



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
Jennifer D. Canepa
Imogene S. Elder
V. Clarence Joyner, Jr.
Joseph E. Simmons

FROM: Tim Graves, Planner I

RE: January Planning Commission Work Session & Business Meeting

DATE: January 19, 2023

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, January 23, 2023 at 5:30 p.m. in the Board Room.

The Planning Commission's regular Business Meeting will be Thursday, January 26, 2023 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 2023 Meeting Schedule
3	Draft Work Session Minutes November 14, 2022
4	Draft Business Meeting Minutes November 17, 2022
5	Draft Work Session Minutes December 19, 2022
6	Rezoning RZ-22-02 Harvest Road Rezone M-1 to M-2
7	Special Exception SE-22-12 Plear – Dog Breeding Kennel
8	Communications
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Begin

TAB 1

AGENDA – ORGANIZATIONAL AND BUSINESS MEETING

Planning Commission of Prince George County, Virginia

Thursday, January 26, 2023 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

ORGANIZATIONAL MEETING – Chairman Bresko

- O-1. Introduction of New Commissioner: Jennifer D. Canepa.
- O-2. Election of Planning Commission Officers for 2023.
 - A. Election of Chair
 - B. Election of Vice-Chair
- O-3. Adoption of the Planning Commission 2023 Meeting Schedule. [2]

PUBLIC COMMENTS – Chair TBD

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 [3] **Chair TBD**
- A-2. Adoption of Meeting Minutes – November 17, 2022 [4] **Chair TBD**
- A-3. Adoption of the Work Session Minutes – December 19, 2022 [5] **Chair TBD**

PUBLIC HEARINGS

- P-1. **REZONING RZ-22-02:** Request of Jeff Oakley, Robert Forehand Jr., and Buckingham Pines, LLC to conditionally 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. [6] **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. [7] **Tim Graves**

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 February 2023

ADJOURNMENT – Chair TBD

Begin

TAB 2



PLANNING COMMISSION

Tammy Anderson
Alex W. Bresko, Jr.
R. Steven Brockwell
Jennifer D. Canepa
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

Begin

TAB 3

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 4

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 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 5

DRAFT MINUTES - WORK SESSION

Planning Commission of Prince George County, Virginia

Monday, December 19, 2022 at 5:30 p.m.

County Administration Bldg., Board Room (Third Floor)

6602 Courts Drive, Prince George, Virginia

CALL TO ORDER – Chairman Bresko called the meeting to order at 5:32 p.m.

Roll Call – **Commissioners Present: Simmons, Elder, Bresko**

Commissioners Absent: Joyner, Anderson, Brown, Brockwell

Staff Present: Tim Graves, Andre Greene

No business was conducted since there was not a quorum present.

Begin

TAB 6

REZONING REQUEST – RZ-22-02
PLANNING COMMISSION STAFF REPORT – January 26, 2023

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 including list of Permitted/SE Uses in M-2 Zoning District if this request is approved
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 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 ____, 2023:

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 _____, 2023 and becoming effective immediately.



PLANNING COMMISSION STAFF REPORT

Public Hearing January 26, 2023

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 (Meeting Cancelled)

Planning Commission Public Hearing: January 26, 2023

Board of Supervisors Public Hearing: February 14, 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

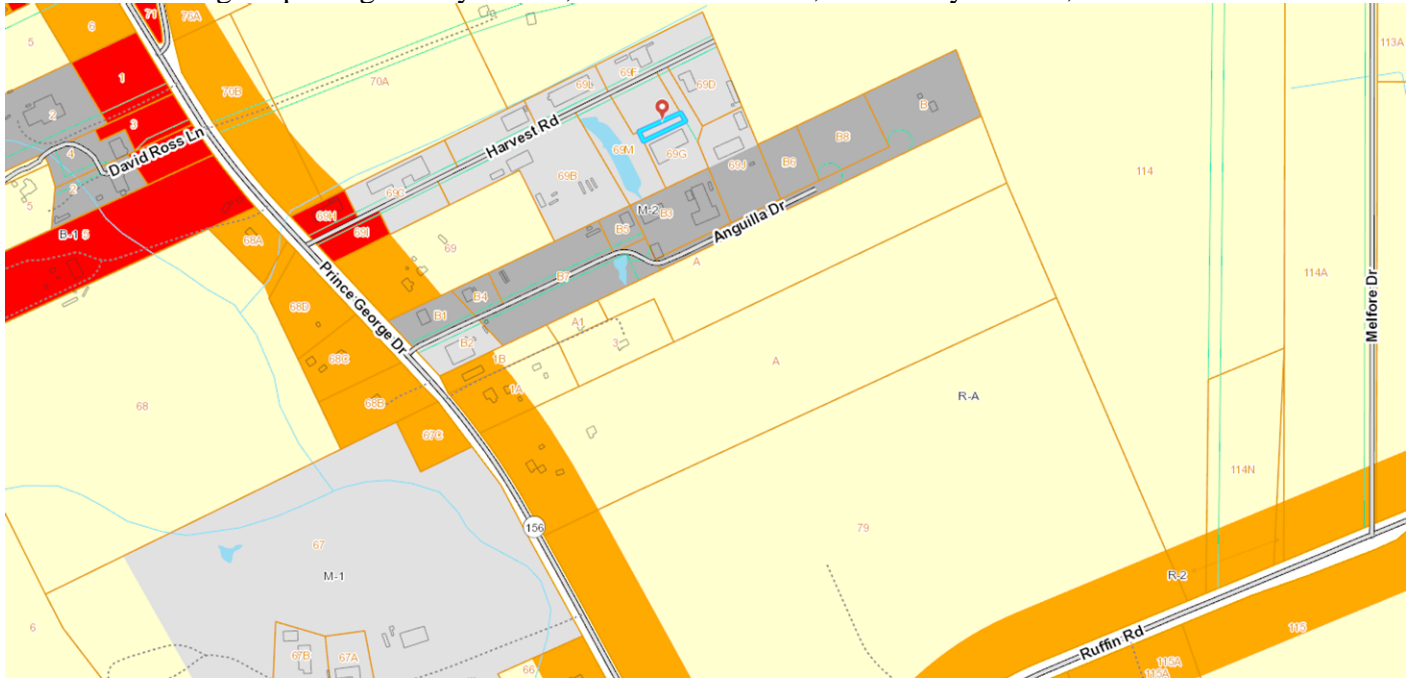


Exhibit 2: Future Land Use Map Purple = Industrial, Red=Commercial

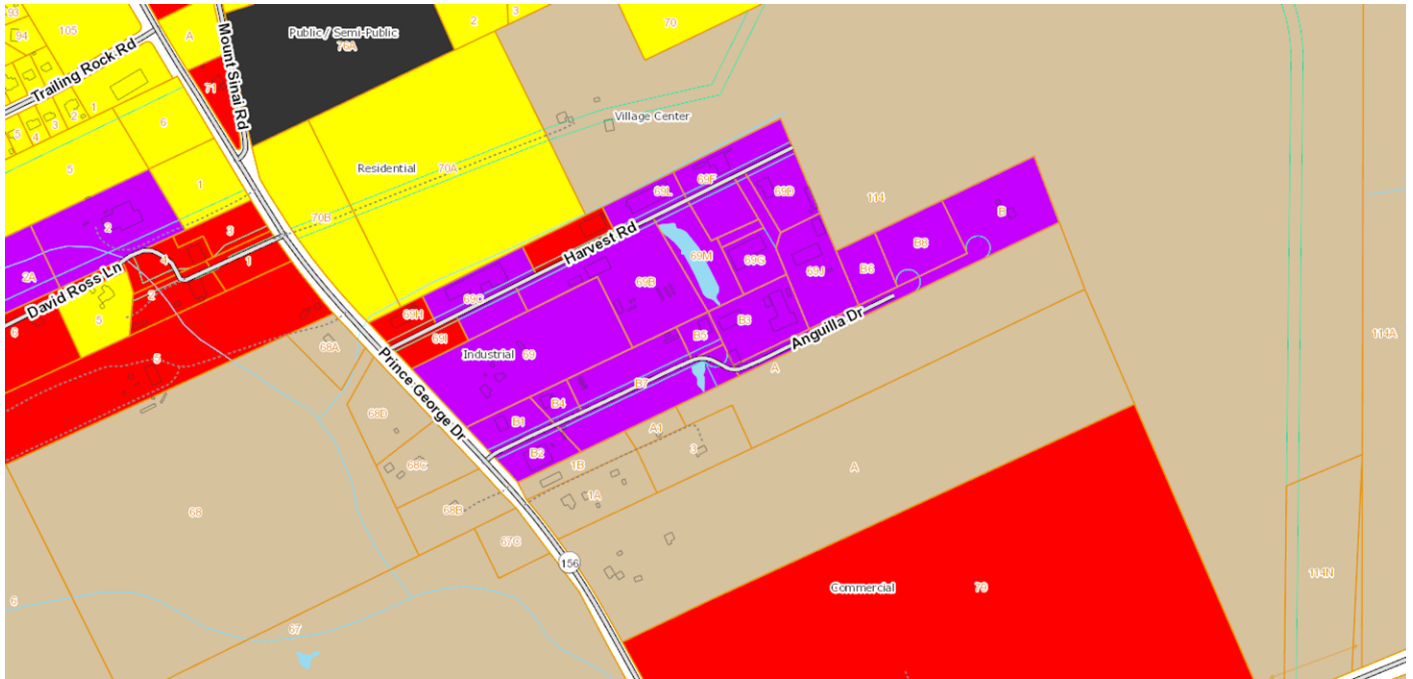


Exhibit 3-5 - Photos of Harvest Road Industrial Park





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 90

AFFECTED ACREAGE:

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: <input checked="" type="checkbox"/> 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

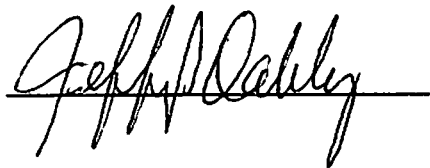
For the past 30 years at least 75% of the business in this park have required M-2 zoning. This includes some 25 different businesses.

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

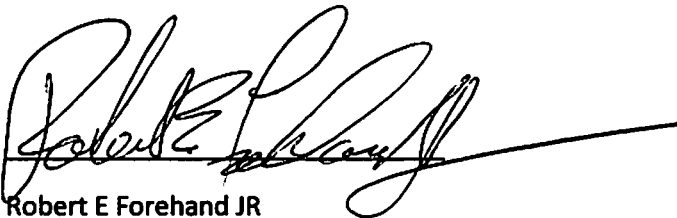
We are seeking consistent zoning in this small Industrial park so current businesses which have all been issued appropriate business license are in compliance.

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.

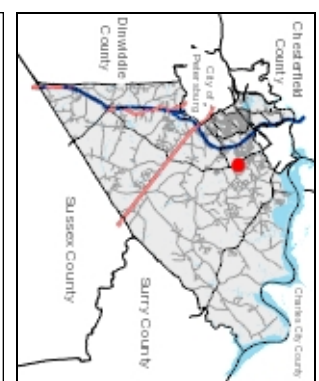
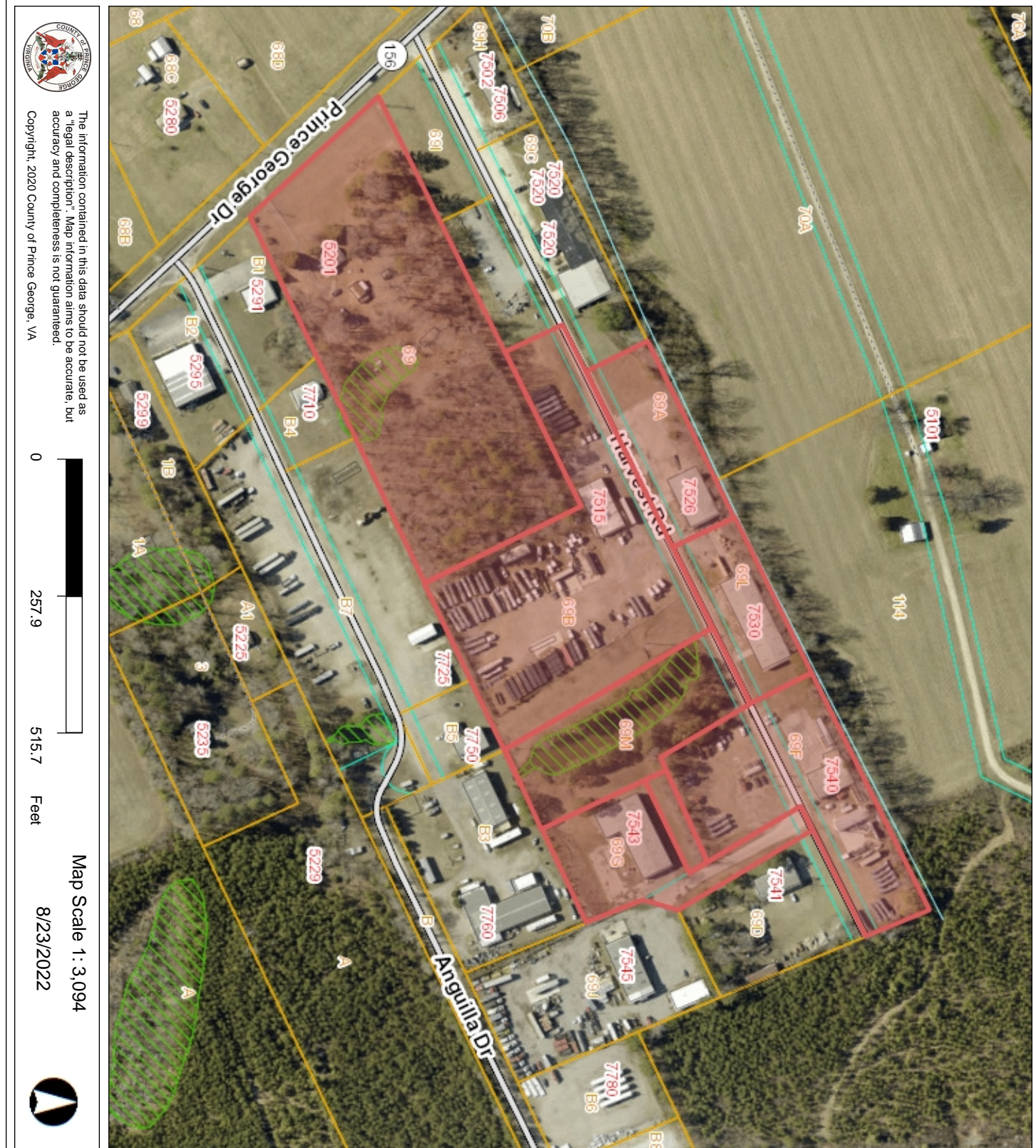
 *Robert E Forehand Jr* 12/14/22

Robert E. Forehand, Jr. Date

 *Jeffrey S Oakley* 12/14/22

Jeffrey S. Oakley

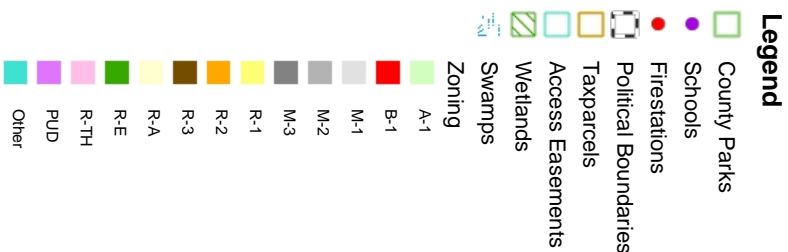
County of Prince George



Legend

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

Notes



Page 20



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"

January 12, 2023

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, January 26, 2023 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>.

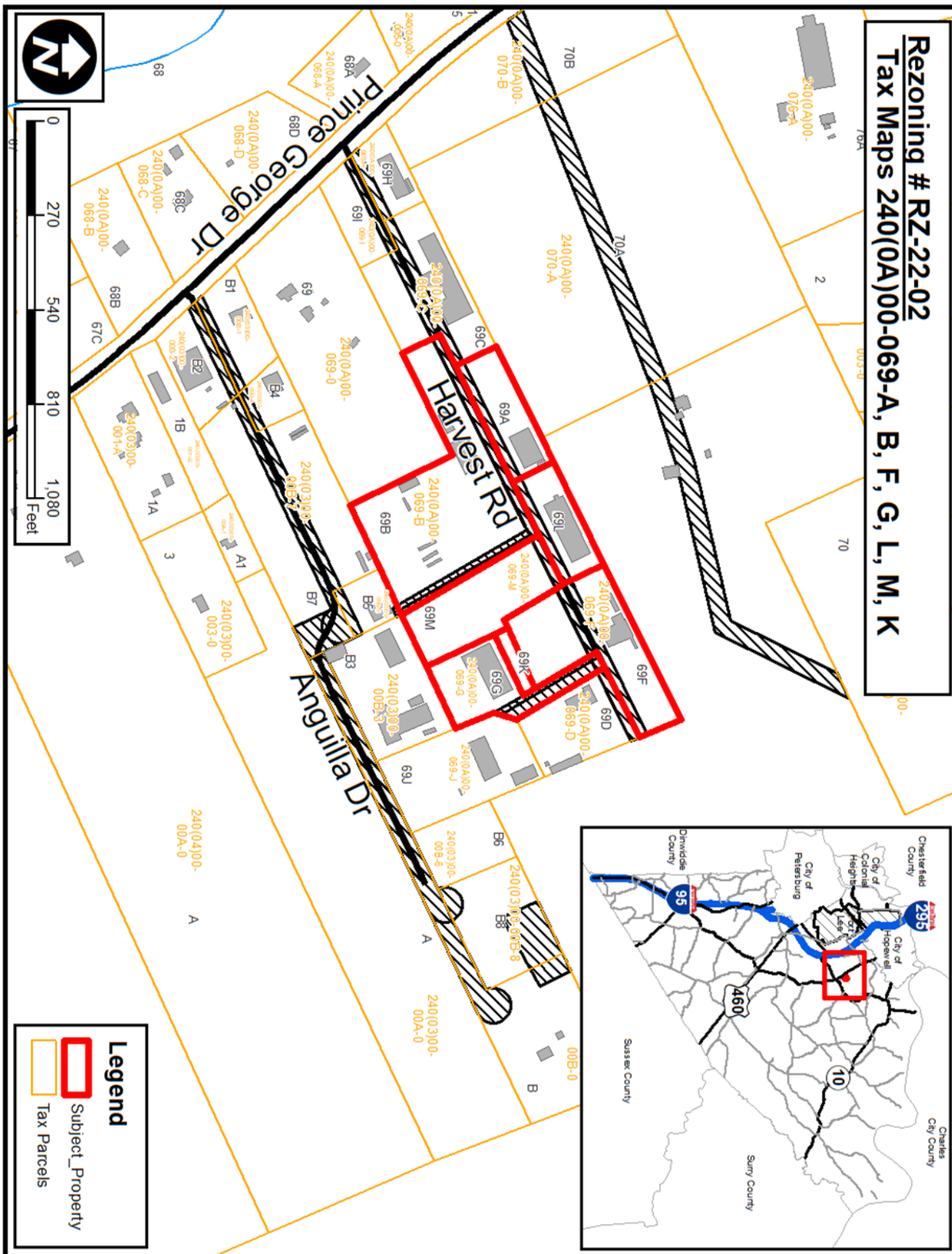
You may also contact Planning and Zoning Division at (804)722-8678 or by e-mail at planning@princegeorgecountyva.gov with any questions prior to the scheduled meeting. We have included a GIS Map showing the general location of the request.

Sincerely,

A handwritten signature in black ink that reads "Andre M. Greene".

Andre Greene
Planner II

Rezoning # RZ-22-02 **Tax Maps 240(0A)00-069-A, B, F, G, L, M, K**



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, January 26, 2023 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 conditionally 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.

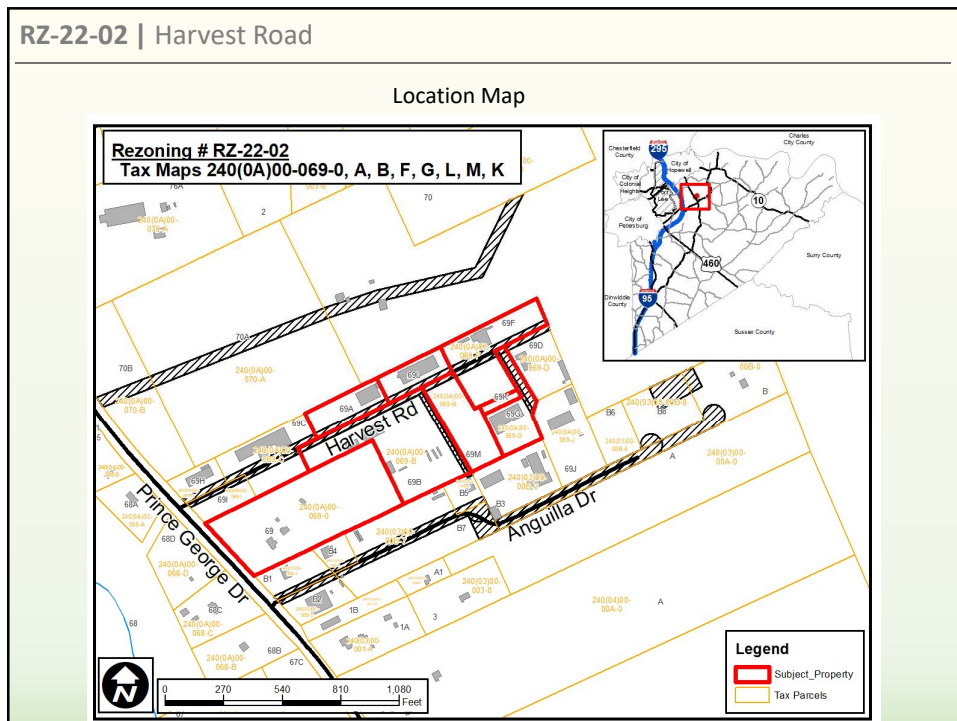
The public hearings will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875, pursuant to §15.2-2204, §15.2-2225, §15.2-2232, and §15.2-2285 of The Code of Virginia (1950, as amended). A copy of the related material may be reviewed 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

REZONING RZ-22-02:

Request of Jeff Oakley, Robert Forehand, Jr. and Buckingham Pines, LLC to conditionally rezone approximately 12.18 acres from M-1, Light Industrial to M-2, General Industrial. The purpose of the rezoning is to accommodate existing and future land uses. The subject properties are located on the north and south sides of Harvest Road in an existing industrial park located off Prince George Drive (Route 156). The properties are identified as Tax Maps 240(0A)00-69-A,B,F,G,K,L & M. The Comprehensive Plan Future Land Use Map indicates the property is planned for Industrial development.

RZ-22-02 | Harvest Road



RZ-22-02 | Harvest Road

Aerial View



RZ-22-02 | Harvest Road

Zoning Map

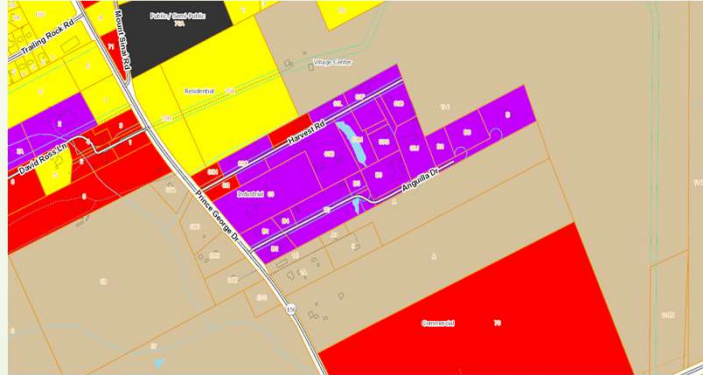
Zoning Map – Light Grey is M-1, Limited Industrial
Dark Grey is M -2, General Industrial



RZ-22-02 | Harvest Road

Future Land Use

Future Land Use Map - Purple = Industrial
Red=Commercial



RZ-22-02 | Harvest Road

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.

Request Summary

- 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
- A proffer statements were voluntarily submitted with the rezoning request.

Industrial Park Pictures



Planning & Zoning Staff Review Comments

- 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.
- 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.
- Any new tenants or owners will be limited by existing infrastructure space and current requirements

Other Staff Review Comments

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

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.

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.

RZ-22-02 | Harvest Road

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

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.

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.

RZ-22-02 | Harvest Road

Proffered Conditions

Applicant

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).

County Recommended Condition

1. 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.

Staff Recommendation

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

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).

Questions?

See Staff Report for Sample Motions



Begin

TAB 7

SPECIAL EXCEPTION REQUEST – SE-22-12
PLANNING COMMISSION STAFF REPORT – January 26, 2023

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 ____, 2023:

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 _____, 2023 and becoming effective immediately.



PLANNING COMMISSION STAFF REPORT

Public Hearing January 26, 2023

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 (Meeting Cancelled)

Planning Commission Public Hearing: January 26, 2023

Board of Supervisors Public Hearing: February, 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



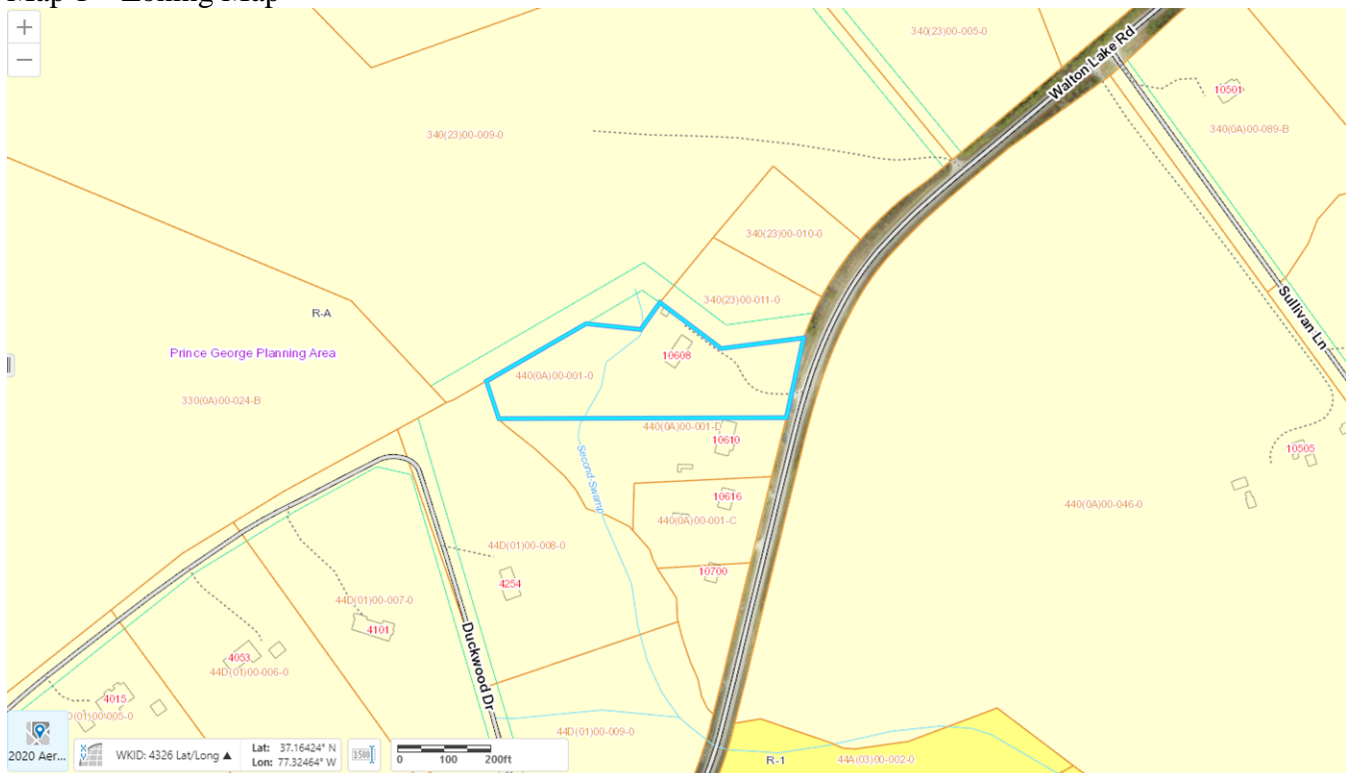
Photo 2 – Area where kennels will be relocated to



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 23832
(804) 748-9481
COPYRIGHT © VIRGINIA SURVEYS
All rights reserved.

Virginia Survey No. 001905
DATE: 10-26-2022
COMPILED BY: JEFFREY K. FLOYD
COPYRIGHT © VIRGINIA SURVEYS
All rights reserved.

NOTE:
This Topography was overlaid from the Prince George Co. GIS system.
Flood plan was overlaid from FEMA Curran. Panel 58149C0175B
Dated: 5-16-2012.
The Flood Elevation is estimated using the FEMA Map and the County GIS Data that the Flood Elevation is 121'±.

SCALE: 1"=50'
JOB NO. 170811669

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

print 11 x 17

County of Prince George

Future Location

Legend

- Political Boundaries
- Taxparcels
- Access Easements
- Swamps

Outer 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

Map Scale 1:782

Copyright, 2020 County of Prince George, VA

Scale: 0, 65.1, 130.3 Feet

Date: 12/8/2022

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(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.

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	<p>REQUEST: Animal Boarding Place</p> <p>REQUEST PROPERTY ADDRESS / LOCATION: 10608 Walton Lake Rd. Disputanta, VA 23842</p> <p>REQUEST TAX MAP PIN(S): (List all) 440(OA)00-001-0</p> <p>AFFECTED ACREAGE (Each parcel): 50.0000</p> <p>ENTIRE PARCEL (Each parcel): 100.0000</p>		
LEGAL OWNER	<p>ATTACHMENTS (Check if Attached; * = Required):</p> <p><input checked="" type="checkbox"/> APPLICANT STATEMENT* (Specify goals, details, etc.) <input type="checkbox"/> COMMUNITY MEETING SUMMARY</p> <p><input type="checkbox"/> PROPOSED CONDITIONS <input type="checkbox"/> ADDITIONAL ATTACHMENTS:</p> <p><input checked="" type="checkbox"/> SITE LAYOUT SKETCH OR CONCEPTUAL SITE PLAN* (Show proposed improvements; Use GIS or Engineer Drawing)</p>		
LEGAL OWNER	<p>NAME(S): Dennis Plear Jr. Wendy Plear</p> <p>MAILING ADDRESS: (Incl. City, State, Zip): 10608 Walton Lake Rd. Disputanta VA 23842</p> <p>E-MAIL: dmplear@gmail.com wwplear@gmail.com PHONE: 804-943-5841 804-943-5746</p>		
APPLICANT CONTACT	<p>NAME(S): If different than owner:</p> <p>RELATION TO OWNER: Self</p> <p>MAILING ADDRESS: (Incl. City, State, Zip):</p> <p>E-MAIL: PHONE:</p>		
OFFICE USE ONLY (Completed at the time of application)			
ZONING DISTRICT(S): R-A	LAND USE(S) CODE REFERENCE(S): 90-103(23)		
PAYMENT	<p>FEE DUE: Special Exception: \$700 Special Exception Home Occ: \$350</p> <p>FEE PAID:</p> <p>PAYMENT TYPE: CHECK / CASH / CREDIT / DEBIT</p> <p>CHECK # / TRANSACTION #: DATE RECEIVED: RECEIVED BY:</p>		

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!

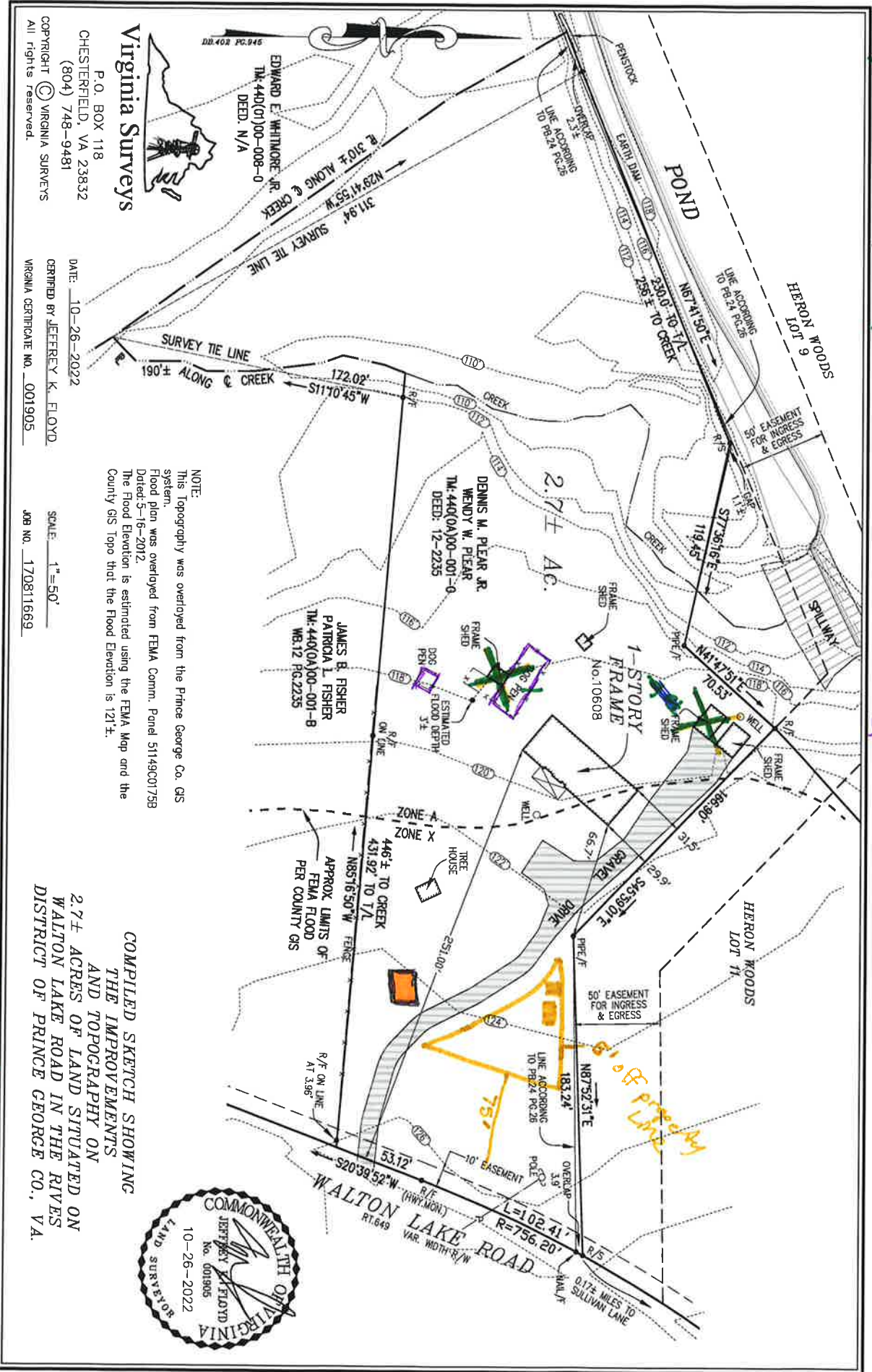
Sincerely,

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
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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 51149C0735B 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.**

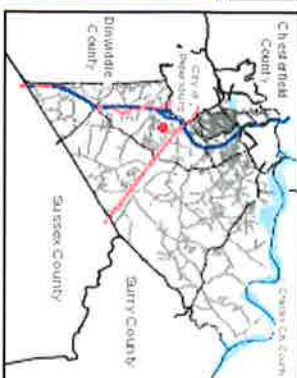


Future shed
for introducing
puppies to new
owners

= 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



- Δ outer fence line

Amish
kernel

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



County of Prince George, Virginia

"A global community where families thrive and businesses prosper"

January 11, 2023

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, January 26, 2023 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.

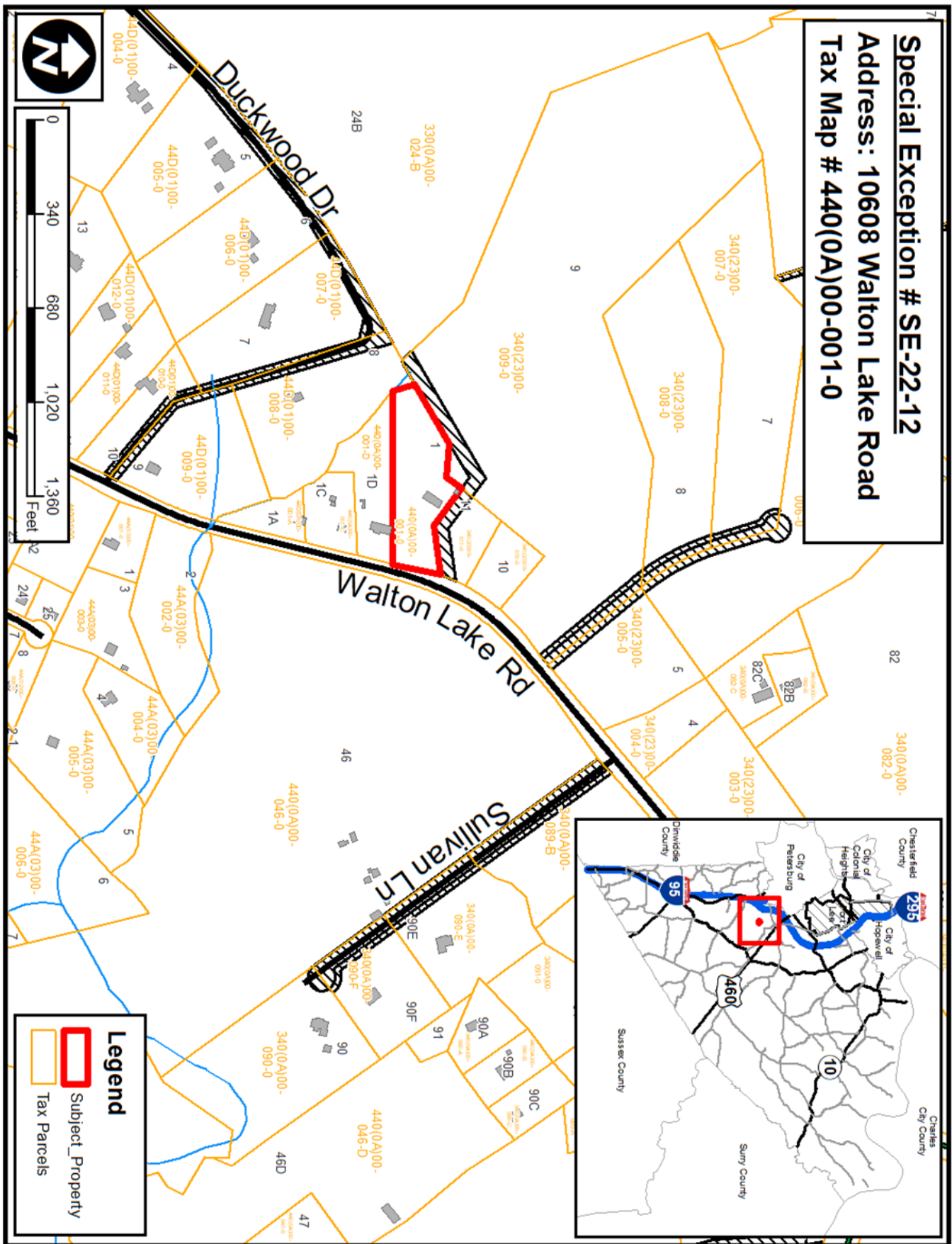
The public hearing will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875, pursuant to §15.2-2204, §15.2-2225, §15.2-2232, and §15.2-2285 of The Code of Virginia (1950, as amended). A copy of the related material may be reviewed or 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, January 26, 2023 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 conditionally 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.

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>.

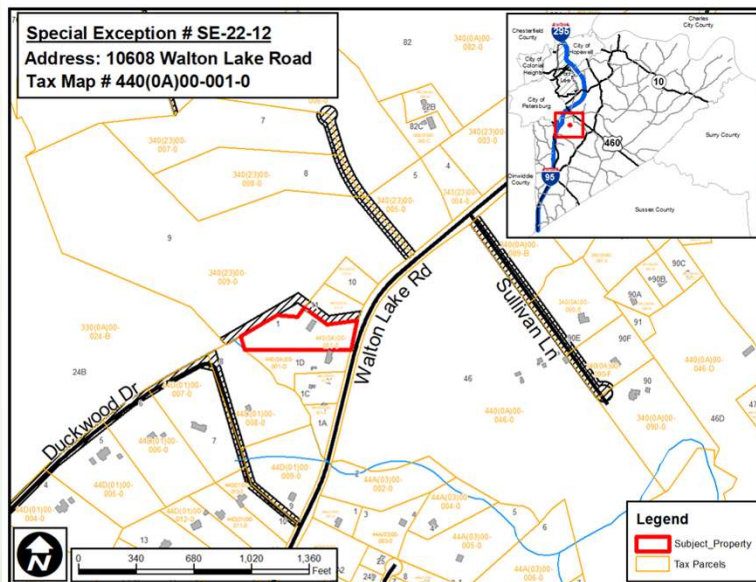
Tim Graves
Planner
(804)722-8678

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

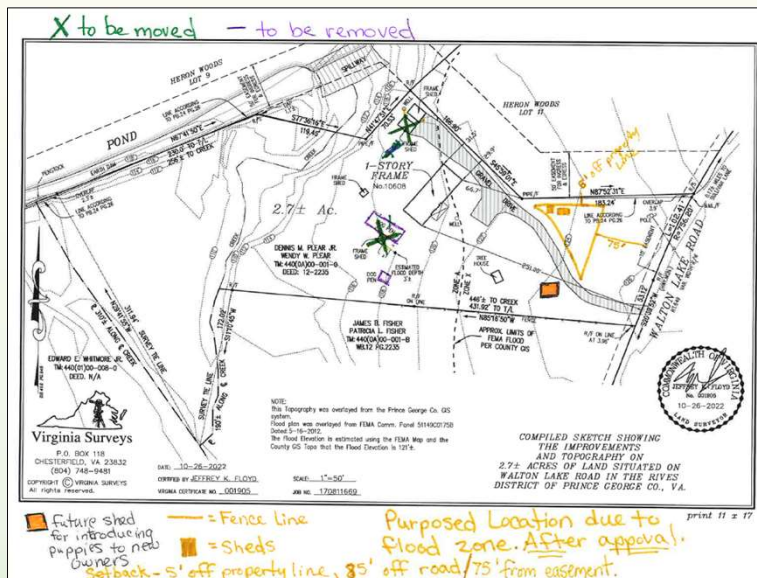
Planned changes to the property:

- 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

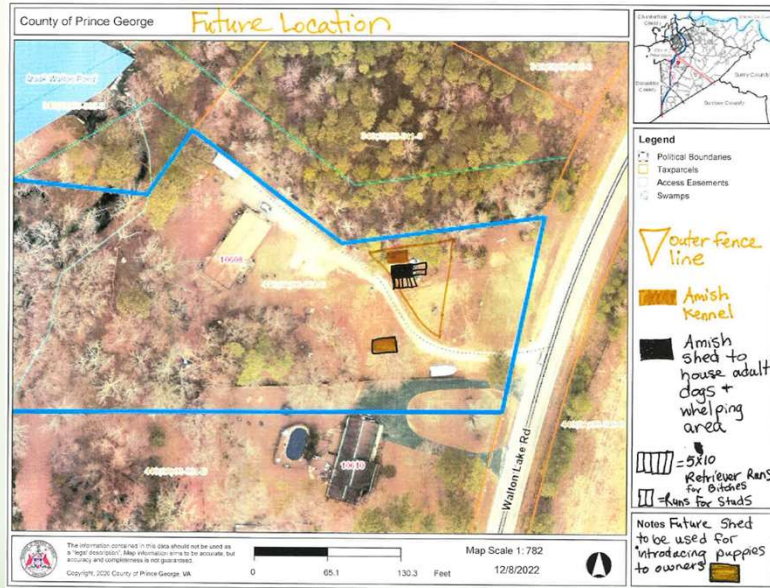
Request Summary

- 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 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.

January 10 Meeting Recap

Board of Supervisors Elects New Leadership Hunter Chairman, Webb Vice-Chairman

The Board of Supervisors at its January 10 meeting elected its leadership for 2023.

Supervisor Donald Hunter was elected Chairman and Supervisor T. J. Webb was elected Vice Chairman. Both Chairman Hunter and Vice-Chairman Webb represent District 2.

Chairman Hunter is beginning his eighth year on the Board of Supervisors and this will be his third time as Chairman after serving as Chairman in 2019 and 2020. Vice-Chairman Webb is beginning his eighth year and this will be his first leadership post.

Also part of the organizational meeting, the Board postponed the adoption of its By-Laws to January 24; adopted its 2023 Meeting Schedule; adopted its 2023 Holiday Schedule; and made Board appointments to the Crater District Planning Commission (Mrs. Waymack), the Metropolitan Planning Commission (Mr. Webb), the Virginia Gateway Region (Mr. Hunter), and the Local Emergency Planning Committee (Mr. Brown).

Other matters that came before the Board at its meeting:

- Approved on consent the corrected November 22, 2022 approved minutes.
- Approved on consent and presented a commendation to Ms. Laura L. Chambliss, Administrative Support Specialist III, for her service to Prince George County.
- Approved on consent an appropriation of DEQ State Litter Control Grant in the amount of \$15,930.50.
- Approved on consent a resolution conveying a right of entry to Comcast Cable Communications Management, LLC.
- Received a report and request from the Commonwealth's Attorney for an employee reclassification from part-time to full-time.
- Unanimously authorized the advertisement of a public hearing on February 14 for an Ordinance to Amend "The Code of the County of Prince George, Virginia," as Amended, by amending §§ 82-261 and 82-536 to authorize the Board of Supervisors to give a refund to property owners for unutilized water and wastewater capacity after the connection fee is paid.
- Unanimously approved the price list for the Real Estate Assessor's Office.
- Unanimously authorized the advertise of a public hearing on February 14 for an Ordinance to Amend "The Code of the County of Prince George, Virginia," as amended,

by enacting §74-200 to clarify that any organization that claims exemption by classification for a real estate parcel shall make the request on forms both supplied and reviewed by the County Assessor.

- Unanimously authorized the advertisement of a public hearing on February 14 for an Ordinance to Amend “The Code of the County of Prince George, Virginia,” as amended, by enacting §74-199 to authorize the abatement of tax levies on buildings which are razed, destroyed or damaged.
- Unanimously authorized the advertisement of a public hearing on February 14 for an Ordinance to Amend “The Code of the County of Prince George, Virginia,” as Amended, by Amending §74-198 to change the dates related to the assessment of new buildings substantially completed.
- Unanimously authorized the advertisement of a public hearing on February 28 for an Ordinance to Amend “The Code of the County of Prince George, Virginia,” as amended, by amending §74-265 to clarify that simple interest shall be added to rollback taxes at the rate applicable to delinquent taxes in the County.
- Unanimously approved an award of contract for a portable TP125 110kW Generator to Bay Power Solutions in the amount of \$97,167.
- Unanimously approved an award of contract and an appropriation in the amount of \$35,594 for the replacement of two stack/flues in the County Administration Building.
- Unanimously approved an award of contract in the amount of \$57,708.32 for Fire and EMS ESO Software.
- Unanimously authorized Fire and EMS to complete and submit a grant application to FEMA for SAFER staffing.
- Unanimously approved an appropriation in the amount of \$62,499 and change to the FY2022-2023 Position Chart for DCJS Operation Ceasefire Grant funds.
- Unanimously authorized the advertisement of a public hearing on February 28 for new polling locations for the Rives and Jefferson Park precincts.
- Unanimously approved a resolution to amend the Floodplain Ordinance to include a footnote in Sections 90-709 and 90-723 referencing the date change.
- Held a public hearing and unanimously approved 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.