

STAFFORD COUNTY PLANNING COMMISSION

September 27, 2023

The meeting of the Stafford County Planning Commission of Wednesday, September 27, 2023, was called to order at 6:00 PM by Chairman Kristen Barnes in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center.

MEMBERS PRESENT: Kristen Barnes, Albert Bain, Steven Apicella, Martin Martinez, Laura Sellers, Willie Shelton, Jr.

MEMBERS ABSENT: Dexter Cummings

STAFF PRESENT: Kathy Baker, Lauren Lucian, Stacie Stinnette, Mike Zuraf

DECLARATIONS OF DISQUALIFICATION

Ms. Barnes: Do you have any declarations of disqualifications this evening? Alright, hearing none, do you have any changes to the agenda? Okay, hearing none. Alright, I'll go ahead and open up the public presentation portion of this evening's meeting. This is an opportunity for anyone to speak on any topic or item except those items that are scheduled for public hearing tonight. Items for public hearing will have a separate opportunity for public comment after staff and applicant presentations. When you come forward, state your name and address. Once you do so, the green light at the podium will come on indicating three minutes to speak. The yellow light will come on when one minute remains. And the red light will begin blinking when time has expired, and we ask that you work to conclude your comments. Would anyone like to come forward during this portion and address the Commission? Okay, I don't see anyone rushing the podium, so we will move on to the next agenda item which will be closed, looks like we're having a closed meeting and Mr. Martinez, I believe you have some some legalities to read.

PUBLIC PRESENTATIONS

CLOSED MEETING – SEC. 2.2-3711(A)(8)

Mr. Martinez: A Resolution to Authorize Closed Meeting. Whereas, the Commission desires to hold a Closed Meeting for consultation with legal counsel regarding the Comprehensive Plan Compliance Review, which is a specific matter requiring the provision of legal advice by such counsel; and Whereas, pursuant to Virginia Code 2.2-3711(A)(8), such discussion may occur in Closed Meeting; Now, therefore, be it resolved that the Stafford County Planning Commission on this the 27th day of September, 2023, does hereby authorize discussion of the above matter in Closed Meeting.

Ms. Barnes: Maybe I'll turn that on, thank you. We'll just do a voice vote for this one if that's okay. All in favor?

All members: Aye (*Mr. Cummings absent*).

Ms. Barnes: Any opposed? Any abstention? Okay, motion passes. And I believe we also need to make a motion to allow...

Mr. Apicella: Madam Chairman?

Ms. Barnes: Yes?

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Mr. Apicella: I'm gonna go ahead and make that motion. I'd like to make a motion to authorize staff to attend the closed meeting.

Ms. Sellers: Second.

Ms. Barnes: Okay, we have motion by Mr. Apicella, second by Ms. Sellers. All in favor say aye.

All members: Aye (*Mr. Cummings absent*).

Ms. Barnes: Any opposed? Any abstentions? Alright, that passes and we will go into closed session.

CLOSED SESSION

Mr. Martinez: A Resolution to Certify the Actions of the Stafford County Planning Commission in a Closed Meeting on September 27, 2023. Whereas, the Commission has, on this the 27th day of September, 2023, adjourned into a Closed Meeting in accordance with a formal vote of the Commission and in accordance with the provisions of the Virginia Freedom of Information Act; and Whereas, the Virginia Freedom of Information Act, as it became effective July 1, 1989, provides for certification that such Closed Meeting was conducted in conformity with law; Now, therefore, be it resolved that the Stafford County Planning Commission does hereby certify on this the 27th day of September, 2023, that to the best of each members knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this sort of certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened, were heard, discussed, or considered by the Commission.

Ms. Sellers: Second.

Ms. Barnes: Okay, we have a motion and a second by Mr. Martinez and Ms. Sellers. Any discussion? Hearing none, all in favor?

All members: Aye (*Mr. Cummings absent*).

Ms. Barnes: Any opposed? Any abstentions? Motion passes. Alright, thank you very much. And we will move on to number 1 on our agenda tonight, Comprehensive Plan Compliance Review for the Chesapeake Ridge Subdivision. And for that we recognize Mr. Mike Zuraf.

PUBLIC HEARINGS

1. COM23155227; Comprehensive Plan Compliance Review – Chesapeake Ridge Subdivision – A request to review compliance with the Comprehensive Plan, in accordance with Virginia Code Sec. 15.2-2232, for the extension of public water outside the Urban Services Area to Tax Map Parcel Nos. 39-52 and 39N-A, located in the A-1, Agricultural Zoning District, at the terminus of Chesapeake Drive, approximately 3,200 feet south of Courthouse Road, within the Aquia Election District. **(Time Limit: November 26, 2023)**

Mr. Zuraf: Good evening Madam Chair, members of the Commission, Mike Zuraf with the Planning and Zoning Department to present the staff report for this item. This is a Comprehensive Plan Compliance Review for a project known as Chesapeake Ridge. The request tonight is to determine

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compliance with the Comprehensive Plan in accordance with Virginia Code Section 15.2-2232 for the extension of public water outside of the Urban Services Area. The property is zoned A-1, Agriculture. It's 49.3 acres in size. It's in the Aquia Election District. Brookstone Development is the applicant with Clark Leming as the agent. The site is highlighted here on the screen in red. It's located at the end of Chesapeake Drive, which is around 3,200 feet south of Courthouse Road. The aerial photo shows the existing conditions of the site. A majority of the area is undeveloped and consists of mature tree cover. There is an existing single-family dwelling on the western side of the site at the end of Dishpan Lane. Streams with Critical Resource Protection Area are located along the eastern portion of the site and also on the southern portion of the site. The site, as mentioned, has access to Chesapeake Drive and Dishpan Lane. They both stub into the site. Surrounding uses include a mix of Rural/Residential properties and some undeveloped properties as well. Here's the zoning map of the, of the site and surrounding area. The light green shading represents the A-1 zoning which here you can see the subject property and all the surrounding properties in this area are zoned A-1, Agricultural. There are... regarding the zoning history of the property, there are no proffers on the site. With development history, on July 7, 2020, the Board of Supervisors vacated a designated open space on parcel 39N-A. That is on this property. It was designated open space before and that was removed. In September of 2020, a cluster subdivision plan for 15 lots was approved on the entire site. And in 2022, a construction plan was submitted for those 15 lots and that is currently under review. The Comp Plan Future Land Use Map classifies the property as Agricultural/Rural in the future land, as a future land use designation. And it is outside of the Urban Services Area. The Urban Services Area is to the west; that's the red line that is on the west on the left side of the screen where you have the lighter yellow shading. The site layout for the... this is the site layout for the proposed 15-lot subdivision. And just kind of zooming in a little bit more to better see what's happening here. It proposes the extension of Chesapeake Drive to serve as the only public street in the subdivision. There are existing water lines that are highlighted in red you can see on the upper corners. The project would connect to an existing 10-inch water line located along Chesapeake Drive, which is up on the upper right-hand side of the screen and an existing 2-inch water line located along Dishpan Lane in the upper left-hand side of the, of the image. The proposed water lines internal to the subdivision, those are highlighted in blue. There'll be an 8-inch diameter and would follow Chesapeake Drive, the Chesapeake Drive extension. And also bisect two of the proposed parcels to connect to the Dishpan Lane water line. The project meets the requirements under Utilities Ordinance Section 25-71(c) of the County Code that requires connection to public water for all new residential units in the subdivision outside of the Urban Services Area. Public sewer is not available to this development. Staff would note the Utility Ordinance, Section 25-71(c), is in conflict with the Comprehensive Plan Compliance Review and process involved. The Ordinance does require connection to public water in this situation. However, if the Comprehensive Plan Review, which is also a requirement, is denied, that required connection would not be permitted. And that would render the property undevelopable in this situation. So staff is separately working on a solution to work on amendments to the Utilities Ordinance to address this conflict. And that would be something that would happen at a later date. So staff has evaluated how the extension of public water outside the Urban Services Area complies with the applicable objectives and policies and other recommendations of the Comp Plan. Objective 2.4 discourages growth in rural areas, and a related policy discourages the extension of water and sewer outside of the Urban Services Area but does include exceptions. One of the exceptions deals... where it does apply is the proposal is consistent with a stated exception that supports the extension of public water utilities outside of the Urban Services Area only to improve water quality by completing loops for water lines previously constructed. And that would, the plan does identify connecting dead-end water lines to support looping in this case. And the Utilities Department does support this extension that would eliminate two dead-end water lines. And then...

Ms. Barnes: Mr. Zuraf, can I ask a quick question?

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Mr. Zuraf: Yes.

Ms. Barnes: You said they don't want to... I'm just looking at it. I'm not an engineer. So I don't understand this when I'm looking at this, the plan, the waterline dead-ends into the cul de sac.

Mr. Zuraf: There is still a remaining single dead-end that does result. But there are two longer extensions that would get, that would get looped, and I think it's an improvement over the looping... you know, it improves the situation. Even though you would have, end up with one dead-end, but it does remove the two existing ones.

Ms. Barnes: Okay, thank you.

Mr. Martinez: Madam Chair, sir, Mr. Zuraf, what would that do to the water quality of the house or whatever, whatever is built at the end of that line?

Mr. Zuraf: Well, typically in these situations where there's lower density, where you have these dead-end water lines, it's... there's lower... there's issues with water quality. There's need for the Utilities to do more maintenance with flushing out the lines at the end because the water is more stagnant in this type of situation, whereas, as compared to an area where, where there's more interconnection among the water lines.

Mr. Martinez: Where would the water quality start diminishing towards that dead-end? Would it be that last lot? Or would it be the second to, third to last lot?

Mr. Zuraf: I couldn't answer that, sorry.

Mr. Martinez: Okay.

Mr. Bain: Mr. Zuraf?

Ms. Barnes: Go ahead.

Mr. Bain: Looping an 8-inch line to a 2-inch line hydraulically is really of no value. Because the 2-inch line, the volume of water that can go through that can't really help in terms of maintaining velocities in the 8-inch line so that sediment doesn't settle out and other water quality issues create. Is there any plan either from the Department of Utilities or from the applicant to perhaps increase that 2-inch line to a standard 8-inch line going back that road to where it connects to an 8-inch line?

Mr. Zuraf: That I'm not certain. I didn't hear... I'm not certain if the Utilities Department has that in the plans. It wasn't mentioned to me. All I know is that they approved of this looping and if that means they have other, other additional improvements later, I'm not aware. The applicant may be aware of that.

Mr. Bain: I'll ask the applicant then. Maybe he's willing to do that. Thank you.

Ms. Barnes: Do you by any chance know how many of these dead-ends we have in the County? Do we have a lot of them? Are they rare? Are they functional? Do we have a huge problem with them? And I know you don't work for the Utilities Department, but nevertheless, there are the questions.

Mr. Zuraf: I am not certain of the severity in that issue, of that issue.

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Ms. Barnes: Okay, thank you.

Mr. Zuraf: Second point under Objective 2.4, it would have a low potential of contributing to additional growth in this rural area of the County, although the properties on each side of the subdivision are roughly 28 acres in size, and they currently are located off of private access easements. And there are no new public street connections proposed to those two adjacent larger properties, so it would be difficult to further subdivide those without acquiring additional land to provide a public street connection. And on this last point, the Comp Plan addresses how groundwater impacts development, including how it impacts, has an impact on private wells. This site is located within the coastal plain aquifer. And this is an area where generally well water yields are sufficient to support the use of private wells. Back to the very beginning of this year, we had a project, Rogers Glen, that was in the Piedmont aquifer and that area is different where you have situations that where there's much greater potential issues with private wells operating properly. In the coastal plain aquifer generally, they function, they function okay. Also Objective 5.10 states that provide appropriate public safety resources properly distributed to maintain community safety standards and to respond to threats to life and property. The extension of public water lines will provide the fire department improved access to water consistent with this objective. And the Fire Marshal's Office usually is all on board and supports these types of connections as it helps them with dealing with any emergencies that may occur out in the, out in the field. Looking at the overall evaluation of the, of the request, there are positives. The extension of public water in this location will improve the water quality as it completes a loop of water lines previously constructed. It provides for better Fire and Rescue service, and there's limited potential for contributing to additional growth in the rural area. And staff does not see any negative impacts with this request, and would recommend the Planning Commission find the request to be substantially in accord with the Comp Plan pursuant to Resolution PCR23-17.

Ms. Barnes: Okay, thank you, Mr. Zuraf. Any other questions for staff? Okay, thank you Mr. Zuraf. Would the applicant like to come forward? Welcome, Mr. Leming.

Mr. Leming: Good evening, Madam Chairman and members of the Planning Commission. I'm Clark Leming, and I'm here on behalf of the applicant, Brookstone Homes. This paradox is not new. If anybody here recalls, maybe Mr. Apicella, but I was actually on the County's Utilities Commission until 2003. I served there for about 15 years. And then somebody had some thought about me learning too many of the County's secrets by being on the Commission, so I was, I didn't serve after that point in time when that issue was raised. I'm hard-pressed to think of it as a secret that I did learn, but I thought about it many times. At that time, there was actually a requirement under the Ordinance that both water and sewer were required under this cost formula... distance, it was a combination, either/or... *inaudible*... difference. And I think the thought at that point was, if you can tie into it and it doesn't cost that much to do that, you should do it for both water and sewer. Now, the, that's progressed and the, I think the opinion was developed and built into the Comp Plan that, well, we don't want to do that for sewer because that may actually cause additional growth. And so it was then limited to water. I have had two cases where we had the same paradox. We have an area outside of the growth area or a partial area of a parcel and no Comp Plan review was required for water. In one case, it was required for sewer, but not for water because of this provision in the Ordinance. The exception that is created and the formula and the fact that the Ordinance and the Comp Plan, to some extent, are going opposite to each other. So, in this case, I was a little surprised... I actually had one the other way, too, where somebody was inside the Urban Service Area, but it was so expensive to bring water and sewer there that they got an exemption from the County and didn't have to do that and went forward on well and septic; the opposite scenario. So this is not exactly new territory. I was surprised this time when we were told that we did have to do a Comprehensive Plan Compliance Review, although in going back over notes with my client and the

comments that had come in on the application, it appears that it was raised at some point in the review process. I don't think they had any idea what it was or what a Comprehensive Plan Compliance Review was and did not ask for it. The project did not assume from the beginning that it would need water. When the initial plans and discussions were held with the County, the Ordinance was then brought to the attention of the, uh, of the applicant and the requirement that they tie into water. And that's how they proceeded. And that's how they developed the plans. And you know, so here we are a couple of years later with a Comprehensive Plan Compliance Review. Now, I think I heard somebody say that, maybe Mr. Zuraf, that they were going to look at this whole thing and try to to disentangle this apparent contradiction, so that both the... so that this isn't necessary if there's an Ordinance requirement. In any case, in this particular situation, looking at this as narrowly as possible in whatever the County decides to do in the future, the applicant has in good faith reliance, accepted the requirement that they're going to be on water. And all of the engineering that has occurred after that point in time assumed that that was the call. Now, I don't mean to suggest to you that some sort of zoning determination was made. This is the Subdivision Ordinance and the Utilities Ordinance that we're working under here. Nevertheless, I think the equities are there. Now, beyond that, and I will tell you that I had to think about this, because I've never had to justify a situation before where there was the mandatory connection requirement for water. But, but here we are. And I think, I think in fairness that the... I know that Mr. Santay was perplexed by it also, and wasn't sure and I think checked in with the County Attorney and was advised that a Comprehensive Plan Compliance Review was required. So off we go. And I specifically questioned that based on the history and the way this has been treated in the past. But, in this case, without getting into all of those issues, there appears to be plenty of basis for you're saying, yes, this is consistent with the Comp Plan. It simply comes down to what the Comp Plan says on its face. That's why I'm not sure if a review is necessary, but it creates this exception, the water loop exception, and that's in plain print in your Comprehensive Plan. So I would suggest to you that that pretty strongly suggests to me, you don't need a Comprehensive Plan Review because it is consistent with the Comp Plan. It is an exercise of the water loop exception. Mr. Bain raised a question about 8-inch and 2-inch lines. We have our engineer here and he can, he can address that. But beyond that, I think the policy behind the Ordinance is that, particularly in this area of the County, east of the interstate, that it makes a whole lot more sense to have lots developed over there on public water, then to dig wells in that part of, more wells, in that part of the County, so that where it's cost effective, where it's not that far away, then, you know, require. When the Ordinance was originally adopted, I think, and when I was on the Utilities Commission, I think that was exactly the rationale for that. It makes more sense for these lots to be on water than it does to put them on wells. At that time, you know, a similar thought was that they should also be on sewer if the cost of the sewer was not so significant that you couldn't afford to hook up. But that, that train has passed, and it does show I think that the County has given some considerable thought to this requirement. You know, once it was both, now it's one, you have this exception under the Comp Plan. So it's not like nobody has thought about this. They've just apparently wasn't much of an effort to clear up the contradiction so that, you know, we didn't have to go into this step. So I think there's certain... certainly there's certainly environmental considerations and groundwater considerations that go behind the policy that I think is apparent behind the Ordinance. So, that, that I think is the conceptual, legal, and planning framework that you're, that you're operating under here. And I think that that pretty well supports finding that this is consistent with the Comprehensive Plan. Maybe we get into double negatives, not inconsistent with the Comprehensive Plan because of the the Ordinance, and I'm sure you all are aware that your Comp Plan does incorporate the County's, certainly the Zoning and the Subdivision Ordinances, and I've been sure to say that in case of this Utilities Ordinance, because of the planning implications of that is pretty well encompassed in that provision of the Comprehensive Plan as well. Now, that's really I think all that needs to be said about what's going on and what the justification is for a finding that it is consistent with or not inconsistent with the adopted Comprehensive Plan. The plan says it right on its face. Now, Mr. Bain, you had a question about 2-inch

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and 8-inch lines. So I am going to ask... Ryan Foroughi is here... and I'm going to ask Mr. Foroughi to, to address that.

Mr. Foroughi: Good evening, Ryan Foroughi, Bagby, Foroughi and Goodpasture, Engineer of record. Mr. Bain, the comment or the question about the 2-inch water line, the applicant does not intend to expand that line. Much of that line, that 2-inch line that comes down Dishpan Lane is not contained within an easement. So there's no ability, like for example, we are dedicating part of the easement on Dishpan Lane, the water line that comes through Dishpan Lane onto our property, we are dedicating maybe 70 or 80 feet of an easement around that existing line, and then we are tapping, we are tapping into that line. So there will be proper availability easements there, so when the County does decide, if they decide, to upgrade that line through Dishpan, it will be there, they'll have the ability to connect to it. And we are putting the proper reducers or increases, or increasers or enlargement on that line and proper spacing so we don't have to tear the whole thing up, we can just work within a 10 or 15-foot area to make the connection.

Mr. Bain: But you do agree that looping to a 2-inch line's really not very... *inaudible*... being talked over.

Mr. Fouroughi: No, no, there's not, there's not... going to a 2-inch line, there's not a lot of hydraulic value. We actually candidly kind of argued that case to the County Utility Department. And you know, I think through our models, three or four different durations of a model actually didn't result in much of anything but the requirement, the requirement was there.

Mr. Bain: The real reason for looping water quality is one, but the primary reason is to be able to provide fire flow in the event that one loop, a pipe is damaged, has to be shut down. It can be back fed from the other end of the loop. Trying to feed fire flow through 2-inch pipe is...

Mr. Foroughi: Is not feasible.

Mr. Bain: ... really, really immaterial.

Mr. Foroughi: That's correct.

Mr. Bain: Okay.

Mr. Foroughi: But it does, but it does provide a backup and, you know, also on the water quality, if I may, just to, um, I know there were some questions on that. There are two dead-end lines existing, Dishpan and then the one at the end of Chesapeake Drive or Chesapeake Ridge. The situation that you have is, is you're worried about churn, okay. So bacteria, if, if you have users on the end of the dead-end line, the water is running through the water line so it doesn't sit and get stagnant, which is exactly what is happening right now at Dishpan. There are no users that when the 2-inch line that comes onto our property, there's no one using it. So it is just sitting there. So at the end, you do get bacteria build-up. And it is a maintenance issue that the County has to maintain. Same thing is on Chesapeake as well. So it's sitting there, there are... there is nobody using it. There's just a dead-end fire hydrant so there's not any churn. So what we are proposing is we are looping and Ms. Bains, to your point, we are extending a dead-end. But there's a house at the very end of it. So there is churn; we don't have a 400-foot long line that has no user on the end of it that's stuck with a fire hydrant. So the lots go all the way down to the end of the cul-de-sac and so they'll be using that water meter in churn... in pulling the water

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out which that'll help, which, which that should negate the ability or, you know, the concern of water quality.

Mr. Leming: That was Ms. Barnes' question.

Ms. Barnes: Clarify that, yeah. Sometimes Al and I are married, Bains, so they call us Bains.

Mr. Foroughi: I'm sorry, Ms. Barnes. Sorry. Yeah, sorry about that.

Ms. Barnes: That's okay. So you said it would help and you said it would...

Mr. Foroughi: Nullify.

Ms. Barnes: ... nullify... well...

Mr. Shelton: Madam Chair, I have a question.

Ms. Barnes: Go ahead.

Mr. Shelton: What is your static pressure on the 2-inch line?

Mr. Foroughi: Oh, I don't know that I have that offhand. It wasn't a lot. I think it... I don't have, I don't remember the water model offhand. But I, I think it was somewhere around 18/16 psi at the end of that line.

Mr. Shelton: So, using the NFPA formula, using the 18 to 20, we're looking at a hydrant to deliver 475 gallons per minute or less.

Mr. Foroughi: On that, on that, just off of that line, that's correct. But currently, the way the project is designed, we are meeting the County's requirements for fire flow. That is, that I think is 1,000 gallons a minute at 20 psi by looping.

Ms. Barnes: Okay, well, that's what I was gonna ask, but you asked it, thank you. [*Laughter*] I don't even know what you said, but I trust you, okay.

Mr. Leming: You all talked before the meeting, I'm sure, yes.

Ms. Barnes: Go ahead.

Mr. Leming: But back to Ms. Barnes' question. She had talked about the new dead-end created. And you answered that partially to say since it ends at a house, there's not the same churning effect. But the distance of that particular line is much shorter than the current dead-end lines. So that just it just goes down a few lines. So it's, uh...

Mr. Foroughi: It is better, there's no question.

Ms. Barnes: Okay, any other questions for the applicant? No? Okay. Thank you very much.

Mr. Leming: Okay.

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Mr. Foroughi: Thank you.

Mr. Leming: Thank you all.

Ms. Barnes: Okay, so, yeah. So we'll go ahead and move into the public hearing, the public comment period, on this agenda item. It's an opportunity for the public to comment. Before starting your comments, please state your name and address. The clock starts when the green light appears. Yellow means there's one minute left. And red means your time is up. If you would like to speak on this agenda item, please come forward.

Ms. Maxson: Kristin Maxon. On page 11, 345, it says no apparent negative impacts are noted for this project. Just a reminder that it stated that open space will be donated to the Civil War Park. I was just wondering how people will be getting to this place. Will it be Courthouse Road or, um, Eskimo Hill? Or will the loop actually come down towards Jumping Branch Road to the, the proposed possibly intersection near it? So I just was wondering. Okay, thank you.

Ms. Barnes: Thank you, Ms. Maxson. Okay, anyone else like to come forward on this agenda item and address the Commission? Alright, seeing none, I will close the public hearing and bring this back to... Oh, I'm sorry. I haven't done this in a while; it's been a couple of months. Would you like to respond to that?

Mr. Foroughi: Sure.

Mr. Leming: Sure. Mr. Foroughi's gonna respond.

Ms. Barnes: Go ahead. Thank you.

Mr. Foroughi: So the open space that's being dedicated to the Civil War Park will be accessed from Courthouse Road. It comes down through Chesapeake. We extend Chesapeake at the end of the cul-de-sac. We are providing an ingress/egress right-of-way not... for the public use, which is on our plat, it's on our plan to get to the open space.

Ms. Barnes: So will there be parking at the end of there to get into the Civil War Park? Is that what you're saying?

Mr. Foroughi: Well, there's no... it's not a park. We're just providing, we're just donating the open space land.

Ms. Barnes: Okay. But is there going to be a trail or?

Mr. Foroughi: I don't think that we're putting in a trail; we're just providing the easement to get to the open space parcel.

Ms. Barnes: Okay. Because I had, I had visions of people parking and then hiking down that very steep hill there. That's not the case necessarily.

Mr. Foroughi: No, I don't think so.

Ms. Barnes: Okay. Anybody else have any questions?

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Mr. Bain: You're just providing the easement? You're not improving it with the roadway, paved road or anything?

Mr. Foroughi: No.

Mr. Bain: Alright. That's good.

Ms. Barnes: Okay, I think we're done. Thank you. Okay, I will go ahead and bring this back to the Commission and Mr. Apicella... wait... Mr. Martinez, this is Aquia, Mr. Martinez, this is in your district. How would you like to proceed?

Mr. Martinez: It doesn't happen very often, but yeah.

Mr. Bain: Can I ask a question of staff?

Ms. Barnes: Yeah, go ahead. I don't have a problem with that.

Mr. Bain: I'm sorry.

Ms. Barnes: Are you okay with that?

Mr. Martinez: I'll yield some time to Mr. Bain.

Ms. Barnes: Thank you.

Mr. Bain: Just, just a quick one, since we've been talking about Urban Service Areas. The Urban Service Area in the vicinity will not be extended to encompass this subdivision; it'll... those boundaries will remain. It's just that it's now going to get water that it would not otherwise have.

Mr. Zuraf: This action does not change or amend the Comp Plan. That would require a separate action of an amendment to the Comprehensive Plan, which is different.

Mr. Bain: Okay, thank you.

Ms. Barnes: Okay, well, hold on. On that note, the property to the east – is there... if that ever gets developed will they then have to... I noticed that there was no threat of extending that anymore, but there is a property immediately to the east. Will they then be within 300 feet and have to connect?

Mr. Zuraf: So let me go back to the...

Ms. Barnes: I'm on page 6 of the... I don't, I don't know what page that is for you.

Mr. Zuraf: So like this?

Ms. Barnes: Yeah.

Mr. Zuraf: Yeah. So with that, it would depend... I guess it's gonna depend on whatever offsite costs might, might result from the potential, I guess, extension of sewer to the, or water to the property. So that's hard to say right now. And also the other issue here is there is not being proposed any public street

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connection to that property. So right now, it's off a private access easement. So some exceptions from the Planning Commission would be needed to further subdivide to have additional properties off of a private access easement.

Ms. Barnes: So the Ordinance, Utilities Ordinance says you have to connect to it if you're within 300 feet. I can't tell from here, but is that within 300 feet of that, that water line there at the end of... is it Chesapeake?

Mr. Zuraf: It would... but I guess there would need to potentially, it depends on I guess where the property lines are they would have to... it doesn't connect or abut the property and so there maybe would have to be offsite easements that would be needed so.

Ms. Barnes: Okay. That's always my concern is when we, when we do these water lines is that we just kind of leapfrog like dominoes.

Mr. Zuraf: But the 300-foot is just a connection to if there was just one house built on the property.

Ms. Barnes: And... okay, I understand. Thank you. Alright, any other questions before I turn it back over to Mr. Martinez? Okay, take it away Mr. Martinez.

Mr. Martinez: Thank you, Madam Chair. I'll make a motion to approve COM23155227.

Ms. Sellers: Second.

Ms. Barnes: Okay, we got a motion by Mr. Martinez and a second by Ms. Sellers by a half a second. Any further discussion on this?

Mr. Martinez: Madam Chair, I'll just really quickly say that I appreciate the staff looking into and adjusting and the discrepancy that's going on with with the Ordinances. I think the client and the applicant made a compelling case that this would improve water quality and also be better for fire and rescue. I do not want to offend my, my colleague who is an expert in Fire and Rescue. So I really appreciate his expertise and this during during this review, so thank you.

Ms. Barnes: Okay, any other comments? Okay, hearing none, everybody cast your vote. And that passes 6 to 0 with 1 absent (*Mr. Cummings absent*). And thank you very much. Congratulations.

Mr. Leming: Thank you all.

Mr. Foroughi: Thank you.

Ms. Barnes: Okay, so let's move on to agenda item number 2, the Zoning Reclassification of RV Parkway. And I guess Kathy, you're going to, you're going... oh, there you are. You moved down there. Okay. You did that without me noticing it. Okay. There we go. Alright, and for that we recognize Kathy Baker.

2. RC23155236; Zoning Reclassification – RV Parkway – A proposed zoning reclassification from the R-1, Suburban Residential Zoning District to the M-2, Heavy Industrial Zoning District on Tax Map Parcel No. 45-98, consisting of 5.8 acres (Property). The Property is located at the end

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of RV Parkway, approximately 700 feet north of Warrenton Road, within the George Washington Election District. **(Time Limit: January 5, 2024)**

Ms. Baker: Thank you. Good evening. This is an application for the Stafford County Board of Supervisors, RV Parkway Reclassification. And this is a request to rezone from the R-1, Suburban Residential Zoning District to the M-2, Heavy Industrial Zoning District on Tax Map 45-98 at 5.8 acres. And I'll note that Stafford County is the owner and the applicant, and this is located within the George Washington Election District. The Board actually authorized this rezoning application back in March. They are acting as the applicant as well. It is intended that in the future, there would be a transfer of this property potentially to First Line Technology, who's currently in operation on Lindell Lane, which is down off of Route 17. The First Line manufactures and distributes products for first responders and military, and they're looking to expand their operation so they were looking for a larger site. They've been working through our Economic Development Authority. There were some prior discussions with the EDA and Economic Development staff and the Board of Supervisors over the last year. As you'll see in the red, this is the location of the property. It again currently is zoned R-1. You see R-1 properties to the west. To the north and east is B-2, Urban Commercial properties. And then to the south is a mix of M-1 and M-2 industrial properties. As you see it's located at the end of RV Parkway, which is north of Warrenton Road. Although RV Parkway has historically been developed with industrial uses in the past, the County's actually owned this property since the 1950s. And this shows the existing conditions of the site. It's all forested, again located at the end of RV Parkway, along where you see it's designated as Winner's Circle was a new industrial use that has been constructed, not too long ago actually. And again, RV Parkway just dead-ends at this site. I know someone asked the question how far Falls Run is; you can briefly see it at the top right-hand corner. It's about 250 feet away from the property line to the north. I will note that recent improvements have been made to the I-95 interchange which is not too far west of RV Parkway. And this shows the locations, the end of RV Parkway as you're heading towards, it curves to the right there on the top picture, it curves towards the property line. And then you'll see the RV Parkway at the Warrenton Road intersection as it's looking north towards the site. Again, to the west of this would be I-95 and the new interchange that I believe... not interchange but the new loop system for the exit ramps opened today. So the proposal for this project would be a chemical manufacturing and distribution operation within this proposed 20,000 square-foot building. The production process itself would take place inside the building and within actually vacuum sealed reaction vessels. So there would be nothing on the exterior of the building and it would all be contained. The finished product itself is a dry powder. And this would then be delivered for various distribution areas. There would be no discharge of chemicals into the sewer system or into the ground at any point. With regard to transportation in this area, there was no Transportation Impact Analysis required based on the proposed level; 95 vehicles per day at its highest level. The applicants indicated that they typically have, they would have 20 to 25 full time employees and most of the the truck traffic that you would see would be your standard local regional delivery type trucks and not anticipated that there would be any tractor-trailer, anything that large utilizing this. As you see where the yellow circle is, these are proposed safety improvements that are taking place through the VDOT's Safety Program. They are looking to realign RV Parkway. Currently, it's offset from the Old Forge Drive which recently had a new signal installed. So that would take place; VDOT is in the early stages of that project, but that would assist with the enhancement of the safety along this corridor. I'll also note with regard to transportation there was, last year you all may recall approval of this Mainline project that you see in the aerial photograph to the left, and that is for an urban development style with apartments and then commercial towards the front of that project. Through that approval of that rezoning of the application, the applicant has proffered to make an extension of RV Parkway at its current terminus, where the County's property is, it would cross another parcel and then extend to the Mainline development. And that would eventually tie in access to Warrenton Road through that extension of RV Parkway. One thing to note, this is the actual location in

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red that you see on the aerial photograph. Note that this would be the realignment area of the new RV Parkway intersection. And VDOT also, you all see, just sent us a letter today that does talk about concerns with the current condition of RV Parkway and a potential increase in traffic. And that is indicated by this blue section. So there's a bit of a gap where the two-lane road is still not necessarily up to VDOT standards. So there may be future considerations for needing to do upgrades to that section of RV Parkway.

Ms. Sellers: Did they include that? Are they including bringing this RV Parkway into current standards with that, whatever the funding is?

Ms. Baker: For the two, the red and the yellow or light yellow, those two segments of RV Parkway would be built to be that standards. It's the section in the, that's, I've indicated in blue that is not having any upgrades at this time. There's nothing proposed for upgrading that section. So that's a consideration...

Mr. Bain: So VDOT's not proposing that.

Ms. Baker: Not at this time.

Mr. Bain: But they're saying it's deficient.

Ms. Baker: No, they're saying that there would likely be upgrades necessary to that section as well of RV Parkway in order to support this use, or any use really.

Mr. Apicella: So who would be responsible for funding those upgrades?

Ms. Baker: And that's something that's going to need to be discussed. I'd have to look back when the Mainline rezoning occurred as to why that wasn't addressed at that time, if that was planned as a use for a secondary access from that Mainline development out to Warrenton Road. So we're... something that we're going to have to continue to look at. If the rezoning goes forward, obviously, there is a potential to transfer this property to First Line. And at that time, there would be additional negotiations and discussions about how those improvements might be made.

Ms. Barnes: It sounds to me like regardless of this application Mainline's going in; that's going to create a lot of traffic and the problem is going to be there regardless.

Ms. Baker: That's correct.

Ms. Barnes: Okay.

Mr. Apicella: So I'm just trying to connect the dots here. So the County is the applicant, there's no proffers. Some of the issues may be addressed to the, through the deed, but to the extent there's, there's money required to make upgrades, how does that... how does that work with a, with a, when you see negotiations with the... they're not really the applicant, I don't know what to call them... the business...

Ms. Baker: Any future developer, whether it's First Line or anyone else.

Mr. Apicella: So since there's not a proffer, how does, how does that, how does that work? How does that happen?

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Ms. Sellers: It could be a proffer.

Mr. Apicella: Well, there's not a proffer. So the County owns the property. There's no proffers associated with this rezoning. What I read in the staff report is there's going to be some negotiation between the County and the business, First Line. Again, since there's no proffer, and there's that issue, at least that... I don't know if that's the only issue, looks like there's a list of issues here... but let's just say for that one issue, again, some funding may be required. Again, how does that, I'm still trying to figure out how that works through the deed process.

Ms. Baker: So I'll give you an example. The Counting House down in Falmouth, there was, that was a similar situation where the County ended up transferring a property to another owner. And in return for them receiving the property, there were certain restrictions that they had to follow. So in the deed of transfer, there was also a Memorandum of Agreement, as well as restrictive covenants that talked about what could be developed on that property, and what the, what was on the owner or the future owner to do in response to that, so. That, that's the type of transfer... through that transfer those are the types of documents that – and the Board will have to decide that when it goes to that next level. If this rezoning is approved, then the next step is going to the Board to authorize transfer of the property. So at that point, those discussions are gonna, are gonna happen.

Mr. Apicella: So again, just to help me understand, so as part of that Memorandum of Agreement or Understanding, there could be some stipulation that says, your thebusiness owner, you're responsible for upgrading this road, potentially.

Ms. Baker: There could potentially be.

Mr. Apicella: Okay. Thank you.

Ms. Barnes: I have a question. Normally, if the applicant wasn't the County, and we were rezoning this to an M-2, we would possibly encourage a proffer to exclude certain activities on that.

Ms. Baker: Yes.

Ms. Barnes: And in this case we're not doing that. We're letting that happen during the process that you're talking about the deed

Ms. Baker: Correct.

Ms. Barnes: Okay, thank you.

Ms. Sellers: What's the enforcement mechanism on that? Because like with, if we had a proffer, we would not issue a permit of some sort to enforce the proffer. How would we enforce the covenant of the deed or whatever this is?

Ms. Baker: Well, they will be recorded documents that will, would... they would have to comply with.

Ms. Sellers: But is the enforcement going to court with this owner, or is it...?

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Ms. Lucian: It would depend on how the deed is drafted. There could be a reversionary interest, so the property would revert back to the County or litigation depending on what the provision is. And there may be other options I'm not thinking of. Those are just the two that I can think of right now.

Ms. Barnes: Does that answer your question? Are you satisfied? Not satisfied?

Ms. Sellers: No, I think Mr. Apicella and I are probably on similar trains of thought here, which is very rare for us.

Mr. Apicella: I just kind of want to piggyback off of the question that Ms. Barnes asked. So again, back to the other potential uses, again, just let's say this moves forward. Is staff going to do some additional analysis to determine, you know, what other M-1, M-2 uses might not be appropriate for this area and/or to the extent that some of those are still allowed, what, what possible mitigation efforts might be needed? Again, I'm just saying like, for example, a hotel is permissible under M-1. Let's just say that's not taken out of the equation. But it's still possible that 20 years from now, the business decides to do something else with this property. But we haven't, we haven't done anything to mitigate the potential impacts of the hotel going there. How does that get worked out on the front end, so that it's not a problem on the back end?

Ms. Baker: I mean, the same way that this, the restrictive covenants or agreement or whatever mechanism the Board chooses, they can build in, let's exclude these uses. These uses would not be allowed on this property. So they could base it on the number of, let's say, trips per day or other things that they would look at, you know. If you're looking mainly at impacting the transportation network, then those are the types of things we would look at. Higher traffic uses, higher traffic generation, and attempting to limit those.

Mr. Apicella: Okay, and that, that would be on you all to help inform what kind of deed restrictions might be necessary to address those kind of issues.

Ms. Baker: Well, it'll be on staff collectively, the Board of Supervisors, VDOT, everybody's going to be involved...

Mr. Apicella: Except for us.

Ms. Baker: ... at some point.

Ms. Barnes: Which is, which I'm fine.

Mr. Apicella: Yeah, I just...

Ms. Baker: You know, this is a little bit of a unique situation. We don't have that many Board initiated County-owned properties that go through this process, but there have been a few.

Ms. Barnes: So you answered a question for me. It's not just staff and, and First Line that's going to, that's going to decide; we are going to get some oversight from elected officials that have said, that could say, hey, put something in there. I don't want to see, oh, I don't know, a data center or something.

Ms. Baker: The Board of Supervisors has the authority to work through this when they do the transfer. There has to be a public hearing on the property for the Board to transfer property.

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Ms. Barnes: I'm a little more sanguine with that. Thank you. Alright, any other questions... or you're not finished. We stopped you right in the middle.

Ms. Baker: Well, you know, that's okay. I don't have to much more. But I know this is a big topic, so I'm glad we spent some time on it. So just moving to the Comp Plan designation, as you see it's within the Falmouth Gateway Targeted Development Area. The specific use within the targeted, the TDA is mixed-use Residential and Commercial. And I'll note that while that's not specifically consistent with the land use recommendation, there again are still the compatible industrial uses that are in this vicinity along RV Parkway, along the frontage of of Warrenton Road and the adjacent, ordinarily adjacent interstate Business Park. So just some other factors. As far as the water and sewer, this would be evaluated at the site plan stage. Public water is available along RV Parkway, and the future developer would be required to provide those connections. Right now sewer is only available out on Warrenton Road. There's also a potential for extension from the Falls Run sewer line area. But that's being evaluated currently, in conjunction with the Mainline property as well. So that again would also be at the site plan stage. I'll note we are having, would have a potential reduction in impacts to our schools and parks and recreation since it's currently zoned R-1 and could be developed residentially. Again, public safety impacts would also be evaluated at the site plan stage. And I'll note we don't have any building design details, but this would have to comply since it's being rezoned with our Neighborhood Design Standards of the Comprehensive Plan.

Ms. Sellers: Madam Chair?

Ms. Barnes: Go ahead.

Ms. Sellers: Would that be like a future neighborhood design? Or is that like, based on the current, the current design of the corridor?

Ms. Baker: It's based on the Neighborhood Design Standards guidelines that are part of the Comprehensive Plan.

Ms. Sellers: So we wouldn't care what it looks like today? We would...

Ms. Baker: No, I'm saying...

Ms. Sellers: ... hold them to like the future standards?

Ms. Baker: ... when they come in, they have to comply with what those recommendations are, such as the materials that are utilized, the façade, you know, breaking up the façade, awnings, entrances, things like that to make the buildings more attractive. So any development, if this property is rezoned, a rezoned property has to comply with those standards. So whatever construction goes on, regardless of who it is, has to comply with that.

Ms. Sellers: Okay, it's just not going to look like it does in that corridor today. We're going to try...

Ms. Baker: Oh, you mean, like the older uses?

Ms. Sellers: *Inaudible*... uses along that corridor. We're gonna put them to some standard to try and revitalize that area, correct? This is not, we're not just gonna let them throw up a tin shack and...?

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Ms. Baker: Correct. It has to comply with our existing standards and guidelines that are... you all are aware of the Neighborhood Design Standards guidelines, correct? Do I need to talk more about that? Are we okay? Okay.

Mr. Bain: Madam Chairman?

Ms. Barnes: Go ahead.

Mr. Bain: Ms. Baker, there was some comments in the staff report that the property, in previous eras, had been used as a dump site. And they had taken soil borings and that there may need to be cleanup of, I don't know, hazardous but at least some sort of materials. Is that going to be undertaken by the County prior to transfer to First Line Technologies? Or are they going to make that contingent to First Line to do?

Ms. Baker: So really, I think whoever develops the property is going to have to go through that process. Firstm Line actually conducted or had contracted for this initial Environmental Assessment to be completed. So they're really bound to follow the recommendations in that assessment, which includes going through DEQ or other policies; there are many.

Mr. Bain: They're aware of what's there and it didn't scare them away, so. Alright.

Ms. Baker: So we've talked about this already, as far as the proffers that there would be no proffers and then the transfer we can negotiate then. I should have noted as well that a conditional use permit would be required specifically for the use that they are proposing as far as the chemical manufacturing. So you... the the proposal was for the rezoning to go through. If the property were then transferred, then First Line would come back through for a conditional use permit specific to their use. So you all really would have another bite at the apple as you say.

Ms. Barnes: Yes, we will have another bite. Okay.

Ms. Baker: So finally, we're looking at the positives. This use is consistent with established industrial commercial development along the corridor. The proposed use would reduce potential impacts to the schools and parks and recreation. And it would allow for improvement of environmental conditions on this site, which as Mr. Bain alluded to was a former dump site. And we state, just based on the traffic generation, that the impacts to the transportation network would be minimal. And the negative we note is that the site is inconsistent with the land use recommendations in the Comp Plan. But staff is recommending approval of this reclassification through the Ordinance O23-25. I'll be happy to answer what questions I can.

Ms. Barnes: Okay, any additional questions for staff? Ms. Sellers.

Ms. Sellers: Do we have any idea how much the transportation improvements are gonna cost there at the interchange... at the, not the interchange, the intersection of RV Parkway and Route 17?

Ms. Baker: I don't have that information. I know that VDOT is working through the design process, and I'm not sure if they would have the information at this time, but I can certainly reach out to them and find out.

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Ms. Sellers: Okay. Well, and I would say and add in that, that bringing that blue line up to standard there as well, just so that we can have an idea. I think that would be really helpful for the public to understand what we're saying when we say there's no proffers associated with this. Because in a traditional setting, we would, we would ask the applicant and the developer to help offset some of those costs.

Ms. Barnes: Okay, any other questions or possible stories about an old Stafford dump?

Mr. Shelton: I just want to commend staff and First Line for the detailed environmental impact. It brought back a lot of memories...

Ms. Barnes: Here we go.

Mr. Shelton: ... of what that place was and what they uncovered. Most of them were below the, the threshold limits. So my compliments to staff and First Line.

Ms. Barnes: Okay, any other questions? I don't see anyone reaching. I do just want to reiterate one thing; you said that this parcel is about, what did you say, 200 feet from that, a rather substantial CRPA behind them that's Falls Run.

Ms. Baker: Yeah, about 250, about 150 to the actual resource protection line.

Ms. Barnes: And as we know it, as the company stated, there's no chemical production, there's no runoff, there's no... sounds like what, what's there now might actually be more concerning than what's going on there. But I just want to make that clear, because we've got an industrial site, and we've got Falls Run back there; even though it's separated I know by a B-2, it is always a concern. Okay, thank you.

Ms. Sellers: Is there a transmission line anywhere near this property?

Ms. Baker: I don't think so.

Audience member: *Inaudible, not at microphone.*

Ms. Sellers: Hey, man, I've seen some other things this County, but is there, the question is, is there a transmission line anywhere near here?

Ms. Barnes: Yes, I'm seeing one.

Audience member: *Inaudible, not at microphone.*

Ms. Barnes: Oh, okay.

Ms. Sellers: A transmission line.

Ms. Barnes: Okay. I see a line. I don't know if it's transmission or distribution. But I see a line.

Mr. Bain: On the other side of 95.

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Ms. Barnes: No, there's one, there's one slightly to the east. I can see it right here. But I don't know. Like you said, I don't know if it's transmission or distribution. Okay.

Audience member: *Inaudible, not at microphone.*

Ms. Barnes: Yeah.

Ms. Sellers: The transmission or the distribution line?

Audience member: *Inaudible, not at microphone.*

Ms. Sellers: Okay, and we don't connect data centers to a distribution line? It's a valid question.

Ms. Barnes: This is why I brought it up, too. This is why I brought it up, too.

Ms. Sellers: Is, you know, I mean, what is hard for me is there's no proffers, and typically we would see what is actually going here. And right now there's this third, there's two third... there's a third and fourth party. There's the EDA involved. There's First Line Technology who says they're expanding their footprint. And so it's just, you know, trying to wrap my head around all this and seeing what's in that area, what else could this become further down the line, so.

Ms. Barnes: Yeah, I think that's, that's one of the things that makes me kind of uncomfortable, even though I know the process and I know that, I know what we're doing and why we're doing this. But it is a little uncomfy not to have proffers going through. It goes against the grain a little bit. Okay. Any other questions for staff? And I'd ask the, I don't know if the... is the applicant...? Yeah, I was gonna say there's, it's kind of redundant, but is there anyone who wants to speak on behalf of...?

Ms. Baker: If you have additional questions, I know Josh Summits from our Economic Development Department has been more closely involved in this process, but it's up to you.

Ms. Barnes: Okay. Anyone have any questions for the EDA on this? Mr. Shelton?

Mr. Shelton: Does that include the the abandoned structure that's been there for about 30 years at the intersection of RV Parkway and Warrenton Road? Isn't that part of it?

Mr. Summits: I'm not sure. I mean, if it's on the intersection of Warrenton Road and RV Parkway, I don't believe that's purview of this project. That may be part of VDOT's road realignment. I don't have the details on that.

Mr. Shelton: Thank you.

Ms. Barnes: Anyone else? Alright, thank you very much. And I'll go ahead then, and since we don't have an applicant to come up and present, we'll move on to the public hearing for this. This is an opportunity for the public to comment. Before stating your comments, please state your name and address. The clock starts when it's green. Yellow means there's one minute left. Red means your time is up. If you'd like to speak, please come forward.

Ms. Maxson: Thank you for the opportunity. Kristen Maxon. I was reading the agenda and it mentioned about a dump, which obviously is the history of it. And it did mention burning operations. I don't know

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if that's past history, or that's the intended operations that will be done for the industrial zone. Page 243 of 345 of the agenda, which pertains to this area, is blank. I don't know if it was initially meant to be blank. And then it says no traffic report required, as Kathy had mentioned, but it was specified August 25, 2023, that there would be a traffic report. And because of Warrenton Road and STARS, which is the Strategic Targeted and Affordable Roadway Solutions, on page 63, which pertains to this study of 345, it says no impact to adjacent properties. But if there is burning projected and there is mention of heavy metal industrial use, then there would be an impact. And it's also very good to see the Commissioners back. We haven't seen you I guess in this room since June 27, the 27th of June... 28th of June. Yeah. So I know you've been really busy. So thank you so much for your help.

Ms. Barnes: Alright, thank you, Ms. Maxson. Anyone else like to come forward and address the Commission?

Mr. Brown: Good evening, my name is Jerry Brown. And I own the last piece of property on RV Parkway right before you get to this parcel. And just, I just found out about this on Friday. I don't know how the County transfers property without the adjacent property owners knowing about it until this late in the game, but. A couple concerns I got real quick, I don't have enough information because like I said, I haven't learned about it early enough, but.

Ms. Barnes: Can I stop you for a second and will you state your address, please.

Mr. Brown: I'm sorry?

Ms. Barnes: Will you state your address? Or the address that you're talking about please?

Mr. Brown: My home address or my property address here?

Ms. Barnes: Property address, I would assume, on this point.

Mr. Brown: Actually it's 86 Winner's Circle.

Ms. Barnes: Okay, go ahead.

Mr. Brown: Alright, um, so my first thing I brought up is a sewer down here at the end. We got basically no sewer down there. And so a report that I did read said something about talking to adjacent property owners about sewer and I haven't heard anything about it. So definitely concerned with sewer down there because I'm having a roundabout with the Building Department right now about sewer anyway on my property. And the second thing is, since they've done the new traffic light there at RV Parkway and Warrenton Road, currently the way it's set up now, you can get one bus out of there, maybe two cars, the way the light cycles are working. So it's, uh, and RV Parkway is not made for any more traffic because it's... the County actually made me repave the end of it to satisfy for my property. But it needs some work. And the intersection there is terrible to get in and out of currently. And I don't know how this is going to eliminate that but it definitely needs some work, so. Those are really my only two concerns. It's the sewer and the intersection there at RV Parkway because I've heard about VDOT gonna fix it forever. And I've been there for 10 years and never seen anything happen other than this new traffic light, so. That's it for me. Thank you.

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Ms. Barnes: Alright, thank you. Anyone else like to come up and speak to the Commission? We're running out of options here. Okay. Josh, do you want to discuss that? Do you want to answer those? I mean, I guess technically you're kind of the applicant.

Mr. Summits: Yeah. Josh Summits, Economic Development Office. I will connect with the previous speaker on the sewer line issue. Our department had talked with Mr. Taylor, which has some property in through there regarding the sewer line issue. Kathy had stated that Utilities is looking at options to extend sewer from Warrenton Road, either whether we go up RV Parkway or we extend it through Mainline; they're looking at those options on what's most, I guess, cost effective to do that. But like I said, I'll connect with that, the previous speaker and bring him up to speed and into the loop with those conversations.

Ms. Barnes: Okay, thank you. Last call? Okay.

Ms. Baker: Just one notice. We did get a returned mail today that was addressed to 86 Winner's Circle. So that may be why they didn't get their notification sooner than Friday.

Ms. Barnes: Okay. Yeah. Okay, so I think we'll close the hearing at this, the public hearing at this point in time, and bring it back to the Commission. Mr. Bain, this is in your district, how would you like to go forward?

Mr. Bain: Okay. There are a lot of questions associated with this that hopefully will be resolved as the Supervisors continue working with First Line Technologies. I'm glad to hear that we will see it again for a CUP because I think at that point, most of those issues would have been resolved. And if not, we can impose those requirements on First Line and perhaps get some proffers from them also. I'm thinking specifically for fire and safety, since they're going to be a manufacturing activity. So given that, I'm going to recommend that we approve reclassification of this parcel, that is RC23155236.

Mr. Shelton: Second.

Ms. Barnes: Okay. I have a motion by Mr. Bain and a second by Mr. Shelton. Any further discussion? Ms. Sellers?

Ms. Sellers: Yeah, I won't be supporting this. I, one, under a conditional use permit you cannot seek proffers at that time. So if you think there are proffers that need to be done then we need to have that discussion now and... *inaudible*... during a reclassification. But there are a couple of things that really stand out to me; one, the transportation issues. I've heard it said, oh, we put the plans in and the state will come through with the money. But I can assure you that the state does not just have a ton of money for stuff like this. So if we want transportation improvements, we need to negotiate now. And I get we're kind of negotiating with ourselves, but we have an end user in mind. And we need to have that discussion today and make it part of the discussion from the beginning so they can plan and so that the public can have input. The other thing is, and we hear about the sewer line that we're also looking at putting in, again, if this, if this were a typical reclassification, we would discuss who's going to pay for that. So right now, we as the taxpayers are providing property, we're covering the fees to do a reclassification and all of our time, we're also taking on all these transportation things, and the sewer line, and we haven't heard anything that's going to give us stuff in return. Right? We haven't talked about the uses. All we know is it's going to be a chemical plant with 25 jobs, there's going to be 95, 96 vehicles. So it's really not provided that big of an incentive, in my opinion, not only as a Commissioner, but as a taxpayer, and as somebody who's watching my tax bills go up every month. So if we're going

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to call it economic development, then let's have that discussion. But let's have it here in open so that people can talk about it so that we can be clear and transparent about where we're going with things. So no, I will not be supporting this and I hope others will follow suit.

Mr. Shelton: Madam Chair?

Ms. Barnes: Go ahead.

Mr. Shelton: A question was raised about the burning. We haven't done any burning there for 50 to 60 years, but I do recall when we did do the burning there, and from reading staff report on what First Line Technologies is doing, its part of a DOD contract from Dahlgren DECON, and there will not be any burning in that process.

Ms. Barnes: Okay, thank you, Mr. Shelton. Any other questions? I do have a quick question. Maybe Kathy can answer this procedural. As Ms. Sellers brought up that she feels that there should be some further negotiations or discussions on transportation issues, on proffers, on uses, if we, when we either approve or deny this or recommend approval or deny this, this does go to the Board of Supervisors at that point. And the Board of Supervisors generally does, I think they kind of dip their, their, their toes in that water a little more than we do most of the time. They will have a big say in this, correct?

Ms. Baker: So they're going to, number one, have the public hearing for this reclassification. They will also be required to have a separate public hearing on the potential transfer of the property. So they're going to be discussing it at a public hearing more than one time.

Ms. Barnes: And so that's an, that's a public hearing that we're not going to have here, meaning the transfer of the property; that's a second public hearing.

Ms. Baker: It would not come through the Planning Commission, correct.

Ms. Barnes: Okay. So it seems to me that, yeah, I kind of agree, there's a lot of, a lot of what ifs. But it sounds to me like that we've, we've still got some layers of... a better term, bureaucracy, between us and this going through that I'm really hoping will take care of some of that.

Ms. Sellers: I do have one.

Ms. Barnes: Go ahead.

Ms. Sellers: It was said there's a contract with Dahlgren. That's what the current facility does. From my understanding the proposed is a new, is an expansion of their current footprint. And it brought up that they're creating packs that where you put the opioids, fentanyl, and it basically makes, takes, there's some chemical reaction I'm assuming that happens and it makes it no longer to where it's so lethal, or whatever the thing is. So this is not in support of Dahlgren. This is a facility that is going to be used, and the packs are about this big, right, and you put opioids in them, and then they just aren't active anymore. So I just want to make sure it's clear, this is not for Dahlgren; this is a totally different use. But that's not what we're here to discuss. We're here to discuss the reclassification and I mean, I get it, let's pass it to see what it looks like. But I just don't agree with that. I think we need to put it through the same rigor and same adjudication process that we would any other reclassification, even if the Board of Supervisors is the ones who are the applicants.

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Ms. Barnes: Okay. Any other... let me just ask real quick. Mr. Shelton, did you second this? I don't remember.

Mr. Shelton: Yes.

Ms. Barnes: Okay, thank you. We got, we got so far away, I forgot who second it and who first it, and motioned it. Okay, any other discussions, points of contention, ideas, etc.? Okay, so we do have a motion by Mr. Bain and a second by Mr. Shelton for RC23155236. Please cast your vote. Mr. Shelton, want to hit again? There you go. Okay, so that passes 5 to 1, with 1 absent (*Mr. Cummings*). Okay. Thank you very much. Alright, so we'll move on and go to Unfinished Business. We have none. I'm going slowly so Kathy can make her way up to the dais. New Business, none. And next on the agenda is the Planning Director's Report.

UNFINISHED BUSINESS

NONE

NEW BUSINESS

NONE

PLANNING DIRECTOR'S REPORT

3. Project Pipeline Report (For Information Only)

4. Expenditure Report (To Date)

Ms. Baker: All I have is the Pipeline Report, which Mike's gonna give you a quick brief on. He passed it out earlier. And let him talk about that a little bit.

Mr. Zuraf: Yeah, so we just got that updated today because it had, you know, it was last updated in June. So a lot of new applications in and so we've, we've kind of estimated when each project would be available for public hearing. You'll see many, many projects under some of these meeting dates. That does not mean each meeting is going to have all those projects, so. It's just showing what projects, you know, potential projects that could be ready by those dates. Not all of them probably will. If for some reason all of them are ready to go, we're going to end up having to spread these out. There's, you know, because... but I just wanted to show you what potentially could make it to each of the meetings upcoming. But likely, things end up getting, getting pushed down the road. So just the update on that.

Mr. Bain: So all the meetings we missed during the summer, we're going to be penalized.

Mr. Zuraf: You've got a lot of work to do, yes.

Ms. Barnes: It might be worth it. My only question on this is I noticed some of the Planning Director's Report for the Pipeline Report, there wasn't a link for the public to click on. I'm... so I don't know if that was... I thought there was one on before but there's no link on it now. So maybe we could add that?

Ms. Baker: We can add it, yes. It's just that it wasn't ready.

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Ms. Barnes: Yeah, that's fine. Okay. Let's just get it on there because sometimes I refer back to it.

Ms. Sellers: *Inaudible, microphone not on.*

Ms. Barnes: Okay, so let's move on to County Attorney's Report.

COUNTY ATTORNEY'S REPORT

Ms. Lucian: I have no report. Thank you.

Ms. Barnes: Okay. Committee Reports. And for that, number 5 is committee report for the never ending Data Center Discussion. And for that we will defer to Mr. Bain for that.

COMMITTEE REPORTS

5. Data Centers

Mr. Bain: Okay. We've had meetings, well, let me start. The Board of Supervisors sent down to us two options for revising the ordinances regarding data centers as to how they would be handled, whether they would be by-right or require conditional use permits. We had recommended to them a Option A which was to allow the by CUP in selected divisions, M-1, B-2, and... what was the other one?

Mr. Apicella: That was it for a CUP.

Mr. Bain: Okay, for CUP, but by-right in M-2. The Supervisors' Option B was to only allow it in the M-2 zone, but not require a CUP. The data...

Mr. Apicella: And the ICTP district.

Mr. Bain: ... under the ICTP which was created for a specific purpose. And for all intents and purposes, in my mind, is inconsequential, but it's there. There is no area designated as ICTP right now. And so in order to get one, they would request rezoning to ICTP. But it'd be the same to get rezoning to M-2. So I don't really need... don't really understand the purpose of the ICTP. The Data Center Committee met a couple of times. And we've discussed the various options. One of the issues that has come up is what exactly constitutes a data center. And this was kind of brought to the forefront by Dexter, because he was talking about edge data centers, which are small data centers, not the big million square-foot type facilities that the applications that are currently being processed would entail. And I guess we generally are, the committee was generally understanding that you don't want a small system to have to require 100-foot setbacks and doing sound studies and that type of thing. And so we discussed that as an option to perhaps come up with wording that would allow for those smaller systems to be waived from the requirements. Mr. Apicella had come up with some wording for revising the definition of a data center. And I think that's available as a handout to you right now. I can, I guess I should read it, or does it matter? I'll read it. "Data Center. A facility containing one or more large-scale computer systems and/or related equipment, where the principal use is the storage, management, processing, and/or transmission of digital data. Such facility or use may also house supporting equipment including but not limited to air handlers, water cooling and storage facilities, utility substations and infrastructure, back-up power generation, fire suppression systems and/or enhanced security features." And the part that Mr. Apicella proposed to add today reads: "This shall not apply to a data management, processing, or storage facility, or group of facilities, less than 20,000 total square feet in size, whether on the same site as the subject

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business entity, or on a separate site(s), used solely for the internal operations of the business.” And that would, would cover a lot of small systems if it... if that sentence was not there, the example I made during the committee meeting was I run a small woodworking shop. I'm licensed and registered with the County. I have a computer that I keep data on. Under the original description, I would be considered a data center, because it doesn't exclude anything with regards to the size of the storage facility. And if I was to want to develop a small parcel from my shop, I would have to go through all of the requirements for a data center, even though it's just a small laptop computer. So that was the reasoning behind adding the additional sentence. And I thank Mr. Apicella for coming up with the wording. And what we would like to do as a committee is to incorporate that description into both Option A and Option B on the ordinance changes and send it back to the Supervisors and let them pick which option they would prefer.

Ms. Lucian: Planning Commissioners, if you don't mind me interrupting. Just to remind the Commission that the send-down resolution from the Board did not give the Planning Commission the authority to make changes now and incorporate them prior to sending back to the Board. They simply asked for an up or down vote on A and B. However, if you wanted to make a separate recommendation that they consider something, you can; but you can't incorporate

Ms. Baker: But we'd be making... we can send it to them...

Mr. Bain: We'll be making a separate recommendation.

Ms. Barnes: Yes, so we can make a separate recommendation and I can forward that to the Chair of the Board in addition to so that they know what's coming to them. Is that correct?

Ms. Lucian: You can. I think the last time this happened there was a report prepared in advance of the joint public hearing. So that report was made a part of the agenda.

Ms. Barnes: Okay. Thank you. Go ahead.

Ms. Sellers: So you said that under the Data Center definition that was sent down, a small data center in your house...?

Mr. Bain: No, in a shop. If I wanted to build a shop on a parcel of land and, you know, I was going to have a computer, under that current data center definition, the one that in the existing ordinance, it doesn't, doesn't distinguish in the size of the operation. It just says if you store data, or transmit data, then you're a data center. So anybody's computer could be considered a data center if you wanted to get really explicit about it.

Mr. Apicella: If I may, just kind of add to, to the equation. So the Boards' referral back to the Planning Commission normally allows us to make changes and recommend those changes in our, in our referral, or whatever, transfer back to the Board. In this case, the wording is different, slightly different and confusing, quite frankly. So the Board sent us back, where we sent them as Option A, and then they sent back option... I'm just kind of restating, I'm sorry, Mr. Bain... they sent us back our version of A but they took out the CUP option for B-2 and M-1, and again only would allow it by-right in M-2 in the ICTP. So when we got that back from the Board, again, they asked us to take a look at both, and before we make a recommendation on which option we would prefer, A or B, we decided that we weren't going to make... the subcommittee's first recommendation is not to make a choice between Option A or Option B. But what we did do is we looked further at the, at the information and decided that we thought that the data center definition was a little too vague. And this is what it... was proposed. It says, Data Center,

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principle use where the majority of space is occupied by computers and/or related equipment, and where electronic information is processed, transferred, or stored primarily for off-site users.” So we thought that that by itself was again was a bit vague.

Ms. Sellers: Off-site users.

Mr. Apicella: But again, you could still, I'm not necessarily of the same mind as Mr. Bain that, um, that his specific situation would apply. But theoretically, somebody could host a small, a small server farm in their backyard for off-site users, 1,000 feet, 1,000 square feet and be captured by the definition that we originally had. I'm not saying that's going to happen a lot, but it's possible. So what we did do in the definition is we looked again, back at the other data center definitions used by other localities, and we took, basically took a hybrid of those other definitions, and we incorporated it into a revised data center definition that's used by basically six of the seven localities.

Ms. Sellers: I... so I understand that. But then I'm also questioning the process. So we sent something to the Board, the Board sent something down and said pick one, and now we're saying we don't like either one, we're gonna do another.

Mr. Apicella: No, we're not saying we don't like either one; what we're saying is we're not going to make... what our recommendation to the full Commission is the Board could go with either Option A or B, that's their choice. We're not going to make a call as to whether or not a CUP, from my vantage point...

Ms. Barnes: One of them was our original option, which was...

Ms. Sellers: I got it.

Ms. Barnes: ... and the second one is no, scrap all that, M-2, by-right, ICTP, nothing else.

Mr. Apicella: So the first piece of our recommendation is, again, let's send both, both A and B back to the Board, let them make the final call. I mean, obviously, we're going to weigh in as part of our own public hearing – that has to happen on the same date – and at that point in time, we could make a decision about which one we prefer. Or we could just say the same thing; we would ask that you all make the final decision on A or B. What we would also like the Board to do is consider amending the language, which they're not allowing us to do, to revise the data center definition for both A and B, whichever option...

Ms. Sellers: Well, they did let us do it.

Mr. Apicella: No, they didn't let us do it. That's the, that's the quandary we're in and we had that discussion...

Ms. Sellers: But we sent them a definition.

Mr. Apicella: We did.

Ms. Sellers: But they sent it back.

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Mr. Apicella: And we think that that definition is not sufficient. So we're asking that that definition be modified similar what we're going to provide to the Board, perhaps as part of an additional memo to them saying hey, we also would like you to consider what we would call an Option C, which is, which is just to modify the definition in the way that we would recommend, and also some minor tweaks to the Comp Plan language that we found some happy to glad changes that we would like for them to consider as well. So I'm not, I'm not sure if I'm...

Ms. Sellers: So, and you mentioned that you don't remember the Board being so specific and sending something down. But I do remember...

Mr. Apicella: Well, whatever.

Ms. Sellers: ... my board we were... we we did send stuff down and said we want an up/down vote, and we don't care, not about to be mean or anything... inaudible, being talked over.

Ms. Barnes: Maybe that happens, and that may be the case here...

Ms. Sellers: *Inaudible*... what they're looking for.

Ms. Barnes: Yeah.

Mr. Apicella: They may, again, they...

Ms. Barnes: That may be the case.

Mr. Apicella: ... they may choose Option A or Option B, yes or no.

Ms. Barnes: Or they could take a look at the genius of Steven's writing and decide to add that in there.

Ms. Sellers: Well, I'd vote against that. [*Laughter*]

Ms. Barnes: So, it's just a suggestion. It's just something that, I think that, even before this, this latest, you know, yesterday you came up with another one, we kind of went through and hey, you know, we didn't catch edge...

Mr. Apicella: Edge data centers.

Ms. Barnes: ... edge data centers like the one at GEICO, like the one at Quantico Corporate Center. They're smaller data centers that all of a sudden, we don't want to make, we don't want them to get caught up and say, hey, you're a data center, a data center is a data center is a data center, you got to be M-2.

Ms. Sellers: I mean, if we're going for perfection, I mean, if the government seeks perfection with everything, we'll never get anything accomplished, right. And we have a public hearing on the 25th of October. And I don't know why we have to continue this back and forth, back and forth like...

Ms. Barnes: Just to clarify this, it's the 17th.

Mr. Apicella: And it's a joint public hearing.

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Ms. Sellers: It's on the 17th?

Mr. Apicella: Yes.

Ms. Sellers: Well...

Ms. Barnes: Change your calendar.

Ms. Sellers: I won't be here. I'll be at the governor's conference. But, you know, I think at some point, you have to make a decision, right? We have to, and it can't be like, no, I don't want to make a decision, I want you to choose this or this definition. Just make a decision. What are we going to do?

Ms. Barnes: And we're going to do that on 17th.

Ms. Lucian: I'm going to jump in one more time. I think everybody understands this, but I just want to make it clear. When we do get to the joint public hearing, you will need to make a recommendation on A and B, whether it's yes or no, in order for the Board to proceed that evening. If you don't provide a recommendation on those things, then you're not going to be able to because they have to wait until you weigh in. That doesn't mean you can't make your, your other recommendation for something that's an alternative.

Ms. Barnes: So that night, we have to say, A yes or no, B yes or no, we can't say recommend both A and B? I was under the impression we could do that.

Ms. Lucian: Yes. You can do that. I'm just saying you have to make a decision on A and B.

Ms. Barnes: Yes and yes. No and no. Or yes and no, and no and yes.

Ms. Lucian: Any combination of those, you just do have to make a decision.

Mr. Apicella: So, hypothetically, we could say, hypothetically...

Ms. Sellers: *Inaudible, talking over each other...* we have our public hearing, close it, they'll have their public hearing, close it. It will just be on the same night where we're all here. It will be 1, 1, 1, 1. But we will like they will back up, and we will have ours. So we will have to make a decision and we can't defer it.

Mr. Apicella: So, no one suggested we're.... So again, what, what potentially hypothetically could happen is we could say on that October 17th public hearing date, that our our recommendation is yes for Option A and yes for Option B. And we would also ask that you modify in whatever version, final version that you choose, to change the definition for data centers to the one that we're recommending, and also make some additional changes to the Comp Plan language, again, which is all very minor. So the bigger change here is to the definition. Again, I'm going to reiterate that having taken another look at it, and looking at the definition used by other jurisdictions, that we've modified our definition to be more like theirs than the, what I think and what we thought was a vague definition that we originally proposed. So, I don't see any harm or foul in our more expanded definition.

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Ms. Sellers: I would just say that to remind folks that the Chairman does have a background in technology, and she is going to bring it up without a doubt. And she's gonna listen to all this stuff. And, you know, more power to ya.

Ms. Baker: Sorry, just one last point I was gonna make as well. I know staff has had numerous discussions on this definition and which way to go. We've also looked at the potential impacts and we don't see it as a, as a real, you know, threat to anything that you all are talking about. So it could also be that the Board might refer it back to you just for that specific piece to go through and really vet the definition, and then it could be a separate, as opposed to getting it, you know, tangled up into the existing versions that you have without the ability to change. We could also bring it back through the process.

Ms. Barnes: So they could work on the ordinance, get that done, and then say, hey, you know, clearly the Planning Commission... *inaudible*.

Ms. Baker: Come back and work on the definition further and bring that back. Just, just throwing that elders an additional option.

Mr. Bain: I will just, and this is, this is my personal evaluation of how we got to this point. At the Supervisors' meeting where this was discussed, I didn't watch it live, but I looked at it afterwards. There was a lot of discussion. In my mind, there was a lot of confusion. There was no clear explanation as to why the Supervisors came up with an Option B. They had Option A in front of them. But then there was discussion and somebody suggested, let's just put them in M-2 and be done with it. I don't, I personally do not know that there is any advantage or disadvantage to Option A or Option B, in terms of protecting the County or enticing additional development of data centers that would be beneficial on a tax revenue basis. So I'm really at a loss to try to understand why we even have the options to be considering. And for that reason, based on my knowledge of things, I don't care which option they pick. I'm happy to recommend both of them. I don't know, I'm not speaking for the committee when I say that; I'm speaking for myself. If anybody can provide me guidance on that particular issue, that would be great. But I do see the definition of a data center as being an area where it could be very detrimental to development in the County for small businesses that are not data centers, but that would, under the existing definition, could be considered a data center and could be penalized significantly just because they have a small storage and transfer system in their back room. And that's, that's the concern I have and the reason that this all came up.

Mr. Apicella: I would just ask, what, what did, what do we need to do today to get this considered by the Board of Supervisors?

Ms. Barnes: We need to vote on something tonight, obviously.

Ms. Lucian: No, I don't think you need to take a vote tonight, because you'll have the joint public hearing.

Ms. Barnes: Okay.

Ms. Lucian: If, for purposes of having consensus and knowing what you're going to do on the joint public hearing and formulating your opinion on the Option C, you may want to discuss it further so there's not any surprise. Whichever recommendation that you wanted to make to the Board that was outside what they sent down to you. So any alterations. It's probably beneficial to work that out tonight, rather than the night of your joint public hearing.

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Ms. Barnes: Option C, your meaning of the definition, just to make sure.

Mr. Apicella: So based on what counsel has said, what I, what I would recommend is, again, that for the October 17th meeting, we consider and the Board consider both Option A and Option B, and that separately, we prepare a memo with an option...

Ms. Barnes: They said we're actually going to do another little package that includes that.

Mr. Apicella: Right. I think it's... that might be something we need to do, maybe you need to do, in consultation with staff kind of outlining this Option C which is, again, just tweaking the definition. I'll take it in two parts; the original one that the subcommittee recommended last Wednesday, and potentially also adding some additional language to I'll call it the GEICO exception as an additional piece that they might want to consider and why, and that they also consider the modifications that we've recommended to the Comp Plan, again, which are very, very minor. So that would be, that would be my recommendation.

Mr. Bain: Okay, let me, let me offer a suggestion. That we first resolve the issue about the Option A and B among ourselves here tonight. Dexter's not here, but I think he would probably...

Ms. Barnes: He's our expert on edge centers.

Mr. Bain: ... support it. Yeah, on edge centers. But let's... does anybody and I don't think we have, can take a vote, I don't know. But does anybody have a concern with either Option A or Option B that would...

Ms. Barnes: Preclude us from... *inaudible*.

Mr. Bain: ... preclude us from recommending one over the other?

Ms. Baker: And again, I don't think you will need to make a recommendation on those options tonight. I think you collectively need to recommend if you have any additional changes that you want the Board to consider, that's what should be put in writing in some fashion.

Mr. Bain: I understand, but I don't want I go to the October 17th meeting and they say okay, Planning Commissioners, it's your part of the meeting. How do you want to proceed? And we... *inaudible*... say, we don't care which one, and four of us all of a sudden say no, we don't like A or B. I think that kind of confusion would be a problem. And so what I would like is to get some sort of consensus right now. If everybody's happy with either one, or if you have heartburn with one over the other, I think I'd like to know now, rather than have it come up on October 17th.

Ms. Barnes: So in that regard, I don't have any problem with either one, but I probably will ... I like, I like B. But that's okay, we can discuss the pros and cons of that on the 17th. Yeah, so, but I still am fine with if we... *inaudible*... A and B goes up. Separately we'll discuss C later.

Mr. Bain: Oh, yeah. C is totally separate from whether we like A or B.

Ms. Barnes: Complicated issue.

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Mr. Bain: I know. I know. Martin, do you... I know you weren't privy to the Data Center Subcommittee meetings and all the hashing out we did there. But based on what you've been presented, and what we've talked about tonight, do you have heartburn with either one or?

Mr. Martinez: Well, I may not have been physically present. I have been listening in the periphery. But I will say that I don't have any objections or major concerns with moving forward with A or B. And I certainly look forward to seeing what's part of C for sure. And the rationale on that.

Mr. Bain: Well, C is the data, data center change, definition change. That's all C is. It's not either ordinance. It's just modifying the ordinance with whichever one is selected. Billy, do you have a problem with the either one?

Mr. Shelton: I have no problem with A and B, and subsequently, the C when it will be... *inaudible*.

Mr. Bain: Okay, Laura, how do you feel about A and B?

Ms. Sellers: Can somebody give me an example of what B-2 is? What's a property that's B-2? That's the difference between A and B.

Ms. Barnes: I've got an old standard booklet. Do you have... *inaudible*?

Mr. Bain: Well, there's M-1...

Ms. Sellers: M-1 I have no problem. It's that B-2, that Urban Commercial where one is allowing it by conditional use permit, right, and one's not allowing it at all is the only difference I can see.

Mr. Apicella: Well, we've got a project in B-2, right? One of the two newer ones is a B-2? And it's by-right. So, so, at this point, so, right?

Mr. Zuraf: Well, it's restricted by proffers. It's the the project that... *inaudible, being talked over*.

Mr. Apicella: I thought one of the other two projects that came in is a B-2?

Mr. Zuraf: Oh, it's B-2; there are proffers on that. But the specific use is not restricted. But there's, you know, there's still proffers on it.

Mr. Apicella: Oh, for both of the newer ones?

Mr. Zuraf: Just... well, there are proffers. But the question will be whether or not they need to do a proffer amendment on both of those, so, which is going through the review process right now.

Ms. Barnes: Is that the one on Centreport Parkway we're discussing?

Mr. Zuraf: There are two on Centreport Parkway that came in...

Ms. Barnes: So, it is B-2 by-right but it needs a proffer amendment which then kicks in the possibility...

Mr. Zuraf: Potentially.

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Ms. Barnes: Okay, got it.

Mr. Apicella: So just, again, hypothetically, let's just say there were no proffers and someone would need... so the change from now, the current state, is no longer to allow it by-right under B-2, or under M-1, and moving forward, whether it's a B-2 or M-1 parcel, they would need to do a CUP. That was the original recommendation from the Planning Commission. And to by-right, and then subsequently, the ICTP was added as, as a by-right as well.

Mr. Zuraf: Right.

Mr. Apicella: So so that's really just the change.

Ms. Barnes: So are you looking for something like this, we have this for M-1 and M-2...

Ms. Sellers: No, I'm trying to understand how we can say because Option A and B appear different to me. But people are saying we can, we're cool with either one. And that's not a decision so.

Mr. Apicella: No, they're not the same. So, one more time, Option A recommends data centers be allowed with a CUP in B-2, with a CUP in M-1, by-right in M-2, and by-right in ICTP. That's option A. That's what we originally recommended to the Board. Option B...

Ms. Sellers: Came from the Board.

Mr. Apicella: ... came from the Board and they took out allowing data centers at all in B-2 and M-1, and they would only allow it by-right in M-2 and ICTP. And our view is, my view is, the Board can make that call ultimately, which they would prefer. I don't, I'm kind of agnostic. I don't... if they, if they think the CUP in B-2, ultimately, a majority of the Board thinks that a CUP is something they want to consider for B-2 and M-1, more power to them. And if they don't want to do it at all in B-2 or M-1, that's fine, too. But the problem is, if we, if we make no rec... if we take it out, if we go say with Option B, it's the way I understand it, they can't consider Option A.

Ms. Lucian: No, they can; they can regardless of your vote. So just think of it as two completely separate ordinances on separate topics. You can say yes or no on either of them. You're just making a recommendation. They can do whatever they choose even if you said no on A, yes on B, yes on both of them, which I understand your concern, because it sounds like you can't do both at the same time, which is true. But the Planning Commission only making a recommendation authority. It's ultimately the Board makes the final call.

Ms. Barnes: And I'm okay with adding Option B because the Board said we like this option, too. Take a look at it and see what you think about it. Because it was kind of... it seemed to me like there was...

Ms. Sellers: I like Option B. I mean, I don't know why if they're willing to say we can't have it by-right or conditional use permit in these other districts, I'd like it to be more restrictive.

Mr. Apicella: I would recommend you watch meeting. I would say that there was a lot of confusion about, about Option B and that my sense is that the majority of the Board only agreed to consider Option B, that there wasn't, there wasn't a majority necessarily that said, yeah, we want Option B. They just wanted Option B to be considered. So I don't, I don't know which, I don't know which option, what the Board ultimately is going to decide on.

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Mr. Bain: One of the things to keep in mind. If we're talking about big data centers, there's not a lot of land in the county, in either B-2, M-1, or M-2 that's of a size that the data centers will be able to step in and do by-right anyway. Any data center that's coming in, that's going to be large, is going to have to go to rezoning. It's going to be A-1 land going to B-2, M-1, or M-2. By doing the Option B, in a sense, it simplifies things because, okay, you got to go M-2. But the B-2 and M-1 options give a little more flexibility in terms of if it's not, if the entire parcel or combined parcels that they want to rezone, they don't have to be M-2. And so it adds a little more flexibility in my mind, but maybe, again, maybe it isn't that much of a difference.

Ms. Sellers: So what I really like is ICTP Overlay. I really like that. I got to see what the, how they would define it. Um, I really, really like that they did that and, you know, Mrs. Vanuch was talking about that, well, what in March or April, whenever we were at the community center over there.

Mr. Bain: What, what does that do that...?

Ms. Sellers: Because it allows you to rezone the whole property as one similar to how we do Embrey Mill or The Garrison. It allows us to look at the whole property, you know, and look at how it's all going to work together. I really, really like that they, that that was incorporated on both of them. I just want to make sure that, you know, we're focused on this data center definition, but the definition of how we define that based on land, I mean, some of these other large zoning categories have land restrictions, you know, they have density requirements, and different things that we then put in them. So I don't see a definition of that. But I really like the concept and having, you know, stand next to Mrs. Vanuch heard her talk about it. I really agree with that. I like that she got in both of those. And I do kinda like that we don't allow it by conditional use in these other things, because a conditional use permit is very restrictive as to what we can ask for. So with a proffer in a reclassification, we can ask for transportation, we can ask for Fire and Rescue, we can ask for all these things that we cannot ask for in a conditional use permit process. And so if we're going to go and try and force people to go through a public process, public hearing, I would much rather go to what B is proposing, which is the rezonings over conditional use permits. That's my perception.

Mr. Bain: But that's what I'm saying. Everywhere, they're gonna have to do a rezoning to start.

Ms. Sellers: Under B, but under A there's two places they can just get a conditional use permit. And you'll be surprised.

Mr. Bain: But they're not parcels big enough to handle data centers of millions of square feet. So it's all going to be A-1 land going to either B-2, M-1, or M-2. And that that's why I say, I...

Ms. Barnes: Well, that's why I asked about this, because I have a map that shows the M-1 and M-2's, but I don't have anything that shows the B-2's. I mean, that might, that might be helpful to take a look...

Ms. Baker: That was a prior map that has been presented.

Ms. Barnes: Well, I no longer have that map.

Ms. Baker: I thought it was attached to this package, but we can provide that again to you all.

Mr. Apicella: Again, my preference is to give the Board both options, and let them make the final call. And again, if that meeting on the 17th Commissioners could vote yes on one and no on the other or

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whatever, but I would prefer, again, not knowing the will of the majority of the Board at this point in time to send them forward, both... which I think we're going to do anyhow, which is what I'm hearing... at the end of the day, they're going to get A and they're going to get B, really our discussion is something we should probably have on the 17th whether we have, as members of the Planning Commission as part of that public hearing, whether we personally have a preference towards A or B.

Ms. Barnes: That would be the ideal case.

Mr. Apicella: I think that's gonna happen regardless of this continued discussion about whether we like A or B now.

Ms. Barnes: Okay. So we might be getting a little ahead of ourselves other than a brief introductory as to why we like A or B because that, on the 17th we can do that. But right now, we need to make the decision, you know, just come together as a Commission saying yes, we will forward A and B and discuss that at the 17th meeting. And that's that's what we're gonna do.

Mr. Apicella: So can we at least get consensus on that piece. Yes.

Mr. Bain: I'm fine with it.

Ms. Barnes: Okay, consensus?

Ms. Sellers: I'm still trying to figure out where the 25th went.

Ms. Barnes: I thought you said it was the 27th?

Ms. Sellers: No, I thought it was the 25th.

Ms. Barnes: 25th? No, 17th.

Mr. Apicella: So now back to the other piece again. The recommendation is, whether you call it option C or a further recommendation from the, from the Planning Commission, is to...

Mr. Bain: I don't think we should refer to it as C because that's going to really confuse...

Ms. Barnes: We should just say an optional data center definition.

Mr. Apicella: So, well the first piece is...

Ms. Barnes: There's actually three.

Mr. Apicella: ... is the Comp Plan piece, which I can't see... I will be hardpressed to see somebody objecting to the additional modifications we made to the Comp Plan.

Ms. Sellers: I absolutely object to any... I object to anything we do to the Comp Plan that is independent of a full Comp Plan revision.

Mr. Apicella: Have you read it?

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Ms. Sellers: Yes, and... *inaudible, talking over each other.*

Mr. Apicella: Because we changed a couple words. We only changed a couple words. We changed manning to staffed so you have an objective...

Ms. Sellers: And then you have a whole thing in there...

Mr. Apicella: I was just gonna ask you a question, do you have a problem with changing manning to staffed in the language...

Ms. Sellers: My question is, why do we have to touch it at all? Just leave it. Just don't change anything.

Ms. Barnes: And yet, maybe... they'll just make another condition.

Ms. Sellers: I don't know why we would recommend to change anything like, why are we...?

Mr. Apicella: We're not making... again, it's not substantive changes to the overall Comp Plan. It's the Comp Plan revisions associated with data centers, which were very minor.

Ms. Sellers: Mr. Apicella, nothing that you put in is minor.

Mr. Apicella: That's not true. And again, I...

Ms. Barnes: Yeah, with those two little changes, I think they're pretty minor. But nevertheless, I have no problem putting that one through. But like you said, there's a couple of options that the one they sent down to us that we originally sent them, the second one that you made, and the third one that you've added on to, so there's actually three options with that. Correct?

Mr. Apicella: I'm not following you.

Ms. Barnes: Yeah, it's late, I might not be following me either.

Mr. Bain: I don't understand.

Mr. Apicella: The only substantive change that we made was asking that the applicant provide a copy of the load letter to verify that they that they worked with the utility company, and that they'll get the load, there's not going to be an issue with them getting the capacity that they're asking for. That's already part of the process. And we just want a copy of the letter.

Ms. Barnes: And it is going... how is that... it is going through the public process. How is it not going through the public process?

Ms. Sellers: I just want to know what is the intent behind that. Why?

Mr. Apicella: Because the public has a concern. I mean, every meeting that I've been to, and I've been to every single, every single data center meeting that we've had, every single community meeting that we've had, and the issue, and it came up with the one that we had, what last month, maybe this month, people were concerned about how data centers would impact the electricity grid and whether or not data centers would get preference when there's a, um, when there's an outage. And so from a, from a user's

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perspective, everybody who uses electricity, folks want to be sure that Dominion is going to be able to provide data centers the electricity that the data center needs without adversely impacting the grid and each user's electricity usage so.

Mr. Bain: Right. Brownouts...

Mr. Apicella: Yeah, and it's already part of a process. So we're just, we're just asking for a copy of it to be sure that they've had that conversation when they're going to us and they're asking to establish a data center in Stafford County.

Ms. Sellers: But how are we going to use that then against the applicant?

Mr. Apicella: It's a request. We're not going to use it against them, we would like to have a copy to know that they've had that conversation that that's already taken place, that it's not going to be something that happens downstream as we're working through the process of reviewing their package. It's happening on the front end, not on the back end. Why would we waste our time trying to determine whether or not somebody should have a data center in Stafford if they haven't already worked with the utility company?

Ms. Sellers: But we know they have to work with the utility company, and it's not just Dominion, it's Rappahannock. Dominion has the most people. But if you look at electric... like...

Mr. Apicella: I'm trying to understand what would the objection be... what would the objection be to getting a copy of the load letter? What's the, what's the downside of getting it?

Ms. Sellers: I just don't understand why you're requesting it and why your implying that... *inaudible, talking over each other.*

Mr. Apicella: Again, to enumerate the concern from... you've talked about this before. Every... *inaudible*... going on in their backyard. So again, if somebody wants to come in with a data center, and I'm a consumer who uses Dominion's electricity, I'd like to know that they had that conversation with Dominion, and that Dominion can provide their, their power as well as mine, and that I'm not going to be adversely impacted, because this data center is coming up right across the street for me.

Ms. Barnes: And it's up front.

Mr. Apicella: And it's up front, not on the back end. Not after we've gone through the whole review process.

Ms. Barnes: Okay, Ms. Sellers, go ahead.

Ms. Sellers: So when you get out Kings Highway, and they'll tell you that on a bright, sunny day and in great weather, they still have power outages randomly. They're not on Dominion. How, I mean, how is that going to help, help the individual homeowner understand that it's not affecting them? Like, there's no, there's... I'm just not understanding where you're going with this. And then I also know that we have transportation impact analysis studies that we're supposed to be conducting. And in the last year, at least three applications have not been required to have them. We require other paperwork ahead of time that we, we conveniently don't request. So I just don't want to set up something and make it seem like we're being really tough right now, and then when we get into practice, we never enforce that and we never

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require them to give that. Because that is what happens. We had one today where we didn't require a transportation impact analysis.

Mr. Apicella: So it's in, it's in the Comp Plan, so it can't be required. We're asking for it. It's in the request. So again, I'm trying to understand what's the downside of requesting...?

Ms. Barnes: I think, I think we've mitigated this enough so that we understand where we stand. But the question nevertheless is whether or not we want to forward that recommendation. And honestly, this is just a, hey, by the by, we think this is good, too, you might want to suggest, you might want to consider this. And then like I said, they can say thanks for playing, you know, in the, in the circular fire, or they could say, hey, there's some good ideas here. We might want to, you know, really refine this and like Lauren said, they could send that specific part back down to us for us to really work on, you know, if they think that it's fuzzy in any way, shape, or form. It's, you know, this is, this is just us saying, here's a little, here's a little addition, so that we we don't broadly capture something that we're not intending to capture. And making sure that up front, because Steven's right, anywhere I go, everywhere I go, every meeting, I go to, everybody who stops me on the street, every friend that inboxes me, do we have enough power for this? Do we have enough water for this? And, you know, if I were a consumer, if I were a constituent, and I was able to say this is Dominion's letter that promises that they will have enough power for this. Now, the question we're asking is, and if they don't, then what?

Ms. Sellers: But then what?

Ms. Barnes: I'm not seeing any harm or foul and asking for it. But, you know, maybe that's a question for staff? Then what? If, if all of a sudden if Dominion says, we've got enough power, and they all of a sudden don't – I mean, we're not, we're not going to be involved in that. But I mean, obviously, there's gonna be some material hitting a fan somewhere.

Ms. Sellers: It'll be just like these transportation letters that VDOT sends us; these are our concerns that we absolutely ignore. And that is something else is...

Ms. Barnes: But even if somebody ignores something that I think is important, I'd still like to bring it up. Can we can we get a consensus on this? Or do you want to take a vote to make it, and make it a little bit more concrete? Anyone... you want to have a vote Ms. Sellers? I know you're having a little...

Ms. Sellers: No, you guys all know where I stand.

Ms. Barnes: Okay, so you're all right with the consensus. I was saying on the, on the meeting, you can make that clear, on the 17th, that...

Ms. Sellers: It might make me come back from Arlington that night after CTB meeting.

Ms. Barnes: You always have a calming... *inaudible*. I think you still have that. Okay, so what are the consensus on sending that up? Okay, I think... have we beat that dead horse?

Mr. Apicella: So that's, that's, that's just some, like, compound piece. So the second piece is the change in the first part of the definition, okay. Again, which is very similar to the language used by other localities to define a data center. So that's, that's the first piece of it. And then the second piece of it is the additional language that I recommended today, I'll call it for lack of a better term, the GEICO exemption. And again, we could just say this, these are additional provisions that you might want to

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consider or adopt as part of your own deliberation and consideration of the package that we provided. And that would all be encapsulated in a, again, a memo that you might prepare to kind of give them a heads up on what, what we were thinking and how they might modify A and/or B when they get it on the 22nd – on the 17th.

Ms. Sellers: Do you think they pay professional staff to provide the items like this? I mean, last when I was on the Board of Supervisors, we had professional staff that did this. And I hear a lot of I provided this language. And I would like to start seeing what was provided language from Planning Commissioners, first from our actual professional staff. No offense, Mr. Apicella, but we do have professional staff in this building. And I would like to see what our professional staffs' opinions are and not just it all put together and then, you know, none of us know what comes...

Mr. Apicella: So, so the subcommittee worked on the original version. You were at some of those meetings. Staff were there. We all kind of noodled it. That was the definition we came up with. We had a subsequent meeting when this got referred back to us and staff were there and they heard the recommendation. It wasn't Mr. Apicella's recommendation on his own... *inaudible*... getting it adopted. The subcommittee agreed. Mr. Shelton was there as well. He didn't object. So I would say that it's, that, that piece of the change to the definition was, it is, a subcommittee recommendation, not just Mr. Apicella's recommendation. I agree at the last minute today, and I've said it in my email, I had a concern that there are small data center, potential server farms that might be adversely impacted by the definition. And I wanted us to consider a way to carve those out so that they aren't. So...

Ms. Sellers: And then you came up with a definition. Like why can't we have a situation where...

Inaudible, several speaking at one time.

Mr. Bain: We talked about the definition during the data center committee meetings, both of them that we've had recently.

Ms. Barnes: But if I'm correct...

Mr. Bain: And we talked about ways to modify the definition so that situations like GEICO and others, that aren't really the big data centers that demand tremendous amounts of power and take up a lot of land, and that was, we had that discussion pretty thoroughly at the last meeting.

Ms. Barnes: With staff and the advice of staff.

Mr. Bain: With staff, and Lauren was there.

Ms. Barnes: I think it's a fair question and, at first, when we come in, staff usually gives us a go by, because I'm not going to come up with this on my own. And we study that go by we discuss the go by, we discuss with staff what we can do and what we can't do and discuss with Lauren what we can do and what we can't do, and then we noodle it, and then staff and everybody else takes a look at it and says you know, thumbs up, thumbs down, you might not be able to do this. But we're not just pulling this out of, out of a cloud, so to say, no pun intended, but very much so when we come into this, staff makes the original recommendations. And that's what we work from, if I'm correct, if I remember correct. Staff usually comes in with most of this stuff.

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Ms. Sellers: Well, I don't know if I would agree. I just, you know, I don't... I would like to see us clean up that process and, and somehow differentiate between what is the Planning Commissioner's opinion versus what is our professional staff's opinion, because we do have staff that do this every day and that are professionals. We are not professional planners. We are Planning Commissioners appointed by an elected official. And it does concern me when I hear, you know, I was concerned... and I don't like getting things at the 11th hour, right? I don't like coming in here not knowing what's going to happen. And that happens quite a bit for the few times that we do meet in the year, but that would just be my thing is, is I'm very hesitant to support something when I don't know, is this a professional recommendation? Or is this a recommendation by a Planning Commissioner, you know, who is, this is a part time job, right. And we're here, you know, we're here to represent our Supervisor and our communities. But, you know, I don't want us going and changing and making these wholesale things. Like, we do have a professional staff. Like, we need to utilize them and give them some autonomy, and let them provide guidance and recommendations that we can then kind of go through but we don't do that. I mean, and I did attend those meetings. So that's, that's my concern. I won't be supporting the Comp Plan anything just because I don't know where the recommendation came from. I hear from these counties. But as far as I'm concerned, no offense, Mr. Apicella, but we have professional staff and I'd like to see their, their recommendation independent of yours.

Ms. Barnes: Okay, we have one last response and then we're going to make a decision as a Commission. Mr. Apicella?

Mr. Apicella: Yeah. So absolutely we have professional staff and we have a part time Planning Commission. Our job is to augment the professional staff. That's what we, that's why we're here on everything that comes in front of us; rezonings, CUP's, Comp Plan compliance reviews. Staff make a recommendation, and collectively as a Planning Commission, we form the final outcome based on our own knowledge, experience, background, what have you, and hopefully at the end of the day, combined with staff and our own views and opinions and research and information, come up with hopefully an even better product at the end. So I don't disparage any Planning Commissioner from offering up alternative views, opinions, language. At the end of the day, our job is to represent not the Board of Super... not our individual Board of Supervisors, but the citizens of Stafford County. That's that's our jobs. I think we do a pretty good job at it. And I'm, I encourage any Planning Commissioner to attend the meetings, and to offer up their ideas and suggestions. And at the end of the day, it's the majority who will decide whether or not something goes forward. So again, my only goal was to try to address some of issues that I saw with the definition. Staff were at the subcommittee meeting. I didn't see any concerns from them with the revised definition that we came up with that was in our in our package today. Again, at the last minute I raised the concern. If it doesn't go forward, I'm not going to lose any sleep over it. But I think it would be helpful to at least present to the Board that there is a concern that some smaller, there'd be an unintended consequence to smaller server farms used by businesses that could be caught up in the data center definition no matter what we do if we don't find a way to exclude those. That was my only objective.

Ms. Barnes: Okay, we've heard from Mr. Apicella, Ms. Sellers. Is there anybody else that would like to just kick in briefly?

Mr. Bain: Just one comment on this. This was not a concern raised by Mr. Apicella originally. It was actually raised by Dexter. We, as a committee, discussed this, with staff present and staff participated in the discussions. We got some insight from Lauren on this. And at our last committee meeting, we kind of left it up in the air. Since that meeting, Mr. Apicella has raised... furthered the concern and discussed it with the other committee members who were Kristen and myself. And I have discussed it

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with Mr. Shelton some concerning the definition. And Steve was kind enough to put it into words for our consideration tonight. This was not done without participation by staff. However, I will point out that our staff are also not experts in data centers and that type of thing because this is new for all of us. They have participated, they've been supportive. They've done everything we've asked of them. We have not ignored them. We have not been disdainful of their participation; we've encouraged it at every point. So I think that what we have here is not Mr. Apicella's assessment or proposal. It is a committee proposal. And it has involved staff. And so I have no problem with it. I think that if you want to be picky and say it's Steve's, then you're misguided. It is not Steve's wording. It's the committee's wording.

Ms. Barnes: Thank you, Mr. Bain. Okay. I don't see anybody else reaching for their microphone. The only thing I would like to say is, I always am very trustful, and very hopeful that if anything that we come up with as a committee, as an individual, if we are somehow putting our legal foot in their mouth, that staff will correct us and they do correct us. If they, if we come up with something, they will get back to us and say, hey, you can do this, you can't do this. This is wise, this is not wise. And we listen to them on that. You know, none of us really are professional planners, but we have the professional planners, they give us the options. And then we say hey, we think this is this is a good option. This is a good option. This is a good option. But you're right. I'm an anthropologist, I can talk to you about that all day. But for this stuff I listen to the pros and those are our pros right down there. And so that's, that's how I think we need to bring this to a close. Do any of you want to come to a consensus up or down whether or not we're, we're comfortable just sending it on to as a, as a suggestion to the Board of Supervisors when we hit the October 17th meeting

Mr. Martinez: Madam Chair, I just have a quick procedural question, if I may. Whether or not we come to a consensus on say option C, say the joint, the joint hearing occurs and someone in the Commission, I'm not even saying it's even going to happen. I'm just saying just theoretically, if someone were to discuss an option D, is that in, is that in order?

Ms. Barnes: Oh, boy.

Mr. Bain: Sure.

Ms. Lucian: Theoretically, yes. You may make some people angry. But the Commission can discuss as long as it's this topic. I wouldn't recommend it necessarily, but it's not legally prohibited.

Ms. Barnes: And as we've said at that meeting, we can, we can bring this up and we can discuss this hopefully, not in as much length as we did tonight, because it's a joint public hearing, but this can always be brought up again. Okay, so do we have a consensus? I'm gonna, I'm gonna guess Ms. Sellers probably not. Okay. And Mr. Shelton?

Mr. Shelton: A and B.

Ms. Barnes: Mr. Bain? A, B, what about the definition?

Mr. Shelton: With the modification or recommendation for that.

Ms. Barnes: Okay.

Mr. Bain: Same thing.

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Ms. Barnes: Okay. I'm good with it. Mr. Apicella?

Mr. Apicella: Yep.

Ms. Barnes: Martin? You're good with it? Okay, so we will take those. And staff, I will have to get in touch with you so you can help me write, because once again, I don't, I don't write...

Ms. Sellers: What about Steven? He'll do it.

Ms. Barnes: Yeah, I can do it myself. I think I'd rather have Kathy's help on this one. Thank you, though, Steven. So I'll need some help with that, just to make sure that I, as I said before, don't put my foot in my mouth. Maybe. Okay. Let's move on, shall we? Ms. Barnes: Okay, Chairman's Report. So the only thing I have on the Chairman's Report tonight is we have this little cheat sheet that I got that Stacie gave me many years ago, probably January of 2020 before the world fell apart. And it's a District Uses and Standards guide, and it has all of the A-1. I know that Billy asked if we had something like that; he didn't. I have an old one, so Stacie is going to make up a brand new one and completely update it because this changes frequently. And if you want one, just let her know and she will get that to you because this is a great cheat sheet. Okay.

CHAIRMAN'S REPORT

Mr. Bain: Send it to everyone.

Ms. Barnes: I think you probably already have one.

Mr. Apicella: Yeah.

Ms. Barnes: Yes, but this is... I don't, I don't lug that five pound green, the... I like, I like a dedicated cheat sheet in a little folder that doesn't weigh five pounds.

Mr. Apicella: It's been updated in the last couple of months so whatever you have might not be the current version.

OTHER BUSINESS

6. New TRC Submissions
 - 23155250; Melrod – Hartwood Election District
 - 23155238; Mountain View Dog Pk – Rock Hill Election District

Ms. Barnes: So if you'd like one, it's available for you. Okay, Other Business, New TRC Submissions.

Mr. Shelton: I think those are reversed.

Ms. Barnes: No, we got them right. They switched them around, because I remember I sent an email that said...

Mr. Shelton: The dog park's in yours.

Ms Barnes: Yeah, and that's on there. They got it, they got it right.

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Mr. Bain: In the newest one.

Ms. Barnes: Oh, yeah. Did you print yours out?

Mr. Shelton: Yeah.

Ms. Barnes: It's been reversed since then, yeah.

Mr. Shelton: Thank you.

Ms. Barnes: So Melrod in Hartwood Election District, Mr. Shelton, and the Mountain View Dog Park, which I'm just going to hit a big yay on that one for the Rock Hill Election. We got something and we got something good. Okay, approval of minutes. Let's move on to that one. June 28, 2023. Do I have a motion for the approval of those minutes?

APPROVAL OF MINUTES

7. June 28, 2023

Mr. Shelton: Motion to approve.

Mr. Bain: Second.

Ms. Barnes: Okay, motion to approve by Mr. Shelton, seconded by Mr. Bain. Any discussion? All in favor?

All members: Aye.

Ms. Barnes: Any opposed? Any abstentions? Motion passes 6 to 0 with one absent (*Mr. Cummings*). And with no more business before the Commission, we are adjourned. Thank you everyone and good night.

ADJOURNMENT

At 8:40 PM, Chairman Barnes adjourned the September 27, 2023, Stafford County Planning Commission meeting.