VDOT reserves the right to provide additional comments when trip generation data or other information is provided in conjunction with the rezoning application.

Rachel A. Lumpkin, PE, Project Utility Engineer

The property is located within the Prince George County Planning Area. Connection to the public water and wastewater systems will be required. Currently, there is no capacity available for new development to connect.

1. The waterline relocation as shown on the conceptual plan (relocation to within the Petersburg City limits) will not be acceptable to the Utilities Department. The developer and/or developer's site engineer will need to coordinate with the Utilities Department during the site design.

IX. Public Notice and Community Feedback

- Staff notified adjacent property owners by mailing prior to the public hearing.
- Staff ran the required legal ads for this request in the *Progress-Index* prior to the public hearing.
- The applicant reviewed a copy of this report prior to the Planning Commission hearing date.
- No comments from the community were received prior to finalizing this report.

X. Proffered Conditions

1. The use if the property shall be subject to unless otherwise excluded or limited by these proffers, the uses an development standards permitted in the M-3 (Heavy Industrial) Zoning District, as stipulated in the currently adopted County of Prince George Zoning Ordinance.
2. The following development limitation is applicable to the Property: Development on the property shall be limited to no more than 550,000 square feet of building space in general conformance with the concept plan entitled WAGNER WAY PRINCE GEORGE COUNTY VIRGINIA – RIVES DISTRICT, prepared by RK&K engineer, and dated August 25, 2022 (the "Concept Plan"). The exact locations, footprints, configurations, size and details of lots, drives, roads, buildings and other improvements shown in the Concept Plan are illustrative and are subject to change and may be updated from time to time as required for final engineering design, compliance with governmental regulations or as otherwise approved at the time of site plan review of the Property.
3. The following use will not be permitted upon the Property:
 - a. Correctional Facility
 - b. Landfill
 - c. Meat, poultry and fish processing
 - d. Sawmill
 - e. Scrap and salvage service

- f. Sand and gravel operations
 - g. Crushed stone operations
 - h. Wood-preserving operations
 - i. Abattoirs
 - j. Fertilizer Manufacture
 - k. Petroleum refining
 - l. Asphalt Mixing plants
 - m. Junk yards or junk storage
4. The following development standards shall be applicable to the Property: A vegetative buffer of not less than seventy-five (75) feet shall be installed between any building located on the Property and all residential areas, The Director of Planning, as part of any site plan application, must approve a landscape plan.


XI. Staff Recommendation

DENIAL – It’s staff recommendation that the applicant’s request be denied for the following reasons:

1. The development pattern in the immediate vicinity of the affected location is commercial as opposed to industrial. The area is being developed commercially in accordance with the County’s adopted Comprehensive Plan. There is no compelling need for industrial development in the vicinity of the intersection of U.S. Route 460 (County Drive) and Route 106 (Courthouse Road) and heavy truck traffic is not desired at this location.
2. The County has designated and invested in two (2) industrial park sites (South Point Business Park and Cross Pointe Center Business Park) to accommodate future industrial development. These two (2) industrial parks are located within approximately 1.5 from the subject property. Staff recommends that new industrial development should be directed to these areas that already have industrial grade infrastructure and are not yet fully developed.
3. The site is adjacent to Walton Elementary School. The school is scheduled to be closed in February of 2023 when the new elementary on Middle Road opens. It is the intent of the County to market the abandoned school site for commercial development, which would be consistent with the already established development pattern in the area. Heavy industrial development may not be generally compatible with the surrounding commercial and residential land uses.
4. The Comprehensive Plan’s Future Land Use designation for this site calls for commercial land uses. Therefore, a rezoning from B-1 to M-3 would be inconsistent with the Comp Plan, unless concurrent request CPA-22-03 is first approved to change the future land use designation.
5. Outstanding issues with ingress and egress to the site, and the provisions of public wastewater and water utilities have not been addressed.
6. Several conditions were proffered by the applicant in order to minimize impacts on adjacent properties. However, staff finds the proffers unacceptable. Some of the uses not restricted by the applicant’s proffers have the potential to create nuisances and that may have negative impacts on existing business establishments in the area. For example the following uses would still be allowed in the M-3, Heavy Industrial, District:
 - Automobile assembly, painting, upholstering, repairing, rebuilding, reconditioning, body and fender work, truck repairing or overhauling, tire retreading or recapping.
 - Blacksmith shops, welding or machine shops.
 - Petroleum storage
 - Brick manufacture
 - Concrete products central mixing and proportioning plants.

- Acid manufacture.
 - Cement, lime and gypsum manufacture.
 - Cogeneration plants.
7. According to the County's Zoning Ordinance, the primary purpose of the M-3, Heavy Industrial, district is to establish an area where the principal use of land is for heavy industrial operations which create some nuisances that are not properly associated with nor particularly compatible with residential, institutional and neighborhood commercial service establishments. The specific intent of this district is to:
 - a. Encourage the construction of and continued use of the land for heavy industrial purposes which have the potential to generate negative environmental impacts on the surrounding community. Some of these impacts include the potential for air pollution, water quality degradation, loud noise and odor.
 - b. Prohibit residential and neighborhood commercial use of the land to prohibit any other use which would substantially interfere with the development, continuation or expansion of heavy industrial uses in the district.
 8. The area around the subject property is currently being developed commercial and was not intended for intended to have heavy industries adjacent to the commercial development.

Inv. 00002914
Exec Gov RZ-22-0008

		REZONING 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 #: <i>RZ-22-04</i>	DATE SUBMITTED: RECEIVED <i>SEP 30 2022</i>
APPLICANT FILL-IN ALL BLANKS						
REQUEST DETAILS	REQUEST: Rezone the 44.49 acres from B-1 to M-3					
	REQUEST PROPERTY ADDRESS / LOCATION: Courthouse Road (Route 106) and Route 460					
	REQUEST TAX MAP(S): (List all)	AFFECTED ACREAGE:	ENTIRE PARCEL?: (Y / N)	CURRENT ZONING:	PROPOSED ZONING:	
	340(0A)00-007-D and 340(0A)00-007-E	44.235	Yes	B-1	M-3	
	REQUIRED ATTACHMENTS: (Check if Attached; * = Required) <input checked="" type="checkbox"/> APPLICANT STATEMENT* (Specify goals, details, etc.) <input checked="" type="checkbox"/> PROPOSED CONDITIONS / PROFFER STATEMENT <input checked="" type="checkbox"/> CONCEPTUAL SITE PLAN* (Show any planned improvements; Use GIS or Engineer Drawing) <input type="checkbox"/> COMMUNITY MEETING SUMMARY <input checked="" type="checkbox"/> SURVEY OR LEGAL DESCRIPTION OF REZONING REQUEST AREA (If different than recorded lot) <input type="checkbox"/> ADDITIONAL ATTACHMENTS: _____ _____					
LEGAL OWNER	NAME(S): Diamond Park, LLC					
	MAILING ADDRESS (Incl. City, State, Zip) 8907 Brook Road Glen Allen, Virginia 23060					
	E-MAIL:			PHONE:		
APPLICANT CONTACT	NAME(S) (If different than owner): Lingerfelt Development, LLC c/o Andrew M. Condin - Roth Jackson Gibbons Condlin PLC					
	RELATION TO OWNER: Attorney for the Contract Purchaser					
	MAILING ADDRESS: (Incl. City, State, Zip) 1519 Summit Avenue, Suite 102 Richmond Virginia 23230					
	E-MAIL: acondlin@rothjackson.com tcraddock@rothjackson.com			PHONE: (804) 977-3373 or (804) 441-8606		
	OFFICE USE ONLY (Completed at time of application)					
COMMENTS:						
PAYMENT	FEE DUE: Rezoning: \$1,050 + [See Fee Schedule] Amend Existing Zoning Case: \$1,050		FEE PAID:		PAYMENT TYPE: CHECK / CASH / CREDIT / DEBIT	
	CHECK # / TRANSACTION #:		DATE RECEIVED:		RECEIVED BY:	

OWNER AFFIDAVIT

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: Andrew M. Condlin, by Power of Attorney

NAME:

SIGNED:

[Signature]

SIGNED:

DATE:

9/29/22

DATE:

NOTARIZATION:

STATE OF VIRGINIA

CITY OF: *Richmond*

Subscribed and sworn before me this

29th day of *September*, 20 *22*.

Notary Public

My Commission expires: *11/30*, 20 *25*



Tracy Gibrall Craddock
Commonwealth of Virginia
Notary Public
Commission No. 7714399
My Commission Expires 11/30/2025

AFFIDAVIT

COUNTY OF PRINCE GEORGE
COMM DEV & CODE COMPLIANCE
PO BOX 156
6602 COURTS DR
PRINCE GEORGE, VA 23875-0156
rince
Welcome

19997903-0002 Jill A. 10/03/2022 11:12AM

EG INVOICE

Diamond Park, LLC
2022 Item: INV-00002914
Base fee for a Rezoning
Application request 1,050.00

PGC Rezoning to B-1
\$140 per acre
calculated 5,178.60

6,228.60

Subtotal 6,228.60
Total 6,228.60

CHECK 6,228.60
Check Number006673

Change due 0.00

Paid by: Diamond Park, LLC

Thank you for your payment

CUSTOMER COPY

COUNTY OF PRINCE GEORGE
COMM DEV & CODE COMPLIANCE
PO BOX 156
6602 COURTS DR
PRINCE GEORGE, VA 23875-0156
rince
Welcome

19997944-0001 Jill A. 10/11/2022 10:16AM

EG INVOICE

Diamond Park, LLC
2022 Item: INV-00002914
Base fee for a Rezoning
Application request 0.00

PGC Rezoning to B-1
\$140 per acre
calculated 1,050.00

1,050.00

Subtotal 1,050.00
Total 1,050.00

CHECK 1,050.00
Check Number006696

Change due 0.00

Paid by: Diamond Park, LLC

Thank you for your payment

CUSTOMER COPY

**SPECIAL LIMITED POWER OF ATTORNEY
LAND USE APPLICATIONS**

KNOW ALL MEN BY THESE PRESENTS, that **DIAMOND PARK LLC** has made, constituted and appointed, and by these presents do hereby make, constitute and appoint **MARK J. KRONENTHAL** or **ANDREW M. CONDLIN**, either of whom may act, our true and lawful attorney-in-fact ("Attorney"), to act as our true and lawful attorney-in-fact in our name, place and stead with such full power and authority we would have, if acting personally, to file all such applications required by Prince George County, Virginia (the "County"), with respect to that certain real property currently owned by the undersigned, such real estate being located in the County, commonly known as situated along Route 460, containing approximately 44.49 acres, and designated in the Real Estate Assessment Records of the County as Tax Parcel 340(0A)00-007-D and Tax Parcel 340(0A)00-007E, including, but not limited to, a pre-application form and application to rezone the properties. Our said Attorney is also authorized and directed to sign, seal, acknowledge and deliver all such documentation and consents as required for the Prince George Application, and to do, execute and perform all and every other act or acts, thing or things in law needful and necessary to be done as required for the Prince George Application and related to the Property, as fully as we might or could do if acting personally.

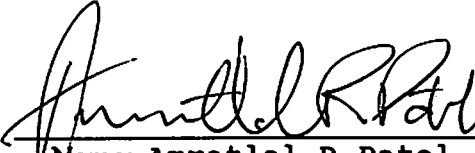
The undersigned hereby confirm all lawful acts done by our Attorney pursuant to this Special Limited Power of Attorney. We further declare that as against ourselves or persons claiming under us, everything which our Attorney shall do pursuant to this Special Limited Power of Attorney shall be valid and binding in favor of any person or entity claiming the benefit hereof who has not received actual written notice that this Special Limited Power of Attorney has been revoked.

{01412213}/v11

This authorization shall continue until it is otherwise rescinded or modified.

WITNESS the following signatures and seals this 22nd day of APRIL, 2022.

DIAMOND PARK, LLC


By:  (SEAL)
Name: Amratlal R. Patel
Its: Managing Member

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF Virginia, to-wit:

The foregoing instrument was acknowledged before me in my jurisdiction aforesaid by
Amratlal R. Patel, as Managing Member of Diamond Park, LLC, on this
22nd day of April, 2022.




Notary Public
My Commission expires: July 31st, 2023
My Registration No.: 7851973

Benefits of Industrial Development in General

- The background of the request is the market demand for industrial and flex space and in particular what the market describes as speculative (spec) industrial space.
- The region's industrial market continues to push to record levels in nearly all aspects.
- Demand for spec industrial space in particular is higher than ever in the region despite shrinking availability among existing product.
- Over 8 million square feet (MSF) is expected to deliver to the region later in the year, with 70%, or 5.6 million SF, already leased.
- Overall industrial market rental rates closed at \$6.72 per-square-foot, and vacancy fell to 2.1%.
- High bay product over 100,000 square feet was the most sought-after property class of the quarter with an availability rate of 1.7%, or a 79-basis point decrease quarter-over-quarter.
- The region continued to attract new business as major players announced large leases. AutoZone, TemperPack, and Thermo Fisher all signed leases greater than 100,000 square feet, despite facing space limitations and record high asking rates.
- Lingerfelt Development (the Applicant) has 1.3 MSF of industrial under construction or under contract and, excluding Wagner Way, another 4.5 MSF of industrial in the development pipeline. All of its development is spec industrial development.
 - On its two existing construction projects, Lingerfelt expects to be fully leased prior to receiving its certificate of occupancy.

Benefits of Spec Industrial Development Applicable to Subject Site

- Its specific location positions the County well.
- The region continues to need new supply of industrial space in the 100,000-500,000 square feet range in order to keep up with existing growth and new-to-market growth.
- Given the leasing velocity seen by the Applicant in its current construction projects, and the fact that 70% of the region's 8 million square feet currently under development is pre-leased, a speculative project like this in Prince George positions the County very well comparatively against its peer localities to take advantage of the continued industrial growth along the I-95 corridor.
- It is anticipated that this development would be either distribution (70-75% probability) or light manufacturing (25-30% probability) and is likely to have 600+ jobs associated with its end user.

Summary of Meetings with County Agencies to Date

- Over the past months the Applicant and its representatives have had several meetings with Mr. Frank Haltom, PE, of the County Department of Public Utilities (DPU) to discuss sewer and water availability for the proposed project. From those call-ins we have a good understanding of the current constraints of domestic water availability.
- Using current County DPU water system pressure/flows the Applicant has run projected fire suppression demands for the proposed project to conclude that County water availability appears to support the conceptual plan.

- The Applicant has completed a study to consider development of a private on-site well system to provide the projected domestic water demand. The report indicates that the site may be able to deliver the domestic water to support the lower expectation of possible employee counts that could occupy the facility. Any well demand would need to run the Virginia Department of Environmental Quality (DEQ) permitting process. No test well investigation has been released at this time.
- We have had number of follow up call-in meetings w/ DPU to review other on-going County sewer and water easement alignments looking forward to the development of the land and working w/ DPU on system improvements in the near future.
- Comments were received from various County agencies pursuant to an August 29, 2022 letter from Mr. Andre Green of the County Department of Community Development & Code Compliance.

1. The use of the Property shall be subject to, unless otherwise excluded or limited by these proffers, the uses and development standards permitted in the M-3 (Heavy Industrial) Zoning District, as stipulated in the currently adopted County of Prince George Zoning Ordinance.
2. The following development limitation is applicable to the Property: Development on the Property shall be limited to no more than 550,000 square feet of building space in general conformance with the concept plan entitled WAGNER WAY PRINCE GEORGE COUNTY VIRGINIA – RIVES DISTRICT, prepared by RK&K engineers, and dated August 25, 2022 (the "Concept Plan"). The exact locations, footprints, configurations, size, and details of the lots, drives, roads, buildings and other improvements shown on the Concept Plan are illustrative and are subject to change and may be updated from time to time as required for final engineering design, compliance with governmental regulations or as otherwise approved at the time of site plan review of the Property.
3. The following uses will not be permitted upon the Property:
 - a. Correctional facility
 - b. Landfill
 - c. Meat, poultry and fish processing
 - d. Sawmill
 - e. Scrap and salvage service
 - f. Sand and gravel operations
 - g. Crushed stone operations
 - h. Wood-preserving operations
 - i. Abattoirs
 - j. Fertilizer manufacture
 - k. Petroleum refining
 - l. Asphalt mixing plants
 - m. Junk yards or junk storage
4. The following development standards shall be applicable to the Property: A vegetative buffer of not less than seventy-five (75) feet shall be installed between any building located on the Property and all residential areas. The Director of Planning, as part of any site plan application, must approve a landscape plan.

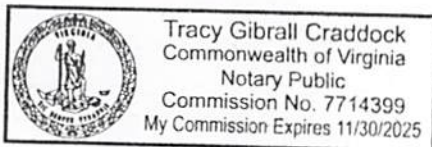
AMC
Andrew M. Condlin, with power of attorney and on behalf of Diamond Park, LLC

COMMONWEALTH OF VIRGINIA

City of Richmond, to-wit:

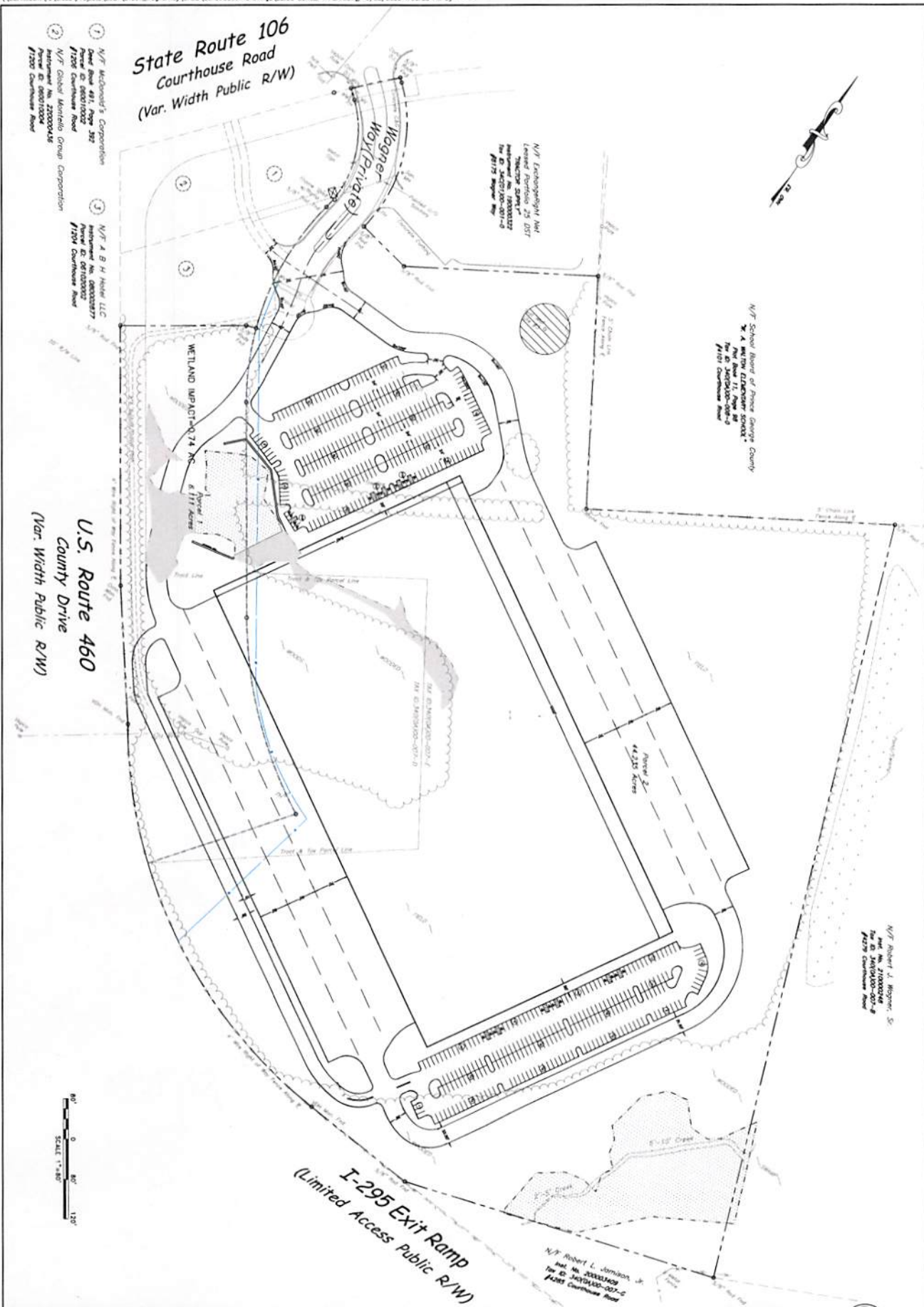
The foregoing was acknowledged before me the 29th day of September, 2022 by
Andrew M. Condlin, with power of attorney for and on behalf of Diamond Park, LLC.

My commission expires: 11/30/2025.

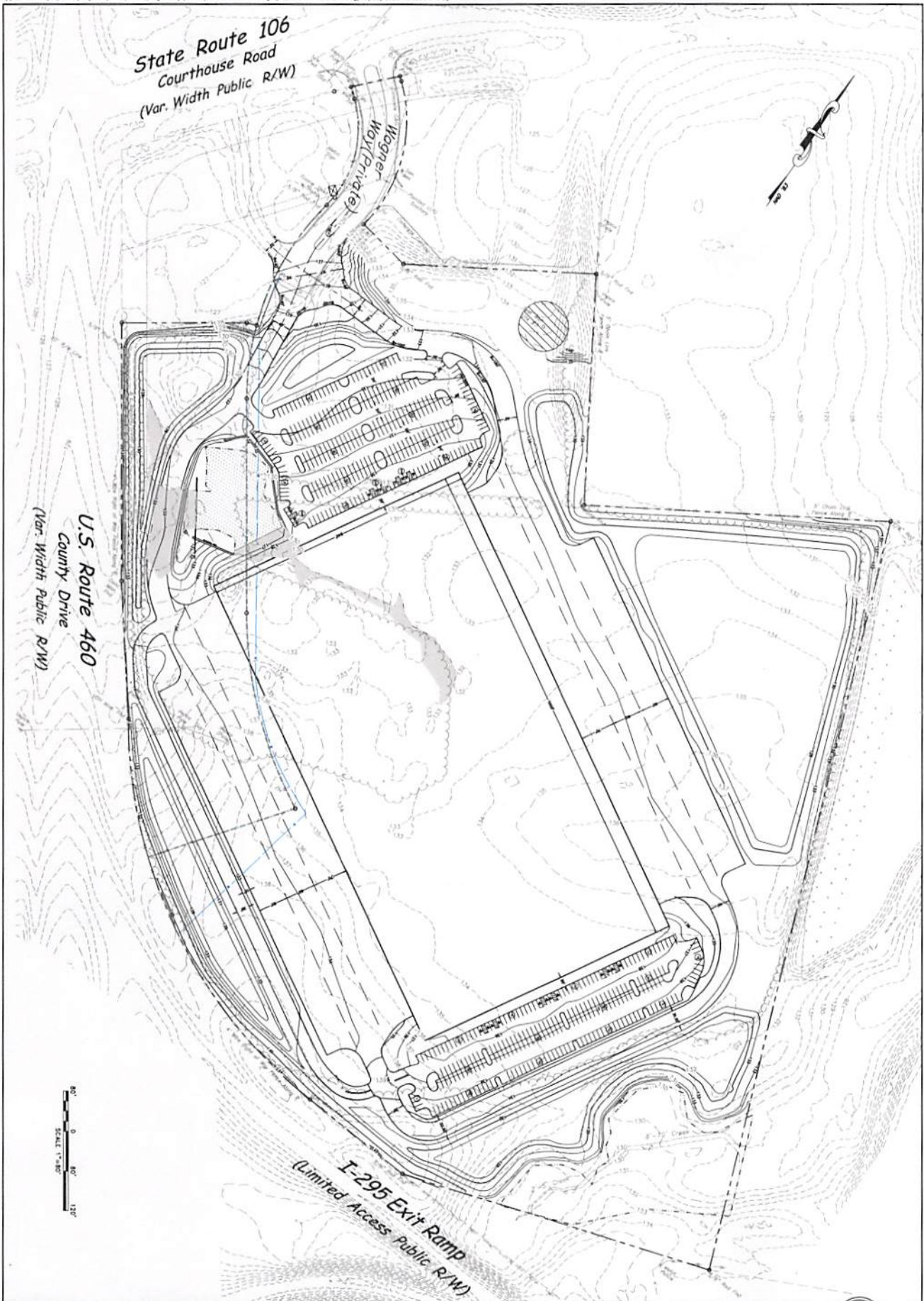


Tracy Gibrall Craddock
Notary Public
Notary Reg No. 7714399

[Notary Stamp]



RK&K P.O. Box 100 2190 E. Cary St. Suite 300 Richmond, VA 23223 Engineers Construction Managers Planners Scientists www.rk.com	DATE: 8/25/2022 ENGINEER: _____ CHECKED: _____ CAD: _____ JOB# XXXXX-XX	WAGNER WAY PRINCE GEORGE COUNTY, VA - RIVES DISTRICT CONCEPT PLAN	SHEET C2.00 SCALE 1"=60'	PLAN REVISIONS -



RK&K
P: 804.762.1902
2100 E. Cary St, Suite 300 | Richmond, VA 23223
Engineers | Construction Managers | Planners | Scientists
www.rk.com
Empowering People | Creative Solutions

DATE: 8/25/2022
ENGINEER: _____
CHECKED: _____
CAD: _____
JOB#: XXXXX-XX

WAGNER WAY
PRINCE GEORGE COUNTY, VA - RIVES DISTRICT
GRADING PLAN

SHEET
C3.00
SCALE
1"=80'

PLAN REVISIONS -

● ● ● ● ●

Shree

5766

For more information, call 1-800-451-7273 or visit us online at www.4mat.com

General Notes

1. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.
2. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.
3. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.
4. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.
5. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.
6. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.
7. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.
8. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.
9. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.
10. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.
11. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.
12. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.
13. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.
14. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.
15. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.
16. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.

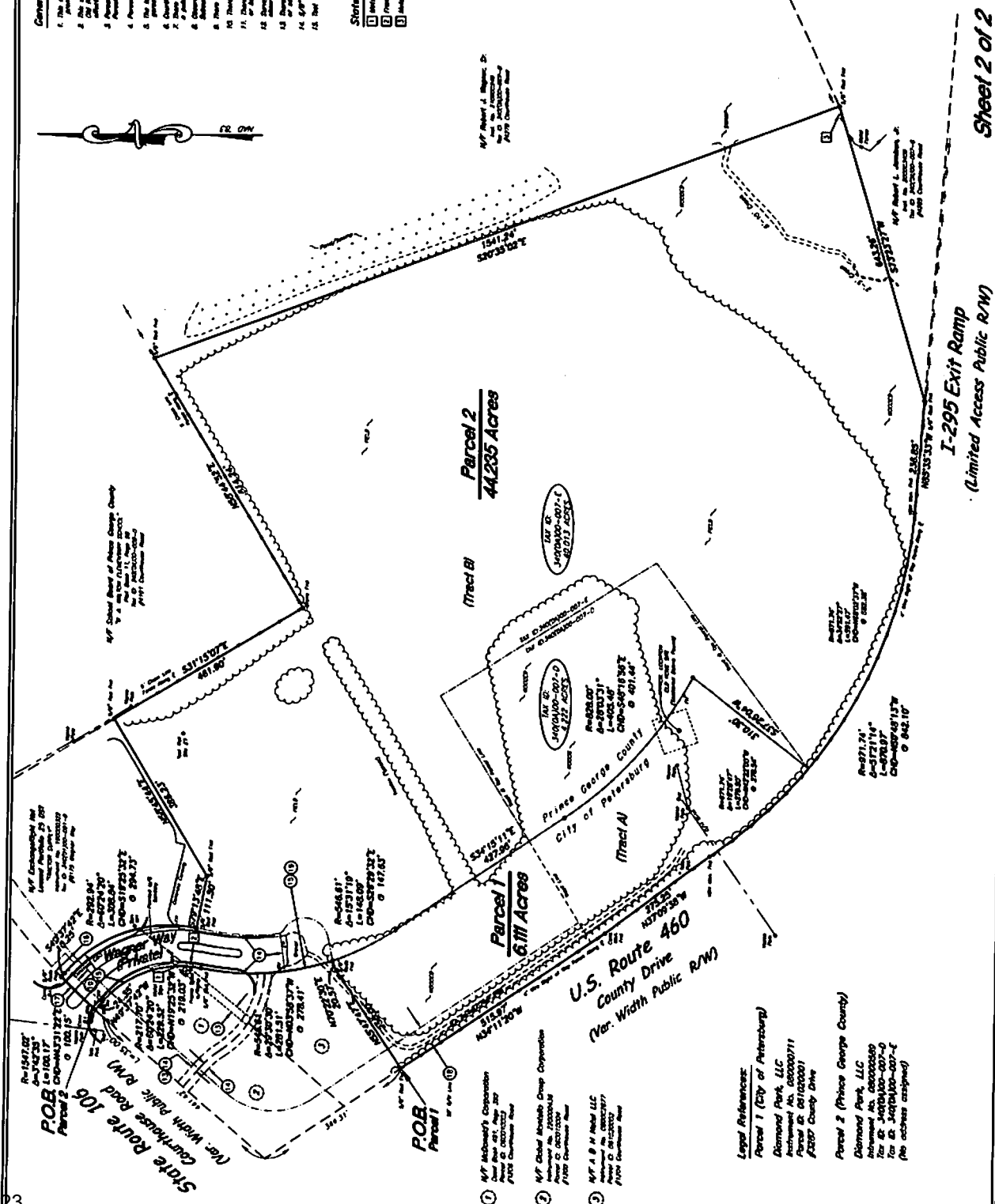
Statement of Encroachments

1. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.
2. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.
3. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.
4. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.
5. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.
6. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.
7. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.
8. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.
9. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.
10. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.
11. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.
12. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.
13. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.
14. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.
15. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.
16. The survey was made by the undersigned and is a true and correct copy of the original survey as shown on the plan.

ALTA AND TITLE SURVEY
SHOWING EXISTING IMPROVEMENTS
TO TWO PARCELS OF LAND SITUATED ON
THE NORTH LINE OF U.S. ROUTE 460
RIVES DISTRICT, PRINCE GEORGE COUNTY
AND CITY OF PETERSBURG, VIRGINIA
DATE: AUGUST 1, 2012



Shadrach & Associates LLC
LAND SURVEYING
10000 Highway 100, Suite 100
Petersburg, VA 23103-1000
Phone: 804.747.1000
Fax: 804.747.1001
Email: info@shadrach-surveying.com



Sheet 2 of 2

I-295 Exit Ramp
(Limited Access Public R/W)

- Legal References:**
- Parcel 1 (City of Petersburg)
Diamond Park, LLC
Instrument No. 080000711
Parcel ID: 081020001
F2387 County Drive
 - Parcel 2 (Prince George County)
Diamond Park, LLC
Instrument No. 080000669
Parcel ID: 081020001
F2387 County Drive

1. M.F. Shadrach & Associates, LLC
Surveyor No. 000000000
Instrument No. 080000711
Parcel ID: 081020001
F2387 County Drive
2. M.F. Shadrach & Associates, LLC
Surveyor No. 000000000
Instrument No. 080000669
Parcel ID: 081020001
F2387 County Drive
3. M.F. Shadrach & Associates, LLC
Surveyor No. 000000000
Instrument No. 080000711
Parcel ID: 081020001
F2387 County Drive



County of Prince George, Virginia

"A global community where families thrive and businesses prosper"

December 9, 2022

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, December 22, 2022 beginning at 6:30 pm** to consider the following request that involves the Prince George County Zoning Ordinance:

REZONING RZ-22-04: Request of Diamond Park, LLC to rezone approximately 44.5 acres from B-1 General Business to M-3 Heavy Industrial. The subject property is located at the end of Wagner Way near the intersection of Courthouse Road and County Drive and is identified as Tax Maps 340(0A)00-007-D and 340(0A)00-007-E. The Comprehensive Plan Future Land Use Map indicates the property is planned for Commercial uses, however the applicant has submitted a companion request identified as CPA-22-03 to change the Future Land Use designation from Commercial to Industrial. The purpose of the request is to enable speculative industrial development to occur on the property.

The public hearing will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875, pursuant to §15.2-2204, §15.2-2225, §15.2-2232, and §15.2-2285 of The Code of Virginia (1950, as amended). A copy of the related material may be reviewed or obtained at the Community Development and Code Compliance Department in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday–Friday. All interested persons are invited to participate in the public hearings in person. A live video stream will be available at https://www.princegeorgecountyva.gov/live_stream/. Public comments can be submitted prior to 4:30 p.m. on the public hearing date. Public Comment submittal forms and information on accessing this meeting electronically are 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 black ink that reads "Andre M. Greene".

Andre Greene
Planner II

Owner/Applicant: Diamond Park LLC

[illegible]

AMERICAN EAGLE SELF STORAGE LLC
4595 SANDESARA DR
PRINCE GEORGE, VA 23875

AMERICAN STAR SELF STORAGE LLC
4595 SANDESARA DR
PRINCE GEORGE, VA 23875

CLEMENTS LARRY T
401 RIVERS BEND CT
CHESTER, VA 23836

DIAMOND PARK LLC
8901 BROOK RD
GLEN ALLEN, VA 23060

EXCHANGERIGHT NET LEASED /
PORTFOLIO 25 DST
1055 E COLORADO BLVD STE 310
PASADENA, CA 91106

HANZLIK EDWARD G
4422 RIVES RD
SOUTH PRINCE GEORGE, VA 23805

HANZLIK JOSEPH J
15307 CHIEFTAIN RD
DISPUTANTA, VA 23842

INDUS HOLDINGS OF VIRGINIA LLC
4595 SANDESARA DR
PRINCE GEORGE, VA 23875

KLIMEK ADAM JR & PATRICIA M
PO BOX 613
PRINCE GEORGE, VA 23875

LEWIS DAVID P & DAWN M
4293 COURTHOUSE RD
PRINCE GEORGE, GA 23875

MOXLEY THOMAS W
4277 COURTHOUSE RD
PRINCE GEORGE, VA 23875

PATEL DAKSHAY J
4595 SANDESARA DR
PRINCE GEORGE, VA 23875

PETRICK SHARRON L
4001 COUNTY DR
SOUTH PRINCE GEORGE, VA 23805

PRINCE GEORGE COMMERCE PARK LLC
4029 IRONBOUND RD STE 100
WILLIAMSBURG, VA 23188

SACRED HEART CATHOLIC CHURCH
RECTOR COMMUNITY BUILDING
9300 COMMUNITY LN
SOUTH PRINCE GEORGE, VA 23805

SCHOOL BOARD OF PR GEO COUNTY
PO BOX 400
PRINCE GEORGE, VA 23875

VANDERBILT MORTGAGE AND
FINANCE INC
PO BOX 9800
MARYVILLE, TN 37802

ROBERT WAGNER SR & ROBERT
WAGNER II
4279 COURTHOUSE RD
PRINCE GEORGE, VA 23875

WILLIS LARRY E & MANUELA
4281 COURTHOUSE RD
PRINCE GEORGE, VA 23875

DIRECTOR OF PLANNING
CITY OF PETERSBURG
135 UNION STREET
PETERSBURG, 23803

**PUBLIC NOTICE
PRINCE GEORGE COUNTY**

Notice is hereby given to all interested parties regarding the following public meeting: The Prince George County Planning Commission will hold public hearings on Thursday, December 22, 2022 beginning at 6:30 p.m. concerning the following requests:

REZONING RZ-22-02: Request of Jeff Oakley, Robert Forehand Jr., and Buckingham Pines, LLC to rezone approximately 12.18 acres from M-1 (Limited Industrial) District to M-2 (General Industrial) District, to accommodate existing and future industrial land uses. The subject property consists of seven (7) tax parcels located on the north and south sides of Harvest Road within an existing industrial park, and is identified as Tax Maps 240(0A)00-069-A, B, F, G, K, L, and M. The Comprehensive Plan Future Land Use Map indicates that the land underlying all affected tax parcels is planned for Industrial uses.

SPECIAL EXCEPTION SE-22-12: Request of Dennis and Wendy Plear to permit an Animal Boarding Place in a Residential Agricultural (R-A) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-103(23). The purpose of the request is to allow a dog-breeding business to operate within the existing single-family dwelling on the property. The subject property is approximately 2.76 acres in size, located at 10608 Walton Lake Road, and is identified as Tax Map 440(0A)00-001-0. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Residential uses.

COMPREHENSIVE PLAN AMENDMENT CPA-22-03: Request of Diamond Park, LLC to amend the Comprehensive Plan Future Land Use Map designation for a specific property from Commercial to Industrial. The subject property, approximately 44.5 acres in size, is identified as Tax Maps 340(0A)00-007-D and 340(0A)00-007-E and is located at the end of Wagner Way near the intersection of Courthouse Road and County Drive. The change is requested so that the County's Future Land Use Map may support the companion-rezoning request identified as RZ-22-04.

REZONING RZ-22-04: Request of Diamond Park, LLC to rezone approximately 44.5 acres from B-1 General Business to M-3 Heavy Industrial. The subject property is located at the end of Wagner Way near the intersection of Courthouse Road and County Drive and is identified as Tax Maps 340(0A)00-007-D and 340(0A)00-007-E. The Comprehensive Plan Future Land Use Map indicates the property is planned for Commercial uses, however the applicant has submitted a companion request identified as CPA-22-03 to change the Future Land Use designation from Commercial to Industrial. The purpose of the request is to enable speculative industrial development to occur on the property.

The public hearings will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875, pursuant to §15.2-2204, §15.2-2225, §15.2-2232, and §15.2-2285 of The Code of Virginia (1950, as amended). A copy of the related material may be reviewed or obtained at the Community Development and Code Compliance Department in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday-Friday. All interested persons are invited to participate in the public hearings in person.

A live video stream will be available at https://www.princegeorgecountyva.gov/live_stream/. Public comments can be submitted prior to 5:00 p.m. on the public hearing date. Public Comment submittal forms and information on accessing this meeting electronically are available at <https://www.princegeorgecountyva.gov>.

Tim Graves
Planner
(804)722-8678

Begin

TAB 8

December 13 Meeting Recap

Board of Supervisors Adjourns to a Special Meeting for Special Exception at the Former Jordan Point Golf and Country Club

The Board of Supervisors held a public hearing on December 13 for a Special Exception to reactivate the existing facilities at the former Jordan Point Golf and Country Club to offer recreation options and host events on the property. In order for this to be permitted, the applicant is requesting a Special Exception for a country club and related activities in the R-A and R-1 zoning districts pursuant to Section 90-103 (3), 90-103 (22) and 90-203 (1). The subject property was formerly operated as the Jordan Point Golf and Country Club and has sat unused for the past 7-10 years. The owner also owns and operates the Holy Mackerel VA restaurant nearby. There were public comments by the Jordan on the James Homeowner's Association and other adjoining property owners in support of the request, but identifying certain remaining concerns. 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, limiting events to the west side of the property, Resource Protection Areas, and a new Turn Lane Warrant Analysis; not all of which the applicant is in agreement with as approved by the Planning Commission. The applicant proposed new revised conditions on December 13th and the Board made a unanimous decision to continue this Special Exception case to December 20 at 5:00 pm in the Boardroom.

Other matters that came before the Board at its meeting:

- Received the FY22 Audit Report.
- Held a discussion on voting location changes with the Registrar's Office.
- Held a discussion on the FY2024 Budget Calendar.
- Received an explanation of the By-Laws process for the January Organizational Meeting.
- Approved on consent and presented a commendation to Lieutenant Noel Watson for his service to Prince George County.
- Received a roads maintenance report from VDOT.
- Unanimously approved a resolution of support for Richard Bland College transition to an independent governance structure.
- Unanimously authorized the Chair to sign and submit a notarized statement certifying the presentation of the FY2021-2022 Financial Report to Local Governing Body.

- Unanimously approved an award of contract and appropriation for the Southpoint Business Park Force Main Realignment in the amount of \$1,287,023.00.
- Unanimously authorized the advertisement of a public hearing for an Ordinance to Amend § 2-1 of “The Code of the County of Prince George, Virginia”, 2005, as amended to make changes to the background check and fingerprinting requirements for persons offered conditional employment and for volunteers.
- Unanimously approved an award of contract for the Station 5 Alerting System in the amount of \$50,464.14.
- Unanimously appointed Ms. Jennifer Canepa and reappointed Mr. Joe Simmons to the Prince George Planning Commission.
- Unanimously reappointed Mr. Peter Clements to the Virginia Gateway Region.
- Unanimously recommended to the Circuit Court to reappoint Ms. Mary Ann White to the Board of Equalization.
- Held a public hearing and unanimously approved a Special Exception request of Jason and Amelia Ruffin to permit a family day care home within a Limited Residential (R-1) Zoning District.
- Held a public hearing and unanimously approved an Ordinance amendment 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.
- Held a public hearing and unanimously approved an Ordinance amendment to make changes to the Floodplain Ordinance to reflect certain changes in the Virginia Department of Conservation and Recreation Model Ordinance for Localities.



PLANNING COMMISSION

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

County of Prince George, Virginia

"A global community where families thrive and businesses prosper"

2023 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 at 5:30 p.m.	<u>Public Meeting Date</u> 4th Thursday of each month at 6:30 p.m.	<u>Deadline to File</u>
January 23, 2023	January 26, 2023	December 9, 2022
Tues., February 21, 2023*	February 23, 2023	January 6, 2023
March 20, 2023	March 23, 2023	February 3, 2023
April 24, 2023	April 27, 2023	March 10, 2023
May 22, 2023	May 25, 2023	April 7, 2023
Tues., June 20, 2023*	June 22, 2023	May 5, 2023
July 24, 2023	July 27, 2023	June 9, 2023
August 21, 2023	August 24, 2023	July 7, 2023
September 25, 2023	September 28, 2023	August 4, 2023
October 23, 2023	October 26, 2023	September 8, 2023
November 13, 2023*	November 16, 2023*	September 29, 2023*
December 18, 2023	December 21, 2023	November 3, 2023
January 22, 2024	January 25, 2024	December 7, 2023

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