



BRIEF

May 8, 2024

Pledge of Allegiance

In Attendance

Chair McPhail, Vice-Chair Brown; Commissioners – Carroll, Justice, Lyver, Moses-Nedd, Scheufler, Sheikh; Planning Director Tanya Washington, Deputy Director David McGettigan, Current Planning Assistant Director Alex Vanegas, Planners-Emilie Wolfson.

Remote Participation Request from Planning Commission Member

None

Consent Agenda

None

Expedited Agenda

RES 24-062

Zoning Text Amendment DPA 2023-00006 Industrial Parking: Public Hearing closed. Recommend Adoption of Zoning Text Amendment #DPA2023-00006, Industrial Parking.

Recommend Adoption; motion carried.

[Scheufler-Sheikh; Ayes – Brown, Carroll, Justice, Lyver, McPhail, Moses-Nedd, Scheufler, Sheikh; Nays – None; Abstain from Vote – None; Absent from Vote – None; Absent from meeting –None]

To amend ARTICLE I Terms Defined Part 100 Definitions and ARTICLE IV Part 400 General Regulations of the Prince William Zoning Ordinance to expand options for off-site parking associated with a primary use in industrial zoning districts by adding a new definition and use. **Countywide.**

RES 24-063

Text Amendment DPA 2017-00025 Minor Changes to Written

Determinations: Public Hearing closed. Recommend Adoption of Zoning Text Amendment #DPA2017-00025, Minor Changes to Written Determinations, to update the County Code to reflect changes made to the Code of Virginia by Chapter 665 of the Acts of Assembly enacted by the Governor and General Assembly during the 2017 General Session.

Recommend Adoption; motion carried.

[Scheufler-Sheikh; Ayes – Brown, Carroll, Justice, Lyver, McPhail, Moses-Nedd, Scheufler, Sheikh; Nays – None; Abstain from Vote – None; Absent from Vote – None; Absent from meeting –None]

To amend ARTICLE IX, Board of Zoning Appeals to incorporate state mandated changes. The amendments include amending language related to the Board of Zoning Appeals. **Countywide.**

RES 24-064

Special Use Permit #SUP2024-00004, Starbucks at Princeton Woods: Public Hearing closed. Recommend Approval of Special Use Permit #SUP2024-00004, Starbucks at Princeton Woods, subject to the conditions dated April 19, 2024.

Recommend Approval; motion carried.

[McPhail-Sheikh; Ayes – Brown, Carroll, Justice, Lyver, McPhail, Moses-Nedd, Scheufler, Sheikh; Nays – None; Abstain from Vote – None; Absent from Vote – None; Absent from meeting –None]

A request for a special use permit to allow for drive-through facilities and associated sign modifications. The Property is located at 17050 Richmond Highway, approximately ±150 feet south of the intersection of Richmond Highway and Pine Bluff Road. The subject site is identified on County maps as GPIN 8289-26-5265 on ± 0.76 acres; is zoned B-1, General Business and is designated MU-4, Mixed Use (Community) with a T-4 Transect that recommends a range of 0.57 to 1.38 FAR in the Comprehensive Plan; and is located within the Southbridge Activity Center Special Planning Area, Highway Corridor Overlay, and the Prehistoric Sensitivity Area. **Potomac Magisterial District.**

RES 24-065

Special Use Permit #SUP2023-00035, Mystikos Armament LLC Residential Home Business : Public Hearing closed. Recommend Approval of Special Use Permit #SUP2023-00035, Mystikos Armament, LLC, subject to the conditions dated April 2, 2024.

Recommend Approval; motion carried.

[Brown-Sheikh; Ayes – Brown, Carroll, Justice, Lyver, McPhail, Moses-Nedd, Scheufler, Sheikh; Nays – None; Abstain from Vote – None; Absent from Vote – None; Absent from meeting –None]

This is a request for a special use permit amendment to allow a home-based firearm gunsmithing and manufacturing business, in a single-family home, with walk-in customers by appointment only. The property is located at 9356 Boley Pl, northwest of the intersection of Vint Hill Road and Boley Place Road. The subject site is identified on County maps as GPIN 7395-18-3037 on approximately ±1.60 acres; is zoned A-1, Agricultural and is designated AF, Agricultural and Forestry, in

the Comprehensive Plan and is located within the Domestic Fowl Overlay District and Agritourism and Arts Overlay District. **Brentsville Magisterial District.**

RES 24-066

Public Facility Review PFR2024-00001, Bethlehem Road Energy Center:

Public Hearing closed. Find the general or approximate location, character, and extent of Public Facility Review #2024-00001, Bethlehem Road Energy Center substantially in accord with the adopted Comprehensive Plan on the expedited agenda.

Recommend Approval; motion carried.

[Carroll-Scheufler; Ayes – Brown, Carroll, Justice, Lyver, McPhail, Moses-Nedd, Scheufler, Sheikh; Nays – None; Abstain from Vote – None; Absent from Vote - None; Absent from meeting –None]

PFR request to allow 96 Battery Energy Storage System structures (BESS) to interconnect with existing public utility substation providers. The 13.47-acre site is located at 8140 and 8150 Bethlehem Road, further identified as GPIN 7596-68-9696 and 7596-69-1425 and is found approximately 0.6 mile north of the Sudley Manor Road/Bethlehem Road intersection and on the western side of Bethlehem Road. The property is accessed through an 800-foot private road located south of the railroad tracks. The site is zoned A-1, Agricultural and is located in the Data Center Overlay District. The property is located within the following Overlay Zoning districts: Chesapeake Bay Preservation Area, E-Commerce, Airport Safety, Agritourism and Arts and Highway Corridor.

Public Comment None

Deferral Requests None

Planning Director’s Time

Washington- Provided presentation on her time at the American Planning Association National Planning Conference 2024, in Minneapolis.

Regular Agenda None

Planning Commission Procedures

Old Business

Lyver- Requested status on the implementation of the Board of County Supervisors establishing a ‘cut-off’ time for Public Hearings and other business.
Washington- will get guidance on what the options are and will check Planning By-laws as well.
Lyver-DPAS Upgrade status. **Vanegas-**will look into opportunities for improvement. **Lyver-Affordable Housing Statute/Code-** **Washington-**Update

portion of the draft ordinance will be provided, and the Ordinance will be heard at the Planning Commission public hearing on May 22, 2024.

Moses-Nedd- Correction on the fact that By-Laws were voted on and approved.

Brown- does not support a cut-off time for public hearings.

New Business

Carroll- Requested upcoming cases to be conveyed in a timely manner.

Lyver- Requested a work session on DCOZOD redefining and a detailed briefing from the Dominion Electric Power (and NOVEC) on supplying electric power to the data centers in PWC.

Scheufler- Asked if there was a time frame for the Buildout Analysis to be updated. **McGettigan**- No estimated time frame as of now,

Commission Members' Time

Scheufler- reiterated the importance of having the Buildout Analysis.

Moses-Nedd- Requested maps as part of the presentation Data Center Overlay presentation.

McPhail- Great work on a very efficient public hearing. The Chair will be participating remotely in the May 22, 2024 Public Hearing, the Vice-Chair will be in charge of the meeting.

Adjourn Meeting

Moses-Nedd; Adjourned 08:09 p.m.



PLANNING COMMISSION RESOLUTION

MOTION: SCHEUFLER

**May 8, 2024
Regular Meeting
Res. No. 24-062**

SECOND: SHEIKH

**RE: ZONING TEXT AMENDMENT #DPA2023-00006, INDUSTRIAL PARKING -
COUNTYWIDE**

ACTION: RECOMMEND ADOPTION

WHEREAS, in accordance with Sections 15.2-2285 and 15.2-2286 of the Code of Virginia, Ann., the Board of County Supervisors may amend the Zoning Ordinance whenever it determines that public necessity, health, safety, convenience, general welfare, and good zoning practice necessitate such change; and

WHEREAS, the Board approved Resolution No. 22-455 to Initiate a Zoning Text Amendment for Industrial Parking, Countywide; and

WHEREAS, the Planning Office reviewed the industrial use regulations and made recommendations regarding additional flexibility in industrial parking requested by the business community; and,

WHEREAS, County staff recommends that the Planning Commission recommend approval of the Zoning Text Amendment for the reasons stated in the staff report; and,

WHEREAS, the Prince William County Planning Commission duly ordered, advertised, and held a public hearing on May 8, 2024, at which time public testimony was received and the merits of the above referenced zoning text amendment were considered; and

WHEREAS, the Prince William County Planning Commission finds that public necessity, convenience, general welfare as well as good zoning practices are served by recommending adoption of this zoning text amendment;

NOW, THEREFORE, BE IT RESOLVED, that the Prince William County Planning Commission does hereby close the public hearing, and recommend adoption of Zoning Text Amendment #DPA2023-00006, Industrial Parking.

ATTACHMENT: Zoning Text Amendment

Votes:

Ayes: Brown, Carroll, Justice, Lyver, McPhail, Moses-Nedd, Scheufler, Sheikh

Nays: None

Absent from Vote: None

Absent from Meeting: None

MOTION CARRIED

ATTEST: *Oly Pena*

Oly Pena

Clerk to the Planning Commission

ARTICLE I. TERMS DEFINED

PART 100.DEFINITIONS

....

Flea market shall mean an occasional or periodic sales activity held within a building, structure, or open area where groups of individual sellers offer goods, new and used, for sale to the public, not to include private garage sales.

Fleet parking shall mean a parking and storage area of five (5) or more operable vehicles, which are used in the daily operations of an existing off-site nonresidential principal use located within the County and which is not located adjacent to or abutting the lot containing the associated principal use. This does not include parking and storage of farm vehicles, construction equipment, or motorized vehicles not licensed to operate on state roads. Fleet parking is not off-site parking or commercial parking as defined in this chapter.

Flood fringe shall mean that portion of the 100-year floodplain outside the floodway, and as further defined in sections 32-501.02 and 32-504.03.

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ARTICLE IV. - COMMERCIAL, OFFICE AND INDUSTRIAL DISTRICTS

PART 400. GENERAL REGULATIONS

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Sec. 32-400.27. Fleet parking.

Fleet parking, as defined in this chapter, shall comply with the following as part of any approved special use permit and/or site plan:

1. Fleet parking spaces shall be in addition to the minimum number of parking spaces required for the associated principal use. Such parking areas shall be for the sole use of the owners, occupants, and patrons of the associated principal use, and shall not be used for commercial parking purposes as defined in this chapter.
2. The parking area shall be constructed in accordance with all applicable sections of the zoning ordinance and the Design and Construction Standards Manual. A site plan pursuant to Part 800 of this chapter shall be required for such parking and storage areas.
3. Outdoor lighting shall be provided in all parking areas and travelways, pursuant to county code section 32-250.200.

4. Where the lot used for fleet parking is under separate ownership than the lot of the associated principal use, permanent easements and/or agreements shall be required which provide for joint use and maintenance of the parking area(s) and travelway(s) by all owners, occupants, and patrons of the properties. Such easements and/or agreements shall be noted on approved subdivision plans and site plan. Such easements/and or agreements shall be approved prior to site plan approval.

Sec. 32-400.2728. General provisions for distribution and fulfillment centers and neighborhood retail and fulfillment centers.

PART 403. INDUSTRIAL DISTRICTS

Sec. 32-403.11. Uses permitted by right.

The following uses shall be permitted by right in the M-1 District.

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53. Parking, commercial

54. Parking, fleet (in accordance with the provisions of county code section 32-400.27).

~~54~~ 55. Photographic processing laboratory.

~~55~~ 56. Publishing and printing

~~56~~ 57. Radio or TV broadcasting station.

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Sec. 32-403.23. Special uses.

The following uses shall be permitted in the M-2 District with a Special Use Permit:

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12. Parking, commercial.

13. Parking, fleet (in accordance with the provisions of county code section 32-400.27).

~~13~~ 14. Racetrack (equestrian or motorized).

~~14~~ 15. Ranges, shooting, indoor or outdoor.

~~15~~ 16. Recreation facility, commercial (outdoor).

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Sec. 32-403.31. Uses permitted by right.

The following uses shall be permitted by right in the M/T District.

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54. Office.

55. Parking, fleet (in accordance with the provisions of county code section 32-400.27).

~~55~~ 56. Publishing and printing.

~~56~~ 57. Radio or TV broadcasting station.

~~57~~ 58. Railroad freight depot.

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MOTION: SCHEUFLER

SECOND: SHEIKH

**May 8, 2024
Regular Meeting
Res. No. 24-063**

**RE: RECOMMEND ADOPTION OF ZONING TEXT AMENDMENT #DPA2017-00025,
MINOR CHANGES TO WRITTEN DETERMINATIONS TO UPDATE THE COUNTY
CODE TO REFLECT CHANGES MADE TO THE CODE OF VIRGINIA BY CHAPTER 665
OF THE ACTS OF ASSEMBLY ENACTED BY THE GOVERNOR AND GENERAL
ASSEMBLY DURING THE 2017 GENERAL SESSION - COUNTYWIDE**

ACTION: RECOMMEND ADOPTION

WHEREAS, in accordance with Sections 15.2-2285 and 15.2-2286 of the Code of Virginia, Ann., the Board of County Supervisors may amend the Zoning Ordinance whenever it determines that public necessity, health, safety, convenience, general welfare, and good zoning practice necessitate such change; and

WHEREAS, this zoning text amendment would amend the following section of the Zoning Ordinance:

- Section 32-900.20 regarding the appeal period for the Board of Zoning Appeals ; and

WHEREAS, on May 16, 2017, the Board of County Supervisors adopted Resolution No. 17-239 which initiated a zoning text amendment to address the above referenced issues; and

WHEREAS, County staff recommends that the Planning Commission recommend approval of this zoning text amendment for the reason stated in the staff report; and

WHEREAS, the Prince William County Planning Commission duly ordered, advertised, and held a public hearing on May 8, 2024, at which time public testimony was received and the merits of the above-referenced zoning text amendment were considered; and

WHEREAS, the Prince William County Planning Commission finds that public necessity, convenience, general welfare as well as good zoning practices are served by recommending adoption of this zoning text amendment;

NOW, THEREFORE, BE IT RESOLVED, that the Prince William County Planning Commission does hereby recommend adoption of Zoning Text Amendment #DPA2017-00025, Minor Changes to Written Determinations, to update the County Code to reflect changes made to the Code of Virginia by Chapter 665 of the Acts of Assembly enacted by the Governor and General Assembly during the 2017 General Session.

ATTACHMENT: Zoning Text Amendment

Votes:

Ayes: Brown, Carroll, Justice, Lyver, McPhail, Moses-Nedd, Scheufler, Sheikh

Nays: None

Absent from Vote: None

Absent from Meeting: None

MOTION CARRIED

ATTEST: *Oly Pena*

Oly Pena Clerk to the Planning Commission

Sec. 32-900.20. - Appeals.

The following provisions shall apply to appeals under this chapter:

1. The appeal to the Board of Zoning Appeals may be taken by any person aggrieved or by an officer, department, board or bureau of the County affected by any decision of the Zoning Administrator or other official charged with responsibility by this chapter for administering portions hereof. A written notice of a zoning violation or a written order of the Zoning Administrator shall include a statement that the notice of violation or written order shall be final and unappealable if not appealed within 30 days. ~~Such notice shall be sent by registered~~ The appeal period shall not commence until the statement is given and the zoning administrator's written order is sent by registered mail or certified mail to, or posted at, the last known address or usual place of abode of the property owner or it registered agent, if any. There shall be a rebuttable presumption that the property owner's last known address is that shown on the current real estate tax assessment records, or the address of a registered agent that is shown in the records of the Clerk of the State Corporate Commission. ~~of the property owner as shown on the current real estate tax assessment books or current real estate tax assessment records and shall be deemed sufficient notice to the property owner and shall satisfy the notice requirements of this section.~~ An appeal shall be taken within 30 days after the decision appealed from, by filing with the Zoning Administrator and the board of appeals a notice of appeal specifying the grounds thereof, which shall be accompanied by a fee set by the Board of County Supervisors. The Zoning Administrator or other appropriate official shall forthwith transmit to the Board of Zoning Appeals copies of the papers constituting the record upon which the action was taken. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Administrator certifies to the Board of Zoning Appeals that, by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order granted by the Board of Zoning Appeals or by a court of record, on application and on notice to the Zoning Administrator and for due cause shown.
2. The Board of Zoning Appeals shall fix a reasonable time for the hearing of an appeal, give public notice as required by [section 32-700.60](#) of this chapter thereof, as well as due notice to the parties in interest, and decide the same within 90 days.
3. In exercising its powers, the Board of Zoning Appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from. The concurring vote of a quorum of its members shall be necessary to reverse any order, requirement, decision or determination of the Zoning Administrator, or other official or to decide in favor of the applicant on any matter upon which it is required to pass under this chapter. The chairman of the Board of Zoning Appeals, or in his absence, the acting chairman, may administer oaths and compel the attendance

of witnesses. The Board of Zoning Appeals shall keep minutes of its proceedings and other official actions which shall be filed in the Planning Office and shall be public record.

4. Upon filing an appeal to the Board of Zoning Appeals, a fee shall be paid in accordance with the fee schedule adopted by resolution of the governing body.

5. In any appeal taken pursuant to this section, if the board's attempt to reach a decision results in a tie vote, the matter may be carried over until the next scheduled meeting at the request of the person filing the appeal.

(Ord. No. 04-78, 12-21-04; Ord. No. 09-22, 4-21-09; Ord. No. 14-17, Attch., 4-15-14)



PLANNING COMMISSION RESOLUTION

MOTION: MCPHAIL

SECOND: SHEIKC

**RE: SPECIAL USE PERMIT #SUP2024-00004, STARBUCKS AT PRINCETON WOODS
POTOMAC MAGISTERIAL DISTRICT**

ACTION: RECOMMEND APPROVAL

**May 8, 2024
Regular Meeting
Res. No. 24-064**

WHEREAS, this is a request for a special use permit to allow a drive-through facility in connection with a by-right restaurant and associated sign modifications in the B-1, General Business zoning district; and

WHEREAS, the subject site is located at 17050 Richmond Highway, approximately ±150 feet south of the intersection of Richmond Highway and Pine Bluff Road. The subject site is identified on County maps as GPIN 8289-26-5265 on ± 0.76 acres; and

WHEREAS, the site is designated MU-4, Mixed-Use, Community, in the Comprehensive Plan and; and is located within the Southbridge Activity Center Special Planning Area; and

WHEREAS, the site is currently zoned B-1, General Business, Highway Corridor Overlay, Agritourism and Arts Overlay District, and the Prehistoric Sensitivity Area; and

WHEREAS, County staff recommends that the Planning Commission recommend approval of this Special Use Permit for the reasons stated in the staff report; and

WHEREAS, the Prince William County Planning Commission duly ordered, advertised, and held a public hearing May 8, 2024, at which time public testimony was received and the merits of the above-referenced case were considered; and

WHEREAS, the Prince William County Planning Commission finds that public necessity, convenience, general welfare, and good zoning practice are served by recommending approval of this request;

NOW, THEREFORE, BE IT RESOLVED that the Prince William County Planning Commission does hereby close the public hearing and recommends approval of Special Use Permit #SUP2024-00004, Starbucks at Princeton Woods, subject to the conditions dated April 19, 2024.

ATTACHMENT: SUP Conditions dated April 19, 2024.

Votes:

Ayes: Brown, Carroll, Justice, Lyver, McPhail, Moses-Nedd, Scheufler, Sheikh

Nays: None

Abstain from Vote: None

Absent from Vote: None

Absent from Meeting: None

MOTION CARRIED

Attest:

Oly Peña

Oly Peña

Clerk to the Planning Commission

SPECIAL USE PERMIT CONDITIONS

Owner/Applicant: JDC Princeton Woods, LLC and PW Starbucks, LLC

#SUP2024-00004, Starbucks at Princeton Woods

PWC GPIN 8289-26-5265 (the “Property”)

Special Use Permit Area: ±.7575 acres

Zoning: B-1 General Commercial

Magisterial District: Potomac

Date: April 19, 2024

The following conditions are intended to offset the impacts of the proposal and to render the application consistent with the applicable chapters of the Comprehensive Plan and the surrounding areas. If the conditions of this Special Use Permit (“SUP”) or the Special Use Permit Plan are in conflict with the Zoning Ordinance and/or the Design and Construction Standards Manual (DCSM), the more restrictive standards shall apply, except as specifically allowed by this special use permit.

The Applicant shall file a site plan within one (1) year of approval of this special use permit by the Board of County Supervisors and shall have up to five (5) years from the date of final site plan approval to commence the proposed use. Issuance of an occupancy permit constitutes commencement of the use.

1. Site Development – The site shall be developed in substantial conformance with the special use permit plan entitled “Starbucks at Princeton Woods,” prepared by Walter L. Phillips, Incorporated dated June 16, 2023, last revised April 2, 2024, and consisting of sheets 3 and 4 of 4 (the “SUP Plan”), subject to minor changes permitted by the County.
2. Use Parameters
 - a. Use Limitations – The use approved with this SUP shall be limited to a drive-through facility for a restaurant (permitted by-right) as shown on the SUP Plan. The uses permitted with this SUP do not limit or restrict the by-right uses otherwise allowed on the Property.
 - b. Hours of Operation – Hours of operation for the restaurant and drive-through may be 24 hours a day, 7 days per week.
 - c. Outdoor Speaker System – The system to be used for ordering shall not be audible beyond the limits of the SUP area.
3. Community Design
 - a. Architecture – The design of the building shall substantially conform to the building elevations entitled “Building Renderings,” prepared by Soos & Associates, Inc., dated May 31, 2022 (the “Elevations”). The Elevations may be subject to minor modifications approved by the County. Additional changes to the design and materials may be made provided that any such changes are

approved by the Planning Office. Such approval shall be based on a determination that the changes result in a building that is of equal or better quality than that shown on the Elevations. Prior to requesting a building permit release letter from Development Services, the Applicant shall submit building elevations to ensure compatibility of the building with the Elevations. Later upgrades or changes in architecture may be approved by the Planning Director so long as the new architecture is of similar or better quality.

- b. Building Design & Materials - The building shall be faced on all sides with durable, attractive, high-quality materials, comparable to brick, stone, wood, architectural concrete masonry unit (e.g., regal stone, split face, precision, ground face), precast concrete panels, or metal panels of architectural grade and quality. In no instance shall EFIS, corrugated or channeled metal, pre-engineered metal or exposed metal wall systems, unfinished/smooth face concrete block or simulated masonry be used as a primary exterior building material.
 - c. Landscaping – All landscaping shall be provided in substantial conformance with the SUP Plan. All new plantings shall be drought-resistant and native to Virginia.
 - d. Signage – Signage shall be in substantial conformance with the sign elevations shown on the sign elevations entitled “Starbucks Coffee #66844 17050 Richmond Highway Dumfries VA,” prepared by Hilton Displays, dated June 29, 2023 (the “Sign Package”). In accordance with Section 32-250.23 of the Zoning Ordinance, the Applicant shall be permitted the signage modifications as proposed and shown on the Sign Package. In addition, the following shall apply to signage and advertisements onsite:
 - i. Directional signage may be provided as needed, subject to sign permit approval.
 - ii. Unless not required by the Zoning Ordinance, sign permits are required for all signs. Color and scaled renderings of all signage shall be submitted as part of the sign permit approval process.
 - iii. The Zoning Administrator or his designee may approve any changes to overall sign design including logo, font size, color, illumination type and style, provided that the total sign area and the number of signs does not exceed the sign regulations of the Zoning Ordinance and/or the conditions of this SUP.
4. Environment / Water Quality – The Applicant shall contribute \$75 per acre (± 0.7575 acres) to the Board of County Supervisors prior to and as a condition of final site plan approval for the County to conduct water quality monitoring, stream restoration and/or drainage improvements.

5. Fire and Rescue Monetary Contribution – The Applicant shall make a \$0.61 per square foot (SF) of building area ($\pm 2,240$ SF) monetary contribution for fire and rescue services to the Board of County Supervisors prior to and as a condition of building permit issuance.
6. Maintenance of Site
 - a. Site Maintenance – The Applicant shall maintain the site and shall pick up trash, litter, and debris, as needed.
 - b. Dumpster Enclosure Area – Any refuse storage/dumpster enclosure area shall utilize a compatible design theme and similar materials as the principal building, as shown in the elevations. Such dumpster area shall be completely screened with an opaque enclosure with a gate that prohibits viewing this area from the surrounding parking areas and public right-of-way and shall remain closed when not in use.
 - c. Lighting – All onsite lighting shall be directed downward and shall not be directed towards the property lines. No neon or spot lighting shall be permitted. Any new freestanding parking lot light poles shall have a maximum height of 20 feet. All pole heights and locations shall be noted on the approved final site plan.
7. Transportation
 - a. Access – Subject to approval from Prince William County Department of Transportation (“County Transportation”) and the Virginia Department of Transportation (“VDOT”), vehicular access to the Property shall be provided as shown on the SUP Plan.
 - b. Travelways – The Applicant shall ensure that any vehicles associated with the use do not obstruct the travelways, drive aisles, fire lanes, adjoining road network, or encroach upon landscaped areas.
8. Water & Sewer Connection – The site shall be connected to public water and sewer with the Applicant bearing all costs associated with providing all on- and off-site facilities to make such connection and to meet the needs for the Property.
9. Escalator – In the event the monetary contributions set forth in the development conditions are paid to the Prince William Board of County Supervisors within eighteen (18) months of the approval of this special use permit, as applied for by the Applicant, said contributions shall be in the amounts stated herein. Any monetary contributions set forth in the development conditions which are paid after eighteen (18) months following the approval of this special use permit shall be adjusted in accordance with the Urban Consumer Price Index (CPI-U) published by the United States Department of Labor, such that at the time the contributions are paid they shall be adjusted by the percentage change in the CPI-U from the date eighteen (18) months after the approval of this rezoning to the most recently available CPI-U to the date the contributions are paid,

subject to a cap of six (6%) percent per year, non-compounded.



PLANNING COMMISSION RESOLUTION

MOTION: BROWN

May 8, 2024
Regular Meeting
No. 24-065

SECOND: SHEIKH

RE: SPECIAL USE PERMIT #SUP2023-00035, MYSTIKOS ARMAMENT, LLC
BRENTSVILLE MAGISTERIAL DISTRICT

ACTION: RECOMMEND APPROVAL

WHEREAS, this is a request for special use permit approval to allow a home business on approximately 1.60 acres; and

WHEREAS, the site is located on the northwest corner of the intersection of Boley Place and Vint Hill Road; and the site is identified on County maps as GPIN 7395-18-3037; and is addressed as 9356 Boley Place, Nokesville; and

WHEREAS, the site is designated AF, Agriculture and Forestry, in the Comprehensive Plan; and

WHEREAS, the site is currently zoned A-1, Agricultural; and

WHEREAS, staff has reviewed the subject application and recommends approval, for reasons as stated in the staff report; and

WHEREAS, the Prince William County Planning Commission duly ordered, advertised, and held a public hearing on May 8, 2024, at which time public testimony was received and the merits of the above-referenced case were considered; and

WHEREAS, the Prince William County Planning Commission finds that public necessity, convenience, general welfare, and good zoning practice are served by recommending approval of this request;

NOW, THEREFORE, BE IT RESOLVED that the Prince William County Planning Commission does hereby close the public hearing and recommends approval of Special Use Permit #SUP2023-00035, Mystikos Armament, LLC, subject to the conditions dated April 2, 2024.

Attachment: SUP Conditions dated April 2, 2024.

Votes:

Ayes: Brown, Carroll, Justice, Lyver, McPhail, Moses-Nedd, Scheufler, Sheikh

Nays: None

Abstain from Vote: None

Absent from Vote: None

Absent from Meeting: None

MOTION CARRIED

Attest:



Oly Pena

Clerk to the Planning Commission

Proposed Conditions
Applicant/Lessee: Neal Roddy
Zoning: A-1, Agricultural
Acreage: ±1.60 acres
GPIN: 7395-18-3037 ("Property")
District: Brentsville
#SUP2023-00035, Mystikos Armament LLC Home Business
April 2, 2024

The following conditions are intended to offset the impacts of the proposal and to render the application consistent with the applicable chapters of the Comprehensive Plan and the surrounding areas. If the conditions of this Special Use Permit are in conflict with the Zoning Ordinance, and/or the Design and Construction Standards Manual (DCSM), the more restrictive standards shall apply, except as specifically allowed by this special use permit. Prior to the commencement of the firearm manufacturing, gunsmithing, and buying and selling of firearms home business, the Applicant shall obtain Zoning Approval for the home-based business within one (1) year of approval of this Special Use Permit by the Board of County Supervisors, and if the Applicant does not obtain said Zoning Approval within one (1) year of approval of this Special Use Permit, then the SUP shall be void.

1. **Use Parameters:**

a. **Use & Area Limitations** - The home business shall be limited to firearm manufacturing, gunsmithing, and buying and selling of firearms. Related to the firearm manufacturing use, the Applicant shall be permitted to provide firearm part fabrication and assembly, which meets the County's definition of manufacturing, in accordance with the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives regulations. The home business shall be limited to the garage area of the residence, as shown on the Mystikos Armament LLC Home Business - Residence Exhibit dated June 26, 2023.

b. **Use & Storage Prohibitions** - The sale, manufacturing, and reloading of ammunition, as well as the sale of large capacity firearms, shall be prohibited with this home business use. The Applicant shall not discharge any firearms associated with the home business on the Property. Explosives used in ammunition, including smokeless propellant, black powder, and small arms primers, shall not be permitted to be stored on the Property, unless it is for personal use. Any smokeless propellant, black powder, and small arms primers that are stored on the Property for personal use shall adhere to all applicable County, State, and Federal regulations laws, codes, ordinances, and requirements.

In the event of a change of status in the stocking or selling of ammunition or storage of any other black powder (explosive material) that is outside the permitted residential use, this permit is to be reapplied for and evaluated based on that new condition.

PROPOSED CONDITIONS

Project: Mystikos Armament LLC Home Business

Solar Project Number: #SUP2023-00035

Date: April 2, 2024

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- c. **Hours of Operation**- The hours of operation for customers of this home business shall be limited to 9:00 AM - 3:00 PM Saturday and Sunday.
- d. **Employee(s)** - There shall be no non-resident employee(s) for the home business.
- e. **Primary Residential Use** -The Applicant shall continue to occupy the dwelling as their primary residence as long as the home business operation is active. The home business shall be clearly secondary to the primary residential use of the Property.
- f. **Customers** - There shall be no more than one customer on the Property at one time. All customers shall be seen by "Appointment Only", and the appointment times shall be staggered to ensure that there is no more than one customer vehicle arriving or departing from the Property at a time.
- g. **Customer Parking** - The Applicant shall maintain one designated parking space, which shall be in the driveway, for customers to utilize during the hours of operation.
- h. **Compliance** - The Applicant shall maintain all County, State, and Federal required permit(s) and licenses required for the service and repair of firearms. The Applicant shall obtain and maintain the appropriate federal firearms license (FFL) and any other applicable licenses or permits that are required from the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) prior to the commencement of this home-based firearm manufacturing, gunsmithing, and buying and selling of firearms home business. The Applicant shall provide proof of such ATF licenses and/or permits to Zoning Administration staff prior to requesting the zoning approval for the gunsmithing home business. The Applicant shall abide by all local, State, and Federal laws, codes, ordinances, requirements, and regulations regarding the purchase, possession, carrying, use, storage, and service/repair of firearms.
- i. **Building Code Requirements** - Prior to Zoning Approval, the Applicant shall comply with the applicable Building Code requirements for the home business, unless modified by Building Development through the approval of waivers of Building Code requirements.

2. **Community Design**

- a. **Signs** - No signage related to this firearm manufacturing, gunsmithing, and buying and selling of firearms home business shall be allowed on the outside of the home or on the Property at any time.
- b. **Outdoor Storage** - Outdoor storage of any equipment or materials associated with this home business use on the Property shall be prohibited. Said equipment and/or materials associated with this home business use shall be stored inside the dwelling unit.



PLANNING COMMISSION RESOLUTION

MOTION: CARROLL

SECOND: SCHEUFLER

**RE: PUBLIC FACILITY REVIEW #PFR2024-00001,
BETHLEHEM ROAD ENERGY CENTER-BRENTSVILLE MAGISTERIAL DISTRICT**

ACTION: APPROVED

**May 8, 2024
Regular Meeting
No. 24-066**

WHEREAS, this is a public facility review "PFR" request to allow for the construction of 96 Battery Energy Storage System "BESS" that will interconnect with an existing electric substation; and

WHEREAS, per the applicant, the proposed system will serve local data center loads, and stabilize energy service; and

WHEREAS, the proposed electric substations will be constructed on a ±13.47-acre site; and

WHEREAS, the site is identified on County maps as GPINs 7596-69-1425 and 7596-68-9696; and

WHEREAS, the site is designated I-3, Technology Flex, and is located in the Bethlehem Road Activity Center, in the Comprehensive Plan; and

WHEREAS, the site is zoned A-1, Agricultural, and lies within the Data Center Opportunity Zone Overlay, the E-Commerce Overlay District, Airport Safety Overlay District and the Agritourism and Arts Overlay District, and with portions located in the Chesapeake Bay Preservation Overlay District as well as the Highway Corridor Overlay District; and

WHEREAS, the Prince William County Planning Commission duly ordered, advertised, and held a public hearing on May 8, 2024; and

NOW, THEREFORE, BE IT RESOLVED that the Prince William County Planning Commission does hereby close the public hearing and find the general or approximate location, character, and extent of Public Facility Review #2024-00001, Bethlehem Road Energy Center substantially in accord with the adopted Comprehensive Plan on the expedited agenda.

May 8, 2024
Regular Meeting
No. 24- 066
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Votes:

Ayes: Brown, Carroll, Justice, Lyver, McPhail, Moses-Nedd, Scheufler, Sheikh

Nays: None

Absent from Vote: None

Absent from Meeting: None

Abstain from Vote: None

MOTION CARRIED

Attest:

Oly Pena

Oly Pena

Clerk to the Planning Commission