



County of Prince George, Virginia

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

MEMORANDUM

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

FROM: Tim Graves, Planner II

RE: October 2023 Planning Commission Work Session & Business Meeting

DATE: October 19, 2023

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

The Planning Commission’s Work Session will be Monday, October 23, 2023 at 5:30 p.m. in the Board Room.

The Planning Commission’s regular Business Meeting will be Thursday, October 26, 2023 at 6:30 p.m. in the Board Room.

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

1	Agenda
2	Draft Work Session Minutes September 25, 2023
3	Draft Business Meeting Minutes September 28, 2023
4	Special Exception SE-23-07 Commercial Child Care Center
5	Special Exception SE-23-08 Parson - Special Care Hospital
6	Comp. Plan Amndmt. CPA-23-04 Lingerfelt - Future Land Use
7	Substantial Accord SA-23-01 Bakers Pond Solar
8	Communications
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Begin

TAB 1

AGENDA
Planning Commission
County of Prince George, Virginia
Business Meeting: October 26, 2023
County Administration Bldg. Boardroom, Third Floor
6602 Courts Drive, Prince George, Virginia

Business Meeting
6:30 p.m.

CALL TO ORDER – Madam Chair Elder

Roll Call - Clerk

INVOCATION

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

ADOPTION OF AGENDA [1] – Madam Chair Elder

PUBLIC COMMENTS – Madam Chair Elder

COMMISSIONERS' COMMENTS – Madam Chair Elder

ORDER OF BUSINESS – Madam Chair Elder

A-1. Adoption of Work Session Meeting Minutes – September 25, 2023 [2]

A-2. Adoption of Business Meeting Minutes – September 28, 2023 [3]

PUBLIC HEARINGS – Madam Chair Elder

P-1. SPECIAL EXCEPTION SE-23-07: Request to permit a commercial child care center within a General Business (B-1) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-393(28). The subject property is approximately 0.58 acres in size, located at 5844 Allin Road, and is identified as Tax Map # 230(26)00-004-0. The Comprehensive Plan indicates the property is planned for “Village Center” land uses. – [4] **Tim Graves**

P-2. SPECIAL EXCEPTION SE-23-08: Request to permit a special care hospital within a General Business (B-1) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-393(8). The purpose of the request is to allow an addiction treatment facility to open in existing buildings. The subject property is approximately 6.56 acres in size, located at 16905 Parkdale Road, and is identified as Tax Map # 580(05)00-004-B. The Comprehensive Plan indicates the property is planned for “Commercial” land uses. – [5] **Tim Graves**

P-3. COMPREHENSIVE PLAN AMENDMENT CPA-23-04: Request to amend the Comprehensive Plan Future Land Use Map designation for a specific property from “Commercial” to “Commercial / Industrial”. If the request is approved, the

Comprehensive Plan would support industrial or commercial zoning districts and uses on the property. The subject property, approximately 44.235 acres in size, is identified by Tax Map #s 340(0A)00-007-D and 340(0A)00-007-E and is located at the end of Wagner Way. An additional portion of the property is located in the City of Petersburg. – [6] **Tim Graves**

- P-4. SUBSTANTIAL ACCORD SA-23-01:** Determination by the Prince George County Planning Commission on whether or not the large-scale solar facility proposed by RWE Clean Energy in Special Exception Application # SE-23-09 is in substantial accord with the Prince George County Comprehensive Plan. The Comprehensive Plan Future Land Use Map indicates the property is planned for Residential or Agricultural uses, and the County’s adopted Solar Energy Facility Siting Policy provides guidance for the siting of new facilities within the County. The visually buffered development area for the facility is proposed to total +/- 506 acres and the total area of the parcels involved is +/- 1,270 acres. The property is identified by Tax Map #s 440(0A)00-071-0, 440(0A)00-072-0, 530(01)00-00B-0, 530(0A)00-001-0, 450(0A)00-028-0, 530(0A)00-046-0, and 530(0A)00-045-A, and is located near the intersection of Pumphouse Road and Thweatt Drive. – [7] **Tim Graves**

COMMUNICATIONS – [8] **Tim Graves**

- C-1.** Actions of the Board of Zoning Appeals
- C-2.** Actions of the Board of Supervisors
 - A.** BOS Recap(s)
- C-3.** Upcoming Cases for November 2023

ADJOURNMENT – **Madam Chair Elder**

Begin

TAB 2

DRAFT MINUTES - WORK SESSION

Planning Commission of Prince George County, Virginia

Monday, September 25, 2023 at 5:30 p.m.

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

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

Roll Call - Tim Graves called roll:

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

Commissioners Absent: Brockwell, Joyner

Staff Present: Robert Baldwin, Tim Graves, Madison Sobczak

AGENDA REVIEW FOR September 28 BUSINESS MEETING - Tim Graves reviewed the agenda.

CASE REVIEW

P-1. ORDINANCE AMENDMENT OA-23-01: Ordinance to amend The Code of the County of Prince George, Virginia to permit tattoo parlors and body piercing salons in the General Business (B-1) Zoning District, by amending §§ 90-392 – Uses and structures permitted by right. – [4] **Tim Graves reviewed the Staff Report.**

COMMUNICATIONS – Tim Graves introduced Madison Sobczak as the new Planning Technician.

ADJOURNMENT – At 5:41 p.m., Madam Chair Elder asked for a Motion to Adjourn. Mr. Bresko made the motion, seconded by Ms. Canepa. The vote was 5-0 with Mr. Brockwell and Mr. Joyner absent.

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TAB 3

DRAFT MINUTES
Planning Commission
County of Prince George, Virginia

September 28, 2023

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

CALL TO ORDER. The Regular Meeting of the Prince George County Planning Commission was called to order at 6:30 p.m. on Thursday, September 28, 2023, in the Board Room, County Administration Building, 6602 Courts Drive, Prince George, Virginia by Mrs. Elder, Chair.

ATTENDANCE. The following members responded to Roll Call:

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

Also present: Robert Baldwin, Planning Director; Tim Graves, Planner II; Madison Sobczak; Planning Technician

INVOCATION. Mrs. Elder provided the Invocation.

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

ADOPTION OF THE AGENDA. Ms. Elder asked the Commissioners for a motion to approve the Agenda for the September 28, 2023, Planning Commission meeting. Mr. Bresko made a motion to approve the Agenda and Ms. Canepa seconded the motion.

Roll Call:

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

Opposed: (0)

Absent: (2) Brockwell, Anderson

PUBLIC COMMENT PERIOD.

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

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

COMMISSIONERS' COMMENTS.

Ms. Elder asked the Commissioners if they had any comments they would like to share. Ms. Elder stated she would like to welcome Mrs. Madison Sobczak as the new Planning Technician.

ORDER OF BUSINESS.

A-1. Adoption of the Work Session Minutes – July 24, 2023

Ms. Elder asked the Commissioners to review the Work Session Minutes from July 24, 2023. Ms. Canepa made a motion to approve the July 24, 2023, Work Session Minutes. The motion was seconded by Mr. Joyner.

Roll Call:

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

Abstain: (0)

Absent: (2) Brockwell, Anderson

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

Ms. Elder asked the Commissioners to review the Minutes of the July 27, 2023, Planning Commission meeting. Mr. Waymack made a motion to approve the July 27, 2023 Meeting Minutes as written. The motion for approval was seconded by Mr. Joyner.

Roll Call:

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

Opposed: (0)

Abstain: (0)

Absent: (2) Brockwell, Anderson

PUBLIC HEARINGS.

P-1. ORDINANCE AMENDMENT OA-23-01: A property owner in the County has requested that the County amend its Zoning Ordinance to allow tattoo and body piercing in the General Business (B-1) Zoning District.

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

Staff requested that the Planning Commission review the Staff Report, hold a public hearing, and make a recommendation to the Board of Supervisors.

Mr. Graves presented OA-23-01 to the Commissioners.

Applicant's Goals:

- Open the first tattoo and piercing parlor in The Crossings Shopping Center in Prince George County and to provide safe, quality body art to Prince George, Fort Gregg-Adams and surrounding areas.

Applicant's Request:

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

Review Comments

Planning & Zoning Staff Comments:

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

Comments were also received from the following departments:

Building Inspections:

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

Virginia Department of Health (VDH):

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

The departments below reviewed this request and had no comments:

- Economic Development - Makayla Christensen, Economic Development & Tourism Specialist
- Fire & EMS Department – Frank Vaerewyck
- Real Estate Assessor – Randall Horne, Senior Real Estate Appraiser
- Utilities Department – Rachael Lumpkin, Utility Project Engineer
- Virginia Department of Transportation (VDOT) - Paul Hinson, Area Land Use Engineer
- Environmental Division - Angela Blount, Environmental Program Coordinator

Mr. Graves stated that staff recommends approval based on the following:

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

Mr. Graves explained that the case was properly advertised in the local newspaper and no comments were received prior to finalizing the Staff Report. He stated that the applicant was present if the Commissioners had any questions.

Mrs. Elder asked who would make inspections to the business. Mr. Graves stated the state code says that if a locality includes language in the ordinance requiring inspection by the County, then there must also be language authorizing unannounced inspections, but since the County doesn't have local staff to inspect such facilities, this would not apply to Prince George County, but the applicable state department could still inspect the facilities regardless of if the County includes any language about this.

Ms. Elder asked if the ordinance was approved could a tattoo parlor or body piercing parlor be located anywhere in the B-1 District without having to come before the Planning Commission.

Mr. Graves confirmed that was correct. He also stated the applicant has to be licensed by the State for whatever services they would be providing. He further stated that the State Licensure would be checked for in the process of issuing a business license in the County of Prince George by the Commissioner of Revenue.

Mr. Bresko asked the applicant if she was currently running a tattoo parlor anywhere else.

The applicant, Stephanie Winner introduced herself and stated that she was not running a tattoo parlor anywhere else and that she wanted to start in Prince George and if this didn't work out then she would look elsewhere.

Mr. Bresko asked the applicant if they currently have all the licensing that is necessary to open the tattoo parlor. The applicant stated she was in the process of obtaining all the required licensure and wanted to confirm that the zoning would be allowed first, and she stated that any artist or piercer in the facility is also required to have an individual license.

Mr. Bresko asked how many employees the applicant was looking to have. The applicant stated she was looking to start with two tattooers with plans to bring on more employees in the future.

Mr. Joyner asked the applicant if she would be doing tattooing herself and how long she had been tattooing. The applicant stated she will be doing tattooing and that she just finished schooling and has been training for 3 years.

With no further questions or concerns from the Commissioners, Ms. Elder opened the Public Hearing at 6:46 p.m. With no one indicating they wished to speak, the Public Hearing closed at 6:46 p.m.

Mr. Waymack made a motion to forward OA-23-01 to the BOS with a recommendation of approval of the Draft Ordinance and the reason for this recommendation is that it would result in the zoning ordinance clearly addressing how and where this particular land use is permitted in the County. The motion was seconded by Ms. Canepa.

Roll Call:

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

Opposed: (0)

Absent: (2) Brockwell, Anderson

COMMUNICATIONS.

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

- There were none. September and October meetings were canceled.

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

- September 12
 - BOS approved the Rezoning and Special Exception for the business rezoning and the mini-storage facility
 - BOS approved a rezoning on Route 460 for a storage building sales lot
 - BOS approved the substance abuse facility Special Exception request at the former Sunflower Gardens Building
- September 26
 - BOS approved staff to submit an application for a cost sharing grant to assist in funding for the round- about program at the intersection of Middle Road and Jefferson Park
 - BOS approved funding for the Comprehensive Plan

- Bob Baldwin gave presentations on Land Use, the Comprehensive Plan and Private Roads

C-2. Upcoming Planning Commission Cases for October

- Two Special Exceptions and one Substantial Accord for a solar facility
- Comprehensive Plan Amendment request to change a Future Land Use for a specific property

ADJOURNMENT.

At 6:51 p.m., Ms. Elder asked the Commissioners if they had any additional questions. If not, she would entertain a motion to adjourn. Mr. Bresko made a motion to adjourn, and Ms. Canepa seconded the motion. Roll was called on the motion.

Roll Call:

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

Opposed: (0)

Absent: (2) Brockwell, Anderson

Begin

TAB 4

SPECIAL EXCEPTION REQUEST – SE-23-07
PLANNING COMMISSION MEETING – October 26, 2023

DEFERRAL REQUEST BY APPLICANT

The applicant has requested to defer the public hearing for this request because the application needed to be updated to change the subject property, and this occurred after the public hearing was advertised. As a result, staff will need to update the Staff Report and advertise a new public hearing date to consider the revised request.

Deferral requests by an applicant are subject to a \$625 fee to offset costs for public notices. The applicant will need to pay this fee before the request is advertised again.

Staff recommends that the deferral request be accepted. The public hearing will be rescheduled for the next Planning Commission meeting on November 16, 2023, unless additional time is needed. This will allow Staff time to revise the Staff Report and advertise the new public hearing date in accordance with state law.

SAMPLE MOTIONS:

Approve:

I motion to approve the applicant's request and defer the public hearing for Special Exception SE-23-07 until the next Planning Commission meeting on November 16, 2023, or a later date if additional time is needed by the applicant or Staff.

Deny: (Staff does NOT recommended this option because no Staff Report has been prepared for consideration)

I motion to deny the applicant's request to defer Special Exception SE-23-07 and proceed with a public hearing tonight as advertised.

Begin

TAB 5

SPECIAL EXCEPTION REQUEST – SE-23-08
PLANNING COMMISSION STAFF REPORT – October 26, 2023

RESUME

The applicant has requested a special exception to allow a “special care hospital”, pursuant to Section 90-393(8) in order to operate an addiction treatment program for patients staying at the facility for a maximum of 30 days.

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

CONTENTS OF REPORT:

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

Sample Motions

APPROVE:

“I move to forward request SE-23-08 to the Board with a recommendation for APPROVAL, subject to the recommended conditions in the Staff Report, and the reason(s) for this recommendation is/are:”

(EXAMPLES):

- “It is compatible with the Comprehensive Plan and current surrounding uses and zoning districts.”
- “It is expected to benefit the general welfare of the community.”
- “The expected off-site impacts appear to be adequately addressed by the conditions.”
- Other _____

APPROVE WITH CHANGES:

I move to forward request SE-23-08 to the Board with a recommendation for APPROVAL, subject to the following changes:

DENY:

I move to forward request SE-23-08 to the Board with a recommendation for DENIAL for the following reason(s): (SPECIFY)

POSTPONE:

I move to POSTPONE request SE-23-08 until _____ to allow time for _____
(MEETING DATE)

(ACTION/EVENT)

Board of Supervisors
County of Prince George, Virginia

ORDINANCE TO GRANT A SPECIAL EXCEPTION FOR A SPECIAL CARE HOSPITAL
ON TAX MAP 580(05)00-004-B

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

Present:

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

Vote:

SPECIAL EXCEPTION SE-23-08: Request to permit a special care hospital within a General Business (B-1) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-393(8). The purpose of the request is to allow an addiction treatment facility to open in existing buildings. The subject property is approximately 6.56 acres in size, located at 16905 Parkdale Road, and is identified as Tax Map # 580(05)00-004-B. The Comprehensive Plan indicates the property is planned for “Commercial” land uses.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Special Exception Application identified as SE-23-08 is granted as an amendment to the official zoning map with the following conditions:

1. This Special Exception is granted on Tax Map 580(05)00-004-B for a “special care hospital” for the treatment of patients for substance abuse and/or mental health illnesses.
2. The temporary lodging rooms are to be used for the stated purpose only and shall not be used for other lodging or residential purposes unless expressly permitted by the zoning ordinance and all permits required by law.
3. Any expansion of the facility beyond 50 temporary lodging units shall require amendment of this special exception permit.
4. Prior to the granting of zoning approval for a business license, the owner shall provide the Planning Director with documentation from the Virginia Department of Health (VDH) confirming all VDH-required permits or approvals have been obtained.
5. All required federal, state and local licenses/permits shall be obtained for the approved use.
6. This Special Exception shall become null and void if no business license is obtained within 36 months from the date of Special Exception approval.

7. The Special Exception shall become null and void if the use is abandoned for a period of 24 consecutive months.
8. This Special Exception may be revoked by the Prince George County Board of Supervisors for failure by the property owner or tenant to comply with any of the listed conditions or any provision of federal, state or local regulations.

Adopted on _____, 2023 and becoming effective immediately.



PLANNING COMMISSION STAFF REPORT

Public Hearing October 26, 2023

SE-23-08 – Special Care Facility

Applicant: Lawrence Ellis Willaims Consulting LLC

Property Owner: SPTwelve Properties LLC

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

I. Request

The applicant has requested a special exception to allow a “special care hospital”, pursuant to Section 90-393(8) in order to operate an addiction treatment program for patients staying at the facility for a maximum of 30 days.

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

II. Property

Address: 16905 Parkdale Road, Prince George VA

Tax Map: 580(05)00-004-B

Site Size: 6.56 acres

RE Taxes Paid?: Delinquent. RE Taxes must be paid before BOS public hearing date.

Zoning District: B-1

Current Use(s): Vacant buildings (formerly hotel)

Comp Plan Land Use: Commercial

Planning Area: Rural Conservation Area

Previous Zoning Cases: ZM-85-3

III. Meeting Information

Planning Commission Public Hearing: October 26, 2023

Board of Supervisors Public Hearing: November 28, 2023 (Tentative)

IV. Background

- Most of the property has been zoned B-1 for decades, and the rear 2 acres of the property were rezoned in 1985 under zoning case # ZM-85-3 with no proffered conditions.
- The existing buildings on the property were formerly used for a hotel which is assumed to have pre-existed the County’s zoning ordinance that was adopted in 1965.
- The current owner acquired the property in 2020.
- The applicant, on behalf of the property owner, submitted a preliminary application identified as # PSE-23-09 on June 6, 2023 and received a comment letter from staff. On August 28, they submitted this formal request for consideration.

V. Applicant Proposal

Key points:

- *OneSource Community Care*, the facility operator, proposes to provide local, patient-centric care to those who need addiction treatment.

- 30-day maximum-stay residential treatment programs for clients struggling with alcohol and drug addiction. A maximum of 50 single occupancy rooms shall be provided for 30-day stays.
- Approximately 24 rooms will be converted to meeting/classrooms by removing shared walls.
- Other areas within buildings will include administrative offices, a second-floor A-2 assembly space with a first-floor cafeteria having an existing commercial kitchen.
- The property owner reserves the right to adjust the existing room partitions and building uses to fit program requirements (subject to permits)
- Mr. Parson has substantial experience and success in developing this type of community asset.
- Our individualized accommodations, spacious courtyard, and overall remote setting would provide those struggling with the disease of addiction and alcoholism the perfect environment to recover with dignity and security

Please refer to the application materials for more details.

VI. Exhibits

Exhibit 1 – Conceptual plan provided by applicant

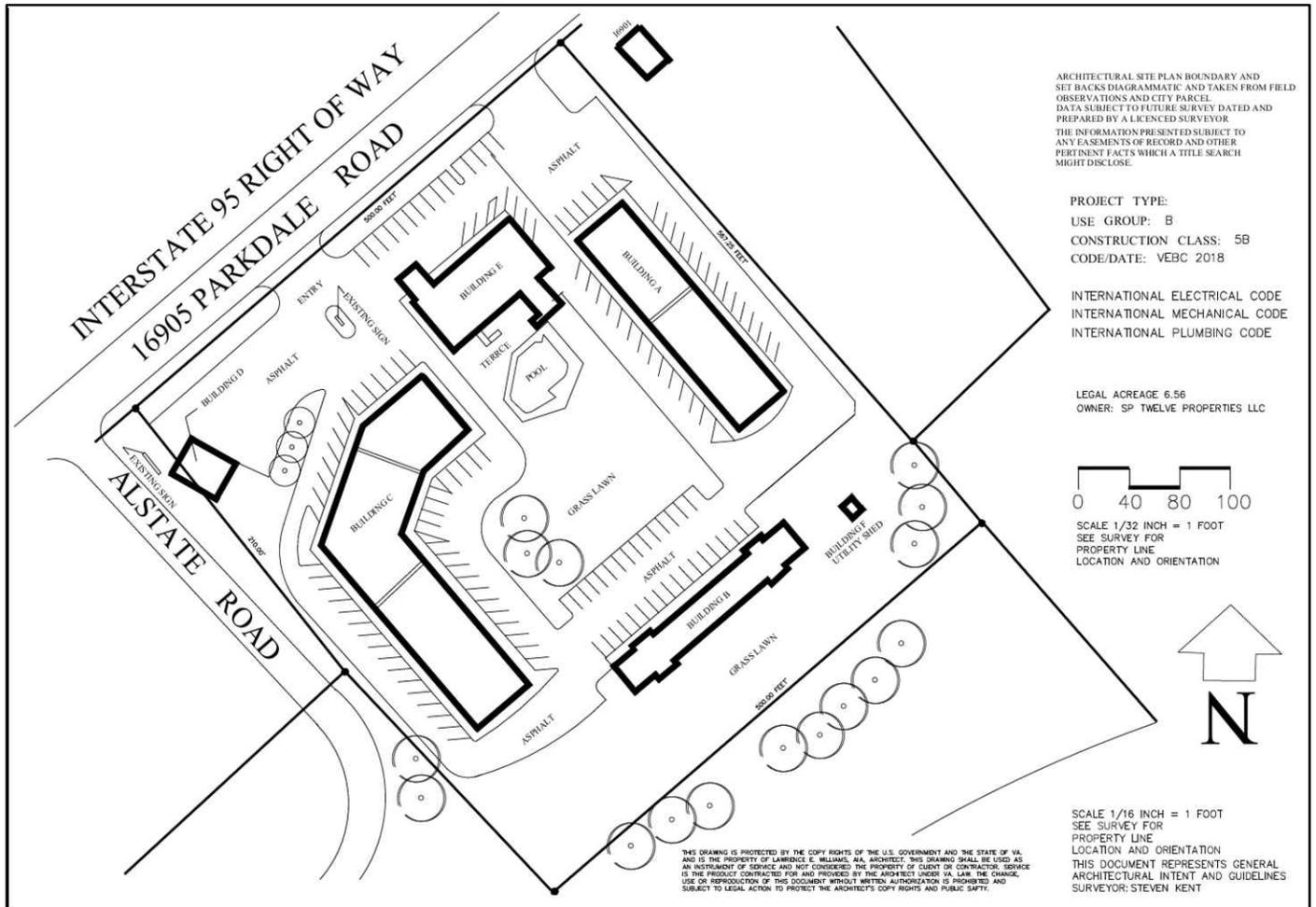


Exhibit 2 – Aerial view of subject property



Exhibit 3 – Zoning Map



Exhibit 4 – Photos of facility

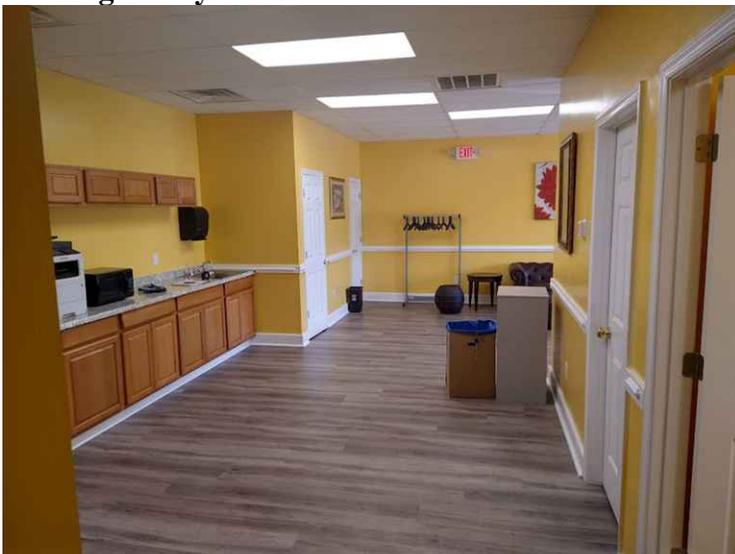
Existing Admin Building



Existing 2-story structure



Existing Lobby/Cafeteria



VII. Planning and Zoning Review Comments

1. The desired land use is classified as “special care hospital” – This land use is permitted by special exception in the B-1 zoning district pursuant to Section 90-393(8). This land use is defined in the Zoning Ordinance as follows: *Hospital, special care, means an institution rendering care primarily for mental or feeble-minded patients, epileptics, alcoholics or drug addicts.*
2. For reference, a *Special Exception* is defined in the Zoning Ordinance as “*a use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare.*”
3. The property was formerly operated as the “Gateway Inn” and known as the “Econo Lodge” prior to that. According to an email received from Toinette Waldon at VDH on June 28, 2023, the facility does not have a valid VDH permit to operate as a hotel, nor is the owner is operating the building as a hotel. The proposed use is intended to replace the hotel use.
4. Other relevant zoning cases: Special Exception SE-23-06 (ArrowWood Addiction Treatment Center), approved by the Board of Supervisors in 2023, is a similar facility with overnight accommodations for participants. Staff referenced the approved conditions for that request when preparing this report.
5. The property is surrounded by vacant land, a mobile home park to the West and South, a creek to the South, Interstate 95 to the North, and one single-family dwelling and otherwise vacant land to the East.
6. Compatibility with surrounding zoning districts, surrounding uses, and Comprehensive Plan: No major conflicts. Most surrounding land is zoned B-1 General Business and planned to have commercial uses. The mobile home park is expected to remain in place for the foreseeable future. If there prove to be concerns from adjacent properties during the public hearing process, one potential action could be the construction of a perimeter fence for security and/or screening purposes.
7. Expected impacts and mitigation for this request: Traffic is expected to be similar or less than a hotel use, with most of the vehicle traffic coming from employees arriving at and departing from the property. The potential for foot traffic is unknown as the applicant did not provide any information about this.
8. The property is currently delinquent on property taxes. The owner has been notified and stated that he will pay the taxes before the Board of Supervisors public hearing.

VIII. Supplemental Staff Review Comments

Building Inspections Division – Charles Harrison III, Building Official

1. Please be advised that the applicable provisions of the Virginia Uniform Statewide Building Code(s) (VUSBC) will be used to perform any Site Plan and Building Review(s) at time(s) of submission.
2. Any construction or improvements to this parcel that is not defined as exempt per the VUSBC/VCC (Virginia Construction Code) code section(s) 102.3 and/or 108.2 will require all associated construction documents, plan reviews, permits, and inspections to be obtained prior to any activity.
3. The VUSBC classification/use will be determined by the actual number of persons receiving care and staff (please reference applicable VCC code section 308 in its entirety for the parameters of “I-Institutional Group” classification).
4. A Change of Use/Updated Certificate of Occupancy will be required before occupancy/use of the facility in the requested capacity is granted. This process may include submission of floor plan/building layout, egress components, exits, occupant loads, and any applicable permitting requirements for each affected structure.
5. The proposed facility/campus is not to be operational until all required permit(s) have been obtained and inspection(s) have been performed. If all provisions are complied with, a new Certificate of Occupancy will be produced and the business will be granted operational status.

6. Our records currently indicate that the existing facility is classified as “Group R”. This classification change may require a greater degree of structural strength, ventilation and sanitation. Other items may become apparent during the permit review process and inspection.

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

1. Applicant letter states that obtaining necessary permits is being worked on. At this time, the Health Department has not received a food facility application with appropriate payment.

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

1. A commercial entrance will be required to provide access to the facility. The facility is currently served by two commercial entrances.
2. VDOT has no objection to the proposed special exception.

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

1. The property is not located in the Enterprise Zone or the Tourism Zone. The Economic Development and Tourism Department can assist with small business resources, attraction, and workforce development.

The departments below reviewed this request and had no comments.

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

Environmental Division - *Angela Blount, Environmental Program Coordinator*

Utilities Department – *Rachael Lumpkin, Utility Project Engineer*

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

Fire & EMS Department – *Frank Vaerewyck*

IX. Public Notice and Community Feedback

- Staff notified adjacent property owners by mailing prior to the public hearing.
- Staff ran the required legal ads for this request in the *Progress-Index* prior to the public hearing.
- No comments from the community were received prior to finalizing this report.

X. Staff Recommendation

Approval, subject to the recommended conditions in the section below.

This recommendation is based on the following considerations:

1. The applicant’s request appears to be compatible with current and future surrounding land uses.
2. No negative feedback was received from adjacent property owners and community prior to publishing this staff report.
3. Staff has recommended the below conditions for this request which are intended to ensure applicable code requirements are met and limit any expected impacts on adjacent property owners and the surrounding community. The Applicant has reviewed and supports these conditions.

XI. Recommended Conditions

1. This Special Exception is granted on Tax Map 580(05)00-004-B for a “special care hospital” for the treatment of patients for substance abuse and/or mental health illnesses.

2. The temporary lodging rooms are to be used for the stated purpose only and shall not be used for other lodging or residential purposes unless expressly permitted by the zoning ordinance and all permits required by law.
3. Any expansion of the facility beyond 50 temporary lodging units shall require amendment of this special exception permit.
4. Prior to the granting of zoning approval for a business license, the owner shall provide the Planning Director with documentation from the Virginia Department of Health (VDH) confirming all VDH-required permits or approvals have been obtained.
5. All required federal, state and local licenses/permits shall be obtained for the approved use.
6. This Special Exception shall become null and void if no business license is obtained within 36 months from the date of Special Exception approval.
7. The Special Exception shall become null and void if the use is abandoned for a period of 24 consecutive months.
8. This Special Exception may be revoked by the Prince George County Board of Supervisors for failure by the property owner or tenant to comply with any of the listed conditions or any provision of federal, state or local regulations.

Inv. 4971

Exec Gov SE - 23-0028



SPECIAL EXCEPTION APPLICATION

Department of Community Development and Code Compliance
Planning & Zoning Division
6602 Courts Drive, Prince George, VA 23875
(804) 722-8678 | www.princegeorgecountyva.gov

OFFICE USE ONLY

APPLICATION #:

SE-23-08

RECEIVED

AUG 28 2023

BY:

TWG

APPLICANT FILL-IN ALL BLANKS

REQUEST	REQUEST: Special Exception as a Special Care Facility Community Service Center		
	REQUEST PROPERTY ADDRESS / LOCATION: 16905 Parkdale Road Prince George Virginia		
	REQUEST TAX MAP PIN(S): (List all) Tax Map # 580(05)00-004-B Zoned B-1	AFFECTED ACREAGE (Each parcel): 6.56	ENTIRE PARCEL (Y / N) - Each parcel: YES
	ATTACHMENTS (Check if Attached; * = Required): <input checked="" type="checkbox"/> APPLICANT STATEMENT* (Specify goals, details, etc.) <input type="checkbox"/> COMMUNITY MEETING SUMMARY <input checked="" type="checkbox"/> PROPOSED CONDITIONS <input type="checkbox"/> ADDITIONAL ATTACHMENTS: <input checked="" type="checkbox"/> SITE LAYOUT SKETCH OR CONCEPTUAL SITE PLAN* (Show proposed improvements; Use GIS or Engineer Drawing) (Existing Building Floor Plans)		
LEGAL OWNER	NAME(S): SPTWELVE PROPERTIES LLC		
	MAILING ADDRESS: (Incl. City, State, Zip): 9120 Cardiff Road North Chesterfield Va. 23236		
	NAME(S): If different than owner): E-MAIL: SPARSON@YESBH.ORG	PHONE: (804) 310-2444	
APPLICANT CONTACT	LAWRENCE ELLIS WILLIAMS CONSULTING LLC		
	RELATION TO OWNER: ARCHITECT		
	MAILING ADDRESS: (Incl. City, State, Zip): 2518 FORD AVE. RICHMOND, VIRGINIA 23223		
	E-MAIL: WILLIAMSIA@AOL.COM	PHONE: (804) 437-5360	
OFFICE USE ONLY (Completed at the time of application)			
ZONING DISTRICT(S): B-1		LAND USE(S) CODE REFERENCE(S): 90-393(8)	
PAYMENT	FEE DUE: Special Exception: \$700 Special Exception Home Occ: \$350	FEE PAID: \$700.00	PAYMENT TYPE: # (CHECK) / CASH / CREDIT / DEBIT
	CHECK # / TRANSACTION #: # 9596	DATE RECEIVED:	RECEIVED BY:

OWNER AFFIDAVIT

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

NAME: Stephen Pearson Jr
Co-SD-Tullee Properties, LLC

NAME: _____

SIGNED: [Signature]

SIGNED: _____

DATE: 8/24/23

DATE: _____

AFFIDAVIT

NOTARIZATION:

STATE OF VIRGINIA

COUNTY OF: Richmond

Subscribed and sworn before me this 24 day of August, 2023.

[Signature]
Notary Public

LISA A. FERGUSON
NOTARY PUBLIC
REGISTRATION # 7389433
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
SEPTEMBER 30, 2023

My Commission expires: _____, 20____

RECEIPT (REC-004358-2023)
FOR PRINCE GEORGE COUNTY, VA

BILLING CONTACT

Stephen Parson
Po Box 74100
North Chesterfield, Va 23236



Payment Date: 08/29/2023

Reference Number	Fee Name	Transaction Type	Payment Method	Amount Paid
SE-23-0028	PGC Special Exception Request	Fee Payment	Check #009596	\$700.00
16905 Parkdale Rd South Prince George, VA 23805			SUB TOTAL	\$700.00
			TOTAL	\$700.00



Lawrence Ellis Williams Consulting LLC

ARCHITECTS ENGINEERS
TECHNOLOGY COORDINATORS
ENVIRONMENTAL PLANNERS
BUSINESS DEVELOPERS
CONSTRUCTION MANAGERS
FACILITY MANAGERS

8/24/23

Tim Graves Planner
Department of Community Development and Code Compliance
Planning and Zoning Division
6602 Courts Drive, Prince George, Virginia 23875

Tel: (804) 722-8678
Email: tgraves@princegeorgecountyva.gov

Dear Mr. Graves: **16905 Parkdale Road Tax Parcel: 580(05)00-004-B**

Thank you for your summary of County Staff review comments concerning our preliminary special exception application. Attached is our formal special exception application with supporting documents. Mr. Parson, my client, wants to move expeditiously as possible to obtain zoning approvals. He will aggressively work toward obtaining the proper permits as requested by Building Inspector Charles Harrison. Also, proper licensing and health department approvals as requested by Alice Weathers of VDH. We are prepared to attend any zoning ordinance meeting related to obtaining the required special exception for a “Special Care Facility”. Our office has taken the time to review existing conditions and feel this property is substantially sound and appropriate for the proposed use as a “Special Care Facility”. The proposed site is generally remote when compared to most urban business districts. Per section 90-393(8) of your local code and similar approved facilities, a special exception to the B-1 Zoning is requested.

OneSource Community Care, the facility operator, proposes to operate a community services center that provides a holistic approach for Virginians by providing local, patient-centric care to those who need addiction treatment. Per our preliminary agreement the facility will offer 30-day maximum-stay residential treatment programs for clients struggling with alcohol and drug addiction. A maximum of 50 single occupancy rooms shall be provided for 30-day stays. Approximately 24 rooms will be converted to 12 meeting/classrooms by removing shared walls. The balance of the physical structures will serve as administrative offices, a second-floor A-2 assembly space with a first-floor cafeteria having an existing commercial kitchen. A business plan is provided as well as existing building schematic plans. The property owner reserves the right to adjust the existing room partitions and building uses to fit program requirements, providing as required adjusted plans for permits, where required meeting existing building code, and county inspector guidelines. Mr. Parson has proven to be a good “Community Stewart” and looks forward to collaborating with professional county staff and our project management team.

Mr. Parson has substantial experience and success in developing this type of community asset.

Sincerely,

Lawrence E. Williams, Sr. RA
Registered Architect Business Owner

2518 FORD AVENUE
RICHMOND, VIRGINIA 23223
TEL: 804.437.5360
EMAIL: WILAMSAIA@AOL.COM

OneSource Community Care Program Description

Substance abuse continues to persist in the state of Virginia, whether the addiction be alcohol, illicit drugs, prescription drugs, or a combination.

- ❖ About 5% of all Virginians have an alcohol use disorder.
- ❖ 22% of all Virginians over age 12 engage in binge drinking, and ages 18 to 25 do so more than any other age group.
- ❖ In 2020, meth overdoses in Virginia increased by a shocking 94%
- ❖ In Virginia, the prescription rate for opioids is 44.8 per 100 residents, demonstrating a high saturation rate for controlled substances.

OneSource Community Care is looking to change those statistics by providing local, patient-centric care to those who need addiction treatment. OneSource offers a 30-day residential treatment for clients struggling with alcohol and drug addiction. Our recovery program provides practical and actionable steps for lasting change.

The Grounds and Facility Description

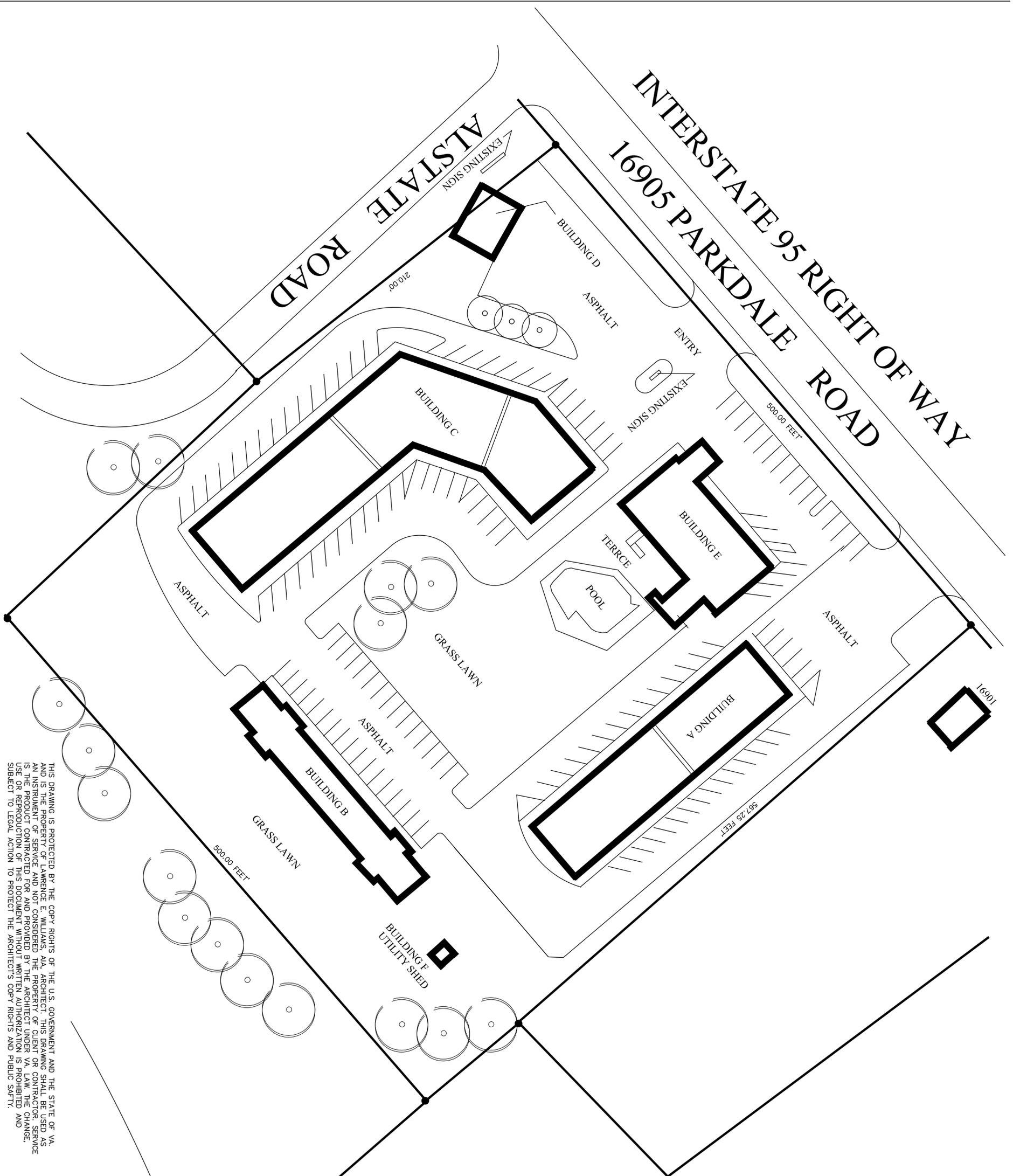
OneSource Community Care is proposing to operate a 50-unit, 24-hour a clean and safe haven for residential substance abuse treatment located within a remote, gated, and quiet community of 16905 Parkdale Rd., location in South Prince George County, Virginia. Our individualized accommodations, spacious courtyard, and overall remote setting would provide those struggling with the disease of addiction and alcoholism the perfect environment to not only recover with dignity, but also find the true meaning of security. The facility is close in proximity to highway I-95 and is within a 5-minute drive to Petersburg and Colonial Heights shopping facilities, eateries, and many other amenities. The reception room feels welcoming, rooms for group sessions are furnished with desks and chairs, tables, soft lighting, and pleasant artwork. The resident living units are single-occupancy rooms complete with beds, fresh linen, storage areas for personal belongings, wall mounted TV's, windows that are draped with curtains and private full-size bathroom areas. There is a fully equipped commercial kitchen onsite with a multi-use family dining area. To stimulate personal growth and connection to community, computers docked on desk surrounded with motivational decor complete with Wi-Fi. In the middle of this enclosed circular facility, (where smoking is permitted), lies a large grassy outside area full of sunshine with wooded landscaped features great for light conversation. In understanding the need for improvement of overall health and spiritual wellbeing there will be a full workout area complete with weights, rowing machine, stationary bike, elliptical and more. Proposed are over 15 designated rooms planned for counselor meetings and educational workshop classrooms as well as private retreat or group rooms designed to enhance meditation. This full-serve program provides the optimal atmosphere for recovery.

Our Population Served

As proposed, *OneSource Community Care* is a gender-responsive treatment program serving men, women, transgender, women with their children, and pregnant women. Pregnant and parenting women receive priority admission into our program. Children accompanying their mothers must be under the age of 11-year-old. All children residing with their mothers at OneSource Community Care are eligible to attend the Children's Services Center (CSC) program on campus. While residing at OneSource Community Care, residents will be required to participate in therapy, various support groups to learn about the connection

OneSource Community Care Program Description

between addiction, trauma, mental and physical health, emotions, and other life challenges such as Recovery Management, Trauma Education, Anger Management, and Evening Gardening. As the resident's progress in their journeys of recovery, they are encouraged and supported in employment pursuits and in developing plans for life after residential treatment. These transition plans may include continued treatment in a less intensive environment, housing assistance, and 12-Step programming.

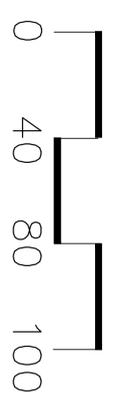


ARCHITECTURAL SITE PLAN BOUNDARY AND SET BACKS DIAGRAMMATIC AND TAKEN FROM FIELD OBSERVATIONS AND CITY PARCEL DATA SUBJECT TO FUTURE SURVEY DATED AND PREPARED BY A LICENSED SURVEYOR
 THE INFORMATION PRESENTED SUBJECT TO ANY EASEMENTS OF RECORD AND OTHER PERTINENT FACTS WHICH A TITLE SEARCH MIGHT DISCLOSE.

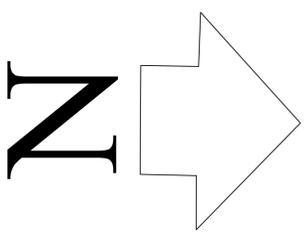
PROJECT TYPE:
USE GROUP: B
CONSTRUCTION CLASS: 5B
CODE/DATE: VEBC 2018

INTERNATIONAL ELECTRICAL CODE
 INTERNATIONAL MECHANICAL CODE
 INTERNATIONAL PLUMBING CODE

LEGAL ACREAGE 6.56
 OWNER: SP TWELVE PROPERTIES LLC



SCALE 1/32 INCH = 1 FOOT
 SEE SURVEY FOR PROPERTY LINE LOCATION AND ORIENTATION



SCALE 1/16 INCH = 1 FOOT
 SEE SURVEY FOR PROPERTY LINE LOCATION AND ORIENTATION

THIS DOCUMENT REPRESENTS GENERAL ARCHITECTURAL INTENT AND GUIDELINES SURVEYOR: STEVEN KENT

THIS DRAWING IS PROTECTED BY THE COPYRIGHTS OF THE U.S. GOVERNMENT AND THE STATE OF VA. AND IS THE PROPERTY OF LAWRENCE E. WILLIAMS AIA ARCHITECT. THIS DRAWING SHALL BE USED AS AN INSTRUMENT OF SERVICE AND NOT CONSIDERED THE PROPERTY OF CLIENT OR CONTRACTOR. SERVICE IS THE PRODUCT CONTRACTED FOR AND PROVIDED BY THE ARCHITECT UNDER VA. LAW. THE CHANGE, USE OR REPRODUCTION OF THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION IS PROHIBITED AND SUBJECT TO LEGAL ACTION TO PROTECT THE ARCHITECT'S COPY RIGHTS AND PUBLIC SAFETY.

C1 <small>03/20/23</small>	SITE PLAN	LAWRENCE ELLIS WILLIAMS CONSULTING LLC		
	CLIENT: SITE ADDRESS: 16905 PARKDALE ROAD BUILDER:	ARCHITECTS ENGINEERS CONSTRUCTION MANAGERS 2518 FORD AVENUE RICHMOND, VIRGINIA 23223 TEL (804)437-5360	ENVIRONMENTAL PLANNERS FACILITY MANAGERS	



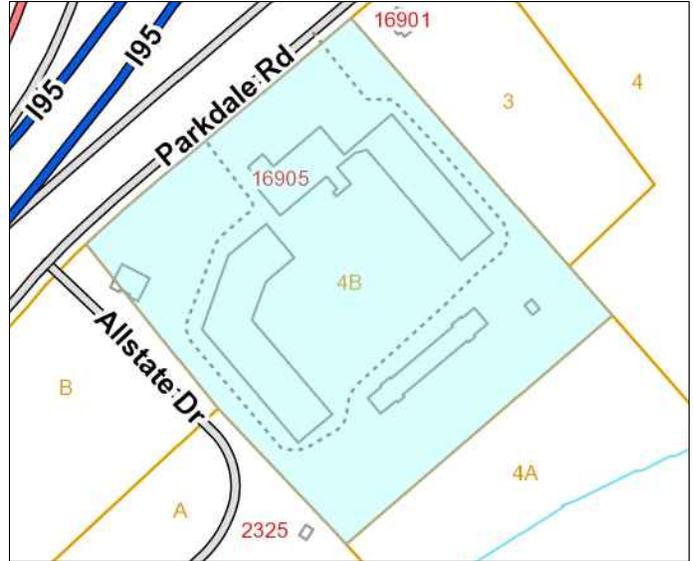
County of Prince George, Virginia

Parcel Report

4/7/2023

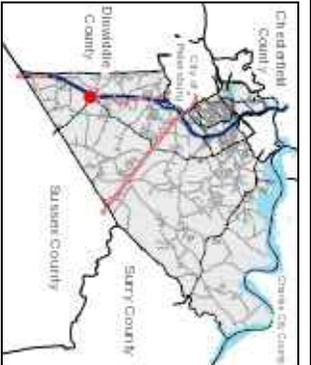
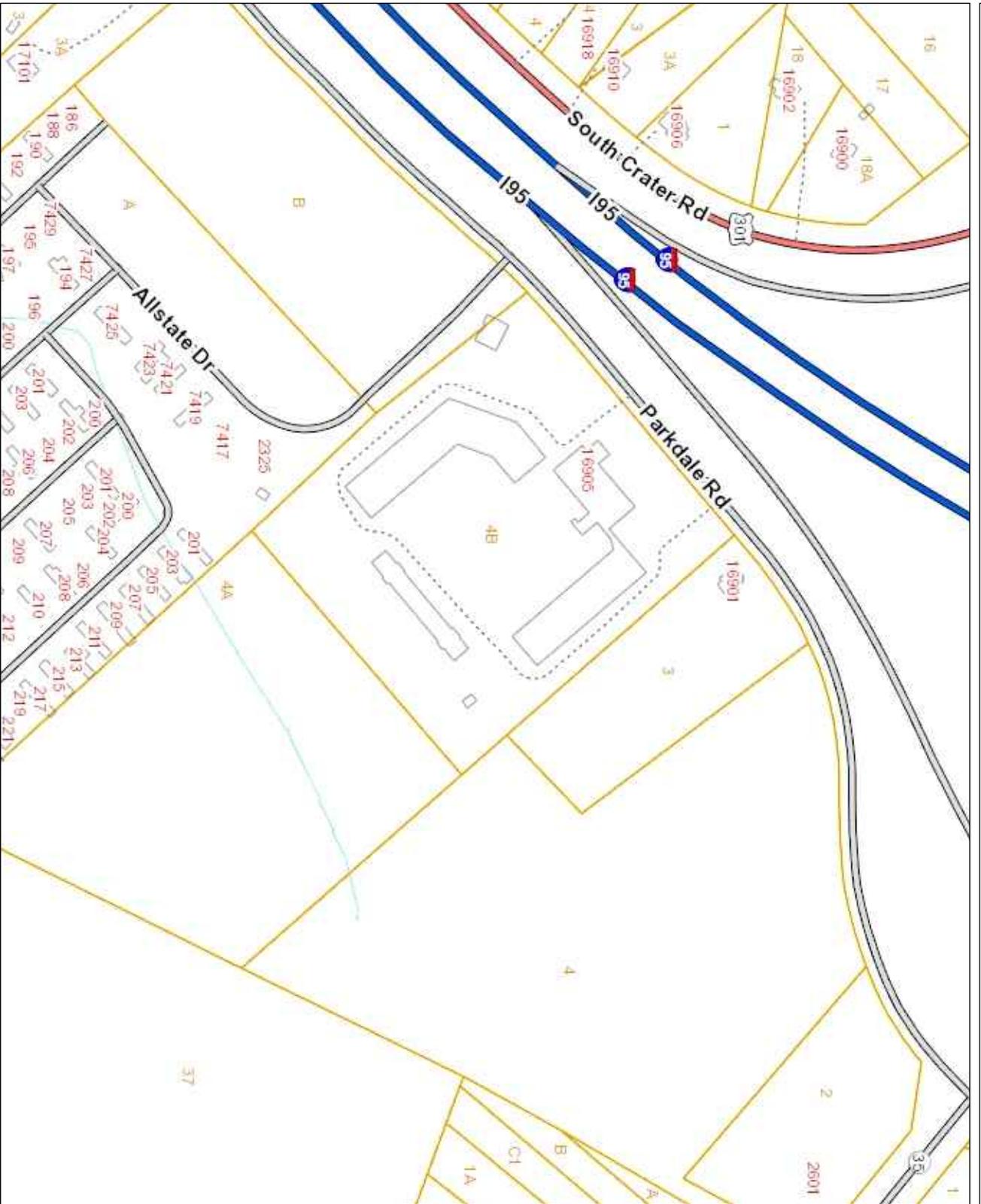
Assessment Information

TaxID: 580(05)00-004-B
 Owner: SP TWELVE PROPERTIES LLC
 Legal Acreage: 6.56
 GIS Acreage: 6.48774511
 Land Value: 306200
 Dwelling Value: 235300
 Total Value This Year: 541500
 Land Value Last Year: 306200
 Dwelling Value Last Year: 235300
 Total Value Last Year: 541500
 Finished Size: 42153
 Year Built: 1975
 Last Sale Amount: 1700000
 Last Sale Date: 9/26/2006
 Grantor: NIPAM CORPORATION
 Property Address: 16905 PARKDALE ROAD
 Property City: SOUTH PRINCE GEORGE
 Property State: VA
 Property Zip Code: 23805
 Mail Address: 16905 PARKDALE RD
 Mail City: SOUTH PRINCE GEORGE
 Mail State: VA
 Mail Zip Code: 23805
 Property Class: Motel - Exterior Corridor
 Neighborhood: 7900
 Plat Book: 274
 Plat Page: 624



Other Information

Voting District: Templeton
 Polling Place: South Elementary School
 Polling Address: 13400 Prince George Dr
 Polling Address: Disputanta, VA 23842
 Fire Response District: South Prince George
 FEMA Floodzone: X
 Wetlands on Property? N
 Property in RPA? N
 Property in RMA? N
 Census Tract: 511498505
 Zip Code: 8505
 State Delegate District: 62
 State Senate District: 13



- Legend**
- County Parks
 - Schools
 - Firestations
 - Political Boundaries
 - Taxparcels
 - Access Easements
 - Swamps



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

Copyright, 2020 County of Prince George, VA



0 222.3 444.5 Feet

Map Scale 1 : 2,667

4/6/2023

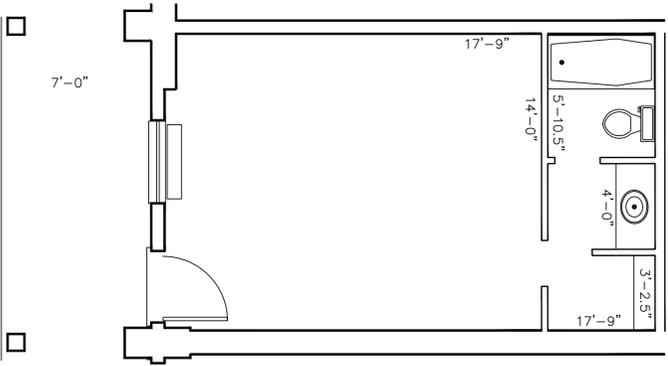
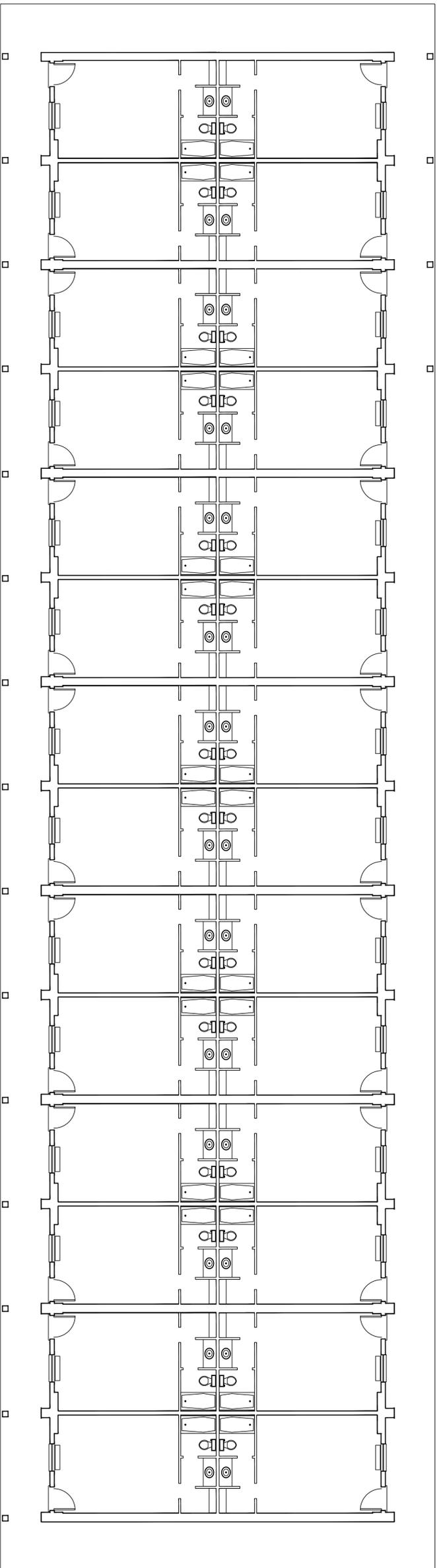


Notes

70 m

Camera: 413 m 37°04'41" N 77°2





BUILDING A

0 10ft 20ft
SCALE: 1/8" = 1 FOOT

TYPICAL UNIT

0 5ft 10ft
SCALE: 1/4" = 1 FOOT



LAWRENCE ELLIS WILLIAMS CONSULTING LLC

ARCHITECTS ENGINEERS
CONSTRUCTION MANAGERS

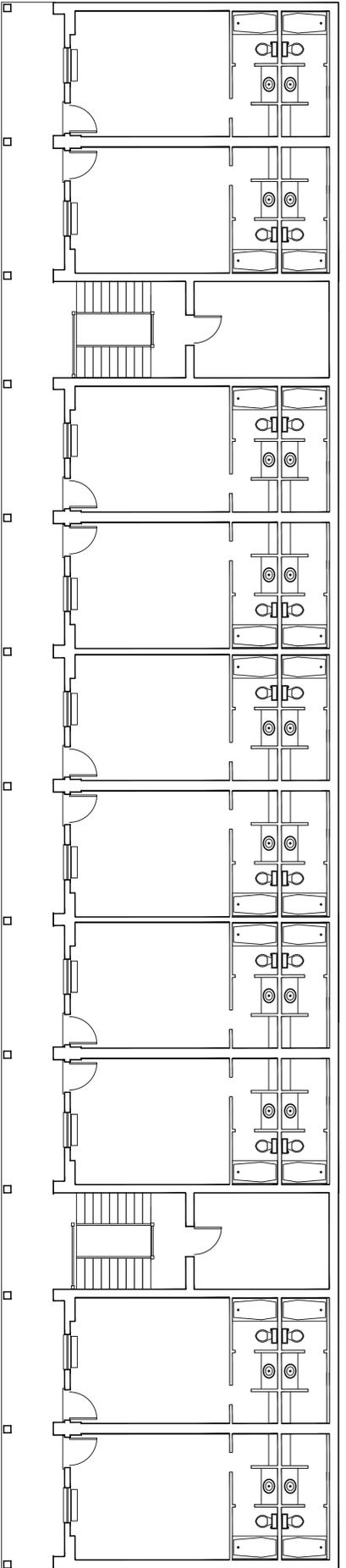
ENVIRONMENTAL PLANNERS
FACILITY MANAGERS

2518 FORD AVENUE RICHMOND, VIRGINIA. 23223 TEL.(804) 437-5360

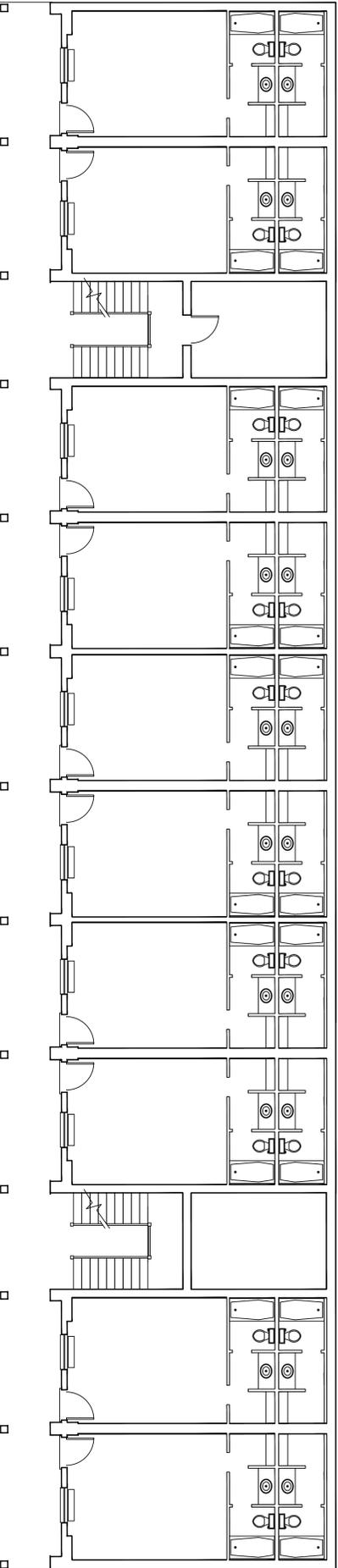
GATEWAY INN ROOM PLAN

SITE ADDRESS:
BUILDER:

A1
Drawn By: LW
Issue Date: 03/10/23



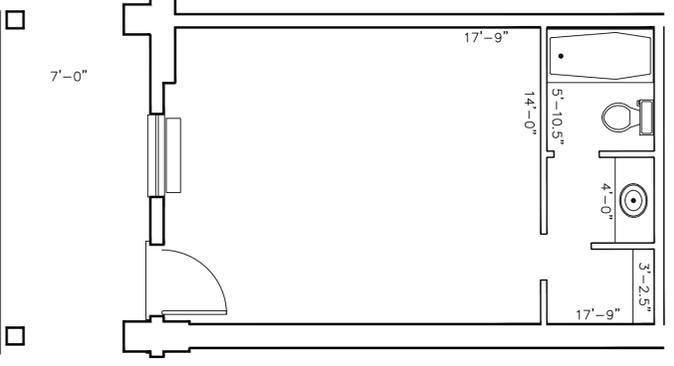
SECOND FLOOR PLAN



FIRST FLOOR PLAN

BUILDING B

0 10ft 20ft
SCALE: 1/8" = 1 FOOT



TYPICAL UNIT

0 5ft 10ft
SCALE: 1/4" = 1 FOOT

GATEWAY INN ROOM PLAN

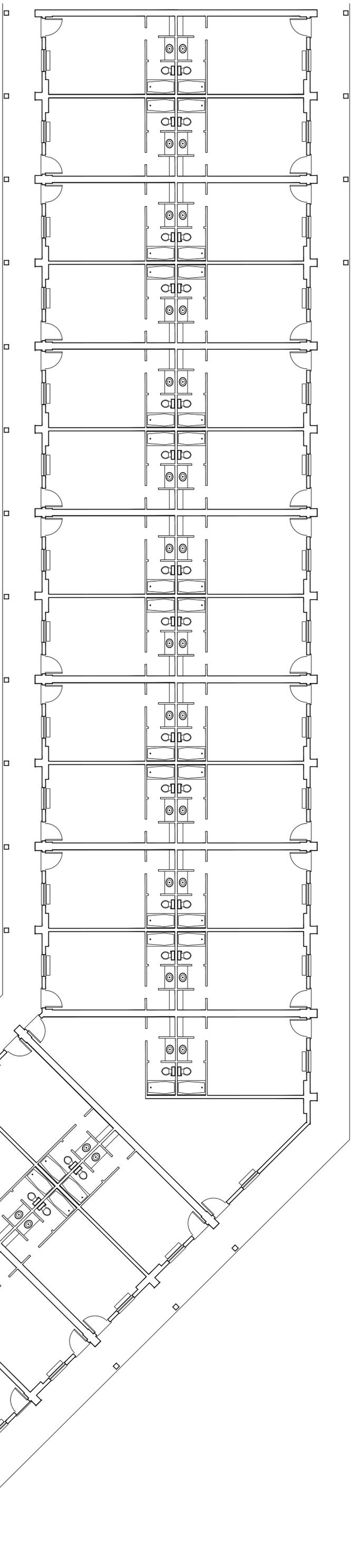
SITE ADDRESS:
BUILDER:

LAWRENCE ELLIS WILLIAMS CONSULTING LLC

ARCHITECTS ENGINEERS ENVIRONMENTAL PLANNERS
CONSTRUCTION MANAGERS FACILITY MANAGERS
2518 FORD AVENUE RICHMOND, VIRGINIA. 23223 TEL.(804) 437-5360

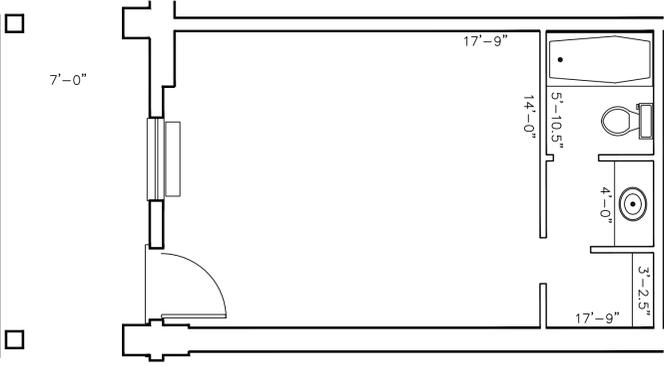


A2
Drawn By LW
Issue Date
MDW 03/10/23



BUILDING C

0 10ft 20ft
SCALE: 1/8" = 1 FOOT



TYPICAL UNIT

0 5ft 10ft
SCALE: 1/4" = 1 FOOT

A3 GATEWAY INN ROOM PLAN

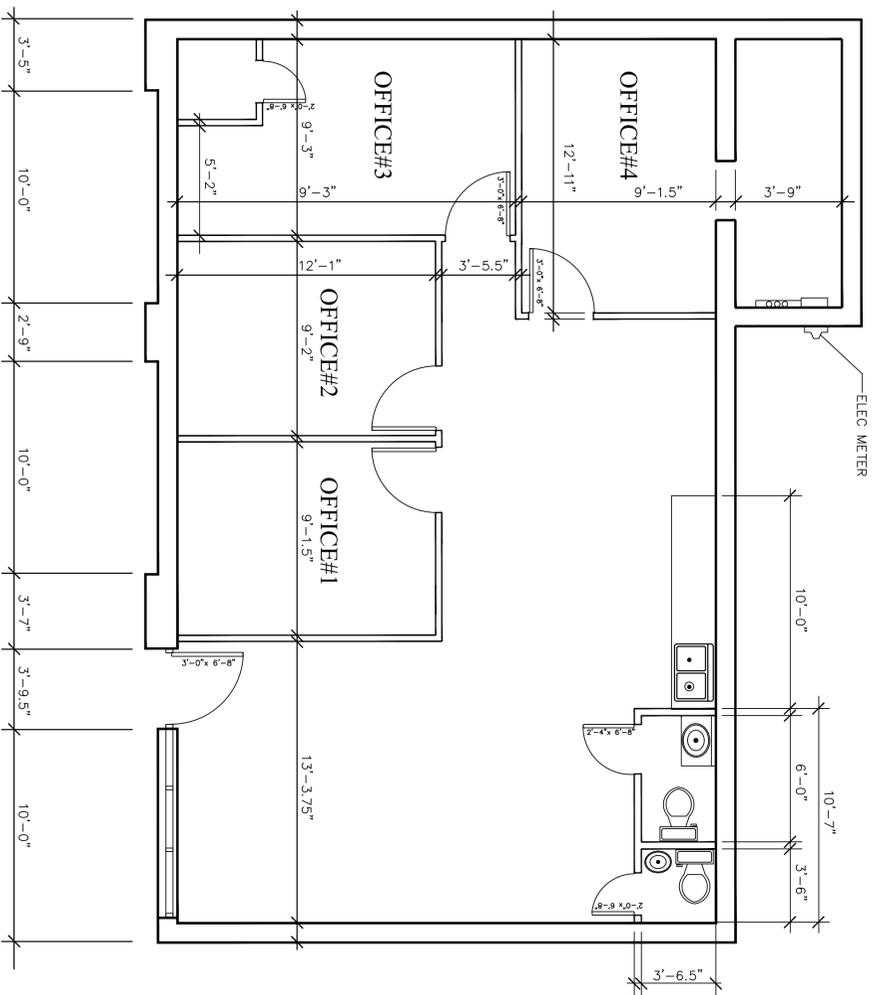
Drawn By: JH
Issued Date:
Model: 03/20/23

SITE ADDRESS:
BUILDER:

LAWRENCE ELLIS WILLIAMS CONSULTING LLC
ARCHITECTS ENGINEERS
CONSTRUCTION MANAGERS
2518 FORD AVENUE RICHMOND, VIRGINIA 23223 TEL.(804) 437-5360

ENVIRONMENTAL PLANNERS
FACILITY MANAGERS
23223 FORD AVENUE RICHMOND, VIRGINIA 23223 TEL.(804) 437-5360





BUILDING D

OFFICE SPACE

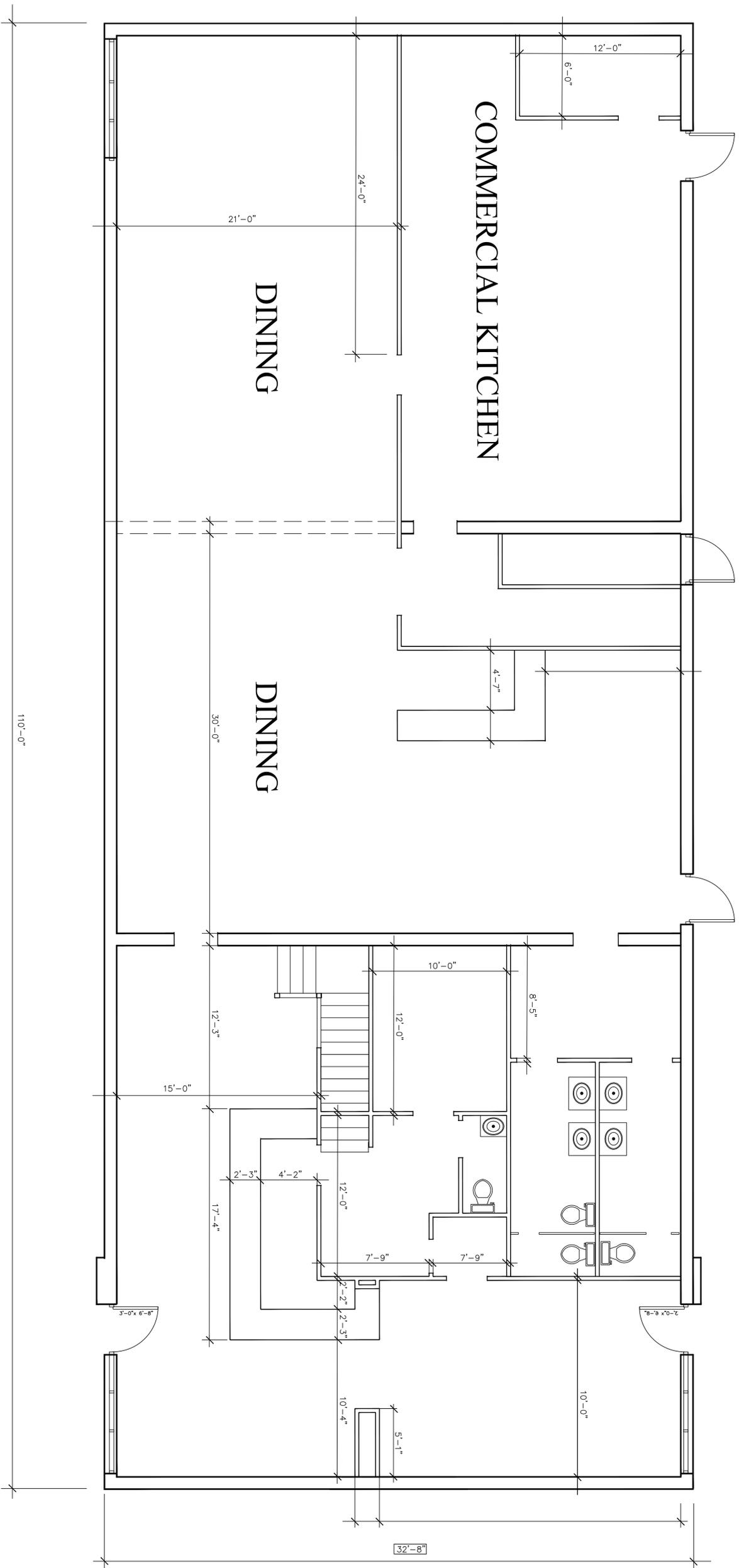
0 5ft 10ft
 SCALE: 1/4" = 1 FOOT



LAWRENCE ELLIS WILLIAMS CONSULTING LLC
 ARCHITECTS ENGINEERS ENVIRONMENTAL PLANNERS
 CONSTRUCTION MANAGERS FACILITY MANAGERS
 2518 FORD AVENUE RICHMOND, VIRGINIA. 23223 TEL.(804) 437-5360

GATEWAY INN ROOM PLAN
 SITE ADDRESS:
 BUILDER:

A4
 Drawn By: JTW
 Issue Date: 03/10/23



BUILDING E

RESTAURANT

SCALE: 1/4" = 1 FOOT

0 5ft 10ft

GATEWAY INN ROOM PLAN

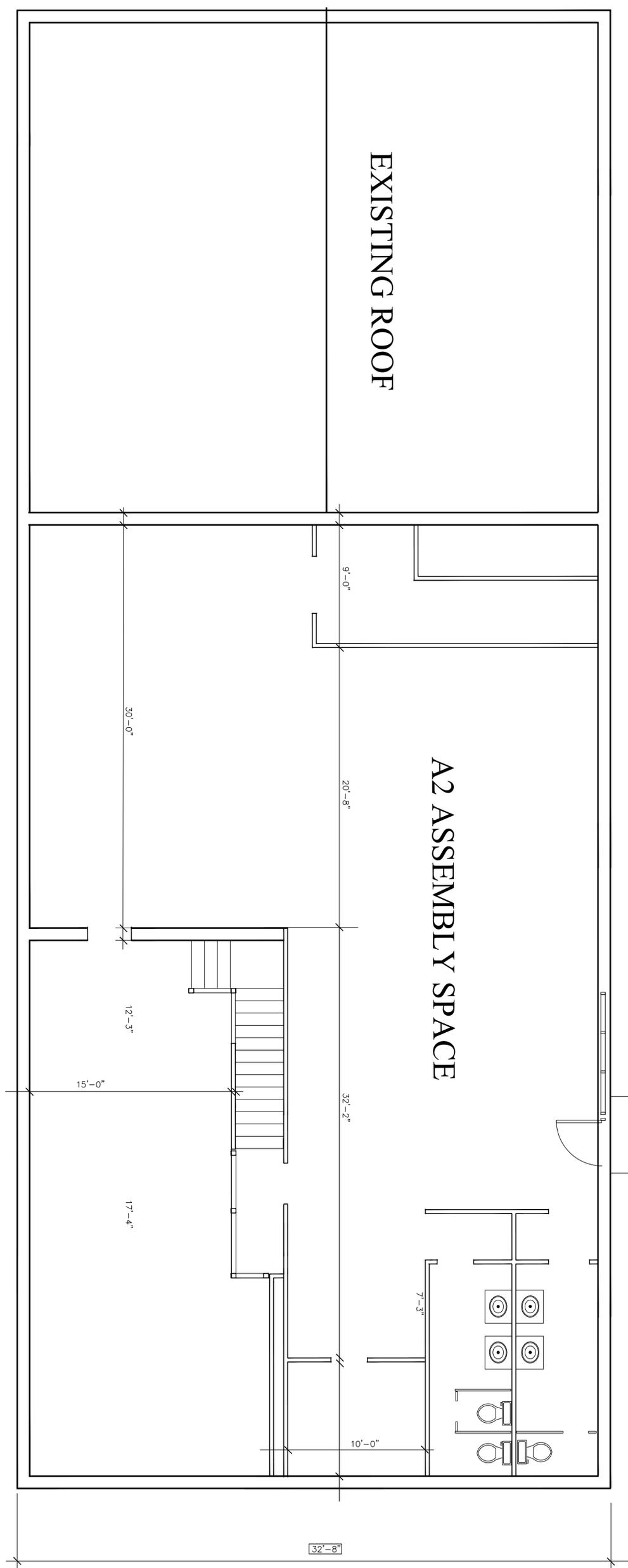
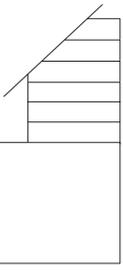
SITE ADDRESS:
BUILDER:

LAWRENCE ELLIS WILLIAMS CONSULTING LLC

ARCHITECTS ENGINEERS ENVIRONMENTAL PLANNERS
CONSTRUCTION MANAGERS FACILITY MANAGERS
2518 FORD AVENUE RICHMOND, VIRGINIA. 23223 TEL.(804) 437-5360



A5
Drawn By: JTW
Issue Date: 03/10/23



BUILDING E

SECOND FLOOR PLAN
A2 ASSEMBLY SPACE

SCALE: 1/4" = 1 FOOT



A6 <small>Drawn By: JTW Issue Date: 03/10/23</small>	GATEWAY INN ROOM PLAN	LAWRENCE ELLIS WILLIAMS CONSULTING LLC <small>ARCHITECTS ENGINEERS ENVIRONMENTAL PLANNERS CONSTRUCTION MANAGERS FACILITY MANAGERS</small> <small>2518 FORD AVENUE RICHMOND, VIRGINIA. 23223 TEL.(804) 437-5360</small>	
<small>SITE ADDRESS: BUILDER:</small>			

Site Photos – 16905 Parkdale Road

Existing 1-story structure



Existing 2-story structure



Existing Admin Building



Existing Lobby/Cafeteria



Existing Bathroom Example



Existing Interior Room Example





County of Prince George, Virginia

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

October 12, 2023

NOTICE OF PUBLIC HEARING - PLANNING COMMISSION

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

This is notification that the Prince George County Planning Commission will hold a public hearing on **Thursday, October 26, 2023 beginning at 6:30 pm** to consider the following request that involves the Prince George County Zoning Ordinance:

SPECIAL EXCEPTION SE-23-08: Request to permit a special care hospital within a General Business (B-1) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-393(8). The purpose of the request is to allow an addiction treatment facility to open in existing buildings. The subject property is approximately 6.56 acres in size, located at 16905 Parkdale Road, and is identified as Tax Map # 580(05)00-004-B. The Comprehensive Plan indicates the property is planned for “Commercial” land uses.

The public hearing will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875. A copy of the proposed Ordinance and other materials related to the above named request may be reviewed or obtained in the Planning & Zoning Office, located within the Community Development and Code Compliance Department in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday–Friday, or by calling 804-722-8678 or emailing planning@princegeorgecountyva.gov. All interested persons are invited to participate in the public hearing in person. A live video stream will be available at https://www.princegeorgecountyva.gov/live_stream/. Public comments can be submitted prior to 4:30 p.m. on the public hearing date. Public Comment submittal forms and information on accessing this meeting electronically are available at <https://www.princegeorgecountyva.gov>. Any person requiring assistance to participate in the public hearing is asked to contact the Planning & Zoning Office in advance so that appropriate arrangements can be made.

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

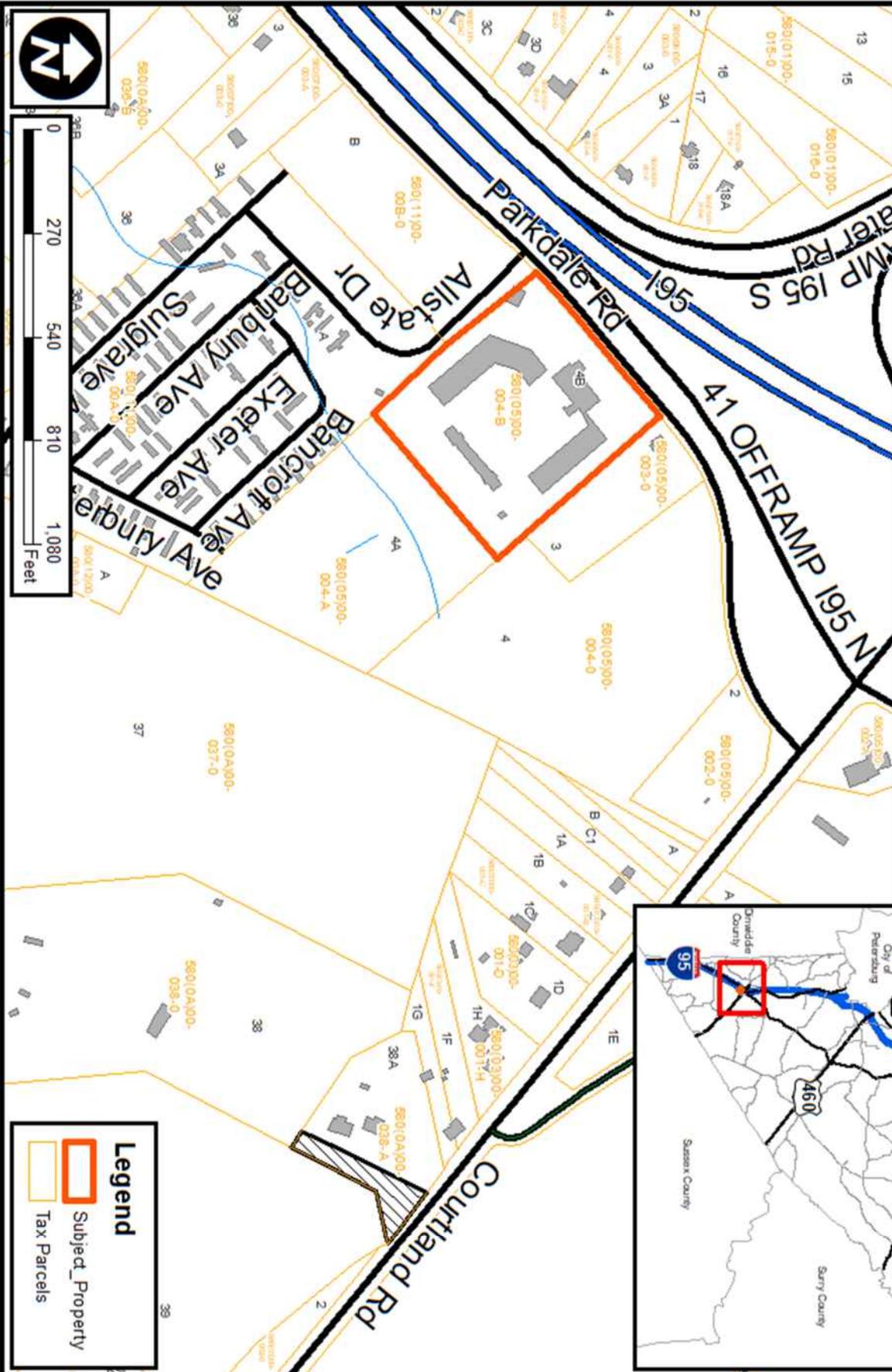
Sincerely,

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

Tim Graves
Planner

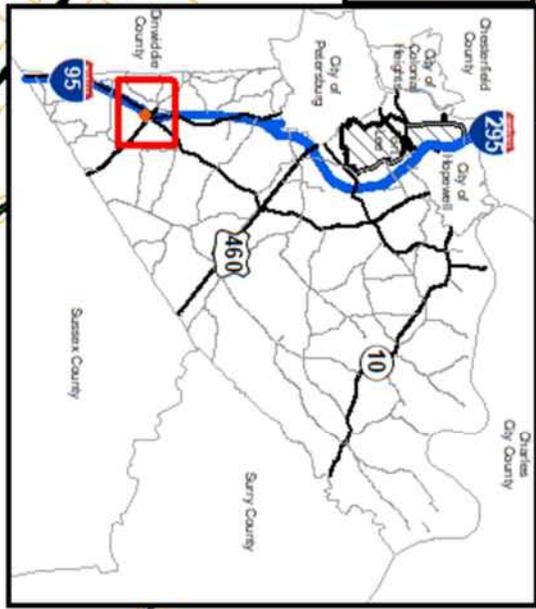
Special Exception # SE-23-08

Owner/Applicant: Stephen Parson Jr. - SP Twelve Properties, LLC
Address: 16905 Parkdale Road **Tax Map #:** 580(05)00-004-B



Legend

- Subject Property
- Tax Parcels



WRIGHT JAY J
3606 WESTBRIAR LN
PETERSBURG, VA 23803

TKAM HOLDINGS LLC
10515 CLEVELAND RD
GARNER, NC 29275

COOKE MICHAEL LEE
142 ASHBY RD
MATTAPONI, VA 23110

SP TWELVE PROPERTIES LLC
16905 PARKDALE RD
SOUTH PRINCE GEORGE, VA 23805

WAP MHC I LLC
PO BOX 710
SANDSTON, VA 23150

VELPAR INVESTMENTS INC
PO BOX 8446
RICHMOND, VA 23226

Lawrence Ellis Williams
2518 Ford Ave.
RICHMOND, VA 23223

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

The Prince George County Planning Commission will hold public hearings on Thursday, October 26, 2023 beginning at 6:30 p.m. concerning the following requests:

SPECIAL EXCEPTION SE-23-07: Request to permit a commercial child care center within a General Business (B-1) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-393(28). The subject property is approximately 0.58 acres in size, located at 5844 Allin Road, and is identified as Tax Map # 230(26)00-004-0. The Comprehensive Plan indicates the property is planned for “Village Center” land uses.

SPECIAL EXCEPTION SE-23-08: Request to permit a special care hospital within a General Business (B-1) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-393(8). The purpose of the request is to allow an addiction treatment facility to open in existing buildings. The subject property is approximately 6.56 acres in size, located at 16905 Parkdale Road, and is identified as Tax Map # 580(05)00-004-B. The Comprehensive Plan indicates the property is planned for “Commercial” land uses.

COMPREHENSIVE PLAN AMENDMENT CPA-23-04: Request to amend the Comprehensive Plan Future Land Use Map designation for a specific property from “Commercial” to “Commercial / Industrial”. If the request is approved, the Comprehensive Plan would support industrial or commercial zoning districts and uses on the property. The subject property, approximately 44.235 acres in size, is identified by Tax Map #s 340(0A)00-007-D and 340(0A)00-007-E and is located at the end of Wagner Way. An additional portion of the property is located in the City of Petersburg.

SUBSTANTIAL ACCORD SA-23-01: Determination by the Prince George County Planning Commission on whether or not the large-scale solar facility proposed by RWE Clean Energy in Special Exception Application # SE-23-09 is in substantial accord with the Prince George County Comprehensive Plan. The Comprehensive Plan Future Land Use Map indicates the property is planned for Residential or Agricultural uses, and the County’s adopted Solar Energy Facility Siting Policy provides guidance for the siting of new facilities within the County. The visually buffered development area for the facility is proposed to total +/- 506 acres and the total area of the parcels involved is +/- 1,270 acres. The property is identified by Tax Map #s 440(0A)00-071-0, 440(0A)00-072-0, 530(01)00-00B-0, 530(0A)00-001-0, 450(0A)00-028-0, 530(0A)00-046-0, and 530(0A)00-045-A, and is located near the intersection of Pumphouse Road and Thweatt Drive.

The public hearings will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875. Copies of the proposed Ordinances and other materials related to the above named requests may be reviewed or obtained in the Planning & Zoning Office, located within the Community Development and Code Compliance Department in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday–Friday, or by calling 804-722-8678 or emailing planning@princegeorgecountyva.gov. All interested persons are invited to participate in the public hearings in person. A live video stream will be available at https://www.princegeorgecountyva.gov/live_stream/. Public comments can

be submitted prior to 4:30 p.m. on the public hearing date. Public Comment submittal forms and information on accessing this meeting electronically are available at <https://www.princegeorgecountyva.gov>. Any person requiring assistance to participate in the public hearings is asked to contact the Planning & Zoning office in advance so that appropriate arrangements can be made.

BY ORDER OF THE PRINCE GEORGE COUNTY PLANNING COMMISSION

Publish: 10/12/23 and 10/19/23

Begin

TAB 6

**COMPREHENSIVE PLAN AMENDMENT REQUEST – CPA-23-04
PLANNING COMMISSION STAFF REPORT – October 26, 2023**

RESUME

The applicant has requested to change the Comprehensive Plan Future Land Use designation for two tax parcels consisting of 44.235 acres from “Commercial” to “Commercial/Industrial”.

The applicant’s primary goal is to develop the property for industrial uses, including potentially a 540,000 SF building. If this request is approved, a rezoning to an industrial zoning district would still be required before industrial uses could occur on the property.

The Planning Commission must hold a public hearing and make a recommendation of approval or denial and forward the request to the Board of Supervisors for a decision. If the Board approves the request, the Future Land Use Map would support either industrial or commercial use of the property.

CONTENTS OF REPORT:

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

Sample Motions

APPROVE:

“I move to forward request CPA-23-04 to the Board with a recommendation for APPROVAL, and the reason(s) for this recommendation is/are:”

(EXAMPLES):

- “The recommended change to the Future Land Use Map is compatible with the envisioned land uses for the subject property and adjacent properties.”
- “It is expected to benefit the general welfare of the community.”
- Other _____

DENY:

I move to forward request CPA-23-04 to the Board with a recommendation for DENIAL for the following reason(s): (SPECIFY)

POSTPONE:

I move to POSTPONE request CPA-23-04 until _____ to allow time for _____
(MEETING DATE)

(ACTION/EVENT)

County of Prince George, Virginia

ORDINANCE TO AMEND THE COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION FOR TAX MAPS 340(0A)00-007-D AND 340(0A)00-007-E FROM “COMMERCIAL” TO “COMMERCIAL/INDUSTRIAL”

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

Present:

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

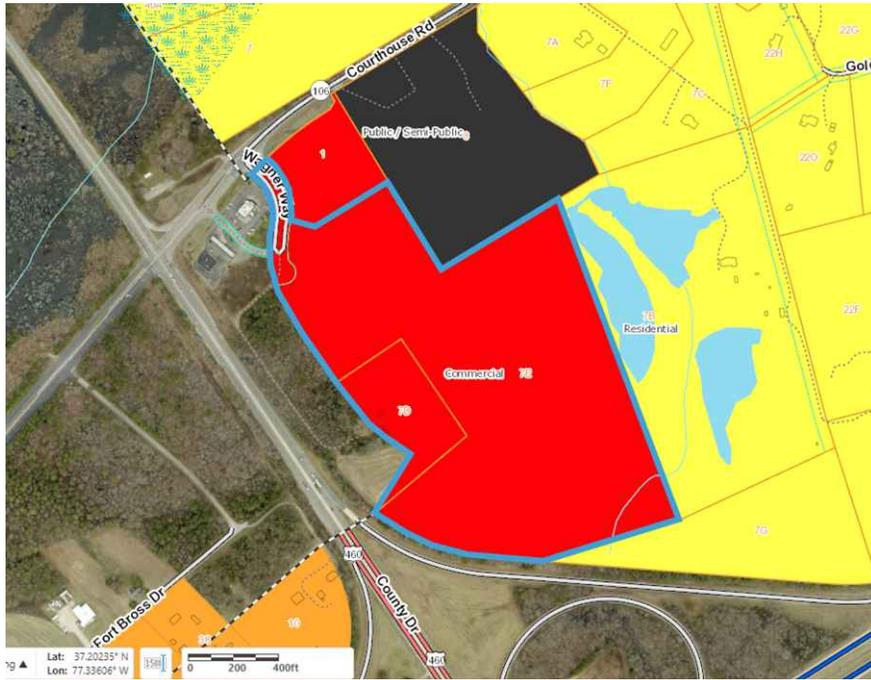
Vote:

COMPREHENSIVE PLAN AMENDMENT CPA-23-04: Request to amend the Comprehensive Plan Future Land Use Map designation for a specific property from “Commercial” to “Commercial / Industrial”. If the request is approved, the Comprehensive Plan would support industrial or commercial zoning districts and uses on the property. The subject property, approximately 44.235 acres in size, is identified by Tax Map #s 340(0A)00-007-D and 340(0A)00-007-E and is located at the end of Wagner Way. An additional portion of the property is located in the City of Petersburg.

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

- (1) *That the Generalized Future Land Use Map of the Prince George County Comprehensive Plan be amended to change the future land use designation of the property presently identified as Tax Map #s 340(0A)00-007-D and 340(0A)00-007-E (illustrated below) from “Commercial” to “Commercial/Industrial”.*

(continues on next page)



(2) This Ordinance shall take effect upon adoption.



PLANNING COMMISSION STAFF REPORT

Public Hearing October 26, 2023

CPA-23-04 – Comprehensive Plan Amendment – Change Future Land Use from Commercial to Commercial/Industrial

Applicant: Lingerfelt Development LLC c/o Andrew Condlin

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

I. Request

The applicant has requested to change the Comprehensive Plan Future Land Use designation for two tax parcels consisting of 44.235 acres from “Commercial” to “Commercial/Industrial”.

The applicant’s primary goal is to develop the property for industrial uses, including potentially a 540,000 SF building. If this request is approved, a rezoning to an industrial zoning district would still be required before industrial uses could occur on the property.

The Planning Commission must hold a public hearing and make a recommendation of approval or denial and forward the request to the Board of Supervisors for a decision. If the Board approves the request, the Future Land Use Map would support either industrial or commercial use of the property.

II. Property

Location: Wagner Way, near Courthouse Rd and Route 460 intersection

Tax Maps: 340(0A)00-007-D, 340(0A)00-007-E

Site Size: 44.235 Acres

Legal Owner: Diamond Park LLC

RE Taxes Paid?: Yes

Zoning District: Current: B-1 General Business

Proposed: TBD Industrial

Current Use(s): Vacant

Comp Plan Land Use: Current: Commercial

Proposed: Commercial/Industrial

Planning Area: Prince George Planning Area

Previous Zoning Cases: ZM-90-03 (conditional)

III. Meeting Information

Planning Commission Public Hearing: October 26, 2023

Board of Supervisors Public Hearing: November 28, 2023 (Tentative)

IV. Background

- The property was rezoned (conditionally) to B-1 in 1990 from R-2 and A-1.
- In October of 2022, the applicant submitted a Comprehensive Plan Amendment Request and a Rezoning Request to conditionally rezone the properties in question from B-1, General Business to M-3, Heavy Industrial for the construction of a speculative industrial building but withdrew the requests in January of 2023 after hearing feedback from Staff.
- The applicant submitted a Special Exception application to replace the previous applications in January 2023, however this application was also withdrawn after the applicant received feedback from Staff that the Comprehensive Plan did not support the request.
- The applicant submitted this updated Comprehensive Plan Request at the end of August 2023 with plans to apply for a rezoning of the property if the Comprehensive Plan change is successful.

V. Applicant Rationale

The following information was provided with the application to justify why the change is being requested:

Economic Considerations:

- The property has been zoned B-1 since 1990 and despite attempts to market the property, there were no genuine opportunities for sale or development of the property for typical retail, service or office uses that are permitted in the B-1 zoning district.
- The demographics for a traditional marketplace do not currently exist and the demand for industrial flex space is at record levels in the Richmond market.
- Users currently in the market for such flex space include: (see application materials for several examples of users seeking space, ranging from 100,000 SF to 400,000 SF)
- It is anticipated that the property, if developed as the applicant proposes, could have a value around \$60.9 million with an estimated future real estate tax revenue value of \$516,000 compared to the current revenue of \$13,422, which does not account for personal property and machinery & tools taxes revenues, which depend on the type of business that actually locates on the property.

Land Use Considerations:

- The Commercial / Industrial future land use category is described in the Comprehensive Plan as designating those areas that are suitable for future commercial and/or industrial uses. Allowing flexibility of future uses would be appropriate to respond to the current marketplace demands, particularly given the proximity to interstates 295 and 95 and Route 460.
- The proposed designation of Commercial / Industrial is consistent with current and future surrounding land uses in both the County and the City of Petersburg. (The applicant provided a map in the application materials showing current uses on surrounding property.) The property, as can be seen on the map, is surrounded by the interstate off-ramp to the South, Route 460 to the West, a swamp to the East, and commercial uses to the North along Courthouse Rd.
- The property is an island among major road networks, and a swamp and substantial wetlands form much of the perimeter of the property.

Traffic Considerations:

- A traffic analysis (provided in a previous application submitted by the applicant) shows a comparison of potential traffic for a full-scale commercial development of a shopping plaza with a grocery store vs. commercial/industrial uses as proposed. The numbers provided are approximately 20,000 Average Daily Traffic (ADT) for the commercial buildout vs. approximately 3,000 ADT for commercial/industrial as proposed by the applicant.

VI. Exhibits

(beginning on next page)

Exhibit 1 – Zoning Map (Tan color = R-A Residential Agricultural; Red = B-2 General Business)

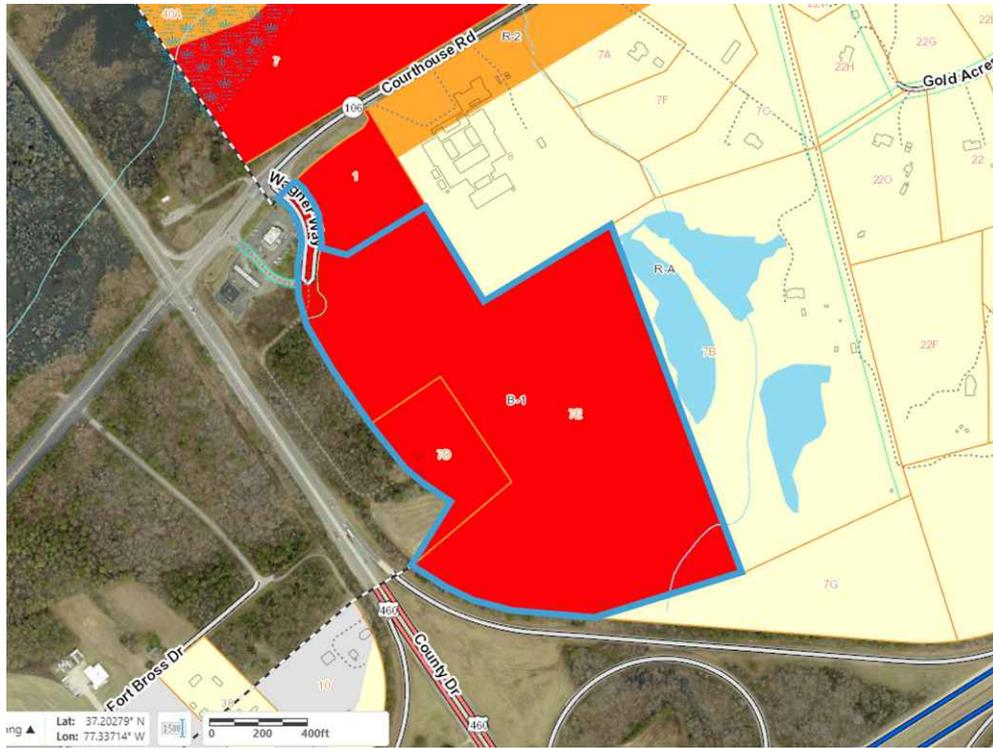


Exhibit 2 – Comprehensive Plan Future Land Use Map

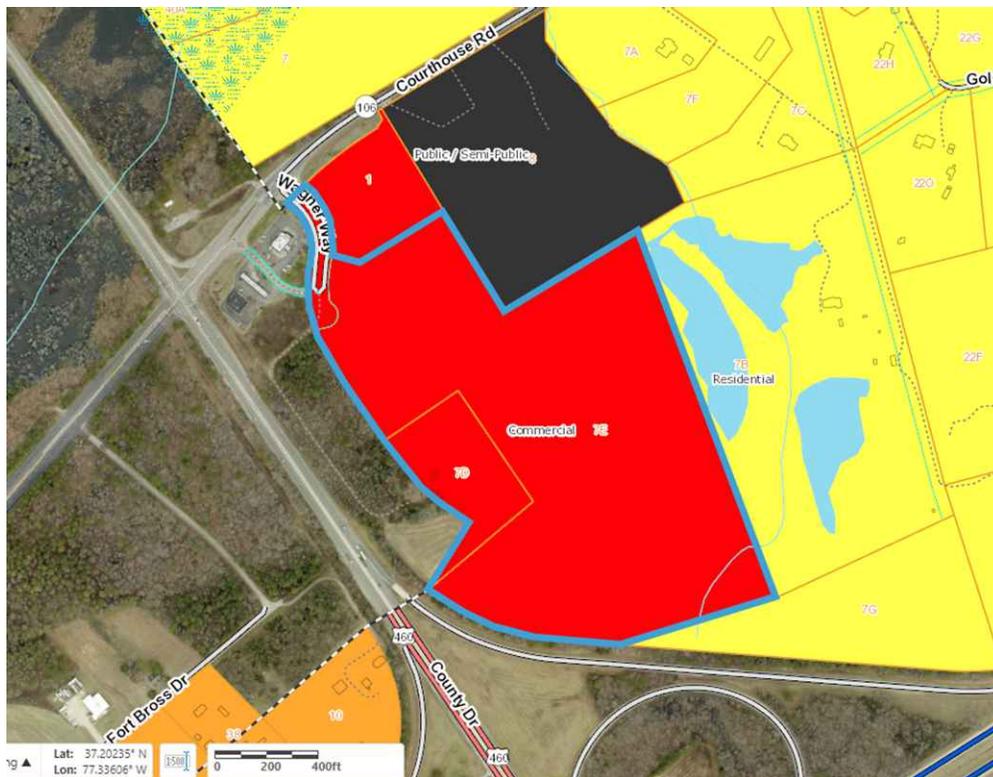
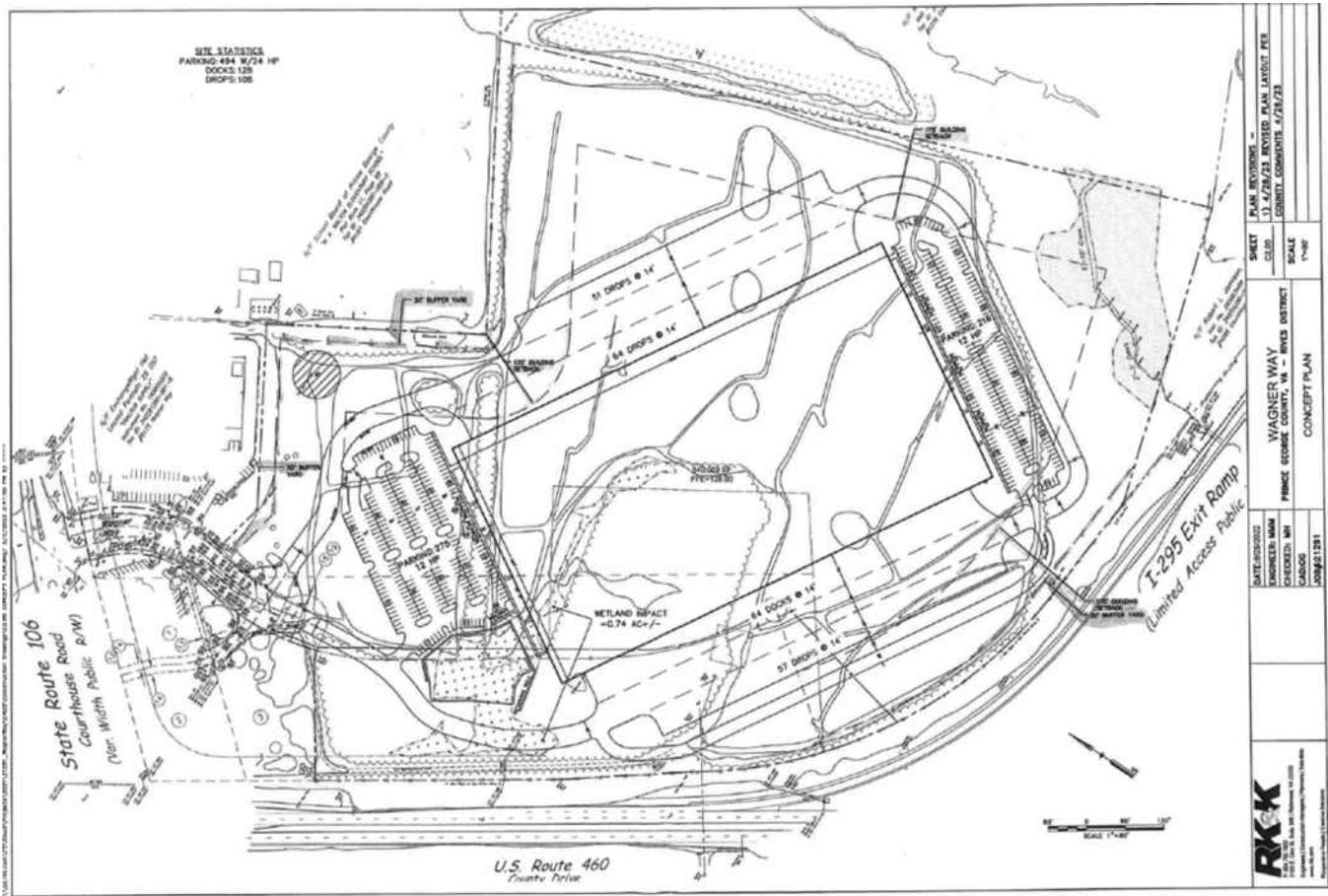


Exhibit 3 – Aerial Map



Exhibit 4 – Conceptual Plan of Development for a 540,000 SF industrial flex building



VII. Planning and Zoning Review Comments

1. The Comprehensive Plan provides descriptions for the various future land use designations. Below are the descriptions for each relevant designation as found Comprehensive Plan. The Applicant requested a change to Commercial / Industrial, which would indicate that the property should be developed with either type of use.

Future Land Use Categories	Commercial	Industrial	Commercial / Industrial
Description from the Comp Plan	<i>This category designates areas where commercial developments have occurred and where future urban and suburban commercial developments are encouraged. Public water and wastewater facilities are generally available or planned for these areas.</i>	<i>The category designates those areas where major industrial activities exist and/or are planned.</i>	<i>This category designates those areas that are suitable for future commercial and/or industrial economic activities.</i>

2. Staff reviewed the rationale provided by the applicant (summarized in the section above) and generally agrees with the applicant's reasoning. The primary claims seem to be as follows (with staff responses):
- a. Applicant claim: The property has been zoned B-1 since 1990 and has not yet been developed, and the demographics of the area do not support that type of development which was originally envisioned when the property was rezoned.
Staff response: No disagreement or clarification warranted.
 - b. The applicant has Industrial/Flex users ready to go into a building if they build one, so this type of development is very realistic and feasible for the property.
Staff response: It is worth considering that Residential or Mixed Commercial-Residential uses could also be considered for the property; however, there is no proof that this would immediately result in development, whereas the applicant says they have major interest from potential industrial tenants.
 - c. Applicant claim: If developed as proposed, the annual revenue to the County would increase from \$13,422 to approximately \$516,000, based on property taxes alone.
Staff response: The numbers seem reasonable. As a comparison, if the property were developed for residential uses, it would also increase the property values; however, that would result in additional costs to the county for services such as police, fire/EMS, and especially schools. There is no arguing that in the current undeveloped state, the property is of little benefit to the County as a whole.
 - d. Applicant claim: Allowing either commercial or industrial uses (and not just one or the other) provides greater flexibility for development of the property to respond to marketplace demands.
Staff response: It is true that the property is more likely to be developed if more things are allowed.
 - e. Applicant claim: The property is an island among major road networks, and a swamp and substantial wetlands form much of the perimeter of the property.
Staff response: This is true. Apart from the existing Tractor Supply, McDonalds, and the former Walton Elementary School property, adjacent properties would not be directly impacted by development of this property, except in regards to traffic.

- f. Applicant claim: The traffic would be much higher for a commercial shopping center development than it would be for the industrial/flex space that is proposed.
Staff response: This is probably true from a sheer numbers perspective (of the number of vehicles entering and leaving the property each day); however, this does not account for the significant increase in truck traffic that is likely to occur if the property is developed for industrial purposes. It is also worth considering, the actual traffic counts will vary widely depending on what businesses go inside of a half-million square foot industrial/flex building. Please keep in mind that since the property would still need to be rezoned before any industrial uses could occur on the property, traffic concerns, if any, can be addressed through rezoning proffers. The applicant has previously submitted a Traffic Impact Analysis which suggested that the existing infrastructure is sufficient for what they want to build on the property; however, this is subject to additional review during a rezoning process.
3. There is no disagreement from Planning Staff that the property is well-situated for either commercial or industrial development, due to its location at the intersection of an interstate and a major highway and an existing entrance which can accommodate heavy traffic. Either type of development would be compatible with the existing retail development in the area, and the County does not yet have a clear plan for the long term future of the Walton Elementary School project, so the plan for that property may depend on how this property is developed.
 4. The City of Petersburg is separately considering a rezoning request by the applicant for a portion of the property which is located in the City. Since the majority of the property is located in Prince George County, Petersburg is awaiting the result of this request before finalizing a staff recommendation for the rezoning request within the corporate limits of the City.
 5. If this request is approved, then the Comprehensive Plan would potentially support a rezoning to M-1 or M-2, or even M-3, however, that is dependent upon a detailed review during a rezoning process, with consideration for specific uses planned, and for the impact of any proffers offered by a developer.

VIII. Supplemental Staff Review Comments

N/A – No comments were solicited from other departments for this request. Comments will be provided for any future rezoning or special exception request.

IX. Public Notice and Community Feedback

- Staff notified adjacent property owners by mailing prior to the public hearing.
- Staff posted a sign on the property several months ago (in the median at the intersection of Wagner Way and Courthouse Road).
- Staff ran the required legal ads for this request in the *Progress-Index* prior to the public hearing.
- No comments from the community were received prior to finalizing this report.

X. Staff Conclusion and Recommendation

According to Oxford Languages Dictionary, a policy is “a course or principle of action adopted or proposed by a government, party, business, or individual”.

The requested change of future land use is a policy change to be decided by the government, which ultimately means it is a decision for the elected leadership. And so it is up to the Board of Supervisors who represent the citizens to make this decision, and up to the Planning Commission (as appointed advisors on land use decisions like this) to make a recommendation.

Therefore, Staff does not have a recommendation for approval or denial, and instead has suggested below the main rationale for making either decision, and the likely outcomes for each.

If the County desires for the property to be developed in the short term and increase revenue to the County, then **Approval** is likely to result in that outcome and therefore is the most appropriate action or recommendation. It is worth bearing in mind that the applicant/owner would still need to go through a rezoning process before the property could be used for industrial uses.

If the County wants to wait for a future commercial user to come to the property, then **Denial** is the most appropriate action or recommendation. It is worth bearing in mind that, given that the demographics appear to not support development of a commercial shopping plaza as originally envisioned, if the request is denied, then the property is likely to remain undeveloped (or under-developed) for the foreseeable future.

Inv. 4970

Enes Gov. ACP-23-0007



COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT APPLICATION

Department of Community Development and Code Compliance
Planning & Zoning Division
6602 Courts Drive, Prince George, VA 23875
(804) 722-8678 | www.princegeorgecountyva.gov

OFFICE USE ONLY

APPLICATION #:

CPA-23-04

DATE SUBMITTED:

RECEIVED
AUG 28 2023
BY: TWG

APPLICANT FILL-IN ALL BLANKS BELOW

REQUEST / PROPERTY DETAILS	IS THIS REQUEST RELATED TO A CURRENT ZONING APPLICATION? (IF SO, SPECIFY ID#):		
	REQUEST ADDRESS / LOCATION: Courthouse Road (Route 106) and Route 460		
	REQUEST TAX MAP(S): 340(OA)00-007-D 340(OA)00-007-E	AFFECTED ACREAGE: 44.235	ENTIRE PARCEL (Y / N): Yes
	WHAT SPECIFIC CHANGE(S) IS/ARE REQUESTED FOR THE FUTURE LAND USE MAP? Amend the Future Land Use Plan from Commercial Use to Industrial Use		
	EXISTING FUTURE LAND USE DESIGNATION: Commercial Use	REQUESTED FUTURE LAND USE DESIGNATION: Commercial/Industrial Use	
	REQUIRED ATTACHMENTS (CHECK IF ATTACHED):		
<input checked="" type="checkbox"/> RATIONALE DOCUMENT (SUPPORTING FACTS, REASONS) <input checked="" type="checkbox"/> ADDITIONAL ATTACHMENTS (LIST):			
<input checked="" type="checkbox"/> MAP TO SCALE (USE GIS OR ENGINEER DRAWING)			

LEGAL OWNER	NAME(S): Diamond Park, LLC	
	MAILING ADDRESS (INCL. CITY, STATE, ZIP): 8907 Brook Road Glen Allen, Virginia 23060	
	E-MAIL:	PHONE:
APPLICANT CONTACT	NAME(S) (IF DIFFERENT THAN OWNER): Lingerfelt Development, LLC c/o Andrew M. Condlin - Roth Jackson Gibbons Condlin, PLC	
	RELATION TO OWNER: Attorney for the Contract Purchaser	
	MAILING ADDRESS (INCL. CITY, STATE, ZIP): 1519 Summit Ave, Suite 102 Richmond, Virginia 23230	
	E-MAIL: acondlin@rothjackson.com	PHONE: 804-977-3373

OWNER AFFIDAVIT

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

NAME: Andrew M. Condlin, by Power of Attorney

NAME: _____

SIGNED: *[Signature]*

SIGNED: _____

DATE: 08/25/23

DATE: _____

NOTARIZATION:

STATE OF VIRGINIA
 CITY OF: Richmond

Subscribed and sworn before me this 25th day of August, 2023.

[Signature]
 Notary Public

My Commission expires: 11/30, 2025



Tracy Gibrall Craddock
 Commonwealth of Virginia
 Notary Public
 Commission No. 7714399
 My Commission Expires 11/30/2025

OFFICE USE ONLY

CURRENT ZONING DISTRICT(S):
B-1

SURROUNDING ZONING DISTRICT(S):
R-A, B-1

CURRENT LAND USE(S):
Vacant

SURROUNDING LAND USE(S):
Multiple

PRE-APPLICATION MEETING REQUIRED? (CIRCLE ONE)
 Y / N / TBD / Held: _____

COMMUNITY MEETING REQUIRED? (CIRCLE ONE)
 Y / N / TBD / Held: _____

COMMENTS:

PAYMENT	FEE DUE: AMEND COMPREHENSIVE PLAN: \$700	FEE PAID: <u>700.00</u>	PAYMENT TYPE: <input checked="" type="radio"/> CHECK / CASH / CREDIT / DEBIT
	CHECK # / TRANSACTION #: <u>#7081</u>	DATE RECEIVED: <u>8/28/23</u>	RECEIVED BY: <u>Jim Shaves</u>

**SPECIAL LIMITED POWER OF ATTORNEY
LAND USE APPLICATIONS**

KNOW ALL MEN BY THESE PRESENTS, that DIAMOND PARK LLC has made, constituted and appointed, and by these presents do hereby make, constitute and appoint MARK J. KRONENTHAL or ANDREW M. CONDLIN, either of whom may act, our true and lawful attorney-in-fact ("Attorney"), to act as our true and lawful attorney-in-fact in our name, place and stead with such full power and authority we would have, if acting personally, to file all such applications required by Prince George County, Virginia (the "County"), with respect to that certain real property currently owned by the undersigned, such real estate being located in the County, commonly known as situated along Route 460, containing approximately 44.49 acres, and designated in the Real Estate Assessment Records of the County as Tax Parcel 340(0A)00-007-D and Tax Parcel 340(0A)00-007E, including, but not limited to, a pre-application form and application to rezone the properties. Our said Attorney is also authorized and directed to sign, seal, acknowledge and deliver all such documentation and consents as required for the Prince George Application, and to do, execute and perform all and every other act or acts, thing or things in law needful and necessary to be done as required for the Prince George Application and related to the Property, as fully as we might or could do if acting personally.

The undersigned hereby confirm all lawful acts done by our Attorney pursuant to this Special Limited Power of Attorney. We further declare that as against ourselves or persons claiming under us, everything which our Attorney shall do pursuant to this Special Limited Power of Attorney shall be valid and binding in favor of any person or entity claiming the benefit hereof who has not received actual written notice that this Special Limited Power of Attorney has been revoked.

{01412213}v11

This authorization shall continue until it is otherwise rescinded or modified.

WITNESS the following signatures and seals this 22nd day of APRIL, 2022.

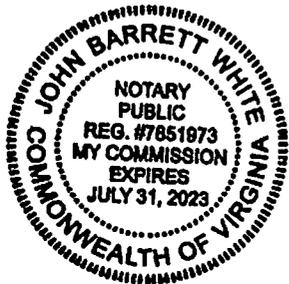
DIAMOND PARK, LLC

By: *Amratlal R. Patel* (SEAL)
Name: Amratlal R. Patel
Its: Managing Member

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF Virginia, to-wit:

The foregoing instrument was acknowledged before me in my jurisdiction aforesaid by
Amratlal R. Patel, as Managing Member of Diamond Park, LLC, on this
22nd day of April, 2022.



J. Barrett White
Notary Public
My Commission expires: July 31st, 2023
My Registration No.: 7851973

**RECEIPT (REC-004357-2023)
FOR PRINCE GEORGE COUNTY, VA**

BILLING CONTACT

Andrew Conclin
Lingerfelt Development, LLC, c/o Roth Jackson Gibbons Conclin PLC
1519 Summit Avenue Suite 102 Ave, Suite 102
Richmond, Va 23230



Payment Date: 08/29/2023

Reference Number	Fee Name	Transaction Type	Payment Method	Amount Paid
ACP-23-0007	PGC Amend Comprehensive Plan	Fee Payment	Check #007081	\$700.00
			SUB TOTAL	\$700.00
			TOTAL	\$700.00

Lingerfelt Development
Prince George County, Virginia
Comprehensive Plan Amendment Request

The Property:

The subject property is located in the County of Prince George, Virginia (the "County"), is designated by the County as GPINs 2UJ340(0A)00-007-Dand340(0A)00-007-E, and is shown on Figure 1 below (the "Property"). The Property consists of 44.235 acres and is currently zoned B-1, General Business. The Property was rezoned to B-1 in 1990, pursuant to RZ-90-02.

Proposal:

Lingerfelt Development (the "Applicant") proposes amending County's designation of the Property on its Comprehensive Plan (the "Plan") from Commercial to Commercial/Industrial.

Economic Development Considerations:

The Property has been zoned B-1 since 1990, consistent with the Plan, and despite attempts to market the Property, there has been no genuine opportunities for sale or development of the Property as typical retail, service or office uses that would be permitted in the existing B-1 District. Simply put, the demographics for traditional marketplace do not currently exist in the surrounding area.

The current demand for flex space, including light industrial uses, continues to evolve. The market demand for commercial space that includes industrial flex space is at record levels in the Richmond market.

The Applicant has received significant demand in this geographic area for this type of product, which would attract specific users, along with a strong employment base, to the County. They are in need of larger spaces than typical retail space to allow for the variety of uses required in the marketplace. The users currently in the market include:

- Furniture assembly, installation and showroom (400,000+ sf)
- Construction supply (150,000+ sf)
- Tire wholesaler (150,000+ sf)
- Industrial supplier (150,000+ sf)
- Packaging (150,000+ sf)
- Food + beverage (100,000+ sf)
- Retail distribution to stores (230,000+ sf)

In all, it is likely that this development alone will produce beyond 600 jobs with these and similar types of uses. Further, similar facilities have shown a substantial increase in real estate tax returns for the County, including:

- Example 1 - Pre-development tax of \$3,944, increased to \$238,753 with an assessment of \$29,000,000.
- Example 2 - Pre-development tax of \$3,950, increased to \$239,192 with an assessment of \$29,651,000.

- It is anticipated that the proposed facility will have a value around \$60.9MM, with an estimated future tax revenue for the County from real estate taxes of \$516,600, compared to the current tax revenue of \$13,442.
- This real estate tax does not include the return on personal property and machinery & tools tax, that is largely dependent upon the type of business located on the site.

Land Use Considerations:

The Commercial/Industrial category is described in the Plan as designating those areas that are suitable for future commercial and/or industrial uses. A flexibility of uses would be appropriate to respond to the current marketplace demands for employment opportunities associated with the uses described above, particularly given its proximity to I-295, I-95 and Route 460.

The proposed designation of Commercial/Industrial is consistent with current and future surrounding land uses. Set forth below on Figure 2 is a map of the area showing the extent of the industrial (shaded in yellow) surrounding the subject property (marked as "Property") in both the County and the City of Petersburg.

The Property, as can be seen in Figure 2, is surrounded by the off-ramp from I-295 on to Rt. 460 to the south, Rt. 460 to the west, a swamp to the east, and commercial uses to the north along Courthouse Road. The reality is that the Property is an island among major road networks, a tributary of Blackwater Swamp with substantial wetlands creating a large border around the perimeter of this business zoning.

Traffic:

Attached you will find a traffic analysis showing the potential traffic for a retail use otherwise permitted in the B-1 district, including a shopping plaza (LUC 821) with an average daily vehicle trip count (ADT) of 9,831 and a grocer (LUC 821) having an ADT of 10,601, resulting in a total ADT of 20,432.

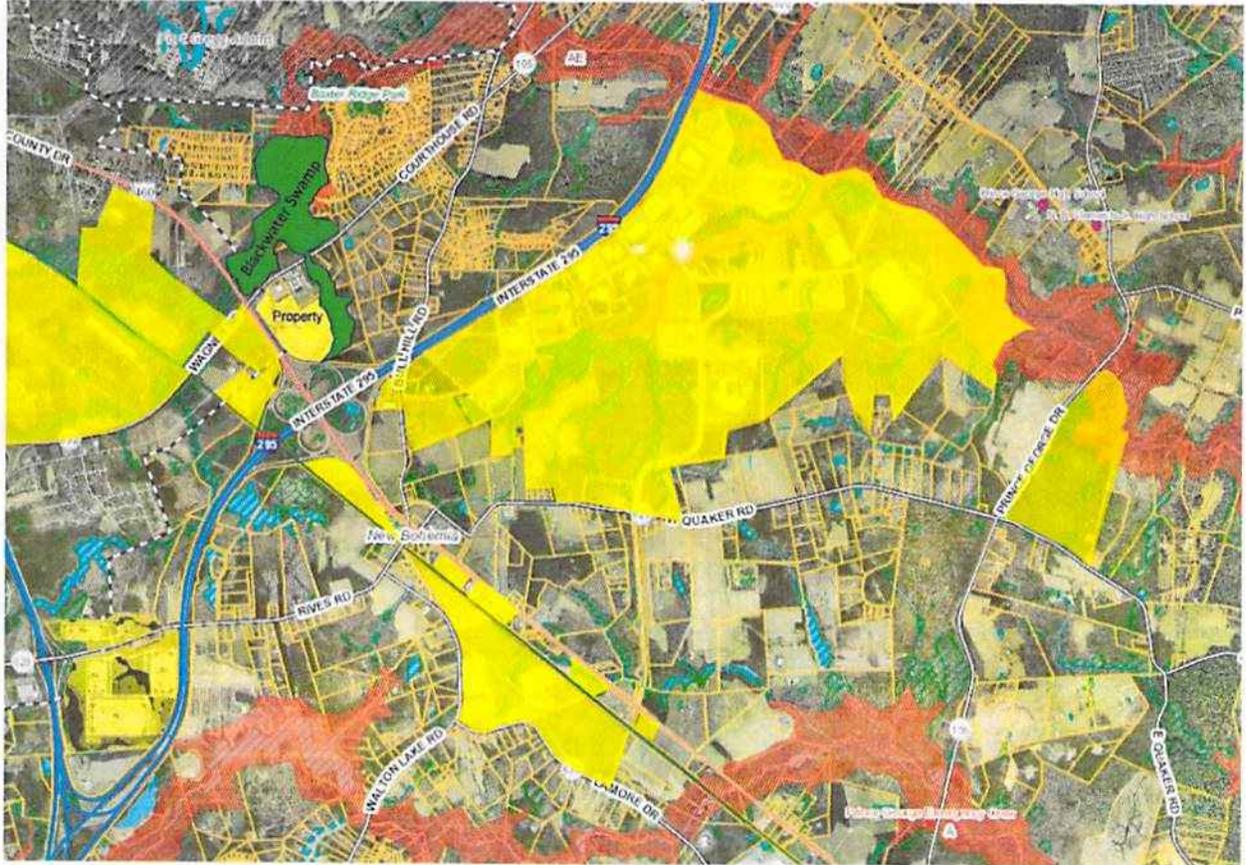
In a previous application, the VDOT study showed the typical commercial/industrial uses to produce no greater than 2,700 ADT (see attached letter).

At the end of the day, this proposal, with the suggested conditions, provides for better protection for the community with 2,700 ADT v. 20,432 ADT projected for a strictly retail use.

Figure 1. Aerial Photo



Figure 2 – Map of area with industrial uses shaded in yellow



Legal Descriptions

Parcel 1:

BEGINS at a point on the eastern boundary of the right of way line of County Drive (U.S. Route 460) and said point being 344.3 feet east of the Point of Beginning of the right of way line of County Drive (U.S. Route 460) and the eastern boundary of the right of way line of County Drive and proceeding in a northerly direction the following set (6) courses and distances:

- 1) N 55°47'47" E 250.00 feet to a point;
- 2) Thence along a curve to the left having a radius of 546.61 feet, a delta angle of 153°11'19" and an arc length of 146.09 feet to a point;
- 3) Thence along a curve to the left having a radius of 828.00 feet, a delta angle of 283°31'1" and an arc length of 425.38 feet to a point;
- 4) Thence S 34°15'11" E 425.38 feet to a point;
- 5) Thence along a curve to the left having a radius of 828.00 feet, a delta angle of 283°31'1" and an arc length of 425.38 feet to a point;
- 6) Thence S 37°28'04" W 310.30 feet to a point on the eastern boundary of the right of way line of County Drive.

Thence proceeding along the eastern boundary of the right of way line of County Drive in a northerly direction the following three (3) courses and distances:

- 1) Along a curve to the right having a radius of 971.74 feet, a delta angle of 162°04'17" and an arc length of 273.50 feet to a point;
- 2) Thence N 37°09'58" W 273.25 feet to a point;
- 3) Thence N 34°11'20" W 515.97 feet to a point, said point being the Point and Piece of Beginning, containing 6.111 Acres, more or less.

Parcel 2:

BEGINNING at a point on the southern boundary of the right of way line of Courthouse Road (VA Route 106) and said point being 478.42 feet east of the point of intersection of the eastern boundary of the right of way line of County Drive (U.S. Route 460), thence proceeding along the southern boundary of the right of way line of Courthouse Road in a northerly direction along a curve to the right having a radius of 1547.02 feet, a delta angle of 3°42'35" and an arc length of 100.17 feet to a point.

Thence along the southern boundary of the right of way line and proceeding in a southeasterly direction the following eight (8) courses and distances:

- 1) S 43°17'42" E 10.25 feet to a point;
- 2) Thence along a curve to the right having a radius of 292.94 feet, a delta angle of 60°24'20" and an arc length of 368.64 feet to a point;
- 3) Thence S 79°13'49" E 111.50 feet to a point;
- 4) Thence N 55°43'45" E 481.42 feet to a point;
- 5) Thence S 28°44'52" E 614.24 feet to a point;
- 6) Thence S 20°15'02" E 1541.24 feet to a point;
- 7) Thence S 27°23'27" W 643.26 feet to a point on the northern boundary of the right of way line of the I-295 Exit Ramp;
- 8) I-295 Exit Ramp.

Thence proceeding along the northern boundary of the right of way line of the I-295 Exit Ramp in a northerly direction the following two (2) courses and distances:

- 1) N 65°53'33" W 236.63 feet to a point;
- 2) Thence along a curve to the right having a radius of 971.74 feet, a delta angle of 34°52'27" and an arc length of 581.47 feet to a point.

Thence leaving the northern boundary of the right of way line of the I-295 Exit Ramp and proceeding in a northerly direction the following seven (7) courses and distances:

- 1) N 37°28'04" E 310.30 feet to a point;
- 2) Thence along a curve to the right having a radius of 828.00 feet, a delta angle of 283°31'1" and an arc length of 425.38 feet to a point;
- 3) Thence N 34°15'11" W 425.38 feet to a point;
- 4) Thence along a curve to the right having a radius of 546.61 feet, a delta angle of 153°11'19" and an arc length of 146.09 feet to a point;
- 5) Thence along a curve to the right having a radius of 546.61 feet, a delta angle of 29°30'30" and an arc length of 281.51 feet to a point;
- 6) Thence along a curve to the left having a radius of 217.70 feet, a delta angle of 60°24'20" and an arc length of 273.50 feet to a point;
- 7) 44.235 Acres, more or less.

BEING part of the property conveyed to Diamond Park, LLC, a Virginia limited liability company, by deed from Riley E. Lane and Helen F. Lane, husband and wife, dated February 11, 2008, and recorded in the Clerk's Office, Circuit Court, Prince George County, Virginia, in Instrument 0800020588 and also recorded in the Clerk's Office, Circuit Court, City of Petersburg, Virginia, as Instrument 0800020711.

Old Republic Title Insurance Company Schedule B - Commitment No. 21021101

(Referenced by corresponding number in Commitment)

- 5) Easement granted to American Telephone and Telegraph Company of Virginia by instrument dated February 21, 1928, and record April 13, 1928, in Deed Book 92, page 202 (Prince George). May or may not affect; exact location could not be determined.
- 6) Easement granted to American Telephone and Telegraph Company of Virginia by instrument dated February 2, 1928, and recorded April 21, 1928, in Deed Book 111, page 466 (Prince George). May or may not affect; exact location could not be determined.
- 7) Easement granted to Commonwealth Natural Gas Corporation by instrument dated October 25, 1950, and recorded November 7, 1950, in Deed Book 144, page 52 (Prince George). May or may not affect; exact location could not be determined. Instrument is blank in nature.
- 8) Easement granted to The Chesapeake and Potomac Telephone Company of Virginia by instrument dated May 24, 1965, and recorded June 18, 1965, in Deed Book 184, page 683, and plot recorded in Plot Book 13, page 128 (Prince George). May or may not affect; exact location could not be determined.
- 9) Easement granted to The Chesapeake and Potomac Telephone Company of Virginia by instrument dated May 24, 1965, and recorded June 18, 1965, in Deed Book 184, page 683, and plot recorded in Plot Book 13, page 132 (Prince George). May or may not affect; exact location could not be determined. No evidence of overhead wires as depicted on plat.
- 10) Intentionally deleted.
- 11) Intentionally deleted.
- 12) Easement granted to American Telephone and Telegraph Company of Virginia by instrument dated February 21, 1928, and record April 13, 1928, in Deed Book 92, page 202 (Prince George). May or may not affect; exact location could not be determined.
- 13) Terms and conditions of deed from Vashon, Inc., to McDonald's Corporation dated October 3, 1991, and recorded October 7, 1991, in Deed Book 343, page 625 (Prince George) and October 8, 1991, in Deed Book 401, page 392 (Prince George). Assumptions are plotted and shown hereon.
- 14) Terms, duties, conditions, easements, assessments, obligations and provisions contained in Hyper/Egress and Surface Drainage Easement Agreement between Vashon, Inc., and McDonald's Corporation dated September 26, 1991, and recorded October 7, 1991, in Deed Book 343, page 625 (Prince George) and recorded October 8, 1991, in Deed Book 401, page 400 (Petersburg). Assumptions are plotted and shown hereon.
- 15) Terms, duties, conditions, easements, obligations and provisions contained in Easement Agreement between Diamond Park, LLC, and VA Development Associates Prince George, LLC, dated February 25, 2013, and recorded February 25, 2013, as Instrument 130000644 (Prince George). Assumptions are plotted and shown hereon.
- 16) Terms, duties, conditions, easements, obligations and provisions contained in Easement Agreement between VA Development Associates Prince George, LLC, and Diamond Park, LLC, dated February 25, 2013, and recorded February 25, 2013, as Instrument 130000645 (Prince George). Signs Assumptions are plotted and shown hereon.
- 17) Easement granted to Virginia Electric and Power Company by instrument dated August 28, 2013, as Instrument 130006423, approximately location plotted and shown hereon.
- 18) The following matters shown on plat recorded in Plot Book 5, page 36 (Prince George) and Plot Book 19, page 205 (Petersburg):
a. City Line (as effected by Plot Book 20, page 58-Prince George)
b. 50' R/W Line along Stone Pit 108 and OS Pit 460
c. Current City/Zoning Law plotted and shown hereon
d. Plotted and shown hereon
- 19) The following additional matters shown on plat recorded in Plot Book 25, page 166:
a. Hoger Hog (General), variable width access easement and existing variable width access easement
b. Various utilities within Hoger Hog.
Assumptions are plotted and shown hereon.

Zoning

Current Zoning: Prince George County: B-1 (General Business District)
City of Petersburg: B-2 (General Commercial District)

(Prince George) B-1 Sublots:
Front Yard: 25 Feet from Street with 50'± Right of Way
Side Yard: None
Rear Yard: None
Minimum Height: 60.00 Feet

(City of Petersburg) B-2 Sublots:
Front Yard: None
Side Yard: 15 Feet aggregate total, 5 minimum feet if adjoining a Residential District
Rear Yard: None
Minimum Height: 45 Feet or 3 Stories

*ZONING TO BE REFERRED BY ZONING COMPARISON LETTER

Existing Parking

No delineated spaces

For further clarification of Zoning Requirements - Contact:
Prince George County Planning and Zoning Division
6802 George Drive
Petersburg, VA 23875
(804) 221-6078

City of Petersburg Planning Department
125 North Union Street
Petersburg, VA 23803
(804) 735-2300

Flood Certification

I have examined the Flood Insurance Rate Map for the City of Petersburg, Virginia Community Panel #510112-0029-G, effective date: February 4, 2011 & Prince George County Community Panel #51143C-0155-B, effective date: May 16, 2012 and hereby certify to the best of my professional knowledge and belief that the subject property is not located in a Special Flood Hazard Area, but instead is located in Zone X as determined by National Flood Insurance Program, Federal Emergency Management Agency, Department of Housing and Urban Development.

Surveyor's Certificate

This survey is certified to and prepared for the sole and exclusive benefit of the entitles and/or individuals listed below as of AUGUST 1, 2022 and shall not be relied upon by any other entity or individual whatsoever.

TO: LAWRENCE PEREZ/OWNER, LLC, a Virginia limited liability company
TO: OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS and includes items 1-4, 6(9), 7(a), 8, 9, 11, 13, 16, 17, 18 and 19 of Table A thereof.
The fieldwork was completed on July 20, 2022.

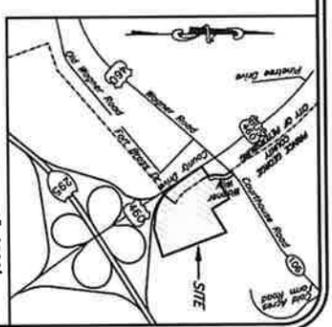
[Signature]
Rodney B. Shadrach, L.S. #2274
Shadrach & Associates, LLC

8/01/22
Date



I hereby certify that this boundary survey, to the best of my professional knowledge and belief, was made in accordance with the standards and standards established by the Virginia State Board of Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects.

Sheet 1 of 2



ALT/ANSPS LAND TITLE SURVEY
SHOWING EXISTING IMPROVEMENTS
TO TWO PARCELS OF LAND SITUATED ON
THE NORTH LINE OF U.S. ROUTE 460
RIVERS DISTRICT, PRINCE GEORGE COUNTY
AND CITY OF PETERSBURG, VIRGINIA
DATE: AUGUST 1, 2022

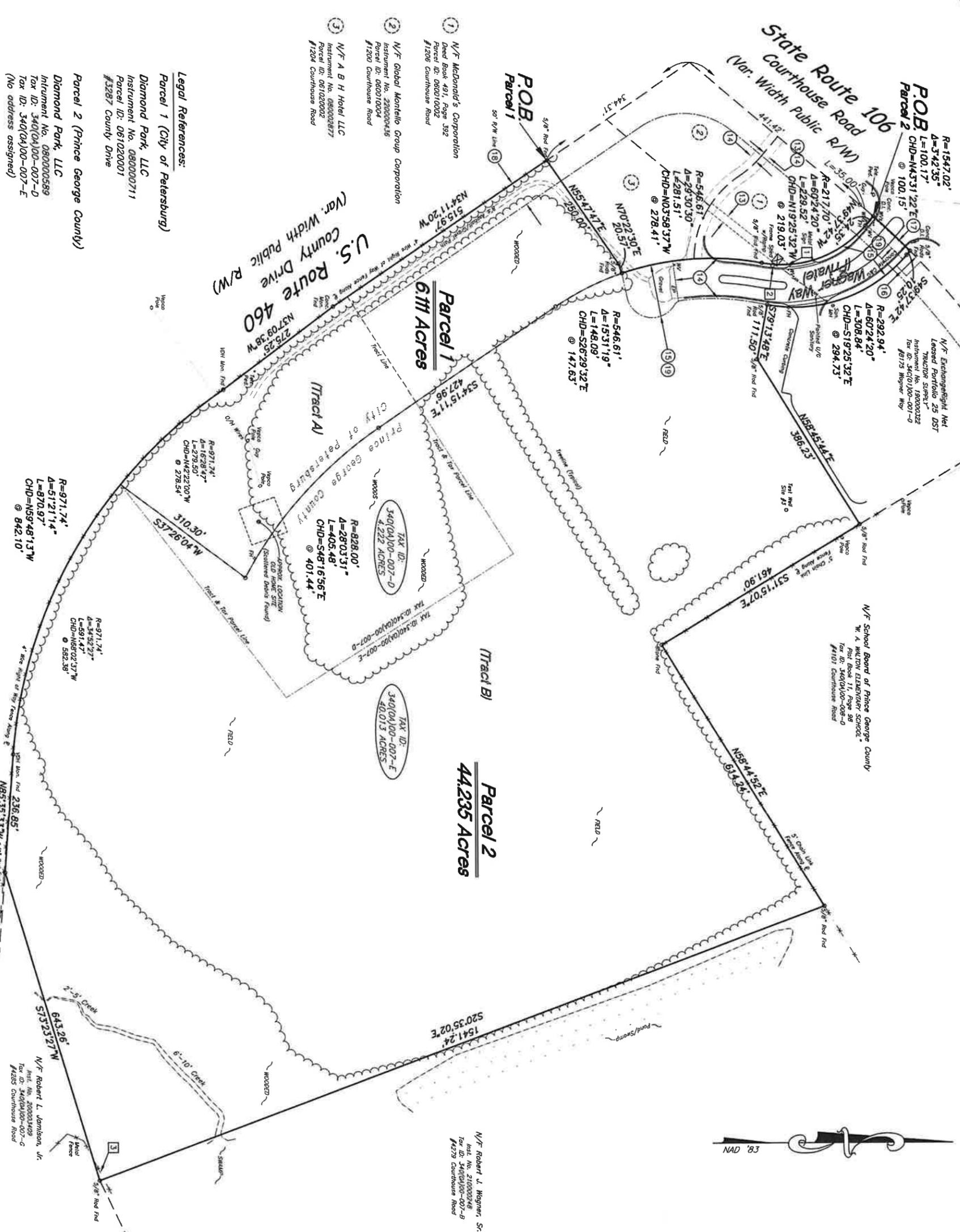
Shadrach & Associates LLC
LAND SURVEYING
430 Boulevard Blvd., Suite 102-A, Petersburg, Virginia 23208
Phone: (804) 735-2300 • Fax: (804) 735-1801

General Notes

1. This survey plot represents a current and accurate field (total) survey of the premises shown herein. Date of last physical survey: July 28, 2022.
2. This survey is of the same property as described in Title Report issued by Old Republic Title Insurance Company (Commitment No. 21021101) with an effective date June 8, 2022, last revised June 28, 2022.
3. Parcel 1 is located entirely in the City of Petersburg.
4. Parcel 2 is located entirely in Prince George County.
5. Parcel 1 is contiguous with Parcel 2.
6. The legal description (GSD) form a mathematically closed figure with no gaps, gaps or overlaps.
7. Courthouse Road, County Drive, & Interstate 295 are public roads.
8. There is direct vehicular access to the subject property from Courthouse Road, a publicly dedicated right of way.
9. Observed utilities are plotted and shown herein.
10. Subsurface Utility Detection was not performed.
11. There were no delineated wetlands observed on site.
12. There was no evidence of cemeteries at the time of the survey.
13. There was no observed evidence of current earth moving, building construction or building additions.
14. Surveyor is not aware of any proposed changes in the slight right of way and observed no evidence of recent street or sidewalk construction or repairs.
15. There was no observed evidence of the site use as a solid waste dump, sump or sanitary landfill.
16. 5/8" from rods or P-K Nails set at all corners unless otherwise shown herein.
17. Test Well Site #3 shown herein was dug by purchaser as part of site investigation.

Statement of Encroachments

- 1 Metal Sign encroaches 0.70 feet onto Subject Property
- 2 Frame Shed and Ramp encroach 6.33 feet onto Subject Property
- 3 Metal Fence encroaches 8.11 feet onto Subject Property



- 1 N/F McDonald's Corporation
Deed Book 491, Page 392
Parcel ID: 060010002
#1206 Courthouse Road
- 2 N/F Global Montello Group Corporation
Instrument No. 220000436
Parcel ID: 060010004
#1200 Courthouse Road
- 3 N/F A B H Hotel LLC
Instrument No. 0800002877
Parcel ID: 061020002
#1204 Courthouse Road

Legal References:
Parcel 1 (City of Petersburg)
 Diamond Park, LLC
 Instrument No. 080000711
 Parcel ID: 061020001
 #3287 County Drive

Parcel 2 (Prince George County)
 Diamond Park, LLC
 Instrument No. 080000589
 Tax ID: 340(04)00-007-D
 Tax ID: 340(04)00-007-E
 (No address assigned)

I-295 Exit Ramp
 (Limited Access Public R/W)

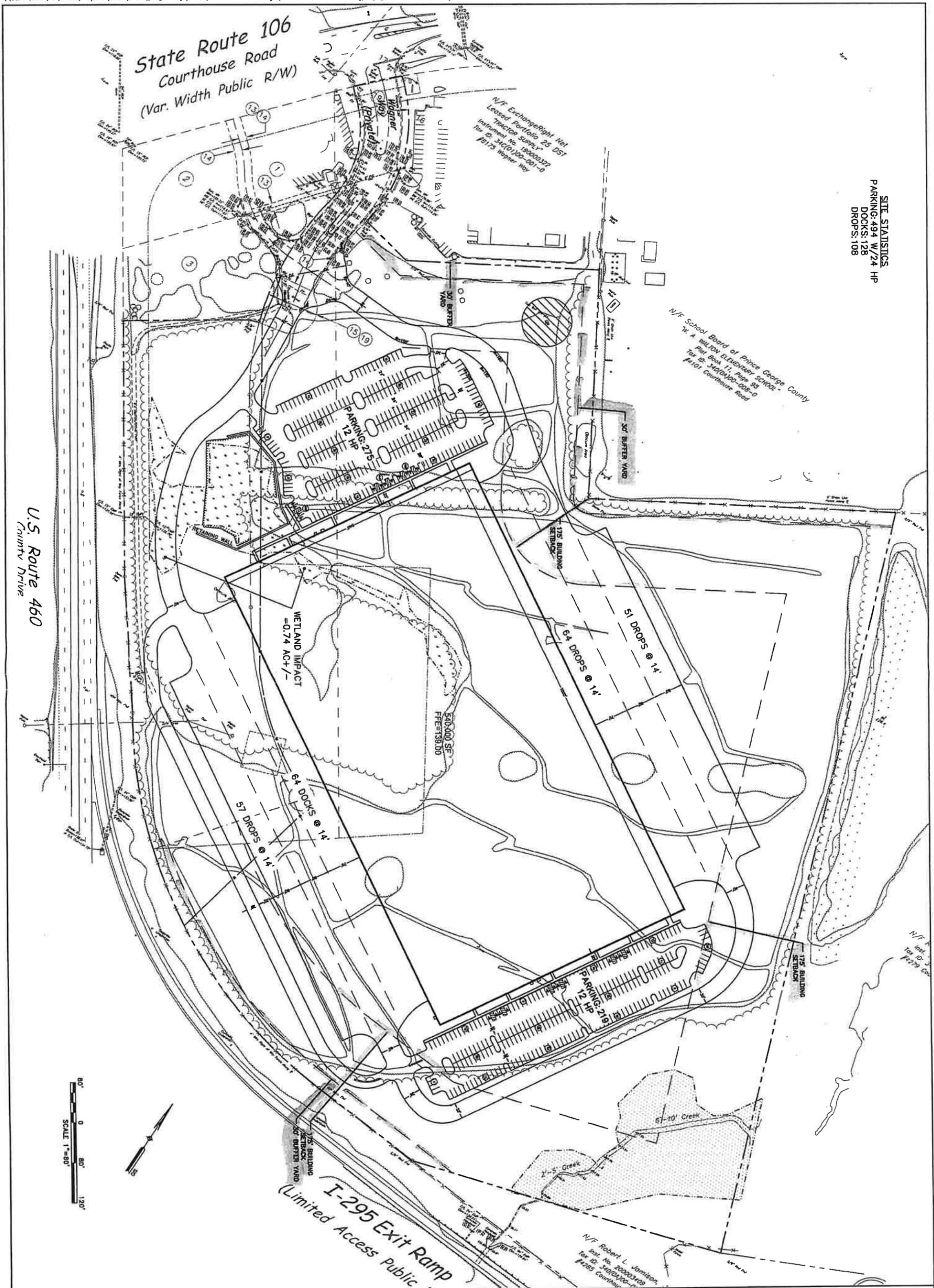
Sheet 2 of 2

ATA/NSRS LAND TITLE SURVEY
 SHOWING EXISTING IMPROVEMENTS
 TO TWO PARCELS OF LAND SITUATED ON
 THE NORTH LINE OF U.S. ROUTE 460
 RIVES DISTRICT, PRINCE GEORGE COUNTY
 AND CITY OF PETERSBURG, VIRGINIA

DATE: AUGUST 1, 2022

Shadrach & Associates LLC
 LAND SURVEYING
 430 Soudan Blvd., Suite 1019 • Richmond, Virginia 23288
 Phone: (804) 353-2550 • Fax: (804) 353-2551





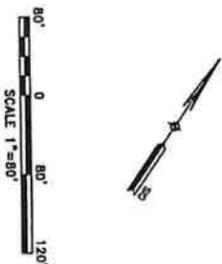
SITE STATISTICS
 PARKING: 494 W/24 HP
 DOCKS: 126
 DROPS: 108

N/F School Board of Prince George County
 W. A. WILSON ELEMENTARY SCHOOL
 Plat Book 11, Page 88
 Tax ID: 3409100-008-0
 74101 Courthouse Road

N/F
 Plat No. 3
 Tax ID: 34229 Co.

N/F Robert L. Jamison
 Plat No. 20002108
 Tax ID: 3409100-000-0
 #4285 Courthouse

U.S. Route 460
 County Drive



I-295 Exit Ramp
 (Limited Access Public)

RK&K
 P: 804.782.1903
 2100 E. Cary St. Suite 309 | Richmond, VA 23223
 Engineers | Construction Managers | Planners | Scientists
 www.rkk.com
 Responsive People | Creative Solutions

DATE: 8/25/2022
 ENGINEER: MMM
 CHECKED: MH
 CAD: OG
 JOB#: 21291

WAGNER WAY
 PRINCE GEORGE COUNTY, VA - RIVES DISTRICT
 CONCEPT PLAN

SHEET
 C2.00
 SCALE
 1"=80'

PLAN REVISIONS -
 1) 4/28/23 REVISED PLAN LAYOUT PER COUNTY COMMENTS 4/26/23



County of Prince George, Virginia

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

October 12, 2023

NOTICE OF PUBLIC HEARING - PLANNING COMMISSION

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

This is notification that the Prince George County Planning Commission will hold a public hearing on **Thursday, October 26, 2023 beginning at 6:30 pm** to consider the following request that involves the Prince George County Zoning Ordinance:

COMPREHENSIVE PLAN AMENDMENT CPA-23-04: Request to amend the Comprehensive Plan Future Land Use Map designation for a specific property from “Commercial” to “Commercial / Industrial”. If the request is approved, the Comprehensive Plan would support industrial or commercial zoning districts and uses on the property. The subject property, approximately 44.235 acres in size, is identified by Tax Map #s 340(OA)00-007-D and 340(OA)00-007-E and is located at the end of Wagner Way. An additional portion of the property is located in the City of Petersburg.

The public hearing will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875. A copy of the proposed Ordinance and other materials related to the above named request may be reviewed or obtained in the Planning & Zoning Office, located within the Community Development and Code Compliance Department in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday–Friday, or by calling 804-722-8678 or emailing planning@princegeorgecountyva.gov. All interested persons are invited to participate in the public hearing in person. A live video stream will be available at https://www.princegeorgecountyva.gov/live_stream/. Public comments can be submitted prior to 4:30 p.m. on the public hearing date. Public Comment submittal forms and information on accessing this meeting electronically are available at <https://www.princegeorgecountyva.gov>. Any person requiring assistance to participate in the public hearing is asked to contact the Planning & Zoning Office in advance so that appropriate arrangements can be made.

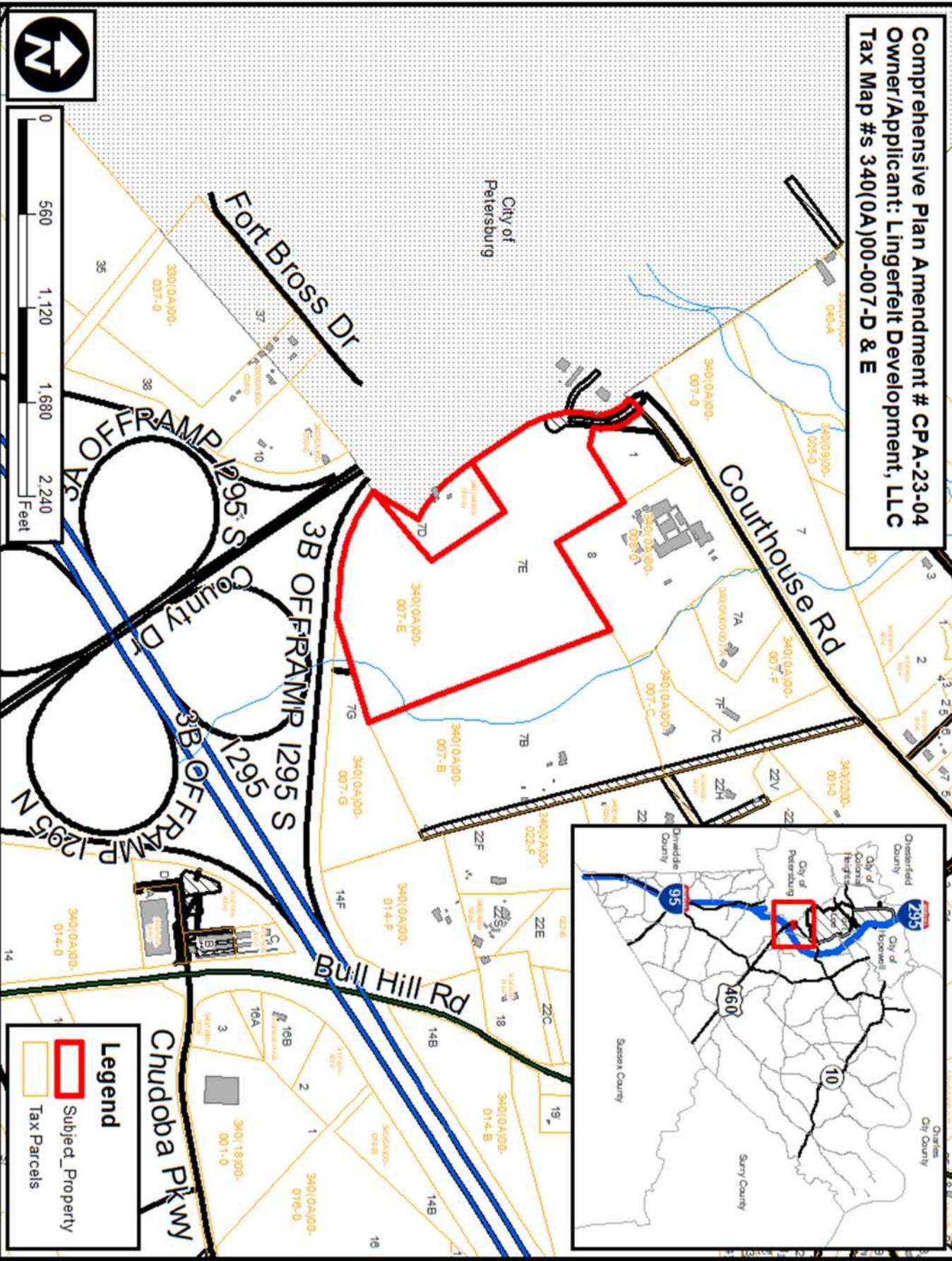
You may also contact Planning and Zoning Office with any questions prior to the scheduled meeting. We have included a GIS Map showing the general location of the request.

Sincerely,

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

Tim Graves
Planner

Comprehensive Plan Amendment # CPA-23-04
Owner/Applicant: Lingerfelt Development, LLC
Tax Map #s 340(0A)00-007-D & E



CLEMENTS LARRY T
401 RIVERS BEND CT
CHESTER, VA 23836

WAGNER ROBERT J SR & ROBERT II
4279 COURTHOUSE RD
PRINCE GEORGE, VA 23875

DIAMOND PARK LLC
8901 BROOK RD
GLEN ALLEN, VA 23060

EXCHANGERIGHT NET LEASED
PORTFOLIO 25 DST
1055 E COLORADO BLVD STE 310
PASADENA, CA 91106

MERRITT BRENDON S & KAYLI N
4285 COURTHOUSE RD
PRINCE GEORGE, VA 23875

Director of Planning & Comm. Devt.
135 N. Union St. Suite 304
Petersburg, VA 23803

Andrew Conclin
1519 Summit Ave. Suite 102
Richmond, VA 23230

A B H HOTEL LLC
8901 BROOK RD
GLEN ALLEN, VA 23060

MCDONALD'S CORPORATION
THOMAS C BISHOP
221 S 15TH AVE
HOPEWELL, VA 23860

KLIMEK ADAM JR PATRICIA M
1172 FT BROSS DR
PETERSBURG, VA 23805

WAGNER ROAD LAND COMPANY
11180 HAMES LANE
GLEN ALLEN, VA 23059

GLOBAL MONTELLO GROUP CORP
15 NORTHEAST INDUSTRIAL RD
BRANFORD, CT 06405

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

The Prince George County Planning Commission will hold public hearings on Thursday, October 26, 2023 beginning at 6:30 p.m. concerning the following requests:

SPECIAL EXCEPTION SE-23-07: Request to permit a commercial child care center within a General Business (B-1) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-393(28). The subject property is approximately 0.58 acres in size, located at 5844 Allin Road, and is identified as Tax Map # 230(26)00-004-0. The Comprehensive Plan indicates the property is planned for “Village Center” land uses.

SPECIAL EXCEPTION SE-23-08: Request to permit a special care hospital within a General Business (B-1) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-393(8). The purpose of the request is to allow an addiction treatment facility to open in existing buildings. The subject property is approximately 6.56 acres in size, located at 16905 Parkdale Road, and is identified as Tax Map # 580(05)00-004-B. The Comprehensive Plan indicates the property is planned for “Commercial” land uses.

COMPREHENSIVE PLAN AMENDMENT CPA-23-04: Request to amend the Comprehensive Plan Future Land Use Map designation for a specific property from “Commercial” to “Commercial / Industrial”. If the request is approved, the Comprehensive Plan would support industrial or commercial zoning districts and uses on the property. The subject property, approximately 44.235 acres in size, is identified by Tax Map #s 340(0A)00-007-D and 340(0A)00-007-E and is located at the end of Wagner Way. An additional portion of the property is located in the City of Petersburg.

SUBSTANTIAL ACCORD SA-23-01: Determination by the Prince George County Planning Commission on whether or not the large-scale solar facility proposed by RWE Clean Energy in Special Exception Application # SE-23-09 is in substantial accord with the Prince George County Comprehensive Plan. The Comprehensive Plan Future Land Use Map indicates the property is planned for Residential or Agricultural uses, and the County’s adopted Solar Energy Facility Siting Policy provides guidance for the siting of new facilities within the County. The visually buffered development area for the facility is proposed to total +/- 506 acres and the total area of the parcels involved is +/- 1,270 acres. The property is identified by Tax Map #s 440(0A)00-071-0, 440(0A)00-072-0, 530(01)00-00B-0, 530(0A)00-001-0, 450(0A)00-028-0, 530(0A)00-046-0, and 530(0A)00-045-A, and is located near the intersection of Pumphouse Road and Thweatt Drive.

The public hearings will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875. Copies of the proposed Ordinances and other materials related to the above named requests may be reviewed or obtained in the Planning & Zoning Office, located within the Community Development and Code Compliance Department in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday–Friday, or by calling 804-722-8678 or emailing planning@princegeorgecountyva.gov. All interested persons are invited to participate in the public hearings in person. A live video stream will be available at https://www.princegeorgecountyva.gov/live_stream/. Public comments can

be submitted prior to 4:30 p.m. on the public hearing date. Public Comment submittal forms and information on accessing this meeting electronically are available at <https://www.princegeorgecountyva.gov>. Any person requiring assistance to participate in the public hearings is asked to contact the Planning & Zoning office in advance so that appropriate arrangements can be made.

BY ORDER OF THE PRINCE GEORGE COUNTY PLANNING COMMISSION

Publish: 10/12/23 and 10/19/23

Begin

TAB 7

**SUBSTANTIAL ACCORD DETERMINATION – SA-23-01
PLANNING COMMISSION STAFF REPORT – October 26, 2023**

RESUME

The applicant is requesting a special exception for a large-scale solar energy facility to be developed on approximately 506 acres of parcels totaling approximately 1,270 acres. The project is further described in the attached application materials.

Section 15.2232(A) and (H) of the Code of Virginia requires a determination by the Planning Commission that the proposed facility is in “substantial accord” with the Comprehensive Plan unless the facility is exempt under subsection (H). The proposed facility is not exempt; therefore, the Planning Commission must make a determination.

The County’s Comprehensive Plan provides guidance for land use decisions, and most of the guidance for this type of land use comes from the County’s 16-page “Solar Energy Facility Siting Policy”. Staff has reviewed the proposed facility for consistency with the Comprehensive Plan and provided comments in the staff report.

CONTENTS OF REPORT:

1. Sample Motions
2. Draft Resolution for YES in Substantial Accord
3. Draft Resolution for NO not in Substantial Accord
4. Staff Report
5. Copy of the Application with Attachments
6. Copy of Enabling Legislation (Code of Virginia Section 15.2-2232)
7. APO letter, map, mailing list, and newspaper ad

Sample Motions for Substantial Accord SA-23-01
(Related to Special Exception Request SE-23-09)

OPTION A: YES, IN SUBSTANTIAL ACCORD:

“I move that the Planning Commission adopt the “Resolution determining that Application # SE-23-09 IS in substantial accord with the Prince George County Comprehensive Plan”, for the following reason(s):

1. It adheres to the general guidance of the Comprehensive Plan, including the Solar Energy Facility Siting Policy, and site design details can be considered during a subsequent public hearing date to be advertised.

2. Other (Specify:

_____)

OPTION B: NO, NOT IN SUBSTANTIAL ACCORD:

“I move that the Planning Commission adopt the “Resolution determining that Application # SE-23-09 IS NOT in substantial accord with the Prince George County Comprehensive Plan”, for the following reason(s):

1. It does NOT adhere to the general guidance of the Comprehensive Plan, including the Solar Energy Facility Siting Policy, specifically:

2. Other (Specify:

_____)

OPTION C: POSTPONE:

“I move that we POSTPONE making a determination on SA-23-01 until

_____ to allow time for _____.
(MEETING DATE) (ACTION/EVENT)

Planning Commission
County of Prince George, Virginia

Resolution determining that Application # SE-23-09 IS in substantial accord with the Prince George
County Comprehensive Plan

At a regular meeting of the Planning Commission of the County of Prince George, held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia this 26th day of October, 2023:

Present:

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

Vote:

SUBSTANTIAL ACCORD SA-23-01: Determination by the Prince George County Planning Commission on whether or not the large-scale solar facility proposed by RWE Clean Energy in Special Exception Application # SE-23-09 is in substantial accord with the Prince George County Comprehensive Plan. The Comprehensive Plan Future Land Use Map indicates the property is planned for Residential or Agricultural uses, and the County’s adopted Solar Energy Facility Siting Policy provides guidance for the siting of new facilities within the County. The visually buffered development area for the facility is proposed to total +/- 506 acres and the total area of the parcels involved is +/- 1,270 acres. The property is identified by Tax Map #s 440(0A)00-071-0, 440(0A)00-072-0, 530(01)00-00B-0, 530(0A)00-001-0, 450(0A)00-028-0, 530(0A)00-046-0, and 530(0A)00-045-A, and is located near the intersection of Pumhouse Road and Thweatt Drive.

WHEREAS, RWE Clean Energy (“the Applicant”) submitted special exception application # SE-23-09 (“the Application”), to the County for a proposed large-scale solar energy facility with a proposed maximum development area of approximately 506 acres; and

WHEREAS, Section 15.2232(A) and (H) of the Code of Virginia requires a determination by the Planning Commission that the proposed facility is in “substantial accord” with the Comprehensive Plan unless the facility is exempt under subsection (H); and

WHEREAS, The proposed facility is not exempt from this determination under the state code and therefore the Planning Commission must make a determination; and

WHEREAS, before making this determination the Commission considered the guidance provided in the County’s adopted Comprehensive Plan which includes the adopted Solar Energy Facility Siting Policy; and

WHEREAS, a public hearing was advertised and held in accordance with state code requirements.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, after careful consideration, hereby determines that application # SE-23-09 IS in substantial accord with the Prince George County Comprehensive Plan and the reason(s) for this are:

1. _____ [to be added based on the motion approved]

Adopted on October 26, 2023 and becoming effective immediately.

Planning Commission
County of Prince George, Virginia

Resolution determining that Application # SE-23-09 IS NOT in substantial accord with the Prince
George County Comprehensive Plan

At a regular meeting of the Planning Commission of the County of Prince George, held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia this 26th day of October, 2023:

Present:

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

Vote:

SUBSTANTIAL ACCORD SA-23-01: Determination by the Prince George County Planning Commission on whether or not the large-scale solar facility proposed by RWE Clean Energy in Special Exception Application # SE-23-09 is in substantial accord with the Prince George County Comprehensive Plan. The Comprehensive Plan Future Land Use Map indicates the property is planned for Residential or Agricultural uses, and the County’s adopted Solar Energy Facility Siting Policy provides guidance for the siting of new facilities within the County. The visually buffered development area for the facility is proposed to total +/- 506 acres and the total area of the parcels involved is +/- 1,270 acres. The property is identified by Tax Map #s 440(0A)00-071-0, 440(0A)00-072-0, 530(01)00-00B-0, 530(0A)00-001-0, 450(0A)00-028-0, 530(0A)00-046-0, and 530(0A)00-045-A, and is located near the intersection of Pumphouse Road and Thweatt Drive.

WHEREAS, RWE Clean Energy (“the Applicant”) submitted special exception application # SE-23-09 (“the Application”), to the County for a proposed large-scale solar energy facility with a proposed maximum development area of approximately 506 acres; and

WHEREAS, Section 15.2232(A) and (H) of the Code of Virginia requires a determination by the Planning Commission that the proposed facility is in “substantial accord” with the Comprehensive Plan unless the facility is exempt under subsection (H); and

WHEREAS, The proposed facility is not exempt from this determination under the state code and therefore the Planning Commission must make a determination; and

WHEREAS, before making this determination the Commission considered the guidance provided in the County’s adopted Comprehensive Plan which includes the adopted Solar Energy Facility Siting Policy; and

WHEREAS, a public hearing was advertised and held in accordance with state code requirements; and

WHEREAS, the Commission acknowledges that if the applicant does not accept the Commission's determination, the applicant may appeal to the Prince George County Board of Supervisors within 10 days.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, after careful consideration, hereby determines that application # SE-23-09 IS NOT in substantial accord with the Prince George County Comprehensive Plan and the reason(s) for this are:

1. _____ [to be added based on the motion approved]

Adopted on October 26, 2023 and becoming effective immediately.

SA-23-01: SUBSTANTIAL ACCORD DETERMINATION

SECTION 15.2-2232 REVIEW

STAFF REPORT FOR PRINCE GEORGE COUNTY PLANNING COMMISSION

APPLICANT: RWE CLEAN ENERGY

RELATES TO: SPECIAL EXCEPTION # SE-23-09 BAKERS POND SOLAR

DESCRIPTION:

SUBSTANTIAL ACCORD SA-23-01: Determination by the Prince George County Planning Commission on whether or not the large-scale solar facility proposed by RWE Clean Energy in Special Exception Application # SE-23-09 is in substantial accord with the Prince George County Comprehensive Plan. The Comprehensive Plan Future Land Use Map indicates the property is planned for Residential or Agricultural uses, and the County’s adopted Solar Energy Facility Siting Policy provides guidance for the siting of new facilities within the County. The visually buffered development area for the facility is proposed to total +/- 506 acres and the total area of the parcels involved is +/- 1,270 acres. The property is identified by Tax Map #s 440(0A)00-071-0, 440(0A)00-072-0, 530(01)00-00B-0, 530(0A)00-001-0, 450(0A)00-028-0, 530(0A)00-046-0, and 530(0A)00-045-A, and is located near the intersection of Pumphouse Road and Thweatt Drive.

Request Summary and Background Information

The applicant is requesting a special exception for a large-scale solar energy facility to be developed on approximately 506 acres of parcels totaling approximately 1,270 acres. The project is further described in the attached application materials.

Section 15.2232(A) and (H) of the Code of Virginia requires a determination by the Planning Commission that the proposed facility is in “substantial accord” with the Comprehensive Plan unless the facility is exempt under subsection (H). The proposed facility is not exempt; therefore, the Planning Commission must make a determination.

The County’s Comprehensive Plan provides guidance for land use decisions, and most of the guidance for this type of land use comes from the County’s 16-page “Solar Energy Facility Siting Policy”. Staff has reviewed the proposed facility for consistency with the Comprehensive Plan and provided comments.

To simplify the decision-making process, Staff has brought forward the Substantial Accord determination separately from the main Special Exception request, so that the first public hearing (for SA-23-01) can focus on general conformance to the Comprehensive Plan and Siting Policy, covering topics such as future land use, location within the County, and size of the facility.

If the project does not comply with the basic guidelines, then there is no need to consider finer details such as site design, buffering and screening, environmental impacts, fiscal impacts, etc. For this reason, Staff has not reviewed such details at this time. If the Commission determines the proposed facility is in Substantial Accord, then all the other details will be reviewed and considered during a separate public hearing for Special Exception SE-23-09 at a later date.

If the Commission determines the facility is not in substantial accord, then the applicant has an opportunity to appeal the decision to the Board of Supervisors. If no appeal is made, or the appeal is denied by the

Board, then the Special Exception application will be effectively denied due to being found not in substantial accord with the Comprehensive Plan.

Staff Review

Future Land Use Map

The Prince George County Comprehensive Plan Future Land Use Map (FLUM) indicates part of the property is planned for “Residential” uses and part of the property is planned for “Agriculture” uses. The FLUM does not have a separate future land use designation for solar facilities, and the descriptions for each designation do not mention solar energy facilities. Of the designations included in the plan, “Industrial” appears to be the most applicable given that the M-3 zoning district allows large-scale solar facilities by-right. Overall, the FLUM on its own provides little guidance on which to base a land use decision. Thus, in order to provide guidance for decisions relating to solar energy facilities, in 2020 the Board of Supervisors adopted a Solar Energy Facility Siting Policy, and formally added it to the Comprehensive Plan in 2022.

Solar Energy Facility Siting Policy

The most important guidelines from the Siting policy, provided on the first three pages, are summarized below with staff findings for each.

<p>General guidance as laid out in the Siting Policy Language/summary from the Policy</p>	<p>Does the proposed facility comply with the guidance in the Siting Policy?</p>
<p>1. County acreage limit* The County desires an upper limit (4,603.5 acres) on the total land acreage of the County which is dedicated to solar energy facilities. (except in M-3)</p>	<p>TBD by Planning Commission. The current total land acreage of approved Solar Energy Facilities in the county is 4,119.8. If this project is approved using the proposed maximum of 506 acres including required buffer areas, it would result in the upper limit being exceeded by 22.3 acres. While this is not significantly over the limit, it does exceed the desired limit.</p>
<p>2. Minimum total parcel acreage The minimum aggregate parcel size for a solar energy facility is seventy (70) contiguous acres.</p>	<p>Yes. The aggregate parcel acreage is more than 70 acres.</p>
<p>3. Avoid Prince George Planning Area “Siting of a facility within the Prince George Planning Area should be avoided.” (except in M-3)</p>	<p>TBD by Planning Commission. This project is located on the boundary of the Prince George Planning Area. According to the application materials, approximately 35% of the project acreage is in the Rural Conservation Area, vs. 65% in the Prince George Planning Area.</p>
<p>4. Outside Future Public Service Areas “Location of solar facilities within areas planned to be serviced by public water or wastewater, as indicated in the most current Water and Wastewater Master Plan, will be discouraged and will not be recommended for approval” (except in M-3)</p>	<p>Yes. The location is not planned to be serviced by public water or sewer extensions according to the current adopted utilities master plan.</p>
<p>5. Flat land “Mass grading of sites shall be limited to the greatest extent possible. Development of areas with steep contours shall be avoided.”</p>	<p>Yes. According to the application materials, minimal, if any grading is necessary to develop the project due to the relative flatness of the land.</p>

<p>6. Avoid key public resources “Sites located near recreational, cultural, or historic resources should be avoided.”</p>	<p>Yes. According to the application materials the project is not located within the viewshed of any scenic, cultural or recreational resources. The applicant used the Virginia Cultural Resources Information System database to confirm there are no previously recorded resources present within the site. Within a half mile buffer of the site, there were no archaeological resources identified, and of the four architectural resources within the buffer area, none are eligible for placement on the National Register of Historic Resources, nor the Virginia Landmarks Register.</p>
<p>All other topics to be reviewed during a future public hearing for Special Exception SE-23-09.</p>	<p>The Siting Policy provides additional guidance for site design and other application requirements. If the Substantial Accord is granted by the Planning Commission, then all other details about the project should be considered in a subsequent and separate staff report and public hearing for the Special Exception.</p>

Other Guidance in the Comprehensive Plan

Outside of the Future Land Use Map and Siting Policy, there is no additional known guidance in the Comprehensive Plan relevant to Solar Energy Facilities.

Staff Conclusions and Recommendations

Staff finds that, of the six guidelines of the Siting Policy that are most relevant to making a Substantial Accord determination, the project is clearly consistent with four, and partly consistent with two. Considering this result, Staff does not have a recommendation for approval or denial, and instead recommends that the Planning Commissioners consider the guidelines for themselves to make a determination of Substantial Accord. The two guidelines that are in question are as follows, and an additional staff comment is provided for each:

The County desires an upper limit (4,603.5 acres) on the total land acreage of the County which is dedicated to solar energy facilities.

The Planning Commission could consider whether exceeding the desired limit by 22.3 acres is reason enough for denial, either separately or in addition to the other consideration below.

“Siting of a facility within the Prince George Planning Area should be avoided.”

The Planning Commission could consider whether being located 65% within the Prince George Planning Area and 35% satisfies the guideline to “avoid” the Planning Area.

Staff has also provided a copy of the enabling legislation (Section 15.2232) for reference.

In summary, the Planning Commission should consider whether the project is in Substantial Accord with the Comprehensive Plan, primarily using the guidance from the Solar Energy Facility Siting Policy.

Substantial Accord # SA-23-01

Invt. 5088
SE-23-0029



SPECIAL EXCEPTION APPLICATION

Department of Community Development and Code Compliance
Planning & Zoning Division
6602 Courts Drive, Prince George, VA 23875
(804) 722-8678 | www.princegeorgecountyva.gov

OFFICE USE ONLY

APPLICATION #:

SE-23-09

DATE SUBMITTED:

RECEIVED
SEP 13 2023
BY: JWG

APPLICANT FILL-IN ALL BLANKS

REQUEST:

Solar Facility Special Exception Permit Application

REQUEST PROPERTY ADDRESS / LOCATION:

37.124838, -77.269422

REQUEST TAX MAP PIN(S): (List all)

440-A-71; 440-A-72; 530-1-B; 530-A-1

AFFECTED ACREAGE

(Each parcel):
440-A-71: 1.96;
440-A-72: 19;
530-1-B: 15.6
530-A-1: 226.94

ENTIRE PARCEL (Y / N)

- Each parcel):
N

ATTACHMENTS (Check if Attached; * = Required):

APPLICANT STATEMENT* (Specify goals, details, etc.)

COMMUNITY MEETING SUMMARY

PROPOSED CONDITIONS

ADDITIONAL ATTACHMENTS:

SITE LAYOUT SKETCH OR CONCEPTUAL SITE PLAN*
(Show proposed improvements; Use GIS or Engineer Drawing)

Option Agreement memo
attached in email

LEGAL OWNER

NAME(S):
Hancock Timberland XII Inc.

MAILING ADDRESS: (Incl. City, State, Zip):

197 Clarendon St. C-08-00, Boston, MA 02116

E-MAIL:

Mike_DiCarlo@manulife.com

PHONE:

3186230540

APPLICANT CONTACT

NAME(S): If different than owner):
Natalie Gerber

RELATION TO OWNER:

Development Manager, RWE Clean Energy

MAILING ADDRESS: (Incl. City, State, Zip):

Attn: Natalie Gerber, 701 Brazos Street, Suite 1400, Austin, TX 78701

E-MAIL:

natalie.gerber@rwe.com

PHONE:

7248408043

OFFICE USE ONLY (Completed at the time of application)

ZONING DISTRICT(S):

R-A

LAND USE(S) CODE REFERENCE(S):

90-103(57) + (58)

PAYMENT

FEE DUE:
Special Exception: \$700
Special Exception Home Occ: \$350

FEE PAID:

PAYMENT TYPE:

CHECK / CASH / CREDIT / DEBIT

CHECK # / TRANSACTION #:

DATE RECEIVED:

RECEIVED BY:



SPECIAL EXCEPTION APPLICATION

Department of Community Development and Code Compliance
Planning & Zoning Division
6602 Courts Drive, Prince George, VA 23875
(804) 722-8678 | www.princegeorgecountyva.gov

OFFICE USE ONLY

APPLICATION #:

DATE SUBMITTED:

RECEIVED
SEP 13 2023
BY: _____

APPLICANT FILL-IN ALL BLANKS

REQUEST	REQUEST: Solar Facility Special Exception Permit Application		
	REQUEST PROPERTY ADDRESS / LOCATION: 37.124838, -77.269422		
	REQUEST TAX MAP PIN(S): (List all) 450-A-28	AFFECTED ACREAGE (Each parcel): 77.92	ENTIRE PARCEL (Y / N - Each parcel): N
	ATTACHMENTS (Check if Attached; * = Required): <input checked="" type="checkbox"/> APPLICANT STATEMENT* (Specify goals, details, etc.) <input type="checkbox"/> COMMUNITY MEETING SUMMARY <input type="checkbox"/> PROPOSED CONDITIONS <input checked="" type="checkbox"/> ADDITIONAL ATTACHMENTS: <input checked="" type="checkbox"/> SITE LAYOUT SKETCH OR CONCEPTUAL SITE PLAN* (Show proposed improvements; Use GIS or Engineer Drawing) Option Agreement memo attached in email		
LEGAL OWNER	NAME(S): Howard L Pendergrass & Nancy S Pendergrass		
	MAILING ADDRESS: (Incl. City, State, Zip): 407 Riverview Ct. Chester VA 23836		
	E-MAIL: hlinzy@gmail.com	PHONE: 8043377078	
APPLICANT CONTACT	NAME(S): (If different than owner): Natalie Gerber		
	RELATION TO OWNER: Development Manager, RWE Clean Energy		
	MAILING ADDRESS: (Incl. City, State, Zip): Attn: Natalie Gerber, 701 Brazos Street, Suite 1400, Austin, TX 78701		
	E-MAIL: natalie.gerber@rwe.com	PHONE: 7248408043	
OFFICE USE ONLY (Completed at the time of application)			
ZONING DISTRICT(S):		LAND USE(S) CODE REFERENCE(S):	
PAYMENT	FEE DUE: Special Exception: \$700 Special Exception Home Occ: \$350	FEE PAID:	PAYMENT TYPE: CHECK / CASH / CREDIT / DEBIT
	CHECK # / TRANSACTION #:	DATE RECEIVED:	RECEIVED BY:



SPECIAL EXCEPTION APPLICATION

Department of Community Development and Code Compliance
Planning & Zoning Division

6602 Courts Drive, Prince George, VA 23875
(804) 722-8678 | www.princegeorgecountyva.gov

OFFICE USE ONLY

APPLICATION #:

DATE SUBMITTED:

RECEIVED

SEP 13 2023

BY: _____

APPLICANT FILL-IN ALL BLANKS

REQUEST	REQUEST:		
	Solar Facility Special Exception Permit Application		
	REQUEST PROPERTY ADDRESS / LOCATION:		
	37.124838, -77.269422		
REQUEST	REQUEST TAX MAP PIN(S): (List all)	AFFECTED ACREAGE	ENTIRE PARCEL (Y / N)
	530-A-46; 530-A-45-A	(Each parcel): 530-A-45-A: 21.38 530-A-46: 134.56	- Each parcel: N
ATTACHMENTS (Check if Attached; * = Required):			
<input checked="" type="checkbox"/> APPLICANT STATEMENT* (Specify goals, details, etc.)		<input type="checkbox"/> COMMUNITY MEETING SUMMARY	
<input type="checkbox"/> PROPOSED CONDITIONS		<input checked="" type="checkbox"/> ADDITIONAL ATTACHMENTS:	
<input checked="" type="checkbox"/> SITE LAYOUT SKETCH OR CONCEPTUAL SITE PLAN* (Show proposed improvements; Use GIS or Engineer Drawing)		Option Agreement memo attached in email	
LEGAL OWNER	NAME(S):		
	Lee R Bethea Jr Revocable Trust		
	MAILING ADDRESS: (Incl. City, State, Zip):		
	22619 Boydton Plank Rd, McKenney VA 23872		
	E-MAIL:	PHONE:	
	ljbethea@verizon.net	8048408849	
APPLICANT CONTACT	NAME(S): If different than owner):		
	Natalie Gerber		
	RELATION TO OWNER:		
	Development Manager, RWE Clean Energy		
	MAILING ADDRESS: (Incl. City, State, Zip):		
	Attn: Natalie Gerber, 701 Brazos Street, Suite 1400, Austin, TX 78701		
	E-MAIL:	PHONE:	
	natalie.gerber@rwe.com	7248408043	
OFFICE USE ONLY (Completed at the time of application)			
ZONING DISTRICT(S):		LAND USE(S) CODE REFERENCE(S):	
PAYMENT	FEE DUE:	FEE PAID:	PAYMENT TYPE:
	Special Exception: \$700 Special Exception Home Occ: \$350		CHECK / CASH / CREDIT / DEBIT
	CHECK # / TRANSACTION #:	DATE RECEIVED:	RECEIVED BY:

OWNER AFFIDAVIT

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

NAME:

Scott Schwartz, Vice President

NAME:

SIGNED:

[Handwritten Signature]

SIGNED:

DATE: 9/12/2023

DATE: _____

AFFIDAVIT

NOTARIZATION:

STATE OF VIRGINIA

COUNTY OF: _____

Subscribed and sworn before me this _____ day of _____, 20_____.

Notary Public

My Commission expires: _____, 20_____

TG Note: Purchase agreements were provided, confirming signature authority.

STATE OF NEW YORK)
) ss:
COUNTY OF WESTCHESTER)

On this, the 12th day of, 2023, before me a notary public, the undersigned officer, personally appeared Scott Schwartz, who acknowledged himself/herself to be the Vice President of RWE Clean Energy, LLC, a limited liability company, and that he/she as such officer, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by herself as such officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public
My commission expires: November 1, 2025



Ileana Cordova

ILEANA CORDOVA
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01CO6424575
Qualified in PUTNAM County
Commission Expires NOVEMBER 01, 2025

RECEIPT (REC-004547-2023)
FOR PRINCE GEORGE COUNTY, VA

BILLING CONTACT

Natalie Gerber
RWE Clean Energy
701 Brazos Street, Suite 1400
Austin, Tx 78701



Payment Date: 10/05/2023

Reference Number	Fee Name	Transaction Type	Payment Method	Amount Paid
SE-23-0029	PGC Special Exception Request	Fee Payment	Check #0001001477	\$700.00
			SUB TOTAL	\$700.00
			TOTAL	\$700.00



**Bakers Pond Solar, LLC
Prince George County, VA**

Special Exception Permit Application

September 8, 2023

Prepared for Submission to:

County of Prince George, Virginia
Planning & Zoning Division
PO Box 68 - 6602 Courts Drive
Prince George, VA 23875

Prepared for Submission by:

RWE Clean Energy, LLC
353 N Clark St
Chicago, IL 60654

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1 EXECUTIVE SUMMARY

The Bakers Pond Solar Project (Project) is a proposed 100 megawatt (MWac) (or less) photovoltaic solar facility located in Prince George County, Virginia, with the potential to co-locate a 20 MW battery energy storage system (4-hour duration). The Project is southeast of Prince George Drive (Route 156), southwest of County Drive (Route 460), north of Thweatt Drive and bisected by Pumphouse Road. The Project will span seven (7) parcels of land, which are owned by three different owners (see Section 7 – Concept Plan/Mapset). The total Project area is approximately 1,270 acres, which are currently being managed for timber production. The Project development area, which includes panels, fencing and access roads, will cover approximately 414 acres of the Project site and will be accessed via site entrances located along Pumphouse Road and Thweatt Drive. Acreage of limit of disturbance when including fenced-in area plus stormwater basins is approximately 441 acres. When including the 50' vegetative buffer surrounding the project site, the project development area will cover 506 acres. Approximately 339 acres of the 506 acres will be directly under solar panels (see Preliminary Site Plan).

The Applicant is requesting a Special Exception Permit (SEP) for the solar facility. The Property is located in the Agricultural District (A-1). Within the A-1 Agricultural District, public utility generating plants, transformer stations, meters and other facilities are permitted by the Prince George County Board of Supervisors by a Special Exception Permit in accordance with the County's Zoning Ordinance. The Board may impose conditions associated with the Special Exception Permit to ensure protection of the district.

1.1 SITE CHARACTERISTICS

The location of the Project was selected due to several factors.

- Natural buffers: the site is currently being used for commercial timber, and the trees left along the perimeter will provide a natural buffer from neighbors and from the road.
- Location: the project is remote from areas of historic or cultural significance, is over one and a half miles away from the closest town of Disputanta, and is over a mile away from the nearest school.
- Interconnection: a 115kV high-voltage line runs through the site, allowing for on-site Point of Interconnection. All equipment, including the project substation and Dominion substation, will be located on site.
- Topography: the site is very flat, which minimizes the impact of water runoff and means that very little grading will be needed.

Once operational, the Bakers Pond Solar project will generate 214,740 MWh of clean energy, which is the equivalent of energy to power over 20,000 homes.

1.2 ECONOMIC BENEFITS

The Project will provide millions of dollars in additional tax revenue to Prince George County and local taxing districts. Please see the economic and fiscal contribution report enclosed with the SEP application at Tab (the “Economic Report”). This new source of public funding can reduce the tax burden on local residents and be used to support essential services including but not limited to schools, roads, fire departments and first responders. Hundreds of jobs will be created during construction, offering opportunities for residents to enter the rapidly expanding clean energy workforce. Local businesses will see an economic boom as demand for lodging, restaurants, supplies, vehicle maintenance, and fuel increases throughout the 9-12 months of construction. During operations, 2-4 permanent positions will be created to operate the Project, and the project will continue to source supplies from local businesses.

Based on the Economic Report, the Project will contribute approximately \$6.9 million in associated local wages and benefits and \$13.9 million in local economic output during its construction phase, and an additional ~\$1.13 million in combined local wages, benefits and local economic output during operations. The Project would generate approximately \$9.9 million in cumulative county revenue during its lifetime, if the revenue share ordinance is adopted by the County, not including any additional Siting Agreement payments to be negotiated.

2 THE COMPANY

2.1 ABOUT RWE CLEAN ENERGY

RWE Clean Energy, a subsidiary of RWE Group, is the 4th largest renewable energy company in the United States and the country’s 2nd largest solar owner and operator. With more than 15 years in the U.S. renewables business, RWE has a proven track record in developing, constructing and operating renewable energy facilities. RWE Clean Energy’s strong position in renewable energy is a result of combining RWE Renewables Americas with Con Edison Clean Energy Businesses, acquired by RWE in March 2023.

RWE Clean Energy operates a renewable energy portfolio of about eight (8) gigawatts (GW) installed capacity of onshore wind, solar, and battery storage. The 1500-person RWE team in the U.S. is fully committed to being a leader in the clean energy transition in North America.

As part of the RWE Group’s Growing Green strategy to expand its green portfolio globally to more than 50 GW of installed capacity and to invest globally more than \$55 billion gross by 2030, RWE Clean Energy is determined to significantly increase its operating asset base in the U.S. This is backed by a project pipeline of more than 24 GW in onshore wind, solar and battery storage which provides for one of the largest development platforms in the United States.

2.2 PROJECT HISTORY IN VIRGINIA

RWE has several utility scale projects located in central and southern Virginia either in operations or currently in construction.

Water Strider Solar: an 80-MW solar project located in northwest Halifax County, CUP issued May 7, 2018, operating and in production on approximately 1,152 acres (solar project area: 900 acres).



Figure 1: Water Strider Solar

Watlington Solar: a 20 MW solar project located in south central Halifax County, with the CUP issued on June 17, 2020, operating and in production on approximately 242 acres (solar project area: 138 acres). The power is being sold to Dominion Energy under a power purchase agreement.



Figure 2: Watlington Solar

Pleasant Hill Solar: a 20-MW solar project located in Suffolk County, with the CUP issued on August 29, 2017, on approximately 180 acres. Dominion work in final stages of production; power is being sold to Dominion Energy under a power purchase agreement. Project came online in June 2023.



Figure 3: Pleasant Hill Solar

Wythe Solar: a 75 MW solar project located in Wythe County, approved that project was “in substantial accord with the Wythe County Comprehensive Plan” on August 11, 2020 on 844 acres. The power will be sold to Dominion Energy under a power purchase agreement. Currently in construction with target COD of May 2024.

3 PROJECT PROPOSAL

Tentative schedule for a Special Exception Permit:

August 29	RWE hosted first Community Meeting
September 8	SEP application submitted to County
September 26	RWE hosts second Community Meeting
Mid-October	RWE hosts third Community Meeting
October 26	Staff Report and Public Hearing with Planning Commission. Planning Commission determines if Project is in substantial accord with Comprehensive Plan
November 23	If Project is determined to be in substantial accord with Comprehensive Plan, Planning Commission Public Hearing to be held. Planning Commission recommends to approve or deny. Planning Commission recommendation will be forwarded to the Board of Supervisors at their next regularly scheduled meeting.
November 28	Board of Supervisors Public Hearing.

Proposed Project Schedule:

Upon issuance of the SEP, the project will kick off major site studies as required by the Virginia Department of Environmental Quality Permit by Rule (PBR) process. We anticipate our PBR application to be submitted in Q1 2024 with PBR issuance by mid-Q2 2024. Concurrently we will begin work on our Stormwater Pollution Prevention Plan (SWPPP), which includes Erosion & Sediment Control and Stormwater Management Plan. We expect the SWPPP process to take approximately one year, with permit issued in Q1 2025. Construction will take approximately 9-12 months with anticipated construction start date in Q3 2025. Target COD is summer 2026.

3.1 FACILITY CONSIDERATIONS

3.1.1 Project Equipment

The Project will employ single axis tracking technology, meaning it will use solar panels mounted on a rotating bar that tracks the movement of the sun during the day. This technology has a simple modular design that is repeated often. The Project comprises rows of solar panels mounted on vertical posts and horizontal support axes. It will consist of the tracker mounted panels and inverters that are necessary to convert DC to AC power. The Project substation will be interconnected with a new switchyard to be owned and operated by Dominion Energy and which will remain following decommissioning of the remainder of the Project following the end of its useful life. The switchyard will interconnect with the existing transmission line and serve as the connection point between the Project and Dominion's power grid.

The solar panel technology for the Project will be crystalline modules, which are silicon-based. Although the specific model of solar panel has not been selected, only "Tier 1" equipment will be used throughout the project. "Tier 1" is classified by Bloomberg New Energy Finance Corporation qualifies Tier 1 suppliers as companies that have a minimum of 5 years' experience in the industry, are publicly traded or have a solid balance sheet, and have strong vertical integration. Tier 1 firms are expected to provide solar electricity over the entire 25 year warranty period of the panels. At a capacity of 100 MWac, the Project will use approximately 227,780 panels. The Project's year one net capacity factor when using industry-leading Tier 1 modules mounted on a single axis tracker is projected to be between approximately 23 to 25%, which is the total amount of energy produced divided by the amount of energy that could have been produced at full capacity.

3.1.2 Interconnection

The Project's point of interconnection is a line tap on the on-site 115kV line between Poe and Disputanta substations. The Applicant's project substation will abut Dominion's Interconnect Station, and the land for the Dominion substation will be subdivided. Dominion will have a separate access road for its substation, and the access road will be from a public right of way off Pumphouse Road.

3.1.3 Site Access and Signage

There will be three entrances for project site access, as shown on the enclosed Site Plan (defined below). One entrance will be off Thweatt Dr, with two separate site entrances located off Pumphouse Road. Access roads will be marked by Applicant with identifying signage. The manufacturers' or installers' identification and appropriate warning signage will be posted on or near the panels in a clearly visible manner. The signage will identify the owner and provide a 24-hour emergency contact phone number. Each access gate will also have the signage that identifies the owner and provides a 24-hour emergency contact phone number.

3.1.4 Fencing and Security

Applicant will install a security fence around the Solar Equipment that is a minimum of six (6) feet in height. Fencing will be installed on the interior of the vegetative buffer required so that

it is screened from the ground level view of adjacent property owners. Fencing will be always maintained while the facility is in operation.

Prior to operation, Applicant proposes engaging with the County in HSSE (Health, Safety, Security & Environment) training for first responders, including working with fire & police departments to ensure safety measures are in place between the project and the County.

3.1.5 Noise

Solar arrays and tracking systems noise level is approximately 78 decibels. Maximum noise emitted from inverters is approximately 91 decibels at ~30 feet from the source, which is a similar noise level to a household air conditioner. The minimum distance between inverters is approximately 400 feet. The closest inverter to Pumphouse Road is approximately 850 feet, the closest inverter to Thweatt Dr is 575 feet, and the closest inverter to the nearest residence is approximately 435 feet.

3.1.6 Ingress/Egress

The Project will have limited impacts to traffic in the County. Any construction traffic will likely access the site entrances on both Thweatt Dr and Pumphouse Rd via Route 156. Prior to issuance of a building permit, the Applicant will work with the County and the Virginia Department of Transportation (VDOT) to develop a construction traffic management plan, including any necessary mitigation measures.

It is expected that site traffic will generally utilize existing field accesses to enter/exit the site. Additionally, gravel roads may be constructed at the roadway connection points to better enable construction and delivery equipment to access the site. It is also expected that temporary on-site equipment staging, and assembly areas will be utilized during construction.

3.1.7 Height of Structures

In accordance with the Prince George County Solar Energy Siting Policy, the maximum height of primary structures and accessory buildings will be 15 feet.

3.1.8 Roll Back Taxes

Applicant agrees to payment of all applicable rollback taxes for parcels in the land use program per the County's Solar Energy Policy prior the County's issuance of a land disturbance permit.

3.1.9 Coordination of local emergency services

The Project will not put any added stress on public services, including fire and rescue and law enforcement, and tax revenues from the Project can provide additional financial support to these services.

Heat from a small flame is not sufficient to ignite a PV panel, and the majority of the components of the solar panels are not flammable. Flammable components of a PV panel include the thin layers of polymer around the PV cells, polymer backsheets and plastic junction boxes on the rear of the panel and insulation on wiring. However, most of these components are in between one or two layers of projective glass.

Applicant suggests engaging with the County in HSSE training for first responders, including working with fire & police departments to ensure safety measures are in place between the project and the County. RWE proposes providing proper firefighting training in the extremely rare instance of a fire.

3.2 FACILITY CONSTRUCTION

Construction activities will take approximately 9 - 12 months to complete the project using a crew that ranges from 150 to 200 workers. Work would generally occur seven days a week and average ten-hour workdays, in accordance with County Noise Ordinance as is stated in the Prince George County conditions. Any pile driving activities will be limited to eight (8) hours daily during the hours from sunrise to sunset Monday through Saturday. All other construction activity within the Project Area shall not be unreasonably loud for a sustained duration of time as monitored at the property line of the Project Area.

The method that will be used to construct the Project will be similar to that generally used in the US to construct similar, large-scale, ground-mounted solar facilities generating wholesale power. The primary steps include: (1) securing of the perimeter of each of the areas in which construction will occur; (2) installation of stormwater and erosion management controls; (3) clearing vegetation, aside from the perimeter of the project where existing vegetation will remain as a buffer; (4) minor grading, if any. The Project would use the existing landscape, such as slope, drainages and roadways where feasible, minimizing grading work where possible. The site is flat so it would not be expected that much grading is required; (5) construction of roads; and (6) installation of equipment (racking, solar panels, collection lines, inverters, substation and fencing).

Other than the Substation, and because the solar panels will be affixed to racking largely using hand tools, the major equipment used to construct the Project will include bulldozers and dump trucks (primarily to build roads), pile drivers (primarily to install piles), and trenchers (primarily to lay the buried portions of collection lines).

A significant portion of the commercial timber on the property has already been harvested or will be harvested prior to construction, which will limit the tree clearing work that will be required during construction.

3.3 FACILITY OPERATIONS AND MAINTENANCE

Once operational, the project will employ 2-4 full time employees. Personnel will perform tasks including inspection, maintenance, repair and replacement of equipment, occasional cleaning of soiling and/or removal of snow from solar panels, regular mowing and associated maintenance of vegetative ground cover, periodic security checks, emergency response and community relations.

Inspections would include identifying any physical damage of panels, wiring, central inverters, transformers, and interconnection equipment, and drawing transformer oil samples. Vegetation on developed portions of the Project would be maintained to control growth and prevent overshadowing or shading of the PV panels. Depending on the growth rate, trimming,

and mowing would likely be performed several times per year to maintain an appropriate ground cover height of no more than approximately 12 to 18 inches. During the operation of the solar facility, selective use of U.S. Environmental Protection Agency (USEPA)-approved spot herbicides may also be employed around structures to control invasive vegetation. The application of herbicides would be by persons certified and licensed by the VA Department of Agriculture and must meet their general permits and regulations. Such requirements would avoid herbicide application prior to predicted rainfall events or high winds to minimize any possibility of runoff or drift.

The solar facility would be monitored remotely from Bakers Pond Solar Control Center in Austin, Texas, 24 hours a day, seven days a week, to identify security or operational issues. In the event a problem is discovered during non-working hours, a repair crew or law enforcement personnel would be contacted if an immediate response were warranted.

Moving parts of the solar facility would be restricted to the east-to-west tracking motion of the single-axis solar modules, which amounts to a movement of less than a one-degree angle every few minutes. This movement is barely perceptible. In the late afternoon, module rotation would move from west to east in a similar slow-motion to minimize row-to-row shading. The modules would track to a flat or angled stow position at sunset. Otherwise, the PV modules would simply collect solar energy and transmit it to the Dominion power grid. Operations staff would be reporting to the site each workday in their personal vehicles. Except for fence repair, vegetation control, periodic array inspection, repairs, and maintenance, the solar facility would have relatively little human activity during operation except for operations staff arrivals and departures. No significant physical disturbances would occur during the operation. Permanent lighting is anticipated as a potential onsite need during facility operations, independent of the potential operations and maintenance structure. Permanent lighting would be downward-facing and timer- and/or motion-activated to minimize impacts to surrounding areas.

Rainfall in the region should be adequate to remove dust and other debris from the PV panels while maintaining acceptable energy production; therefore, manual panel washing is not anticipated unless a site-specific issue is identified. If later identified, module washing would occur no more than twice a year and comply with appropriate BMPs to minimize soil erosion and/or stream and wetland sedimentation. Module wash water would be trucked in from a municipal source.

3.4 FACILITY DECOMMISSIONING

The Project will be decommissioned within six (6) months of notice of the discontinuance of the use of the Project for generation of electricity. The decommissioning will include removal of any Project facilities installed or constructed thereupon, the filling in and compacting of all trenches or other borings or excavations made in association with the Project and the removal of all debris caused by the Project from the surface and below the surface of the Property.

The costs of decommissioning will be secured by an adequate surety in a form agreed to by the County Attorney, including but not limited to a bond, letter of credit, cash or a parent

guarantee by Applicant. If requested, the decommissioning bond will name the County as a payee.

The components of PV panels include glass, aluminum, copper, silver and semiconductor materials that can all be recycled. By weight, more than 80% of PV panels are made up of glass and aluminum, both of which can easily be recycled. No PV panel components or other Project equipment will be placed in local landfills.

3.4.1 Solid Waste

Many components of the Facility, such as racking, wiring, piles, and panels, retain value over time. Panels, while slightly less efficient than when installed, may be reused elsewhere, or their components may be broken down and recycled. Recycling of solar panels and equipment is rapidly evolving and can be handled through a combination of sources such as certain manufacturers, e.g., PV Cycle (an international waste program founded by and for the PV industry), or waste management companies. More than 90 percent of the semiconductor material and glass can be reused in new modules and products. Other waste materials that hold no value will be recycled or disposed of via a licensed solid waste disposal facility. Panels and other equipment will not be dumped in local landfills.

4 SPECIAL EXCEPTION PERMIT GENERAL SITE PLAN

4.1 SETBACKS

The Project is set back from existing residential dwellings by a minimum of 384 feet from the closest residence to panels. See the enclosed conceptual Special Exception Permit General Site Plan (“Site Plan”) for distances from closest residences to the panels or equipment. Setbacks from property lines are a minimum of 100 feet from all solar equipment. Solar equipment is a minimum of 200 feet from any adjoining public right of way. The fence line is set back a minimum of 50 feet from all wetlands and streams. Inverters will be located a minimum of 200 feet from exterior property lines and substations will be located a minimum of 500 feet from exterior property lines.

4.2 VEGETATIVE BUFFERS AND LANDSCAPING

The Project will use all available existing vegetation around the project perimeter as a vegetative buffer, consisting of a 50 foot-wide landscape buffer consisting of a staggered row of evergreen and deciduous trees along public right of way to obscure views of the solar farm. In areas where existing timber is at maturity, Owner will plant an additional buffer behind existing timber that will be harvested. Roughly five years before maturity at roughly 20 to 30 years, Owner would plant new rows of vegetative buffering to ensure consistent buffers along the road are in place at the time existing buffer trees are harvested. The final design of the Project will include native plantings and will make best attempt to include pollinator friendly plants for ground cover.

4.3 GRADING PLAN

Applicant shall construct, maintain, and operate the project in accordance with the approved County Grading and Erosion and Sediment (E&S) Control Plans. Applicant will commit to posting an E&S bond or letter of credit prior to construction of project. Proposed grading will be limited due to site's relatively flat topography.

5 CONSISTENCY WITH PRINCE GEORGE COUNTY COMPREHENSIVE PLAN

The Comprehensive Plan for Prince George County lays out a vision for future growth. This vision includes the following goals:

5.1 TO PLAN FOR, CONSTRUCT, AND MAINTAIN NEEDED COMMUNITY FACILITIES IN A MANNER THAT IS COST EFFECTIVE, ENVIRONMENTALLY SOUND, AND CONSISTENT WITH THE GROWTH OBJECTIVES CONTAINED IN THIS PLAN.

A utility scale solar facility can help Prince George County construct and maintain community facilities in several ways. The tax revenue generated from developing the land can provide a steady income stream that can be used to fund and maintain community facilities and public infrastructure. The additional revenue could help Prince George County meet its public water and wastewater objectives. Additionally, solar facilities can create local jobs during construction and ongoing maintenance, and they can contribute to the economic development of the County. Moreover, the clean energy generated by solar facilities can reduce the County's reliance on fossil fuels, leading to potential cost savings and improved environmental sustainability for the community.

5.2 TO ENHANCE THE ECONOMIC BASE AND EMPLOYMENT OPPORTUNITIES IN PRINCE GEORGE COUNTY.

Due to advancements in technology and the current economic climate, solar generation has now become an attractive option for economic development. Solar projects that are appropriately sited and designed have a high potential to support the County's long-range development goals. As a new and growing industry, solar has helped to attract other technology industries and boosted economic investment in the region. In the near-term, the construction of these facilities has the potential to employ local businesses for activities such as site work, fencing, landscaping, general construction, services, and other trades. With a number of projects currently proposed in the region, solar has the potential to support a local labor force in these trades for several years. In the longer term, many large technology (and other) companies are setting their own goals to have an increasing proportion of their power generated by renewable sources such as solar. For many of these companies, the availability of renewably-generated power has become a key factor in deciding where to locate new facilities or expand existing facilities.

5.3 TO PROTECT AND ENHANCE THE NATURAL ENVIRONMENT

Solar development can protect environmental resources and, in some cases, enhance environmental quality in the long term, both on a local and larger scale. Locally, the development will involve planting smaller trees or shrubs in landscaped screening areas around select portions of the perimeter of the site or near residences where natural screening is not provided by existing vegetation or landforms. Areas of the site where soils are disturbed during construction will be stabilized using native herbaceous plants to the greatest extent practicable. Solar development can protect or improve water quality as it entails very little impervious surface and no toxic runoff. The proposed native grass cover will slow overland flows from stormwater runoff, thereby preventing sediment movement as well as increasing infiltration. The change in land use will also remove the need for periodic plowing and harvesting, which will reduce dust emissions and pesticide use associated with normal agricultural activities. On a larger scale, solar development can divert energy needs away from non-renewable sources that can degrade the natural environment, and this can in turn improve local air and water quality.

5.4 TO ACHIEVE A BALANCED LAND USE SYSTEM THAT PROVIDES SUFFICIENT AND COMPATIBLE LAND AREAS FOR ALL COMMUNITY LAND USE NEEDS, WHILE PROTECTING SENSITIVE NATURAL ENVIRONMENTS AND IMPORTANT LOCAL HISTORIC AND CULTURAL RESOURCES.

Thoughtfully designed solar facilities can be compatible with surrounding land use and can protect sensitive natural environments and important historic resources. Wetlands and streams will be avoided to the greatest extent practicable, and a 75-foot buffer will be maintained around all delineated wetlands and streams. Vegetative screening will be used where existing vegetation is not adequate to provide a buffer between dissimilar and incompatible land uses to minimize unwanted adverse impacts on either use. Additionally, vegetative screening will be placed where necessary to screen historic resources.

6 CONSISTENCY WITH PRINCE GEORGE COUNTY SOLAR ENERGY FACILITY SITING POLICY

The Bakers Pond Solar Project site was selected by considering numerous factors, including the Prince George County Solar Energy Facility Siting Policy. Described below is how the Project will address the Siting Policy components.

6.1 PRINCE GEORGE COUNTY DESIRES TO PROTECT AND ENHANCE ITS AGRICULTURAL AND RURAL HERITAGE, CULTURAL AND RECREATIONAL RESOURCES

The Project will implement the use of ground cover of native grasses and pollinators. Native vegetation will add organic matter and structure the soil and can actually lead to improved

soil quality by the time of decommissioning. Vegetation and ground cover will aid in increasing pollinators on-site. The Project agrees to not use synthetic herbicides to control and maintain groundcover. Additionally, the Project has incorporated wildlife corridors into the site plan to minimize impacts to wildlife movements, and a map of wildlife corridors is included in the enclosed Site Plan. The Project agrees to establish groundcover expeditiously to the greatest extent possible after construction to minimize erosion and loss of soil. Additionally, temporary and permanent stormwater basins will be implemented to control water runoff. The Project will not develop on wetlands, forested areas (other than areas that are currently being used for commercial timberland), and other valuable habitats.

Further, the Project is not located within the viewshed of any scenic, cultural or recreational resources. The current land use of the Property is for commercial timber. A significant portion of the timber has already been cut, with the vegetation and timber along the perimeter of the project boundary to remain in place. This vegetative buffer combined with setbacks will minimize any viewshed impacts of the solar panels and equipment. Comprehensive studies are required as part of the planning and permitting process to protect public safety and the environment. The Project will be virtually silent outside the fence line.

Solar facilities prevent permanent residential, commercial, and industrial development in these areas, serving as an interim or temporary use that preserves land for future agricultural or forestry uses following decommissioning of the facilities. Because of the low height of structures and equipment on site and the existing and new perimeter buffering, the Project will have no visual impact on any surrounding properties.

6.1.1 Cultural Resources

The Project is not expected to have any impacts to cultural and historical resources due to its location and the amount of cultural work required at the state permitting level. In-depth cultural surveys conducted by qualified professionals will be submitted for approval and concurrence by the Virginia Department of Historic Resources (VDHR). Based on a preliminary “desktop” analysis of the Virginia Cultural Resources Information System (VCRIS) database, there are no previously recorded resources present within the Site. Four architectural and no archaeological resources intersect with the one-half mile buffer around the Site, which is the designated Area of Potential Effect (APE) that must be screened. These identified resources have been evaluated and determined not eligible for placement on the National Register of Historic Places (NRHP) and the Virginia Landmarks Register (VLR), which means that, under applicable state and federal law, they do not need to be included in VDHR’s review of the Project for adverse impacts and potential mitigation measures.

6.1.2 Siting of facility within the Prince George Planning Area

Approximately 35% of the total acreage within the Project boundary is located within the Rural Conservation Area, with the remaining acreage lying just inside of the Prince George Planning Area. While there is a portion of the project in the Prince George Planning Area, RWE has confirmed that currently there is no proposed water or sewer extensions shown in the Utilities Master Plan for this area.

6.1.3 Location of Solar Facilities within areas indicated in the current Water and Wastewater Master Plan

The Project will have no impacts to the supply of domestic water needs to the County's rural residents. Solar facilities do not cause any air or water pollution. Stormwater management will be implemented on site to limit any impacts to nearby streams or waterways on site. Solar panels do not contain toxic chemicals; chemicals do not leach into groundwater because of the strong bonds holding the panels together.

The Project is not located in an area that is serviced by a public sewer system, nor is it located in an area near a community sewer system. The Project will have no impact to individual septic systems. If a permanent office building is requested by the County and a septic system is needed, the Project would acquire the appropriate permits and use standard best management practices.

6.2 PRINCE GEORGE COUNTY DESIRES TO PROTECT, MAINTAIN, AND IMPROVE THE QUALITY OF THE NATURAL ENVIRONMENT, INCLUDING ELEMENTS SUCH AS AIR, WATER, NATURAL HABITATS AND WETLANDS

Solar projects make great neighbors. Solar farms produce electricity without generating any pollution, resulting in cleaner air and water when compared to traditional power plants. Bakers Pond Solar Farm will use silicon-based PV panels, which are made of safe, well-tested materials commonly used in building and household products. The panels are fully sealed and extremely durable, preventing trace metals from escaping into the surrounding soil. PV solar panels are so safe that millions of families across the U.S. have put solar panels on their homes and literally sleep beneath them. Many local governments have contracted with solar energy companies to install solar panels on schools and other public buildings. RWE's advanced remote operations center will monitor the panels 24/7, 365 days a year while the onsite operations team will be available to respond in the unlikely event of an emergency.

Renewable energy reduces pollution and waste production over time and allows other energy sources to be conserved. Solar and other renewable energy sources allow fossil fuel facilities to be conserved as it reduces their strain on the grid. Local approval of solar land use permits supports the goals of Virginia's 2020 Clean Economy Act, specifically including the mandate that all Dominion Energy power production must be from renewable sources by 2050.

6.2.1 Environment

The Project will not have adverse environmental impacts and may, in fact, improve soil and water quality. Soil can be improved by planting native grasses and pollinators; the Project effectively allows the soil to rest. Once the Project is decommissioned, the land will be reverted back to its original state and can be ready to resume agricultural use. The roots of planted native vegetation can retain water during heavy storms or periods of drought, and plants and vegetation can help retain topsoil to improve soil health over time. A seventy-five foot (75') buffer will be maintained on each side of every stream and flood plain. Storm water flows within solar facilities are heavily regulated by DEQ and local ordinances. Applicant will ensure that all storm water flows produced by the Project are handled on site in accordance with state and local regulation.

6.2.2 Parks and Open Spaces

The Project will have no impacts to parks and open spaces and is not located within the viewshed of any parks or open spaces.

6.3 ECONOMIC DEVELOPMENT

The Project will contribute to both construction and full-time jobs, generate employment for local companies and increase spending during construction. Between 150-200 jobs will be created during construction, will create 2-4 full-time jobs, and will generate employment for local companies in areas including but not limited to site work, fencing, landscaping, timbering, and other trades. Increased spending during construction from the labor force will directly increase spending at local businesses like gas stations, hotels, restaurants, and stores.

Following the change in use from forestry to solar facility, we can expect the Property to be assessed for industrial use rather than agricultural, which will generate significantly more tax revenue for the County over the life of the Project. Further, upon removal from land use taxation, deferred taxation will be paid in the form of rollback taxes. The Project would also contribute additional revenues through the solar revenue share, if adopted by the County, currently set by state law at \$1,540 / MW annually escalated by 10% every five years, and siting agreement.

Solar facilities support the County's goal of attracting businesses that can help grow the County's economy through socially and environmentally responsible development without strain on public services and infrastructure and while preserving natural resources that benefit the County and its residents. Solar can strengthen and diversify the economic base of Prince George County to provide a sound tax base to support public services.

6.4 TRANSPORTATION

Throughout construction of the site, Applicant will coordinate with the representatives from Prince George County and VDOT to determine appropriate transportation management procedures which may include, but are not limited to, traffic control, road access restrictions, truck restrictions, and temporary/short-term road closures.

Access to the site will be provided via three (3) entrances - one (1) on Thweatt Dr and two (2) on Pumphouse Rd. Site traffic will generally utilize existing entrances/access points and new gravel access roads will be installed throughout the site to facilitate construction and subsequent operations/maintenance traffic.

Temporary staging and assembly areas will be used during the construction period for the storage of construction vehicles and equipment, as well as staging of components for the solar facility. All temporary staging, parking, and assembly areas will be located within the project area boundaries to avoid congestion and parking within the public right of way.

Based on the existing roadway conditions, the locations for proposed access points, and the available average daily traffic numbers for the agreed upon access roads, the anticipated construction traffic volumes will not exceed available roadway capacities; the roadways

should not be significantly impacted by standard construction traffic. During operation and maintenance, the facility will not generate a significant volume of traffic with the anticipation of only a few pickup trucks each day.

Construction-related traffic will access the Bakers Pond Solar site via state-maintained roadways. Given the existing posted speeds and anticipated slower entering/exiting traffic, temporary traffic control (TTC) measures may be necessary. Pertinent signage should be installed prior to the site preparation work and removed when mechanical/electrical work/inspections begin. It is not anticipated that daily vehicular traffic following construction will disrupt local traffic flows during normal peak hours.

Outside of the previously noted mitigation efforts, should a traffic issue arise during construction, Applicant will work the County and VDOT appropriately address the specific concern.

7 CONCEPT PLAN/MAPSET

We have attached a detailed report in the folder for your reference.

8 ADJACENT PROPERTY OWNER'S LIST

Project Parcels			
Key Number	PIN	Owner	Mailing Address
1	440(OA)00-071-0	Hancock Timberland XII Inc	13950 Ballantyne Corp Pl, Ste 150, Charlotte, NC 28277
2	440(OA)00-072-0	Hancock Timberland XII Inc	13950 Ballantyne Corp Pl, Ste 150, Charlotte, NC 28277
3	450(OA)00-028-0	Pendergrass Asset Trust	407 Riverview Ct, Chester, VA 23836
4	530(01)00-00B-0	Hancock Timberland XII Inc	13950 Ballantyne Corp Pl, Ste 150, Charlotte, NC 28277
5	530(OA)00-001-0	Hancock Timberland XII Inc	13950 Ballantyne Corp Pl, Ste 150, Charlotte, NC 28277
6	530(OA)00-045-A	Bethea, Lee R Jr Revocable Trust	22619 Boydton Plank Rd, Mckenney, VA 23872
7	530(OA)00-046-0	Bethea, Lee R Jr Revocable Trust	22619 Boydton Plank Rd, Mckenney, VA 23872
Adjacent Project Parcels			
Key Number	PIN	Owner	Mailing Address
53	440(OA)00-069-0	Galvin, Kent A	6514 County Dr, Disputanta, VA 23842
54	440(OA)00-070-0	Morris, Jeffrey M	3800 Robert E Lee Dr, North Prince George, VA 23860
55	440(OA)00-073-0	The Titmus Foundation Inc	PO Box 10, Sutherland, VA 23885
86	440(OA)00-079-0	NO DATA AVAILABLE	NO DATA AVAILABLE
174	450(07)04-001-0	Maitland, Dawn R	7995 Wood Dr, Disputanta, VA 23842
175	450(07)04-002-0	Beaudet, Joseph O	8011 Wood Dr, Disputanta, VA 23842
180	450(07)04-004-0	Johnstone, Tiffany A	13580 Taylor Dr, Disputanta, VA 23842
206	450(OA)00-026-0	The Titmus Foundation Inc	PO Box 10, Sutherland, VA 23885
207	450(OA)00-027-0	Eliades, Jane M	1617 Forest Glenn Cir, Chester, VA 23836

208	450(OA)00-029-0	The Titmus Foundation Inc	PO Box 10, Sutherland, VA 23885
223	450(OA)00-036-0	Janeka, Jean M	5201 Thweatt Dr, Disputanta, VA 23842
224	450(OA)00-037-0	Janeka, Jean M	5201 Thweatt Dr, Disputanta, VA 23842
331	520(07)00-007-0	Wheatley, James R	6110 Thweatt Dr, Disputanta, VA 23842
332	520(07)00-008-0	Wheatley, James R	6110 Thweatt Dr, Disputanta, VA 23842
336	520(07)00-012-0	Wheatley, James R	6110 Thweatt Dr, Disputanta, VA 23842
370	530(01)00-00A-0	Hedgepeth, William Jr	6214 Thweatt Dr, Disputanta, VA 23842
371	530(01)00-00A-1	Thweatt, Wayne K Et Als	1104 Penobscot Rd, Richmond, VA 23227
372	530(04)04-005-0	Aucoin, Charles H	13620 Taylor Dr, Disputanta, VA 23842
379	530(04)05-010-0	Gobble, Bruce W	13670 Taylor Dr, Disputanta, VA 23842
380	530(04)05-010-A	Martin, William D Sr	13757 Crystal Dr, Disputanta, VA 23842
382	530(04)05-011-0	Hunter, Michael Ray	13650 Taylor Dr, Disputanta, VA 23842
385	530(04)06-007-0	Moran, Kevin M	13800 Crystal Dr, Disputanta, VA 23842
388	530(05)00-003-0	Helsel, Douglas R	7107 Thweatt Dr, Disputanta, VA 23842
389	530(05)00-004-0	Ingram, Joshua S	7205 Thweatt Dr, Disputanta, VA 23842
390	530(05)00-005-0	Ingram, Joshua S	7205 Thweatt Dr, Disputanta, VA 23842
392	530(05)00-006-0	Miller, Jack C Jr	7207 Thweatt Dr, Disputanta, VA 23842
393	530(05)00-007-0	Balance, William E	7301 Thweatt Dr, Disputanta, VA 23842
401	530(05)00-013-0	Rhoney, Candice A	14615 Brickhouse, Disputanta, VA 23842
402	530(06)00-001-0	Coker, Michelle L	13732 Pumphouse Rd, Disputanta, VA 23842
403	530(06)00-002-0	Browning, Pamela J	13610 Pumphouse Rd, Disputanta, VA 23842
404	530(06)00-003-0	Elder, William R	13606 Pumphouse Rd, Disputanta, VA 23842

405	530(06)00-003-A	Elder, William R	13606 Pumphouse Rd, Disputanta, VA 23842
406	530(06)00-004-0	Childers Living Trust	13602 Pumphouse Rd, Disputanta, VA 23842
407	530(06)00-005-0	Clarke, Richard D	13594 Pumphouse Rd, Disputanta, VA 23842
408	530(06)00-006-0	Newby, Marilyn C	18799 Loving Union Rd, Disputanta, VA 23842
409	530(0A)00-001-A	Beasley, Ernest C Iii	7308 Thweatt Dr, Disputanta, VA 23842
410	530(0A)00-001-B	Beasley, Christopher S	7308 Thweatt Dr, Disputanta, VA 23842
411	530(0A)00-002-0	Brinson, Bobby G	6850 Thweatt Dr, Disputanta, VA 23842
413	530(0A)00-002-B	Minix, Brian W	7012 Thweatt Dr, Disputanta, VA 23842
416	530(0A)00-002-E	Richmond, Paul D	6650 Thweatt Dr, Disputanta, VA 23842
419	530(0A)00-003-0	Ford, William M Iii	6412 Thweatt Dr, Disputanta, VA 23842
420	530(0A)00-004-0	Evans, Sheila D	6314 Thweatt Dr, Disputanta, VA 23842
447	530(0A)00-045-0	Rosbicki, Stephen	8406 Robin Rd, Disputanta, VA 23842
448	530(0A)00-046-A	Rosbicki, Stephen	8406 Robin Rd, Disputanta, VA 23842
482	540(0A)00-002-0	Sulc, Bradley J	9110 Jacob Ln, Disputanta, VA 23842

9 ENVIRONMENTAL RESOURCE IMPACT ANALYSIS

The detailed Phase I Environmental Site Assessment (ESA) was conducted in conformance with the requirements of ASTM International (ASTM) Designation E 1527-13. This assessment has revealed no evidence of recognized environmental conditions (REC's) in connection with the Property. A detailed Phase IA Cultural Resources Assessment and Phase I Cultural Resources Survey will be required to be completed prior to Virginia Permit By Rule Application.

A more detailed version of cultural resource assessment, threatened and endangered species and wetlands is attached in a separate folder.

10 TRANSPORTATION EVALUATION

We have attached a detailed report in the folder for your reference.

11 VISUALIZATIONS

We have attached a detailed report in the folder for your reference.

12 DECOMMISSIONING PLAN

We have attached a detailed report in the folder for your reference.

13 EROSION & SEDIMENT CONTROL PLAN

An Erosion and Sediment Control Plan, developed in accordance with the Erosion and Sediment Control Ordinance of Prince George and Virginia Erosion and Sediment Control Law, will be submitted to the County for review and approval by the Soil and Water Conservation District and the Virginia Department of Environmental Quality prior to any land disturbance. Prior to Applicant's submission of the Erosion and Sediment Control Plan, Applicant will contact the County's erosion and sediment control reviewer and use reasonable efforts to arrange a meeting on the Property with RWE's engineer.

During the construction of the Project, Applicant will agree to the following:

1. All Erosion and Sediment Control facilities will be inspected by a qualified third-party inspector: (i) at least every four calendar days; or (ii) at least once every five calendar days and within 24 hours following any runoff producing storm event. Any discrepancies should be noted, and corrective action should be taken to ensure facilities are operating properly. Corrective measures include regularly cleaning out sediment basins and traps, stabilizing eroded banks or spillway structures, cleaning inlets and outlets and repairing damaged silt fence shall be prioritized.
2. Runoff at stormwater outfalls will also be observed just as often for characteristics listed in the land disturbance permit (clarity, solids, etc.)
3. A record of the amount of rainfall at the Project during land disturbing activities
4. A record of major land disturbing activities, including dates when clearing, grading and excavating occurred in each Phase. Dates when construction activities are either temporarily or permanently ceased in the Phase should be recorded along with stabilization areas.

A stormwater Management Plan will be submitted to the Virginia Department of Environmental Quality (VDEQ) and approved by the VDEQ prior to any land disturbance. RWE will obtain approval of a Stormwater Pollution Prevention Plan ("SWPPP"). Applicant and its contractor will have operational day-to-day control of the Project and must implement the SWPPP measures. Applicant will cause the active up-to-date SWPPP to be made publicly available either electronically or at a location viewable not less than once per month upon request by the public.

14 ECONOMIC AND FISCAL CONTRIBUTION REPORT

As per the enclosed economic and fiscal contribution report, during the construction phase, as shown in Table 1 of the report, construction of the proposed Bakers Pond Solar project could directly provide a one-time economic and fiscal impact supporting approximately: 1) 52 jobs, 2) \$6.9 million in wages and benefits, and 3) \$13.9 million in economic output to Prince George County and 4) \$0.3 million in state and local tax revenue. The proposed Bakers Pond Solar project would employ approximately 114 full-time equivalent construction workers over the 12-month construction period.

During the ongoing operation phase as shown in Table 2 of the report, annual operation of the proposed Bakers Pond Solar project would directly support approximately: 1) 2.5 jobs, 2) \$327,300 in wages and benefits, and 3) \$656,200 in economic output to Prince George County. The total estimated annually supported impact on Prince George County would be approximately: 1) 3.5 jobs, 2) \$358,700 in wages and benefits, and 3) \$772,600 in economic output.

The direct fiscal impact contribution that the proposed Bakers Pond Solar project would make to Prince George County. The analysis considers two scenarios over a 40-year period from taxation of the land. Scenario 1 then describes the additional revenue Bakers Pond Solar would generate for Prince George County from taxes levied on the capital investment, while Scenario 2 assumes tax revenue generated from the capital investment will be replaced with revenue associated with a locally adopted revenue share ordinance and based on the project's total generation capacity. The Estimated County Revenue Generated by the Proposed Bakers Pond Solar Project over 40 Years from Real Estate Taxes is around \$1.1 million.

As per Scenario 1 (Taxation of Capital Investment), the cumulative fiscal contribution that the proposed Bakers Pond Solar project would make to Prince George County over its 40-year anticipated operational life is ~\$6.1 million. Furthermore, as per Scenario 2 (Revenue Share Ordinance), the cumulative fiscal contribution this project brings in is around ~\$9.9 million, over its 40-year anticipated operational life.

The economic contribution the proposed Bakers Pond Solar project would make to Prince George County in its current agriculture use as per table 8 in the report, supports approximately, 1) < 1 job, 2) \$9,800 in wages and benefits, and 3) \$62,700 in economic output to Prince George County. On average, the total annually supported impact on Prince George County is approximately: 1) < 1 job, 2) \$12,500 in wages and benefits, and 3) \$75,300 in economic output.

The fiscal impact as per Table 9 in the report, for the current county real estate tax revenue from the project site is estimated to be approximately \$27,200 per year, for a cumulative total of approximately \$1.1 million over 40 years.

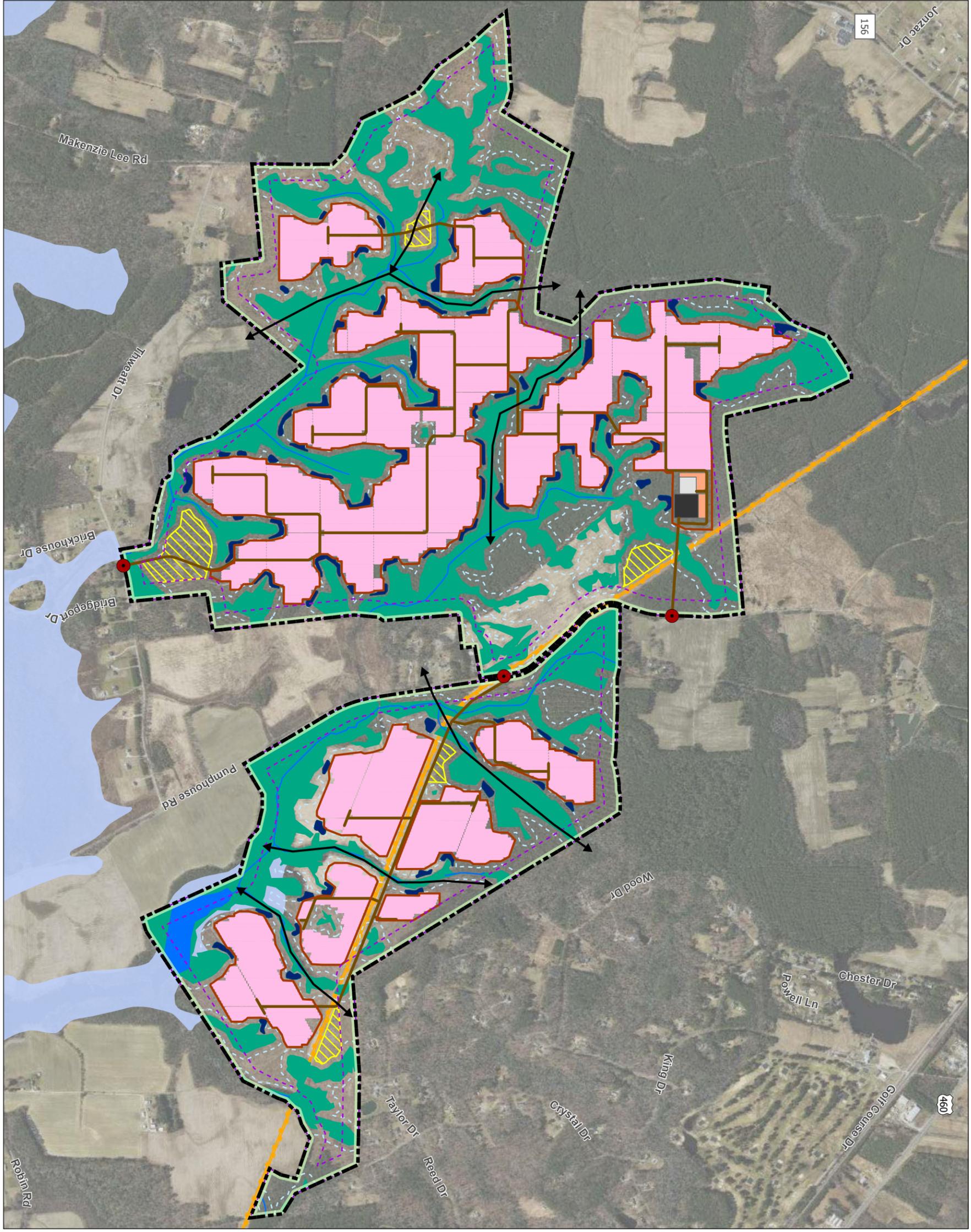


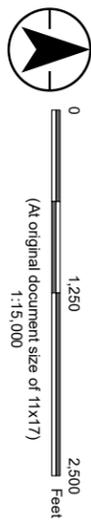
Figure No. 1

Preliminary Site Plan

Client/Project: RWE Bakers Pond Solar Project 203401219

Prepared by: JMH on 2023-09-06
 TR by: ECL on 2023-09-07
 IR by: JLO on 2023-09-06

Project Location: Prince George County, Virginia



- Access Point
- Project Limits
- 200-Foot Setback
- Fence Line
- 50-Foot Vegetative Buffer (Existing or Planted)
- Panel Array
- Parking Area
- Substation
- Switchyard
- Preliminary Stormwater Pond
- Construction Parking and Laydown Area
- 75-Foot Delineated Wetland/Stream Buffer
- Delineated Stream/Open Water
- Delineated Wetland
- 100-Year Flood Zone
- Project Road
- Wildlife Corridor
- Existing Transmission Line



Notes:
 1. Coordinate System: NAD 1983 StatePlane Virginia South FIPS 4502 Feet
 2. Data Sources: RWE; Stantec; U.S. Census Bureau; VGIN; HIFLD; FEMA; Terra Tech; Delineated wetlands/streams provided by AECOM
 3. Orthomageary © Virginia Geographic Information System (VGIN)



Code of Virginia § 15.2-2232. Legal status of plan.

A. Whenever a local planning commission recommends a comprehensive plan or part thereof for the locality and such plan has been approved and adopted by the governing body, it shall control the general or approximate location, character and extent of each feature shown on the plan. Thereafter, unless a feature is already shown on the adopted master plan or part thereof or is deemed so under subsection D, no street or connection to an existing street, park or other public area, public building or public structure, public utility facility or public service corporation facility other than a railroad facility or an underground natural gas or underground electric distribution facility of a public utility as defined in subdivision (b) of § [56-265.1](#) within its certificated service territory, whether publicly or privately owned, shall be constructed, established or authorized, unless and until the general location or approximate location, character, and extent thereof has been submitted to and approved by the commission as being substantially in accord with the adopted comprehensive plan or part thereof. In connection with any such determination, the commission may, and at the direction of the governing body shall, hold a public hearing, after notice as required by § [15.2-2204](#). Following the adoption of the Statewide Transportation Plan by the Commonwealth Transportation Board pursuant to § [33.2-353](#) and written notification to the affected local governments, each local government through which one or more of the designated corridors of statewide significance traverses, shall, at a minimum, note such corridor or corridors on the transportation plan map included in its comprehensive plan for information purposes at the next regular update of the transportation plan map. Prior to the next regular update of the transportation plan map, the local government shall acknowledge the existence of corridors of statewide significance within its boundaries.

B. The commission shall communicate its findings to the governing body, indicating its approval or disapproval with written reasons therefor. The governing body may overrule the action of the commission by a vote of a majority of its membership. Failure of the commission to act within 60 days of a submission, unless the time is extended by the governing body, shall be deemed approval. The owner or owners or their agents may appeal the decision of the commission to the governing body within 10 days after the decision of the commission. The appeal shall be by written petition to the governing body setting forth the reasons for the appeal. The appeal shall be heard and determined within 60 days from its filing. A majority vote of the governing body shall overrule the commission.

C. Widening, narrowing, extension, enlargement, vacation or change of use of streets or public areas shall likewise be submitted for approval, but paving, repair, reconstruction, improvement, drainage or similar work and normal service extensions of public utilities or public service corporations shall not require approval unless such work involves a change in location or extent of a street or public area.

D. Any public area, facility, park or use as set forth in subsection A which is identified within, but not the entire subject of, a submission under either § [15.2-2258](#) for subdivision or subdivision A 8 of § [15.2-2286](#) for development or both may be deemed a feature already shown on the adopted master plan, and, therefore, excepted from the requirement for submittal to and approval by the commission or the governing body, provided that the governing body has by ordinance or resolution defined standards governing the construction, establishment or authorization of such public area, facility, park or use or has approved it through acceptance of a proffer made pursuant to § [15.2-2303](#).

E. Approval and funding of a public telecommunications facility on or before July 1, 2012, by the Virginia Public Broadcasting Board pursuant to Article 12 (§ [2.2-2426](#) et seq.) of Chapter 24 of Title 2.2 or after July 1, 2012, by the Board of Education pursuant to § [22.1-20.1](#) shall be deemed to satisfy the requirements of this section and local zoning ordinances with respect to such facility with the exception of television and radio towers and structures not necessary to house electronic apparatus. The exemption provided for in this subsection shall not apply to facilities existing or approved by the Virginia Public Telecommunications Board prior to July 1, 1990. The Board of Education shall notify the governing body of the locality in advance of any meeting where approval of any such facility shall be acted upon.

F. On any application for a telecommunications facility, the commission's decision shall comply with the requirements of the Federal Telecommunications Act of 1996. Failure of the commission to act on any such application for a telecommunications facility under subsection A submitted on or after July 1, 1998, within 90 days of such submission shall be deemed approval of the application by the commission unless the governing body has authorized an extension of time for consideration or the applicant has agreed to an extension of time. The governing body may extend the time required for action by the local commission by no more than 60 additional days. If the commission has not acted on the application by the end of the extension, or by the end of such longer period as may be agreed to by the applicant, the application is deemed approved by the commission.

G. A proposed telecommunications tower or a facility constructed by an entity organized pursuant to Chapter 9.1 (§ [56-231.15](#) et seq.) of Title 56 shall be deemed to be substantially in accord with the comprehensive plan and commission approval shall not be required if the proposed telecommunications tower or facility is located in a zoning district that allows such telecommunications towers or facilities by right.

H. A solar facility subject to subsection A shall be deemed to be substantially in accord with the comprehensive plan if (i) such proposed solar facility is located in a zoning district that allows such solar facilities by right; (ii) such proposed solar facility is designed to serve the electricity or thermal needs of the property upon which such facility is located, or will be owned or operated by an eligible customer-generator or eligible agricultural customer-generator under § [56-594](#) or [56-594.01](#) or by a small agricultural generator under § [56-594.2](#); or (iii) the locality waives the requirement that solar facilities be reviewed for substantial accord with the comprehensive plan. All other solar facilities shall be reviewed for substantial accord with the comprehensive plan in accordance with this section. However, a locality may allow for a substantial accord review for such solar facilities to be advertised and approved concurrently in a public hearing process with a rezoning, special exception, or other approval process.

Code 1950, §§ 15-909, 15-923, 15-964.10; 1958, c. 389; 1960, c. 567; 1962, c. 407, § 15.1-456; 1964, c. 528; 1966, c. 596; 1968, c. 290; 1975, c. 641; 1976, c. 291; 1978, c. 584; 1982, c. 39; 1987, c. 312; 1989, c. 532; 1990, c. 633; 1997, cc. [587](#), [858](#); 1998, c. [683](#); 2007, c. [801](#); 2009, cc. [670](#), [690](#); 2012, cc. [803](#), [835](#); 2016, c. [613](#); 2018, cc. [175](#), [318](#); 2020, c. [665](#); 2022, c. [181](#).

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.



County of Prince George, Virginia

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

October 12, 2023

NOTICE OF PUBLIC HEARING - PLANNING COMMISSION

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

This is notification that the Prince George County Planning Commission will hold a public hearing on **Thursday, October 26, 2023 beginning at 6:30 pm** to consider the following request that involves the Prince George County Zoning Ordinance:

SUBSTANTIAL ACCORD SA-23-01: Determination by the Prince George County Planning Commission on whether or not the large-scale solar facility proposed by RWE Clean Energy in Special Exception Application # SE-23-09 is in substantial accord with the Prince George County Comprehensive Plan. The Comprehensive Plan Future Land Use Map indicates the property is planned for Residential or Agricultural uses, and the County’s adopted Solar Energy Facility Siting Policy provides guidance for the siting of new facilities within the County. The visually buffered development area for the facility is proposed to total +/- 506 acres and the total area of the parcels involved is +/- 1,270 acres. The property is identified by Tax Map #s 440(0A)00-071-0, 440(0A)00-072-0, 530(01)00-00B-0, 530(0A)00-001-0, 450(0A)00-028-0, 530(0A)00-046-0, and 530(0A)00-045-A, and is located near the intersection of Pumthouse Road and Thweatt Drive.

The public hearing will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875. A copy of the proposed Ordinance and other materials related to the above named request may be reviewed or obtained in the Planning & Zoning Office, located within the Community Development and Code Compliance Department in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday–Friday, or by calling 804-722-8678 or emailing planning@princegeorgecountyva.gov. All interested persons are invited to participate in the public hearing in person. A live video stream will be available at https://www.princegeorgecountyva.gov/live_stream/. Public comments can be submitted prior to 4:30 p.m. on the public hearing date. Public Comment submittal forms and information on accessing this meeting electronically are available at <https://www.princegeorgecountyva.gov>. Any person requiring assistance to participate in the public hearing is asked to contact the Planning & Zoning Office in advance so that appropriate arrangements can be made.

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

Sincerely,

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

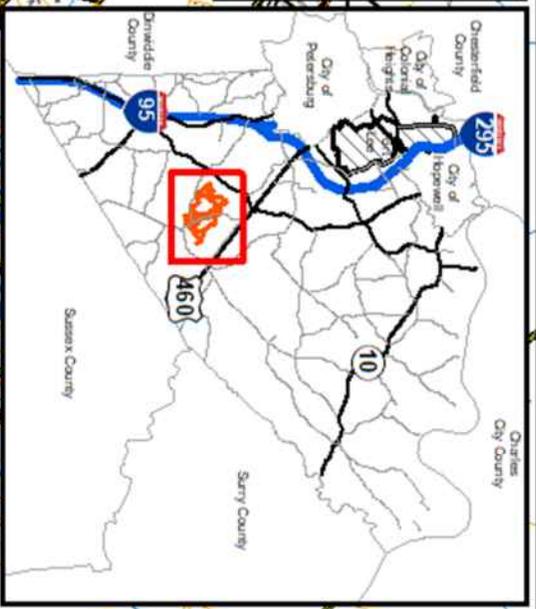
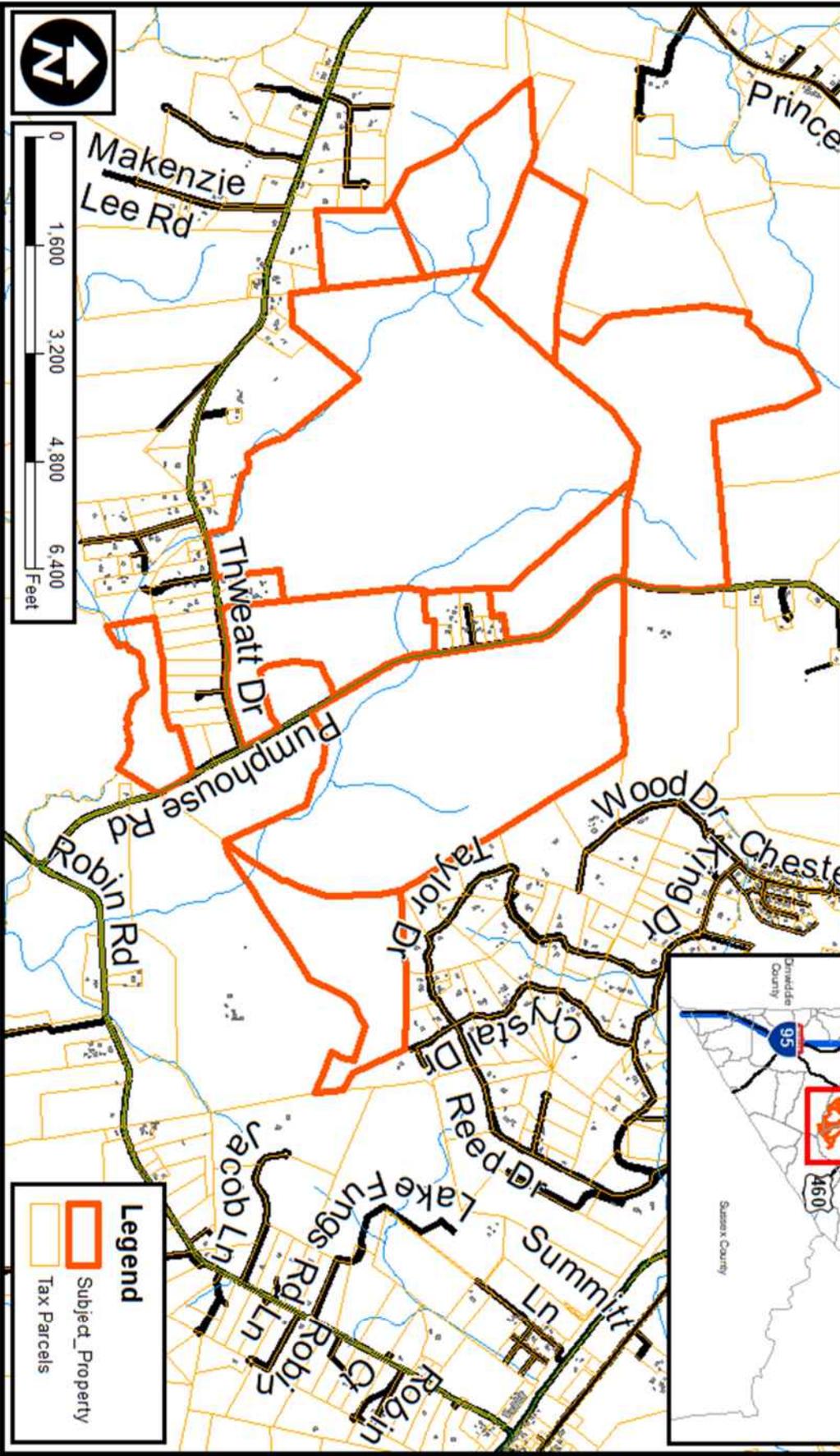
Tim Graves
Planner

Substantial Accord # SA-23-01

Applicant: RWE Clean Energy

Address: Near intersection of Thweatt Dr. / Pumphouse Rd.

Tax Map #: 440(OA)00-071-0, 440(OA)00-072-0, 530(O1)00-00B-0,
530(OA)00-001-0, 450(OA)00-028-0, 530(OA)00-046-0,
and 530(OA)00-045-A



Legend

- Subject_Property
- Tax Parcels

BEASLEY CHRISTOPHER S
7308 THWEATT DR
DISPUTANTA, VA 23842

BETHEA LEE R JR REVOCABLE TRUST
22619 BOYDTON PLANK RD
MCKENNEY, VA 23872

BOWLES JAMES A
4301 KELMARBI RD
SOUTH CHESTERFIELD, VA 23834

CHILDERS LIVING TRUST
13602 PUMPHOUSE RD
DISPUTANTA, VA 23842

CRISWELL JOSHUA D
7321 THWEATT DR
DISPUTANTA, VA 23842

ELDER WILLIAM R
13606 PUMPHOUSE RD
DISPUTANTA, VA 23842

ELIADES JANE M
1617 FOREST GLENN CIR
CHESTER, VA 23836

EVERSON PERCY A JR ET ALS
12789 PUMPHOUSE RD
DISPUTANTA, VA 23842

HARTSELL ROBERT C
7351 THWEATT RD
DISPUTANTA, VA 23842

HUNTER MICHAEL RAY
13650 TAYLOR DR
DISPUTANTA, VA 23842

JANEKA JEAN M
5201 THWEATT DR
DISPUTANTA, VA 23842

JOHNSTONE TIFFANY A
13580 TAYLOR DR
DISPUTANTA, VA 23842

MAITLAND DAWN R
7995 WOOD DR
DISPUTANTA, VA 23842

MARTIN WILLIAM D SR
13757 CRYSTAL DR
DISPUTANTA, VA 23842

MILLER JACK C JR
7207 THWEATT DR
DISPUTANTA, VA 23842

MORRIS CHAD A
7355 THWEATT DR
DISPUTANTA, VA 23842

MORRIS JEFFREY M
3800 ROBERT E LEE DR
NORTH PRINCE GEORGE, VA 23860

NEWBY MARILYN C
18799 LOVING UNION RD
DISPUTANTA, VA 23842

PENDERGRASS ASSET TRUST
407 RIVERVIEW CT
CHESTER, VA 23836

RHONEY CANDICE A
14615 BRICKHOUSE
DISPUTANTA, VA 23842

THE TITMUS FOUNDATION INC
PO BOX 10
SUTHERLAND, VA 23885

THWEATT WAYNE K ET ALS
1104 PENOBSCOT RD
RICHMOND, VA 23227

WHITE DONALD L JR
7309 THWEATT DR
DISPUTANTA, VA 23842

ARCHER WALTER E JR & VIRGINIA K
14777 BRICKHOUSE DR
DISPUTANTA, VA 23842

AUCOIN CHARLES H & DAWN C
13620 TAYLOR DR
DISPUTANTA, VA 23842

BALLANCE WILLIAM E & MARY J
7301 THWEATT DR
DISPUTANTA, VA 23842

BEASLEY ERNEST C III & JUDY D
7308 THWEATT DR
DISPUTANTA, VA 23842

BEAUDET JOSEPH O & DEBRA E
8011 WOOD DR
DISPUTANTA, VA 23842

BRINSON BOBBY G & JULIA M ET ALS
6850 THWEATT DR
DISPUTANTA, VA 23842

CASTRO HECTOR J & NATALIA
5118 MORRISON DR
MANVEL, TX 77578

CLARKE RICHARD D & CHRISTINE L K
13594 PUMPHOUSE RD
DISPUTANTA, VA 23842

COKER MICHELLE L & ADAM S
13732 PUMPHOUSE RD
DISPUTANTA, VA 23842

REDMAN NICHOLAS
& DELGADO JOSEPHINE
14616 PUMPHOUSE RD
DISPUTANTA, VA 23842

EDWARDS BRIAN J & JENNIFER R
7375 THWEATT DR
DISPUTANTA, VA 23842

EVANS SHEILA D & MITCHELL L
6314 THWEATT DR
DISPUTANTA, VA 23842

FLIPPEN TODD B & MARIA
7341 THWEATT DR
DISPUTANTA, VA 23842

FLY JAMIE LEE & FLY ABBIE ANDERSON
7008 THWEATT DR
DISPUTANTA, VA 23842

FORD WILLIAM M III & MICHELLE
6412 THWEATT DR
DISPUTANTA, VA 23842

GALVIN KENT A & KIMBERLY D
6514 COUNTY DR
DISPUTANTA, VA 23842

GOBBLE BRUCE W & BRENDA K
13670 TAYLOR DR
DISPUTANTA, VA 23842

HANCOCK TIMBERLAND XII INC &
HANCOCK FOREST MANAGEMENT
13950 BALLANTYNE CORP PL STE 150
CHARLOTTE, NC 28277

HEDGEPEETH WILLIAM JR & AMY H
6214 THWEATT DR
DISPUTANTA, VA 23842

HELSEL DOUGLAS R & TAMMY J
7107 THWEATT DR
DISPUTANTA, VA 23842

INGRAM JOSHUA S & MORGAN A
7205 THWEATT DR
DISPUTANTA, VA 23842

JACKSON ERNEST L R & SHARON D
6502 THWEATT DR
DISPUTANTA, VA 23842

KETCHUM KYLE R & MADELYNE H
14380 PUMPHOUSE RD
DISPUTANTA, VA 23842

KNIGHT JOHN W & MARY A
118 S 13TH AVE
HOPEWELL, VA 23860

MINIX BRIAN W & AMBER S
7012 THWEATT DR
DISPUTANTA, VA 23842

MORAN KEVIN M & BRANDI
13800 CRYSTAL DR
DISPUTANTA, VA 23842

RICHMOND PAUL D & HAZEL M
6650 THWEATT DR
DISPUTANTA, VA 23842

ROSBICKI STEPHEN & CATHERINE
8406 ROBIN RD
DISPUTANTA, VA 23842

BROWNING PAMELA J
& STORY AARON T
13610 PUMPHOUSE RD
DISPUTANTA, VA 23842

SULC BRADLEY J & KELLY L
9110 JACOB LN
DISPUTANTA, VA 23842

WHEATLEY JAMES R & MAGGIE H
6110 THWEATT DR
DISPUTANTA, VA 23842

WHITE RODNEY D & RIKKI E
6996 THWEAT DR
DISPUTANTA, VA 23842

WHITMORE WILLIAM G & KENDALL L
7335 THWEATT DR
DISPUTANTA, VA 23842

ANTONIO ELSA G
& HARNEY THOMAS M
6800 THWEATT DR
DISPUTANTA, VA 23842

Natalie Gerber
701 Brazos Street, Suite 1400
Austin, TX 78701

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

The Prince George County Planning Commission will hold public hearings on Thursday, October 26, 2023 beginning at 6:30 p.m. concerning the following requests:

SPECIAL EXCEPTION SE-23-07: Request to permit a commercial child care center within a General Business (B-1) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-393(28). The subject property is approximately 0.58 acres in size, located at 5844 Allin Road, and is identified as Tax Map # 230(26)00-004-0. The Comprehensive Plan indicates the property is planned for “Village Center” land uses.

SPECIAL EXCEPTION SE-23-08: Request to permit a special care hospital within a General Business (B-1) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-393(8). The purpose of the request is to allow an addiction treatment facility to open in existing buildings. The subject property is approximately 6.56 acres in size, located at 16905 Parkdale Road, and is identified as Tax Map # 580(05)00-004-B. The Comprehensive Plan indicates the property is planned for “Commercial” land uses.

COMPREHENSIVE PLAN AMENDMENT CPA-23-04: Request to amend the Comprehensive Plan Future Land Use Map designation for a specific property from “Commercial” to “Commercial / Industrial”. If the request is approved, the Comprehensive Plan would support industrial or commercial zoning districts and uses on the property. The subject property, approximately 44.235 acres in size, is identified by Tax Map #s 340(0A)00-007-D and 340(0A)00-007-E and is located at the end of Wagner Way. An additional portion of the property is located in the City of Petersburg.

SUBSTANTIAL ACCORD SA-23-01: Determination by the Prince George County Planning Commission on whether or not the large-scale solar facility proposed by RWE Clean Energy in Special Exception Application # SE-23-09 is in substantial accord with the Prince George County Comprehensive Plan. The Comprehensive Plan Future Land Use Map indicates the property is planned for Residential or Agricultural uses, and the County’s adopted Solar Energy Facility Siting Policy provides guidance for the siting of new facilities within the County. The visually buffered development area for the facility is proposed to total +/- 506 acres and the total area of the parcels involved is +/- 1,270 acres. The property is identified by Tax Map #s 440(0A)00-071-0, 440(0A)00-072-0, 530(01)00-00B-0, 530(0A)00-001-0, 450(0A)00-028-0, 530(0A)00-046-0, and 530(0A)00-045-A, and is located near the intersection of Pumphouse Road and Thweatt Drive.

The public hearings will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875. Copies of the proposed Ordinances and other materials related to the above named requests may be reviewed or obtained in the Planning & Zoning Office, located within the Community Development and Code Compliance Department in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday–Friday, or by calling 804-722-8678 or emailing planning@princegeorgecountyva.gov. All interested persons are invited to participate in the public hearings in person. A live video stream will be available at https://www.princegeorgecountyva.gov/live_stream/. Public comments can

be submitted prior to 4:30 p.m. on the public hearing date. Public Comment submittal forms and information on accessing this meeting electronically are available at <https://www.princegeorgecountyva.gov>. Any person requiring assistance to participate in the public hearings is asked to contact the Planning & Zoning office in advance so that appropriate arrangements can be made.

BY ORDER OF THE PRINCE GEORGE COUNTY PLANNING COMMISSION

Publish: 10/12/23 and 10/19/23

Begin

TAB 8

October 10 Recap

Board of Supervisors Adopts Updated Ordinance to Allow for Budgeted Employee Bonuses

At its October 10, 2023 meeting, the Prince George County Board of Supervisors held a public hearing and unanimously approved an Ordinance to authorize bonuses to be paid to employees as provided for in the adopted fiscal year budget. All ordinances must be advertised for a public hearing prior to adoption. This was not a request for money. The reason for the request is that the County received notice that state funds are going to be provided for the purpose of giving a one time “bonus” to employees who work in dispatch. Virginia Code § 15.2-1508, 1950, as amended, requires that any bonus paid to an employee be authorized by ordinance.

Other matters that came before the Board at its meeting:

- Approved on consent and presented a commendation to Sergeant Nicholas Wilder for his service to Prince George County.
- Approved on consent and presented a commendation to John Logan for his service to Prince George County.
- Approved on consent and presented a commendation to Joseph Simmons for his service to Prince George County.
- Approved on consent an appropriation in the amount of \$8,159.82 for insurance recoveries for the repair of FEMS vehicles.
- Approved on consent an appropriation in the amount of \$15,000.11 of Opioid Abatement Funds.
- Received a roads maintenance report from the Virginia Department of Transportation.
- Received a report from the Registrar’s Office on the election.
- Unanimously approved a resolution authorizing the Community Corrections Director to complete and submit a Cooperative Partnership Grant Application to the Virginia Opioid Abatement Authority.
- Discussed and voted four to one (with Vice-Chairman Webb abstaining) for Vice-Chairman Webb to be the representative with Chairman Hunter as the alternate of the Board of Supervisors to cast the vote(s) for Prince George County at the VACO Annual Business Meeting.
- Unanimously appointed Leigh Marie Harlan to the Social Services Advisory Board.
- Unanimously recommended to the Circuit Court to reappoint David Edwards to the Board of Board of Zoning Appeals.
- Unanimously appointed Kathy Brigman to the Senior Citizen Task Force.