The regular meeting of the King George County Planning Commission (KGPC) was called to order at 7:00 PM by Vice Chairman Ross Devries in the Board Room of the Revercomb Building, located at 10459 Courthouse Drive King George, VA 22485.

**Staff Present:**
- Heather Hall, Zoning Administrator
- Bradley Hudson, Director of Community Development
- Louis Pancotti, Planner
- Jaci Fish, Recording Secretary

**Members Present:**
- Vice Chairman, Ross Devries
- Josh Colwell
- Joseph Dacorta
- Joseph Gaborow
- Gary Kendrick
- Kevin Myers
- Tara Patteson
- Donald Watkins Jr.
- Jason Williams

**Members Absent:**
- Chairman, Kristofer Parker

**KGC Attorney:**
- Mr. Eric Gregory

**Quorum:**
Vice Chairman Devries called the meeting to order at 7:00 PM and noted there was a quorum. Following the pledge of allegiance, Ms. Patteson led an invocation.

**Public Comment:**
Vice Chairman Devries opened the floor for public comment. Vice Chairman Devries called for the public to comment.

1. Don Shelton was called for public comment. Mr. Shelton was not present to comment.
2. Michelle Darnell, KGC Resident, stated she was present to discuss the Sign Ordinance (Case Number 20-01-Z01: Amendments to the King George County Zoning Ordinance to revise the Sign Regulations. Amendment to Section 3.11.) Board Members will review and vote on.
   - Ms. Darnell stated she has resided at Belle Grove Plantation in KGC for over several years and is happy to be part of the community. Belle Grove continues to grow every day, bringing in people from all over the world. In fact, their first online reservation was from a New Zealand resident. The only problem Ms. Darnell has, is people do not know where Belle Grove Plantation is located due to lack of signage. Ms. Darnell stated people have passed their driveway because of lack of signage. Tourists end up in Caroline County before they realize, they have passed the location. Ms. Darnell is requesting the Board to consider the Ordinance that has been put forth for review, as it will give Belle Grove Plantation the ability to place signage in certain locations to indicate where their facility is located (on Route 301) and prepare for the turn. The property they will place signage on is a part of Belle Grove property but not part of the exemption permit. Ms. Darnell stated she has permission from the farmer & landowner to place signage on the particular part of property. Ms. Darnell stated traffic near the location is horrendous and speeding of 60-70 miles per hour is continuous. Ms. Darnell requested the Board to pass the Sign...
Ordinance, so Belle Grove Plantation is allowed to prepare people, in a safe way, for the turn into the property.

Vice Chairman Devries closed Public Comment.

Approval of Minutes:
Approval of King George County Planning Commission meeting minutes included: January 14, 2020.

a. January 14, 2020:
- Mr. Colwell stated February 12, 2020 (KGCPC Meeting) needs to be revised to February 11, 2020 (KGCPC Meeting) on Pages 4 and 8.
- Mr. Colwell stated on Page 7, a different Board member inquired who designates the RPA.
- Mr. Colwell stated on Page 9, last bullet, he inquired not stated.

After review and there being no further revisions, Vice Chairman Devries called for a motion. A motion from Mr. Colwell to approve the January 14, 2020 KGCPC meeting minutes with amendments was made, seconded by Mr. Kendrick, and carried by a vote of 7-0-2. Each member voting as follows: Vice Chairman Devries, Aye; Mr. Colwell, Aye; Mr. Dacorta, Aye; Mr. Gaborow, Aye; Mr. Kendrick, Aye; Mr. Myers, Aye; Ms. Patteson, Abstain; Mr. Watkins, Aye, and Mr. Williams, Abstain.

Report of the Community Planning Liaison Officer, Naval Support Activity South Potomac, Dahlgren: Ms. Andrea Hornung, Community Planning Liaison for Naval Support Activity South Potomac (NSASP), Dahlgren and Naval Support Facility (NSF) Indian Head, Maryland stated there are no NSASP updates.

Plan Review:

a. Eagles Nest Animal Hospital Site Plan, Tax Map 23 (1) Parcel 17.
- Mrs. Hall, Zoning Administrator with King George County Department of Community Development (KGDCD) presented.
- Mrs. Hall stated the proposal is for an 8,450 square foot commercial veterinary building to be constructed along Barbara’s Way (Route 1143).
- Mrs. Hall stated the site is zoned C-2 after the Board of Supervisors (KGCBOS) approved a rezoning from R-1 in June 2019. The site area is 1.72 acres. During construction, approximately 1.25 acres will be disturbed. Upon construction, the impervious area will increase from 0 acres to 0.68 acres. The applicant will purchase 1.29 nutrient credits from Resource Environmental Solutions from the Potomac Watershed in compliance with Section 13.14.4 of the King George County Zoning Ordinance.
- Site Plan Review Summary:
  - The property is zoned General Trade (C-2) the proposed use as a Veterinary Hospital building is permitted by right in said zoning district per Section 2.10 (with additional requirements in Article 4, Section 4.8), King George County Zoning Ordinance (KGCZO). The property was partially rezoned from One-Family Dwelling District (R-1) on June 18, 2019.
  - The parking requirement for this site is one space for each 200 square feet of floor area, which equates to 43 required spaces. A total of 44 spaces, including 2 handicap accessible spaces, have been provided. Parking is compliant with the parking requirements of KGZO SS 3.12.
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February 11, 2020

- Staff reviewed the site plan and found it compliant with Article 8 of the King George County Zoning Ordinance (KGCZO). The site plan notes the approximate location of the waters edge of the existing stormwater pond.
- Staff reviewed the site plan and found it compliant with the Virginia Stormwater management requirements, Article 13 of the KGCZO. Water quality will be met by purchasing 1.291lbs. of nutrient offset credits to ensure there is no degradation to the stormwater quality caused by development of this site in compliance with Section 13.14.4 of the KGCZO. Water quantity requirements will be met through use of a level spreader utilizing an existing Stormwater pond onsite.
- Wetlands are not impacted by the project.
- The project is served by public water and sewer. The King George Service Authority has reviewed the plan and has found it to be in compliance with their regulations.
- Access to the site is being provided from Barbra’s Way. The Virginia Department of Transportation (VDOT) has reviewed and approved the work within the right-of-way.
- The Erosion and Sediment Control Plan are compliant with the requirements of the Virginia Erosion and Sediment Control minimum standards.
- Landscaping is compliant with KGCZO sections 3.12 and 7.6. All landscaping, plantings, and fencing is in accordance with King George requirements.
- Lighting is in compliance with KGCZO 3.12.6. Lightning is dark sky compliant and does not encroach on neighboring properties.

- Section 4.8 of the KGCZO – Veterinary Clinic

![Figure 1 KGCZO Section 4.8](image)

- Mrs. Hall stated building plans being reviewed by the KGCD only propose ½” Limestone Tile on ½ inch Cement Board with 5” sprayed building insulation (R-20 minimum) proposed.
- The Veterinary Hospital only proposes indoor facilities. Outside storage of animals is not proposed.
- Mrs. Hall reviewed the overall site plan layout.

Mrs. Hall stated KGCD recommends the KGPC approve Eagles Nest Animal Hospital Site Plan, Tax Map 23 (1) Parcel 17.

**Vice Chairman Devries opened the floor for Board Discussion.**

- Mr. Kendrick stated it is a by-right action and completely in compliance with all regulations.
- Vice Chairman Devries stated the only problem is with the dumpster path (rear left of parking lot).
Vice Chairman Devries stated, even if there is no animal waste, the dumpster location is in front of storm water storage; a few feet away from the sponge pool level spreader. Is this the best solution and is it a public health and safety concern?

- Mr. Judge, Applicant, stated all water in the area will drain through level spreader.
- Because of the egress patterns and traffic, it will be difficult for large trucks to navigate the parking lot.
- Mr. Judge stated he would entertain a better idea and discuss location further with his engineer to relocate the dumpster or the drain.

Vice Chairman Devries inquired about the use of the dumpster and if animal/medical waste will be deposited into the dumpster.

- Mr. Judge stated the dumpster will not be a primary method for the disposal of medical waste; however, some medical waste can go into the trash if disposed of properly.

Vice Chairman Devries inquired about the purchase of mitigation credits.

- Mr. Judge stated mitigation credits will be purchased.

Vice Chairman Devries inquired why there was not a bioretention.

- Mr. Judge stated there is a large portion of the lot that has a dam and a drainage area (on site) that will keep the drainage off site. The excess volume of the pond can sustain substantial amounts of water.
- Mr. Judge stated essentially there were no C-2 zoned lots in KGC that did not violate the residential set back. Bioretention is costly, and takes up space within the lot. Mr. Judge stated they are making the best decisions with limited options. The engineer decided it was the best option to purchase the phosphorous credits.

Vice Chairman Devries inquired if swale drainage was considered.

- Mr. Judge stated it was reviewed as an option.

Mr. Myers stated he has a concern about the lowest point of the lot and is concerned about drainage continuous leaking into the watershed.

- Mr. Judge stated he would relocate the dumpster to the end of the parking row area in the back of the building. Mr. Judge stated that would not be an unreasonable request. Reverse the drain, increase the pad site, etc.…
  - Vice Chairman Devries stated that would address his concern.

After review, Vice Chairman Devries called for a motion. A motion from Mr. Myers to approve Eagles Nest Animal Hospital Site Plan, Tax Map 23 (1) Parcel 17 with relocating the dumpster to the back of the building was made, seconded by Mr. Colwell, and carried by a unanimous vote of 9-0-0. Each member voting as follows: Vice Chairman Devries, Aye; Mr. Colwell, Aye; Mr. Dacorta, Aye; Mr. Gaborow, Aye; Mr. Kendrick, Aye; Mr. Myers, Aye; Ms. Patteson, Aye; Mr. Watkins, Aye, and Mr. Williams, Aye.

b. Peds Plus Site Plan, Tax Map 24 Parcel 12J

- Mrs. Heather Hall, Zoning Director, with KGCDCD presented.
- Mrs. Hall stated the proposal is for a site plan approval request by Peds Plus and Center Care to construct a 6,000 square foot commercial medical building on Tax Map 24 Parcel 12J to be constructed along Kings Hwy (Route 3).
• The site is zoned C-2 and 33,105 square foot lot (.76 acre). During construction, approximately 31,414 square feet (.72 acres) will be disturbed. Upon construction, the impervious area will increase from 0 acres to 0.652 acres.
• Mrs. Hall reviewed GIS Tax Map 24 Parcel 12J and overall site plan layout.
• Mrs. Hall stated the property is zoned General Trade (C-2) the proposed use as a Medical Office building is permitted by right in said zoning district per Section 2.9 and 2.10 KGCZO.
• The parking requirement for this site is one space for each medical office plus 3.6 spaces per 1,000 gross floor area of office space. Shared parking reduction (10%) requires 35 required spaces. A total of 35 spaces, including 2 handicap accessible spaces, have been provided. Parking tabulation is provided on the cover sheet. Parking is compliant with the parking requirements of KGCZO SS 3.12.
• Mrs. Hall stated staff reviewed the site plan and found it compliant with Article 8 of the KGCZO.
• KGCDCD staff reviewed the site plan and found it compliant with the Virginia Stormwater Management requirements, Article 13 of the KGCZO. Stormwater Quantity and Quality will be treated by a Biofiltration System.
• Wetlands are not impacted by the project. No wetlands onsite.
• The project is served by public water and sewer. The KGCSA has reviewed the plan and has found it to be in compliance with their regulations.
• Access to the site is being provided by the interior road provided for the Food Lion shopping center. The site will also provide an interparcel connector to the neighboring gas station. VDOT has reviewed and approved the work within the right-of-way.
• The Erosion and Settlement Control Plan are provided. They are compliant with the requirements of the Virginia Erosion Settlement Control minimum standards.
• Landscaping is compliant with KGCZO sections 3.12, 7.6, and 10.4.3 (HCOD). All landscaping, plantings, and fencing is in accordance with KGC requirements.
• Lightning is in compliance with KGCZO Section 3.12.6 and 10.4.4 (HCOD). Lighting is dark sky compliant and does not encroach on neighboring properties.
Mrs. Hall stated KGCDCD recommends KGCPC approve the Site plan request by Peds Plus and Center Care to construct a 6,000 square foot commercial medical building on Tax Map 24 Parcel 12J.

Vice Chairman Devries opened the floor for Board discussion.

• Mr. Colwell inquired if there was an interparcel connector to the neighboring gas station and if it would be fully functional.
  o Mrs. Hall stated it would be.
• Vice Chairman Devries inquired if the clinic is intended for the entire building or is there three separate units within the building.
  o Dr. Jean Laurore, MD, FAAP stated the clinic is intended to occupy the 3,000 square foot portion.
  o Vice Chairman Devries inquired if the other two sites within the building will be leased/used at a future time.
    ▪ Dr. Laurore stated the two sites would be leased at a future time.
After review, Vice Chairman Devries called for a motion. A motion from Mr. Colwell to approve Peds Plus Site Plan, request by Peds Plus and Center Care to construct a 6,000 square foot commercial medical building on Tax Map 24 Parcel 12J was made, seconded by Mr. Gaborow, and carried by a unanimous vote of 9-0-0. Each member voting as follows: Vice Chairman Devries, Aye; Mr. Colwell, Aye; Mr. Dacorta, Aye; Mr. Gaborow, Aye; Mr. Kendrick, Aye; Mr. Myers, Aye; Ms. Patteson, Aye; Mr. Watkins, Aye, and Mr. Williams, Aye.

Public Hearings:

a. **Case Number 19-03-Z02:** Request by Darrell Hertenstein, Hertenstein Investment Group, on behalf of Beverley C. Coates, David F. Clare and Alyce Jeter Jones (Villages at King George Crossroads) to rezone with proffers Tax Map 33 Parcels 74 and Tax Map 33 Parcels 78 & 79 from Rural Agricultural (A-2) to General Trade (C-2 Total 17.65 acres) and Multifamily dwelling District (R-3 Total 92.67 acres). Total project area of 110.32 acres. General Development plan, which is subject to modification, proposes to construct a maximum of 450 dwelling units with a proffer of no more than 450 units (a minimum of 100 units being age restricted) noted as “Landbay C” with 92.67 acres proposed to be zoned Multifamily Dwelling District (R-3), “West Village Landbay A”, 8.45 acres of C-2, proposing Medical Office (14,300 sq. ft. pad), “West Village Landbay B” proposing 6.31 acres of C-2, 7,500 sq. ft. pad, 2,500 sq. ft. pad and a 2,500 sq. ft. pad. The property is currently zoned Rural Agricultural (A-2); the minimum lot size in the Agricultural Zoning District is two (2) acres. The requested zoning is Multifamily dwelling (R-3) and General Trade (C-2). The minimum lot size in R-3 with both public water and public sewer is 15,000 square feet and townhomes 1,500 square foot minimum. The minimum lot size in C-2, with both public water and public sewer is 5,000 square feet. Per the King George Comprehensive Plan (2013), the property is located in the Courthouse Primary Settlement Area.

- Mrs. Heather Hall, Zoning Director, with KGCD presented.

- Mrs. Hall stated on:
  - **October 8, 2019** The Planning Commission and Board of Supervisors held a Joint Public Hearing. The Planning Commission deferred action to the November 12, 2019 Planning Commission meeting.
  - **November 12, 2019** The Planning Commission expressed concerns with the lack of detail in the plans provided, impacts to county services and infrastructure not being addressed. After discussion the Planning Commission deferred action to the December Planning Commission meeting. On December 2, 2019 the applicant requested to be removed from the December Agenda.
  - **January 10, 2020** a revised application was received to include GDP, Proffers and Traffic Impact Analysis.
  - Neither the Planning Commission or the Board of Supervisors has made a decision regarding this case.
  - Due to significant changes a new public hearing was scheduled for February 11, 2020 Planning Commission. This presentation and staff report will only discuss the most recent application and final reviews.

- Mrs. Hall reviewed **Minimum Rezoning Requirements:** The following information is required by Section 5.3.5, Zoning Ordinance, to be provided with a rezoning application.
  - 1. **Map** showing the property drawn to scale and with a reference to existing map features to enable the property to be located on the Zoning District Map.
2. **A description of the property** with a reference to a recorded subdivision plat or the County’s Tax Map.

3. **The names and addresses**, as shown on the current real estate tax assessment books, of property owners abutting the property, including owners located across the road/street.

4. **Applications** must be signed by the current property owner or the contract purchaser with the owners’ written permission. Contract purchasers must attach to the application a copy of the purchase agreement along with the owners’ written permission.

5. **The required fees** must be collected at the time the application is submitted.

The applicant has met the provided minimums for a rezoning application which includes providing a Map, description of property, adjoining properties, an application and required fees.

- **Rezoning Process**: Any additional information above the minimum requirements is at the discretion of the applicant.
  - Upon receiving a large rezoning Community Development reaches out to each department that may or may not have impacts. To include: Fire and Rescue, VDOT, Service Authority, Sheriff’s Office and the Schools.
  - Those same departments are tasked with working with the applicant and copying Community Development on the correspondence regarding the review process.
  - The applicant can choose to work with these departments or provide only the minimum requirements.
  - Department of Community Development utilizes the review letters from each department to compile the staff report.

- **Document provided by the Applicant**: Application with all minimum requirements previously described.
  - Additional documents include:
    - Generalized Development Plan (GDP)
    - Impact Statement
    - Proffer Statement
    - Design Guidelines
    - Traffic Impact Analysis (TIA)

- Mrs. Hall reviewed the KGC GIS Tax Map-Zoning, as seen in Figure 2 below.

![Figure 2 KGC GIS TAX MAP Zoning](image-url)
The property is currently zoned Rural Agricultural (A-2), the minimum lot size in the Agricultural Zoning District is two (2) acres.

The requested zoning:

- Multifamily dwelling (R-3). The minimum lot size in R-3 with both public water and public sewer is 15,000 square feet and Townhomes 1,500 square foot minimum.
- General Trade (C-2). The minimum lot size in C-2 with both public water and sewer is 5,000 square feet.
- The project is located within the Rt. 3/301 Primary Settlement Area per the 2019 Comprehensive Plan.
- Defacto Subdivision of 74 B through 74F further subdivided by a minor subdivision and is not a part of this project.

![Figure 3 KG Crossroads GDP](image-url)
Mrs. Hall reviewed KG Crossroads Generalized Development Plan and Existing Conditions Plan, as seen in Figures 3 and 4 above.

- **Adjacent Zoning and Land Use** includes King George County Government Center adjacent to this property on the Route 3 side. These uses include the Sheriff’s Office and Animal Control Building, both uses are Zoned Commercial C-2. Across route 3 is Tabernacle Baptist Church (A-2). The other surrounding properties on both Rt. 3 and Rt. 301 are mostly vacant and zoned either A-2 or C-2. Some residential homes along Rt. 301 and Rt. 3.

- **Existing Land Use.** The property is currently vacant and is wooded with wetlands throughout.

- Wetlands onsite were delineated by EnviroData and a Report of Investigations to determine jurisdictional areas was submitted on February 2019 and have been confirmed by the Army Corps of Engineers confirmed on May 3, 2019. King George County Department of Community Development agreed with the delineation on May 6, 2019.

- The delineation does show wetlands and Resource Protection Areas (RPA) throughout the project. Impacts to the wetland areas are proposed with the roadway connecting Rt. 3 to Rt. 301 however; disturbance will be in accordance with the Chesapeake Bay Act and Buffer Restoration Mitigation Handbook. All appropriate permitting and approvals will be received prior to construction.
Mrs. Hall reviewed GDP as seen in Figure 5, above.

- **West Village Land Bay “A”** will be comprised of 8.45 acres of Commercial General Trade with a proposed 14,300 sq. ft. Medical Office. Proposed Mary Washington location.
- **West Village Land Bay “B”** will be comprised of 6.31 acres of C-2 Commercial General Trade with Pad A 2.09 acres – Future Commercial/ Retail Building (7,500 Sq. ft.) Pad B 1.12 acres – Future Commercial/ Retail Building (2,500 sq. ft.) and Pad C 3.10 acres – Future Commercial/ Retail Building (2,500).
- **Land Bay “C”** – will be comprised of 92.67 acres of R-3 Multifamily dwelling zoning. 9.87 acres of the land is considered Wetlands. The net developable area is 82.80 acres.
- The GDP proposes 450 residential units (450 max proffered/ a minimum of 100 of the 450 being age restricted). 150 townhomes, 200 apartments, 48 age restricted villas and 52 age restricted apartments (total 450).
- Tot lot and clubhouse is shown on this sheet.
- Age restricted villas and apartments are shown along the match line and is continued to sheet 4.
Mrs. Hall reviewed continued age restricted areas with the villas and apartments, as shown in Figure 6, GDP, above.

- **The connector road to route 301 as proffered is shown.** The exact location of the Connector Road may be modified from what is shown on the GDP based on final engineering and environmental assessments, provided that it shall be constructed in accordance with all local and state regulatory rules, regulations and requirements. Applicant or its successor shall be required to finalize completion of the Connector Road within one (1) year from the later to occur of the following: (i) issuance of the 50th building permit for a residential townhome or age restricted unit in Land Bay C, or (ii) issuance of the 50th building permit for a multifamily residential unit in Land Bay C.

- Also shown is the 200 apartments with tot lot with access to the clubhouse shown on the previous sheet.

- **East Village Landbay “D”** will be comprised of 2.89 acres of C-2 Commercial General Trade with Pad A (1.19 acres) as proposed future 5,000 sq. ft. commercial/retail building and Pad B (1.70 acres) proposed as future 2,500 sq. ft. commercial/retail building.

- **Parcel Characteristics TX Map 33; Parcels 74, 78, and 79:**
  - **Acreage.**
    - **Parcel 74** contains 34.807 acres. (After a De Facto Subdivision recorded on February 13, 2018.)
    - **Parcel 78** contains 51.11 acres.
    - **Parcel 79** contains 24.41 acres.
  - **Property Location.** Fronts on both Route 3 and Route 301.
  - **Access.** Access to the property is proposed to be provided on Route 3 and Route 301 with an interior connection.
  - **Utilities.** The property is proposed to be served by public water and sewer to be provided by the King George County Service Authority.
Wetlands Impacts. Wetlands have been delineated by Bill Ellen and confirmed by the Army Corps of Engineers in May 2019. Proposed impacts include a roadway to cross through the wetlands.

Adjacent Zoning and Land Use. King George County Government Center is adjacent to this property on the Route 3 side. These uses include the Sheriff’s Office and Animal Control Building, both uses are Zoned Commercial C-2. Across route 3 is Tabernacle Baptist Church (A-2). The other surrounding properties on both Rt. 3 and Rt. 301 are mostly vacant and zoned either A-2 or C-2. Some residential homes along Rt. 301 and Rt. 3.

Existing Land Use. The property is currently vacant and is wooded with wetlands throughout.

Summary of Information Continued:

- West Village Land Bay “A” will be comprised of 8.45 acres of Commercial General Trade with a proposed 14,300 sq. ft. Medical Office.
- West Village Land Bay “B” will be comprised of 6.31 acres of C-2 Commercial General Trade with Pad A 2.09 acres – Future Commercial/Retail Building (7,500 Sq. ft.) Pad B 1.12 acres – Future Commercial/Retail Building (2,500sq. ft.) and Pad C 3.10 acres – Future Commercial/Retail Building (2,500).
- Land Bay “C” will be comprised of 92.67 acres of R-3 Multifamily dwelling zoning. 9.87 acres of the land is considered Wetlands. The net developable area is 82.80 acres. The GDP proposes 450 residential units (450 max proffered/a minimum of 100 of the 450 being age restricted). Current Zoning of A-2 requires a minimum lot size of 2 acres exclusive of all easements and roadways. Under the current zoning 82 acres divided into 2 acre lots without the required roads, stormwater etc. could permit approximately 41 single family lots.
- East Village Landbay “D” will be comprised of 2.89 acres of C-2 Commercial General Trade with Pad A (1.19 acres) as proposed future 5,000 sq. ft. commercial/retail building and Pad B (1.70 acres) proposed as future 2,500 sq. ft. commercial/retail building.

Summary of Revised Information:

- The voluntary Proffer Statement (Dated March 22, 2019 and revised January 10, 2020) the applicant has offered, if accepted, creates the following conditions (Summary):
  - GDP has been revised and proffered to provide the following:
    - Roadway to be constructed from Route 3 to Route 301 – “Connector Road” illustrated on the GDP as well as proffered #6 Transportation – D.
    - Rt. 3 full crossover detail provided on sheet 3 of the GDP. Note: VDOT spacing waiver will be applied for in order to allow for full access entrance. If denied entrance shall remain right in, right out, and left in (turn lanes). VDOT approval required.
    - Revised layout providing continuous roadways. Proffer #10 Fire and Rescue - E.
    - Illustrates 150 townhomes, 200 apartments, 48 age restricted villas and 52 age restricted apartments (total 450). Proffered #4 Residential Uses B. Phasing and Development. Typical design layout of townhomes and villas provided on sheet 5 of the GDP.
    - Illustrates 1 clubhouse and 2 tot lots / pocket park as provided in the Proffer Statement #4D Clubhouse and Amenities are further described in the Design Guidelines.
      - Clubhouse shall begin construction no later than the issuance of 125th building permit and shall be completed within 2 years.
- Pocket Park/ Tot lot to be constructed no later than the issuance of the 50th building permit.

- **Proffers revised to provide the following:** (complete proffers provided in the staff report)
  - West Village Land Bay B and East Village Land Bay D shall be limited by the provisions provided in section 3 (D) and [**further restricted to the following specific service types**](#) defined by the King George County Service Authority Regulations:
    - Medical Office
    - Restaurants
    - Car Wash
    - Office Space
    - Grocery Stores
    - Service Station
    - Shopping Center
  - Phasing provided in #4 B Phasing and Development to include:
    - No more than 75 occupancy permits for residential dwelling units during the year the rezoning is approved.
    - No more than 50 occupancy permits for residential dwelling units every year thereafter.

- **Sewer and Water Service Agreement** as described in the Proffer Statement #9 Sewer and Water:
  - **Applicant shall enter a service agreement with the Service Authority** on terms and conditions to be negotiated between the Applicant and Service Authority, but including the following [**minimum monetary obligations**](#):
    - Applicant will purchase $250,000.00 worth of Equivalent Residential Connections (“ERCs”) on or before the date which is ninety (90) days following rezoning approval of the Project by the Board of Supervisors.
    - The Applicant will purchase $500,000.00 worth of ERCs within ninety (90) days of site plan approval for the Project.
    - On or before the first anniversary date of the $500,000.00 payment, the Applicant will purchase $750,000.00 worth of ERCs.
    - On or before the second anniversary date of the $500,000.00 payment, the Applicant will purchase $750,000.00 worth of ERCs.
    - On or before the third anniversary date of the $500,000.00 payment, the Applicant will purchase $750,000.00 worth of ERCs.
    - $500,000.00 of the final $750,000.00 payment will be allocated solely to ERCs serving the commercial portion of the Project; however, ERCs for commercial purposes may be accounted for by prior purchases of ERCs and credited accordingly.
    - The Project will be credited with the equivalent number of ERCs purchased at the rates applicable at the time they are utilized.
    - All other ERCs necessary for the Project will be purchased at the time of building permit approval at the rates effective at that time.
    - KGC voted to enter into the proposed service agreement 2/4/2020.

- **Fire and Rescue** (#10 Proffer Statement):
  - Applicant or its successor shall make a cash payment to the County in the amount of [**Five Hundred and No/100 Dollars ($500.00) for each residential unit**](#) constructed on the Property for purposes of offsetting the impact this Project will have on the County’s fire.
and rescue services. Such payment shall be made at the time of building permit approval for each unit.

- **Schools** (#11 Proffer statement):
  - Applicant shall make a cash payment to the County in the amount of **One Thousand and No/100 Dollars ($1,000.00)** for each non-age restricted unit constructed on the Property for the purpose of offsetting any impacts the Project will have on County schools. Such payment shall be made at the time of occupancy permit approval for each unit.

- **Design Guidelines:**
  - Dated March 22, 2019 and revised January 10, 2020 (provided in packet). Referenced in Proffer Statement under Uses and Site Development – B: The Design Guide (DG) which provides conceptual illustrations of the quality and type of the design, design elements and architectural style of the pattern of development, community amenities, dwelling units, recreation and open space, design features and buildings to be located on the Property.
  - The Design Guide provides guidance in design goals:
    - Pedestrian facilities
    - Amenities
      - Tot Lot
      - Park
      - Community Center/Pool
    - Landscaping
      - Minimum size requirements and planting standards
      - Plant size and sight triangles
      - Maintenance
      - Landscape areas
      - Hardscape
      - Furnishings
    - Lighting
    - Signage
    - Architecture pattern
      - Building design
      - Unit types
• **Figure 7 GDP Sheet 5 General Notes** provides general notes regarding typical townhome and villas layout as well as landscaping, fencing, and signage.

• **TIA Summary:**
  o A traffic impact analysis was prepared by Pennoni Associates Inc. on March 20, 2019 and provided by the applicant. TIA was revised on January 14, 2020.
  o The development envisioned to include approximately 450 residential units, 20,000 sf of commercial pad site uses, and a 14,300-sf medical office building. The “anchor” of the proposed land use activities is the medical facility adjacent to VA Route 3, to be operated in affiliation with Mary Washington University.
  o With the subject development projected to generate less than 5,000 daily trips, this study is not subject to VDOT Chapter 527 requirements. However, the scope of this study was based on input from King George County and VDOT based on previous land use iterations. Two (2) study years, 2030 and 2036 were evaluated for the site access locations and existing regional traffic signals.
  o The access sensitivity was reviewed and the site assignments are updated with the revised GDP, as attached, for analysis of the site impacts and traffic flows with the 450 residential units and the support commercial. The analysis reviews a scenario with left turn access at the West Village entrance on Va. Route 3, as revised. The TIA addendum shows the assignments with only right out and left in, but the report also tests side street LOS with the lefts out, with a full crossover at the West Village Entrance (Intersection #3).
  o The Generalized Development Plan Comments in the January 6, 2020 letter notes that median crossover grade elements and concern about processing detailed items, including SSAR review and VDOT Access Management regulations. Based on the Revised GDP, the traffic study is updated to include initial review of the access spacing on Va. Route 3 and the future development impacts. As excerpted below, while the subject road section of Kings Highway is classified as a Principal Arterial and the road segment is designated as Arterial Preservation Network link, the proposed new crossover on Va. Route 3 does satisfy the VDOT Access Management spacing guidelines as a new crossover, as a T intersection. As noted in the January 6 meeting, the crossover spacing on Route 3 for the proposed and existing conditions between the Ridge Road and Route 301 signals is below the VDOT suggested spacing criteria of 1,320 feet, for full access unsignalized spacing, including through movements on the side streets at the crossovers.
However, in further review of the access plan and VDOT criteria, the proposed spacing of the median crossover for the West Village can be processed at site plan, as the spacing exceeds the minimum 750 feet required for a Principal Arterial for 55 MPH. Shifting the intersection east allows 933 feet to the next existing crossover. The spacing is reduced per the VDOT criteria, based on the spacing as a full access/Directional crossover where throughs on the side streets are restricted. As noted in the meeting spacing at less than 1,320 ft spacing would require an access management waiver; however, the spacing of less than 1,320 ft. can be acceptable at the proposed crossover until such time as redevelopment occurs to the south of Va. Route 3 and through trips may be created at the proposed crossover.

• VDOT:
  o While VDOT typically reviews construction plans for compliance with their VDOT construction standards; it is King George County standards to involve VDOT early in the review process to guide our County in decision making regarding Virginia roadways and traffic impacts.
  o **January 30, 2020 VDOT provided the following review letter:** This office has reviewed the referenced documents in accordance with the minimum standards as received on January 15, 2020, and we offer the following comments:
    ▪ The proposed full access crossover on Rt. 3 requires a spacing of 1320’ and the proposal indicates a crossover spacing of 933’. The entrance is located on an arterial preservation network (APN) which has a much higher level of review and requirements for new crossover installations and may not be achievable.
    ▪ Detailed items such as multiple connections, roadway typical sections, pavement designs, and all other necessary design items for entrance and public roadways will be reviewed at the site plan phase in accordance with the VDOT Access Management Regulations, SSAR’s, Road Design Manual, and all other applicable manuals, standards and specifications.
    ▪ These comments can be addressed at the plan review stage; however, it is anticipated that there will be necessary changed to the GDP layout as currently shown.

![Figure 8 Proposed Route 3 Entrance (West Village)](image)

o As discussed in the Proffer Statement the note has been added to the plan to include the VDOT spacing waiver.
Proffer #6 E. Within one hundred twenty (120) days from rezoning approval (provided the same has not been appealed) Applicant shall apply to VDOT for a full access entrance to/from Route 3, which application shall include a request for an access management spacing waiver allowing for the “left out” turn option from the Property to the Eastbound Route 3 lanes.

- Figure 9 Proposed Route 301 Entrance (East Village)

- Figure 10 Crossover Detail - Rt. 301 has an existing crossover and the applicant has provided the entrance detail.

- Service Authority (Public Water and Sewer):
  - Service Authority General Manager, reviewed the proposed plan and offered the following comments in their Memorandum dated January 2, 2020 (Attached):
  - All previous comments have been addressed. There is a pending Service Agreement that is outlined in the Proffer Statement. KGCSA is in agreement with the revised documents to include the draft Service Agreement; therefore, I recommend approval of the rezoning application.
  - February 4, 2020 King George Service Authority Board and Board of Supervisors entered into a Service Agreement regarding this project.

- Fire and Rescue:
  - January 13, 2020 King George County Fire and Rescue Chief provided the following in their memorandum.
Our Department has reviewed the applicant’s sixth (6th) and most recent revision, dated January 10, 2020. I have reviewed the revised changes in the proposed Generalized Development Plan that consist of a relocation and design change of the Route 3 crossover adjacent to the entrance. This revision will not have any impact to our operations.

King George County Fire and Rescue Chief provided the following in their memorandum dated January 2, 2020. Document enclosed with Staff Report.

I have reviewed the most recent revised Proffer Statement from BFG, dated December 12, 2019 and below are my summarized comments:

**Summary:** It is understood that this proposed development will require additional Fire & Rescue and other public services to support the citizens within this community. This will require additional personnel and resources. A Company 4: Shiloh Fire & Rescue station has already been identified as a need within the County and is in the planning process currently. The Mary Washington Hospital (MWH) Urgent Care facility opened on November 13, 2019, located at 11131 Journal Parkway and our Department has already received service impact with numerous calls for assistance since their opening.

- In summary, I believe that the applicant has addressed our fire and life safety risk reduction concerns (as attached) and has proposed a means of helping to reduce the fiscal impact with providing our services.

**Schools:**

King George County Superintendent of Schools reviewed the proposal and offered the following in his letter dated January 27, 2020:

- You have circulated the Proffer Statement submitted in the County's rezoning Case Number 19-03-202 on behalf of Alyce Jeter Jones, David F. Clare, and Beverley C. Coates, concerning the proposed Villages at King George Crossroads development project (Project). You also provided the document entitled King George Crossroads Fiscal Impact Analysis prepared by the Berkley Group. You asked me, as Superintendent of the King George County School Division, to review these documents and provide input concerning the school division's ability to accommodate the estimated increase in the number of students that the Project is expected to generate.

- On behalf of the school division I appreciate the opportunity to inform the Planning Commission, the County Board of Supervisors, and the Petitioner(s) of the potential impact of the proposed project. Having provided such information in my first response, I have no additional comment on the project itself. Regarding the Petitioner's revised proposal and proffer, I leave to those responsible the evaluation of the cash proffer and the degree to which it will offset any financial impact to the school division - particularly since more than half of the school division's operating budget is appropriated by the King George County Board of Supervisors.

- No doubt our outstanding school division makes King George County an attractive place for developers to build and families to live. We stand ready to accept and educate any child who resides in King George County.

- Mrs. Hall reviewed Route 3 & 301 Primary Settlement Area from the 2019 KGC Comprehensive Plan, as seen in Figure 11 below.
Recommended Action:
King George County staff recommends the King George County Planning Commission Forward Case Number 19-03-Z02 to the Board of Supervisors with the recommendation of approval.

- While the applicant has intentions to install the crossovers as depicted in the GDP; at this time there is not an assurance that a crossover will be provided at the Rt. 3 entrance location. Proffer #6 has been amended to address this.
  - **The VDOT letter dated January 30, 2020 states:** The proposed full access crossover on Rt. 3 requires spacing of 1320’ and the proposal indicates a crossover spacing of 933’.
    - The entrance located on an arterial preservation network (APN) which has a much higher-level review and requirements for new crossover installations and may not be achievable.
  - **The proffer statement #6. E States:** Within one hundred twenty (120) days from rezoning approval (provided the same has not been appealed) Applicant shall apply to VDOT for a full access entrance to/from Route 3, which application shall include a request for an access management spacing waiver allowing for the “left out” turn option from the Property to the Eastbound Route 3 lanes. In the event said request is granted, Applicant proffers that it will construct said entrance as approved by VDOT. Applicant further proffers and agrees that prior to the submission of said request Applicant will consult with VDOT and applicable professionals to determine the location, design, and structure of the entrance which will have the greatest likelihood of approval. Notwithstanding anything to the contrary contained herein, Applicant shall not be required to submit a plan to VDOT in connection with the request which would require any extraordinary action on behalf of Applicant to secure approval, such as the construction of a tunnel, overpass, or bridge.
  - **Traffic Impact Analysis (TIA) Addendum –Rev. Jan. 2020 - Pennoni by Douglas Kennedy, P.E. notes on page viii of the Executive Summary states:** “Overall, without signalization, the intersection turns operate at LOS “C” or better, except for the left turns out at the East Village intersection. The VA Route 3 site entrances operate at LOS “B”
for the right turn exists from the site to Route 3 westbound, and U-Turns in are at a LOS “B” for both peak periods. Queues are less than 1 vehicle for turns. (Summary provided in packet; full TIA provided upon request).

King George County Fiscal Report and King George Crossing Fiscal Profile:

- Mr. Bryant Phillips, Chief Financial Officer, with The Berkley Group presented on the KGC Fiscal Report and Mr. Darren K. Coffey, AICP, Director of Strategic Partnerships with The Berkley Group presented the King George Crossing Fiscal Profile.

- **Profile Overview:**
  - A model of County’s revenues and expenses
  - A tool for assessing future development proposals
  - Based on FY18 budget
  - Assumptions based on existing levels of service + state averages + national trends and standards
  - Better data in – Better data out

- **Profile Components:**
  - Base Data
  - Revenues
  - Expenses
  - Service Levels

- **Base Data General:**
  - Population: 25,381
  - Jobs: 11,847
  - Residential Units: 9,925
  - Number of Households: 8,972
  - Students: 4,330
  - Teachers: 303
  - Water System Users: 4,150
  - Sewer System Users: 2,413

- **Base Data – Taxes and Fees**
  - Real Estate Tax: $0.70 / $100
  - Personal Property Tax: $3.50 / $100
  - Machinery & Tools Tax: $2.50 / $100
  - Comm. Building Permit: $0.32 per square foot
  - Res. Building Permit: $0.25 per square foot
  - Zoning Permit: $75
  - Grading Permit: $75
  - Commercial building permit includes new constructions, electrical, plumbing, and mechanical permits, and plan review fee.
Revenues:

Table 1 Revenues

<table>
<thead>
<tr>
<th>Type</th>
<th>Amount/Annual Revenue</th>
<th>Average Revenue per Resident</th>
</tr>
</thead>
<tbody>
<tr>
<td>Real Estate Taxes</td>
<td>17,860,024</td>
<td>704</td>
</tr>
<tr>
<td>Personal Property Taxes</td>
<td>5,590,000</td>
<td>220</td>
</tr>
<tr>
<td>Machinery &amp; Tools Taxes</td>
<td>165,000</td>
<td>7</td>
</tr>
<tr>
<td>Penalties &amp; Interest</td>
<td>365,000</td>
<td>14</td>
</tr>
<tr>
<td>Other Local Taxes</td>
<td>6,394,700</td>
<td>252</td>
</tr>
<tr>
<td>Permits, Fees, &amp; Licenses</td>
<td>484,525</td>
<td>19</td>
</tr>
<tr>
<td>Fines &amp; Forfeitures</td>
<td>193,500</td>
<td>8</td>
</tr>
<tr>
<td>Charges for Services</td>
<td>676,300</td>
<td>27</td>
</tr>
<tr>
<td>Revenue from the Commonwealth</td>
<td>6,267,526</td>
<td>247</td>
</tr>
<tr>
<td>Revenue from the Fed Gov’t</td>
<td>957,964</td>
<td>38</td>
</tr>
<tr>
<td>Recreation Activity Fund</td>
<td>431,572</td>
<td>17</td>
</tr>
</tbody>
</table>

- Revenue streams not included – delinquent and public service, mobile homes, and others. If all revenue is included, it adds $52K in net revenue to the King George Crossing project.
- These revenues were not included because they were not deemed relevant to the KG Crossing project.

Table 2 Revenues - Utilities

<table>
<thead>
<tr>
<th>Utilities</th>
<th>Annual Revenue</th>
<th>Number of Users/Accounts</th>
<th>Revenue Per User/Account</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water System</td>
<td>2,333,498</td>
<td>4,130</td>
<td>565</td>
</tr>
<tr>
<td>Sewer System</td>
<td>3,146,261</td>
<td>2,413</td>
<td>1,304</td>
</tr>
</tbody>
</table>
• **Expenses:**

  **Table 3 Expenses**

<table>
<thead>
<tr>
<th>Category</th>
<th>Annual Expenses (GF)</th>
<th>Cost Per Resident</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Admin</td>
<td>3,157,812</td>
<td>124</td>
</tr>
<tr>
<td>Judicial Admin</td>
<td>1,259,354</td>
<td>50</td>
</tr>
<tr>
<td>Public Safety</td>
<td>11,410,646</td>
<td>450</td>
</tr>
<tr>
<td>Public Works</td>
<td>2,019,107</td>
<td>80</td>
</tr>
<tr>
<td>Health &amp; Welfare</td>
<td>308,415</td>
<td>12</td>
</tr>
<tr>
<td>Social Services</td>
<td>4,593,324</td>
<td>181</td>
</tr>
<tr>
<td>Parks, Rec., &amp; Culture</td>
<td>412,239</td>
<td>16</td>
</tr>
<tr>
<td>Community Development</td>
<td>806,084</td>
<td>32</td>
</tr>
<tr>
<td>Economic Development</td>
<td>149,369</td>
<td>6</td>
</tr>
<tr>
<td>Other/Non-departmental</td>
<td>1,195,966</td>
<td>47</td>
</tr>
<tr>
<td>Schools Operating</td>
<td>16,952,136</td>
<td>668</td>
</tr>
</tbody>
</table>

  **Table 4 Expenses**

<table>
<thead>
<tr>
<th>Utilities</th>
<th>Annual Expenses</th>
<th>Number of Users/Accounts</th>
<th>Cost Per User/Account</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water System Operating</td>
<td>1,032,894</td>
<td>4,130</td>
<td>250</td>
</tr>
<tr>
<td>Sewer System Operating</td>
<td>2,367,449</td>
<td>2,413</td>
<td>981</td>
</tr>
<tr>
<td>Sewer System Capital</td>
<td>2,235,591</td>
<td>2,413</td>
<td>926</td>
</tr>
</tbody>
</table>

• **Levels of Service:**
  - **Law Enforcement Officers:**
    - 42 sworn officers
    - 1 per 604 residents
  - **Fire / Rescue:**
    - 50 responders
    - 1 per 508
  - **Schools:**
    - Cost Per Student: 3,915
    - Student Teacher Ratio: 14.3:1
    - Virginia Average: 15:1
• Levels of Service – Water Systems:

<table>
<thead>
<tr>
<th>Water System</th>
<th>Total Capacity (gpd)</th>
<th>Current Usage (gpd)</th>
<th>Percent Used</th>
<th>Available Capacity (gpd)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Canterbury Estates</td>
<td>20,000</td>
<td>12,530</td>
<td>63%</td>
<td>7,470</td>
</tr>
<tr>
<td>Circle</td>
<td>12,023</td>
<td>16,281</td>
<td>135%</td>
<td>(4,258)</td>
</tr>
<tr>
<td>Courthouse</td>
<td>447,200</td>
<td>261,963</td>
<td>59%</td>
<td>185,237</td>
</tr>
<tr>
<td>Dahlgren</td>
<td>414,400</td>
<td>257,488</td>
<td>62%</td>
<td>156,912</td>
</tr>
<tr>
<td>Fairview Beach</td>
<td>84,800</td>
<td>50,613</td>
<td>60%</td>
<td>34,187</td>
</tr>
<tr>
<td>Hopyard Farm</td>
<td>138,400</td>
<td>58,852</td>
<td>43%</td>
<td>79,548</td>
</tr>
<tr>
<td>Nindes</td>
<td>12,069</td>
<td>4,109</td>
<td>34%</td>
<td>7,960</td>
</tr>
<tr>
<td>Oakland Park</td>
<td>396,000</td>
<td>68,945</td>
<td>17%</td>
<td>327,055</td>
</tr>
<tr>
<td>St. Paul’s/Owens</td>
<td>20,482</td>
<td>13,483</td>
<td>66%</td>
<td>6,999</td>
</tr>
</tbody>
</table>

• Levels of Service – Sewer Systems:

<table>
<thead>
<tr>
<th>Water System</th>
<th>Total Capacity (gpd)</th>
<th>Current Usage (gpd)</th>
<th>Percent Used</th>
<th>Available Capacity (gpd)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dahlgren</td>
<td>1,000,000</td>
<td>269,000</td>
<td>27%</td>
<td>731,000</td>
</tr>
<tr>
<td>Fairview Beach</td>
<td>200,000</td>
<td>52,000</td>
<td>26%</td>
<td>148,000</td>
</tr>
<tr>
<td>Hopyard Farm</td>
<td>375,000</td>
<td>35,000</td>
<td>9%</td>
<td>340,000</td>
</tr>
<tr>
<td>Oakland Park</td>
<td>140,000</td>
<td>27,000</td>
<td>19%</td>
<td>113,000</td>
</tr>
<tr>
<td>Purkins Corner</td>
<td>114,000</td>
<td>70,000</td>
<td>61%</td>
<td>44,000</td>
</tr>
</tbody>
</table>

King George Crossing Fiscal Profile:

• Mr. Darren K. Coffey with The Berkley Group, presented.
• Mr. Coffey stated the Villages is the first major project for KGC, hence, the Villages numbers were applied to the model. Therefore, the analysis is based on the model.
• 450 Residential Units
  o 150 Townhomes
  o 200 Multifamily units
  o 100 Villa Style
• 1,160 Residents
  o 2.8 residents/household; 1.8 for villas
  o 135 students
• Total Assessed Value – $132,435,000
  o Residents per household – 2017 Census ACS Data
o Villa style units are age restricted and not included in number of students calculation

- **Commercial:**
  - o 6 Commercial Pad Sites
    - ▪ 14,500 sq. ft medical facility
    - ▪ 20,000 sq. ft commercial uses
  - o Total Assessed Value – $18,800,000
  - o Machinery & Tools (M&T) Assessed Value – $2,000,000

- **Estimated Annual Revenues:**

<table>
<thead>
<tr>
<th>Revenue</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Real Estate Tax (Residential)</td>
<td>927,045</td>
</tr>
<tr>
<td>Real Estate Tax (Commercial)</td>
<td>131,600</td>
</tr>
<tr>
<td>Personal Property</td>
<td>255,482</td>
</tr>
<tr>
<td>Machinery and Tools</td>
<td>50,000</td>
</tr>
<tr>
<td>Penalties &amp; Interest</td>
<td>16,682</td>
</tr>
<tr>
<td>Other Local Taxes</td>
<td>292,260</td>
</tr>
<tr>
<td>Permits, Fees &amp; Licenses</td>
<td>22,144</td>
</tr>
<tr>
<td>Fine &amp; Forfeitures</td>
<td>8,844</td>
</tr>
<tr>
<td>Charges for Services</td>
<td>30,909</td>
</tr>
<tr>
<td>Revenue from the Commonwealth</td>
<td>286,448</td>
</tr>
<tr>
<td>Revenue from the Federal Gov’t</td>
<td>43,782</td>
</tr>
<tr>
<td>Recreation Activity Fund</td>
<td>19,724</td>
</tr>
<tr>
<td>Water System Usage Fees</td>
<td>257,645</td>
</tr>
<tr>
<td>Sewer System Usage Fees</td>
<td>594,569</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>2,937,135</strong></td>
</tr>
</tbody>
</table>
The King George County Planning Commission Meeting Minutes
February 11, 2020

- **Estimated Annual Expenses:**

  Table 8 Estimated Annual Expenses

<table>
<thead>
<tr>
<th>Expense</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Administration</td>
<td>144,323</td>
</tr>
<tr>
<td>Judicial Administration</td>
<td>57,557</td>
</tr>
<tr>
<td>Public Safety</td>
<td>521,506</td>
</tr>
<tr>
<td>Public Works</td>
<td>92,280</td>
</tr>
<tr>
<td>Health &amp; Welfare</td>
<td>14,096</td>
</tr>
<tr>
<td>Social Services</td>
<td>209,931</td>
</tr>
<tr>
<td>Parks, Rec &amp; Culture</td>
<td>18,841</td>
</tr>
<tr>
<td>Community Development</td>
<td>36,841</td>
</tr>
<tr>
<td>Economic Development</td>
<td>6,827</td>
</tr>
<tr>
<td>Other/Nondepartmental</td>
<td>54,660</td>
</tr>
<tr>
<td>Schools Operating</td>
<td>774,772</td>
</tr>
<tr>
<td>Water System Operating</td>
<td>114,043</td>
</tr>
<tr>
<td>Water System Capital</td>
<td>-</td>
</tr>
<tr>
<td>Sewer System Operating</td>
<td>447,392</td>
</tr>
<tr>
<td>Sewer System Capital</td>
<td>422,474</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>2,915,542</td>
</tr>
</tbody>
</table>

- **Estimated Net Annual Fiscal Impact:**
  - Revenue: $2,937,135
  - Expense: $2,915,542
  - Net Positive: $21,593
  - Mr. Coffey stated this is assuming conditions will not change; however, conditions/numbers will change.
    - For example, if tax rates & expenses increase, revenue will change.

- **Estimated One-Time Revenues:**

  Table 9 Estimated One-time Revenue

<table>
<thead>
<tr>
<th>One Time Revenues</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water System Connection Fees (Residential)</td>
<td>3,897,900</td>
</tr>
<tr>
<td>Water System Connection Fees (Commercial)</td>
<td>59,340</td>
</tr>
<tr>
<td>Sewer System Connection Fees (Residential)</td>
<td>5,032,350</td>
</tr>
<tr>
<td>Sewer System Connection Fees (Commercial)</td>
<td>77,034</td>
</tr>
<tr>
<td>Commercial Building Permit Fees</td>
<td>11,040</td>
</tr>
<tr>
<td>Zoning Permits</td>
<td>33,750</td>
</tr>
<tr>
<td>Grading Permits</td>
<td>33,750</td>
</tr>
<tr>
<td>Proffers</td>
<td>575,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>9,720,164</td>
</tr>
</tbody>
</table>
Mr. Coffey stated this is Proffer driven.
- Water and Sewer Revenue is around $9.7 Million. This will be over the life of the project as it is phased in. What is proffered if it comes to fruition, will end up being an excess of $9.7 Million.
  - One Time Infusion.
  - This helps address KGC Fire & Rescue and School Impacts.

- **Utilities Impact:**
  - Mr. Coffey stated this project will place Purkins Corner over capacity. There will be a net deficiency. Proffers will address this, as money is being provided to the Sewer Authority for upgrades and demands.
    - No major issues.
  - There is plenty of water capacity.
  - As the project unfolds, proffers will help with the sewer capacity.

Table 10: Utilities Impact

<table>
<thead>
<tr>
<th>System Impacted</th>
<th>Water System</th>
<th>Sewer System</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Capacity (gpd)</td>
<td>447,200</td>
<td>114,000</td>
</tr>
<tr>
<td>Current Usage (gpd)</td>
<td>261,963</td>
<td>70,000</td>
</tr>
<tr>
<td>Available Capacity (gpd)</td>
<td>185,237</td>
<td>44,000</td>
</tr>
<tr>
<td>New Development Usage-Residential (gpd)</td>
<td>90,000</td>
<td>90,000</td>
</tr>
<tr>
<td>New Development Usage-Med Facility (gpd)</td>
<td>2,538</td>
<td>2,538</td>
</tr>
<tr>
<td>New Development Usage-Commercial (gpd)</td>
<td>4,000</td>
<td>4,000</td>
</tr>
<tr>
<td>Remaining Capacity (gpd)</td>
<td>88,700</td>
<td>(52,538)</td>
</tr>
</tbody>
</table>
Service Levels:

<table>
<thead>
<tr>
<th>Service Level</th>
<th>Current Staffing Ratio</th>
<th>Additional Staff Needed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Law Enforcement Officers</td>
<td>1 per 604 residents</td>
<td>1.92</td>
</tr>
<tr>
<td>Fire &amp; Rescue</td>
<td>1 per 508 residents</td>
<td>2.29</td>
</tr>
<tr>
<td>Student/Teacher Ratio</td>
<td>14.3:1</td>
<td>9.45</td>
</tr>
</tbody>
</table>

Fiscal Profile Takeaways:
- Standard advice holds true . . . Better data = Better results.
  - Mr. Coffey stated they have helped develop this model with cooperation of KGCDCD & KGC Administration.
  - Mr. Coffey stated the Fiscal Profile should be one of the tools that the KGCBOS and KGCPC use to make informed decisions with regard to land uses.
- . . . but there are numerous variables.
  - Mr. Coffey stated as more projects come to KGC, each model will look different. As needed, the Berkley Group will work with KGC.
- Keep the profile data up to date.
  - With each FY, the base data will need to be updated.
- Assess developments as they are presented (no assumptions).
- Actual development proposals should come with detailed information.
  - Each applicant should be aware of this process.
- Capture the fiscal analysis fee as part of the rezoning application fee schedule.
  - Costs & fees should be covered by the applicant.
- Consider how fiscal impacts will be used in your decision making.
  - A fiscal profile is good tool to help with fiscal impacts.

Vice Chairman Devries opened the floor for the Applicant, The Hertenstein Development Group.

- Mr. Landon Davis, with Parrish Snead Franklin Simpson, PLC - Applicants Attorney, presented.
  - Mr. Davis thanked Mr. Gregory, KGC Attorney and KGCDCD staff on working with the Applicant over the past 4 months. Mr. Davis stated it has been a collaborative effort and the Applicant has come up with a final application.
  - There are some similarities as to the October/November 2019 application. However, the final application aligns well with the 2019 KGC Comp Plan. The application brings the much-needed expansion of health care options to KGC. Differences in the final application are based on the public, KGCDCD, and KGCPC comments.
  - Mr. Davis stated the exact residential units has been provided.
    - Shuffle deck has been removed.
Residential Units are confirmed at 450 Residential Units:

- 150 Townhomes
- 200 Multifamily units
- 100 Villa Style

- Mr. Davis stated the applicant will develop and build the important connector road at a significant expense on behalf of his client.
  - This will remove traveling impediments on Route 3 & 301.
- Mr. Davis stated Fiscal Impact has been addressed.
  - Mr. Davis stated there will be a surplus of around $21,000.
  - There will be a net positive to KGC on a yearly basis.
- Mr. Davis stated there is a onetime cash proffer for KGC schools and fire & rescue impacts. KGC can use the cash proffer as they deem necessary.
- Mr. Davis stated an agreement with the Service Authority has been signed and fully executed as of February 11, 2020.
  - Proffers of $3 Million pre-payments has been guaranteed over a 3-4-year period.
  - Shouldering Service Authority burdens, i.e. help develop a new W&T facility.
  - Final $500,000 payment being made is dedicated to commercial ERCs, to show the Applicant is serious about developing commercial property & pad sites.
  - Mr. Davis stated at a previous meeting, 205 ERC availability was mentioned. The Applicant will cap their ability to take 90% of the ERCs.
    - This will not be an issue, as there will be over 10% of ERCs left for the community.
- Mr. Davis stated the development is a good development for KGC.
  - Aligned with the 2019 KGC Comprehensive Plan.
  - Financially a net gain for KGC.
  - Proffered over $500,000 of cash (one-time cost) to various KGC Departments.
  - The GDP and Units have been finalized.
  - The deal with Mary Washington Hospital and Healthcare will extend healthcare to KGC.
  - There is a deal with the Service Authority.
  - KGCDCD approves the final project.
- Mr. Davis stated the Applicant heard the KGCPC concerns, and revised the application to address those concerns. Mr. Davis would like the KGCPC to forward the application to the KGCBOS with recommendation of approval.

Vice Chairman Devries opened the floor for Public comment.

Public Comment includes but is not limited to:

1. Mr. Ryan Gass, KGC Resident, stated he is in support of the project. Mr. Gass stated he understands without having the project it may keep KGC rural, however, the project brings good development to KGC as well as residential and commercial opportunities.
2. Bob Baird, KGC Resident, stated he is in favor of the project. Mr. Baird stated Mary Washington Healthcare plan to expand into KGC is a necessity, especially with imaging, increased urgent care facilities, etc….Mr. Baird stated the commercial pad sites give KGC needed commercial growth and helps with taxes. Mr. Baird stated having a community for 55+ is beneficial for KGC and the development brings higher density at lower cost for seniors and younger people moving into KGC.
3. Michael Hayes, KGC Resident, stated he is not anti-growth, he is for growth that makes sense to KGC. Mr. Hayes stated a question that needs to be answered is, does KGC benefit from approval of this project. Mr. Hayes stated he is addressing the project from a financial perspective as a CPA financial planner (20+years). Mr. Hayes stated he has concerns about the Berkley Group numbers. The first being, the net gain of around $22,000. This is 1% less then the growth revenue projected by this project. This is too close for comfort because of the variables used in the model. This will be a negative to KGC and will fall into the citizens hands. Mr. Hayes stated he would prefer something in the 10-15% range so there is a margin of error of revenue to give KGC some barrier for the unexpected.

- **Resident Projection:** Mr. Hayes stated looking at the resident’s projection, numbers would tend to be higher in a high-density area. The project having a lower number, looks more favorable. Mr. Hayes stated he would lean to the error of caution.

- **Schools:** the impact analysis calls for 135 students, Dr. Benson’s August 2019 statement stated 210 students. There is a potential variance in numbers. 75 potential student variances at a cost of $3,915 per student is an additional cost of $294,000 which has not been accounted for.
  - Dr. Benson stated 3 additional school busses would be needed and that would be an additional $378,000 (school bus, driver, 30% benefits, etc.).
  - 9 teachers at $45,000 a year salary is around $405,000. Plus, benefits of 30% would total around $121,000, totaling $526,000. $378,000 (+/-) + $526,000 = $900,000 (+)
  - The one-time applicants proffer is only for: $350,000.
  - Errors need to be addressed.

- **Public Safety:** 2 additional employees needed for F&R. 2 additional employees needed for law enforcement.
  - There is only a total proffer for $225,000.
  - There are no proffers for law enforcement, social services, etc…. ($210,000).
  - Around $521, 000 is needed for increase as seen in the projected Berkley Group numbers.

- **Commercial:** Mr. Hayes saw no commercial proffers.

- **Service Authority:** There is no dollar amount listed for the Purkins Corner upgrade.
  - Prepayments were addressed but no dollar amount is listed.
  - Mr. Hayes stated the revenue from water and sewer fees is $852,000
  - Mr. Hayes stated the expense for water and sewer is $984,000.
    - Which is a $134,000 loss per year for water and sewer.

- Mr. Hayes reached his three-minute time limit for public comment.

- Mr. Billy Clift, KGC Resident, donated his time to Mr. Hayes.

- **Traffic Analysis:** Mr. Hayes stated there is congestion on Route 3.
  - Route 3 being a single lane going through downtown KG has been an issue for years.
  - A high-density development will place an additional strain on Route 3. A high-density development would be better places outside of the proposed area.
  - The proposed area should be reserved for municipality.

- **Proposed Units:** Mr. Hayes stated there was a misrepresentation of a 55+ community. With 100 of the 450 units that is only 22% of the development, it is a part of the overall community, not a 55+community.

- **Affordable Housing:** There is no definition of affordable housing for the KGC residents.
• **Proffers:** The proffers are one time.
  - Mr. Hayes has not seen a legal binding letter from the KGC Attorney stating it has been reviewed and it is legally binding. Will the developer be held to what is promised?
    - Mr. Hayes inquired if there is a Personal Financial document of the Applicant? Can the person behind it support the development?

4. Richard Hale, KGC Resident, stated this is a win-win for KGC (resident, SA, etc.). It is managed over a period of time. The development brings in a tax base and much needed commercial tax revenue and commercial businesses for the residents. The development helps the SA, which is needed. Mr. Hale fully supports the project. Mr. Hale hopes the KGPC reviews everything that has been stated and moves forward with the project.

5. Mike Bennett, KGC Resident, stated he is a KGCSA Board member but is present to speak as a KGC resident. Mr. Bennett stated Mr. Weakley, General Manager with the Service Authority was present to answer any technical questions. Mr. Bennett stated he recognizes the KGPC has a broader view of the development and Mr. Bennett defers to the KGPC as to what is best for the county. Mr. Bennett stated what is good for the Service Authority (SA) will benefit the County too. The SA and Mr. Hertenstein has entered into a written agreement. The SA and the developer have been in discussion for many months, to a year. Mr. Bennett believes the agreement is fair and reasonable. The KGCSA Board approved the agreement 4-0-1, with 1 abstention. The agreement was signed on February 11, 2020, as that is when the developer, Mr. Weakley, Mr. Gregory, and a notary could convene together to sign the document. Mr. Bennett stated there has been no KGCBOS involvement. The KGCBOS will take action after the February 11, 2020 KGPC meeting. With leadership from Mr. Weakley Meeting, meeting federal regulations, and operating within permit limits for all waste water treatment plants for 2019 was successful. Purkins Corner Wastewater Treatment Plant (PCWWTP) facility barley met within permit limits for December 2019, permit numbers were impacted. The PCWWTP has been an operational challenge. There were significant technical problems and maintenance costs. As the DEQ finalizes its nutrient regulations, it will be impossible for PCWWTP to meet DEQ regulations.
  - No final decision has been made as which course will be taken. (1) re-route to Hopyard Farms (2) build new PCWWTP.
  - Something will have to be done that will cost millions irrespective of what happens with the KG Crossing Villages.
  - The Villages will provide significant financial benefit to the SA going forward.
    - Whatever action the SA takes, it will more affordable if the Villages development happens.
  - The SA will not survive long term unless there is more customers and connection fees.
    - The proposed development provides both. There is no downside to the proposed development.

6. Kristina Sacra, KGC Resident, stated there are KGC residents that do not want this development to happen. Ms. Sacra stated the KGPC is personally attacking the developer. Ms. Sacra has great respect for what the developer has done and continues to do for KGC. Ms. Sacra stated KGPC sees Mr. Hertenstein as a mean developer that wants to take over the county. Ms. Sacra sees Mr. Hertenstein as a community member, who takes his time & money and donates it to community organizations. Mr. Hertenstein gives his time and money without hesitation. Ms. Sacra stated Mr. Hertenstein lives and pays taxes in KGC. Ms. Sacra supports the proposed development as what it proposes will be beneficial for
KGC. Ms. Sacra had questions when the development was first reviewed, she contacted the developer’s office and received answers without hesitation. KGC will grow not matter and it is best to have a developer that cares about his community to develop within KGC.

7. Andrew Ball, KGC Resident, stated last year KGCD wanted feedback from the county residents about the future of the county. With over 1,000 responses, 70% wanted to maintain & preserve rural characteristics of KGC. More than 85% voted against an increase of a population that would be necessary to attract restaurant chains. Mr. Ball stated the KGCP has an opportunity to respond to the clear expressed opinions of the county. Rezoning 110 acres in the heart of the county to put in 450 housing units is not the way to preserve the rural nature of KGC. Mr. Ball stated he urges the KGCP to forward the application to the KGCBOS with a recommendation of denial.

8. Mary Melber, KGC Resident, stated Mr. Hertenstein does an incredible job in helping the KGC community. Mr. Hertenstein helps so many. Ms. Melber stated her front porch is a donation location for the community. Ms. Melber stated she supports between 10-30 families per week in KGC; she does this with help of community members from the county.

- Ms. Melber stated as the county grows, there are more families that are in need of assistance. Children have to be clothed and eat. Without citizens like Mr. Hertenstein, she would have to shut her porch down to help others.
- Ms. Melber supports people who supports others and want to make a difference for the community.

9. Gary Butler, Fredericksburg Resident & EXIT Realty, Owner-KGC, stated the KGCP and KGCBOS has designated the area for the proposed development as a growth area. Thus, removing development from Dahlgren. During the comp plan review, development in certain areas will have to go through the rezoning process. This is an extremely expensive process for a developer, this proposed development has been ongoing for quite some time. The property across from Tabernacle Church was rezoned by the County on their own volition, commercial.

- Mr. Butler stated since some property on the south side of the development is owned by churches, there will not be any further commercial development. Mr. Butler stated having MWH Urgent Care in that location is needed.
- If the county does not provide residential development there will not be commercial development.
- Mr. Butler recommends the KGCP forward the application to the KGCBOS with recommendation of approval.

10. Mr. Brayden Richardson, KGC Resident, stated he approves the project as it follows the 2019 KGC Comp Plan and is good for KGC.

11. Gary Owen, KGC Resident & Farmer, stated he is not in favor of the proposed development. Mr. Owen stated he has walked along the proposed property and it does have wetlands. Mr. Owen stated that there is over $150 Million in assessed property value. These numbers need to be broken down more. If you dived the assessed property value by 450 it comes out to be around $333,000. That is not affordable housing. There needs to be real numbers. Answers are needed.

- Mr. Owen stated he does not understand the urgency to develop 450 housing units. Being from Calvert County, Maryland he does not want to see KGC turn into that.
Mr. Louis Pancotti, Planner with KGCDCD stated there is email correspondence from KGC residents that wish for their emails to be read at the February 11, 2020 KGPC Meeting. As seen in Figures 13, 14, 15, and 16 below.

12. Mr. Chris Jester, KGC Resident, stated in Figure 12 below:

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Will you please read my email at Feb 11th Planning commission meeting I am unable to attend.

Good Evening,

My name is Chris Jester I have lived in this county for several years and seen it grow. I do like that this project will offer more townhomes and apartments to the county. When I first moved here I lived in a townhouse off dahlgren road near the base, I have several friends that wanted to come move to King George and it was challenging to find something affordable because there really isn’t a lot of townhomes available in the area to rent or own and the Monmouth Woods apartments are income restricted so its hard to qualify. I would really like to see more houses here like townhomes and apartments for people who can’t afford 400k + homes. I also think it’s great to have a 55+ community because King George doesn’t currently offer one for the elderly.

I just recently used the temporary Mary Washington Urgent care over the holidays I was sick and had the flu. It was a really nice facility and I thought it was nice being able to drive around the corner to get somewhere to be treated. I do like the fact that Mary Washington wants to expand on their services offered here and I understand they can’t do that unless they are able to build this new building on the King George Crossroads project site to have the ability to have a bigger building and expand on their building. I really hope you allow them this opportunity so we can have more treatment options here in King George.

Thank you for your time and I really hope you approve this project!

Thank you,

Chris Jester
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*Figure 12 Email from Mr. Chris Jester*

13. Ms. Misty Murphy, KGC Resident, stated in Figure 13 below:

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From: Darel Hertenslein [mailto:***@gmail.com]
Sent: Monday, February 10, 2020 12:26 PM
To: Heather Hall
Subject: Rezoning KG Crossroads Project

Good Afternoon Ladies and Gentleman of the Board,

I completely support this rezoning. Being that I am a single mother of two very young children, finding affordable living has just become so difficult. I have moved here from Maryland a few years ago and have been looking for a permanent home for me and my children but the cost in this area are between 300-400k and that is next to impossible for anyone in my position. This would also be very beneficial to teachers, police officers or anyone who does not have a high paying salary or weekly income. The community is continuously growing and affordable housing will definitely be beneficial to this county for everyone.

I am also in full support of bringing Mary Washington Hospital urgent care to our county. Like I have mentioned before, I have two small children who do get sick quite often. My son has lung issues so I am constantly taking him to the doctors, mind you the closest one to me is between 30-40 minutes away, so having a facility for emergency situations would be extremely helpful and would save a lot of time for us to get him treated. I’m sure every parent in this county can agree with that.

I also think that having a 55+ community in this development would be nice to have for the adults who just want to get away from the regular neighborhoods and can have their own little place to escape and there would be less impact on the schools in this area which is also beneficial to the county.

I really hope you all take in to consideration everything I have stated in this letter and vote yes for this project.

Thank you for your time and consideration.

Misty Murphy
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*Figure 13 Email from Misty Murphy*
14. Mr. Travis Turner, KGC Resident, stated in Figure 14 below:

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From: Travis Turner <travis.turner@example.com>
Sent: Monday, February 10, 2020 10:43 AM
To: Heather Hall
Subject: King George -Rezoning

Please read at Tuesday February 11th Planning Commission Meeting.

Good Afternoon Planning Commission Members,

My name is Travis Turner and I reside at 15597 Delaware Drive King George va 22485. I'm emailing in because I can't make Tuesdays planning commission meeting. I just wanted to express my support for the Villages at King George Crossroads project. I seem to recall the Board of Supervisors spending almost 1 million dollars to extend sewer/water to the tractor supply with the hopes it would bring more commercial development to the area. That has not been the case since that was completed. Now I read that Mr. Hertenstein with Hertenstein Investment Group, LLC is willing and has agreed to pay 3 million dollars towards the service authority with this project. I feel that is very generous of Mr. Hertenstein and I know this will help the service authority tremendously with the Perkins Corner plant dilemma they are facing with that needing to be rebuild or decommission.

Overall I see this project as a win win for the county. I am aware of the Mary Washington Facility that is in the county but I was informed at a previous meeting that Mary Washington said that previous building was only temporary with the hope that they could build a new bigger building at this projects site so they could expand their services to our community. I really hope the county can see how big of a deal that is for us citizens. Even if this facility can't be an emergency Room it's still so much better than what we have had in the past with nothing here.

When I first moved here about 6 years ago there was a little bit more options for affordable living but over time comes growth and I understand that is inevitable however it is very slim pickings for anything now a days. The Town Homes in this project and apartments that won't be income restricted is going to open the doors for a lot of people trying to move in this area and can't afford a 400k home. I am completely in favor of this project!

Please consider all the great things this project offers and approve tonight!

Thank you so much for your time and reading this letter in my absents.

Respectfully,

Travis Turner
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Figure 14 Email from Mr. Travis Turner
15. Mr. and Mrs. Mike & Crystal Muth, KGC Residents, stated in Figure 15 below:

**Figure 15 Email from Mr. & Mrs. Muth**

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From: Michael Muth II <michael.muthll@gmail.com>
Sent: Tuesday, February 11, 2020 4:19 PM
To: Heather Hall
Cc: Crystal (Wife) - I.C.E
Subject: Opposition to rezoning proposal at 3/301 corridor

***Please read at tonight’s meeting on (2/11/20)***

Dear Ms. Hall and Members of the Planning Commission,

My wife Crystal Muth and I, Michael Muth, both reside at 11405 Salem Church Rd. King George, VA 22485. We would like to use this email as an opportunity to officially go on record as being opposed to the rezoning approval that would allow “The Villages” project to be developed at the 3/301 corridor. As tax paying residents of King George, we firmly stand against growth that could potentially jeopardize the rural nature of our beautiful county.

This proposal places a serious burden on the county’s already thinly stretched financial and public works coffers. This is smoke and mirrors from another developer only interested in lining their account at resident’s expenses. Residents who will later have to foot the bill for maintenance and overcrowded schools. It is turning a rural county into a suburban/urban eyesore. We have witnessed it in the counties to the north and west of us. Do not make the same mistake. Maybe one day the county can absorb the impact of a project like this but that is decades down the road.

Thank you for your service to King George.

Sincerely,
Mike and Crystal Muth
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16. Mr. John Wheeler, KGC Resident, stated in Figure 16, below:

**Figure 16 Email from Mr. John Wheeler**

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From: Heather Hall
Sent: Tuesday, February 11, 2020 1:55 PM
To: Heather Hall
Subject: planning commission meeting 2/11/20

John Wheeler
7314 Columbia Dr
King George, VA 22485

Please have my note be made a part of the record.

I am against any new housing projects at this time. Our infrastructure can’t handle what we have already built and what’s still being built as parts of other existing projects.

Thank you.
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17. Mary Washington Health Care Statement as seen in Figure 17 & 18, below:

February 6, 2020

King George County Commission
10459 Courthouse Drive
King George, VA 22485
c/o: Kristofer Parker, Chairman
Ross Devries, Vice Chairman
Gary Kendrick
Tara Patteson
Donald Watkins, Jr.
Joseph Gaborow
Kevin Myers
Jason Williams
Josh Colwell

Dear Planning Commissioners,

I write to ask for your consideration related to Mary Washington Healthcare's desire to expand healthcare services to your fellow citizens of King George County.

In November of 2019, we opened the first Mary Washington Urgent Care, on King’s Highway in King George County. We also opened a new imaging center at the same location. We are proud to bring these services to a more convenient location for the county’s residents. And, judging by the number of patients we are seeing in our new center, the county’s residents are pleased to have this facility.

In fact, we are considering bringing more services to King George, potentially including additional primary care providers, physical therapy, and more. As we consider this future expansion of services, we find ourselves struggling to identify facilities in the county which meet our space requirements.

We have been in discussion with local developer, Darell Hertenstein for a few years now. Darell has a development plan in the King George Courthouse area that would meet our needs for expansion. In addition, Darell has offered significant incentives which can help us bring an expanded facility to fruition.

We support Darell’s plan, and hope that you will see the potential to bring additional healthcare services to the citizens of King George as a compelling, positive aspect of Darell’s development plan.

2300 Fall Hill Avenue, Suite 511C Fredericksburg, VA 22401 mwhc.com

Figure 17 Mary Washington Healthcare Statement 1 of 2
Vice Chairman Devries closed the floor for Public comment.

Vice Chairman Devries opened the floor for KGCPC discussion.

**VDOT:**

- Mr. Scott Gagnon with VDOT was present to answer technical questions.
- Vice Chairman Devries inquired if Government Center Boulevard (GCB) has a traffic light.
  - Mr. Gagnon stated there is not a traffic light located at GCB.
- Vice Chairman Devries stated he has noticed there is resistance in using GCB and Citizens Way (CW) as access to the commercial property. Is that coming from VDOT?
  - Mr. Gagnon stated no, he does not believe it is.
  - Mr. Gagnon stated the development will generate traffic and there needs to be a certain amount of access to internal & external roadways.
- Vice Chairman Devries inquired what kind of traffic would warrant a traffic signal.
  - Mr. Gagnon stated that is subjective. Traffic signals are warranted based on generated traffic (onsite and receiving roadway). Mr. Gagnon stated a lack of warranted signals in either of the entrances gives the indication that it is not a huge project for that area.
  - It is a balance on how much capacity is on the road, how much is being used, how much traffic is being generated on the road and receiving road.
  - Vice Chairman Devries inquired if this could change based on the commercial sites.
    - Mr. Gagnon stated it can but KGC, in that location, is not there yet.
- Mr. Myers inquired, to have a crossover, does VDOT have to go through an application process through Richmond, VDOT?
  - Mr. Gagnon stated yes, it is called an Arterial Preservation Network Program and it is a new process.
    - The Arterial Preservation Program is designed to preserve and enhance the safety and capacity of the critical transportation highways included in the Arterial Preservation Network.
Arterials are major highways that function similarly to the interstate system, accommodating long-distance mobility of people and goods throughout the commonwealth. Preserving mobility on these corridors is critical to the current and future economy.

- This tries to preserve networks or arterial roadways. It helps from roadways expanding, having too many entrances, too many crossovers, etc. …
- This new concept goes through the normal process and higher-level process through VDOT.

Mr. Myers inquired about a quarter mile in the proposed location.
- Mr. Gagnon stated it is 933ft vs. 1340ft.
- Mr. Gagnon stated even if a full access entrance was not used, there are other options that could be used, i.e. one left in and out, etc. …

Mr. Myers inquired if a right in, right out was used with no median break, would the only option be to have the area a no U-turn area and have vehicles go to the other side.
- Mr. Gagnon stated if there is no median break the vehicle would have to go to the next median crossover, in either direction, make a U-turn, turn around, and come back in.
  - Mr. Gagnon stated this is where the connector road is a real benefit.

Mr. Myers inquired if the crossover is good at Route 301.
- Mr. Gagnon stated it was.

Mr. Kendrick inquired if the Arterial Preservation Initiative will impact the crossover on Route 301.
- Mr. Gagnon stated no, it does not. The crossover is existing, it has been used, and is acceptable.

**King George County Service Authority:**

- Mr. Johnathan Weakley, General Manager with King George Service Authority was present to answer questions.
- Mr. Weakley stated there is a SA agreement with Hertenstein Development that was executed and signed.
- Mr. Kendrick stated he recognizes the income the SA will receive from the development tap fees. Mr. Kendrick inquired about current plans about Purkins Corner and time associated with.
  - Mr. Weakley stated there is a preliminary engineering report ongoing.
    - Mr. Wally Wilson will be providing that report by June 2020.
    - Mr. Weakley stated the SA was tasked to evaluate several different treatment options.
      - Technology needs to be approved to meet standards.
      - WHIP3 (watershed and implementation plan-phase 3) is a plan that still needs determination.
      - A Fiscal Study was completed in the past that assessed rerouting Purkins Corner.
        - The challenge is the plan was modified before.
  - Mr. Weakley stated the decision is (1) re-route the flow or (2) construct a new facility.
Mr. Weakley stated the proposed development is in accordance to what is outlined in the 2019 KGC Comp Plan.
- The SA does not go ahead of the KGCBOS or Board of Directors (BOD).
- Anything outside a PSA or 2019 KGC Comp Plan would have to go through the BOD and KGCBOS before the SA could even consider entering into an agreement.
- 185 ERCs (connections) was agreed to with a 90% cap, leaving 20 ERCs.
- 3-4 years with the proposed development.
Mr. Weakley stated there are plans for and in addition with the proposed development.
Mr. Weakley stated growth was pinpointed to the proposed area of development through the 2019 KGC Comp Plan.
- Mr. Kendrick inquired about a conservative estimate for constructing a new facility at Purkins Corner.
  - Mr. Weakley stated there is a timeline for the project would be Summer of 2023 or Summer 2024.
    - 4-year timeline, i.e. Turn Key and Approval timeline.
    - An estimated price of $10-14 Million for 500,000 gallons per day (GPD) new facility.
      - Mr. Weakley stated currently the SA is at 70,000 GPD or .07GPD.
      - SA is looking at future development, that the KGCBOS outlined in the 2019 KGC Comp Plan. The SA is looking ahead 30-40 years and building for same. The cost of construction goes up with each upgrade. Therefore, the SA is looking at continued development in KGC and a facility that will be able to handle same.
      - While also mindful of what can be withdrawn from the Aquaphor.
- Mr. Myers inquired if monthly fees are included in the agreement (ERC).
  - Mr. Weakley stated their regulations are written as such. The regulations permit for monthly fees.
  - Mr. Myers inquired if every connection would have a monthly fee until hookup.
    - Mr. Weakley stated there is a minimal bill per regulation (require).
  - Mr. Myers inquired about current rate of the ERCs.
    - Mr. Weakley stated the $3 Million secures it at today’s rates.
    - Mr. Eric Gregory, KGC Attorney, stated future connections would be purchased at rates applicable at that time.
      - Page 4, Item #15 of the Service Agreement.
- Mr. Myers inquired what % of the county does the SA service.
  - Mr. Weakley stated 4200 for water and 2300 for sewer.
  - Mr. Weakley stated building for a population of 25,000.
    - Mr. Bennett stated service is around 35% of KGC.
- Vice Chairman Devries inquired about grants applied for, capital improvement fund, debt service level, etc...
  - Mr. Weakley stated it is hard to project debt service level without a final number.
  - Mr. Weakley stated the SA has established line of credit of $15 Million.
    - This would be turned into an amortization table schedule.
Mr. Weakley stated currently there is a $3 Million contribution, WQIF offers six figures, and what is remaining is left unforeseen.
- Mr. Weakley stated SA does not have the actual construction cost, just an estimate of $10-14 Million. Therefore, numbers will not be accurate.
- Vice Chairman Devries inquired if this will add debt, if there is no capital fund to draw from.
  - Mr. Weakley stated it would, the capital fees that are currently drawn are $2.20 per billing cycle which generates $50,000.
  - The model the SA and KGCBOS approved last year, is a five-year rate plan.
  - Is this debt service something we can afford? The BOD approved the five-year rate plan with a yearly review. % of increased rates provide provision of cover for operations.
  - Moving forward the 5-year rate plan is a new chapter that will put one on the right foothold for capital expenses.
- Mr. Bennet stated re-routing to Hopyard Farms will cost $4.6 Million, irrespective of the proposed development.

King George County Fire and Rescue, Chief David Moody:

- Mr. Kendrick inquired about 3-story and 4-story multi apartments and if a new ladder truck is still a concern.
  - Chief Moody stated they highlighted that concern and the applicant made the amendment of removing the 4th story.
  - Chief Moody stated the primary ground ladder is 24 feet and will not be able to reach the third story windows. They have to utilize their partners for a ladder truck. There are plans to request a ladder truck in the Capital Improvement Plan. The Holiday Inn, Dahlgren, VA is four stories; Hampton Inn is three stories, as are other large commercial buildings in KGC.
    - Based on the NSWCDD Fire & Rescue abilities, NSWCDD F&R would come as far down to the proposed development. KGC F&R will also utilize: Colonial Beach Fire & Rescue, Caroline County, and Fredericksburg if they had to. Mutual aid is good but not assured.
  - Mr. Kendrick inquired how much a ladder truck costs.
    - Chief Moody stated can vary in price, $750,000-$1 Million.
  - Mr. Kendrick inquired if there are any other concerns, that have not been addressed.
    - Chief Moody stated no, they highlighted potential issues, which have been addressed.
      - Chief Moody stated the applicant providing fire suppression in all units is a plus.
      - Chief Moody stated KGC F&R has a limited staff and responds to many calls per day.
      - The Urgent Care on Journal Parkway, KGC, has been opened since November 13, 2019.
        - When Urgent Care reaches a certain acute level, they call 911 which is a service impact to KGC F&R.
          - As of last week, February 3 – 7 2019, KGC F&R has received 72 total, 911 calls. Averaging one call per day.
Mr. Kendrick inquired if having the Peds Plus, as approved tonight, will be detrimental to KGC F&R.
  - Chief Moody stated Peds Plus will not be a large generator of calls. Chief Moody stated they have had a pediatrician in the county for years and it is not a large generator of calls.

Berkley Group:

- Mr. Darren K. Coffey, AICP, Director of Strategic Partnerships with The Berkley Group was present to answer KGCPG questions.
- Mr. Myers inquired about the Berkley’s Group revised analysis, when was the revision made and why.
  - Mr. Coffey stated the original fiscal impact analysis was completed in December 2019. The applicant revised the proffer package and the Berkley had discussions with the applicant; therefore, the analysis was redone, i.e. accounting for unaccounted revenues, schools-unaccounted students, single family/multifamily/townhome established unit numbers, etc...
  - Mr. Coffey stated originally, there was a slightly negative impact before revenues were added which they should have had from the County. Now, with all needed information there is a slightly positive impact.
  - Mr. Myers inquired; what other assumptions were tweaked?
    - Mr. Coffey stated number of persons per household.
  - Mr. Myers inquired if a single family and a multifamily tax base will be different.
    - Mr. Coffey stated that distinction was not made in the model.
    - Mr. Coffey stated based on size of the residential unit, yes.
    - Personal property (vehicles) will not be different.
  - Mr. Myers inquired about commercial revenue, without knowing what commercial will be developed.
    - Mr. Coffey stated commercial revenue was based on square footage, based from the applicant, and the M&T was an estimate from the County.
  - Mr. Kendrick inquired if the KGC Capital Investment Plan was taken into consideration.
    - Mr. Coffey stated it was not, KGC staff cost was using ratio methodology.
  - Vice Chairman Devries inquired about school staff methodology.
    - Mr. Coffey stated 11 teachers and 9 students based on the Superintendents letter.
      - 3 additional school bus drivers and buses.
  - Mr. Coffey stated the analysis is only good based on the data received.
  - Mr. Myers inquired is water and sewer based on units.
    - Mr. Coffey stated yes.

Vice Chairman opened the floor to the Applicants attorney, Mr. Landon Davis.

- Mr. Kendrick inquired if Mr. Davis stated this was the applicant best and final proposal.
  - Mr. Davis stated in his opening comments, he stated this is an application they are proud of, worked collaboratively with SA, KGDCDCD, and County, and worked hard on.
Mr. Davis stated during the first two meetings there was a lot of concern about the flexibility of dwelling units, i.e., townhomes, single family, and multifamily. Mr. Davis stated the number for dwelling units is set in stone.
- If this application was approved, that would be the number of units constructed.

- Mr. Myers inquired building permits or building units.
  - Mr. Davis stated the intention is based on permits issued.

- Mr. Myers inquired about tree credits and landscaping standards within the RPA.
  - Mr. Ryan Foroughi, P.E. Project Engineer with BFG representing the applicant stated the intent based on how the proffer was written, there is additional treescapes, interior parking, and transitional buffers. The intent was not to state they have tree credits and not plant further trees on the property.

- Vice Chairman Devries inquired why GCB and CW is not being utilized.
  - Mr. Foroughi stated they are anticipating when the MWH facility is open to connect to CW. They would not expand through the RPA, as the GDP shows it, and it is a VDOT requirement. It is intended to connect to CW.

Vice Chairman opened the floor to Mr. Gregory, KGC Attorney.

- Mr. Myers inquired about the 55 and older community and if it is enforceable after sale.
  - Mr. Gregory stated the proffers become part of the rezoning and zoning ordinance.
    - It is as enforceable as the ordinance would be.
    - It is compliant with the Fair Housing Act (FHA) for a 55+ unit owner to sell to another 55+ buyer.

- Mr. Davis stated in the proffers there is general language that anyone under the age of 18 living in a 55+ unit will have to be approved by the KGCBOS.
  - Any children will have to be approved by the KGCBOS. That is the level of enforcement.
  - Mr. Gregory stated there is an allowance in the FHA for 55+ communities.
  - Mr. Colwell inquired who would enforce.
    - Mr. Gregory stated that would be part of the zoning ordinance and the county could enforce.
      - Mr. Davis stated there will be an HOA.

- Mr. Williams inquired what is the affordable housing definition.
  - Mr. Davis stated there is a U.S. Department of Housing and Urban Development (HUD) definition for each market in the area.
    - Fredericksburg falls under the Washington D.C./Metro Area District.
      - 60% of the gross median of the area.
  - Mr. Davis stated it is unknown how much the dwellings will sell for based on what the demand will be and market is.

- Mr. Davis stated the 2019 KGC Comp Plan call for 3200-4800 new dwellings by 2030 for KGC.
  - Research has been done. Growth is wanted and coming for the county. This development is a good fit for KGC.
Vice Chairman Devries opened the floor for Board discussion.

- Mr. Kendrick stated there has been a lot of work done to the application and appreciates same. Mr. Kendrick concern is about the three-story dwellings and relying on other counties for F&R.
  - Mr. Kendrick stated another concern is ERCs availability.
    - It will be 3-4 years until additional ERCs can be offered after new facility is built.
  - School system: Staff Costs, bus costs, and bus driver costs.
    - After development completion, the KGC School Board will have to address costs.
  - The development is not financially in KGC best interest.

- Mr. Gregory stated the Water and Sewer agreement that was negotiated with the SA does not provide for the immediate purchase and holding of ERCs by the developer.
  - The ERCs would be pre-purchased based on a schedule.
    - The first investment would be 90 after zoning approval and 90 days after site plan approval, then go on a schedule on an annual basis.
  - Therefore, the ERCs would not be pre-purchased for another 3 years after the project is approved, if approved.
    - Track the expected timetable of construction of the new wastewater plant or rerouting to Hopyard Farms.
  - Mr. Kendrick inquired if the ERCs would be used prior to.
    - Mr. Gregory stated the developer has paid for ERCs in advance but ERCs are still available to other developers.
    - Mr. Davis stated there is also phasing based on SA comments.
  - Mr. Davis stated the developer has proffered to have sprinklers in each dwelling which costs $3000-4000.
  - Mr. Gregory stated the SA expects development in the proposed area.

- Mr. Colwell addressed comments made. Mr. Colwell stated about the KGC Comp Plan surveys and town halls meetings. Maps were adjusted based on the public comments made at town hall meetings. Re-zoning is within the 2019 KGC Comp Plan limits.
  - Mr. Colwell stated the KGPC is asking questions and doing their due diligence.
  - Mr. Colwell stated significant changes have been made to the application and he appreciates the amendments. It is a good project and it has come a long way.
  - Mr. Colwell stated the KGPC does what is in the best interest of the county.
    - Helps the county by investments, helps the SA, brings healthcare and housing to the county.

- Mr. Williams stated the KGPC has done their due diligence in making sure the KGPC has kept the rural integrity of the county and the applicant has done their due diligence in amendments based on what the KGPC comments. Mr. Williams is in support of the proposed project.

- Mr. Watkins stated where the project has started from to the current application the developer has worked hard on the application. When the bridge is completed the development will help in terms of housing and infrastructure. Mr. Watkins is in support of the project.

- Mr. Dacorta stated the development helps bring housing for a variety of family needs.
Mr. Myers stated he has a lot of concerns as it impacts the county as a whole. Mr. Myers stated he has concerns about the Fiscal Impact Analysis. The three entities that are gaining from the development are the SA, MWH, and the developer. Mr. Myers has concerns about density and traffic in the proposed area.

Ms. Patteson stated the applicant did a great job making the application better. Ms. Patteson stated KGPC has to be mindful that development is coming to KGC. Ms. Patteson stated the county needs affordable housing.

Mr. Gaborow stated the applicant has addressed the KGPC concerns. Mr. Gaborow stated KGC will have growth and should expect same. Mr. Gaborow stated KGC needs affordable housing. Mr. Gaborow is in favor of the development.

Vice Chairman Devries stated he appreciates the amendments, additional proffers, mitigation of impacts to the application. Vice Chairman Devries stated the application is requesting a lot of the county.

Having reviewed Case Number 19-03-Z02: Request by Darrell Hertenstein, Hertenstein Investment Group, on behalf of Beverley C. Coates, David F. Clare and Alyce Jeter Jones (Villages at King George Crossroads) to rezone with proffers Tax Map 33 Parcels 74 and Tax Map 33 Parcels 78 & 79 from Rural Agricultural (A-2) to General Trade (C-2 Total 17.65 acres) and Multifamily dwelling District (R-3 Total 92.67 acres). Total project area of 110.32 acres. General Development plan, which is subject to modification, proposes to construct a maximum of 450 dwelling units with a proffer of no more than 450 units (a minimum of 100 units being age restricted) noted as “Landbay C” with 92.67 acres proposed to be zoned Multifamily Dwelling District (R-3), “West Village Landbay A”, 8.45 acres of C-2, proposing Medical Office (14,300 sq. ft. pad), “West Village Landbay B” proposing 6.31 acres of C-2, 7,500 sq. ft. pad, 2,500 sq. ft. pad and a 2,500 sq. ft. pad. The property is currently zoned Rural Agricultural (A-2); the minimum lot size in the Agricultural Zoning District is two (2) acres. The requested zoning is Multifamily dwelling (R-3) and General Trade (C-2). The minimum lot size in R-3 with both public water and public sewer is 15,000 square feet and townhomes 1,500 square foot minimum. The minimum lot size in C-2, with both public water and public sewer is 5,000 square feet. Per the King George Comprehensive Plan (2013), the property is located in the Courthouse Primary Settlement Area, Vice Chairman Devries called for a motion. Mr. Williams motioned to forward Case Number 19-03-Z02 to KGCBOS with recommendation of approval, seconded by Mr. Colwell, and carried by a vote of 5-3-1.

Each member voting as follows: Vice Chairman Devries, Aye; Mr. Colwell, Aye; Mr. Dacorta, Abstain; Mr. Gaborow, Aye; Mr. Kendrick, Nay; Mr. Myers, Nay; Ms. Patteson, Nay; Mr. Watkins, Aye, and Mr. Williams, Aye.

b. Case Number 20-01-Z01: Amendments to the King George County Zoning Ordinance to revise the Sign Regulations. Amendment to Section 3.11.

Mr. Louis Pancotti, Planner with KGCDCD, presented on Case Number 20-01-Z01.

Mr. Pancotti stated at the September 03, 2019 KGCBOS Meeting the KGCBOS requested that the KGCP review Section 3.11, Sign Regulations, of the Zoning Ordinance.
Mr. Pancotti stated in 2015, The United States Supreme Court decided in the Reed v. Town of Gilbert that localities cannot regulate the content of signs. Any content-based regulations were deemed unconstitutional. Other characteristics of a sign, such as size, placement, type, etc., can be regulated.

The current zoning ordinance does not allow signage on properties where the commercial activity is not taking place even if the property is owned by the business operator. There is also interest in making the sign ordinance more comprehensive.

Mr. Pancotti stated most base regulations regarding signs have not changed.

Mr. Pancotti stated content regulations has been reworded.

Mr. Pancotti stated electronic visual display are permitted.

Mr. Pancotti reviewed 3.11.2-Illuminated signs shall be dark sky compliant was added.

Mr. Pancotti stated he reorganized the permitted sign ordnance subsection; the prohibited sign subsection has been relocated; some provisions removed were outdated regulations, i.e. advertising signs for produce, electronic display signage, etc...; A new definition of sign was added.
Mr. Pancotti reviewed amendments, reorganization, and revisions of Section 3.11 Sign Regulations: 3.11.1, 3.11.2, 3.11.3, 3.11.4, 3.11.5, 3.11.6, 3.11.7, 3.11.9, and 3.11.10. as seen in Figures 19-22, below:

<table>
<thead>
<tr>
<th>Section 3.11: Sign regulations.</th>
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<tr>
<td>3.11.1. Classification of signs. Only the signs listed and described below shall be permitted subject to the regulations specifically set forth and all other applicable regulations of this Ordinance.</td>
</tr>
<tr>
<td>3.11.2. Permitted Signs. Any sign, defined as any object, device, display, or structure, or part thereof, visible from a public place, public right-of-way, parking area or right-of-way open to use by the general public, or any navigable body of water which is designed and used to attract attention to an institution, organization, business, product, service, event, or location by any means involving words, letters, figures, designs, symbols, fixtures, logos, colors, illumination, or projected images, are allowed in all districts, per the requirements provided below, but such signs shall not be erected on any residential lot. Permitted signs may be internally illuminated or externally illuminated unless otherwise specified. Illuminated signs shall be dark sky compliant.</td>
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</table>

- Signs located in the Commercial and Industrial zoning districts are subject to the following regulations:
  - i. The following freestanding sign is permitted in the Commercial and Industrial Zoning Districts. A freestanding sign is any sign supported by structures or supports that are placed on or anchored in the ground and that are independent from any building or other structure. Only one such sign shall be allowed on any street frontage. No such sign shall exceed 75 square feet in area, plus one additional square foot for each foot of linear street frontage over 100 feet up to a maximum size of 150 square feet.
  - ii. Shopping Centers may be permitted one freestanding sign on any street frontage. Such freestanding sign is any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure. The maximum size of such sign shall be 100 square feet, plus one additional square foot for each foot of linear street frontage over 100 feet, up to a maximum of 250 square feet. If a center or park has more than one street frontage, two such signs shall be permitted provided that the combined square footage shall not exceed the total normally permitted for one sign. No freestanding sign, other than that noted above, shall be permitted.
  - iii. The following wall or projecting sign is permitted in the Commercial or Industrial Zoning Districts. Any sign(s) supported by structures or supports that are placed on, attached to or mounted on a canopy or the wall or roof of a building or structure.
    - a. Building-mounted signs on buildings housing only one (1) tenant or multiple tenants that access the building via a common outside entrance(s) shall not exceed two (2) square feet of sign area for each of the first one hundred (100) linear feet of building frontage plus one (1) square foot of sign area for each linear foot over one hundred (100) linear feet of building frontage. No one sign, however, shall have a sign area in excess of two hundred (200) square feet.
    - b. Building-mounted signs where each tenant has its own outside entrance(s) shall not exceed two (2) square feet of sign area for each linear foot of building frontage occupied by each tenant. The maximum allowable sign area for any one (1) tenant, however, shall not exceed a total of two hundred (200) square feet, except that a tenant, which has building frontage that results in an allowable sign area greater than two hundred (200) square feet and occupies an area with more than one (1) perimeter wall containing a main entrance for use by the general public, may place a maximum of two hundred (200) square feet of allowable sign area on each such perimeter wall. In no instance shall the square footage of signage on any such wall exceed two (2) times the length of such wall. Each tenant shall also be permitted one identification sign, not to exceed ten...
b. Signs located in the Agricultural and Residential zoning districts.
   
i. The following freestanding sign is permitted in the Agricultural Zoning Districts and General dwelling district (R-2) and Multi-family dwelling (R-3) Zoning Districts. A freestanding sign is any sign supported by structures or supports that are placed on or anchored in the ground and that are independent from any building or other structure. Only one such sign shall be allowed on any street frontage and no such sign shall exceed fifty (50) square feet in area.

   ii. One (1) sign not exceeding thirty-two (32) square feet in area located on the perimeter of a housing development or subdivision facing one (1) street. Two (2) such signs are permitted at the subdivision's main entrance.

   iii. The following wall or projecting sign is permitted in the Agricultural or General dwelling district (R-2) and Multi-family dwelling Zoning Districts. Any sign supported by structures or supports that are placed on, attached to or mounted on a canopy or the wall or roof of a building or structure. The maximum aggregate size of such sign or signs shall be two (2) square feet for each linear foot of building frontage up to a maximum of one hundred (100) square feet.

3.11.3. Off-Premise Signs. Off-premise signage, defined as a permanent sign that directs attention to a business, product, service or activity conducted, sold or offered at a location other than the premises on which the sign is erected, will be permitted on properties contiguous to the property where the activity is taking place only if the contiguous property is owned by the same owner or by the operator of the business. One (1) thirty-two (32) square foot offsite sign shall be permitted. Sign permit is required.

3.11.4. Exempted from permit requirement. The following signs are exempt from the provisions of these regulations and may be erected or constructed without a permit but in accordance with the structural and safety requirements of the county’s building code:

a. Signs located on public rights-of-way that are erected and maintained by a governmental entity.

b. Signs posted on or required to be posted by a governmental entity in compliance with a provision of federal, state, or local law where the activity that necessitates the posting of such signage is or may be occurring.

c. Signs which are interior to the lot and do not exceed six (6) square feet in area.

d. One (1) sign not to exceed thirty-two (32) square-feet displayed on a lot where a building permit has been issued, provided such sign shall be removed upon completion of the work.

e. One (1) Sign not to exceed thirty-two (32) square-feet on lot where the lot or structure is offered for sale or lease. Two (2) such signs shall be allowed on lots in excess of 10 acres. Such signs in residential zoning districts shall be limited to six (6) square-feet in area.

f. Changing the face or copy on a bulletin board, poster board, display enclosure, or marquee provided that the total area and the height of the support is not increased

g. One (1) non-illuminated permanent banner sign not exceeding thirty-six (36) square-feet provided the sign be permanently mounted to a building by a permanent means.

h. One (1) non-illuminated temporary Banner sign to exceed Thirty-six (36) square-feet displayed anywhere on the commercial or industrial lot for ninety (90) days from the date of issuance of a new or relocated business’ occupancy permit, use permit or final inspection, whichever is latest.

i. Two (2) temporary non-illuminated signs located on the lot or premises where a special event is to occur and that the maximum size of such signs shall not exceed sixteen (16) square feet. Temporary signs shall not be permanently attached to a structure nor permanently mounted in the ground. No such sign shall be in place for a period of more than 30 days.
j. Signs placed in windows on commercial and industrial lots provide that not more than twenty (20) percent of the window shall be covered.

3.11.5. Prohibited signs. The following types of signs unless otherwise specifically permitted are prohibited in all Zoning Districts:

a. Any sign of which all or any part is in motion by any means, including flapping, rotating or other moving signs set in motion by movement of the atmosphere.

b. Any sign, electronic or digital display, with multi-colored flashing or intermittent lights, lights of changing colors or copy in motion. This prohibition shall not apply to signs, electronic or digital displays that display messages in intervals of at least ten seconds. Such signs shall only be permitted when the sign does not constitute a public safety or traffic hazard as determined by the zoning administrator.

c. Any lighting either exposed tubing or strings of lights, either outlining any part of a building affixed to any ornamental feature thereof, except for seasonal holiday displays which are limited to 45 days.

d. Any sign that obscures or interferes with a sign displayed by a public authority for the purpose of giving traffic instructions or direction or other public information.

e. Any sign that uses the word “stop” or “danger” or otherwise presents or implies the need or requirement of stopping or caution of the existence of danger or which is a copy or imitation of or which for any reason is likely to be confused with any sign displayed by public authority.

f. Any sign that obstructs any window, door, fire escape, stairway, ladder, or opening intended to provide light, air, ingress or egress for any building, as required by law, ordinance, rule or regulation.

g. Any sign or illumination that causes any direct glare into or upon any building other than the building to which the sign may be related.

h. Any sign that violates any provision of any law of the State relative to outdoor advertising.

3.11.6. Height and setback requirements for all permitted signs. The following provisions shall apply to the height and setback requirements for any permitted sign.

a. **Height.** No sign shall exceed a height of 25 feet unless a Special Exception Permit is issued per the requirements of Section 5.4, Zoning Ordinance. The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of: 1) the existing grade prior to construction or 2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.

b. **Setback.** The minimum setback requirement for all permitted signs less than ten (10) feet in height is 5 feet from the street right-of-way. The minimum setback requirement for signs ten (10) feet or greater in height is fifteen (15) feet from the street right-of-way.

3.11.7. Measurement of sign area. The area of a sign shall be determined by the smallest rectangle, circle or triangle that can be used to enclose the sign, exclusive of supporting members that bear no message. Providing that:

a. The area of a sign or any portion thereof having a distinctive or ornamental background shall include the area enclosed by such border, and the area enclosed therein.

b. The area of a sign or any portion thereof having a distinctive or ornamental background, which sets such background apart from a larger surface so that it forms an integral part or element of the sign, as distinguished from a functional part of the building exclusive of such sign, shall include the area of such background.

c. The area of a freestanding sign or any portion thereof having a background which extends beyond the words, symbols or pictorial elements thereof shall include the area of such background.

d. The area of a double-face sign, as herein defined, shall be considered to be the area of one face only.

3.11.8. Placement of signs. No sign shall be located so as to cause a hazard to vehicular or pedestrian traffic nor in any public right-of-way. No sign shall be so located as to interfere with a driver's view at street or driveway intersections.

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*Figure 21 Section 3.11 Sign Regulations 3 of 4*
Mr. Pancotti stated KGCDCD recommends KGPC approve Case Number 20-01-Z01: Amendments to the King George County Zoning Ordinance to revise the Sign Regulations. Amendment to Section 3.11.

Vice Chairman Devries stated he had one concern and that was placing signs on adjacent properties. Vice Chairman Devries stated an easement should be required for installation maintenance. Vice Chairman Devries stated it may be overregulating the issue.

• Mr. Pancotti stated an easement typically gives someone else the rights to do something on another’s personal property.
• Mr. Pancotti stated an offset sign is only permitted if the adjacent property is owned by the signage owner.

Mr. Gaborow inquired about regulations for off premise lighting of signs.

• Mr. Pancotti stated there was not, though it would still have to be dark sky compliant.

Vice Chairman Devries opened the floor for public comment.

1. Mr. Ryan Gass, KGC Resident, stated he is not in favor of Case Number 20-01-Z01.

• Mr. Gass inquired if the ordinance pertains to advertisement such as graphics on motorize & non-motorize vehicles.
  • Mr. Gass inquired if it pertains to his wrapped vehicle.
• Mr. Gass inquired what is an unsafe sign and what determines an unsafe sign.
• Mr. Gass stated he has multiple work vehicles that he owns for his business, which are wrapped in advertisement promoting his business.
• Mr. Gass stated he cannot fit all his business vehicles onto his residential property, which is also where his business is located.
• Mr. Gass stated one of his acquaintances allows him to park his vehicles on their property (when not at job sites or cannot fit onto Mr. Gass residential property).
• Mr. Gass stated the additional restrictions that are proposed would place him in violation with no option to be compliant.
• Mr. Gass stated he hopes the KGPC does not approve Case Number 20-01-Z01.
2. Ms. Michele Darnell was called to speak for public comment. Vice Chairman Derives stated Ms. Darnell had left the meeting earlier and will assess Ms. Darnell public comment statement made earlier in the agenda.

_Vice Chairman Devries closed the floor for Public comment._

_Vice Chairman Devries opened the floor for KGCPC discussion._

- Vice Chairman Devries inquired is there text about wrapped vehicles.
  - Mr. Pancotti stated vehicles used for the normal course of business is not considered signs and cannot be regulated. However, if a vehicle owner is using a vehicle as a sign and the vehicle is not used for the normal course of business that would be considered a sign, i.e. parking a vehicle for weeks in a parking lot, is using the vehicle as a sign.
- Mr. Gaborow stated if one has a trailer and parks the trailer for weeks on the side of the road, that is considered a sign. Mr. Gaborow stated he has seen Mr. Gass vehicles parked in the Dahlgren area not being used for normal course of business but the vehicle acting as a form of advertisement.
  - Mr. Gass, Public Speaker, stated a timeframe needs to be determined and there needs to be an amendment to the ordinance, i.e. one week, two weeks, etc.…
- Mr. Pancotti stated amendments to the ordinance, is not changing vehicles being used as signs.
- Mr. Myers inquired if KGCDCD has received multiple calls about Mr. Gass vehicles on the side of the road.
  - Mrs. Hall stated yes, she has received multiple calls about Mr. Gass trailers on the side of the road. She has rarely received multiple calls about other vehicles on the side of the road.
  - Mrs. Hall stated when the vehicle is parked on another party’s property the violation would go to the property owner not the vehicle owner.
    - Mrs. Hall stated the concern is, how is the vehicle owner held responsible? When vehicles and trailers are moveable.
    - If it is not listed as permitted, clear or contrary to the ordinance, it is prohibited based on the Zoning Administrator.
    - Mrs. Hall stated there is a difference in driving a wrapped vehicle home vs. purposefully parking it on the side of the road and utilizing it as a sign.
  - Mr. Myers stated his concern is he has a problem with adding one additional square footage.
    - Mr. Pancotti referenced 3.11.3 and 3.11.4 of Sign Regulations, as seen in Figure 23.
Having reviewed Case Number 20-01-Z01: Amendments to the King George County Zoning Ordinance to revise the Sign Regulations. Amendment to Section 3.11, Vice Chairman Devries called for a motion. Mr. Kendrick motioned to forward Case Number 20-01-Z01 to KGCBOS with recommendation of approval, seconded by Ms. Patteson, and carried by a vote of 8-1-0. Each member voting as follows: Vice Chairman Devries, Aye; Mr. Colwell, Aye; Mr. Dacorta, Aye; Mr. Gaborow, Aye; Mr. Kendrick, Aye; Mr. Myers, Nay; Ms. Patteson, Aye; Mr. Watkins, Aye, and Mr. Williams, Aye.

Old Business:

a. Case #19-08AS01 Sedgewick Crossing Subdivision Appeal
   - Mrs. Hall presented on Case #19-08AS01 Sedgewick Crossing Subdivision: Appeal to the Notice of Violation of Subdivision Section 3.8.7 Maintenance of Roads and Section 2.7 Violations and Penalties. Appeal by Robert S. Gollahon, developer of Sedgewick Crossing Subdivision, Tax Map 12 (5) Parcels 28 (Now lots 1 through 35).
   - Mrs. Hall stated at the December 10, 2019 KGPCPC Meeting there was discussions regarding the condition of the road’s easement plats and VDOT inspection punch list. Mr. Colwell motioned to defer Case Number 19-08AS01 until February 11, 2020 with the understanding that Mr. Seay will work with the undisclosed homeowner and Community Development will coordinate a meeting between: KGDCD, VDOT, and landowner to determine what improvements need to be made.
In January 22, 2020 KGCDCD received the Easement Plat with all signatures. During the inspection with VDOT on January 23, 2020 KGCDCD turned the plat over to VDOT for review and approval.

On January 23, 2020 a VDOT walkthrough inspection was conducted with KGCDCD, VDOT, Mr. Gollahon, Mr. Leming, and Mr. Seay.

VDOT provided an email punch list with the following deficiencies requiring repairs prior to bringing the roads system into the VDOT state system.

- Drainage Easements shall be recorded.
- Crack seal all cracks in pavement, remove/replace pavement that cannot be crack sealed and overlay both roads with 1 ½ inches of SM 12 asphalt with a 2-foot 21 B gravel shoulder wedge or a double shot of surface treatment to VDOT standards.
- Radiuses should be widened to the required 25 foot by pavement where Sedgewick connects to Route 600 and Alberta Court connects to Sedgewick Court.
- Connection to Route 600 requires removal of deteriorated asphalt, placement of shoulder stone, grading of shoulders to facilitate drainage of pavement. Where exits main road and connection asphalt may be required to curtail erosion next to pavement.
- Clean out ends of all entrance pipes and regrade ditches if necessary, for positive flow.
- Erect Stop Sign on Alberta Court and 25 MPH speed limit signs as a required by VDOT regulations. Stop bars are not required.
- Cross drain under Sedgewick Court at connection to route 600 has inlet end of culvert broken-needs replacement.

All work must conform to VDOT regulatory requirements and Standards.

Mrs. Hall reviewed pictures from VDOT where deficiencies require repair. Mrs. Hall stated the KGCDCD recommends the KGPC forward Case #19-08AS01 Sedgewick Crossing Subdivision: Appeal to the Notice of Violation of Subdivision Section 3.8.7 Maintenance of Roads and Section 2.7 Violations and Penalties. Appeal by Robert S. Gollahon, developer of Sedgewick Crossing Subdivision, Tax Map 12 (5) Parcels 28 (Now lots 1 through 35); to the KGCBOS with a recommendation of denial.

Vice Chairman Devries opened the floor for Mr. Clark Leming, Attorney - Leming & Healy PC representing Mr. Gollahon.

- Mr. Leming stated an email was received last Thursday from Mrs. Hall, KGCDCD about the plat.
- Mr. Leming stated Mr. Gollahon has obtained lender consents, which has been costly.
- Mr. Leming stated in regards to the plat, the County is in a much better position to record the plat. Mr. Leming stated the County should record the plat.
- Mr. Leming stated after thought, his client is prepared to record the vendor consents.
- Mr. Leming stated the next steps that need to be done is costing out the current VDOT punch list. Mr. Leming stated his client is prepared to take this action.
- Mr. Leming stated in regards to the appeal it remains his client’s position that there is no authority or statutory basis.
  - Mr. Leming stated the letter of credit was allowed to lapse by the county.
  - Mr. Leming stated there are serious questions about the validity of this process.
  - Mr. Leming stated there is plenty of blame to go around.
Mr. Leming stated months ago Mr. Gollahon sold the entirety of the subdivision to a builder. The builder took over. Mr. Gollahon did build the roads but he also recorded a plat for drainage easements. The builder then needed to come in with grading permits for the easement of the lots, when this happened the County should have looked at the filed plat to show the easements of the property which did not happen by the County. Not a single easement showed up on the plat.

- Mr. Leming stated he discussed a summary of this with Mr. Foroughi about looking at the subdivision plat for grading easements. After the process there is supposed to be an inspection. There was more than enough opportunity for the county to review.
- Mr. Leming stated Mr. Gollahon is willing to help but not carry the entire weight because he was not responsible for the entirety of the situation.
- Mr. Leming look at the costs, get together with KGCDCD and KGC Attorney to come up with a proposal.
- Vice Chairman Devries inquired if Mr. Gollahon will cost out VDOT punch list.
  - Mr. Leming stated yes, Mr. Gollahon has an engineer to do so. Mr. Leming is not asking the County to cost out the VDOT punch list. Mr. Leming stated costing out should take around 30 days.
- Mr. Leming stated he has spoken to Mr. Seay about what Mr. Gollahon is willing to do.
- Mr. Myers stated, under GIS, the owner is listed as Mr. Gollahon.
  - Mr. Leming stated, technical yes but Mr. Gollahon is the owner but does not pay taxes.
  - In the final plat, the road was dedicated for public use.
  - Mr. Gollahon is not responsible for the road, VDOT has not accepted the road.
- Mr. Myers inquired about the 30-day engineering quote.
  - Mr. Leming stated around 30 days. They have not been able to speak directly to the engineer, but 30 days is an estimation.
  - Mr. Myers stated things need to move forward in a steady pace. VDOT has done their part.
- Mrs. Hall stated when the onsite VDOT meeting occurred, it was Mrs. Hall understanding that Mr. Gollahon would have reached out to his contractor for a repair estimation. Mrs. Hall inquired what does Bowman Consulting have to do.
  - Mr. Leming stated at that time there was not a VDOT punch list, the next step is for an engineer to review the punch list and cost it out.
  - Mrs. Hall stated she does not know what an engineer is going to look at vs. a contractor that will fulfill the punch list.
  - Mr. Leming called for Mr. Ryan Foroughi to answer Mrs. Hall question. Mr. Foroughi stated he has not been involved with this project. To answer Mrs. Hall question. Mr. Foroughi stated with the road, specifically, there is alligator cracking and asphalt is a nonstructural support type of material, so there is no rebar, etc... Mr. Foroughi stated it could be a sub base issue and an engineer would have to make that call. Mr. Foroughi stated an engineer would determine if there needs to be an undercut, then a contractor would come in behind the engineer to determine if a 2inch of topcoat needs to be laid, base, subgrade, etc...
    - The engineer would have a limited scope.
    - Mr. Leming stated an engineer is always involved in the cost estimates.
- Mr. Leming stated it is the County should record the plat.
Mr. Gregory stated he does not recommend the county take on the responsibility of recording the plat.

Mr. Kendrick inquired whose responsibility is it to record the plat.
- Mrs. Hall stated it is the responsibility of the property owner.
- KGCDCD does not record plats in any situation.
- Mrs. Hall stated she does not mind accompanying Mr. Gollahon to record the plat but KGCDCD is not taking on the responsibility to record the plat.
- Mr. Leming stated Mr. Gollahon is not the owner of the property, the property was dedicated for public use.

Mr. Kendrick inquired what is the KGCPC responsibility or action.
- Mrs. Hall stated the KGCPC agree to the appeal.
- Mr. Kendrick stated the KGCPC was giving Mr. Gollahon, KGCDCD, and VDOT the opportunity for items to be reviewed so the appeal could be withdrawn.
- Mr. Gregory stated he does not recommend the county take the responsibility for recording the plat. Mr. Gregory stated it will move forward and it will be resolved. There is no reason why Mr. Gollahon can’t accomplish recording the plat with his attorney and engineer, if needed.

After KGCPC discussion, Mr. Myers inquired by the March 10, 2020 KGCPC meeting, will Mr. Gollahon have lender consents and engineer report with costs.
- Mr. Leming stated his client would be willing to turn over lender consents.
- Mr. Leming stated his client will obtain costs within 30 days.
- Mrs. Hall stated KGCDCD does not necessarily need the lender requests.

Mr. Leming stated the plat should be recorded first by the county then his client will only record lender consents.

After review, Vice Chairman Devries called for a motion. Mr. Colwell motioned to forward Case #19-08AS01 Sedgewick Crossing Subdivision: Appeal to the Notice of Violation of Subdivision Section 3.8.7 Maintenance of Roads and Section 2.7 Violations and Penalties. Appeal by Robert S. Gollahon, developer of Sedgewick Crossing Subdivision, Tax Map 12 (5) Parcels 28 (Now lots 1 through 35) to the KGCBOS with recommendation of denial, seconded by Mr. Williams, and carried by a unanimous vote of 9-0-0. Each member voting as follows: Vice Chairman Devries, Aye; Mr. Colwell, Aye; Mr. Dacorta, Aye; Mr. Gaborow, Aye; Mr. Kendrick, Aye; Mr. Myers, Aye; Ms. Patteson, Aye; Mr. Watkins, Aye, and Mr. Williams, Aye.

New Business: No new business.

Director’s Report: Mrs. Hall, Zoning Administrator with KGCDCD reported.
- Mrs. Hall welcomed Mr. Dacorta to the KGCPC. Mr. Dacorta is the Dahlgren KGCPC Board Member representative.
- The KGCBOS held their public hearing on January 21, 2020 and approved: Case Number 19-09-E01 (approved unanimously), 19-10-Z03 (approved unanimously), and 18-11-E01(4-1-0).
  - Vice Chairman Devries inquired if the KGCBOS Member who denied Case 18-11-E01 was the jurisdiction representative.
    - Mrs. Hall stated it was.
Other Business: No other business.

Adjournment:
Having completed their agenda, Vice Chairman Devries called for a motion to adjourn. Mr. Myers motioned to adjourn, seconded by Mr. Colwell, and carried by a unanimous vote of 9-0-0. Each member voting as follows: Vice Chairman Devries, Aye; Mr. Colwell, Aye; Mr. Dacorta, Aye; Mr. Gaborow, Aye; Mr. Kendrick, Aye; Mr. Myers, Aye; Ms. Patteson, Aye; Mr. Watkins, Aye, and Mr. Williams, Aye. The King George Planning Commission adjourned their meeting at 11:45 PM.