

**PLANNING COMMISSION**  
**October 11, 2011**

The regular meeting of the King George County Planning Commission was called to order at 7:00 p.m. by Vice Chairman Gary Kendrick in the Board Room of the Revercomb Building, located at 10459 Courthouse Drive, King George, Virginia 22485.

**STAFF PRESENT:** Jack Green, Director of Community Development  
Heather Straughan, Planner

**MEMBERS PRESENT:** Gary Kendrick, Vice Chairman  
Jessica Herrink\*  
Karla Frank  
William Robie  
Anthony Scaramozzi  
William Eschmann, II  
Tara Patteson

**MEMBERS ABSENT:** Josh Colwell, Chairman  
Christopher Cox  
Doily Fulcher

**Quorum:**

Vice Chairman Kendrick called the meeting to order at 7:00 p.m. and noted that there was a quorum present. Mr. Anthony Scaramozzi led the Pledge of Allegiance and Mr. William Eschmann led an invocation.

**Approval of Minutes:**

Vice Chairman Kendrick called for a review by the Commission members of the minutes of their meeting held on September 13, 2011.

On page two, the second to last paragraph should read “He asked “if” the area beyond the Hopyard...”

There being no additional changes, Vice Chairman Kendrick called for a motion. Mr. William Robie made a motion that the minutes be approved as amended, seconded by Mr. William Eschmann. The motion carried by a vote of 6-0-0, each member voting as follows: Vice Chairman Kendrick Aye; Mrs. Frank Aye; Mr. Robie Aye; Mr. Eschmann; Mr. Scaramozzi Aye,

Mrs. Patteson Aye; the King George Planning Commission approved the minutes of their meeting held September 13, 2011.

### **Public Hearings:**

#### **Rezoning Application Case Number 11-03-Z01. A request by King George Residential, LLC, to rezone, with proffers, Tax Map 9, Parcels 82B and 82C from Rural Agricultural (A-2) to One-Family Dwelling District (R-1).**

Mr. Green presented the staff report to the Planning Commission. Mr. Green reviewed the information provided with the application which included: a narrative, a Rezoning Plat, a Proffer Statement, a Preliminary Engineering Report for water/sewer impacts; a Traffic Impact Analysis, a description of environmental impacts, and wetlands delineation. Mr. Green provided the Commission with comment letters from the Virginia Department of Transportation (VDOT) and the King George County Service Authority (KGSA).

Mr. Green reviewed the Rezoning Plat and highlighted key features depicted; including, the lot layout, the access location and type, the location of wetlands, the stormwater management area, the road layout, and a trail.

In reviewing the road layout, Mr. Green identified the location of a proposed inter-parcel connector shown on the rezoning plan. Mr. Green noted that while the inter-parcel connector is both a VDOT and County requirement; the location of the inter-parcel may not be practical to construct due to certain wetlands that would be required to be impacted. Mr. Green noted that due to the location and adjoining physical features; the property may not be able to comply with the inter-parcel connector requirement.

Mr. Green reviewed each Proffer Statement. He noted that the applicant offered 11 different proffers. Proffers offered included: land use, amenities, landscaping, transportation, water and sewer, stormwater management, and cash. Mr. Green reviewed each proffer offered to the County. Mr. Green noted that in the opinion of Staff, with the exception of the cash proffer offer, the proffer statement does not place any additional protections or limitations on the development of the property beyond those which would be otherwise required by local, state, and federal laws and regulations

Mr. Green noted that VDOT recommends the entrance design to match the existing condition of shoulder and ditch design as opposed to curb and gutter design required by the County Subdivision Ordinance. Mr. Green noted that following the VDOT recommendation may require an exception to the Subdivision Ordinance. Mr. Green also spoke of the traffic on Rt. 614 and based on increase volume from adjoining development, and its future to potentially widen the road.

Mr. Green reviewed recent actions on rezoning applications within the vicinity of the property and noted that On June 5, 2007, the King George County Board of Supervisors voted to deny a request (Case Number 04-04-Z04) to rezone Tax Map 9 (1), Parcels 1-12 (120 acres) from Rural

Agricultural (A-2) to One-Family Dwelling District (R-1). Mr. Green stated this property is on the north side of Route 614, across the road from the property currently requesting rezoning.

In summary Mr. Green noted that:

1. The property is located on the fringe of the Dahlgren Primary Settlement Area.
2. The rezoning proposes to increase the property density from 7 to 34 lots.
3. The subdivision layout should be modified to ensure it complies with the standards of the County subdivision ordinance.
4. The proffer statement limits development to “single-family” homes.
5. The proffer lacks needed specificity in numerous of its statements.
6. The Rezoning Plat indicates that the subdivision design will create a dead end cul-de-sac road with little realistic opportunity for future connection.
7. The development lacks the specific design criteria outlined in the Village District Development Guidelines.
8. In 2007 a request for rezoning of an adjacent property was denied by the King George County Board of Supervisors.
9. The property site is low with poor drainage, and a high water table.

Based on the Staff analysis of the material provided in the rezoning application; Mr. Green recommended that the King George County Planning Commission forward this case to the Board of Supervisors with the recommendation that the request be denied.

\*Mrs. Jessica Herrink arrived at 7:23pm

Vice Chairman Kendrick opened the floor for Public Hearing, starting with comments from the applicant.

Mr. Thomas Kwako spoke on behalf of the project as Managing Partner. He advised the Commission that he was requesting a small subdivision, in comparison to the existing subdivisions and previously denied applications. He reviewed the adjacent commercial properties that are currently being developed and believes his request should be approved.

Mr. Kwako then introduced his Engineer, Mr. Bruce Reese, with the Engineering Group. Mr. Reese addressed Mr. Green’s comments in regards to the inter-parcel connector, wetlands and right of way requirements, assuring the Commission all of which could be achieved.

Ruby Brabo, Vice President of Chatham Village home owners association for sections 1 & 2, requested that the Commission deny the rezoning request. She spoke of her concerns for the widening of Owens road and how it would remove part of her and her neighbors’ backyards. She also stated she came to this area for its rural character.

Mr. Green noted a written comment in opposition provided by Mr. and Mrs. Mondalexis who are adjoining property owners.

There being no further public comments Vice Chairman Kendrick closed Public Comment and asked the Commission for discussion.

Mrs. Frank questioned why the application was withdrawn in 2007. Mr. Green stated that he could not speak for the applicant who withdrew the application; but, would offer in his opinion that the application was withdrawn for the same reasons stated in the Staff Report.

Mr. Kendrick noted that the land is low lying and a high water table exists in that general area of the County and questioned Staff if more of the property is wetlands than shown on the rezoning plat. Mr. Green responded that those areas meeting the US Army Corps of Engineering definition of wetlands are identified on the rezoning plat. Mr. Kendrick also expressed his concerns for adding additional traffic on Rt. 614. He also stated that the proposed proffers do not offer the county incentive for the change in zoning.

Mr. Robie questioned how the existing zoning conditions could accommodate two dwelling units per parcel. Mr. Green stated that the property is currently zoned Rural Agricultural which does allow duplex units as a use by right.

There being no further questions from the Commission, Vice Chairman Kendrick requested a motion.

Mr. Robie moved to forward Case Number 11-03-Z01 to the Board of Supervisors with the request the application be denied, Mrs. Frank second and the motion carried by a vote of 7-0-0, each member voting as follows: Vice Chairman Kendrick Aye; Mrs. Frank Aye; Mr. Kendrick Aye; Mrs. Herrink Aye; Mr. Robie Aye; Mr. Eschmann; Mrs. Patteson Aye; Mr. Scaramozzi Aye.

**Case Number 11-08-S01, Subdivision Ordinance Text Amendment, include the division of commercial and/or industrial property within the definition of “Major Subdivision”.**

Mrs. Herrink disqualified herself, due to a conflict of interest.

Mr. Green presented the staff report to the Commission. Mr. Green explained that definition is to provide clarity for commercial and industrial subdivision to be treated as a Major Subdivision.

Vice Chairman Kendrick opened the floor for public comment.

Mr. David Deputy addressed the commission with his concerns that copies of the adopted subdivision ordinance available to the public did not contain the correct text.

There being no other public comments, Vice Chairman Kendrick closed Public Comment.

Upon question by the Commission, Mr. Green acknowledged that the Staff found copies of the subdivision ordinance not containing the correct text available to the public. Mr. Green noted that Staff has made sure copies of the ordinance available to public contain the correct text.

There being no further discussion Mrs. Frank motioned that Case Number 11-08-S01 Subdivision Text Amendment be forwarded to the Board of Supervisors with the recommendation for approval. Mrs. Patteson seconded and the motion carried by a vote of 6-0-0, each member voting as follows: Vice Chairman Kendrick Aye; Mrs. Frank Aye; Mrs. Patteson Aye; Mr. Kendrick Aye; Mr. Robie Aye; Mr. Eschmann; Mr. Scaramozzi Aye.

### **Plan Review**

#### **Journal Complex Commercial Subdivision Plat, Tax Map 24 Parcel 177.**

Mrs. Herrink disqualified herself, due to conflict of interest.

Mr. Green gave the staff report and reviewed the description of the site plan including property identification, location, land use, area table, minimum area requirements, and construction of private roads. Staff recommended approval.

There being no questions, Vice Chairman Kendrick called for a motion.

Mr. Scaramozzi moved to approve the Journal Complex Commercial Subdivision Plat, Tax Map 24 Parcel 177. Mrs. Patteson second and the motion carried by a vote of 6-0-0, each member voting as follows: Vice Chairman Kendrick Aye; Mrs. Frank Aye; Mrs. Patteson Aye; Mr. Kendrick Aye; Mr. Robie Aye; Mr. Eschmann; Mr. Scaramozzi Aye.

#### **L.E. Smoot Memorial Library Expansion Final Site Plan, Tax Map 24B (3), Parcels 1, 2, and 30.**

Mr. Green gave the staff report and reviewed the description of the site plan including property identification, location, land use, area table, minimum area requirements, storm water management and construction of roads. Both Service Authority and VDOT have approved the Final Site Plan. Staff recommends approval.

Vice Chairman Kendrick called for a motion.

Mr. Robie moved to approve the L.E. Smoot Library Expansion Final Site Plan, Tax Map 24B (3) Parcels 1, 2, and 30. Mr. Scaramozzi second and the motion carried by a vote of 7-0-0, each member voting as follows: Vice Chairman Kendrick Aye; Mrs. Frank Aye; Mrs. Herrink Aye; Mr. Kendrick Aye; Mr. Robie Aye; Mr. Eschmann; Mrs. Patteson Aye; Mr. Scaramozzi Aye, and the motion carried with a unanimous vote.

### **Old Business:**

#### **King George County Comprehensive Plan**

Sheriff's Dempsey spoke of the accreditations, programs and equipment used by the Sheriff's Office. He also reviewed the Public Safety Section of the "Community Facilities Plan".

Mr. Green discussed the Urban Development Areas of the Comprehensive Plan in regards to these areas being able to accommodate required growth.

Mr. Green also updated the Commission on various topics discussed with the Board of Supervisors at it October 5, 2011 meeting.

**Public Comment:**

Vice Chairman Kendrick opened and closed the floor to public comment.

**New Business:** None.

**Director's Report:**

**Board of Supervisor's Action:**

- On September 20, 2011, per the Commission's request, the King George County Board of Supervisors forwarded Case Number 11-08-S01, Subdivision Ordinance Text Amendment, Definition of Commercial and/or Industrial Subdivision back to the Commission for public hearing and recommendation.
- Report on Mobile Vendors to be presented to the October 4, 2011, Board of Supervisors meeting.

**Information Items:**

- September 20, 2011, Board of Supervisors Community Development Directors Report.
- Assessing Sustainability, A Guide for Local Governments: Chapter 5: Ecological and Carbon Footprinting: Chapter 6: Comprehensive Instruments: LEED for Neighborhood Development ICLEI Star Community Index.

**Other Business: None**

**Adjournment:**

Vice Chairman Kendrick called for a motion to adjourn.

Having completed the meeting agenda and on a motion made by Ms. Karla Frank, seconded by Mrs. Patteson, and carried by a unanimous vote of 7-0-0, each member voting as follows: Vice Chairman Kendrick Aye; Mrs. Frank Aye; Mrs. Herrink Aye; Mr. Kendrick Aye; Mr. Robie

Aye; Mr. Eschmann; Mr. Scaramozzi Aye, and the King George County Planning Commission adjourned their meeting at 8:51 p.m.

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VICE-CHAIRMAN

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DATE