

**MINUTES**  
Planning Commission  
County of Prince George, Virginia

June 22, 2023

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

**CALL TO ORDER.** The Regular Meeting of the Prince George County Planning Commission was called to order at 6:30 p.m. on Thursday, June 22, 2023 in the Board Room, County Administration Building, 6602 Courts Drive, Prince George, Virginia by Mrs. Elder, Chair.

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

Brian Waymack	Present
Imogene Elder, Chair	Present
Alex Bresko	Present
Clarence Joyner	Present
Tammy Anderson, Vice-Chair	Absent
Jennifer Canepa	Present
Stephen Brockwell	Present

Also present: Andre Greene, Planner II; Tim Graves, Planner I; Missy Greaves-Smith, CDCC Office Manager

**INVOCATION.** Mr. Waymack provided the Invocation.

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

**ADOPTION OF THE AGENDA.** Mrs. Elder asked the Commissioners for a motion to approve the Agenda for the June 22, 2023 Planning Commission meeting. Mrs. Canepa made a motion to approve the Agenda and Mr. Brockwell seconded the motion.

Roll Call:

In favor: (6) Canepa, Elder, Bresko, Joyner, Waymack, Brockwell

Opposed: (0)

Absent: (1) Anderson

**PUBLIC COMMENT PERIOD.**

At 6:32 p.m., Ms. Elder 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 Public Hearings. 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.

**COMMISSIONERS' COMMENTS.**

Mrs. Elder asked the Commissioners if they had any comments they would like to share. No one had any comments to share.

**ORDER OF BUSINESS.**

**A-1. Adoption of the Work Session Minutes – May 22, 2023**

Ms. Elder asked the Commissioners to review the Work Session Minutes from May 25, 2023. Mr. Bresko made a motion to approve the May 22, 2023 Work Session Minutes. The motion was seconded by Mrs. Canepa.

Roll Call:

In favor: (6) Canepa, Elder, Bresko, Joyner, Waymack, Brockwell

Opposed: (0)

Absent: (1) Anderson

**A-2. Adoption of Business Meeting Minutes – May 25, 2023**

Ms. Elder asked the Commissioners to review the Minutes of the May 25, 2023 Planning Commission meeting. Mr. Joyner made a motion to approve the May 25, 2023 meeting minutes as written. The motion for approval was seconded by Mr. Breko.

Roll Call:

In favor: (5) Canepa, Elder, Bresko, Joyner, Waymack, Brockwell

Opposed: (0)

Abstain: (1) Brockwell

Absent: (1) Anderson

**PUBLIC HEARINGS.**

**P-1. REZONING RZ-23-06:** Request of Floyd O. Powers to rezone 1.328 acres from General Industrial (M-2) to General Business (B-1) Zoning District. The purpose of the rezoning is to allow a meadery production facility and tasting room business. The subject property is located at 5108 Prince George Drive and is identified as Tax Map 240(16)00-002-0. The Comprehensive Plan indicates the property is planned for Commercial uses.

Mr. Graves presented RZ-23-06 to the Commissioners. He provided a location map, an aerial view map, the Comprehensive Plan Future Land Use Map, the Zoning Map and photos for case discussion and reference.

**Applicants' Goals:**

- Lease and then buy the property at 5018 Prince George Drive, including tax parcels 240(16)00-002-0 (which the building is located on) and 240(16)00-001-0 (the vacant land located in between the existing building and Prince George Drive)
- Open a mead and honey production facility and a tasting room with a small snack bar

**Applicants' Request:**

- Rezone Tax Parcel 240(16)00-002-0 (1.328 acres) from M-2 to B-1

**Review Comments:**

Planning & Zoning Staff Comments:

*Adjacent uses:*

- East: Vacant land
- South: Commercial/Industrial (Tri-City Wrecker & Auto Repair)
- West: Residential (single-family dwelling)
- North: Existing industrial building (Skycass Marketing)

*Expected Impacts on adjacent properties and roadways:*

- No major change from rezoning (M-2 allows for more intensive uses and traffic than B-1)

*Mitigation of expected impacts:*

- N/A

*Compatibility with the comprehensive plan:*

- Yes

**Virginia Department of Transportation (VDOT):**

The Virginia Department of Transportation, Southern Region Land Development Office has completed their review and has stated a TIA is not required, a commercial entrance is existing and they have no objections.

**Building Inspections:**

A Change of Use process will be required for this project.

**Virginia Department of Health (VDH):**

The VDH stated that if the applicant is planning to use the private well/septic currently onsite, the system would need to be evaluated by a professional.

**Utilities Department:**

The parcel proposed for rezoning does not have County water or sewer currently connected. The applicant would be responsible for the connection, if they choose to use County water and sewer.

**Proffered Conditions:**

No proffered conditions submitted.

**Public Comments/Questions:**

Staff received two (2) phone calls in support of the request.

Staff received one (1) phone call expressing the following concerns:

- Existing mobile home on the property (Staff note: Will be addressed separately from this rezoning process)
- Outdoor music - (Staff note: May be addressed during Special Exception process)
- Potential for customers to walk onto her property - (Staff note: May be addressed during Special Exception process)

Mr. Graves stated that staff recommends approval of the rezoning on the following basis:

- The applicant's request appears to be compatible with current and future surrounding land uses, and the comprehensive plan
- The proposed rezoning constitutes a downzoning. If approved, the permitted uses of the property will be less intensive than the uses that are currently permitted in the M-2 zoning district
- Two calls received in support and concerns of one property owner can be addressed in special exception process

Mr. Graves explained that the case was properly advertised in the local newspaper and signs were posted on the subject property. He stated that the applicants were present if the Commissioners had any questions.

With no questions or concerns from the Commissioners, Mrs. Elder opened the Public Hearing at 6:43 p.m. With no one indicating, they wished to speak, the Public Hearing closed at 6:43 p.m.

Mrs. Canepa made a motion to forward RZ-23-06 to the BOS with the recommendation of approval based on the fact that it is compatible with the Comprehensive Plan and current surrounding uses and zoning districts. The motion was seconded by Mr. Bresko.

Roll Call:

In favor: (6) Canepa, Elder, Bresko, Joyner, Waymack, Brockwell

Opposed: (0)

Absent: (1) Anderson

**P-2. SPECIAL EXCEPTION SE-23-05:** Request of Floyd O. Powers to permit “Wholesale and Processing” activities, pursuant to Prince George County Zoning Ordinance Section 90-393(1), and a “Tavern”, pursuant Section 90-393(12), within a General Business (B-1) Zoning District. The purpose of the request is to open a mead production facility and tasting room. The subject property is approximately 2.35 acres in size, located at 5108 Prince George Drive, and is identified as Tax Map Parcels 240(16)00-001-0 and 240(16)00-002-0. The Comprehensive Plan indicates the property is planned for Commercial uses.

Mr. Graves presented SE-23-05 to the Commissioners. He provided a location map, an aerial view map, the Zoning Map and photos for case discussion and reference. An outdoor and indoor layout sketch were also presented along with example photos of two of their additional locations in Hopewell and Fredericksburg.

**Applicants’ Goals:**

- Lease and then buy the property at 5018 Prince George Drive, including tax parcels 240(16)00-002-0 (which the building is located on) and 240(16)00-001-0 (the vacant land located in between the existing building and Prince George Drive).
- Open a mead and honey production facility and a tasting room with a small snack bar, outdoor seating, small stage for entertainment, plant additional trees, etc.

**Applicants’ Request:**

Special Exception to allow:

- “Wholesale and processing”, pursuant to Section 90-393(1)
- “Tavern”, pursuant to Section 90-393(12)

**Review Comments:**

**Planning & Zoning Staff Comments:**

*Proposed uses:*

- “Wholesale and processing not objectionable because of dust, noise or odors” pursuant to Section 90-393(1). Staff recommends a condition to limit the wholesale and production to mead and related products.
- “Tavern” pursuant to Section 90-393(12). Merriam Webster Dictionary defines the term as “an establishment where alcoholic beverages are sold to be drunk on the premises”. Staff recommends a condition providing a similar definition.

*Adjacent uses:*

- East: Vacant land
- South: Commercial/Industrial (Tri-City Wrecker & Auto Repair)
- West: Residential (single-family dwelling)
- North: Existing industrial building (Skycass Marketing)

*Compatibility with the comprehensive plan:*

- Yes

*Expected Impacts on adjacent properties and roadways and mitigation:*

- Traffic impacts have been considered and no Chapter 527 TIA was required at the time of rezoning and staff is not recommending a TIA be completed for the special exception since the use will not generate additional traffic in comparison with uses permitted by right in the B-1 zoning district. VDOT has noted that the required commercial entrance already exists.
- Visual of parking and outdoor activities from neighboring properties. - Mitigated by condition relating to screening, and applicant plans to plant additional trees.
- Noise from customers seated outdoors and from outdoor entertainment. - Mitigated by:
  - The County noise ordinance (Section 54-23.1) prohibits noise that is plainly audible in an adjacent dwelling between the hours of 10 p.m. and 6:00 a.m.
  - The owners have stated that the outdoor music will be either acoustic or use a small amplifier.
  - Buildings and trees are located between the planned stage area and existing dwellings. There are existing trees, and additional trees are planned by the applicants.
  - A condition requiring any stage/performance area to be located in between the building and road (away from existing dwellings on adjoining properties).
  - A condition requiring screening for outdoor seating areas.

*Mitigation of expected impacts:*

- None

*Compatibility with the comprehensive plan:*

- Yes

Virginia Department of Transportation (VDOT):

The Virginia Department of Transportation, Southern Region Land Development Office has completed their review and a TIA is not required, a commercial entrance is existing and they have no objections.

Building Inspections:

A Change of Use process will be required for this project.

Virginia Department of Health (VDH):

The VDH stated that if the applicant is planning to use the private well/septic currently onsite, the system needs to be evaluated by a professional. The applicants will also need to comply with VDACS requirements.

Utilities Department:

The parcel proposed for rezoning does not have County water or sewer currently connected. The applicant would be responsible for the connection, if they choose to use County water and sewer.

**Recommended Conditions - Highlights:**

- A “tavern”, defined for the purposes of this Special Exception is an establishment where alcoholic beverages (primarily mead produced by the business owner) are sold to be drunk on or off the premises the premises, with or without a snack bar, indoor/outdoor seating, and indoor/outdoor entertainment of an accessory nature
- “Wholesale and processing” of mead/wine and related products
- All outdoor seating areas shall be visually screened from adjoining dwellings using vegetation, building walls, and/or opaque fencing
- Outdoor entertainment shall end no later than 9:00 p.m. and any stage/area for outdoor entertainment shall be located between the existing building and Prince George Drive
- All required federal, state and local licenses/permits shall be obtained for the approved uses. A Change of Use Permit and an updated Certificate of Occupancy shall be obtained from the Building Inspections Office prior to opening the business to customers. Any required approvals shall be obtained from the Health Department prior to issuance of an updated Certificate of Occupancy or Business License

**Public Comments/Questions:**

Staff received two (2) phone calls in support of the request.

Staff received one (1) phone call expressing the following concerns:

- Existing mobile home on the property
- Outdoor music
- Potential for customers to walk onto her property

Mr. Graves stated that staff recommends approve of the rezoning with the following basis:

- The applicant’s request appears to be compatible with current and future surrounding land uses
- Concerns adequately addressed by conditions

Mr. Graves explained that the cases was properly advertised in the local newspaper and signs were posted on the subject property. He stated that the applicants were present if the Commissioners had any questions.

With no questions or concerns from the Commissioners, Mrs. Elder opened the Public Hearing at 6:59 p.m. With no one indicating, they wished to speak, the Public Hearing closed at 7:00 p.m.

Mr. Waymack made a motion to forward SE-23-05 to the BOS with the recommendation of approval subject to the recommended conditions in the Staff Report and based on the fact that it is compatible with the Comprehensive Plan and current surrounding uses and zoning districts. The motion was seconded by Mr. Brockwell.

Roll Call:

In favor: (6) Canepa, Elder, Bresko, Joyner, Waymack, Brockwell

Opposed: (0)

Absent: (1) Anderson

- P-3. REZONING RZ-23-07:** Request of Dinesh and Kokila Patel to rezone an approximately 0.3-acre portion of a property from Residential Agricultural (R-A) to General Business (B-1) so that the entire parcel will be zoned General Business (B-1). The subject property is located at 16501 Sunnybrook Road and is identified as a portion of Tax Map 510(0A)00-025-0. The Comprehensive Plan indicates the property is planned for Commercial uses.

Mr. Graves presented RZ-23-07 to the Commissioners. He provided a location map, an aerial view map and the Zoning Map for reference.

**Background:**

- Property split zoned since 1965
- Hotel owner has 99-year ground lease and is in the process of purchasing the property
- The hotel owner plans to purchase part of an adjacent parcel to install a new septic system (as shown on plat with application materials)
- The remainder of parcel 025-0 has been requested for rezoning as well (RZ-23-04)

**Applicants' Goals:**

- To subdivide the hotel into a separate parcel, the lot must meet minimum lot size requirements: Either 5 acres (R-A zoning) or less (B-1 zoning) – this is the main reason for the rezoning request

**Applicants' Request:**

- Rezone 0.3 acres from R-A to B-1
- No change to existing hotel use

**Review Comments:**

**Planning & Zoning Staff Comments:**

*Adjacent uses:*

- West and south: Proposed travel center (see RZ-23-04)



- East: Interstate 95
- North: Commercial (small office building)

*Expected Impacts on adjacent properties and roadways:*

- None (no change to existing hotel use)

*Mitigation of expected impacts:*

- No impacts from approval

*Compatibility with the comprehensive plan:*

- Yes

Assessor's Office:

- Hotel parcel previous tracked administratively under a different number (025-B)
- Mr. Patel have a contractual ownership/tenancy and the current land owner is Interstate VA Holdings, LLC

Virginia Department of Transportation (VDOT):

- No Objection

Virginia Department of Health (VDH):

- Applicant is working to comply with DEQ/VDH regulations by installing a new septic system

Mr. Graves stated that staff recommends approve of the rezoning with the following basis:

- The applicant's request appears to be compatible with current and future surrounding land uses
- Approval of the request will allow the hotel to maintain compliance with all applicable regulations and continue providing temporary lodging services to the community
- No negative feedback was received from adjacent property owners and community prior to publishing this staff report

Mr. Graves explained that the case was properly advertised in the local newspaper and signs were posted on the subject property. He stated that the applicants were present if the Commissioners had any questions.

Mr. Bresko asked if the existing structure was going to be remodeled. Mr. Patel explained he is planning on remodeling the hotel rooms and upgrade the septic system.

With no questions or concerns from the Commissioners, Mrs. Elder opened the Public Hearing at 7:09 p.m. With no one indicating, they wished to speak, the Public Hearing was closed at 7:10 p.m.

Mrs. Canepa made a motion to forward RZ-23-07 to the BOS with the recommendation of approval based on the fact that it is compatible with the Comprehensive Plan and current surrounding uses and zoning districts. The motion was seconded by Mr. Bresko.

Roll Call:

In favor: (6) Canepa, Elder, Bresko, Joyner, Waymack, Brockwell

Opposed: (0)

Absent: (1) Anderson

### **COMMUNICATIONS.**

**C-1.** Actions of the Board of Zoning Appeals (BZA)

- June 26<sup>th</sup> meeting was cancelled – no cases
- July 24<sup>th</sup> meeting will be cancelled – no cases

**C-2.** Actions of the Board of Supervisors (BOS)

June Meeting

- BOS approved the Future Land Use Change request on Prince George Drive
- BOS postponed a decision on the Travel Plaza

**C-2.** Upcoming Planning Commission Cases for July

- Five (5) cases are scheduled for the July 27 meeting

Mr. Graves announced that the County hired a new Planning Director, Robert Baldwin from Portsmouth. He will be starting mid-July. The new Planning Technician will start in September.

### **ADJOURNMENT.**

At 7:13 p.m., Ms. Elder asked the Commissioners if they had any additional questions. If not, she would entertain a motion to adjourn. Mr. Bresko made a motion to adjourn and Mr. Joyner seconded the motion. Roll was called on the motion.

Roll Call:

In favor: (6) Canepa, Elder, Bresko, Joyner, Waymack, Brockwell

Opposed: (0)

Absent: (1) Anderson