

AGENDA
Board of Supervisors
County of Prince George, Virginia
Regular Meeting: October 25, 2016
County Administration Bldg. Boardroom, Third Floor
6602 Courts Drive, Prince George, Virginia

Regular Meeting

Closed Session
6:00 p.m.

Business Meeting
7:00 p.m.

***Public Hearings Will Be Heard at 7:30 p.m.**

CALL TO ORDER

Roll Call

CLOSED SESSION

- E-1. Resolution; Closed Session Motion with Topics and Code Section References to be Provided at Board Meeting.
- E-2. Resolution; "Certification of Closed Session" Certifying that Only those Items Contained in the Closed Session Motion were Discussed.

INVOCATION

PLEDGE OF ALLEGIANCE TO U.S. FLAG

PUBLIC COMMENTS

At this time, members of the audience may address the Board on any item on tonight's agenda which is not scheduled for a Public Hearing or any non-agenda item related to County operations. The Board does not generally respond to questions or statements made during public comment. Speakers will not be allowed to engage in personal attacks, use of profanity, campaign for office, or promote a business.

ADOPTION OF AGENDA

ORDER OF CONSENSUS

Items listed under this category are considered routine and are acted upon by the Board with a single vote. The Consent Agenda provides a method for the expeditious handling of items that do not require discussion. If a Board Member desires they may extract an item and it is added to the regular agenda.

- C-1. Draft Minutes – October 4, 2016 Board Retreat and October 11, 2016 Regular Meeting.
- C-2. Resolution; Proclamation; Small Business Saturday.
- C-3. Resolution; Commendation; Joanne Levy; Service to Prince George County.
- C-4. Resolution; Appropriation; (\$10,000 Resident Grass Cutting Expenditures & Revenues).
- C-5. Resolution; Appropriation, (\$9,056 State Litter Control Grant).

PRESENTATIONS

- S-1. Resolution; Commendation; Joanne Levy; Service to Prince George County.

SUPERVISORS' COMMENTS

COUNTY ADMINISTRATOR'S COMMENTS

REPORTS

Quarterly Financial Report – Betsy Drewry

TABLED ITEMS

ORDER OF BUSINESS

- A-1. Resolution; Revision to Personnel Policy; Grants.
- A-2. Discussion of Legislative Dinner Meeting.
- A-3. Consideration of Appointments – Board, Commissions, Committees, Authorities: Resolution of Appointment(s):
 - A. Resolution; Appointment (Indefinite Term Effective Immediately) – Crater District Area Agency on Aging Board of Directors.
 - B. Resolution; Two Appointments (Four-Year Term) – Prince George County Industrial Development Authority.

PUBLIC HEARINGS

- P-1. Public Hearing; SPECIAL EXCEPTION SE-16-02 Request of Splat Brothers Paintball, pursuant to § 90-103 (22) to permit an outdoor recreational facility within an R-A, Residential Agricultural District. The Comprehensive Plan calls for Agricultural uses. The request property is located at 13712 Moody Road on the east line of Moody Road and is identified as part of Tax Map 160(0A)00-007-0.
- P-2. Public Hearing; CONDITIONAL REZONING RZ-16-05 Request of Love's Travel Stops and Country Stores, Inc. to conditionally rezone 72.4 +/- acres from R-A, Residential – Agricultural to B-1, General Business District and 9.1 +/- acres from B-1, General Business to B-1, General Business District to permit retail stores, restaurants and service station uses. The Comprehensive Plan calls for Commercial uses. The subject properties are located in the northeast quadrant of US 460 and SR 156 and they are identified as Tax Maps 450(0A)00-023-0 & 047-0.
- P-3. Public Hearing; CONDITIONAL REZONING RZ-16-03 Request of BPP Jefferson Pointe LLC to conditionally rezone 3.4 +/- acres from B-1, General Business District to R-3 General Residential District to permit apartments. The Comprehensive Plan calls for Commercial use. The subject properties are located at the intersection of Bailey's Ridge Boulevard and Jefferson Park Road, adjacent to Fort Lee, and are identified as Tax Maps 12D(03)00-003-0 & 004-0.
- P-4. Public Hearing; ZONING CASE AMENDMENT RZ-16-04 Request of BPP Jefferson Pointe LLC to amend Cases ZM-96-003 and ZM 86-7 relative to apartments and to recreational facilities. The Comprehensive Plan calls for Residential – multi-family use. The subject property is located near the intersection of Bailey's Ridge Boulevard and Jefferson Pointe Lane and is identified as Tax Map 12D(02)00-011-0.

ADJOURNMENT

Board meeting format: Closed Meeting at 6:00 p.m., followed by a Business Meeting at 7:00 p.m. with Public Hearings being heard at 7:30 p.m. **Visit Prince George County website for information www.princegeorgecountyva.gov.**

MINUTES
Board of Supervisors
County of Prince George, Virginia

October 25, 2016

7:00 p.m.

County Administration Bldg. Boardroom, Third Floor
6602 Courts Drive, Prince George, Virginia

MEETING CONVENED. A regular meeting of the Board of Supervisors of the County of Prince George, Virginia, was called to order at 7:00 p.m. on Tuesday, October 25, 2016 in the Boardroom, County Administration Building, 6602 Courts Drive, Prince George, Virginia by William A. Robertson, Jr., Chairman.

ATTENDANCE. The following members responded to Roll Call:
William A. Robertson, Jr., Chairman Present
Jerry J. Skalsky, Vice-Chairman Present
Alan R. Carmichael Present
Donald R. Hunter Present
T. J. Webb Present

Also present was: Percy C. Ashcraft, County Administrator; Jeff Stoke, Deputy County Administrator; and Steve Micas, County Attorney.

Invocation. Mr. Skalsky gave an invocation.

Pledge of Allegiance to U.S. Flag. Mr. Carmichael led the Pledge of Allegiance to the United States Flag.

PUBLIC COMMENTS. Chairman Robertson announced that anyone wishing to come before the Board may do so at this time. He noted that this was the time for unscheduled general public comments. He opened the public comments at 7:03 p.m. There was no one to speak and the public comments period was closed.

APPROVAL OF AGENDA. Mr. Webb made a motion, seconded by Mr. Hunter, to adopt the agenda as presented. Roll was called on the motion.

On roll call the vote was:

In favor: (5) Robertson, Carmichael, Skalsky, Webb, Hunter

Opposed: (0)

ORDER OF CONSENSUS: Mr. Carmichael made a motion, seconded by Mr. Skalsky, that the consensus agenda be approved as presented. Roll was called on the motion.

C-1. Draft Minutes – October 4, 2016 Board Retreat and October 11, 2016 Regular Meeting were approved as presented.

R-16-084

C-2.

RESOLUTION; RECOGNITION OF SMALL BUSINESS SATURDAY 2016

WHEREAS, the government of Prince George County, Virginia, believes that small businesses are the backbone of our economy and the glue that holds communities together; according to the United States Small Business Administration, there are currently 28 million small businesses in the United States, they represent more than 99 percent of American companies, create two-thirds of the net new jobs, and generate half of private gross domestic product; and

WHEREAS, small businesses employ one-half of the employees in the private sector in the United States; and

WHEREAS, over 95 million consumers spent a total of \$16.2 billion with independent merchants on Small Business Saturday last year; and

WHEREAS, Prince George County, Virginia supports our local businesses that create jobs, boost our local economy and preserve our neighborhoods; and

WHEREAS, advocacy groups and public and private organizations across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Prince George, this 25th day of October, 2016, does hereby proclaim, Saturday, November 26, 2016, as:

SMALL BUSINESS SATURDAY

And urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.

R-16-084A

C-3.

RESOLUTION; COMMENDATION; REAL ESTATE TECHNICIAN JOANNE K. LEVY; SERVICE TO PRINCE GEORGE COUNTY

WHEREAS, Joanne K. Levy was hired on February 17, 1981, as a Part-Time Office Assistant. She was promoted to the position of Real Estate Transfer Clerk on July 1, 1982, and then promoted to the position of Real Estate Technician on February 1, 2004; and

WHEREAS, Mrs. Levy worked tirelessly in accurately creating and maintaining the Real Estate Tax Maps, beginning by hand on paper and Mylar overlays. She produced and created the Real Estate Land Book accurately and on schedule throughout her career, selflessly working nights and weekends to meet deadlines at the considerable benefit to the County and citizens of Prince George County; and

WHEREAS, Mrs. Levy was instrumental in many projects in the Real Estate Assessor's Office, including, bringing GIS to Prince George County, the transition from paper property records to the County's first Computer Aided Mass Appraisal (CAMA) system, the selection process of the County's last two financial systems, developing the real estate sales confirmation system used by the Assessor's Office staff, and developing, implementing and maintaining the real estate title processes in the Assessor's Office; and

WHEREAS, Mrs. Levy maintained the property transfers, name changes, and parcel creation in the County for over 35 years. During her service with the County Mrs. Levy was instrumental in developing and maintaining the processes and procedures for managing the Land Use Program; and

WHEREAS Mrs. Levy performed an invaluable service to County citizens by accurately maintaining the property address and mailing databases and assigning E-911 addresses for new parcels; and

WHEREAS, Mrs. Levy demonstrated integrity throughout her career, continuously devoting her actions to the betterment of Prince George County. She mentored numerous staff members that have continued to be successful in their public service careers in Prince George County and throughout the Commonwealth. She has always put the needs of her co-workers, the Department, the County, and the citizens above all else; and

WHEREAS throughout her remarkable career in Public Service, spanning more than 36 years, Joanne K. Levy has served the citizens of the County to the utmost of her ability,

demonstrating commitment, integrity, and devotion in a manner bespeaking the dedication of a true public servant. Mrs. Levy’s institutional knowledge and real estate expertise are irreplaceable and will be sorely missed by the Assessor’s Office, the County and its citizens;

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 25th day of October, 2016, does hereby commend Real Estate Technician Joanne K. Levy for completion of more than 35 years of dedicated service to the County and its citizens; and

BE IT FURTHER RESOLVED That this Board wishes to extend to Mrs. Levy much happiness and continued success as she enters the next phase of her life.

R-16-084B

C-4.

RESOLUTION; APPROPRIATION (\$10,000 RESIDENT GRASS CUTTING EXPENDITURES AND REVENUES)

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 25th day of October, 2016, does hereby authorize the following increase of funds within the 2016-2017 Budget, such line items increased as follows, which monies to be expended in accordance with Section 2-2 (11) of the County Code for purposes authorized and approved by the Board of Supervisors of the County of Prince George:

<u>FUND/ORGANIZATION</u>	<u>AMOUNT</u>
<u>Expenditure:</u>	
0100-03-400-0300-43109 Grass Cutting Violation Expenditures	\$10,000
<u>Revenue:</u>	
0100-10-508-8114-318954 Grass Cutting Fees	\$10,000

R-16-084C

C-5.

RESOLUTION; APPROPRIATION (\$9,056 STATE LITTER CONTROL GRANT)

BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 25th day of October, 2016, does hereby authorize the following increase of funds within the 2016-2017 Budget, such line items increased as follows, which monies to be expended in accordance with Section 2-2 (11) of the County Code for purposes authorized and approved by the Board of Supervisors of the County of Prince George:

<u>FUND/ORGANIZATION</u>	<u>AMOUNT</u>
<u>Expenditure:</u>	
0100-04-102-0503-43327 Clean Community Day	\$9,056
<u>Revenue:</u>	
0100-20-601-8205-326019 State Litter Control Grant	\$9,056

On roll call the vote was:

In favor: (5) Robertson, Carmichael, Webb, Skalsky, Hunter

Opposed: (0)

SUPERVISORS’ COMMENTS

Mr. Hunter extended his condolences to Chief Frankenstein’s family on the loss of his brother Gregg Frankenstein.

Mr. Skalsky expressed his concern over livestock being lost in the County due to coyotes. He also commented the success of the Czech-Slovak Festival.

Mr. Carmichael extended his condolences to Chief Frankenstein’s family on the loss of his brother Gregg Frankenstein.

Mr. Webb stated that he is too was very sorry to hear about Gregg Frankenstein. His thoughts are with his family.

COUNTY ADMINISTRATOR COMMENTS

Mr. Ashcraft stated that the Farmers Market will come to an end on October 29 from 8 a.m. to 12:00 Noon at Scott Park. The Citizens Academy will meet on October 27 at 6 p.m. in the Employee Break Room. The Planning Commission meets on October 27 at 7:30 p.m. in the Board Room. The Chaplain's Breakfast will be on October 28 at 8:30 a.m. at Rosa's Restaurant. In-Person Absentee Voting will be on the next two Saturdays from 9 a.m. to 5 p.m. at the Registrar's Office. The Pecan Festival will be on October 29 at 10 a.m. at Richard Bland College. Trick or Treat will be on October 31 from 5 to 9 p.m. in County Neighborhoods. Prince George County fall newsletter is in mailboxes to all residents and businesses. Twenty dogs and cats were adopted October 22 at the Animal Center's Open House. Drug Take Back Day took in 287 pounds of prescription drugs.

REPORTS

Quarterly Financial Report. Ms. Betsy Drewry, Financial Director, gave a report on the first quarter of Fiscal Year 2017. Collections are at 5.47%. General Fund Expenditures are right on target at 24.25%. Utilities is also at a very good fiscal position. Their operating revenues exceed operating expenses by nearly \$675,000 at this point. Ms. Drewry gave a summary of capital projects. The current cash proffer balance at the end of June was 393,413.85. The Board has the option to use proffer balances for upcoming projects in lieu of issuing debt if the project is in accordance with the proffer agreement. The health insurance balance was \$1.8 million on September 30. This is an improvement over this time last year. There is a meeting planned with the Pierce Group in November to discuss quarter one claims and FY17 strategies. Looking ahead, Finance is working to close FY16, CAFR preparation is underway, and the auditors are on site this week for final FY16 audit test work.

ORDER OF BUSINESS

A-1. Resolution; Revision to Personnel Policy; Grants. Ms. Drewry proposed a new section of the Personnel Policy Manual that establishes a policy outlining the process for notifying the Board of Supervisors of pending grant applications with a County fiscal impact prior to application. Additionally, the policy establishes procedures for grants management upon award. There is also a Notice of Grant Application that summarizes grant information is included for review and approval. Staff is requesting that the Board approve this policy with the related form. Mr. Carmichael made a motion, seconded by Mr. Webb, to approve the resolution as presented. Roll was called on the motion.

R-16-085

A-1.

RESOLUTION; PROPOSED REVISION; PRINCE GEORGE
COUNTY PERSONNEL POLICY; SECTION 310.1 THROUGH 310.4,
ENTITLED *GRANTS APPLICATIONS AND AWARDS*

WHEREAS the Prince George County Personnel Policy Manual has been reviewed by staff and it has been determined that existing policy entitled *Grants Applications and Awards* requires modification; and

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George, this 25th day of October, 2016 does hereby amend the Prince George County Personnel Policy by revising the policy entitled Grants Applications and Awards as requested.

On roll call the vote was:

In favor: (5) Carmichael, Hunter, Robertson, Webb, Skalsky

Opposed: (0)

A-2. Discussion of Legislative Dinner Meeting. The County Administrator proposed the date of December 6 for the annual legislative dinner meeting. Chairman Robertson suggested

that they offer the legislators at least two more dates just in case. The Board agreed to proposed December 6, 12, or 14 to the local legislators for a legislative dinner meeting to discuss the Board's legislative items for the 2017 General Assembly.

PUBLIC HEARINGS

P-1. Public Hearing; SPECIAL EXCEPTION SE-16-02 Request of Splat Brothers Paintball, pursuant to § 90-103 (22) to permit an outdoor recreational facility within an R-A, Residential Agricultural District. The Comprehensive Plan calls for Agricultural uses. The request property is located at 13712 Moody Road on the east line of Moody Road and is identified as part of Tax Map 160(0A)00-007-0. Mr. Douglas Miles, Zoning Administrator, stated that the applicant currently operates an outdoor recreational facility on the subject property known as Splat Brothers Paintball Facility. They have worked with the Virginia State Health Department – Office of Drinking Water (ODW) Norfolk Office to obtain approval for drinking water for their customers and their employees through the ODW state permit approval process. The proposed plan is to construct a new Americans with Disabilities Act (ADA) restroom facility to include the installation of a new septic tank, new drainfield and a commercial well to support the restrooms and to provide potable water for human consumption. A new 6' x 8' waterproof building will be constructed to house the new 400 amp service to support the recreational use. The Comprehensive Plan Update identifies this area as appropriate for agricultural uses. This existing use is a rural, outdoor recreational facility that works well with adjoining land uses. This outdoor recreational facility use will require that a commercial entrance be constructed in accordance with VDOT standards and specifications. The applicant will be required to submit documentation demonstrating that the proposed entrance meets all required VDOT intersection sight distance requirements. A plan must be submitted for review and approval by VDOT for the design and construction of the proposed commercial entrance. A VDOT Land Use Permit will be required to be obtained from VDOT prior to any work being performed within the VDOT right-of-way along Moody Road (SR 641). Staff recommends approval of the Special Exception for an outdoor recreational use provided that the impact upon the surrounding land owners is minimal and has proposed recommended conditions to ensure that this existing use complies with all Federal, State and County Code requirements: (1) this Special Exception is granted for an outdoor recreational facility to Hopewell PB, LLC dba Splat Brothers Paintball and it is not transferable and it does not run with the land on Tax Map 160(0A)00-007-0 - part of the property on the east line of Moody Road; (2) the hours of operation for the outdoor recreational facility shall be limited to Monday – Sunday 9:00 a.m. to dusk; (3) this Special Exception shall become null and void if the use of an outdoor recreational facility is abandoned for a period of twenty-four (24) consecutive months. All the related outdoor recreational facility structures and displays shall be removed from the premises within ninety (90) days at the cost of and disposal by the property owner of record for compliance purposes; (4) the applicant will be required to provide staffing for traffic circulation purposes with their event personnel clearly marked as “Event Staff” for safety reasons. The Prince George County Police Chief shall be notified at least thirty (30) days prior to any scheduled events of over 75 persons for proper traffic control purposes on Moody Road; and (5) the applicant shall take the appropriate measures to ensure compliance with the County Noise Ordinance of the Code of the County of Prince George County, as adopted. The applicants, Mr. James Cofer and Mr. Bobby Weeks, addressed the Board and answered the Board's questions regarding hours and how the facility is run. Chairman Robertson opened the public hearing at 7:43 p.m. There was no one to speak and the public hearing was closed. Mr. Hunter made a motion, seconded by Mr. Webb, to approve the special exception as presented. Roll was called on the motion.

O-16-09

P-1.

SPECIAL EXCEPTION SE-16-02 Request of Hopewell PB, LLC dba Splat Brothers Paintball, pursuant to § 90-103 (22) to permit an outdoor recreational facility within an R-A, Residential Agricultural District. The Comprehensive Plan calls for Agricultural uses. The request property is located at 13712 Moody Road on the east line of Moody Road and is identified as part of Tax Map 160(0A)00-007-0.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Special Exception Application identified as SE-16-02 is granted as an amendment to the official zoning map with the following conditions:

1. This Special Exception is granted for an outdoor recreational facility to Hopewell PB, LLC dba Splat Brothers Paintball and it is not transferable and it does not run with the land on Tax Map 160(OA)00-007-0 - part of the property on the east line of Moody Road.
2. The hours of operation for the outdoor recreational facility shall be limited to Monday – Sunday 9:00 a.m. to dusk.
3. This Special Exception shall become null and void if the use of an outdoor recreational facility is abandoned for a period of twenty-four (24) consecutive months. All the related outdoor recreational facility structures and displays shall be removed from the premises within ninety (90) days at the cost of and disposal by the property owner of record for compliance purposes.
4. The applicant will be required to provide staffing for traffic circulation purposes with their event personnel clearly marked as “Event Staff” for safety reasons. The Prince George County Police Chief shall be notified at least thirty (30) days prior to any scheduled events of over 75 persons for proper traffic control purposes on Moody Road.
5. The applicant shall take the appropriate measures to ensure compliance with the County Noise Ordinance of the Code of the County of Prince George County, as adopted.
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.

On roll call the vote was:

In favor: (5) Carmichael, Hunter, Robertson, Webb, Skalsky

Opposed: (0)

P-2. Public Hearing; CONDITIONAL REZONING RZ-16-05 Request of Love’s Travel Stops and Country Stores, Inc. to conditionally rezone 72.4 +/- acres from R-A, Residential – Agricultural to B-1, General Business District and 9.1 +/- acres from B-1, General Business to B-1, General Business District to permit retail stores, restaurants and service station uses. The Comprehensive Plan calls for Commercial uses. The subject properties are located in the northeast quadrant of US 460 and SR 156 and they are identified as Tax Maps 450(OA)00-023-0 & 047-0. Mr. Miles stated that the proposed Love’s Travel Stop & Country Store will consist of an approximately 6,400 square foot convenience store with 20 fueling positions: 8 truck and 12 auto, a 7,500 square foot truck tire service center and a 3,120 square foot Arby’s fast-food restaurant with a drive-thru window. The Comprehensive Plan Update calls for commercial uses on the subject properties. The proposed rezoning to B-1 General Business to permit retail stores, restaurants and service station uses are in compliance with the County’s Land Use Plan along US 460 and on SR 156. The applicant has indicated that they will be connecting to the public water and wastewater systems using the standard Utility Department’s design standards and specifications. These systems have sufficient capacity to serve the proposed land uses with the exception of the fire flow capacity. The applicant has proffered the addition of a private on-site water storage and pumping system to meet the applicable building and fire code requirements for fire suppression. We have reviewed the conditional rezoning application request with respect to the Virginia Uniform Statewide Building Code (VUSBC) and we have these comments. The Statement of Proffers indicates that the applicant will provide adequate fire protection and emergency access as required. Review of the design and construction details regarding the proposed site layout, structures and on-site utilities will be performed upon submission of a complete site plan and construction plans. Davenport Transportation Consulting did perform a Traffic Impact Analysis (TIA) that took into consideration the sixty-five (65) school buses that travel along the SR 156 corridor between the high school and junior high school complex and Moore Middle School located south of US 460. They were able to take actual traffic counts along SR 156 during the Spring of 2016 prior to school closing and were able to prepare trip generation estimates that indicated that the school bus peak periods will not be adversely affected by additional car and truck vehicle trips per day that would be generated by this new development. The proposed left turn lane into the entrance on SR 156 will allow for school buses to properly travel through on this corridor on a daily basis. The project has been reviewed in accordance with VDOT’s Traffic Impact Analysis regulations,

24VAC30-155, and the anticipated site generated traffic does not meet the Traffic Impact Analysis regulatory threshold for the submittal of a formal analysis to the Department. The applicant did prepare and submit a TIA that was reviewed and commented on by VDOT. The applicant submitted an addendum to the TIA addressing VDOT's comments and the TIA has been found acceptable. A speed reduction study has been received along SR 156 to reduce the speed limit from 55 MPH to 45 MPH to allow for a safer area for cars, trucks and for buses. The project is subject to VDOT's Access Management Regulations, 24VAC30-73. Based upon the Rezoning Conceptual Site Plan dated 8-24-16, VDOT has determined that the intersection spacing from the site's proposed full access entrance on SR 156 to the adjacent County Wellness Center's partial access entrance does not meet the required spacing of 425'. A spacing between entrances of 360' is proposed. Accordingly, an access management exception will be required. An exception request has been prepared and VDOT has begun the process of evaluating the request. All improvements impacting the state maintained rights of way will be evaluated for compliance with Department standards through the site plan review process. Acquisition of a Land Use Permit is required before any work can be done in the VDOT right of way. Staff recommends approval of this conditional rezoning case request along with the applicant's proffers dated August 24, 2016 that list prohibited B-1 land uses, provide for transportation right of way and turn lanes, and related road improvements, as needed, to support these land uses. Mr. Carmichael expressed a major concern of how this development will affect bus traffic to and from JEJ Moore Middle School. Mr. Joe Wallace, Traffic Engineer with John Davenport Engineering, gave a more detailed summary of the Traffic Impact Analysis. The total amount of truck traffic trips at peak hours based on the calculations from their trip generation is 130 exiting and 142 entering. Once the development is in place, the signalization at that intersection may be changed during peak hours to accommodate the flow of traffic with the school buses. Bill Gleason of Love's Travel Stop & Country Stores addressed the Board's concerns as well regarding the school bus traffic. The Board agreed that this is a welcomed facility but they are concerned about the impact on congestion and traffic. Mr. Gleason stated that he believes Love's has done everything possible in working with VDOT to anticipate any problems in the future. He gave his word if there is anything that needs to change to accommodate in the future, they will do so. He also assured the Board that he will pass it on to the architect that the Board would like to see this facility have a generator. Chairman Robertson opened the public hearing at 8:15 p.m. There was no one to speak and the hearing was closed. After the County Attorney assured the Board that there is not a risk of another business coming along if this particular applicant does not complete the project, Mr. Hunter made a motion, seconded by Mr. Webb, to approve the rezoning as presented. Roll was called on the motion.

O-16-10

P-2.

CONDITIONAL REZONING RZ-16-05 Request of Love's Travel Stops and Country Stores, Inc. to conditionally rezone 72.4 +/- acres from R-A, Residential – Agricultural to B-1, General Business District and 9.1 +/- acres from B-1, General Business to B-1, General Business District to permit retail stores, restaurants and service station uses. The Comprehensive Plan calls for Commercial uses. The subject properties are located in the northeast quadrant of US 460 and SR 156 and they are identified as Tax Maps 450(0A)00-023-0 & 047-0.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Conditional Rezoning Application identified as RZ-16-05 is granted as an amendment to the official zoning map with the following conditions:

Pursuant to section 15.2-2296 of the Code of Virginia, 1950, as amended, and Article XVII of the Prince George County Zoning Ordinance, Love's Travel Stops & Country Stores with the cooperation of property owners Sherry L. Blazek, Ernest G. Stith & Carolyn M. Stith, by and through agent, Chipola Engineering Group, Inc., does hereby voluntarily proffer, as the applicant and contract purchaser of the property, respectively, which is the subject of this rezoning request, that the development of the property shall be in strict accordance with the following conditions set forth in the submission and I represent the following proffers for the development of tax parcel No. 450(0A)00-023-0 and No. 450(0A)00-047-0:

1. Prohibited Uses: The following land uses shall be excluded from the property:
 - a. General advertising signs (billboards) per Section 90-392 (34)

- b. Cemeteries per Section 90-392 (37)
- c. Waterfront business activities per Section 90-392 (20)
- d. Noncommercial fairgrounds per Section 90-392 (39)

2. Transportation:

- a. For vehicles entering the site from the south, the applicant shall construct a right turn lane from Prince George Drive to the proposed private access road as reviewed and approved by the Virginia Department of Transportation and Prince George County.
- b. For vehicles entering the site from the north, the applicant shall construct a left turn lane from Prince George Drive to the proposed private access road as reviewed and approved by the Virginia Department of Transportation and Prince George County.
- c. For vehicles entering the site from the east, the applicant shall construct a right turn lane from County Drive to the new ingress only driveway as reviewed and approved by the Virginia Department of Transportation and Prince George County.

3. Right of Way Dedication:

Love's Travel Stops and Country Stores, Inc. shall dedicate public right of way at no cost to accommodate the roadway improvements identified in the TIA and the Rezoning Conceptual Site Plan dated August 24, 2016 enclosed herewith as approved by Virginia Department of Transportation and Prince George County.

4. Subdivision:

Future subdivision or re-subdivision of the parcel shall not alter the use of prohibitions. All other uses permitted as a matter of right or by use permit shall be permitted in the manner specified by the zoning ordinance as it may be amended from time to time.

5. Storm Water Best Management Practices:

Storm water quantity and quality shall be provided for this site through development of on-site best management practices. Best management practices shall be in compliance with the Virginia Department of Environmental Quality standards. These structures shall be maintained by the property owners.

6. Storm Water Maintenance:

All storm water easements and basins, if any, shall be maintained by the property owners.

7. Materials:

The exterior walls facing public right-of-ways will be constructed with finish materials, including but not limited to, brick, stone, wood, metal, architectural block, and pre-cast panels. All roof top equipment shall be shielded so that it is screened from public right-of-ways at ground level.

8. Mechanical Equipment:

Mechanical equipment will be screened from public view at ground level. Screening material will be a minimum of six (6) inches higher than the mechanical.

9. Signage:

The property owner/applicant shall submit a signage and pavement marking plan to the Prince George County Community Development Department as part of the site plan approval process. The signage plan shall address parking and loitering on the property, as well as ensuring that all fire lanes are kept clear at all times. Signage and pavement markings shall be maintained continuously and replaced or refreshed as needed:

- a. Where required by the Fire Code Official, approved signs or other approved notices or markings that include the words “No Parking - Fire Lane” shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.
- b. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in the VA Statewide Fire Prevention Code shall be maintained at all times.
- c. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, exclusive of shoulders, except for approved security gates in accordance with the VA statewide Fire Prevention Code, and an unobstructed vertical clearance of not less than 13 feet 6 inches.

10. Public Utilities:

The project is within the designated water and sewer service area and therefore connection to public utilities is required. All utility design shall be in accordance with the latest edition of the Prince George County Utility Design Standards.

11. Fire Protection:

A ground storage tank will be sized based on the required fire flow rate and duration per applicable building and fire codes. The ground storage tank will be connected to the City’s water supply to fill and maintain the water level. A small building will be located adjacent to the tank that will house equipment associated with a high volume pump that will pressurize the onsite private fire lines to provide the required fire flow to hydrants and building sprinkler system if required.

The development of the property shall be in strict accordance with the conditions set forth as proffered. These proffers shall be enforceable in the event of transfer of the property to other parties.

On roll call the vote was:

In favor: (5) Carmichael, Hunter, Robertson, Webb, Skalsky

Opposed: (0)

P-3. Public Hearing; CONDITIONAL REZONING RZ-16-03 Request of BPP Jefferson Pointe LLC to conditionally rezone 3.4 +/- acres from B-1, General Business District to R-3 General Residential District to permit apartments. The Comprehensive Plan calls for Commercial use. The subject properties are located at the intersection of Bailey’s Ridge Boulevard and Jefferson Park Road, adjacent to Fort Lee, and are identified as Tax Maps 12D(03)00-003-0 & 004-0. Mr. Douglas Miles, Zoning Administrator, stated that the applicant has submitted a conditional rezoning from B-1, General Business to R-3, General Residential to permit the construction of two apartment buildings along with the relocation and the replacement of the existing clubhouse currently located on Tax Map 12D(02)00-011-0. The new clubhouse facility will contain two stories and it will include a second floor fitness gym and an outdoor competition pool will be built behind the clubhouse to replace the existing pool use. The Comprehensive Plan calls for commercial uses on the subject properties. However, the surrounding properties have been developed with multi-family apartments or commercial uses such as a bank, child care center, and mini-storage complex that support the adjoining Jefferson Pointe Apartments. In 2008, the Independence Place Apartments complex was conditionally rezoned from B-1 to R-3 to permit 232 dormitory apartment units and the Plan called for commercial uses. County Staff recognizes that this portion of the County is suitable for apartments located at the Fort Lee Shop Gate and within the urbanized area of the County. The proposed conditional rezoning is designed to provide new, modern apartment housing units and to accommodate corporate and military personnel through short term leases with the potential for school age children. The applicant has proffered that a cash payment of \$1,366.00 per dwelling

unit shall be paid at the time of issuance of the certificate of occupancy for each building for public school facility improvements. The total cash proffer payment for the 48 apartment units shall not exceed \$65,568.00. The school improvements shall be made at L.L. Beazley Elementary School within two (2) years of the issuance of the later issued certificate of occupancy for the apartment buildings to be constructed on the subject properties of this case. The Police Department has reviewed the conditional rezoning case request and does not have any specific concerns with the request. The Community Policing Unit will continue to conduct random police patrols and will provide both non-emergency and emergency services. The subject property is served by County water and wastewater service and additional tap fees will need to be paid before building permits are issued by Prince George County. The Virginia Department of Transportation (VDOT) has reviewed the request and stated they have no objections to the proposed conditional rezoning case request. The project has been reviewed in accordance with VDOT's Traffic Impact Analysis regulations, 24VAC30-155, and the anticipated site generated traffic does not meet the Traffic Impact Analysis (TIA) regulatory threshold for the submittal of a formal analysis to the Department. Staff recommends Approval of this conditional rezoning case request along with the applicant's proffers dated October 13, 2016 to permit forty-eight (48) apartment units contained in two (2) buildings along with the construction of a new clubhouse facility and associated pool on the subject properties. Ms. Julie Walton, Director of Community Development, addressed Mr. Skalsky's concerns regarding handicap accessibility. Chief Keith Early addressed Mr. Carmichael's concerns regarding police calls in the apartments that already exist in that area. Following additional questions by the Board, Ms. Ann Neil Cosby, Attorney representing the applicant, gave a presentation to the Board. She stated that the proposed apartments will mitigate the current identified need for housing around Fort Lee. They will offer 3, 6, and 9-month leases to meet short term/transitional housing needs for military and contract workers. She showed slides of the exterior elevations and the floor plans for the two and three bedroom apartments. She showed interior photos that were taken from a similar project in Chesterfield County. She also showed the floor plan and interior photos of the Clubhouse. She went over the proffers for design standards, including hardiplank siding, brick, stone, stucco as accent features on facades, elevations, floor plans, interior finishes, two-story clubhouse, public water, and cash proffers for improvements at L. L. Beazley Elementary School. The anticipated rental price range is \$850 - \$1000 per month. She pointed out that the existing Jefferson Pointe Apartments has the fewest 911 calls compared to other apartment complexes in the vicinity. They currently have 177% fewer calls than the apartment complex with the highest number of calls. Mr. Derrick Johnson from The Timmons Group confirmed that they would need to go through the whole site plan process before construction started. So, the earliest would be spring of 2017. Chairman Robertson opened the public hearing at 8:56 p.m.

Mr. John Royster (Master Planner, Department of Public Works, Fort Lee). Mr. Royster stated that Fort Lee fully supports this project as it would be good for military residents.

Chairman Robertson closed the public hearing at 8:58 p.m. Mr. Carmichael made a motion, seconded by Mr. Hunter, to table this matter to November 9 to allow more time for review. Roll was called on the motion.

On roll call the vote was:

In favor: (3) Carmichael, Hunter, Robertson,

Opposed: (2) Skalsky, Webb

P-4. Public Hearing; ZONING CASE AMENDMENT RZ-16-04 Request of BPP Jefferson Pointe LLC to amend Cases ZM-96-003 and ZM 86-7 relative to apartments and to recreational facilities. The Comprehensive Plan calls for Residential – multi-family use. The subject property is located near the intersection of Bailey's Ridge Boulevard and Jefferson Pointe Lane and is identified as Tax Map 12D(02)00-011-0. Mr. Miles, Zoning Administrator, stated that this is a companion case to RZ-16-03 BPP Jefferson Pointe, LLC conditional rezoning request. The applicant proposes to raise the existing clubhouse, pool and tennis courts on the property and construct a larger clubhouse building with a fitness gym and a new pool. A new 24 unit apartment building would be built in place of the clubhouse on the site. Staff recommends approval of this zoning case amendment request along with the applicant's proffers dated October 13, 2016 to permit twenty-four (24) apartment units contained in one new apartment building to be built on the current apartment clubhouse and pool property location. Chairman Robertson opened the public hearing at 9:05 p.m. There was no one to speak and the

public hearing was closed. Mr. Carmichael made a motion, seconded by Mr. Hunter, to table this matter to November 9 to allow more time for review. Roll was called on the motion.

On roll call the vote was:

In favor: (3) Carmichael, Hunter, Robertson,

Opposed: (2) Skalsky, Webb

ORDER OF BUSINESS (cont'd)

**A-3. Consideration of Appointments – Board, Commissions, Committees, Authorities:
Resolution of Appointment(s):**

C. Resolution; Appointment (Indefinite Term Effective Immediately) – Crater District Area Agency on Aging Board of Directors. Mr. Hunter made a motion, seconded by Mr. Webb, to appoint Ms. Donna McBride. Roll was called on the motion.

R-16-086

**RESOLUTION; APPOINTMENT (INDEFINITE TERM EFFECTIVE IMMEDIATELY) –
CRATER DISTRICT AREA AGENCY ON AGING BOARD OF DIRECTORS.**

WHEREAS, Dr. Jimmie Rudd has submitted his resignation from the Crater District Area Agency on Aging Board of Directors effective immediately;

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 25th day of October, 2016 does hereby appoint Ms. Donna McBride to the Crater District Area Agency on Aging Board of Directors to serve at the pleasure of the Board, beginning immediately.

On roll call the vote was:

In favor: (5) Carmichael, Hunter, Robertson, Webb, Skalsky

Opposed: (0)

D. Resolution; Two Appointments (Four-Year Term) – Prince George County Industrial Development Authority. Mr. Carmichael made a motion, seconded by Mr. Webb, to reappoint Ms. Gloria Jackson and Mr. William Young. Roll was called on the motion.

R-16-087

A-4B.

**RESOLUTION; TWO APPOINTMENTS (FOUR-YEAR TERM) –
PRINCE GEORGE COUNTY INDUSTRIAL DEVELOPMENT
AUTHORITY**

WHEREAS, The terms of Ms. Gloria Jackson and Mr. William Young on the Prince George County Industrial Development Authority will expire on November 10, 2016;

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 25th day of October, 2016 does hereby reappoint Ms. Gloria Jackson and Mr. William Young to the Prince George County Industrial Development Authority to serve a term of four years commencing November 11, 2016 and ending on November 10, 2020.

On roll call the vote was:

In favor: (5) Carmichael, Hunter, Robertson, Webb, Skalsky

Opposed: (0)

ADJOURNMENT. Mr. Webb moved, seconded by Mr. Skalsky, that the meeting be adjourned. Roll was called on the motion.

On roll call the vote was:

In favor: (5) Webb, Skalsky, Robertson, Carmichael, Hunter

Opposed: (0)

The meeting adjourned at 9:13 p.m.

[Draft Minutes prepared November 3, 2016, for consideration on November 9, 2016; adopted by unanimous vote.]

William A. Robertson, Jr.
Chairman, Board of Supervisors

Percy C. Ashcraft
County Administrator