



PLANNING COMMISSION

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

County of Prince George, Virginia

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

MEMORANDUM

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

FROM: Tim Graves, Planner II

RE: September 2023 Planning Commission Work Session & Business Meeting

DATE: September 21, 2023

CC: Jeff Stoke, County Administrator (cover sheet only)
Andrea Erard, County Attorney (cover sheet only)
Robert Baldwin, Director of Planning
Madison Sobczak, Planning & Zoning Technician

The Planning Commission's Work Session will be Monday, September 25, 2023 at 5:30 p.m. in the Board Room.

The Planning Commission's regular Business Meeting will be Thursday, September 28, 2023 at 6:30 p.m. in the Board Room.

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

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Agenda

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Draft Work Session Minutes
July 24, 2023

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Draft Business Meeting Minutes
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Ordinance Amendment OA-23-01
Tattoo & Body-Piercing Shops

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TAB 1

AGENDA
Planning Commission
County of Prince George, Virginia
Business Meeting: September 28, 2023
County Administration Bldg. Boardroom, Third Floor
6602 Courts Drive, Prince George, Virginia

Business Meeting
6:30 p.m.

CALL TO ORDER – Madam Chair Elder

Roll Call - Clerk

INVOCATION

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

ADOPTION OF AGENDA [1] – Madam Chair Elder

PUBLIC COMMENTS – Madam Chair Elder

COMMISSIONERS' COMMENTS – Madam Chair Elder

ORDER OF BUSINESS – Madam Chair Elder

A-1. Adoption of Work Session Meeting Minutes – July 24, 2023 [2]

A-2. Adoption of Business Meeting Minutes – July 27, 2023 [3]

PUBLIC HEARINGS – Madam Chair Elder

P-1. ORDINANCE AMENDMENT OA-23-01: Ordinance to 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. – [4] **Tim Graves**

COMMUNICATIONS – [5] **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 October 2023

ADJOURNMENT – Madam Chair Elder

Begin

TAB 2

DRAFT MINUTES - WORK SESSION

Planning Commission of Prince George County, Virginia

Monday, July 24, 2023 at 5:30 p.m.

County Administration Bldg., Board Room (Third Floor)

6602 Courts Drive, Prince George, Virginia

CALL TO ORDER – Madam Chair Elder called the meeting to order at 5:31 p.m.

Roll Call – **Tim Graves**

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

Commissioners Absent: Brockwell

Staff Present: Robert Baldwin, Andre Greene, Tim Graves

AGENDA REVIEW FOR JULY 27 BUSINESS MEETING - Tim Graves reviewed the agenda.

CASE REVIEW

- P-1. REZONING RZ-23-02:** Request to conditionally rezone 14.8 acres from Residential Agricultural (R-A) Zoning District to General Business (B-1) Zoning District. The applicant seeks to develop the property for a mini storage facility, as well as office, retail and potentially restaurant uses. The subject property is identified as Tax Map 350(0A)00-044-A and located on the West side of Prince George Drive at the intersection with West Quaker Rd. The Comprehensive Plan indicates the property is planned for “Commercial” land uses. – [4] **Tim Graves reviewed the Staff Report.**
- P-2. SPECIAL EXCEPTION SE-23-03:** Request to permit warehousing with indoor storage within a General Business (B-1) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-393(15). The purpose of the request is to allow the development of a mini storage (self-storage) facility with outdoor boat/RV storage. The subject property, approximately 14.8 acres in size, is identified as Tax Map 350(0A)00-044-A and is located on the West side of Prince George Drive at the intersection with West Quaker Rd. The Comprehensive Plan indicates the property is planned for “Commercial” land uses. – [5] **Tim Graves reviewed the Staff Report.**
- P-3. REZONING RZ-23-05:** Request to rezone approximately 2.5 acres from Residential Agricultural (R-A) Zoning District to General Business (B-1) Zoning District. The purpose of the rezoning is to allow the display and sale of portable buildings. The subject property is located at 8801 County Drive and is a portion of Tax Map 460(0A)00-013-B. The Comprehensive Plan indicates the property is planned for Agricultural uses. – [6] **Andre Greene reviewed the Staff Report.**
- P-4. SPECIAL EXCEPTION SE-23-06:** 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 proposed facility would treat patients on a voluntary basis for substance abuse

and/or mental health illnesses. The subject property is approximately 21 acres in size, located at 5305 Plaza Drive, and is identified as Tax Map 120(0A)00-001-A. The Comprehensive Plan indicates the property is planned for “Public/Semi-Public” land uses. – [7] **Tim Graves reviewed the Staff Report.**

- P-5. REZONING RZ-23-08:** Request to conditionally rezone approximately 74.15 acres from General Industrial (M-2) Zoning District to Heavy Industrial (M-3) Zoning District. The applicant seeks to manufacture batteries and battery related parts/components. The subject property is located at 8800 Wells Station Road and is identified as Tax Map 340(0A)00-134-B. The Comprehensive Plan indicates that the property is planned for “Industrial” land uses. – [8] **Andre Greene reviewed the Staff Report. The attorney for the Applicant answered a question.**

COMMUNICATIONS – None

ADJOURNMENT – At 6:40 p.m., Madam Chair Elder asked for a Motion to Adjourn. Mr. Bresko made the motion, seconded by Ms. Canepa. The vote was 6-0 with Mr. Brockwell absent.

Begin

TAB 3

DRAFT MINUTES
Planning Commission
County of Prince George, Virginia

July 27, 2023

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

CALL TO ORDER. The Regular Meeting of the Prince George County Planning Commission was called to order at 6:30 p.m. on Thursday, July 27, 2023 in the Board Room, County Administration Building, 6602 Courts Drive, Prince George, Virginia by Ms. Elder, Chair.

ATTENDANCE. The following members responded to Roll Call:

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

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

INVOCATION. Mr. Waymack provided the Invocation.

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

ADOPTION OF THE AGENDA. Ms. Elder asked the Commissioners for a motion to approve the Agenda for the July 27, 2023 Planning Commission meeting. Mr. Bresko made a motion to approve the Agenda and Ms. Anderson seconded the motion.

Roll Call:

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

Opposed: (0)

Absent: (2) Brockwell, Joyner

PUBLIC COMMENT PERIOD.

At 6:32 p.m., Ms. Elder opened the Public Comment Period to anyone who wished to come forward to speak to the Commissioners on topics that were not on the Agenda as Public Hearings. Citizens were asked to limit their comments to three (3) minutes.

With no one present indicating they wished to speak, the Public Comment Period was closed at 6:32 p.m.

COMMISSIONERS' COMMENTS.

Ms. Elder asked the Commissioners if they had any comments they would like to share. No comments were shared.

ORDER OF BUSINESS.

A-1. Welcome new Planning Director Robert Baldwin

Ms. Elder welcomed the new Planning Director, Robert Baldwin.

A-2. Adoption of the Work Session Minutes – June 20, 2023

Ms. Elder asked the Commissioners to review the Work Session Minutes from June 20, 2023. Ms. Canepa made a motion to approve the June 20, 2023 Work Session Minutes. The motion was seconded by Mr. Waymack.

Roll Call:

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

Abstain: (1) Anderson

Absent: (2) Brockwell, Joyner

A-3. Adoption of Business Meeting Minutes – June 22, 2023

Ms. Elder asked the Commissioners to review the Minutes of the June 22, 2023 Planning Commission meeting. Mr. Bresko made a motion to approve the June 22, 2023 meeting minutes as written. The motion for approval was seconded by Ms. Canepa.

Roll Call:

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

Opposed: (0)

Abstain: (1) Anderson

Absent: (2) Brockwell, Joyner

PUBLIC HEARINGS.

- P-1. REZONING RZ-23-02:** Request to conditionally rezone 14.8 acres from Residential Agricultural (R-A) Zoning District to General Business (B-1) Zoning District. The applicant seeks to develop the property for a mini storage facility, as well as office, retail and potentially restaurant uses. The subject property is identified as Tax Map 350(0A)00-044-A and located on the West side of Prince George Drive at the intersection with West Quaker Rd. The Comprehensive Plan indicates the property is planned for “Commercial” land uses.

Mr. Graves presented RZ-23-02 to the Commissioners. He provided a location map, an aerial view map, the Comprehensive Plan Future Land Use Map, the Zoning Map, Conceptual Plan layout and site photos for case discussion and reference.

Applicants' Goals:

- Develop the property for commercial uses including a mini storage facility and office spaces (short term) and office, retail and potentially restaurant uses (longer term)

Applicants' Request:

- Rezone from Residential Agricultural (R-A) to General Business (B-1) with proffered restriction on B-1 land uses permitted.

Review Comments:

Planning & Zoning Staff Comments:

- The acreage proposed for rezoning is approximately 14.8 acres as defined by the current tax parcel number 350(0A)00-044-A which was subdivided from a larger property on a recently recorded subdivision plat.
- The initial desired land use, a mini storage facility, may be permitted by Special Exception in the B-1 zoning district, under the enumerated land use, "Warehousing with indoor storage", pursuant to Section 90-393(15).
- The identified initial uses for the property include office, warehouse, retail and restaurant. The B-1 zoning district allows these uses and more, however, the applicant has proffered to restrict the possible uses of the property and develop the property in substantial conformance to the conceptual plan.
- The Comprehensive Plan shows future land use designation of "Commercial" (BOS approved change from "Residential" on 6-13-23)
- The most recent rezoning case similar to this request was for the "Ample Storage" facility, which was approved by the BOS in February 2021, for the intersection of South Crater Road and Birdsong Road.

Virginia Department of Transportation (VDOT):

1. If proffers are not offered limiting the proposed development of the site to a specific use or layout plan, VDOT is recommending that the applicant schedule a Chapter 527 TIA scoping meeting to define the parameters of the study with VDOT and the county.
(NOTE: The applicant proffered to restrict uses and conform to a conceptual plan. VDOT indicated this comment was resolved.)
2. No trip generation data or turn lane warrant analyses were submitted with the application. Right and/or left turn lanes will be required if warranted.
(NOTE: This will be resolved during Site Plan review. Applicant is responsible if warranted.)
3. Any entrances located on either of these roadways will be subject to the entrance spacing requirements in accordance with VDOT's Access Management Regulations. Full access entrances on Prince George Drive must be 555' from any street intersections or other commercial entrances. Full access entrances from W. Quaker Road must be 335' from any street intersections or other commercial entrances.

(NOTE: This means the applicant shall place entrances in conformance with requirements, a sufficient distance from intersections. Applicant is aware.)

Utilities Department:

1. This proposed development is located within the Prince George Planning Area. The use of public water and wastewater is required.
2. Currently there is not capacity in the water and wastewater systems for new development. Projects are in process that will provide additional capacity. Anticipated completion for wastewater projects is October 2023 and anticipated completion for water projects is April 2025. If water and wastewater service are needed before these anticipated completion dates, the applicant may request from the Board of Supervisors the ability to use private well and septic as a temporary measure with the understanding that connection to the public utilities will be made once capacity is available.

Proffered Conditions:

1. Land Uses. The use of the Property zoned B-1 shall be limited as provided for in the County Zoning Ordinance, except that the following by-right land uses shall be prohibited:
 - (3) Dry cleaners.
 - (4) Laundries.
 - (6) Drugstores.
 - (7) Barbershops and beauty shops.
 - (9) Theaters and assembly halls.
 - (11) Churches.
 - (12) Libraries.
 - (13) Funeral homes.
 - (14) Service stations with major repair facilities under cover.
 - (15) Clubs and lodges.
 - (16) Auto sales and service.
 - (19) Machinery sales and service.
 - (20) Waterfront business activities
 - (27) Shopping centers.
 - (30) Community centers.
 - (31) Financial institutions.
 - (33) Wayside stands for display and sale of farm products.
 - (35) Radio, television stations.
 - (37) Cemeteries.
 - (38) Circuses, carnivals or similar temporary activities when organized or sponsored by nonprofit organizations.
 - (39) Noncommercial fairgrounds.
 - (45) Mobile home and recreational vehicle sales, service and repair.

2. Conceptual Layout. The development of the property shall be in substantial conformance to the Conceptual Plan provided with the application, subject to approval of any required Special Exceptions.

Public Comments/Questions:

- Two (2) public comments (with concerns) were received prior to public hearing for CPA-23-02 (provided in Staff Report)
- Additional comments were heard during the public hearing for CPA-23-02
- Public concerns from CPA-23-02 summarized in the Staff Report, with staff comments

Staff opinion: Concerns raised during the process for CPA-23-02 are adequately addressed by the proffers as well as standard regulations applicable during Site Plan review.

- No comments have been received about RZ-23-02

Mr. Graves stated that staff recommends approval, subject to the proffered conditions on the following basis:

- The Comprehensive Plan supports this rezoning request
- The applicant's request appears to be compatible with current and future surrounding land uses
- The applicant has proffered conditions for this request which staff supports

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

Mr. Bresko asked if a gas station would be allowed. Mr. Graves stated that according to the proffers, a gas station would be prohibited.

With no questions or concerns from the Commissioners, Ms. Elder opened the Public Hearing at 6:45 p.m. With no one indicating, they wished to speak, the Public Hearing closed at 6:45 p.m.

Mr. Waymack made a motion to forward RZ-23-02 to the BOS with a recommendation of approval subject to the proffered conditions and based on the fact that it is compatible with the Comprehensive Plan. The motion was seconded by Ms. Canepa.

Roll Call:

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

Opposed: (0)

Absent: (2) Brockwell, Joyner

- P-2. SPECIAL EXCEPTION SE-23-03:** Request to permit warehousing with indoor storage within a General Business (B-1) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-393(15). The purpose of the request is to allow the

development of a mini storage (self-storage) facility with outdoor boat/RV storage. The subject property, approximately 14.8 acres in size, is identified as Tax Map 350(0A)00-044-A and is located on the West side of Prince George Drive at the intersection with West Quaker Rd. The Comprehensive Plan indicates the property is planned for “Commercial” land uses.

Mr. Graves presented SE-23-03 to the Commissioners. He provided a location map, an aerial view map, Future Land Use Map, the Zoning Map, Conceptual Plan layout and a site photo for case discussion and reference.

Applicants’ Request:

Special Exception for “Warehousing with indoor storage” in a B-1 zoning district.

- Applicant is working with All American Mini Storage to develop a mini storage facility, with RV/boat storage, to serve residents in the surrounding area
- 4-5 new jobs created
- Facility open from 9:00 a.m. to 5:00 p.m. Monday through Saturday
- The facility will be built on the portion of the property farthest from Prince George Drive and West Quaker Road, on approximately 11.3 acres
- Approx. 96,000 square feet of storage space
- Approx. 20 exterior RV/boat storage spaces
- No rental office – access to storage units via keyless entry codes
- The front of the property would be retained for office/commercial/retail uses that are not part of this Special Exception request

Review Comments:

Planning & Zoning Staff Comments:

Definition of Special Exception:

“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.”

Definition of “Warehousing with Indoor Storage” in PG County Zoning Ordinance:
[Doesn’t exist in Zoning Ordinance]

Staff-recommended definition for this request:

“A building or group of buildings consisting of individual, self-contained units leased to individuals, organizations, or businesses for self-service storage of personal property”.

Current Land Uses on Adjacent Properties:

- North: 126-acre parcel with a house and a field
- South: Vacant (forestry)
- East: Vacant (County property)
- West: 10-acre single family lot and 13-acre single family lot

Expected Impacts and Mitigation:

- Traffic: Traffic for commercial use of a commercially zoned property –
Mitigation: Entrance location will meet VDOT requirements and turn lanes will be installed if warranted.
- Visual: View of storage buildings and RV/boat storage
Mitigation: Proffers and conditions require buildings to be significant distance from adjacent public roads and property lines, with trees and fencing to screen the facility from outside view.

All remaining buffering, landscaping and access requirements can be addressed during Site Plan review.

Virginia Department of Transportation (VDOT):

1. No trip generation data or turn lane warrant analyses were submitted with the application. Right and/or left turn lanes will be required if warranted.
2. A commercial entrance will be required to provide access to the proposed project in accordance with VDOT standards.
3. Full access entrances on Prince George Drive must be 555' from any street intersections or other commercial entrances. Full access entrances from W. Quaker Road must be 335' from any street intersections or other commercial entrances. The full access entrance shown on the provided conceptual plan meets these spacing standards.
4. VDOT has no objection to the proposed special exception.

Utilities Department:

1. This proposed development is located within the Prince George Planning Area. The use of public water and wastewater is required.
2. Currently there is not capacity in the water and wastewater systems for new development. Projects are in process that will provide additional capacity. Anticipated completion for wastewater projects is October 2023 and anticipated completion for water projects is April 2025.

If water and wastewater service are needed before these anticipated completion dates, the applicant may request from the Board of Supervisors the ability to use private well and septic as a temporary measure with the understanding that connection to the public utilities will be made once capacity is available.

Recommended Conditions - Highlights:

- Permitted: a “self-storage facility”, outdoor storage of recreational vehicles and boats, and office-warehouse units of a size and scope consistent with the conceptual plan
- A “self-storage facility” means “A building or group of buildings consisting of individual, self-contained units leased to individuals, organizations, or businesses for self-service storage of personal property”.
- Development shall substantially conform to the conceptual plan
- Vehicles, RVs, boats, etc. must be adequately screened from view from public rights of way and any occupied dwelling and no stored item can exceed the height

of the compound fence, screening or buildings to include boat masts, and satellite dishes/ antennas

- Monument sign required; Portable signs and flashing arrows not be permitted
- Facility secured by gate with keyless entry
- A 25' buffer yard of trees and shrubs 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. Up to 25' of additional buffer width may be required by the Planning Director at the time of Site Plan review where necessary to achieve adequate separation of land uses

Public Comments/Questions:

- Two (2) public comments (with concerns) were received prior to public hearing for CPA-23-02. (provided in Staff Report)
- Additional comments were heard during the public hearing for CPA-23-02
- Public concerns from CPA-23-02 are summarized in the Staff Report, with staff comments
- No comments have been received about SE-23-03

Staff opinion: Concerns raised during the process for CPA-23-02 are adequately addressed by the RZ-23-02 proffers, recommended conditions for this special exception, and standard regulations applicable during Site Plan review.

Mr. Graves explained that the case was properly advertised in the local newspaper and signs were posted on the subject property. Staff recommended approval, subject to the recommended conditions with the basis of the following:

- The applicant's request appears to be compatible with current and future surrounding land uses
- Staff has recommended 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 reviewed and agrees with the conditions

Mr. Graves specified that the applicants were present if the Commissioners had any additional questions. Mr. Bresko asked if there would be buffering between Prince George Drive and the storage area. Mr. Graves explained there are requirements for landscaping around parking areas and the applicant's Conceptual Plan proposes a layout that will result in low visibility of the storage areas from the road, and that at the time of Site Plan review, this would be examined in greater detail.

Ms. Elder asked for confirmation that the entrance would be on Prince George Drive. Mr. Graves stated that the applicant proposes an entrance on that road, and based on VDOT's requirements, it appears it would not be permitted to have an entrance on West Quaker Drive.

The applicant, Tim Stewart, addressed the Commissioners and thanked them for their consideration on the project and asked them if they had any additional questions. Mr.

Stewart explained that they planned to keep the facility as hidden as possible with trees surrounding it, and they would need an area for signage.

With no questions or concerns from the Commissioners, Ms. Elder opened the Public Hearing at 6:57 p.m. With no one indicating, they wished to speak, Mrs. Elder closed the Public Hearing closed at 6:58 p.m.

Ms. Canepa made a motion to forward SE-23-03 to the BOS with a recommendation of approval subject to the recommended conditions in the Staff Report and based on the fact that the expected off-site impacts appear to be adequately addressed by the conditions. The motion was seconded by Mr. Waymack.

Roll Call:

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

Opposed: (0)

Absent: (2) Joyner, Brockwell

P-3. REZONING RZ-23-05: Request to rezone approximately 2.5 acres from Residential Agricultural (R-A) Zoning District to General Business (B-1) Zoning District. The purpose of the rezoning is to allow the display and sale of portable buildings. The subject property is located at 8801 County Drive and is a portion of Tax Map 460(0A)00-013-B. The Comprehensive Plan indicates the property is planned for Agricultural uses.

Mr. Greene presented RZ-23-05 to the Commissioners. He provided a location map, an aerial view map, Future Land Use Map, the Zoning Map, Conceptual plan and site photos for reference.

Background:

- The property consists of approximately 4 acres located at 8801 County Drive (U.S. Route 460)
- In 1987, approximately 1.4 acres of the property was rezoned to B-1 in zoning case ZM-87-9, with only one proffered condition relating to screening, which does not appear to affect this request. Subsequent special exceptions for a woodworking shop and auto repair shop were obtained in 1995 and 2000
- In 2005, 2.6 additional acres were added to the 1.4 acres, the 2.6 acres are zoned R-A - the 1.4 acres are zoned B-1
- There are three (3) Quonset huts located on the property that are being used commercially (auto sales, auto repair, and antiques shop)
- Martha Johnson is the owner/operator of Providential Structures, LLC. Ms. Johnson wishes to locate an office building (10' X 12') on the subject property and to sell Graceland sheds/storage buildings on the property. The applicant has a display lot located in the City of Petersburg, which she would like to relocate to the property in Prince George County

Review Comments:

Planning & Zoning Staff Comments:

1. The desired land use(s) appears to be similar to, or no more intensive than, the following land uses enumerated as by-right uses in the B-1 zoning district under Section 90-392, therefore the desired activities would be permitted by-right if the rezoning is approved.
 - Retail stores and shops.
 - (10) Office buildings.
 - (17) Lumber and building supply with storage facilities under cover.
 - (34) Retail catalog sales offices.
 - (43) Farm supplies.
 - (45) Mobile home and recreational vehicle sales, service and repair.
2. Other zoning approvals required after the RZ is approved:
 - Building/Zoning Permit for any new buildings used for the business
 - Professional Business Zoning Approval for the new/expanded business
 - Based on the information provided, a Site Plan will not be required for the new business, however if there is a proposed building addition or land disturbance that will exceed 2,500 SF, then a Site Plan will be required at that time
3. Consistency with surrounding zoning districts and surrounding uses: Yes.
Consistency with the Comprehensive Plan: No, but staff feels the rezoning is compatible with the existing land uses on the property and is generally consistent with the Comp Plan based on existing B-1 zoning on this property and presence of surrounding commercial and industrial uses on nearby properties.
4. Expected impacts and mitigation for this request: Minimal Traffic and Noise

Virginia Department of Transportation (VDOT):

1. Only one entrance will be allowed to service the existing buildings and proposed commercial uses. A commercial entrance in accordance with VDOT standards will be required to provide access. The existing entrance requires maintenance as the driving surface contains potholes. VDOT does not maintain commercial entrances. The site is currently served by a commercial entrance.
2. Modifications may be needed to the existing fence line and gate to ensure that vehicles accessing the facility before the gates are unlocked have sufficient distance between the gate and road so that the vehicle does not encroach into the roadway.
3. VDOT does not object to the proposed rezoning.

Mr. Greene explained the case was properly advertised in the local newspaper and signs were posted on the subject property. Staff recommended approval based on the following considerations:

- A portion of the subject property is already zoned B-1, General Business and used for commercial purposes
- The applicant's request appears to be compatible with current and future surrounding land uses
- No negative feedback received from adjacent property owners and community

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

Mr. Bresko made a motion to forward RZ-23-05 to the BOS with a recommendation of approval based on the fact that it is compatible with the current surrounding uses and zoning districts. The motion was seconded by Ms. Canepa.

Roll Call:

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

Opposed: (0)

Absent: (2) Brockwell, Joyner

- P-4. **SPECIAL EXCEPTION SE-23-06:** 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 proposed facility would treat patients on a voluntary basis for substance abuse and/or mental health illnesses. The subject property is approximately 21 acres in size, located at 5305 Plaza Drive, and is identified as Tax Map 120(OA)00-001-A. The Comprehensive Plan indicates the property is planned for “Public/Semi-Public” land uses.

Mr. Graves presented SE-23-06 to the Commissioners. He provided a location map, an aerial view map, the Zoning Map and a site photo for case discussion and reference.

Background:

- The property was rezoned to B-1 in 1988 with no proffered conditions
- A prior special exception was obtained in 2012 for a special care hospital for a dementia treatment facility, known as Sunflower Gardens

Applicants’ Goals:

- Use existing 1-story building on 21-acre parcel to treat patients who choose to be there for substance abuse and other mental health illnesses
- Veterans are a key segment of the clientele
- Alcohol is the most commonly misused substance
- The facility will be secured and monitored 24/7 and individuals would not be able to exit the building independently. Any individuals wishing to leave would be transported in a company vehicle
- \$1 million in refurbishments and upgrades planned
- Estimated creation 50+ jobs, including medical, clinical and administrative positions

Applicants’ Request:

- Special Exception to allow a “special care hospital”, pursuant to Section 90-393(8)

Adjacent Uses:

- North and West– Fort Gregg-Adams (training facilities separated by 300+’ of trees)

- South – 700+’ of trees and VDOT right of way including Temple Ave (SR 144) and Oaklawn Boulevard (SR 36)
- East – Brighter Living (assisted living facility) and Oaklawn Plaza (commercial shopping center) in City of Hopewell

Expected Impacts on Adjacent Properties and Roadways:

- No additional impacts in comparison with current land use

Mitigation of Expected Impacts:

- N/A

Compatibility with the Comprehensive Plan:

- Yes (Plan calls for Public/Semi-Public uses)

Recommended Conditions - Highlights:

1. This Special Exception is granted for a “special care hospital” that treats patients on a voluntary basis for substance abuse and/or mental health illnesses.
2. Limited to the existing building, associated outdoor areas including parking, and accessory buildings. Significant expansion shall require review of this special exception.
3. All required federal, state and local licenses/permits shall be obtained for the approved use.

Mr. Graves explained the case was properly advertised in the local newspaper and signs were posted on the subject property. Staff recommended approval based on the following considerations:

- Appears to be compatible with current and future surrounding land uses
- No negative feedback received from adjacent property owners /community
- Recommended conditions are provided and supported by Applicant

With no questions or concerns from the Commissioners, Ms. Elder opened the Public Hearing at 7:18 p.m. With no one indicating they wished to speak, the Public Hearing was closed at 7:18 p.m.

Ms. Canepa made a motion to forward SE-23-06 to the BOS with a recommendation of approval with the recommended conditions in the Staff Report. The reason for this recommendation is that it is expected to benefit the general welfare of the community. The motion was seconded by Mr. Waymack.

Roll Call:

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

Opposed: (0)

Absent: (2) Brockwell, Joyner

- P-5. **REZONING RZ-23-08:** Request to conditionally rezone approximately 74.15 acres from General Industrial (M-2) Zoning District to Heavy Industrial (M-3) Zoning District. The applicant seeks to manufacture batteries and battery related parts/components. The subject

property is located at 8800 Wells Station Road and is identified as Tax Map 340(0A)00-134-B. The Comprehensive Plan indicates that the property is planned for “Industrial” land uses.

Mr. Greene presented RZ-23-08 to the Commissioners. He stated that the applicant updated the proffer conditions after the Monday night Work Session. Mr. Greene explained that the Planning Commission Bylaws Article VII, Section 2 would need to be waived.

A motion by Ms. Anderson to suspend the application of Article VII, Section 2 of the Planning Commission Bylaws for Case RZ-23-08, to waive the time limit for submitting proffers, so that the Commission may consider the proffers submitted for this case. The motion was seconded by Mr. Bresko.

Roll Call:

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

Opposed: (0)

Absent: (2) Brockwell, Joyner

He provided a location map, an aerial view map, the Zoning Map, Future Land Use Map and a site photo for case discussion and reference.

Background:

- The site has been used industrially in the past as the former Rolls Royce (gas turbine engine) complex
- The site contains approximately 291,689 square feet of building space and is now vacant
- SL Wells Station Road, LLC purchased 880.4 acres from Rolls Royce and conditionally rezoned the property from I-2 to M-2 (General Industrial) in 2022 to market the site for industrial development
- 74.15 acres were divided from the 880.4 acres and is the subject of the rezoning request

Request:

- The applicant is requesting that the 74.15 acres be conditionally rezoned from M-2 (General Industrial) to M-3 (Heavy Industrial) to allow battery manufacturing, battery parts manufacturing and potentially R & D (research and development) associated with batteries. The potential tenants intend to setup various components of battery manufacturing, including, an advanced prelithiation and lithium anode manufacturing facility to accelerate the transition to next-generation lithium-ion (Li-ion) batteries
- The applicant has voluntarily proffered several conditions with the rezoning request

Proffered Conditions: Proffered Conditions dated and received July 27, 2023

- The use of the Property shall be subject to, unless otherwise excluded or limited by these proffers, the uses and development standards permitted in the M-3 (Heavy

Industrial) Zoning District, as stipulated in the County of Prince George Zoning Ordinance

- The following development limitation is applicable to the Property:
Use of the subject Property containing 74.15 acres for M-3 uses shall be limited to the 291,689 square feet of building space that currently exists on the Property. In addition, development of the entirety of the 880.4 acre property subject to RZ-22-01 (which includes the subject Property), shall be limited to 491,689 square feet of Manufacturing Use (Land Use Code 140) and 1,700,000 square feet of Warehouse Use (Land Use Code 150) of building space total on the 880.4 acre property (including the Property), resulting in an Average Daily Trip (ADT) count of 4,982 vehicles per the Institute of Traffic Engineers (ITE) Trip Generation Manual, 11th Edition, or the Equivalent Traffic Density (but in no case allowed to exceed 5,000 ADT on the entirety of the 880.4 acre property) based on the Land Use Code determination at the time of Site Plan approval
- Only the following uses from the M-3 District shall be permitting on the Property:
 - Battery and battery parts manufacturing
 - R & D (Research and development) of batteries and battery part
- All M-2 permitted uses, except the following uses will not be permitted on the Property
- Correctional Facility: A public or privately operated use providing housing and care for individuals legally confined and designed to isolate individuals from a surrounding community
- Industry, Heavy: An establishment that has the potential to be dangerous or extremely obnoxious. Included are those in which explosives are stored, petroleum is refined, natural and liquid gas and other petroleum derivatives are stored and/or distributed in bulk, radioactive materials are compounded, pesticides and certain acids are manufactured, and hazardous waste is treated or stored as the establishment's principal activity
- Landfill, Construction Debris: The use of land for the legal disposal of construction and demolition wastes consisting of lumber, wire, sheet rock, broken brick, shingles, glass, pipes, concrete, and metals and plastic associated with construction and wastes from land clearing operations consisting of stumps, wood, brush, and leaves
- Landfill, Rubble: The use of land for the legal disposal of only inert waste. Inert waste is physically, chemically, and biologically stable from further degradation and considered to be non-reactive, and includes rubble, concrete, broken bricks, and block
- Landfill, Sanitary: The use of land for the legal disposal of municipal solid waste derived from households, business, and institutional establishments, including garbage, trash, and rubbish, and from industrial establishments, other than hazardous wastes as described by the Virginia Hazardous Waste Regulations
- Meat Packing and Related Industries: The processing of meat products and by-products directly from live animals or offal from dead animals
- Sawmill: The use of land for the storage of harvested timber and/or the sawing of timber into lumber products
- Scrap and Salvage Service: A place of business primarily engaged in the storage, sale, dismantling or other processing of uses or waste materials which are not

intended for reuse in their original forms. Typical uses include paper and metal salvage yards, automotive wrecking yards, junk yards, used tire storage yards, or retail and/or wholesale sales of used automobile parts and supplies.

- The following development standards shall be applicable to the Property:
 - A vegetative buffer of not less than seventy-five (75) feet shall be installed between the manufacturing operations facilities and all residential areas. The Director of Planning, as part of any site plan application, must approve a landscape plan

Review Comments:

Planning & Zoning Staff Comments:

1. The proposed rezoning affects land and structures utilized in the past for industrial purposes (Rolls-Royce gas turbine engine facility). The remaining land owned by the property owner (approx. 806 acres) which is not affected by this rezoning remains undeveloped at this time.
2. The proposed rezoning is consistent with the Comprehensive Plan because the Future Land Use Map calls for Industrial Uses in this area (See Exhibit 3).
3. The proposed use (battery manufacture) will be contained in existing buildings.
4. The proposed use should not produce any negative impacts such as foul odor or noise.

Virginia Department of Transportation (VDOT)

1. VDOT concurs that the proposed rezoning case does not require the submission of a Chapter 527 TIA.
2. VDOT has no objection to the proposed rezoning.

Utilities Department

1. The property is located within the Prince George Planning Area. Connection to the public water and wastewater systems will be required.
2. The available capacity for the property is 48,508 gallons per day for the building where connection fees have been paid. There is currently limited additional capacity. The County currently has projects in progress that will provide an additional 1 to 1.5 million gallons per day of both water and wastewater capacity. The water project is anticipated to be completed in the Spring of 2025. The wastewater project is anticipated to be completed in approximately 4 years.

Mr. Greene explained the case was properly advertised in the local newspaper and signs were posted on the subject property. Staff recommended approval based on the following considerations:

- The applicant's request is compatible with existing and surrounding land uses
- A rezoning from M-2, General Industrial to M-3, Heavy Industrial is consistent with the Prince George County adopted Comprehensive Plan
- There are no major concerns from other County departments
- No negative feedback was received from adjacent property owners and the community prior to publishing this staff report
- The applicant has proffered several conditions which staff finds acceptable

With no questions or concerns from the Commissioners, Ms. Elder opened the Public Hearing at 7:31 p.m. With no one indicating they wished to speak, the Public Hearing was closed at 7:31 p.m.

Mr. Bresko made a motion to forward RZ-23-08 to the BOS with a recommendation of approval. The reason for this recommendation is that it is compatible with the Comprehensive Plan and the surrounding uses and Zoning Districts. The motion was seconded by Ms. Canepa.

Roll Call:

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

Opposed: (0)

Absent: (2) Brockwell, Joyner

COMMUNICATIONS.

- C-1.** Actions of the Board of Zoning Appeals (BZA)
 - July 24th meeting was cancelled – no requests
 - August 28th meeting will be cancelled – no requests
- C-2.** Actions of the Board of Supervisors (BOS)
 - July 11th Meeting
 - BOS approved RZ-23-06 & SE-23-05
- C-2.** Upcoming Planning Commission Cases for August
 - One (1) case is scheduled for the August 24th meeting

Mr. Graves announced the August 31st retirement of Andre Greene, Planner II.

Ms. Anderson inquired if the Planning Commission could ask to change the Comprehensive Plan for the area of Route 156 and Route 460, due to the large amount of requests for special exceptions. Mr. Graves explained that staff is working on the scope of the Comprehensive Plan, which is scheduled to begin soon, and that the number of Special Exceptions would be a separate issue from the Comprehensive Plan. Ms. Elder asked about land clearing activities on or near Route 10.

ADJOURNMENT.

At 7:38 p.m., Ms. Elder 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. Bresko seconded the motion. Roll was called on the motion.

Roll Call:

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

Opposed: (0)

Absent: (2) Brockwell, Joyner

Begin

TAB 4

ORDINANCE AMENDMENT # OA-23-01
PLANNING COMMISSION STAFF REPORT – September 28, 2023

RESUME

A property owner in the County has requested that the County amend its Zoning Ordinance to allow tattoo and body piercing shops in the General Business (B-1) Zoning District.

If the Zoning Ordinance is amended as requested, the use would be allowed by-right in the B-1 district and Applicant Stephanie Winner would be able to open a tattoo and body piercing shop in the County.

Staff requests that the Planning Commission review the staff report, hold a public hearing, and make a recommendation to the Board.

CONTENTS OF REPORT:

1. Sample Motions
2. Draft Ordinance for Board of Supervisors
3. Staff Report
4. Copy of the Application with Attachments
5. Newspaper advertisement of public hearing
6. Power Point Presentation

Sample Motions

APPROVE:

"I move to forward request OA-23-01 to the Board with a recommendation for APPROVAL of the draft ordinance, and the reason(s) for this recommendation is/are:"

(EXAMPLES):

- "This would result in the zoning ordinance clearly addressing how and where this particular land use is permitted in County."
- Other (SPECIFY): _____

APPROVE WITH CHANGES:

I move to forward request OA-23-01 to the Board with a recommendation for APPROVAL of the draft ordinance, subject to the following changes:

DENY:

I move to forward request OA-23-01 to the Board with a recommendation for DENIAL for the following reason(s): (SPECIFY)

POSTPONE:

I move to POSTPONE request OA-23-01 until _____ to allow time for _____
(MEETING DATE)

(ACTION/EVENT)

County of Prince George, Virginia

**ORDINANCE TO PERMIT TATTOO PARLORS AND BODY PIERCING SALONS IN THE
GENERAL BUSINESS (B-1) ZONING DISTRICT**

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia this ____ day of _____, 2023:

Present:

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

Vote:

ORDINANCE AMENDMENT OA-23-01: Ordinance to 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.

The following Ordinance was adopted in order to further public necessity, convenience, general welfare and good zoning practice:

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

(1) That §90-392 of The Code Of The County Of Prince George, Virginia, 2005, as amended, is amended and re-codified to read as follows:

Sec. 90-392. - Uses and structures permitted by right.

In the B-1 general business district, structures may be erected or land may be used for one or more of the following uses:

(51) Tattoo parlors and body piercing salons, as defined in the Code of Virginia §15.2-912.

Adopted on _____, 2023 and becoming effective immediately.



PLANNING COMMISSION STAFF REPORT

Public Hearing September 2, 2023

OA-23-01 – Tattoo & Body Piercing Ordinance Amendment

Applicant: Stephanie Winner

Property Owner: Ardena LR, LLC

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

I. Request Summary

A property owner in the County has requested that the County amend its Zoning Ordinance to allow tattoo and body piercing shops in the General Business (B-1) Zoning District.

The County Zoning Ordinance allows a property owner to request that a new use be added to the list of permitted uses in a Zoning District in the County. Such requests are to be referred to the Planning Commission to make a recommendation to the Board of Supervisors, which ultimately decides to approve or deny the request.

If the Zoning Ordinance is amended as requested, the use would be allowed by-right in the B-1 district and Applicant Stephanie Winner would be able to open a tattoo and body piercing shop in the County.

Staff requests that the Planning Commission review the staff report, hold a public hearing, and make a recommendation to the Board.

II. Meeting Information

Planning Commission Public Hearing: September 28, 2023

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

III. Background Information

Applicant Stephanie Winner was in discussions to rent a space in the Crossings Shopping Center when she contacted the Planning & Zoning Office to ask if tattoo and body piercing shops are allowed in the County. Staff informed Ms. Winner that the use is not listed as permitted use, but the property owner has the right to request that the use be added to the Zoning Ordinance. Ms. Winner then worked with the property owner to submit an official request.

IV. Code of Virginia Requirements

§ 15.2-912. Regulation of tattoo parlors and body-piercing salons; definition; exception.

A. Any locality may by ordinance regulate the sanitary condition of the personnel, equipment and premises of tattoo parlors and body-piercing salons and specify procedures for enforcement of compliance with the disease control and disclosure requirements of § [18.2-371.3](#).

B. For the purposes of this section:

"Body-piercing salon" means any place in which a fee is charged for the act of penetrating the skin to make a hole, mark, or scar, generally permanent in nature. "Body piercing" does not include the use

of a mechanized, presterilized ear-piercing system that penetrates the outer perimeter or lobe of the ear or both.

"Tattoo parlor" means any place in which is offered or practiced the placing of designs, letters, scrolls, figures, symbols or any other marks upon or under the skin of any person with ink or any other substance, resulting in the permanent coloration of the skin, including permanent make-up or permanent jewelry, by the aid of needles or any other instrument designed to touch or puncture the skin.

C. This section shall not apply to medical doctors, veterinarians, registered nurses or any other medical services personnel licensed pursuant to Title 54.1 in performance of their professional duties.

D. Localities requiring regulation of tattoo parlors and piercing salons by ordinance shall include in such ordinance authorization for unannounced inspections by appropriate personnel of the locality.

V. Planning & Zoning Comments

1. Code of Virginia § 15.2-912 (copied in the section above) defines the terms "Body-piercing salon" and "Tattoo parlor" and allows localities the option to regulate the sanitary conditions of such establishments.
2. Planning staff recommends not deviating from the state code definitions provided for these establishments so as to avoid conflicts or confusion with state regulatory responsibility.
3. These establishments are regulated by the State Code, enforced by the Virginia Department of Professional and Occupational Regulation (DPOR) under licenses that require extensive training and compliance reviews.
4. Planning staff recommend that no additional ordinance language be included regarding regulation of sanitation and procedures of these establishments, since this type of regulation is already covered by DPOR.
5. All establishments would be required to obtain a business license, which requires a check for zoning approval, and the Commissioner of Revenue office would be responsible for checking for the applicable DPOR license indicating that the establishment will be compliant with the Code of Virginia.
6. Given the above facts, Planning staff recommend that the requested use is appropriate as by-right land use in the B-1 zoning district as requested.
7. A draft ordinance amendment has been prepared by staff for consideration. The proposed code language would add "Tattoo parlors and body piercing salons, as defined in the Code of Virginia §15.2-912" as a use permitted by-right in the B-1 zoning district. This is consistent with the applicant's request.

VI. Other Department Comments

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

1. I have not discovered any additional requirements to operate a tattoo/piercing business other than the normal change of use/updated tenant process that will be generated if the applicant proceeds.

Virginia Department of Health - *Alice Weathers, Environmental Health Specialist*

1. To the best of my knowledge, special requirements applicable to this type of business would need to be obtained from DPOR (Department of Professional and Occupational Regulation).

The departments below reviewed this request and had no comments.

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

No comments were requested from the below departments.

Fire & EMS Department – *Frank Vaerewyck*

Real Estate Assessor – *Randall Horne, Senior Real Estate Appraiser*
Utilities Department – *Rachael Lumpkin, Utility Project Engineer*
Virginia Department of Transportation (VDOT) - *Paul Hinson, Area Land Use Engineer*
Environmental Division - *Angela Blount, Environmental Program Coordinator*

VII. Public Notice and Community Feedback

- 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.

VIII. Staff Recommendation

Staff recommends Approval of the Ordinance as drafted by Planning Staff.

This recommendation is based on the following considerations:

1. Tattoo and body piercing shops is a known and understood activity, which by state law, must be allowed somewhere in the County. The B-1 zoning district is the only business zoning district and therefore is the most appropriate zoning district.
2. The use is reasonably regulated by state code and therefore is appropriate as a by-right land use.
3. No negative feedback was received from the community prior to publishing this staff report.

IX. Draft Ordinance Changes


Sec. 90-392. - Uses and structures permitted by right.

In the B-1 general business district, structures may be erected or land may be used for one or more of the following uses:

(51) Tattoo parlors and body piercing salons, as defined in the Code of Virginia §15.2-912.

Inv. 4732

Exen 601 OA-23-0003

	ZONING ORDINANCE AMENDMENT APPLICATION		OFFICE USE ONLY APPLICATION #: OA-23-01
	Department of Community Development and Code Compliance Planning & Zoning Division 6602 Courts Drive, Prince George, VA 23875 (804) 722-8678 www.princegeorgecountyva.gov		DATE SUBMITTED: JUL 18 2023 BY: TWG
APPLICANT FILL-IN ALL BLANKS BELOW			
REQUEST DETAILS	IS THIS REQUEST RELATED TO A CURRENT ZONING APPLICATION? (If so, specify Application #):		
	TYPE OF ZONING ORDINANCE AMENDMENT REQUESTED: (Check One) <input checked="" type="checkbox"/> New Use in Districts (per Sec. 90-4) <input type="checkbox"/> Other (Attach details)		
	REQUEST: (attach additional document(s) if more space is needed) In the B-1 general business district, structures may be erected or land used for Tattoo and Piercing Parlors.		
	WHY SHOULD THE REQUEST BE CONSIDERED? (attach additional document(s) if more space is needed) Tattoos have become increasingly popular in recent years, and the tattoo industry is booming. I would like to open the first tattoo and piercing parlor in Prince George County to provide safe, quality body art to Prince George, Fort Gregg-Adams, and the surrounding area.		
	CODE SECTION(S) REQUESTED TO BE CHANGED: (or indicate "N/A" if unknown) 90-392		

REQUEST PROPERTY INFORMATION (If the request is for a new permitted use)	
TAX MAP PIN(S): 120(03)00-00C-0	
LEGAL OWNER NAME(S): Ardena LR, LLC	
OWNER MAILING ADDRESS (Incl. City, State, Zip) 508 Main Street, Wilmington, DE 19804	
E-MAIL: robin.chamberlin@colliers.com	PHONE: (804)267-7205

APPLICANT CONTACT INFORMATION (If different from legal property owner)	
APPLICANT NAME(S): Stephanie Winner	
RELATION TO OWNER: Tenant	
MAILING ADDRESS: (Incl. City, State, Zip) 310 Woodbine Street, B4-101, Hopewell, VA 23860	
E-MAIL: stephaniewinner0525@gmail.com	PHONE: (804)629-0963

OWNER AFFIDAVIT (If the request is for a new permitted use on a property in the County)

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:

Robin Chamberlin, Colliers as
Agent for Ardara LLC

NAME: _____

SIGNED:

Robin Chamberlin

SIGNED: _____

DATE:

7/13/23

DATE: _____

NOTARIZATION:

STATE OF VIRGINIA

COUNTY OF: Henrico

Subscribed and sworn before me this 13th day of July, 20 23.

Elaine Denise Weaver

Notary Public

My Commission expires: 12, 31, 20 25

ELAINE DENISE WEAVER
NOTARY PUBLIC
REGISTRATION # 7952763
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
12/31/2025

OFFICE USE ONLY

PRE-APPLICATION MEETING REQUIRED? (CIRCLE ONE)

Y / N / TBD / Held: _____

COMMUNITY MEETING REQUIRED? (CIRCLE ONE)

Y / N / TBD / Held: _____

COMMENTS:

PAYMENT	FEE DUE:	FEE PAID:	PAYMENT TYPE:
	ZONING ORDINANCE CHANGE: \$700		CHECK / CASH / CREDIT / DEBIT
	CHECK # / TRANSACTION #:	DATE RECEIVED:	RECEIVED BY:

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

The Prince George County Planning Commission will hold a public hearing on Thursday, September 28, 2023 beginning at 6:30 p.m. concerning the following request:

ORDINANCE AMENDMENT OA-23-01: Ordinance to 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.

The public hearing will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875. Copies of the proposed Ordinance and other materials related to the above named request may be reviewed or obtained in the Planning & Zoning Office, located within the Community Development and Code Compliance 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 & Zoning office in advance so that appropriate arrangements can be made.

BY ORDER OF THE PRINCE GEORGE COUNTY PLANNING COMMISSION

Publish: 9/14/23 and 9/21/23

ORDINANCE AMENDMENT

OA-23-01:

Ordinance to 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.

OA-23-01 | Tattoo and Body Piercing Ordinance Amendment

Request Summary

Applicant's Goal:

- Open a tattoo and body piercing shop in The Crossings Shopping Center

Applicant's Request:

- Amend the County's Zoning Ordinance to allow this land use in the General Business (B-1) Zoning District.

Action for Planning Commission

- Staff has drafted an ordinance amendment to add "Tattoo parlors and body piercing salons, as defined in the Code of Virginia §15.2-912" as a use-permitted by-right in the B-1 zoning district, and is recommending approval.

Staff Comments

Planning & Zoning

- These establishments are regulated by the State Code, enforced by the Virginia Department of Professional and Occupational Regulation (DPOR) under licenses that require extensive training and compliance reviews.
- Code of Virginia § 15.2-912 defines the terms “Body-piercing salon” and “Tattoo parlor” and allows localities the option to regulate the sanitary conditions of such establishments.
- Planning staff recommends staying consistent with the State Code definitions and not regulating above and beyond DPOR requirements.
- This land use is appropriate as by-right land use in B-1 zoning district.

Other Staff Comments:

- No additional building code requirements other than standard change of use / tenant upfit process shared by all businesses.
- No additional health code requirements other than those regulated by DPOR.

Draft Ordinance Changes

Sec. 90-392. - Uses and structures permitted by right.

In the B-1 general business district, structures may be erected or land may be used for one or more of the following uses:

(51) Tattoo parlors and body piercing salons, as defined in the Code of Virginia §15.2-912.

Staff Recommendation

Approval of the draft ordinance

Basis:

- Tattoo and body piercing shops are known and understood activities, which by state law, must be allowed somewhere in the County. The B-1 zoning district is the only business zoning district and therefore is the most appropriate zoning district.
- The use is reasonably regulated by state code and therefore is appropriate as a by-right land use.
- No negative feedback was received from the community prior to publishing this staff report.

Questions?

See Staff Report for Sample Motions

Begin

TAB 5

August 8 Meeting Recap

Board of Supervisors Authorizes a Public Hearing on September 12 to Re-Appropriate \$2,180,863.23 in School State Construction Funds

Prince George County Public Schools received \$2,785,153 in State Construction Funds during FY2023. State guidelines required that the funding be used for nonrecurring construction and equipment items, and the school division obligated the funds accordingly. As of June 30, 2023, \$2,180,863.23 of the State Construction Funds received in FY2023 remained unexpended. This amount will be recorded as deferred revenue in FY2023, and be “rolled to” FY2024 as revenue, and expended in FY2024 within the Capital Outlay School Budget category. This requires a FY2024 budget amendment / reappropriation. Unexpended obligations (purchase orders) were for HVAC replacements at Prince George High School and the relocation of modular units from William A. Walton Elementary School to other school locations. Work started in FY2023, and continues in FY2024. Because the dollar amount of the amendment exceeds 1% of the County’s adopted FY2024 budget, the County must hold a public hearing to make this budget amendment (Code of Virginia section 15.2-2507). The total FY2024 Adopted budget is \$154,639,306, and 1% is \$1,546,393.

Other matters that came before the Board at its meeting:

- Held a discussion and unanimously approved an appropriation to purchase security cameras in the amount of \$25,612.00 for State Department of Social Services Public Assistance Funds.
- Held a discussion on Deputy County Administrator and Community Development positions and postponed further discussion to September 26 under work session.
- Received a report on FY2024 vehicle replacements and agreed by consensus for Staff to move forward with the purchase of seven recommended new replacement vehicles and move to a pooled arrangement for 13 vehicles.
- Discussed a water and wastewater agreement to address capacity issues and postponed to September 26 under reports for further discussion.
- Approved on consent an appropriation in the amount of \$10,625 for an increased contribution from Dinwiddie County for assistance provided by Carson Fire Station.
- Approved on consent an appropriation in the amount of \$15,980 for Sports Tourism Fees Fiscal Year 2023, Quarter 4.
- Received a roads maintenance report from the Virginia Department of Transportation.
- Unanimously authorized the Department of Social Services to apply for a Cameron Foundation Project/Program Grant in the amount of \$1,500 and a John Randolph Foundation Community Contribution Grant in the amount of \$1,500.
- Unanimously approved a re-appropriation in the amount of \$293,049.59 for outstanding June 30, 2023 encumbrances/purchase orders.

- Unanimously approved a resolution accepting the Hampton Inn Water Agreement.
- Unanimously authorized the Police Department to complete and submit a grant application to the Virginia Department of Emergency Management for PSAP Grant Program for staffing recognition funding in the amount of \$50,000.

September 12 Meeting Recap

Board of Supervisors Moving Forward with the Middle Road/Jefferson Park Road Roundabout

On December 22, 2022, Prince George County was awarded a FY2023 Federal directed spending item of \$3,540,806 for a roundabout at Jefferson Park Road / Middle Road submitted by the late Congressman Donald McEachin. On September 12, 2023, the revised VDOT estimate for the project had increased due to inflationary pricing and requires a local contribution to complete the project before the 2026 federal project obligation deadline. The estimated gap by VDOT is \$3.1 million. The County has applied for VDOT RSTP funding (\$1M) - vote on October 12 at Crater MPO meeting. The County has also applied for VDOT Revenue Sharing funds (Sept 26 resolution) to be determined in the Spring 2024 (no amount known at this time).

Following a discussion with the Virginia Department of Transportation, the Board voted unanimously to accept federal funding for the project, provide its share of the total cost for preliminary engineering, right-of-way and construction of the project, and authorize the County Administrator to enter into any and all agreements and documents necessary for the completion of the project.

- Approved on consent to authorize the Police Department to complete and submit a grant application to the Department of Justice for JAG Grant funding in the amount of \$15,063.
- Approved on consent an appropriation in the amount of \$50,000 of Federal Local Assistance and Tribal Consistency Funds.
- Received a roads maintenance report from the Virginia Department of Transportation.
- Unanimously adopted Land Use Rates – three-year average option.
- Unanimously approved an award of contract and authorization to purchase wireless headsets and related equipment for Fire & EMS in an amount not to exceed \$89,783.90.
- Unanimously approved an appropriation in the amount of \$699,439.97 of unexpended FY2022-23 Budgets for grants and donations.
- Unanimously approved an award of contract for Phase 1 – preparation of Department/Agency Strategic Plans in the amount of \$99,950 starting with Fire/EMS, Parks & Recreation, and Human Resources.
- Unanimously approved an authority to advertise a public hearing on October 10, 2023 for an Ordinance to amend the Prince George County Code to add a section for “Employee Bonuses” to allow for employee bonuses when included in the annual budget or State budget.
- Unanimously appointed Mr. David W. Clements to the Crater Planning District Commission for an interim term.
- Unanimously appointed Mr. Steve McDonough to the Crater Planning District Commission Executive Committee.

- Unanimously appointed Mr. James H. Clements to Virginia's Gateway Region Board for an interim term.
- Unanimously appointed the Chief of Police to the John Tyler Alcohol Safety Action Program for a three-year term.
- Unanimously appointed Ms. Clarice M. Wesley to the Social Services Advisory Board.
- Held a public hearing and unanimously voted to transfer to and expenditures from Countywide-Capital Improvement Project (CIP) fund in the amount of \$2,180,863.23 for Prince George High School HVAC project.
- Held a public hearing and unanimously approved a rezoning request of It's His Land, LLC to rezone 14.8 acres from Residential Agricultural (R-A) Zoning District to General Business (B-1) Zoning District at West Quaker Road and Route 156.
- Held a public hearing and unanimously approved a Special Exception Request of It's His Land LLC to develop a mini-storage facility including RV/boat storage and small office-warehouse units at West Quaker Road and Route 156.
- Held a public hearing and unanimously approved a rezoning request of George C. and Susan R. Bishop to rezone approximately 2.5 acres from Residential Agricultural (R-A) Zoning District to General Business (B-1) Zoning District at 8801 County Drive.
- Held a public hearing and approved by a 3-2 vote (with Mr. Webb and Mr. Carmichael in opposition) a Special Exception to permit a special care hospital within a General Business (B-1) Zoning District for ArroWood Addition Treatment Center LLC adjacent to Brighter Living Assisted Living.