

Green Energy Ventures — King George Technology Center Project
**Applicant's Responses to County's February 18, 2025 Comment Letter and VDOT's
February 13, 2025 Comment Letter**

County's February 18, 2025 Comment Letter

We offer the following comments on the application:

1. TIA Comments:

- a. Pages 31 — 62/Overall Comment — Several intersections are now shown with LOS E or LOS F that are not being mitigated, including in the newly analyzed Future Conditions Plus Six-year and R-Cut scenarios. Explanations have been provided. There should be continued coordination with VDOT and King George County to address/resolve.

Response – Acknowledged. All intersections operate at an acceptable level of service at an overall capacity level. We have coordinated with VDOT and King George County to determine that no additional mitigations are needed beyond what has already been provided. It is noted that VDOT has not expressed any concern about the capacity analysis results and given the provided explanations, no further mitigations are warranted.

- b. Page 34 — Under the last paragraph under "Future Conditions Analysis Summary", it appears there is some text that was intended to be stricken but was not, which changes the intent of the sentence. It states, "As noted, the construction a contribution towards the planned right turn lane and/or a future traffic signal Please strike "a contribution towards" and replace with "the construction of" since it has been agreed that the applicant will construct the improvement.

Response – Acknowledged. This text will be updated.

- c. Page 42 — Under Section 7, Left and Right Turn Lane Warrants, the last sentence should reference Figure 7-3 (as opposed to 7-2).

Response – Acknowledged. This text will be updated.

- d. All required/recommended improvements shall be shown on the GDP.

Response – Acknowledged.

- 2. Previous comment: As it relates to exceptions being requested for this development (i.e., number of entrance points onto an HCOD roadway), please consult Section 5-4-3-B #1-#6 and be prepared to provide responses to each prior the Planning Commission meeting for inclusion in Staff report and/or presentation This is a recommendation. Follow-up BFG response: This recommendation stands for moving forward to Planning Commission.

Response – Acknowledged.

3. Overall Comment: Please address any pending Service Authority Comments.

Response – Acknowledged.

4. Overall Comment: Please address any King George Fire & Rescue comments. Please note that Fire & Rescue has expressed their concerns with the funding and timing of the aerial ladder truck needed for the proposed data center building heights.

Response – Acknowledged. Please see incorporated King George Fire & Rescue comments and their responses below, as well as Proffer revisions.

5. Overall Comment: County Attorney will review, and any comments will need to be satisfied.

Response – Acknowledged. Please see incorporated County Attorney comments and their responses below.

6. Overall Comment: Economic Fiscal Impact comments will be provided and will need to be addressed.

Response – Acknowledged.

7. Overall Comment: Water supply, and the appropriate review agency based on water demand/usage (Health Department, Office of Drinking Water, or DEQ), will need to be satisfied.

Response – Acknowledged.

8. Proffer comments:
 - a. Under IV. Transportation, number 4a and 4b, proffer refers to a "right turn taper". The required improvement is a "right turn lane and taper." Please ensure all references to turn lanes refer to "turn lane and taper," and keep the remainder of the proffers, which appropriately refer to the location and "in accordance with County and VDOT standards."

Response – the proffer language has been updated to state "right turn lane" only because such right turn lanes inherently include tapers. Also, the "in accordance with County and VDOT standards" language has been preserved.

- b. Under IV. Transportation, the proffers refer to "Access Point 1", "Access Point 2" and "Access Point 3". In the GDP, Sheets 8 and 9 refer to the access points with differing numbers. Staff understands this is due to offsite intersections (in the TIA, and on Sheet 9) versus on-site only entrances (Sheet 8). Please update proffers (and all references) to the appropriate Sheet #s so there is no confusion.

In Proffer 4, the Access Points numbers are referring to those on Sheet 8 of the GDP.

Response: The Access Point references have been checked to ensure consistency with the GDP

- c. Under IV. Transportation, Proffers 4d and 5 have an added clause at the end — "If requested to do so by VDOT". The County takes exception to this clause — please remove the clause from all proffers.

Response: The Proffer has been revised.

- d. Under V, Site Design, Proffer 5d refers to Sheet 5 of the Zoning Plan. Sheet 5 is now the Utilities Sheet; it is likely the applicant intended to reference Sheet 6 instead.

Response: The Proffer has been revised.

- e. Under VII Public Safety, Proffer 2, the County takes exception to funding being contingent on the County providing proof of procurement of the firefighting equipment needed. Please also note previous concerns on the amount of the proffer less than the cost estimate provided by Fire & rescue, and the timing of the funding as compared to the construction and eventual opening of the data center (based upon the minimum 4-year lead time of procurement from the vendor).

Response: The Proffer has been revised.

- f. Under VII Public Safety, Proffer 3, the County takes exception to the proffer being contingent on County's written request. Proffers offered should be rendered by the applicant.

Response: The Proffer has been revised.

- g. Proffer IV Transportation (Page 3) — General comment — Relatively repeat/advisory comment - Please include all recommended/necessary improvements from the updated TIA (to a Chapter 527/870 analyzing Build Out + 6 years and all other requirements as previously discussed) and subsequent VDOT comments for necessary improvements with future submissions.

Response: Acknowledged.

- h. Under X. Noise — sound studies will need to be rendered prior to occupancy permit for each data center (not the "final" data center). This is an ordinance requirement. Please reference Zoning Ordinance Section 8-10-5-A-3.

Response: The Proffer has been revised.

9. Narrative comments:

- a. Narrative will need to be updated accordingly depending on the outcome due to comments above.
- b. Page 3 Setbacks, Buffers, and Landscaping Section — minor comment by the landscaping is shown on Sheet 6 (not Sheet 5 as referenced) of the Zoning Plan.
- c. Page 5 Transportation Section — In Phase 2 of the TIA, the applicant needs to construct a right turn lane and taper, not just a taper. Please update the proffer and the narrative and other references as necessary to reflect the turn lane

Response: Acknowledged.

10. GDP Sheet 1 — Minor comment but in the plan status revision block, the 1/17/25 submission (this submission) is the 7th submission.

Response: Revised.

11. GDP Sheets 8 & 9 —The access point numbers between Sheets 8 & 9 do not match. While this is not necessarily an issue, in order to eliminate confusion, please ensure that all references reference the appropriate sheet/access point

Response: The access points have been revised on Sheet 8 to match the TIA.

12. The review of this Zoning Plan does not constitute a full technical review. Engineering and code compliance for construction will be reviewed at the site plan stage and appropriate comments will be rendered at that time.

Response: Acknowledged

County Attorney Comments:

- This is correct but I advise against it. Should be by text amendment

Response: It is our understanding that the Board of Supervisors will initiate a text amendment at their next meeting. However, as Mr. Stuart notes the height can also be lawfully attained through a proffer or condition to the Special Exception.

- I'm certain the county does not want to condemn

Response: All suggestion of condemnation has been removed.

- Should be done by text amendment.

Response: See above.

- Typically we see voluntary conditions with Special Exceptions. But if other conditions are adequate, that's okay.

Response: In most jurisdictions the locality proposes conditions, which are fundamentally different than proffers and cannot be offered “voluntarily.” In this case any such conditions would likely be redundant.

Fire Chief Moody’s Comments:

- COMMENT: The proposed aerial ladder truck by our Department should adequately service the proposed building heights by the applicant.
- COMMENT: It shall be noted that the Department has requested \$2,700,000.00 in the FY26 Capital Improvement Program (CIP) for an Aerial Ladder Truck, Our most recent cost proposal from the vendor for this apparatus is \$2,591,632.00 and the price is valid until March 31, 2025. Additionally, we estimate that there will be an additional \$100,000.00 of equipment that will be needed to outfit this apparatus. Furthermore, the proposal is for a 2029 and will take an estimated 4 years from time of order to time of delivery. Once received there will be an estimated 3 months of equipment installation and staff training on this apparatus prior to being placed into service. I have attached the most recent cost proposal from Atlantic Emergency Solutions for the aerial apparatus ladder truck.

Due to the 4-year extended build time and timing of funds being released to the County, it is recommended that this aerial truck be ordered as soon as possible.

Response: Proffer has been revised.

- COMMENT: My recommendation is to allow this \$100,000.00 be also used also for equipment needs, along with training and personnel expenses. This will assist with increased costs associated with equipment that can be used for the aerial ladder truck or other necessary equipment.

Response: Proffer has been revised.

- COMMENT: This will allow for dedicated annual funding for public safety or public utility needs and may assist with the funding of additional Fire / Rescue personnel to support and service this project.

Response: Acknowledged.

VDOT’s February 13, 2025 Comment Letter

1. Transportation Proffers (4) (c)(d): states that the “applicant will construct at its expense any signal warrant and traffic signalization improvements determined to be warranted”. It is recommended that the proffers specify that a Signal Justification Report (“SJR”) shall be submitted to VDOT. Please note that screening of intersection control alternatives will be required with the SJR. It is recommended that the proffer not be limited to the construct and expense of a traffic signal. It is recommended that the

applicant be required to install/construct any intersection improvements if required/approved by VDOT and warranted by the SJR. (Note to TLU: TE will defer to Planning for proffer language comments).

Response – The Proffers have been updated to reflect the foregoing.

2. Transportation Proffers (4) (c)(d): Proffer states that a warrant analysis will be submitted if requested to do so by VDOT. It is recommended that the language include upon request by the County and/or VDOT.

Response – Acknowledged. The proffers have been updated to add the county to this line.

3. Table 2-2 Page 10: Please provide in the report the total length of study for the crash rate calculation and verify if the study segment includes all study intersections.

Response – The crash rates for the Fredericksburg District were provided by VDOT on January 15th, 2025. The crash rate for the site was calculated using the crash data used in the report for the three-year period studied and uses the latest VDOT bi-directional volume data. The segments analyzed encompassed all the study intersections and all the included crashes.