



County of Prince George, Virginia

"A welcoming community • Embracing its rural character • Focusing on its prosperous future"

MEMORANDUM

TO: Tammy Anderson, Chair
Alex W. Bresko, Jr., Vice-Chair
R. Steven Brockwell
Jennifer D. Canepa
Imogene S. Elder
V. Clarence Joyner, Jr.
M. Brian Waymack

FROM: Tim Graves, Planner II

RE: May 2024 Planning Commission Work Session & Business Meeting

DATE: May 15, 2024

CC: Jeff Stoke, County Administrator*
Kristen Pudlow, Deputy County Administrator*
Andrea Erard, County Attorney*
Robert Baldwin, Director of Planning
David "Koty" Gray, Planner I
Madison Sobczak, Planning & Zoning Technician

** (Receiving digital copy only)*

The Planning Commission's Work Session will be Monday, May 20, 2024 at 5:30 p.m. in the Board Room.

The Planning Commission's regular Business Meeting will be Thursday, May 23, 2024 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 Joint Work Session Minutes March 21, 2024
3	Draft Work Session Minutes March 25, 2024
4	Draft Business Meeting Minutes March 28, 2024
5	Draft Work Session Minutes April 22, 2024
6	Draft Business Meeting Minutes April 25, 2024
7	Draft 2023 Planning Commission Annual Report
8	Special Exception SE-24-04 Triumph Day Support
9	Rezoning RZ-24-02 Cannon Investments
10	Communications
11	
12	

Begin

TAB 1

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

Thursday, May 23, 2024 at 6:30 p.m.
County Administration Bldg. Boardroom, Third Floor
6602 Courts Drive, Prince George, Virginia

CALL TO ORDER – Madam Chair Anderson
Roll Call - Clerk

INVOCATION

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

ADOPTION OF AGENDA [1] – Madam Chair Anderson

PUBLIC COMMENTS – Madam Chair Anderson

The Public Comments period is open to anyone who wishes to speak to the Commissioners on only topics that are not on the Agenda this evening. Please state your name and address and you will have three (3) minutes to speak.

COMMISSIONERS' COMMENTS – Madam Chair Anderson

ORDER OF BUSINESS – Madam Chair Anderson

- A-1.** Adoption of Joint Work Session Meeting Minutes – March 21, 2024 [2]
- A-2.** Adoption of Work Session Meeting Minutes – March 25, 2024 [3]
- A-3.** Adoption of Business Meeting Minutes – March 28, 2024 [4]
- A-4.** Adoption of Work Session Meeting Minutes – April 22, 2024 [5]
- A-5.** Adoption of Business Meeting Minutes – April 25, 2024 [6]
- A-6.** Review 2023 Planning Commission Annual Report for Submittal to BOS [7]

PUBLIC HEARINGS

- P-1. SPECIAL EXCEPTION SE-24-04:** Request to permit a special care hospital within a General Business (B-1) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-393(8). The purpose of the request is to allow a day support center for the care of individuals with developmental and intellectual disabilities. The subject property is approximately 1.5 acres in size, located at 4224 Branchester Parkway, and is identified as Tax Map 130(06)00-003-D. The Comprehensive Plan indicates the property is planned for Commercial uses. [8] **Tim Graves**
- P-2. REZONING RZ-24-02:** Request to conditionally rezone 2.343 acres from Residential-Agricultural (R-A) and General Business (B-1) to General Business (B-1) for future commercial development. The subject property is located behind 5840-5844 Allin Road and is identified as Tax Maps 230(26)00-001-0, 230(0A)00-041-0

(portion) and 230(0A)00-041-B (portion). The Comprehensive Plan indicates the property is planned for Village Center uses. [9] **Tim Graves**

COMMUNICATIONS – [10] **Tim Graves**

C-1. Actions of the Board of Zoning Appeals

C-2. Actions of the Board of Supervisors

A. BOS Recap(s)

C-3. Upcoming Cases for June 2024

C-4. Comprehensive Plan Update Process

ADJOURNMENT – **Madam Chair Anderson**

Begin

TAB 2

DRAFT MINUTES - JOINT WORK SESSION WITH BOARD OF SUPERVISORS

Planning Commission of Prince George County, Virginia

Thursday, March 21, 2024, at 6:00 p.m.

County Administration Bldg., Board Room (Third Floor)
6602 Courts Drive, Prince George, Virginia

CALL TO ORDER – A work session meeting of the Prince George County Planning Commission was called to order at 6:00 p.m. on Thursday, March 21, 2024, by Madam Chair Anderson for a joint work session with the Prince George County Board of Supervisors to discuss the “Prince George 2045 Comprehensive Plan” with the Berkley Group. The Board of Supervisors had already called their meeting to order.

Roll Call – Madison Sobczak called roll:

Commissioners Present: Waymack, Elder, Bresko, Anderson, Canepa

Commissioners Absent: Joyner, Brockwell

Staff Present: Robert Baldwin, Tim Graves, Madison Sobczak, Koty Gray, Teresa Knott, Jeff Stoke, Andrea Erard, Kristen Pudlow

Also present from the Board of Supervisors: T.J. Webb, Chairman; Floyd Brown, Vice-Chairman; R.E. “Bobby” Cox, Jr.; Philip T. Pugh

INVOCATION Mr. Brown provided the invocation.

PLEDGE OF ALLEGIANCE Mr. Cox led in the Pledge of Allegiance to the United States flag.

WORK SESSION

Planning Director, Robert Baldwin, introduced Catherine Redfearn and Benjamin Tripp from the Berkley Group to provide a briefing on the Comprehensive Plan and to give an update on their progress.

Ms. Redfearn and Mr. Tripp gave their presentation and answered questions asked by Commissioners and Board members. All materials are posted on the Planning Department webpage for the Comprehensive Plan.

ADJOURNMENT – At 7:11 p.m., Madam Chair Anderson asked for a Motion to Adjourn. Mr. Bresko made the motion, seconded by Ms. Canepa. The vote was 5-0. The Board then closed their work session.

Begin

TAB 3

DRAFT MINUTES - WORK SESSION

Planning Commission of Prince George County, Virginia

Monday, March 25, 2024, at 5:30 p.m.

County Administration Bldg., Board Room (Third Floor)
6602 Courts Drive, Prince George, Virginia

CALL TO ORDER – Madam Chair Anderson called the meeting to order at 5:30 p.m.

Roll Call – Madison Sobczak called roll:

Commissioners Present: Waymack, Elder, Bresko, Anderson

Commissioners Absent: Joyner, Canepa, Brockwell

Staff Present: Robert Baldwin, Tim Graves, Madison Sobczak, Koty Gray

AGENDA REVIEW FOR March 28 BUSINESS MEETING - Tim Graves

CASE REVIEW

- P-1. REZONING RZ-24-01:** Request to conditionally rezone 8.761 acres from R-2 (Limited Residential District) to R-TH (Residential Townhouse District). The purpose of the rezoning is to develop up to 56 townhomes in Prince George County. The subject property is located west of the intersection of Monroe Ave. and Butor Rd. on the border with the City of Hopewell, and a larger portion of the overall development is proposed to be located in the City of Hopewell. The property in Prince George County consists of 4 tax parcels identified as Tax Map #s 120(01)00-002-0, 003-0, 004-0 and 005-0. The Comprehensive Plan indicates the property is planned for Residential uses. **[5] Tim Graves reviewed the Staff Report and answered questions asked by commissioners.**
- P-2. SPECIAL EXCEPTION SE-23-11:** Request within a General Business (B-1) Zoning District to permit a private school (pre-school) for children ages 3 through 5, pursuant to Prince George County Zoning Ordinance Section 90-393(32), and to permit a child-care center (religious exempt daycare) for children ages 3 through 12, pursuant to Section 90-393(28). The subject property is located at 5258 Oaklawn Boulevard, and is identified as Tax Map # 120(03)00-00C-0. The Comprehensive Plan indicates the property is planned for “Commercial” land uses. **[6] Tim Graves reviewed the Staff Report and answered questions asked by commissioners.**
- P-3. SPECIAL EXCEPTION SE-24-01:** Request within a Residential Agricultural (R-A) Zoning District to permit extraction of natural resources (borrow pit) pursuant to Prince George County Zoning Ordinance Section 90-103(21), and to permit processing of agricultural and forest products pursuant to section 90-103(11), and to permit landscaping supplies sales pursuant to Section 90-103(8). The purpose of the request is to allow designated areas of the land to be excavated and backfilled, and to mulch agricultural and forest products onsite, and to provide online sales pickup for materials stored on-site. The subject property, which is located on the southwestern quadrant of the intersection of James River Drive (SR10) and Ruffin Road, is identified as Tax Map #s 130(0A)00-074-0, 140(0A)00-003-0, and 140(0A)00-005-0. The land

uses are proposed to occur in work areas totaling approximately 85 acres out of a total parcel area of approximately 238 acres. The Comprehensive Plan indicates the property is planned for Village Center and Residential land uses. [7] **Tim Graves reviewed the Staff Report and answered questions asked by commissioners.**

P-4. SPECIAL EXCEPTION SE-24-02: Request of Donald D. and Sheryl S. Deaver to permit a “furniture sales and repair shop” as a “home occupation within an accessory building” within a Residential Agricultural (R-A) Zoning District, pursuant to Prince George County Zoning Ordinance Sections 90-103(10) & 90-103(53). The subject property is approximately 8.73 acres in size, located at 15200 Lindberg Drive, Disputanta, VA 23842, and is identified as Tax Map # 510(12)00-016-0. The Comprehensive Plan indicates the property is planned for Agriculture uses. [8] **Koty Gray reviewed the Staff Report and answered questions asked by commissioners.**

P-5. SPECIAL EXCEPTION SE-24-03: Request of Alyssa J. and Charles M. Johnston to permit a “reupholstery shop” as a “home occupation within an accessory building” within a Residential Agricultural (R-A) Zoning District, pursuant to Prince George County Zoning Ordinance Sections 90-103(10) & 90-103(53). The subject property is approximately 5.29 acres in size, located at 17000 Jolly Road, Disputanta, VA 23842, and is identified as Tax Map # 600(0A)00-025-0. The Comprehensive Plan indicates the property is planned for Agriculture uses. [9] **Koty Gray reviewed the Staff Report and answered questions asked by commissioners.**

COMMUNICATIONS – None.

ADJOURNMENT – At 7:11 p.m., Madam Chair Anderson asked for a Motion to Adjourn. Mr. Bresko made the motion, seconded by Mr. Waymack. The vote was 4-0.

Begin

TAB 4

DRAFT MINUTES
Planning Commission
County of Prince George, Virginia
Business Meeting
March 28, 2024

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, March 28, 2024, in the Board Room, County Administration Building, 6602 Courts Drive, Prince George, Virginia by Ms. Anderson, Chair.

ATTENDANCE. The following members responded to Roll Call:

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

Staff present: Robert Baldwin, Planning Director; Tim Graves, Planner II; Koty Gray, Planner I; Madison Sobczak, Planning Technician

INVOCATION. Ms. Anderson provided the Invocation.

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

ADOPTION OF THE AGENDA. Ms. Anderson asked the Commissioners for a motion to approve the Agenda for the March 28, 2024, Planning Commission meeting. Mr. Bresko made a motion to approve the Agenda and Mr. Brockwell seconded the motion.

Roll Call:

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

Opposed: (0)

Absent: (1) Joyner

PUBLIC COMMENT PERIOD.

At 6:33 p.m., Ms. Anderson 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.

Richard Tetterton Jr. of 9750 Blackwater Farm Lane stated he wanted to support all home businesses anything to discourage small home businesses in the county would be a disgrace. He then stated he was against proffers for the following reasons:

- Average home buyers are already spending more on mortgage payments because of inflation.
- Proffers increase the monthly cost to home buyers.
- Proffers increase the value of houses which increases the real estate taxes.
- Home buyers are being told the developer pays the proffers.
- Proffers make it difficult to have affordable housing because it adds additional cost to the home.

With no one else wishing to speak Ms. Anderson closed the Public Comment Period at 6:37 p.m.

COMMISSIONERS' COMMENTS.

Ms. Anderson asked the Commissioners if they had any comments they would like to share.

ORDER OF BUSINESS.

A-1. Adoption of the Work Session Minutes – February 20, 2024

Ms. Anderson asked the Commissioners to review the Work Session Minutes from February 20, 2024. Ms. Canepa made a motion to approve the February 20, 2024, Work Session Minutes. The motion was seconded by Ms. Elder.

Roll Call:

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

Abstain: (0)

Absent: (1) Joyner

A-2. Adoption of Business Meeting Minutes – February 22, 2024

Ms. Anderson asked the Commissioners to review the Minutes of the February 22, 2024, Planning Commission meeting. Mr. Waymack made a motion to approve the February 22, 2024, Meeting Minutes as written. The motion for approval was seconded by Ms. Canepa.

Roll Call:

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

Opposed: (0)

Abstain: (0)

Absent: (1) Joyner

A-3. Adoption of Revised 2024 (to Jan. 2025) Meeting Schedule

Ms. Anderson asked the Commissioners to review the revised 2024 Meeting Schedule. Mr. Bresko made a motion to adopt the Revised 2024 Meeting Schedule. The motion was seconded by Mr. Brockwell.

Roll Call:

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

Opposed: (0)

Absent: (1) Joyner

PUBLIC HEARINGS

P-1. REZONING RZ-24-01: Request to conditionally rezone 8.761 acres from R-2 (Limited Residential District) to R-TH (Residential Townhouse District). The purpose of the rezoning is to develop up to 56 townhomes in Prince George County. The subject property is located west of the intersection of Monroe Ave. and Butor Rd. on the border with the City of Hopewell, and a larger portion of the overall development is proposed to be located in the City of Hopewell. The property in Prince George County consists of 4 tax parcels identified as Tax Map #s 120(01)00-002-0, 003-0, 004-0 and 005-0. The Comprehensive Plan indicates the property is planned for Residential uses. [5] **Tim Graves**

Mr. Graves presented RZ-24-01 to the Commission. (The staff report materials including the application materials are posted on the Planning Department website in the Planning Commission Meetings section.)

Mr. Graves stated the applicant was present and had a presentation for Commissioners.

Mr. David Monds introduced himself and stated he was the Development Manager for this project. He stated he hoped the Commissioners made a recommendation for approval for the following reasons:

- The development would provide several amenities to the community.
- It's an opportunity to increase housing stock in the County.
- Increases tax revenue.
- It's consistent with the Comprehensive Plan and future land use.

With no questions or concerns from the Commissioners, Ms. Anderson opened the Public Hearing at 7:05 p.m.

Richard Tetterton stated he supported the project for the following reasons:

- Preserves the rural areas of Prince George but also gives you 56 additional homes in the county.
- The proposed townhouses would be easier for first responders and police.
- This project aligns with the direction the world is going and helps save land.
- This will be more than just entry level homes and will also appeal to senior citizens in the county.

He then stated he does not support the proffers in this project for the following reasons:

- It makes the houses less affordable in a market where there is already a housing shortage.

He stated he would like to see a regional builder build the townhomes versus national builders.

Chris Austin of 4903 Edenberg Court introduced himself and asked how this project would impact taxes. He stated the project abuts his property line and he wanted to know how close the tree buffer would be to his property line.

With no one else wishing to speak, Ms. Anderson closed the Public Hearing at 7:12 p.m.

Mr. Monds stated they are not opposed to hiring a local or regional builder to develop the townhomes. He then stated they are required to have a minimum of 100 feet in separation from their property to adjacent property owners, and there are wetlands present near the shared property line so they would not be affecting that area at all.

Ms. Anderson asked Mr. Graves if there was anyone present that could answer Mr. Austin's question about taxes.

Mr. Graves stated that The Board of Supervisors makes all decisions regarding taxes and he could not predict if it would have any impact or not.

Ms. Elder asked how many bedrooms each unit would have.

Mr. Monds stated all units would have 3 bedrooms, 2 and a half bathrooms, with a 1-car garage.

Ms. Anderson asked for the square footage of each unit.

Mr. Monds stated each unit would have a minimum of 1,250 square feet.

Ms. Anderson asked if the Commissioners had any further questions for staff. With there being no further questions Ms. Anderson stated she would entertain a motion.

Ms. Canepa motioned to forward request RZ-24-01 to the Board with a recommendation for approval, subject to the proffered conditions dated 3/12/2024; The reason for this recommendation is it is expected to benefit the general welfare of the community. Mr. Waymack seconded the motion.

Roll Call:

In favor: (5) Canepa, Bresko, Brockwell, Anderson, Waymack

Opposed: (1) Elder

Absent: (1) Joyner

P-2. SPECIAL EXCEPTION SE-23-11: Request within a General Business (B-1) Zoning District to permit a private school (pre-school) for children ages 3 through 5, pursuant to Prince George County Zoning Ordinance Section 90-393(32), and to permit a child-care center (religious exempt daycare) for children ages 3 through 12, pursuant to Section 90-393(28). The subject property is located at 5258 Oaklawn Boulevard, and is identified as Tax Map # 120(03)00-00C-0. The Comprehensive Plan indicates the property is planned for "Commercial" land uses. **[6] Tim Graves**

Mr. Graves presented SE-23-11 to the Commission. (The staff report materials including the application materials are posted on the Planning Department website in the Planning Commission Meetings section.)

Mr. Graves stated the applicant was not present to answer questions from Commissioners.

Ms. Anderson asked if the childcare closing at 5 p.m. would cause any sort of violation if the children were to be picked up late due to parents work schedules.

Mr. Graves stated the county is not recommending any conditions be placed on the business hours.

With no questions or concerns from the Commissioners, Ms. Anderson opened the Public Hearing at 7:24 p.m. With no one wishing to speak, Ms. Anderson closed the Public Hearing at 7:24 p.m.

Ms. Anderson asked if the Commissioners had any further questions for staff. With there being no further questions Ms. Anderson stated she would entertain a motion. Ms. Canepa made a motion to forward request SE-23-11 to the Board with the recommendation for approval subject to the recommended conditions in the Staff Report; the reason for this recommendation is it is compatible with the Comprehensive Plan and surrounding land uses and zoning districts. Mr. Waymack seconded the motion.

Roll Call:

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

Opposed: (0)

Absent: (1) Joyner

- P-3. SPECIAL EXCEPTION SE-24-01:** Request within a Residential Agricultural (R-A) Zoning District to permit extraction of natural resources (borrow pit) pursuant to Prince George County Zoning Ordinance Section 90-103(21), and to permit processing of agricultural and forest products pursuant to section 90-103(11), and to permit landscaping supplies sales pursuant to Section 90-103(8). The purpose of the request is to allow designated areas of the land to be excavated and backfilled, and to mulch agricultural and forest products onsite, and to provide online sales pickup for materials stored on-site. The subject property, which is located on the southwestern quadrant of the intersection of James River Drive (SR10) and Ruffin Road, is identified as Tax Map #s 130(OA)00-074-0, 140(OA)00-003-0, and 140(OA)00-005-0. The land uses are proposed to occur in work areas totaling approximately 85 acres out of a total parcel area of approximately 238 acres. The Comprehensive Plan indicates the property is planned for Village Center and Residential land uses. [7] **Tim Graves**

Mr. Graves presented SE-24-01 to the Commission. (The staff report materials including the application materials are posted on the Planning Department website in the Planning Commission Meetings section.)

Mr. Graves stated the applicant was present to answer questions from Commissioners.

Mr. Bresko asked if the 250 loads a day would require turn lanes.

Mr. Graves confirmed that VDOT did not require turn lanes for this project and stated that would be reviewed again at the time of site plan submittal.

Ms. Anderson asked if a permit from the Department of Energy would be needed before the beginning of mining operations on the property.

Mr. Graves stated the permit from Department of Energy is only applicable to regulate the extraction of resources and not the sale and production of materials.

Mike Ellis introduced himself to the Commission and stated he is helping the property owner reclaim her property from the kudzu after many attempts to spray the overgrowth. He also stated materials would be distributed throughout the county to citizens.

Ms. Elder asked Mr. Ellis about traffic impacts if citizens are allowed to bring in debris from their residence.

Mr. Ellis stated that it would increase traffic in and out of the property but it would be a benefit to residents to be allowed to drop off brush and yard debris.

Mr. Brockwell suggested to see how traffic is impacted first without residential drop-off and if the traffic is not impacted like Mr. Ellis thought it would be, that he could revisit the idea of opening it up to the public to be able to drop off residential debris and brush.

Mr. Ellis stated he had spoken to Mr. Graves about the potential traffic impact with residential drop-off and explained that it would be hard to accommodate the increase in traffic because there is no way to know or regulate how many potential loads would be coming in or out at any given time.

Ms. Anderson stated she had to have multiple trees removed from her residence and spent over \$1,000.00 to take and dispose of the wood at the landfill. She then stated the debris at the landfill is not being used or mulched and being able to take the debris to the borrow pit would be a good alternative because it would benefit the citizens.

Mr. Graves stated if the request is approved, Mr. Ellis is able to come back to the Planning Commission and ask to modify and add public drop-off to the request if it goes forward as is. He then stated there are other things that would need to be looked at before being able to change the request such as if any additional permits were required, and if it would change the borrow pit to a landfill of natural debris. He explained if Mr. Ellis wanted to proceed with the change on the request, staff would recommend postponing a decision for approval, but if he wanted to move forward as it is, Mr. Ellis can come back later and modify the request.

Ms. Anderson asked how residential drop off was outside of the request because the original request did not say importing was limited to commercial use.

Mr. Graves stated Staff talked with Mr. Ellis to determine where the importing of material would come from and the recommendations from Staff are based on Mr. Ellis being able to have control of incoming and outgoing trips.

Ms. Anderson asked if Mr. Ellis could consider setting up appointments for residential drop-offs to allow more control over the incoming and outgoing traffic.

Mr. Graves stated staff would need to discuss and review that first before providing a recommendation on that.

Mr. Ellis explained residential drop-off is something will be included in the site plan review.

Mr. Bresko stated it could be changed to be an appointment based drop-off only.

Ms. Canepa stated residential drop-off is currently not allowed in this request.

Ms. Anderson asked if the Commission could recommend approval as is or if the Commission, as a part of a motion, could add the change into their motion.

Mr. Graves stated the Commission could add a change to the motion but he encouraged the Commission to allow staff time to review the change before moving forward with it.

With no further questions or concerns from the Commissioners, Ms. Anderson opened the Public Hearing at 7:54 p.m. With no one wishing to speak, Ms. Anderson closed the Public Hearing at 7:54 p.m.

Ms. Anderson asked if the Commissioners had any further questions for staff. With there being no further questions Ms. Anderson stated she would entertain a motion. Mr. Waymack made a motion to forward request SE-24-01 to the Board with the recommendation for approval subject to the recommended conditions in the Staff Report; the reasons are including but not limited to, the Borrow Pit will supply materials to a number of different projects in our area as well as contribute to road construction projects with VDOT, it will be reclamation of pasture land in this proposal, and the intake of wooded vegetation and materials for recycling to create mulch and compost will be incorporated into topsoil for landscape use is beneficial. Mr. Brockwell seconded the motion.

Roll Call:

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

Opposed: (0)

Absent: (1) Joyner

- P-4. SPECIAL EXCEPTION SE-24-02:** Request of Donald D. and Sheryl S. Deaver to permit a “furniture sales and repair shop” as a “home occupation within an accessory building” within a Residential Agricultural (R-A) Zoning District, pursuant to Prince George County Zoning Ordinance Sections 90-103(10) & 90-103(53). The subject property is approximately 8.73 acres in size, located at 15200 Lindberg Drive, Disputanta, VA 23842, and is identified as Tax Map # 510(12)00-016-0. The Comprehensive Plan indicates the property is planned for Agriculture uses. [8] **Koty Gray**

Mr. Gray presented SE-24-02 to the Commission. (The staff report materials including the application materials are posted on the Planning Department website in the Planning Commission Meetings section.)

Mr. Gray stated the applicant was present to answer questions from Commissioners.

With no questions or concerns from the Commissioners, Ms. Anderson opened the Public Hearing at 8:00 p.m. With no one wishing to speak, Ms. Anderson closed the Public Hearing at 8:00 p.m.

Ms. Anderson asked if the Commissioners had any further questions for staff. With there being no further questions Ms. Anderson stated she would entertain a motion. Mr. Waymack made a motion to forward request SE-24-02 to the Board with the

recommendation for approval. The reason for this recommendation is it is compatible with the Comprehensive Plan, current surrounding land uses and zoning districts, and any off-site impacts seem to be adequately addressed in the conditions. Mr. Bresko seconded the motion.

Roll Call:

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

Opposed: (0) Elder

Absent: (1) Joyner

- P-5. SPECIAL EXCEPTION SE-24-03:** Request of Alyssa J. and Charles M. Johnston to permit a “reupholstery shop” as a “home occupation within an accessory building” within a Residential Agricultural (R-A) Zoning District, pursuant to Prince George County Zoning Ordinance Sections 90-103(10) & 90-103(53). The subject property is approximately 5.29 acres in size, located at 17000 Jolly Road, Disputanta, VA 23842, and is identified as Tax Map # 600(0A)00-025-0. The Comprehensive Plan indicates the property is planned for Agriculture uses. **[9] Koty Gray**

Mr. Gray presented SE-24-03 to the Commission. (The staff report materials including the application materials are posted on the Planning Department website in the Planning Commission Meetings section.)

Mr. Gray stated the applicant was present to answer questions from Commissioners.

Mr. Bresko asked how the furniture would get to the property if there is no pick-up or drop-off allowed.

Mr. Johnston stated he would be traveling to the customers’ residences for pick-up and drop-off.

With no further questions or concerns from the Commissioners, Ms. Anderson opened the Public Hearing at 8:06 p.m. With no one wishing to speak, Ms. Anderson closed the Public Hearing at 8:06 p.m.

Ms. Anderson asked if the Commissioners had any further questions for staff. With there being no further questions Ms. Anderson stated she would entertain a motion. Ms. Canepa made a motion to forward request SE-24-03 to the Board with the recommendation for approval and the reason for this recommendation is it is compatible with the Comprehensive Plan and current surrounding uses and zoning districts. Mr. Brockwell seconded the motion.

Roll Call:

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

Opposed: (0)

Absent: (1) Joyner

COMMUNICATIONS.

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

- There were none. The March meeting was canceled.
- Staff is still confirming with the applicant the status of their case and if there will be a meeting in April.

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

- There were no Planning items that happened at the March 26 meeting.

C-3. Upcoming Planning Commission Cases for April 2024

- Two subdivision waiver requests.

C-4 Comprehensive Plan Update Process

- Staff is filling in slots for focus groups.
- The survey is live on the county website.

Ms. Anderson asked if the flyers for the survey were being mailed to citizens.

Mr. Graves stated they were not being mailed.

Mr. Waymack asked if the focus groups were limited for attendance.

Mr. Graves stated the focus groups are for attendees that are invited because they are experts in those topics, but the public workshops in the evenings are open for anyone wanting to attend.

ADJOURNMENT.

At 8:12 p.m., Ms. Anderson asked the Commissioners if they had any additional questions. If not, she would entertain a motion to adjourn. Ms. Canepa made a motion to adjourn, and Mr. Brockwell seconded the motion. Roll was called on the motion.

Roll Call:

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

Opposed: (0)

Absent: (1) Joyner

Begin

TAB 5

DRAFT MINUTES - WORK SESSION

Planning Commission of Prince George County, Virginia

Monday, April 22, 2024, at 5:30 p.m.

County Administration Bldg., Board Room (Third Floor)
6602 Courts Drive, Prince George, Virginia

CALL TO ORDER – Madam Chair Anderson called the meeting to order at 5:30 p.m.

Roll Call – Madison Sobczak called roll:

Commissioners Present: Elder, Bresko, Anderson, Canepa

Commissioners Absent: Waymack, Joyner, Brockwell

Staff Present: Robert Baldwin, Koty Gray, Madison Sobczak

AGENDA REVIEW FOR April 25 BUSINESS MEETING – Robert Baldwin

CASE REVIEW

- A-1. SUBDIVISION WAIVER SW-24-01:** Request to waive standards contained in Article VII of the Subdivision Ordinance, as authorized under § 70-208, to permit a subdivision of one lot into three “family subdivision” lots without adhering to all of the design standards of Article VII. Specifically, the applicant requests a waiver of §70-724(d)(3)iii which requires that private roads shall meet minimum design standards as given in the latest edition of the VDOT Subdivision Street Design Guide. The subject property, zoned (R-A) Residential Agricultural and (R-2) Limited Residential, is located at 5711 Courthouse Road and is identified as Tax Maps 230(05)00-00C-1 and 23B(02)00-00D-0. The proposed subdivision plat is filed in the Planning Department under Application ID #S-23-05. [2] **Koty Gray reviewed the Staff Report. Mr. Gray and Mr. Baldwin answered questions asked by commissioners.**
- A-2. SUBDIVISION WAIVER SW-24-02:** Request to waive standards contained in Article VII of the Subdivision Ordinance, as authorized under § 70-208, to permit a subdivision of one lot into five lots without adhering to all of the design standards of Article VII. Specifically, the applicant requests a waiver of §70-724(d)(3) which limits residential development on private roads to no more than three lots, to allow a total of five lots to share a private road. The subject property is zoned (R-A) Residential Agricultural, is located on Courtland Road (SR 35) approximately 2,600 feet southeast of the intersection with Oak Ridge Lane, and is identified as Tax Map 590(0A)00-020-A. The proposed subdivision plat is filed in the Planning Department under Application ID #P-24-07. [3] **Koty Gray reviewed the Staff Report. Mr. Gray and Mr. Baldwin answered questions asked by commissioners.**

COMMUNICATIONS – Robert Baldwin stated the Business Meeting Minutes and Joint Work Session Minutes would be provided in the May Planning Commission packet.

ADJOURNMENT – At 6:19 p.m., Madam Chair Anderson asked for a Motion to Adjourn. Ms. Canepa made the motion, seconded by Ms. Elder. The vote was 4-0.

Begin

TAB 6

DRAFT MINUTES
Planning Commission
County of Prince George, Virginia
Business Meeting
April 25, 2024

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, April 25, 2024, in the Board Room, County Administration Building, 6602 Courts Drive, Prince George, Virginia by Ms. Anderson, Chair.

ATTENDANCE. The following members responded to Roll Call:

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

Staff present: Robert Baldwin, Planning Director; Tim Graves, Planner II; Koty Gray, Planner I; Madison Sobczak, Planning Technician

INVOCATION. Ms. Elder 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. Ms. Anderson asked the Commissioners for a motion to approve the Agenda for the April 25, 2024 Planning Commission meeting. Ms. Canepa made a motion to approve the Agenda and Mr. Bresko seconded the motion.

Roll Call:

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

Opposed: (0)

Absent: (2) Waymack, Joyner

PUBLIC COMMENT PERIOD.

At 6:32 p.m., Ms. Anderson 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 else wishing to speak Ms. Anderson closed the Public Comment Period at 6:32 p.m.

COMMISSIONERS' COMMENTS.

Ms. Anderson asked the Commissioners if they had any comments they would like to share.

Ms. Elder encouraged citizens, especially the younger generation, to become involved with serving on commissions. She stated it was a privilege to serve her community and citizens that served can learn a lot about how the county works.

ORDER OF BUSINESS.

A-1. SUBDIVISION WAIVER SW-24-01: Request to waive standards contained in Article VII of the Subdivision Ordinance, as authorized under § 70-208, to permit a subdivision of one lot into three “family subdivision” lots without adhering to all of the design standards of Article VII. Specifically, the applicant requests a waiver of §70-724(d)(3)iii which requires that private roads shall meet minimum design standards as given in the latest edition of the VDOT Subdivision Street Design Guide. The subject property, zoned (R-A) Residential Agricultural and (R-2) Limited Residential, is located at 5711 Courthouse Road and is identified as Tax Maps 230(05)00-00C-1 and 23B(02)00-00D-0. The proposed subdivision plat is filed in the Planning Department under Application ID # S-23-05. [2] **Tim Graves**

Mr. Graves presented SW-24-01 to the Commission. (The staff report materials including the application materials are posted on the Planning Department website in the Planning Commission Meetings section.)

Mr. Graves stated the applicant was present to answer questions from Commissioners.

Ms. Anderson asked if Donald Hunter or Robert Hoke owned the land prior, and if a road was required per the agreement, if the developer would be responsible for that road.

Mr. Graves stated Donald Hunter owned the land that is now owned by the Walker family and the land owned by Ms. Atla Betley. He stated when the land was sold to Ms. Betley there was an agreement in place about the well in case the well ever needed to be removed and added that is part of a private agreement that is separate from the decision on approval or denial. He then stated the agreement shouldn't need to be engaged if the request is approved because it would prevent them having to move the well.

Ms. Anderson asked the request is strictly for the size of the road.

Mr. Graves confirmed it is.

Mr. Bresko asked if this request was for a family division and if each new parcel owner would be a part of the Walker family.

Yuri Tuppince stated she was the applicant and each parcel owner will be a member of the Walker family. She then stated that her mother's dream was to pass this land down to her and her sisters before she passed away.

With no further questions or concerns from the Commissioners, Ms. Anderson opened the Public Hearing at 6:51 p.m.

Ms. Atla Betley of 5711 Courthouse Road introduced herself to the Commission and stated when she bought the property she was unaware the easement was on her property

and thought the easement pertained to Courthouse Road. She then stated she did not buy the land from Mr. Hunter, she bought the land from Mr. Hoke who bought it from Mr. Hunter. She further stated after she put up her fence for her horses, Mr. Hunter stopped by her residence and explained to her there was an easement on her property and it involved her well. She stated by approving the request she wouldn't have to move her well which services her water and geothermal HVAC system in her home or move her fence. She explained she has concerns but is trying to work those out with the property owners.

Mr. William Griffin of 5601 Courthouse Road introduced himself and stated he applied to subdivide land previously and because it was in the Prince George Planning area he was denied. He asked what type of housing would be built on the property. He stated if the road was built with gravel, it would be easier to maintain. He then stated over half of the 20 acres are in the FEMA flood management program and the insurance for that is expensive.

With no further comments, Ms. Anderson closed the Public Comments at 7:00 p.m.

Mr. Bresko asked if the current owners had checked into if the parcel was in the floodplain.

The applicant stated they had the property surveyed and were already aware of all flood zones and wetlands present and they would not be disturbing them with the construction of the houses.

Ms. Canepa made a motion to adopt the resolution to approve the subdivision waiver requested in application SW-24-01 for the following reasons; There is an unusual situation, specifically that an adjacent property owner would be affected by the road construction across her property and strict adherence to the general regulations in this ordinance would result in substantial injustice or hardship, specifically the affected property owner will lose the use of a greater portion of her property if the requirements are followed closely; and there is no prejudice to the health and safety of the surrounding citizens and this approval is subject to the conditions recommended in the Staff Report. Ms. Elder seconded the motion.

Roll Call:

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

Abstain: (0)

Absent: (2) Joyner, Waymack

- A-2. SUBDIVISION WAIVER SW-24-02:** Request to waive standards contained in Article VII of the Subdivision Ordinance, as authorized under § 70-208, to permit a subdivision of one lot into five lots without adhering to all of the design standards of Article VII. Specifically, the applicant requests a waiver of §70-724(d)(3) which limits residential development on private roads to no more than three lots, to allow a total of five lots to share a private road. The subject property is zoned (R-A) Residential Agricultural, is located on Courtland Road (SR 35) approximately 2,600 feet southeast of the intersection with Oak Ridge Lane, and is identified as Tax Map

590(0A)00-020-A. The proposed subdivision plat is filed in the Planning Department under Application ID # P-24-07.[3] **Koty Gray**

Mr. Gray presented SW-24-02 to the Commission. (The staff report materials including the application materials are posted on the Planning Department website in the Planning Commission Meetings section.)

Mr. Gray stated the applicant was present and willing to answer questions from Commissioners.

Mr. Robert Forehand introduced himself and stated he did not think with his original proposal that the front lot would be counted as one of the lots to be serviced by the private road because there is over 400 ft of road frontage. He then stated it only made sense to pick up lot 5 if they were going to build a private road instead of building another road that would go through parcel 3 and 4. He explained by doing a private driveway he would only have to disturb 15 feet of wetlands instead of 40 ft.

Mr. Bresko asked if lot 3 has access from an existing road.

Mr. Forehand stated it did not.

Mr. Bresko asked that lots 2, 4, 5 and 6 would be accessed through the private road.

Mr. Forehand confirmed and added that there is an existing lot that already has a driveway and would come off the private road as well.

Ms. Canepa asked if these lots would be sold.

Mr. Forehand confirmed these lots were to sell and explained he misspoke by saying this request was for a family subdivision. He stated he did not want to go through the process of giving the lots to his children and waiting five years to sell them.

Mr. Bresko asked if the request was considered a family subdivision.

Mr. Forehand stated he did not want it to be a family subdivision.

With no further questions or concerns from the Commissioners, Ms. Anderson opened the Public Hearing at 7:18 p.m.

Justin Noblin of 8724 Centennial Rd. stated he was a local builder with no affiliation to the lots or property owners, but he was in support of granting this waiver for the following reasons:

- The county has absolutely no risk associated with granting the waiver.
- The private drive had a road maintenance agreement so the county wouldn't be held liable to maintain the road.
- It isn't destroying farmland.
- There is a need for development in the county.
- The cost of building the extra road would be avoided which means the taxes wouldn't increase for citizens sales prices.

- By granting this waiver it helps everyone and hurts no one.
- It protects wetlands.

With no one else wishing to speak, Ms. Anderson closed the Public Hearing at 7:21 p.m.

Ms. Anderson asked if all the previously approved subdivision waiver requests for more than three lots on a private road were only for family subdivisions.

Mr. Gray confirmed they were.

Mr. Bresko stated the code only allowed 3 lots on a private road and if this request is approved it would set a precedent to allow other builders to make the same request.

Ms. Anderson stated if there were no further comments from Commissioners she would entertain a motion. Ms. Canepa made a motion stating for that reason and not wanting to set a precedent to deny Subdivision Ordinance Waiver Request SW-24-02 for the following reasons; There is not an unusual situation and this is not an instance where strict adherence to the general regulations in this ordinance would result in substantial injustice or hardship. Ms. Elder seconded the motion.

Roll Call:

In favor: (4) Canepa, Bresko, Anderson, Elder

Opposed: (1) Brockwell

Abstain: (0)

Absent: (2) Waymack, Joyner

COMMUNICATIONS.

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

- There were none. The April meeting was canceled.

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

- Three Special Exception cases were approved at the meeting held on April 22.

C-3. Upcoming Planning Commission Cases for May 2024

- One case is a Rezoning.
- One case is a Special Exception.

C-4 Comprehensive Plan Update Process

- The Berkely Group sent a draft of the diagnostic report to staff and that will be reviewed in a meeting with them on April 26. The draft will be presented to The Board of Supervisors on May 14 and the Planning Commission in June.
- The survey is live on the county website.
- Public workshops and focus groups will be held in May at the public library.
- A work session will be held with the Planning Commission in June.

ADJOURNMENT.

At 7:28 p.m., Ms. Anderson asked the Commissioners if they had any additional questions. If not, she would entertain a motion to adjourn. Mr. Brockwell made a motion to adjourn, and Ms. Canepa seconded the motion. Roll was called on the motion.

Roll Call:

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

Opposed: (0)

Absent: (1) Waymack, Joyner

Begin

TAB 7



Planning Commission

2023 Annual Report

January – December 2023

Approved on

2023 Planning Commission Members & Officers

Imogene Elder, Chair
Tammy Anderson, Vice-Chair
Alex Bresko, Jr.
R. Stephen Brockwell
Jennifer D. Canepa
V. Clarence Joyner Jr.
M. Brian Waymack

2023 Planning Department Staff Members

Julie C. Walton, DCA – Director of Community Development and Code Compliance (Former)
Robert Baldwin, AICP, Director of Planning
Andre Greene, Planner II (Former)
Tim Graves, Planner II
David “Koty” Gray, Planner I
Madison Sobczak, Planning & Zoning Technician

Introduction

Section 15.2-2221, of the Code of Virginia, as amended, prescribes the duties of the local Planning Commission. One of these duties is to “Make recommendations and an annual report to the governing body concerning the operation of the commission and the status of planning within its jurisdiction”. This document is intended to satisfy the annual report requirement in the form of a report by the Prince George County Planning Commission to the Prince George County Board of Supervisors.

Planning Commission Applications Summary for 2023

Special Exceptions

The Planning Commission considered nine (9) requests:

App. No.	Land Use / Description	PC Action	Outcome
SE-22-12	Animal Boarding Place - dog-breeding business to operate within the existing single-family dwelling	PC recommended approval (January)	Applicant withdrew request
SE-23-01	Special Care Hospital - adult daycare facility to open and provide services on the property within a General Business (B-1) zoning District.	PC recommended approval (March)	BOS approved (April)
SE-23-03	Warehousing with Indoor Storage - within a General Business (B-1) Zoning District; to allow the development of a mini storage (self-storage) facility with outdoor boat/RV storage.	PC recommended approval (July)	BOS approved (September)
SE-23-04	Buildings or uses for local governmental purposes - to allow a convenience center, which is a facility allowing residents and business to drop off solid waste and recyclable materials to be collected and taken away to off-site transfer stations or landfills within a Residential Agricultural (R-A) Zoning District	PC recommended denial (April)	BOS withdrew application (May)
SE-23-05	Wholesale and Processing - open a mead production facility and tasting room	PC recommended approval (June)	BOS approved (July)
SE-23-06	Special Care Hospital - proposed facility would treat patients on a voluntary basis for substance abuse and/or mental health illnesses	PC recommended approval (July)	BOS approved (September)
SE-23-07	Commercial Child Care Center	PC recommended approval (December)	BOS approved (January 2024)
SE-23-08	Special Care Hospital - allow an addiction treatment facility to open in existing buildings.	PC recommended approval (October)	BOS denied (November)

SE-23-09 SA-23-01	SE-23-09 - SA-23-01 - Determination whether the large-scale solar facility proposed by RWE Clean Energy in Special Exception Application # SE-23-09 is in substantial accord with the Prince George County Comprehensive Plan	PC denied SA-23-01 (October) SE-23-09 couldn't proceed without SA approval	BOS denied SA-23-01 (October)
----------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------	-------------------------------

Rezoning / Rezoning Amendments

The Planning Commission considered twelve (12) requests:

App. No.	Description	PC Action	Outcome
RZ-22-02	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	PC recommended approval (January)	BOS approved (February)
RZ-22-05	Conditionally rezone approximately 19.836 acres from M-1, Light Industrial to M-2, General Industrial to allow overflow tractor trailer parking for e-commerce fulfillment transportation services	PC recommended approval (February)	BOS approved (March)
RZ-22-06	Amend the proffered conditions of Rezoning Case ZM-03-004 relating to buffer requirements, minimum house size, and number of building permits permitted per year	PC recommended approval (March)	BOS approved (April)
RZ-23-01	Conditionally rezone approximately 2 acres from Residential Agricultural (R-A) to General Commercial (B-1) to operate a bakery on the property.	PC recommended approval (March)	BOS approved (April)
RZ-23-02	Conditionally rezone 14.8 acres from Residential Agricultural (R-A) Zoning District to General Business (B-1) to develop the property for a mini storage facility, as well as office, retail and potentially restaurant uses.	PC recommended approval (July)	BOS approved (September)
RZ-23-03	Conditionally rezone approximately 159.64 acres from Residential Agricultural (R-A) and Limited Residential (R-2) Zoning Districts to General Industrial (M-2) Zoning District to allow development of the property for industrial uses.	PC recommended approval (April)	BOS approved (May)

RZ-23-04	Conditionally rezone approximately 11.4 acres from Residential Agricultural (R-A) Zoning District to General Business (B-1) Zoning District to build a travel center on the property.	PC recommended approval (May)	BOS denied (November)
RZ-23-05	Rezone approximately 2.5 acres from Residential Agricultural (R-A) Zoning District to General Business (B-1) Zoning District to allow the display and sale of portable buildings	PC recommended approval (July)	BOS approved (September)
RZ-23-06	Rezone 1.328 acres from General Industrial (M-2) to General Business (B-1) Zoning District to allow a meadery production facility and tasting room business.	PC recommended approval (June)	BOS approved (July)
RZ-23-07	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)	PC recommended approval (June)	BOS has not heard case yet.
RZ-23-08	Conditionally rezone approximately 74.15 acres from General Industrial (M-2) Zoning District to Heavy Industrial (M-3) Zoning District to manufacture batteries and battery related parts/components.	PC recommended approval (July)	Withdrawn by applicant
RZ-23-11	Rezone 2.2777 acres from General Agricultural (A-1) to Limited Residential (R-1) to allow for a minor boundary line adjustment to occur prior to the sale of the lot.	PC recommended approval (December)	Application was withdrawn (March 2024)

Ordinance Amendments

The Planning Commission considered one (1) Zoning Ordinance Amendment:

App. No.	Description	PC Action	Outcome
OA-23-01	Amend The Code of the County of Prince George, Virginia to permit tattoo parlors and body piercing salons in the General Business (B-1) Zoning District, by amending §§ 90-392 – Uses and structures permitted by right	PC recommended approval (September)	BOS approved (October)

Comprehensive Plan Amendments

The Planning Commission considered three (3) Comprehensive Plan Amendments:

App. No.	Description	PC Action	Outcome
CPA-23-01	Change future land use from Residential to Commercial - 2.01 acre property	PC recommended approval (March)	BOS approved (April)
CPA-23-02	Change future land use for Commercial - 14.8 acre property	PC recommended denial (April)	BOS approved (June)
CPA-23-04	Change future land use for Commercial/Industrial - approximately 44.235 acres	PC recommended approval (October)	BOS denied (November)

Subdivision Ordinance Waivers

The Planning Commission considered three (3) Subdivision Ordinance Waiver Requests:

App. No.	Description	PC Action	Outcome
SW-23-01	Waiver to permit a subdivision of one lot into two in the Prince George Planning Area without constructing a sidewalk as required.	PC approved (April)	No BOS action needed.
SW-23-02	Waive standards to permit a subdivision of one lot into six “family subdivision lots without adhering to all of the design standards.	PC approved (November)	No BOS action needed.
SW-23-03	Waive standards to permit a subdivision of one lot into two lots without adhering to all the design standards. Specifically, a waiver which requires a newly subdivided lot to have direct access from an improved street; and a waiver which requires a newly subdivided lot to abut on a public street.	PC approved (November)	No BOS action needed.

Other Actions/Projects of the Planning Commission in 2023:

- Recommended approval of request of Ethel R. Krenicky to vacate a plat (S-23-01)

Looking Ahead to 2024:

In 2024, the Planning Commission anticipates working extensively on the Comprehensive Plan Update. Planning Department Staff and the County’s contracted consultant began work on this endeavor in November 2023. It will be the main focus of the Commission in 2024 outside of normal business items and public hearings. The work in 2024 will include several work sessions, and the updated plan is scheduled for adoption in August 2025.

Begin

TAB 8



PLANNING COMMISSION STAFF REPORT

Public Hearing May 23, 2024

SPECIAL EXCEPTION SE-24-04

Special Care Hospital (Day Support Services)

Applicant: Triumph Residential Services, LLC (LaShonda Powell)

Property Owner: William E. James, Jr.

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

Request Summary

The applicant has requested a special exception to allow a “Special care hospital” pursuant to Section 90-393(8) in order to allow a day support center for the care of individuals with developmental and intellectual disabilities.

The Planning Commission is required to hold a public hearing and make a recommendation of approval or denial and forward the request to the Board of Supervisors for a decision.

Property Details

Address: 4224 Branchester Parkway

Tax Map: 130(06)00-003-D

Site Size: 1.5 acres

Zoning District: General Business (B-1)

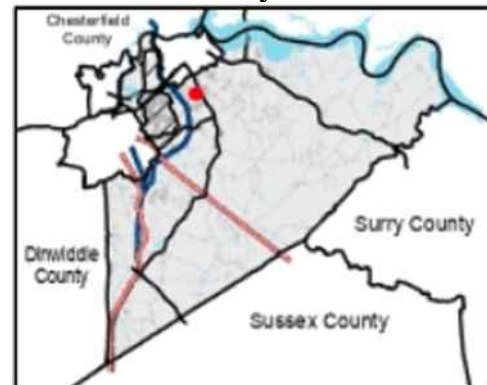
Current Use(s): Vacant building

Comp Plan Land Use: Commercial

Planning Area: Prince George Planning Area

RE Taxes Paid?: Yes

Location within County



Meeting Information

Planning Commission Public Hearing: May 23, 2024

Board of Supervisors Public Hearing: June 11, 2024 (Tentative)

Attachments

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

Background & Applicant Proposal

Key Details from Application Materials

Day Support/Office Space/Community activities

- Weekday's 7am-7pm - occasional weekend activities/events/training etc.
- Individuals with Developmental and Intellectual disabilities which includes adults and children
- Center Based and Non Center Base support services
- Medium traffic for pick ups and drop offs
- Individuals will be in the building during operations hours
- All activities will be inside the building or in the back of building
- The building will also be used for staff development training
- Vans onsite
- Possibly renting out to the community for small gatherings

Exhibits

Exhibit 1 – Aerial view of area including subject property

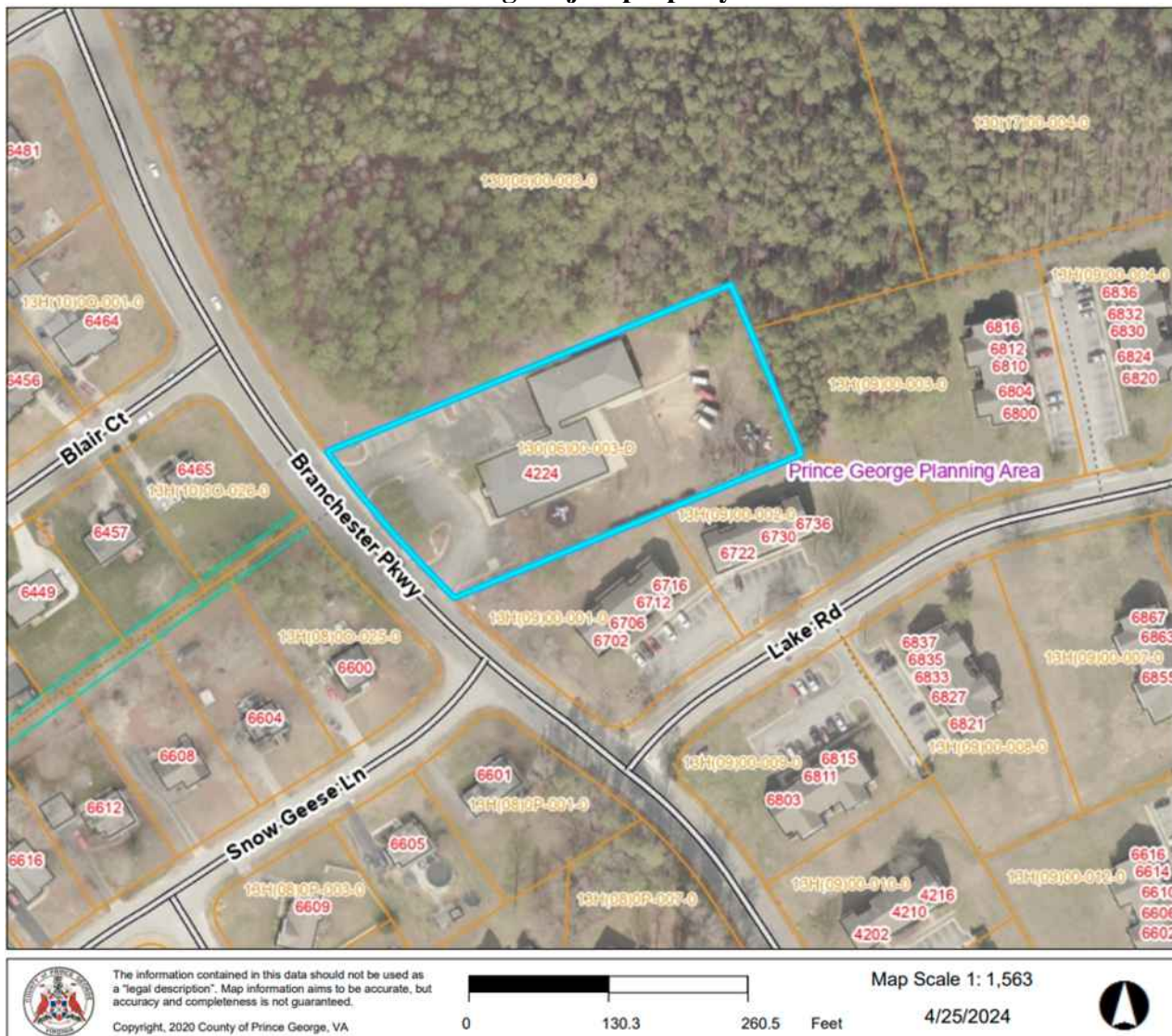


Exhibit 2 – Zoning Map



Exhibit 3 – Property Photos from Long & Foster online listing



X



Staff Review Comments

Planning Department Comments

Proposed land use(s):	<p>“Special care hospital” pursuant to Section 90-393(8)</p> <p>Definition in Zoning Ordinance Section 90-1: <i>“Hospital, special care, means an institution rendering care primarily for mental or feeble-minded patients, epileptics, alcoholics or drug addicts.”</i></p>	
Prior RZ/SE/etc. cases applicable to this property, and/or other relevant zoning cases:	<ul style="list-style-type: none"> • Property rezoned to B-1 in 1986 (ZM-86-4) • Child care center approved by special exception in 1991 (SE-90-33) • Most recent similar approval: SE-23-01 for an adult daycare facility 	
Surrounding land uses and zoning districts:	<p>Surrounding land uses include:</p> <ul style="list-style-type: none"> • Vacant land to the North • Multi-family residential to East and South • Single-family residential to West <p>Surrounding zoning districts include: B-1 and R-3</p>	
Compatibility with surrounding uses and zoning:	<p>The request appears to be generally compatible with these surrounding uses and zoning districts.</p>	
<p>Consistency with definition of “Special Exception” (Sec. 90-1): <i>“a use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare.”</i></p>		<p>Yes, with recommended conditions</p>
Consistency with Comprehensive Plan:	<p>The request is consistent with the Comprehensive Plan designation of Commercial for this property.</p>	
Other applicable Subdivision and Zoning processes:	<p>A Business Zoning Approval will be required prior to beginning operations.</p>	

Action(s) required or requested by other departments:	Comply with building codes and life safety codes (no action needed before SE process proceeds)
Additional comments:	The application mentions “possibly renting out to the community for small gatherings”. This land use is classified as an “Assembly Hall” land use which is permitted by-right in the B-1 zoning district and is not encompassed within this special exception request. The applicant may need to obtain Building Code approval prior to using the structures for this purpose.

Other Department/Agency Comments

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

1. Rt. 1380, Branchester Parkway has a functional classification of local road and has an average annual daily traffic count of 2,500 vehicles per day.
2. The proposed use will require a commercial entrance for access. The existing parcel and building is currently accessed by two commercial entrances.
3. VDOT has no objection to the proposed request.

Building Inspections – Charles Harrison III, Building Official

1. Day Support facilities are classified as a “Group I-4” occupancy. Our records currently indicate the current Certificate of Occupancy is “I-2”. This classification change may require a greater degree of structural strength, ventilation and sanitation. Other items may become apparent during the permit review process and inspection.
2. A Change of Use/Updated Certificate of Occupancy will be required before occupancy/use of the structure(s) is granted. This process may include submission of floor plan/building layout, egress components, exits, occupant loads, and any applicable permitting requirements.
3. All required permit(s) must be obtained before any alteration work is performed in this structure. The applicants must obtain a Certificate of Occupancy prior to operation to be in compliance with the VUSBC provisions.
4. The applicant indicated proposed rental of the space for community events that may result in occupancy modifications depending on the specifics of the areas to be utilized by the private events.

Fire & EMS – Parker Ramsey, Battalion Chief

Prince George Fire and EMS request that the facility meet all National Fire Protection Association (NFPA) 101 Life Safety Codes applicable to Adult Care Facilities. (Planning Staff Note: This will be addressed by County Staff when the applicant applies for a Change of Use for the building.)

Utilities – Rachael Lumpkin, Utility Project Engineer

This location is already connected to the public water and sewer systems. Nothing additional is needed.

The departments below reviewed this request and had no comments.

Real Estate Assessor – Randall Horne, Senior Real Estate Appraiser

Environmental - Angela Blount, Environmental Program Coordinator

Virginia Department of Health – Courtney Thomas, Environmental Health Specialist

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

Economic Development - Makayla Christensen, Economic Development & Tourism Specialist

Anticipated Community Impacts and Potential Mitigation

	Anticipated Impacts (vs. current use)	Potential Mitigation
Traffic/ Transportation	Trip generation #s not provided. Not expected to generate significant additional traffic.	N/A – Existing entrances can accommodate this use
Parking	Onsite Parking	N/A
Other	N/A	N/A

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 5/10/24.
- No comments from the community were received prior to finalizing this report.

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.

Recommended Conditions

1. This Special Exception is granted on Tax Map 130(06)00-003-D for a special care hospital, specifically for a day support services facility.
2. For the purposes of this special exception, a "day support services facility" is defined as: A facility, licensed by the state if applicable, operated for the purpose of providing care, protection and/or guidance for a portion of a 24-hour day, to persons with developmental and intellectual disabilities, who do not reside in the facility.
3. A Change of Use Permit and an updated Certificate of Occupancy shall be obtained from the Building Inspections Office prior to the use of the structure(s) for day support services.
4. The applicant shall obtain all required local and state licenses/permits as required by law.
5. If the requested use of the premises is abandoned for a period of twenty-four (24) consecutive months, then the Special Exception shall become null and void.
6. 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.

EnerGov-SE-24-0035 INV-6100

	SPECIAL EXCEPTION 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 #: SE-24-04 DATE SUBMITTED: 3/26/24
	APPLICANT FILL-IN ALL BLANKS		
	REQUEST	REQUEST: Day Support Services REQUEST PROPERTY ADDRESS / LOCATION: 4224 Branchester Pkwy Prince George VA 23875 REQUEST TAX MAP PIN(S): (List all) 130(06)00-003-D ATTACHMENTS (Check if Attached; * = Required): <input checked="" type="checkbox"/> APPLICANT STATEMENT* (Specify goals, details, etc.) <input type="checkbox"/> PROPOSED CONDITIONS <input type="checkbox"/> SITE LAYOUT SKETCH OR CONCEPTUAL SITE PLAN* (Show proposed improvements; Use GIS or Engineer Drawing) <input type="checkbox"/> COMMUNITY MEETING SUMMARY <input type="checkbox"/> ADDITIONAL ATTACHMENTS:	
LEGAL OWNER	NAME(S): William E. James, Jr. MAILING ADDRESS: (Incl. City, State, Zip): 9021 Waterfowl Flyway Chesterfield, VA 23838 E-MAIL: bjvette@mindspring.com PHONE: 804-304-8902		
APPLICANT CONTACT	NAME(S): If different than owner: Lene LaShanda Powell/Triumph Residential Services, Inc. RELATION TO OWNER: Buyer MAILING ADDRESS: (Incl. City, State, Zip): P.O. Box 22 Sutherland VA 23885 E-MAIL: triumph401@comcast.net PHONE: 804 479 1233		
OFFICE USE ONLY (Completed at the time of application)			
ZONING DISTRICT(S): B-1		LAND USE(S) CODE REFERENCE(S): 90-393(8)	
PAYMENT	FEE DUE: Special Exception: \$700 Special Exception Home Occ: \$350 CHECK # / TRANSACTION #: REC-5318-2024	FEE PAID: 700 DATE RECEIVED: 3/26/2024	PAYMENT TYPE: CHECK / CASH / CREDIT / DEBIT RECEIVED BY: Madison Sobczak

OWNER AFFIDAVIT

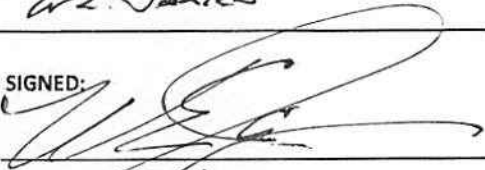
The undersigned Property Owner(s) or duly authorized Agent or Representative certifies that this petition and the foregoing answers, statement, and other information herewith submitted are in all respect true and correct to the best of their knowledge and belief.

NAME:

W. James

NAME:

SIGNED:



SIGNED:

DATE:

3/29/24

DATE:

NOTARIZATION:

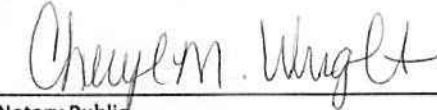
STATE OF VIRGINIA

COUNTY OF:

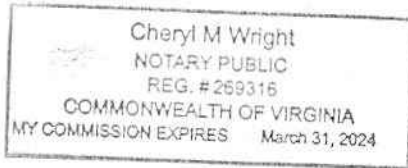
Chesterfield

Subscribed and sworn before me this 20th day of March, 20 24.

Notary Public



My Commission expires:

3-31-24, 20 24

special exception application-Branchester

Dee Bennett <deebennetthelps@gmail.com>

Thu, Mar 14, 2024 at 11:44 AM

To: Ladele Johnson <ladeletaylor.realtor@gmail.com>, goodmanrayj@gmail.com, Dee Bennett <deebennetthelps@gmail.com>, Dwayne Bennett <dwaynebennetthelps@gmail.com>

Hello Ladele and Justin

Please see below description of request and attached document:

Day Support/Office Space/Community activities

- Weekday's 7am-7pm - occasional weekend activities/events/training etc.
- Individuals with Developmental and Intellectual disabilities which includes adults and children
- Center Based and Non Center Base support services
- Medium traffic for pick ups and drop offs
- Individuals will be in the building during operations hours
- All activities will be inside the building or in the back of building
- The building will also be used for staff development training
- Vans onsite
- Possibly renting out to the community for small gatherings

**Dee Bennett, Associate Broker**Licensed REALTOR in the Commonwealth of Virginia
804-382-8972**Turn your Dream into your New Address!****United Real Estate/Richmond**9011 Arboretum Parkway, Suite 120
Richmond, Virginia 23236
Office 804.359.9200 X1004

2 attachments**back special exception application Branchester.pdf**
265K

RECEIPT (REC-005318-2024)
FOR PRINCE GEORGE COUNTY, VA

BILLING CONTACT

LaShanda Powell
Triumph Residential Services, LLC



Payment Date: 03/26/2024

Reference Number	Fee Name	Transaction Type	Payment Method	Amount Paid
SE-24-0035	PGC Special Exception Request	Fee Payment	CRED CARD	\$700.00
4224 Branchester Pkwy Prince George, VA 23875				
SUB TOTAL				\$700.00
TOTAL				\$700.00



County of Prince George, Virginia

"A welcoming community • Embracing its rural character • Focusing on its prosperous future"

May 8, 2024

NOTICE OF PUBLIC HEARING - PLANNING COMMISSION

Dear owner, agent or occupant of each parcel that is abutting or immediately across the street or road from the property affected:

This is notification that the Prince George County Planning Commission will hold a public hearing on **Thursday, May 23, 2024 beginning at 6:30 pm** to consider the following request that involves the Prince George County Zoning Ordinance:

SPECIAL EXCEPTION SE-24-04: Request to permit a special care hospital within a General Business (B-1) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-393(8). The purpose of the request is to allow a day support center for the care of individuals with developmental and intellectual disabilities. The subject property is approximately 1.5 acres in size, located at 4224 Branchester Parkway, and is identified as Tax Map 130(06)00-003-D. The Comprehensive Plan indicates the property is planned for Commercial uses.

The public hearing will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875. A copy of the proposed Ordinance and other materials related to the above named request may be reviewed or obtained in the Planning Department in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday–Friday, or by calling 804-722-8678 or emailing planning@princegeorgecountyva.gov. All interested persons are invited to participate in the public hearing 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>. Any person requiring assistance to participate in the public hearing is asked to contact the Planning Department in advance so that appropriate arrangements can be made.

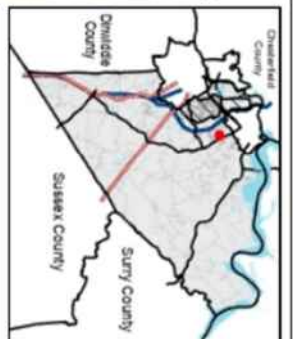
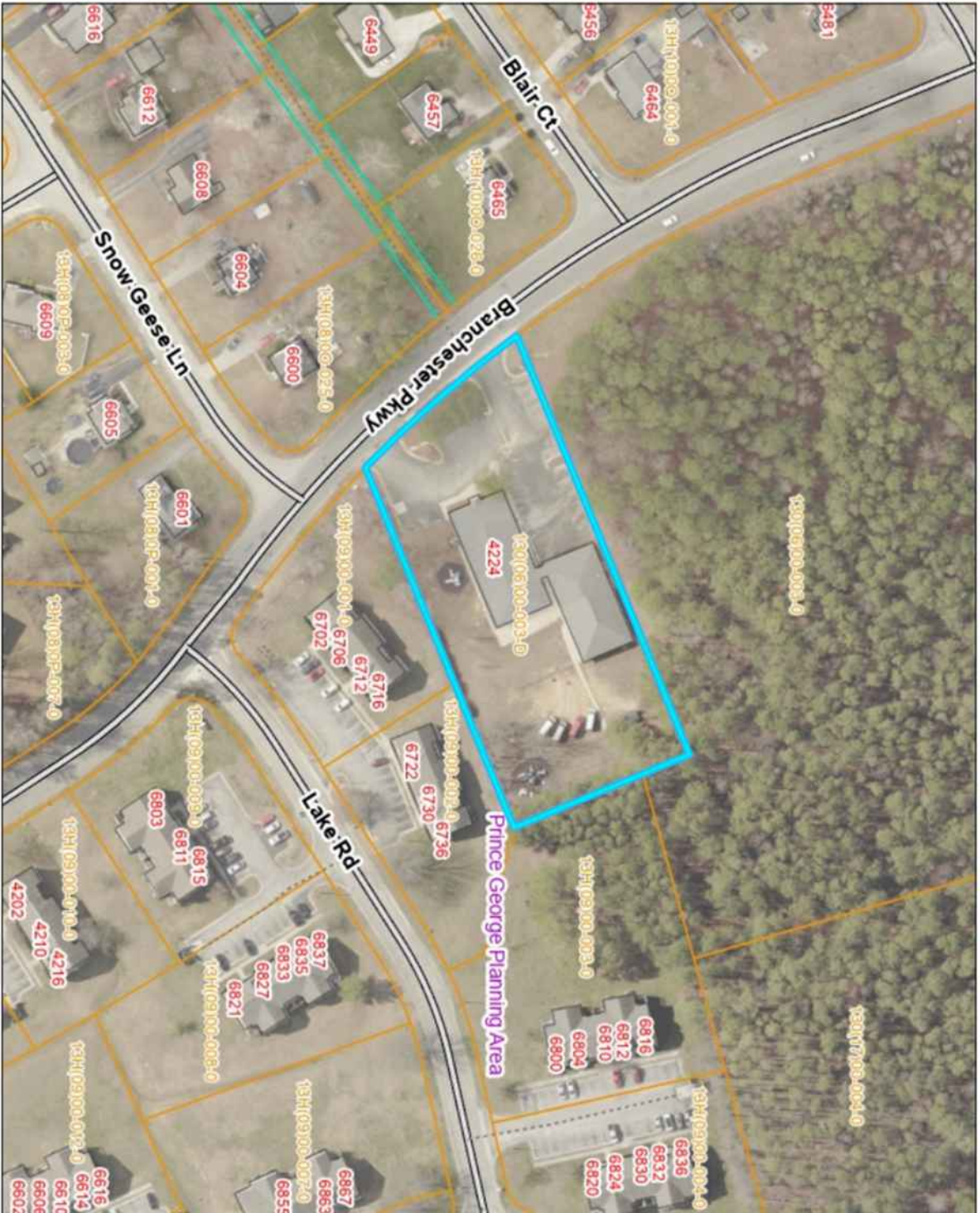
You may also contact me with any questions prior to the scheduled meeting. We have included a GIS Map showing the general location of the request.

Sincerely,

A handwritten signature in blue ink that reads "Tim Graves".

Tim Graves
Planner II

County of Prince George

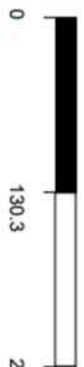


- Legend**
- Political Boundaries
 - Taxparcels
 - Access Easements
 - Swamps
 - Planning Area
 - Aerial_EagleView_2024
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

Notes



The information contained in this data should not be used as a legal description. Map information aims to be accurate, but accuracy and completeness is not guaranteed.



Map Scale 1: 1,563

4/25/2024



William E. James, Jr.
9021 Waterfowl Flyway
Chesterfield, VA 23838

Leon & LaShonda Powell
P.O. Box 22
Sutherland, VA 23885

LIBERTY UNIVERSITY LLC
1971 UNIVERSITY BLVD
Lynchburg, VA 24515

BL ASSOCIATES II LLC
2903 BLVD STE A
Colonial Heights, VA 23834

PRITCHETT CHRISTOPHER Y
6600 SNOW GEESE LN
Prince George, VA 23875

CACERES SHIRL D
6465 BLAIR CT
Prince George, VA 23875

**NOTICE OF PUBLIC HEARINGS
PRINCE GEORGE COUNTY PLANNING COMMISSION**

The Planning Commission will hold public hearings on Thursday, May 23, 2024 beginning at 6:30 p.m. concerning the following requests:

SPECIAL EXCEPTION SE-24-04: Request to permit a special care hospital within a General Business (B-1) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-393(8). The purpose of the request is to allow a day support center for the care of individuals with developmental and intellectual disabilities. The subject property is approximately 1.5 acres in size, located at 4224 Branchester Parkway, and is identified as Tax Map 130(06)00-003-D. The Comprehensive Plan indicates the property is planned for Commercial uses.

REZONING RZ-24-02: Request to conditionally rezone 2.343 acres from Residential-Agricultural (R-A) and General Business (B-1) to General Business (B-1) for future commercial development. The subject property is located behind 5840-5844 Allin Road and is identified as Tax Maps 230(26)00-001-0, 230(0A)00-041-0 (portion) and 230(0A)00-041-B (portion). The Comprehensive Plan indicates the property is planned for Village Center uses.

The public hearings will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875. Copies of the proposed Ordinances and other materials related to the above named requests may be reviewed or obtained in the Planning Department, located in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday–Friday, or by calling 804-722-8678 or emailing planning@princegeorgecountyva.gov. 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>. Any person requiring assistance to participate in the public hearings is asked to contact the Planning Department in advance so that appropriate arrangements can be made.

BY ORDER OF THE PRINCE GEORGE COUNTY PLANNING COMMISSION

Publish: 5/9/24 and 5/16/24

Board of Supervisors
County of Prince George, Virginia

ORDINANCE TO GRANT A SPECIAL EXCEPTION FOR DAY SUPPORT SERVICES
ON TAX MAP 130(06)00-003-D

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 ____, 2024:

Present:

T.J. Webb, Chair
Floyd M. Brown, Jr, Vice Chair
R.E. “Bobby” Cox, Jr.
Philip T. Pugh
Marlene J. Waymack

Vote:

SPECIAL EXCEPTION SE-24-04: Request to permit a special care hospital within a General Business (B-1) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-393(8). The purpose of the request is to allow a day support center for the care of individuals with developmental and intellectual disabilities. The subject property is approximately 1.5 acres in size, located at 4224 Branchester Parkway, and is identified as Tax Map 130(06)00-003-D. The Comprehensive Plan indicates the property is planned for Commercial uses.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Special Exception Application identified as SE-24-04 is granted with the following conditions:

1. This Special Exception is granted on Tax Map 130(06)00-003-D for a special care hospital, specifically for a day support services facility.
2. For the purposes of this special exception, a “day support services facility” is defined as: A facility, licensed by the state if applicable, operated for the purpose of providing care, protection and/or guidance for a portion of a 24-hour day, to persons with developmental and intellectual disabilities, who do not reside in the facility.
3. A Change of Use Permit and an updated Certificate of Occupancy shall be obtained from the Building Inspections Office prior to the use of the structure(s) for day support services.
4. The applicant shall obtain all required local and state licenses/permits as required by law.
5. If the requested use of the premises is abandoned for a period of twenty-four (24) consecutive months, then the Special Exception shall become null and void.
6. 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 ____, 2024 and becoming effective immediately.

Sample Motions

APPROVE:

"I move to forward request SE-24-04 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 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-24-04 to the Board with a recommendation for APPROVAL, subject to the following changes:

DENY:

I move to forward request SE-24-04 to the Board with a recommendation for DENIAL for the following reason(s): (SPECIFY)

POSTPONE:

I move to POSTPONE request SE-24-04 until _____ to allow time for _____
(MEETING DATE)

(ACTION/EVENT)

Begin

TAB 9



PLANNING COMMISSION STAFF REPORT

Public Hearing May 23, 2024

RZ-24-02 –Rezoning from R-A & B-1 to B-1

Applicant: Cannon Investments LLC

Property Owner: Cannon Investments LLC / Barbara Allin

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

Request Summary

The applicant has requested that a 2.343-acre property be rezoned from Residential-Agricultural (R-A) and General Business (B-1) to General Business (B-1), subject to proffered conditions, to allow for a boundary line adjustment to proceed and prepare for future commercial development of the property.

The Planning Commission is required to hold a public hearing and make a recommendation of approval or denial and forward the request to the Board of Supervisors for a decision.

Property Details

Address: Behind 5840-5844 Allin Road

Tax Maps: 230(26)00-001-0, 230(0A)00-041-0 (portion) and 230(0A)00-041-B (portion)

Site Size: 2.343 acres to be rezoned

Zoning District: R-A and B-1 (to B-1)

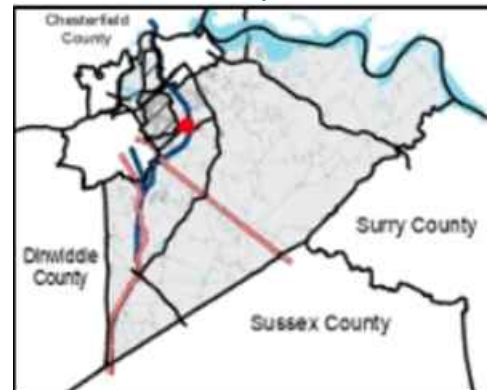
Current Use(s): Vacant Undeveloped

Comp Plan Land Use: Village Center

Planning Area: Prince George Planning Area

RE Taxes Paid?: Yes

Location within County



Meeting Information

Planning Commission Public Hearing: May 23, 2024

Board of Supervisors Public Hearing: June 11, 2024 (Tentative)

Attachments

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

Background & Applicant Proposal

Relevant Background Information

- Part of the property – Tax Map 230(26)00-001-0 – was rezoned to B-1 in 2002 with proffers (ZM-02-003)
- The remainder of the subject property is zoned R-A
- The owners of the subject property wish to complete a boundary line adjustment and sale of land to allow for future commercial development. The boundary line adjustment (Application # P-24-05) cannot be approved by the County unless the property is first rezoned to B-1, since R-A zoned land cannot have a parcel size of less than 5 acres.

Key Details from Application Materials

- The applicant proposes to rezone the R-A zoned property (1.081 acres) to B-1 and apply new proffers to the entire 2.343-acre area which includes the existing B-1 zoned property (1.262 acres).
- The proffers would restrict the possible commercial land uses on the property and require landscaped buffer/screening in between B-1 zoned property and any adjacent residentially-zoned property.

Exhibits

Exhibit 1 – Aerial view of area including subject property



Exhibit 2 – Zoning Map (Tan/Yellow = R-A; Red = B-1)

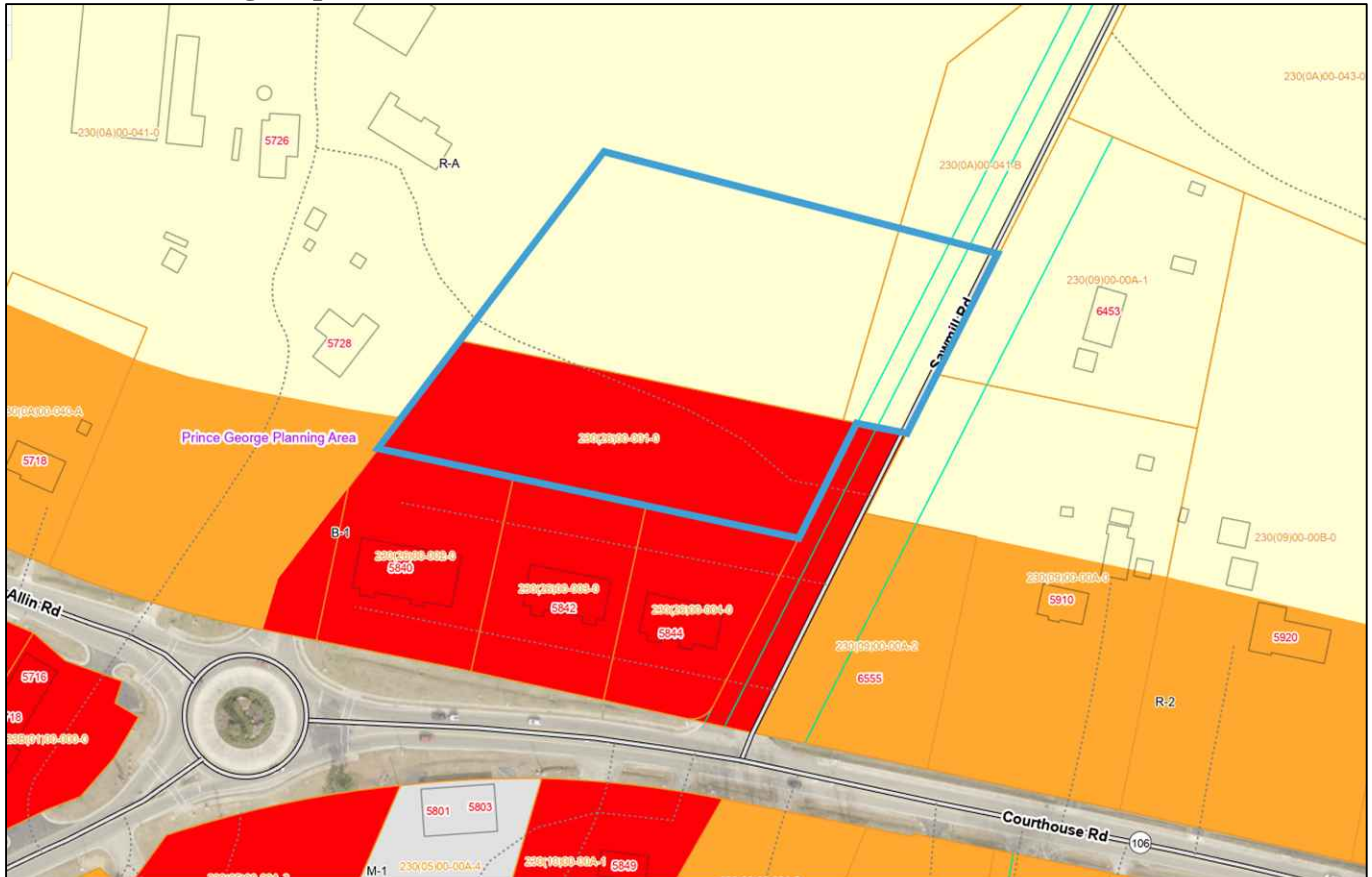
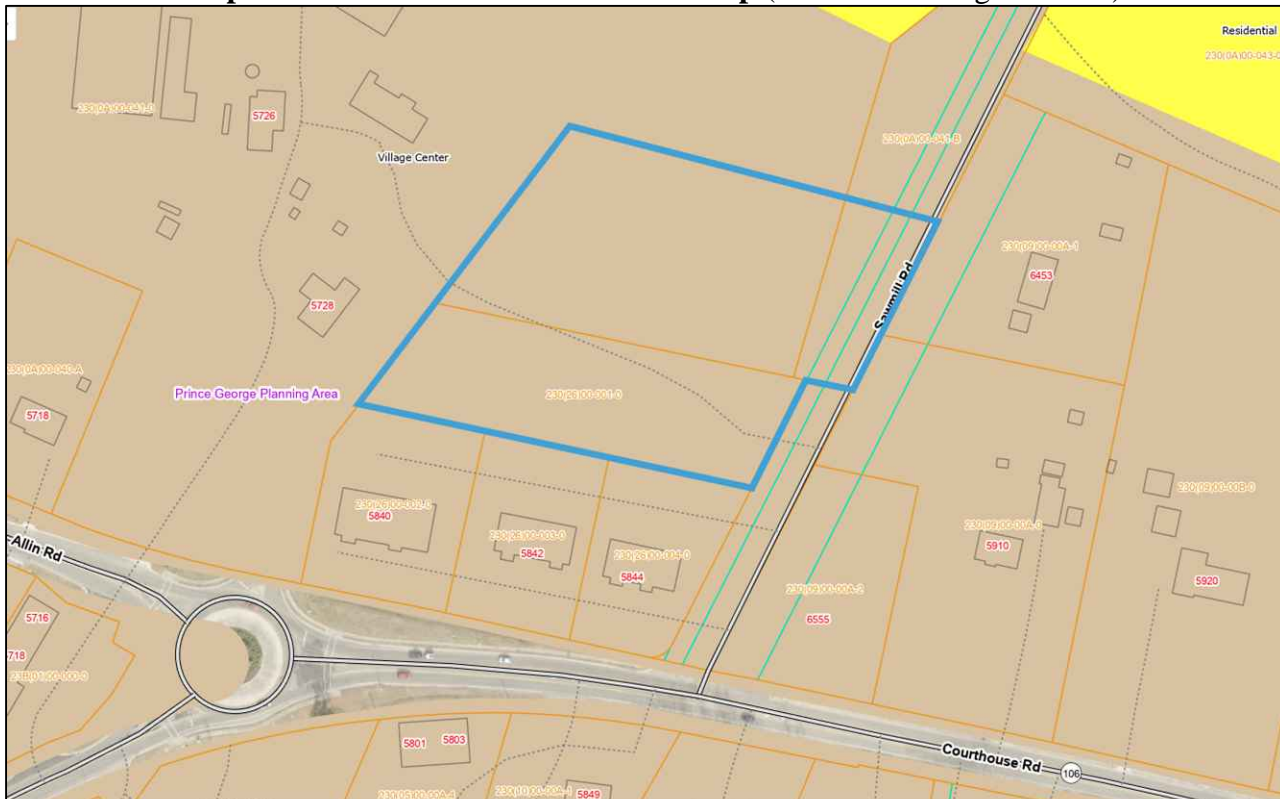


Exhibit 3 – Comprehensive Plan Future Land Use Map (Brown = “Village Center”)



[illegible]

Staff Review Comments

Prior RZ/SE/etc. cases applicable to this property, and/or other zoning cases relevant to this request:		ZM-02-003 – proffers affect existing B-1 zoned area
Acreage and boundaries of proposed rezoning:	Approximately 2.343 acres as defined/delineated by the bold line on the boundary line adjustment plat	
Proposed land use(s):	Commercial development is planned for the future. Land uses will be restricted to listed B-1 land uses as described in the proffer statement.	
Effect of rezoning on permitted uses:	If the property is rezoned, it could be developed with any of the listed land uses in the proffer statement (generally: office/retail/restaurant).	
Proffers Review	<p>The applicant submitted proffers which would:</p> <ul style="list-style-type: none"> • Restrict the possible uses of the property. • Require a 15' landscaped buffer/screening area in between the B-1 zoned property and adjacent residentially-zoned properties <p>Staff worked with the applicant on the proffers and recommends acceptance of the proposed proffers.</p>	

Surrounding land uses and zoning districts:	Surrounding land uses include: Commercial child care centers (SE-23-07 and SE-23-10) and a counseling services office in the existing buildings to the South, existing single-family dwellings to the East and West, and undeveloped land to the North. Surrounding zoning districts include: B-1, R-A and R-2
Compatibility with surrounding uses and zoning:	The request appears to be generally compatible with these surrounding uses and zoning districts, especially given the proffers restricting the commercial land uses and the requirement for landscaped buffer/screening in between business and residential zoning.
Consistency with Comprehensive Plan:	The request appears to be generally consistent with the Comprehensive Plan designation of Village Center for this property and area.
Other applicable Subdivision and Zoning processes:	<ul style="list-style-type: none"> • The applicant would need to apply for a Special Exception before the property could be used for any land uses that require a Special Exception. • A Plat Review will be required for the proposed boundary line adjustment. • A Site Plan Review will be required prior to developing the property with commercial building(s). • A Zoning Permit will be required prior to the construction of the new building(s), to be submitted as part of the Building Permit process. • A Business Zoning Approval will be required prior to beginning operations of any business(es) on the property.
Action(s) required or requested by other departments:	None prior to rezoning

Other Department/Agency Comments

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

1. No schematic layout plan, conceptual plan or master plan was included with the zoning application. Without some sort of plan for the proposed development, VDOT was unable to predict trip generation rates for the site. Due to the size of the site, VDOT does not anticipate that a Chapter 527 TIA will be required. A VDOT Chapter 527 TIA will be required if the proposed development will generate more than 5,000 vehicle trips per day (VPD).
2. Access to the site will likely be from Sawmill Road. Sawmill Road is a private road and is not contained in the state system of maintenance. VDOT has no authority to grant access or issue permits for any work within the Sawmill Road right-of-way (ROW). The entrance from Sawmill Road to Courthouse Road may require modifications to be in accordance with current VDOT standards depending on the commercial uses proposed for the parcels.
3. Either a commercial entrance or a low volume commercial entrance (less than 50 vehicle trips per day) will be required to access the proposed commercial development depending on the proposed uses. Commercial entrances are subject to the entrance spacing and geometric requirements contained in Appendix F of the VDOT *Road Design Manual*.
4. VDOT has no objection to the proposed rezoning.

Utilities – Rachael Lumpkin, Utility Project Engineer

This request is located within the Prince George Planning Area. Connection to the public water and sewer systems will be required for all future development of the site.

The departments below reviewed this request and had no comments.

Building Inspections – Charles Harrison III, Building Official

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

Fire & EMS – *Parker Ramsey, Battalion Chief*

Virginia Department of Health – *Courtney Thomas, Environmental Health Specialist*

Environmental - *Angela Blount, Environmental Program Coordinator*

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

Economic Development - *Makayla Christensen, Economic Development & Tourism Specialist*

Anticipated Community Impacts and Potential Mitigation

	Anticipated Impacts (vs. current use)	Potential Mitigation
Traffic/ Transportation	Trip generation #s not provided. Not expected to generate significant additional traffic.	A Chapter 527 Traffic Impact Analysis (TIA) is not required and Planning staff have not requested a TIA for this review. Development of the property is not expected to generate significant additional traffic. Turn lanes may be required if warranted during Site Plan review.
Parking	On-site parking to be provided	N/A
Visual	Commercial development adjacent to residential	Proffers require a landscaped screening/buffer
Other	N/A	N/A

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.
- No comments from the community were received prior to finalizing this report.

Staff Recommendation


Approval, subject to the proffered conditions dated 4-28-24.

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. The applicant has proffered conditions which are acceptable.

EnerGov- RZ-24-0025

INV-6271

	<h1 style="text-align: center;">REZONING APPLICATION</h1> <p style="text-align: center;">Department of Planning 6602 Courts Drive, Prince George, VA 23875 Email: planning@princegeorgecountyva.gov (804) 722-8678 www.princegeorgecountyva.gov</p>		OFFICE USE ONLY		
			APPLICATION #: RZ-24-02		
			DATE SUBMITTED: 4/30/24		
APPLICANT FILL-IN ALL BLANKS					
REQUEST DETAILS	REQUEST: Conditionally rezone land from R-A/B-1 to B-1				
	REQUEST PROPERTY ADDRESS / LOCATION: TBD Sawmill Road (see attached plat)				
	REQUEST TAX MAP(S): (List all) 230(26)00-001-0 230(0A)00-041-0 (portion) 230(0A)00-041-B (portion)	AFFECTED ACREAGE: 1.262 + 1.081 (2.343 ac total)	ENTIRE PARCEL?: (Y / N) N	CURRENT ZONING: R-A & B-1	PROPOSED ZONING: B-1
	REQUIRED ATTACHMENTS: (Check if Attached; * = Required)				
	<input checked="" type="checkbox"/> APPLICANT STATEMENT* (Specify goals, details, etc.) <input checked="" type="checkbox"/> PROPOSED CONDITIONS / PROFFER STATEMENT <input type="checkbox"/> CONCEPTUAL SITE PLAN* (Show any planned improvements; Use GIS or Engineer Drawing) <input type="checkbox"/> COMMUNITY MEETING SUMMARY				
LEGAL OWNER	NAME(S): Cannon Investments LLC, Barbara C. Allin				
	MAILING ADDRESS (Incl. City, State, Zip)				
	E-MAIL:	PHONE: 804-732-6687 (Barbara Allin)			
APPLICANT CONTACT	NAME(S) (if different than owner): Raymond A. Cannon				
	RELATION TO OWNER: Owner of 230(26)00-001-0 and contract buyer of 230(0A)00-041-0 (portion) and 230(0A)00-041-B (portion)				
	MAILING ADDRESS: (Incl. City, State, Zip) 869 Koolwood Lane, S Prince George, VA 23805				
	E-MAIL: bcannady10@gmail.com	PHONE: 804-720-9303			
OFFICE USE ONLY (Completed at time of application)					
COMMENTS: Remaining fee due for 1.262 acres (\$176.68)					
PAYMENT	FEE DUE: Rezoning: \$1,050 + [See Fee Schedule] Amend Existing Zoning Case: \$1,050	FEE PAID: 176.68	PAYMENT TYPE: <input checked="" type="checkbox"/> CHECK / CASH / CREDIT / DEBIT		
	CHECK # / TRANSACTION #: REC-5468-2024	DATE RECEIVED: 4/30/24	RECEIVED BY: Madison Sozzak		

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: Raymond A. Cannon

NAME: Barbara C Allin

SIGNED: [Signature]

SIGNED: Barbara C Allin

DATE: _____

DATE: 4-28-24

NOTARIZATION:

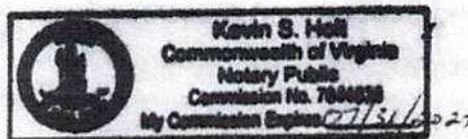
STATE OF VIRGINIA

COUNTY OF: Prince George

Subscribed and sworn before me this 28th day of April, 2024.

[Signature]
Notary Public

My Commission expires: July 31, 2027



AFFIDAVIT

Cannon Investments LLC

869 Koolwood Lane, S Prince George, VA 23805

March 11, 2024

County of Prince George, Virginia
Attn: Tim Graves

REF: Allin Road Rezoning

I have purchased tax parcel 230(26)00-001-0 that is zoned B-1. We also purchased land behind this that is zoned R-A.

- We wish to change the R-A zoning to B-1 to match our purchased property.
- Our intentions are to use the land in the future for commercial use. We have no specific structure in mind at this point in time.

Respectfully,

Tony Cannon

Cannon Investments LLC
bcannady10@gmail.com
804-720-9303

**STATEMENT OF PROFFER
REZONING**

Date: 4/28/24

The property owner and contract purchaser (if any) in this rezoning case (collectively, "the Owner"), pursuant to Section 15.2-2298 of the Code of Virginia (1950, as amended) and Article XVII of the Zoning Ordinance of Prince George County ("County"), for themselves and their successors and assigns, hereby proffer that the development of the subject property of this application shall be in strict accordance with the conditions ("Proffers") set forth in this submission. In the event this request is denied or approved with conditions not agreed to by the Owner, the proffers shall immediately be null and void and of no further force or effect.

As used here, "Property" shall mean the areas depicted as "1.081 ACRES TO BE ADDED TO B-1 ZONING" and "1.262 ACRES (ORIGINAL)" on the preliminary boundary line adjustment plat on file with the rezoning application. The property is currently identified as Tax Map Number(s) 230(26)00-001-0 and 230(0A)00-041-0 (portion) and 230(0A)00-041-B (portion).

1. **Land Uses.** The use of the Property zoned B-1 in this rezoning application shall be limited to the following land uses:

- (1) Retail stores and shops.
- (2) Bakeries.
- (3) Dry cleaners.
- (4) Laundries.
- (5) Wearing apparel stores.
- (6) Drugstores.
- (7) Barbershops and beauty shops.
- (8) Auto and home appliance services.
- (9) Theaters and assembly halls.
- (10) Office buildings.
- (11) Churches.
- (13) Funeral homes.
- (15) Clubs and lodges.
- (17) Lumber and building supply with storage facilities under cover.
- (18) Plumbing and electrical supply with storage facilities under cover.
- (19) Machinery sales and service.
- (21) Public utilities.
- (22) Offstreet parking as required by this chapter.
- (23) Business signs.
- (24) General advertising signs.
- (25) Location signs.
- (26) Restaurants.
- (27) Shopping centers.
- (29) Exhibits operated by nonprofit organizations.
- (31) Financial institutions.

- (34) Retail catalog sales offices.
- (36) Home service establishments such as exterminators, plumbers, decorators.
- (41) Buildings or uses for federal, state, county or local governmental purposes.
- (42) Instructional and/or training facilities, including but not limited to dancing schools and dancing studios.
- (43) Farm supplies.
- (44) Public utility distribution facilities.
- (50) Mobile food units, subject to the provisions of section 90-1041.
- (51) Tattoo parlors and body piercing salons, as defined in the Code of Virginia, § 15.2-912.

2. A buffer yard of trees and shrubs at least 15' in width shall be maintained in between the commercial uses on this property and any adjacent residentially-zoned properties, in accordance with the provisions of the zoning ordinance.

SIGNATURES:

NAME:

Raymond A. Cannon

COMPANY (IF APPLICABLE):

NAME:

Barbara C. Allen

COMPANY (IF APPLICABLE):

SIGNED:

[Signature]

SIGNED:

Barbara C. Allen

NOTARIZATION:

STATE OF VIRGINIA

COUNTY/CITY OF: Prince George

I, Kevin S. Holt, a Notary Public in and for the Commonwealth of Virginia At Large, do hereby certify that

Barbara C. Allen

on this 28th day of April, 20 24,

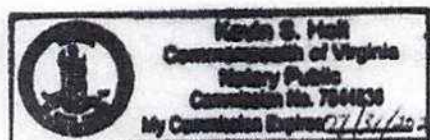
has personally appeared and acknowledged the same before me in the Commonwealth and in the County/City aforesaid.

[Signature]

Notary Public

My Commission expires: July 31, 20 27

Notary Registration number: 7844838



STATE OF VIRGINIA

COUNTY/CITY OF: Prince George

I, Kevin S. Holt, a Notary Public in and for the Commonwealth of Virginia At Large, do hereby certify that

Raymond A. Cannon

on this 28th day of April, 20 24.

has personally appeared and acknowledged the same before me in the Commonwealth and in the County/City aforesaid.

K S Holt
Notary Public

My Commission expires: July 31, 20 27

Notary Registration number: 7844838



APPROVED BY PRINCE GEORGE COUNTY

SUBDIVISION AGENT _____ DATE _____

MATCHLINE SHEET 3

1.284 ACRES (ORIGINAL)
0.948 ACRES (PROPOSED)

TAX MAP # 230(0A)00-041-B
BARBARA C. ALLIN
D.B. 174, PG. 188

MATCHLINE SHEET 2

±191.389 ACRES (ORIGINAL)
±189.581 ACRES (PROPOSED)

CURRENT ZONING: R-A
PROPOSED ZONING: R-A
TAX MAP # 230(0A)00-041-0
BARBARA C. ALLIN
P.B. 9, PG. 127

TODD MCCLAUGHLIN
6433 SAWMILL ROAD
TAX MAP# 230(09)00-00A-1
INST. #190002994
P.B. 436, PG. 194

50' INGRESS EGRESS
EASEMENT
D.B. 436, PG. 194

1.081 ACRES TO BE ADDED TO B-1 ZONING

±191.389 ACRES (ORIGINAL)
±189.581 ACRES (PROPOSED)

TAX MAP # 230(0A)00-041-0
BARBARA C. ALLIN
P.B. 9, PG. 127

1.262 ACRES (ORIGINAL)
3.070 ACRES (PROPOSED)

CANNON INVESTMENTS LLC
TAX MAP # 230(26)00-001-0
INST. # 23-1005
P.B. 24, PG. 221

CANNON INVESTMENTS LLC
5842 ALLIN ROAD
TAX MAP# 230(26)00-003-0
INST.#23-1005
P.B. 24, PG. 221

CANNON INVESTMENTS LLC
5844 ALLIN ROAD
TAX MAP#
230(26)00-004-0
INST.#23-1005
P.B. 24, PG. 221

SAWMILL ROAD
50' PRIVATE RW

50' INGRESS EGRESS
EASEMENT
D.B. 468, PG. 40

JACQUELYNN HORNE
& MICHAEL HORNE
6555 SAWMILL ROAD
TAX MAP# 230(09)00-00A-2
INST. #200002125
P.B. 26, PG. 80

CURVE TABLE INFO

C1
D=75'17.41"
L=32.85'
R=25.00'
CHD.BRG.=S64°39'46"W
CHD.=30.54'

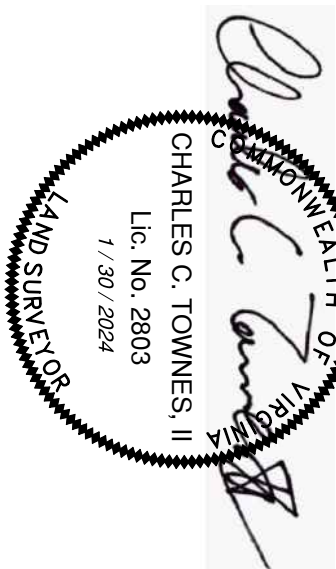
CANNON INVESTMENTS LLC

BLAND DISTRICT
PRINCE GEORGE COUNTY, VIRGINIA
DATE: JANUARY 30, 2024 SCALE: N/A

PLAT SHOWING

BOUNDARY LINE ADJUSTMENT OF
PARCELS 230(26)00-001-0,
230(0A)00-041-0, & 230(0A)00-041-B

FOR



ALLIN ROAD
VARIABLE WIDTH RW
PK
NAIL
FD.
N3607183.597
E:11832418.606

COURTHOUSE ROAD
VARIABLE WIDTH RW

LINE AS SHOWN ON PLAT
PREPARED BY BASELINE
LAND SURVEYING,
DATED APRIL 24, 2023

16' PRIVATE STORM
SEWER EASEMENT
P.B. 24, PG. 221
CANNON INVESTMENTS LLC
5840 ALLIN ROAD
TAX MAP# 230(26)00-002-0
INST.#23-1005
P.B. 24, PG. 221

16' PRIVATE STORM
SEWER EASEMENT
P.B. 24, PG. 221

16' PRIVATE STORM
SEWER EASEMENT
P.B. 24, PG. 221

ZONING: R-A
ZONING: R-2

ZONING: R-A
ZONING: B-1
10' SETBACK LINE

CURRENT ZONING: R-A
PROPOSED ZONING: B-1
CURRENT ZONING: B-1
PROPOSED ZONING: B-1

NAD83, GEOID 12B

RECEIPT (REC-005259-2024)
FOR PRINCE GEORGE COUNTY, VA

BILLING CONTACT

Raymond Cannon
869 Koolwood Ln
South Prince George, Va 23805



Payment Date: 03/14/2024

Reference Number	Fee Name	Transaction Type	Payment Method	Amount Paid
RZ-24-0025	PGC Rezoning	Fee Payment	eCheck	\$1,050.00
5728 Allin Rd Prince George, VA 23875				SUB TOTAL
				\$1,050.00
				TOTAL
				\$1,050.00

RECEIPT (REC-005271-2024)
FOR PRINCE GEORGE COUNTY, VA

BILLING CONTACT

Raymond Cannon
869 Koolwood Ln
South Prince George, Va 23805



Payment Date: 03/18/2024

Reference Number	Fee Name	Transaction Type	Payment Method	Amount Paid
RZ-24-0025	PGC Rezoning to B-1 \$140 per acre calculated	Fee Payment	eCheck	\$151.34
5728 Allin Rd Prince George, VA 23875				
SUB TOTAL				\$151.34
TOTAL				\$151.34

RECEIPT (REC-005468-2024)
FOR PRINCE GEORGE COUNTY, VA

BILLING CONTACT
Raymond Cannon
869 Koolwood Ln
South Prince George, Va 23805



Payment Date: 04/30/2024

Reference Number	Fee Name	Transaction Type	Payment Method	Amount Paid
RZ-24-0025	PGC Rezoning to B-1 \$140 per acre calculated	Fee Payment	eCheck	\$176.68
5728 Allin Rd Prince George, VA 23875				SUB TOTAL
				\$176.68
				TOTAL
				\$176.68



County of Prince George, Virginia

"A welcoming community • Embracing its rural character • Focusing on its prosperous future"

May 8, 2024

NOTICE OF PUBLIC HEARING - PLANNING COMMISSION

Dear owner, agent or occupant of each parcel that is abutting or immediately across the street or road from the property affected:

This is notification that the Prince George County Planning Commission will hold a public hearing on **Thursday, May 23, 2024 beginning at 6:30 pm** to consider the following request that involves the Prince George County Zoning Ordinance:

REZONING RZ-24-02: Request to conditionally rezone 2.343 acres from Residential-Agricultural (R-A) and General Business (B-1) to General Business (B-1) for future commercial development. The subject property is located behind 5840-5844 Allin Road and is identified as Tax Maps 230(26)00-001-0, 230(0A)00-041-0 (portion) and 230(0A)00-041-B (portion). The Comprehensive Plan indicates the property is planned for Village Center uses.

The public hearing will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875. A copy of the proposed Ordinance and other materials related to the above named request may be reviewed or obtained in the Planning Department in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday–Friday, or by calling 804-722-8678 or emailing planning@princegeorgecountyva.gov. All interested persons are invited to participate in the public hearing 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>. Any person requiring assistance to participate in the public hearing is asked to contact the Planning Department in advance so that appropriate arrangements can be made.

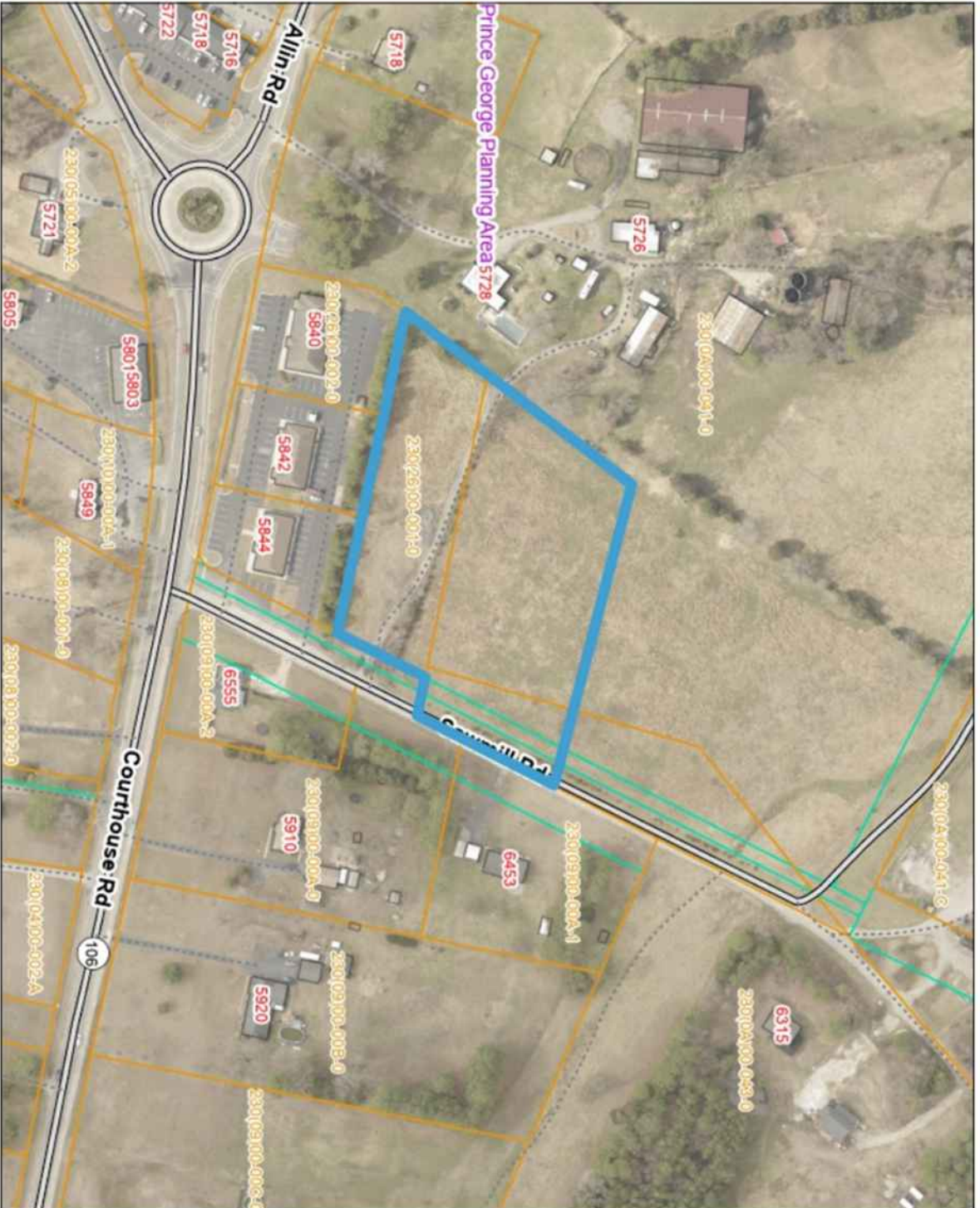
You may also contact me with any questions prior to the scheduled meeting. We have included a GIS Map showing the general location of the request.

Sincerely,

A handwritten signature in blue ink that reads "Tim Graves". The signature is fluid and cursive.

Tim Graves
Planner II

County of Prince George

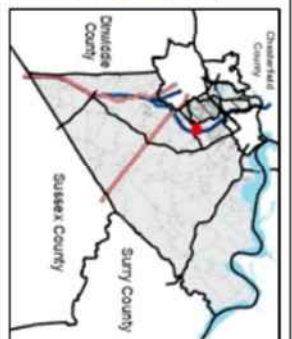


The information contained in this data should not be used as a "legal description". Map information aims to be accurate, but accuracy and completeness is not guaranteed.



Map Scale 1: 2,345

4/25/2024



Legend

- Political Boundaries
- Taxparcels
- Access Easements
- Swamps
- Planning Area
- Aerial_EagleView_2024
- Red: Band_1
- Green: Band_2
- Blue: Band_3

Notes

ALLIN BARBARA C
5728 ALLIN RD
PRINCE GEORGE, VA 23875

ALLIN CHRISTOPHER E
6290 SAWMILL RD
PRINCE GEORGE, VA 23875

ALLIN JOHN F & SHERI L
5417 MICA DR
PRINCE GEORGE, VA 23875

CANNON INVESTMENTS LLC
869 KOOLWOOD LN
S PRINCE GEORGE, VA 23805

COEY BRIAN E
5413 MICA DR
PRINCE GEORGE, VA 23875

DEMPSEY NELLIE K & JAMES M
210 MARINERS WAY
MOYOCK, NC 27958

DINGAS LARRY D & SHERRY H
5713 MICA CT
PRINCE GEORGE, VA 23875

DINGAS LARRY D JR
5514 MICA DR
PRINCE GEORGE, VA 23875

DODD JAMES T JR
5400 JOVERN DR
PRINCE GEORGE, VA 23875

FULL DRAW PROPERTIES LLC
5721 COURTHOUSE RD
PRINCE GEORGE, VA 23875

GRAHAM ANDREA L & ANTWON L
5609 ALLIN RD
PRINCE GEORGE, VA 23875

HAYNES SHIRLEY M
5415 MICA DR
PRINCE GEORGE, VA 23875

HORNE JACQUELYNN & MICHAEL
6555 SAWMILL RD
PRINCE GEORGE, VA 23875

HOWARD NAZERINE H JR
5423 MICA DR
PRINCE GEORGE, VA 23875

HUBERT DAVID E
5600 ALLIN RD
PRINCE GEORGE, VA 23875-2340

KNIGHT GALIN G & EMILY C
5700 ALLIN RD
PRINCE GEORGE, VA 23875

LOFTIS RICHARD H & ROBERTA M
5733 COPPERFIELD TER
PRINCE GEORGE, VA 23875

MCDONOUGH STEPHEN A
5910 COURTHOUSE RD
PRINCE GEORGE, VA 23875

MCLAUGHLIN TODD
6453 SAWMILL RD
PRINCE GEORGE, VA 23875

PIPPIN PATRICIA J
5409 MICA DR
PRINCE GEORGE, VA 23875

SADLER PAULA H
2412 BLVD
COLONIAL HEIGHTS, VA 23834

SILVIA ORION & NICOLE
5428 COPPERFIELD DR
PRINCE GEORGE, VA 23875

SLAUGHTER ERIC S & LESA J
5429 COPPERFIELD DR
PRINCE GEORGE, VA 23875

TAYLOR DAVID W & ANNE M
5605 ALLIN RD
PRINCE GEORGE, VA 23875

THARP DWAYNE E & PAIGE B
5522 MICA DR
PRINCE GEORGE, VA 23875

THB ENTERPRISES LLC
5716 COURTHOUSE RD
PRINCE GEORGE, VA 23875

WEST ROBERT E JR & WANDA C
5717 COPPERFIELD TER
PRINCE GEORGE, VA 23875

**NOTICE OF PUBLIC HEARINGS
PRINCE GEORGE COUNTY PLANNING COMMISSION**

The Planning Commission will hold public hearings on Thursday, May 23, 2024 beginning at 6:30 p.m. concerning the following requests:

SPECIAL EXCEPTION SE-24-04: Request to permit a special care hospital within a General Business (B-1) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-393(8). The purpose of the request is to allow a day support center for the care of individuals with developmental and intellectual disabilities. The subject property is approximately 1.5 acres in size, located at 4224 Branchester Parkway, and is identified as Tax Map 130(06)00-003-D. The Comprehensive Plan indicates the property is planned for Commercial uses.

REZONING RZ-24-02: Request to conditionally rezone 2.343 acres from Residential-Agricultural (R-A) and General Business (B-1) to General Business (B-1) for future commercial development. The subject property is located behind 5840-5844 Allin Road and is identified as Tax Maps 230(26)00-001-0, 230(0A)00-041-0 (portion) and 230(0A)00-041-B (portion). The Comprehensive Plan indicates the property is planned for Village Center uses.

The public hearings will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875. Copies of the proposed Ordinances and other materials related to the above named requests may be reviewed or obtained in the Planning Department, located in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday–Friday, or by calling 804-722-8678 or emailing planning@princegeorgecountyva.gov. 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>. Any person requiring assistance to participate in the public hearings is asked to contact the Planning Department in advance so that appropriate arrangements can be made.

BY ORDER OF THE PRINCE GEORGE COUNTY PLANNING COMMISSION

Publish: 5/9/24 and 5/16/24

Board of Supervisors
County of Prince George, Virginia

ORDINANCE TO REZONE 2.343 ACRES FROM R-A & B-1 TO B-1 WITH PROFFERS

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 ____, 2024:

Present:

T.J. Webb, Chair
Floyd M. Brown, Jr, Vice Chair
R.E. “Bobby” Cox, Jr.
Philip T. Pugh
Marlene J. Waymack

Vote:

REZONING RZ-24-02: Request to conditionally rezone 2.343 acres from Residential-Agricultural (R-A) and General Business (B-1) to General Business (B-1) for future commercial development. The subject property is located behind 5840-5844 Allin Road and is identified as Tax Maps 230(26)00-001-0, 230(0A)00-041-0 (portion) and 230(0A)00-041-B (portion). The Comprehensive Plan indicates the property is planned for Village Center uses.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Rezoning Application identified as RZ-24-02 is granted as an amendment to the official zoning map; and

The boundaries of the Property are depicted as “1.081 ACRES TO BE ADDED TO B-1 ZONING” and “1.262 ACRES (ORIGINAL)” on the preliminary boundary line adjustment plat which is on file with the rezoning application and included in this ordinance; and

The Property is currently identified as Tax Map Number(s) 230(26)00-001-0 and 230(0A)00-041-0 (portion) and 230(0A)00-041-B (portion); and

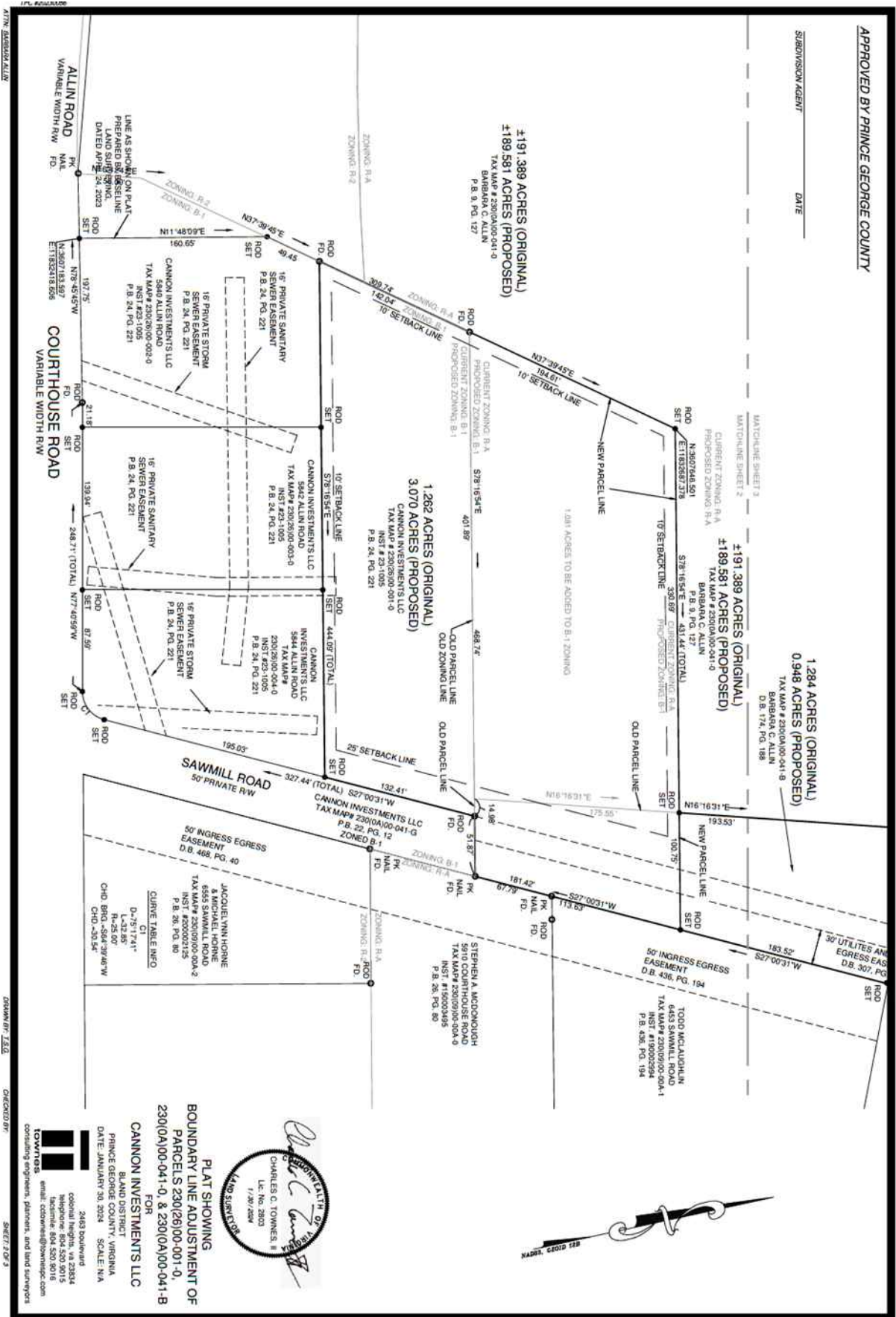
The Property, consisting of 2.343 acres, is hereby zoned from Residential-Agricultural (R-A) and General Business (B-1) to General Business (B-1); and

The Owner/Applicant 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 conditions voluntarily agreed to by the Owner/Applicant in the proffer statement dated 4-28-24 which is included in this ordinance.

APPROVED BY PRINCE GEORGE COUNTY

SUBDIVISION AGENT

DATE



ATTN: SUBDIVISION AGENT

DRAWN BY: J.S.D.

CHECKED BY:

SHEET 2 OF 3

**STATEMENT OF PROFFER
REZONING**

Date: 4/28/24

The property owner and contract purchaser (if any) in this rezoning case (collectively, "the Owner"), pursuant to Section 15.2-2298 of the Code of Virginia (1950, as amended) and Article XVII of the Zoning Ordinance of Prince George County ("County"), for themselves and their successors and assigns, hereby proffer that the development of the subject property of this application shall be in strict accordance with the conditions ("Proffers") set forth in this submission. In the event this request is denied or approved with conditions not agreed to by the Owner, the proffers shall immediately be null and void and of no further force or effect.

As used here, "Property" shall mean the areas depicted as "1.081 ACRES TO BE ADDED TO B-1 ZONING" and "1.262 ACRES (ORIGINAL)" on the preliminary boundary line adjustment plat on file with the rezoning application. The property is currently identified as Tax Map Number(s) 230(26)00-001-0 and 230(0A)00-041-0 (portion) and 230(0A)00-041-B (portion).

I. Land Uses. The use of the Property zoned B-1 in this rezoning application shall be limited to the following land uses:

- (1) Retail stores and shops.
- (2) Bakeries.
- (3) Dry cleaners.
- (4) Laundries.
- (5) Wearing apparel stores.
- (6) Drugstores.
- (7) Barbershops and beauty shops.
- (8) Auto and home appliance services.
- (9) Theaters and assembly halls.
- (10) Office buildings.
- (11) Churches.
- (13) Funeral homes.
- (15) Clubs and lodges.
- (17) Lumber and building supply with storage facilities under cover.
- (18) Plumbing and electrical supply with storage facilities under cover.
- (19) Machinery sales and service.
- (21) Public utilities.
- (22) Offstreet parking as required by this chapter.
- (23) Business signs.
- (24) General advertising signs.
- (25) Location signs.
- (26) Restaurants.
- (27) Shopping centers.
- (29) Exhibits operated by nonprofit organizations.
- (31) Financial institutions.

- (34) Retail catalog sales offices.
- (36) Home service establishments such as exterminators, plumbers, decorators.
- (41) Buildings or uses for federal, state, county or local governmental purposes.
- (42) Instructional and/or training facilities, including but not limited to dancing schools and dancing studios.
- (43) Farm supplies.
- (44) Public utility distribution facilities.
- (50) Mobile food units, subject to the provisions of section 90-1041.
- (51) Tattoo parlors and body piercing salons, as defined in the Code of Virginia, § 15.2-912.

2. A buffer yard of trees and shrubs at least 15' in width shall be maintained in between the commercial uses on this property and any adjacent residentially-zoned properties, in accordance with the provisions of the zoning ordinance.

SIGNATURES:

NAME:

Raymond A. Cannon

COMPANY (IF APPLICABLE):

SIGNED: [Signature]

NAME:

Barbara C. Allin

COMPANY (IF APPLICABLE):

SIGNED: Barbara C. Allin

NOTARIZATION:

STATE OF VIRGINIA

COUNTY/CITY OF: Prince George

I, Kerwin S. Holt, a Notary Public in and for the Commonwealth of Virginia At Large, do hereby certify that

Barbara C. Allin

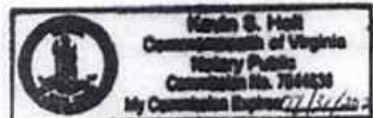
on this 28th day of April, 2024,

has personally appeared and acknowledged the same before me in the Commonwealth and in the County/City aforesaid.

Kerwin S. Holt
Notary Public

My Commission expires: July 31, 2027

Notary Registration number: 7844838



STATE OF VIRGINIA

COUNTY/CITY OF: Prince George

I, Kevin S. Holt, a Notary Public in and for the Commonwealth of Virginia At Large, do hereby certify that

Raymond A. Cannon

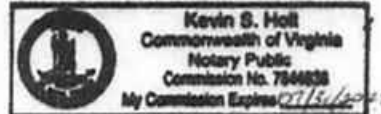
on this 28th day of April, 20 24.

has personally appeared and acknowledged the same before me in the Commonwealth and in the County/City aforesaid.

K. S. Holt
Notary Public

My Commission expires: July 31, 20 27

Notary Registration number: 7844838



Adopted on _____, 2024 and becoming effective immediately.

Sample Motions

APPROVE:

"I move to forward request RZ-24-02 to the Board with a recommendation for APPROVAL, subject to the proffered conditions, and the reason(s) for this recommendation is/are:"

(EXAMPLES):

- "It is compatible with the Comprehensive Plan and 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-24-02 to the Board with a recommendation for APPROVAL, subject to the following changes:

DENY:

I move to forward request RZ-24-02 to the Board with a recommendation for DENIAL for the following reason(s): (SPECIFY)

POSTPONE:

I move to POSTPONE request RZ-24-02 until _____ to allow time for _____
(MEETING DATE)

(ACTION/EVENT)

Begin

TAB 10

April 23 Recap

Board of Supervisors Suspend Ordinance for Residential Zoning District Conditions Regarding Poultry

At its April 23 meeting, it was brought to the Board's attention that a citizen in River's Edge Subdivision was told she is not allowed to keep chickens on her property due to County Code Section 90-1035.1, which states poultry must be on a parcel of two acres or more in a residential zoning district. She said she was not aware and had her chickens for quite some time. They produce eggs for her family's consumption and have become pets to her. She said that her neighbors have never complained. Another citizen in that subdivision spoke in her favor.

Prior to 2013, poultry and livestock was not permitted in Residential Zoning Districts (R-E, R-1, R-2, R-3). In January 2014, the Board voted to approve Ordinance O-14-01 to amend several Chapter 90 Zoning sections to allow poultry and livestock within Residential Districts with certain conditions. In 2020, the Board of Supervisors discussed options to amend the residential poultry conditions and a draft of ordinance amendment options were presented to the Planning Commission. The Planning Commission affirmed that staff would not advertise for a public hearing for an ordinance for existing residential poultry conditions and no recommendation was made to the Board of Supervisors.

At its April 23 meeting, the Board voted unanimously to suspend the ordinance through December 31, 2024 while the Planning Commission takes time to revisit the ordinance and give the Board a recommendation on how to move forward.

Other matters that came before the Board at its meeting:

- Approved on consent Personal Property Tax Relief rate.
- Approved on consent a resolution authorizing the Police Department to apply for a DCJS Ceasefire Grant in the amount of \$186,380.
- Approved on consent a resolution authorizing the Commonwealth's Attorney to apply for a DCJS Ceasefire Grant.
- Approved on consent an appropriation in the amount of \$5,670 for welcome sign contribution.
- Held a public hearing and approved by a 3-2 vote (with Mr. Cox and Mr. Pugh opposed) an Ordinance to Amend The Code of the County of Prince George, as amended, by amending Section 82-261, 82-262, 82-536, 82-537 to review water and wastewater connection fees and user charges.
- Held a public hearing and unanimously approved a Special Exception request within a General Business (B-1) Zoning District to permit a private school (pre-school) for children ages 3 through 5 and to permit a child-care center for children ages 3 through 12 at 5258 Oaklawn Boulevard.

- Held a public hearing and unanimously approved a Special Exception request to permit a furniture sales and repair shop as a home occupation at 15200 Lindberg Drive.
- Held a public hearing and unanimously approved a Special Exception to permit a reupholstery shop as a home occupation within an accessory building at 17000 Jolly Road.
- Received a Quarterly Financial Report.
- Received a Strategic Plan Update.
- Unanimously approved an appropriation in the amount of \$87,109.12 for Opioid Abatement.
- Approved an ambulance purchase and award of contract to Southeastern Specialty Vehicles in the amount of \$419,858 with a 4 to 1 vote with Mr. Cox opposed.
- Held a discussion and unanimously agreed to cancel the May 7 Budget Work Session.
- Held a discussion and unanimously agreed to suspend the ordinance for residential zoning district conditions regarding poultry. Staff was instructed to provide ordinance amendment options at a future meeting.

Board of Supervisors Hold Public Hearings for FY2025 Budget and VDOT Secondary Six-Year Plan

At its May 14 meeting, the Board of Supervisors held two public hearings. The first one was for the FY2025 Budget. The proposed FY25 General Fund Budget total is \$74,022,972, which is a 1.79% increase over FY2024. The overall FY25 Budget of \$162,651,134 (net of transfers) was a 5.18% increase over FY24, an increase of \$8,011,826. The overall introduced budget increases are chiefly related to an increase in the General Fund budget of \$1,302,617 (1.79%), a \$6,255,916 (7.13%) increase in the school budget created by an increase in state funding, a (\$1,056,553, -11.2%) reduction in the Utility Fund Budget, and a reduction in inter-fund transfers of (\$2,121,069, -6.25%) {reduction in General Fund transfers to the Debt Fund, School Operations and textbooks}. No additional budget work sessions are planned, and budget adoption is targeted for May 28, using the Introduced Budget. State changes will be considered through a budget amendment once the State numbers are provided to the County.

In addition, the Board held a public hearing for the Virginia Department of Transportation Secondary Six-Year Plan for Fiscal Years 2025 through 2030 in Prince George County, and the Secondary System Construction Budget for Fiscal Year 2025. The Board unanimously voted to approve the Plan and Construction Budget. The project currently on the future plan is the Roundabout at Middle Road and Jefferson Park Road. The estimated allocation for this year is \$105,125.

Other matters that came before the Board at its meeting:

- Approved on consent an appropriation in the amount of \$37,445.20 of Four for Life Funds.
- Approved on consent an appropriation in the amount of \$5,019.09 for insurance.
- Received a roads maintenance report from the Virginia Department of Transportation.
- Received a report on the Toddler Fair.
- Received a report on the Zoning and Subdivision Ordinance Diagnostics from The Berkley Group.
- Unanimously approved an award of contract for gasoline and diesel fuel to Barksdale Oils, Inc.
- Unanimously approved an appropriation in the amount of \$193,651 of FY2024 Fire Program Funds.
- Unanimously approved a Memorandum of Understanding with Petersburg for Mutual Aid Radio Patch and Radio Programming.
- Unanimously approved an ARPA Budget Transfer in the amount of \$3,572,249.88 to fund Utility Projects.

Upcoming Cases for June 27 Planning Commission Meeting

(subject to change)

SPECIAL EXCEPTION SE-24-05: Request 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 allow childcare for up to 12 children as a home occupation. The subject property, located at 6824 Hearthside Drive, is identified as Tax Map 13H(01)0C-041-0. The Comprehensive Plan indicates the property is planned for Residential uses.