

## ***STAFFORD COUNTY PLANNING COMMISSION***

***June 12, 2024***

The meeting of the Stafford County Planning Commission of Wednesday, June 12, 2024, was called to order at 6:00 PM by Vice Chairman Willie Shelton, Jr., in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center.

MEMBERS PRESENT: Willie Shelton, Jr., Kristen Barnes, Carlos Bratton, Kelsey Caudill, Martin Martinez, Laura Sellers

MEMBERS ABSENT: Steven Apicella

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

### DECLARATIONS OF DISQUALIFICATION

### PUBLIC PRESENTATIONS

Mr. Martinez: Mr. Chair, we have a quorum with one absent.

Mr. Shelton: Thank you very much. Do we have any declarations of disqualifications? Seeing none, we'll move on. Are there any changes to the agenda? Hearing or seeing none, we'll move right along. Public Presentations. I will now open the public presentation portion of today's meeting. The public will have 3 minutes to comment on any matter, except on the 3 public hearings items on today's agenda. There will be a separate comment period for these public hearing items. This is not an interactive conversation. Before starting your comments, please state your name and address. The clock starts when the green light appears. Yellow light means you have 1 minute left. Red means that your time is up. And I have a sign in list. Peter Stencavage; is that correct?

Mr. Stencavage: Stencavage.

Mr. Shelton: Stencavage. Okay, sorry about that.

Mr. Stencavage: Peter Stencavage, and I'll be talking about Buc-ee's. God's Little Acre. In the book, God's Little Acre, the character Ty Ty has promised to donate any profits generated by one acre of his farm to the church, but is terrified that gold will be found on God's acre. So Ty Ty keeps moving the marker that designates God's acre. In much the same way, proffers in Stafford County keep getting changed. The original proffer on the 3-acre parcel at the north end of Buc-ee's 36-acre parcel was a park. Ten years ago, we fought the rezoning of the 3-acre parcel and the proffer of a park and lost. The proffer of the park was removed; in its place was, were proffers to limit the types of businesses and hours of operation. Will these proffers and hours of operation... I mean, will these proffers be honored? Or will Stafford County continue to allow developers to move God's little acres for their benefit whenever they want? Please act in the best interests of Stafford County residents. The people who actually live here are part of the community. Don't act in the interest of Buc-ee's, a non-community oriented business that will bring in mostly out of county, out of state customers. Thank you.

Mr. Shelton; Thank you, Mr Stencavage. Darla Stencavage.

Mrs. Stencavage: Hi, Darla Stencavage. Good evening. Tonight I would like to look at why Buc-ee's does not make economic sense for Stafford County. Buc-ee's states that it will create nearly 21,000 cars coming into its store every day. Each of those cars will have anywhere from one to an unknown quantity of passengers. Looking at typical numbers of passengers per car on I-95, let's put the average number

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of people per car at two. That would mean that Buc-ee's, that the Buc-ee's store would see around 42,000 people per day coming into its store. Each one of those people would create a load on the electricity, water, sewage, trash, and emergency response services. So how much of a load is this? To compare, let's look at Stafford County and its districts. Stafford County as a whole has approximately 163,380 people living in 54,836 housing units. That means that there are an average of about three people per housing unit. So bringing in 42,000 people a day, which by the way, is equivalent to about a fourth of Stafford's population, would be the equivalent of adding the capacity required for approximately 14,000 housing units. Furthermore, since most districts have about 20,000 people and an average of about 7,000 housing units, this would be equivalent of adding the capacity requirements of two districts for Stafford County. Then looking at the fiscal year '24, total revenues and expenses as published on the Stafford County's utilities fund, it appears that Stafford County operated at a \$1 million deficit for fiscal year '23. With Buc-ee's not currently proffering any money towards capacity expansion, and with projected revenues from Buc-ee's of only 3.8 million, much of which wouldn't even return to our county, it doesn't seem like the yearly revenues would even be able to pay for the necessary capacity expansion that would be equivalent to that required for even one Stafford County district. And this is only for utilities, and doesn't even count the cost necessary to increase the emergency services and road maintenance services that would be required with the associated influx of people. It clearly makes no economic sense to build a Buc-ee's on this site. What would make more sense is to build something on the site that is community oriented and would provide equivalent or higher revenues back to the County simply from their property taxes, but would provide exponentially more return if we are investing in local citizens who then buy homes here and spend their money in Stafford County. We need to invest in Stafford, not a Texas-based company that will be more of a drain on our County than a benefit. Thank you.

Mr. Shelton: Thank you, Ms. Stencavage. Michael Stafira.

Mr. Stafira: Hello. My name is Michael Stafira, and I live in the Garrisonville District. And my family and I have been a resident of Stafford County since 1998. I'm here to talk to you about some of the negative impacts of the proposed Buc-ee's next to our community.

Ms. Barnes: Can you lean into the microphone a little bit more?

Mr. Stafira: Buc-ee's is not your normal size, 10 pump gas station. More like 10x, the norm, the normal – let's see, 10x and normal and needs a more thorough review than a normal gas station. First, normal setback distances for prolonged exposure to cancer causing benzene vapor needs to be reconsidered in view of the sheer volume of the gasoline that is next, that this location is projected to go through annually. From the numbers of a similar sized Buc-ee's in Texas, they go through about 1.5 million gallons a month. That's 18 million roughly a year. What does it take to maintain that? Eighteen... over 1,800 tanker trucks a year, 166 a month, and five tanker trucks a day. So the setback distance for calculations need to be at least 500 feet from this location. And I provided you guys with the study from Columbia University. They even said themselves, this will probably be the busiest location. Second, I would like to talk about stormwater and the calculating amount of potential small hydrocarbon spills. This actually happened me the other day when I was filling up at Costco. I was sitting there filling up my truck. Click, about a golf ball size amount of gasoline right onto the deck of the gasoline station. So using the John Hopkins model, which I provided to you all, it had a similar and a similar size Buc-ee's, that's potentially 560 gallons a year that's potentially being absorbed into the soil. That's over 5,000 gallons over a 10 year period. This, that will potentially be absorbed in the surrounding grounds and transported by existing wetlands to the Accokeek Creek watershed. This could potentially lead to more algae blooms from hydrocarbons which can affect marine life, nesting bald eagles, blue herrings down to the Crow's

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Nest Natural Preserve. I know at this stage, Buc-ee's does, Buc-ee's does not need to provide stormwater management plan. But looking at their current public land, it doesn't seem like they have taken in account for the over 30 acres of stormwater from the hard surface area that they plan to pave over, which goes into our existing wetlands. That even when you look at their plan, they have a pedestrian bridge going over existing wetland. This is not a normal sized gas station, and we don't know what the long term effects from the exposure, exposure from these chemical, chemicals will be on our environment, our neighbors, our friends, or our kids. Extensive environmental planning and impact studies are needed so we can preserve our natural beauty of Stafford for future generations. Thank you again.

Mr. Shelton: Cory Stone.

Mr. Stone: Sir, please disregard Cory Stone and Kendall Anderson, sorry.

Mr. Shelton: Kendall Anderson.

Ms. Anderson: You can disregard.

Mr. Shelton: Warren Williams.

Unknown speaker: You can disregard.

Mr. Shelton: Anyone else in the audience that would like to address the Commission on any item other than the ones we have on the agenda? Seeing none, we will move to item 1 on the agenda, Amendment to Stafford County Comp Plan, Stafford Technology Campus. Mr. Zuraf, are you leading that charge?

PUBLIC HEARINGS

1. COM23154932; Amendment to the Stafford County Comprehensive Plan – Stafford Technology Campus - A proposal to amend the "Stafford County, Virginia, Comprehensive Plan 2016-2036 2021 5-Year Update," adopted on November 16, 2021, as last revised, regarding future land use designations to support higher density commercial development. The proposed amendment would modify Chapter 3.0, "The Land Use Plan;" to amend the maps entitled Figure 3.1, "Urban Services Areas;" Figure 3.9, "Future Land Use;" and Figure 3.13, "Central Stafford Targeted Development Area" (collectively, the "Maps"). The proposal would amend the Maps by changing the future land use designation on an approximately 262-acre portion of Tax Map Parcel No. 38-124 (Property) from Agricultural/Rural to the Central Stafford Targeted Development Area with a land use designation of Business and Industry; and amend the Urban Services Area limits to incorporate the Property into the Urban Services Area. The Property consists of approximately 262 acres, located on the east side of Richmond Highway, across from Sage Lane, south of State Shop Road, and east and west of Eskimo Hill Road, within the Falmouth Election District.
2. RC23154931; Zoning Reclassification – Stafford Technology Campus - A proposed zoning reclassification, with proffers, from the A-1, Agricultural Zoning District to the M-2, Heavy Industrial Zoning District on Tax Map Parcel Nos. 38-124 and 38-29A, together consisting of 503.84 acres (collectively, "the Property"). The proposed proffers would: require the Property to be developed in general conformance with the generalized development plan; prohibit specific uses otherwise permitted in the M-2 Zoning District; permit height for data center buildings of one hundred and five (105) feet; permit and establish requirements applicable to electric

substations; establish building setback and architectural design standards for data center buildings; establish tree preservation areas; establish fire and rescue standards; establish noise limitation standards; require specified improvements to utilities and transportation; and require plans related to construction management and emergency management and a general development schedule. The Property is located on the east side of Richmond Highway, across from Sage Lane, south of State Shop Road, and east and west of Eskimo Hill Road, within the Falmouth Election District. **(Time Limit: September 20, 2024)**

3. COM24155687; Comprehensive Plan Compliance Review – Stafford Technology Campus - A request to review compliance with the Comprehensive Plan, in accordance with Virginia Code Sec. 15.2-2232, for the placement of up to six (6) electric substations on Tax Map Parcel No. 38-124 (Property). The Property consists of 476.61 acres, and is located on the east side of Richmond Highway, south of State Shop Road, and east and west of Eskimo Hill Road, within the Falmouth Election District. **(Time Limit: August 11, 2024)**

Mr. Zuraf: Good evening Vice Chair Shelton and members of the Commission. Mike Zuraf with the Planning and Zoning Department. My presentation, if I can have the computer please, for this project, it includes items 1, 2, and 3. So if you, if I may, I'd go ahead through the full presentation of all three items. So this is three separate applications for a single project called Stafford Technology Campus. It includes a Comprehensive Plan Amendment, Zoning Reclassification, and Comprehensive Plan Compliance Review. So the first item is a Comprehensive Plan Amendment. It is a proposal to amend the Future Land Use Plan maps. There are three separate Land Use Plan maps that are proposed to be amended. First, to expand the Urban Services Area map, to amend the Future Land Use map from AG/Rural, Agricultural/Rural to the Central Stafford Targeted Development Area, and a third map modifying the Central Stafford TDA map that pinpoints specific land use recommendations. The second item is a Zoning Reclassification to rezone the subject properties from A-1, Agricultural to M-2, Heavy Industrial Zoning, and includes proffers. And then a Comp Plan Compliance Review, to review compliance with the Comp Plan for the placement of up to six electric substations. This would all be to permit a data center campus and public facility utility related, and related accessory uses. And I'll go through all this in a lot of detail. So for background, these parcels, two parcels are involved, 38-124, and 38-29A. This covers over 500 acres. It's in the Falmouth Election District. Stafford Technology, LC is the applicant, and Jonelle Cameron is here tonight representing the applicant. The site's located on the east side of Richmond Highway, across from the intersection with Sage Lane. It's also on the south side of State Shop Road and on both sides of Eskimo Hill Road. This is a zoning map of the site and surrounding area. The light green color represents A-1 zoning of the subject property. And then the surrounding zoning includes other A-1 zoned property in all sides, There's some M-1, Light Industrial zoning; that's the light blue shading that is on the western side of the site and a little bit to the north. And then on the eastern side, there's a little bit of M-2, Heavy Industrial zoning. The property has been zoned A-1 since before 1978 and there are no proffers that exist currently on the site. There was a preliminary subdivision plan approved on this property for 145 residential lots; it was back in 2005. That approval is still valid, but there's no development that has occurred for that residential project. The property is undeveloped and wooded. This is an aerial view. There is a high voltage transmission line and easement that bisects the property. You can kind of see that different shading through the middle. That's where the high voltage transmission line is located. The site includes rolling, sloping terrain through the property. There are several perennial streams and wetlands and RPA buffer areas across the site. Those are highlighted in the green shading. Some of the general surrounding uses include some residential and undeveloped uses to the north, and also other residential and undeveloped to the south as well. The Stafford Regional Landfill and also State Corrections Facility is located on the eastern side of the property. And to the west you have an industrial park, auto salvage yard, and other undeveloped land.

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The undeveloped parcel to the south has, also has an approved subdivision plan for 24 dwelling units. This is known as Potomac Creek Overlook. There, the property owner, though, has submitted a Comp Plan amendment application for that property. So first going over the, in a little more detail, the first item on the agenda, the Comp Plan Amendment. Again, this is the proposal to amend three different maps, and I'll go over those changes or those proposed changes. So the first map would be Figure 3.1 out of the, out of the Land Use chapter of the Comp Plan. This basically the red shaded area highlights the limits of the Urban Services Area. And so the propo... the subject property that is highlighted with the green line, and then the area that where the Urban Services Area would be expanded, it was in the red hatched area, basically on the eastern side of the property. And that area covers approximately 262 acres. The next map amendment request is, so this is the Figure 3.9, the Future Land Use map, also in Chapter 3 of the Comp Plan. This highlights the existing Future Land Use map. Again, the site highlighted in green, the orange shaded area is the area known as the Central Stafford Targeted Development Area. The light green area is the Agricultural/Rural Future Land Use Area. And the red line, that is the current Urban Services Area limit. So the proposed change to this map would expand that Central Stafford Targeted Development Area to the east to include the entire site. And the corresponding Urban Services Area limit would, would change and be expanded to include that area as well. So in the last map being requested to be changed is Figure 3.13. This is the Central Stafford Targeted Development Area map. It's the Future Land Use Concepts within this Targeted Development Area. So this is the current map, and you can see the gray shaded area recommends Business and Industry Future Land Use, and you see the portion of the site currently is outside of that. So then the proposed amendment to this map would expand that Business and Industry Land Use to go along with the proposed new boundaries to the Urban Services Area and Central Stafford Targeted Development Area. With the overall evaluation of, of this item, there are several positive aspects that staff point out. The proposed use is more compatible with the surrounding existing land uses in this area. There are limited public services in this area to support additional residential development such as schools and parks and things like that, and other shopping as well. Also, third point, the proposed extension of the Urban Services Area is unlikely to lead to further extension of the water and/or sewer to other lands outside of the Urban Services Area. As I noted, the area kind of butts up against the regional landfill, so there would be no need to expand the Urban Services Area to cover that, that area. Also, the proposed use is more appropriate than the current use in the vicinity of the Stafford Regional Airport. Some maps I'll get into show the operations of the airport and how that affects this site. And also the corresponding zoning reclassification proposes to mitigate many of the anticipated impacts. Staff does not see any negative impacts from this proposed land use change, the Comp Plan change, and staff recommends approval of the Comp Plan Amendment pursuant to Resolution R24-187. So now getting into the zoning reclassification, this is the second item on the agenda. This, again, is rezoning the property from A-1, Agricultural to M-2, Heavy Industrial. This application includes a general development plan. This general development plan contemplates up to 23, at least shown on this concept plan, 23 buildings. Those are the yellow boxes on this plan. They are anticipated as data, as a data center campus, which total up to 5.8 million square feet of floor area. The buildings are clustered in buildable areas on the site and avoid the Critical Resource Protection Areas that, and stream corridors that, that run through the property. The plan is showing potential building locations and layouts. With a project of this size, I'll point out that the applicant cannot commit to specific, the specific number of buildings and building locations and sizes as future tenant needs may change as the build-out of this project proceeds out several years. Each building would consist of two to three levels. The two level buildings would likely be up to 65 feet tall. The three level buildings would potentially be up to 105 feet tall. The maximum building height in M-2 is 65 feet in the zoning ordinance. Any structures exceeding that, that elevation would typically require a conditional use permit. The applicant, though, has listed the height exception in the proffer statement as a permitted component of the project. So acceptance of the proffers by approval of this request would allow the applicant to proceed with constructing the buildings up to 105 feet without

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needing a conditional, separate conditional use permit. The applicant is also proposing to construct a new road extension from Richmond Highway across from Sage Lane and running east to connect to Eskimo Hill – let's see if this works tonight. The new road extension, here's Route 1. It would run across here in this direction and connect up with Eskimo Hill in this, in this area. So that would be a new road network that would be added. Entrances to the data center pods are proposed off the new road and the existing Eskimo Hill Road. The applicant does not propose any, any direct entrances off of Route 1 into any of the specific parcels into the site, other than the main road entrance. Also the general development plan identifies up to six electric substations. They're proposed in the center of the site; the gray boxes in the center in this location. The stations will connect to the adjacent high voltage power line, and that bisects the property. Also similar to the height, I'll note that the electric substation is identified as a use that requires a conditional use permit in M-2. The applicant has listed the use as a permitted use in the proffer statement. And same thing here, that acceptance of the proffers would allow that, that use to proceed without needing a separate conditional use permit application. The general development plan also includes another page that identifies tree preservation areas. Those are the green shaded areas on the site. They also identify landscape buffers to screen the project from residential uses to the north. The tree preservation zones are identified as ranging from 400 to 1,000 feet in width. Mature trees that exist in this area would be preserved as part of this plan. Transitional buffers are proposed, are shown on this... you have a 20-foot transitional buffer adjacent to the landfill and Corrections Facility. On the south side, a 50-foot transitional buffer is, is planned and street buffers of 50 feet in width are proposed along Eskimo Hill Road and the new road connection. So looking at some of the evaluation factors, with transportation, a traffic impact analysis was submitted with the application to determine if the impacts from the proposed use. The development would generate up to 4,365 vehicle trips per day. The traffic study evaluated impacts from the project on the, on several intersections that go up and down Richmond Highway, all the way from Hospital Center Boulevard down to Centreport Parkway, and also the I-95 ramps at the Centerport exit. In the study, several mitigation measures were identified in the, that would be implemented as part of the project. A Transportation Plan Exhibit is included with the application that illustrates the proposed improvements. The project would also incorporate recommendations out of the Transportation Plan Element of the Comprehensive Plan. This includes right-of-way dedication that's recommended along Route 1, and then also right-of-way dedication along Eskimo Hill Road to allow for future widening and general improvement to those two roads in the future. And also the new east/west road connection is a recommended road segment in our Comprehensive Plan so the applicant is implementing that recommended road segment. This is one of the main pages from the Transportation Plan Exhibit. It just highlights the improvements to be made from, from one end to the other, and it kind of spell, identifies each point and highlights, in general, the improvements being provided. Then also separate pages in the Transportation Plan zoom in on specific intersections and provide more detail on how the improvements would be made at each of those intersections. With utilities, a data center use does require more water than other typical commercial and industrial development. The amount of water needed for the project, it was not identified specifically in the application. There are proffers that are being offered though. The proffers would require connection to a future reuse water line when available to meet cooling requirements. And also, they would be required through the proffers to enter into a Water Service Agreement with the County to help outline the improvements that would be needed to serve this site and surrounding area. The Water Service Agreement would outline how and when the reuse line would be constructed. The reuse line would need to be constructed from the Aquia Wastewater Treatment Plant to out to this site. The previous Potomac Church data center project that was approved, they proffered to construct a line to their site, and so from that Potomac Church data center site you have a one and three quarter mile distance to get to this site. The Water Service Agreement also then needs to be approved separately by the, from the Board of Supervisors. And staff would note, the proffers do not set a limit. First off, I'll note that the temporary use of potable water would be likely until the reuse lines are constructed to the site. I'll

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note, the proffers do not set a limit on the number of buildings that can utilize potable water. The reuse line is an extensive infrastructure project that will take several years to complete, so staff does recommend some sort of limit be established as to how many projects, how much, how many data centers can really utilize the potable water on this site. And also, other off-site water and sewer improvements would be needed, and the applicant is proposing to construct other off-site potable water improvements that the buildings will still require even if they are connected to reuse. So with sound, data centers do have the potential creating noise impacts. The applicant, the facilities, data center facilities, they require consistent climate control, which is handled with cooling systems that operate more frequently. The uses can generate consistent, low level sound that can be audible from adjacent properties. There are proffers that the applicant has included addressing sound. They have included that for prominent, discrete tones, the sound standard would be, the sound standard that is provided in the proffers and in the County ordinance would be reduced by three decibels. Also, require sound measurements to be conducted six months after final occupancy of the buildings to permit, occupancy permit to confirm compliance with the, the sound proffers and County Noise Ordinance, and also require sound analysis prior to the approval of each final site plan for the property. Staff would recommend additional sound measurement criteria be added, including sound measurements at specific months of the year, and then also requiring some measurements several years after occupancy. You saw the Comp Plan maps already on this. There are other Comp Plan features that affect this site. The site's within the Airport Impact Overlay that is in the Comp Plan as it relates to the Stafford Regional Airport. This identifies specific operational areas around the airport and identifies what land uses would be compatible or not, or might be iffy, within all these different zones. So you see the site highlighted in blue, this area is affected by and intersects with three different airport land use zones. Your bright blue area, the AP-2, that's, that's the approach pattern to the runway. And the green area, that is a transitional zone adjacent to that approach. And then H-3 is called the horizontal turning zone. That's if a plane needs to circle the airport in some way, that's generally where planes will be circling in that area. And so I mentioned the, the land use compatibility, the plan addresses that with, and identifies if uses are compatible or not or require additional review. Data centers would like be defined as needing additional review in the approach zone, additional review in the transition zone, and ident... are identified as a compatible use in the H-3 turning zone. The electric substations are classified in the, in this matrix as vertical infrastructure. This use is defined as not compatible in the approach zone, not incompatible in the transition zone, and needing additional review in the H-3 zone. These are representative images provided by the applicant depicting the required design features of the buildings. The proffers require buildings incorporate a variety of façade design treatments that correspond with, with these images. Just a quick summary of the proffers that were provided. The proffers require the property be developed in general accordance with the GDP; prohibit several uses that would otherwise be permitted by-right in the M-2 district. Also, as mentioned, permitting the building height up to 105 feet. Permit the electric substation on the property, also requiring a 100-foot data center building setback from the southern property line to help minimize potential noise impacts from residential uses in that direction. Also require security fence to be at least seven feet in height. If provided, established tree preservation areas and establish Fire and Rescue standards. Also, they're providing a series of sound mitigation standards. I mentioned a few. Also, providing a series of transportation improvements, limiting the combined uses of the property to no more than 4,356 vehicle trips per day. That... those number of vehicle trips correspond with up to 5.8 million square feet of data center building area. That's how the two match up. And also, they would pay to repair any damage... oh, that's not this project, that's the other one. Sorry. They would develop a construction management plan, develop an Emergency Management Action Plan, and provide annual general development schedule, if requested by the County. So the overall evaluation of the rezoning – there are positives: the use is consistent with the recommended Business and Industry Land Use in the, in the, and the full site would be in compliance if the concurrent Comp Plan Amendment is approved. The data centers are an appropriate use within the Airport Overlay District; data centers would be

consistent with the adjacent industrial and public facility uses; buffers and building setbacks would limit visual impacts to the adjacent residential uses; and siting near electric transmission lines limit the need to extend additional transmission lines throughout the County. Additional positives – the substations would be centrally located on the site, minimizing visual impacts to adjacent properties. The project ensures the data centers will reuse, will use reuse water, reuse water when available, negating the potential impacts to the County's potable water supply. Planned connector road... the planned connector road is generally consistent with the recommended road connection in the, in the Comp Plan and the Transportation Plan; and promoting economic development goals of bringing high paying jobs to the County. There are some negative aspects. There's several transportation issues remaining that are, and concerns raised by VDOT that remain unresolved. The electric substations may be in conflict with the Airport Compatibility Guidelines. The taller maximum building heights may create potential visual impacts on adjacent properties. There are no limitations to the amount of potable water that might be used for data center cooling or corresponding timeframes for the completion of the water reuse line. And then sound measurement proffers may not provide adequate standards. For the recommendation on the reclassification, although there are several positive aspects, staff does recommend deferral of the application because there are unresolved issues that should be considered. In the staff report we basically outline all those, all those issues after this, after the recommendation. So the last item, item three, the Comprehensive Plan Compliance Review, again, this is a request for the Planning Commission to review compliance with the Comp Plan for the placement of up to six electric substations. As mentioned, they're centrally located within the overall property; the gray shaded area shows the locations. They're along Eskimo Hill Road and the proposed extension of Eskimo Hill Road. This is a sample substation image included with the application. The applicant noted the tall structure in the facility are components called backbones and static poles that reach 95 feet in height. So Chapter 2 of the Comp Plan includes one objective and three policies that are specific to electric substations. Staff evaluated how the substations conform to the policies. The proposal is generally consistent with Objective 5.5; the substation is located immediately next to an existing transmission corridor, eliminating the need to extend transmission lines through the community. The facility is located away from dense residential uses, and setbacks are proposed from the closest residential uses to the south and north. On Policy 5.5.4, the application does not necessarily address the electromagnetic field impacts, but other similar applications in the past have noted that Dominion Energy does site and design their facilities to maximize or minimize, sorry, minimize any impact of EMF levels. Staff is uncertain if there are maximum permissible EMF levels or other measurable standards that address the issue. The central location of facilities, though, on the property should serve to minimize EMF impacts on adjacent properties. Regarding Policy 5.5.5, the mature tree cover being preserved to the north and proposed buildings and setbacks to the south would help to provide screening of any new overhead lines. The substation infrastructure will likely be visible, though, from Eskimo Hill Road; the tall structures within the facility, as mentioned, the static poles at 95 feet. It has been noted that the uses identified as incompatible in two of the airport zones that bisect the site. The proximity of the potential substation locations to these incompatible areas and the potential impact on the airport operations should be explored in more detail. With Policy 5.5.6, the site is primarily surrounded by non-residential uses to the east and west. A relatively new residential development, Kendall Hills, and a few other residential parcels are located to the north. A few existing residents in a planned larger, large lot subdivision are located to the south. Staff would note the Comp Plan recommends Business and Industry in Ag/Rural Future Land Uses in this area which does not support other future higher density residential development. With the evaluation of item 3, there are positive aspects. The siting of the substation immediately adjacent to the existing overhead power lines eliminates extensions of transmission lines. The site's located away from dense populated areas with lower density land use in the proximity. The proposed tree preservation and setbacks from the closest residential properties will minimize visual or other negative impacts. And the Comp Plan does not support higher density residential in the future in this area. With the negative, the potential impacts to

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operations at the Stafford Regional Airport are unknown at this time, and because of that, staff recommends the Planning Commission to further request to further determine if the substations would pose any negative impacts on the operations of the airport. And that concludes my presentation.

Mr. Shelton: Questions for Mr. Zuraf? Ms. Barnes?

Ms. Barnes: Okay, just a few. At some, at one point I remember the proffers said that the GDP was proffered. So it's proffered, but there's a couple of outs, correct? So it's proffered, except for we don't know how many buildings. It's proffered, the GDP is proffered, except for we don't know exactly how tall the buildings are going to be. It's, the road connection between Route 1 and Eskimo Hill is proffered, but we don't really... well, and I'm not sure if that's even proffered; it was kind of loose in there. So what... why, why is there some question about that road that could possibly be connected?

Mr. Zuraf: Yeah, the proffer related to the road extension does mention... it includes, one of the provisions does say if, I guess since that road does have to cross a perennial stream with wetlands and, and environmental features, so if there's any issues there, I guess the applicant wanted to kind of have that caveat that if there's any issue with a, if they're unable to get approval from the County or VDOT, that they would make other improvements to Eskimo Hill Road and then do a future traffic study to see what the impacts would be at Eskimo Road and the intersection up towards Route 1.

Ms. Barnes: So, when they say the GDP is proffered, then what exactly is proffered in that GDP?

Mr. Zuraf: I think that generally it's going to be the buildable areas, and then that one image that identified the preservation areas and your buffers.

Ms. Barnes: Okay, so we, do we have a... those buffers, do we have a... those, those preservation areas to the north, it looked quite extensive. Do we know how wide they are and is that proffered, or is that proffer then adequately covered in saying that that's going to be where it is on the GDP?

Mr. Zuraf: Right. Yeah, it does. It ranges anywhere from 400 to 1,000 feet from the properties to the north.

Ms. Barnes: Okay. Another big thing that I noticed, it says that they are going to use the recycled water the quote, unquote, purple pipe when it becomes available. Is it and if it becomes available as well? That seems... that makes me nervous.

Mr. Zuraf: Well, there, yeah, there's, there's a proffer that states that the applicant has to enter into a Water Service Agreement, and that's going to focus on the on the reuse line, but that's...

Ms. Barnes: So if it, for some reason, doesn't become available, then we've got possibly 23 buildings using potable water at some point in time. That's a possibility.

Mr. Zuraf: Well, potentially, but I'm sure there's probably going to be some capacity issues that would really potentially hamper the full, you know, use of the entire site with potable water.

Ms. Barnes: So that gets in... that get's into my next question is, we suggested, you suggested that we have a limit on I don't, I don't remember if it's the number of buildings that you want to have up while we're using potable water, or is there going to be a cap on the amount of water that they can use before they start to really stress the system.

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Mr. Zuraf: Some sort of cap, whether it's the volume or square-footage, it probably would be the appropriate way...

Ms. Barnes: I know, those things that we're still working out at this point.

Mr. Zuraf: Yeah, and actually, we have the Director of Utilities here who can maybe talk a little bit more about all of that.

Ms. Barnes: Okay.

Mr. Edwards: Hello. My name is Chris Edwards, Director of Utilities. I guess, first and foremost the question of if there is a recycled reuse system. If you guys remember when we did the Potomac Church rezoning, the applicant for Potomac Church did proffer to build a reuse water facility. We are working actually through our Water Services Agreement with them, where they are, you know, still, they still agree to build a reuse water facility that would serve their site and potentially serve the Stafford Technology Campus. One of the things that, you know, we also anticipate as we work through the Water Services Agreement, the Water Services Agreement will have a cap on the maximum number of buildings or a maximum square-footage or, you know, availability of water that would be provided before potable water prior to us connecting it to reuse.

Ms. Barnes: Is that something that... is that information going to be made available to us, or maybe the Board of Supervisors at some point in time, or is that to be worked out after all of this either goes, goes through?

Mr. Edwards: I think, you know, moving forward, we will probably have, you know, the, most of the conditions of the Water Service Agreement, or some of the conditions of the Water Service Agreement, including the cap, agreed upon, you know, as it moves through this process.

Ms. Barnes: But we don't know what that is right now.

Mr. Edwards: We have a draft water ser... we have started to put together what we think would be a draft Water Surface Agreement that does have a cap in it right now, with the condition that a number of the potable water improvements are complete before they connect to potable water.

Ms. Barnes: Okay.

Mr. Shelton: Go ahead, Ms. Sellers.

Ms. Sellers: So is it based on the square-footage of the building, or is it based on the, the amount of equipment that, that's creating the heat? I mean, what are we basing the water usage on?

Mr. Edwards: We'll most likely put a cap on the amount of water usage. It won't be probably tied back to the number of buildings, since, in this case, the building size varies, you know, somewhat. So we will probably tie it back to a square-footage that allows them to develop. And so we know, by per square-footage, how much per square foot, how much water is used. So the amount of water will be tied back to a square-footage of the building.

Ms. Sellers: Independent of whatever they have in the building?

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Mr. Edwards: But you make... yeah, well, you make these, you know, you... they kind of know per square-footage how many... *inaudible*... are going to be in each square foot. That is something they've actually been able to provide the County as we've gone through this process.

Ms. Sellers: Okay. Because, I mean, in my mind, and I'm a social worker by training...

Mr. Edwards: Okay.

Ms. Sellers: ... so let me tell you, typically, I'd have to say, how many iPhones is that.

Mr. Edwards: Yeah.

Ms. Sellers: That's my understanding of technology. But it's the technology that's creating the heat that's requiring the water is my understanding.

Mr. Edwards: Yeah, and you know how much, you know, technology they can get per square foot.

Ms. Sellers: Okay.

Mr. Edwards: And that you know how much heat, so you know how much water they're going to need per square foot. So if we cap the amount of water, and then you know how much water per square foot, then you can kind of, you know, enter, you know, make the estimate on how many square-footage, or how much square-footage we can provide water to, and put that cap based upon square-footage, correlating it back to water.

Ms. Sellers: So we also thought maybe about not just a cap, but looked at what is our ability to build out this, the, the capacity, because I don't know what capacity we have in that area, wherever this water is coming from, but to build that out and tie it to some sort of phasing agreement that we would see in other commercial type of developments. So that we're not just placing a cap, but we're saying we're going to phase this development and phase the water usage so that we can... I'll use the word phase again... but you can sequence it in a way that, that, that everybody kind of knows when things are going to come on, come online, so that Dominion knows when they need to have the substation up and running, and the water is there, and.

Mr. Edwards: Yeah, and it's my understanding, I mean, there, there is a, you know, phasing plan. I mean, the goal with the reuse facility is to have that complete within the first year to two years of after construction begins, or after, you know, buildings start to come online. Once we're able to get the reuse line there, um, there won't be a question of, you know, how much water is needed. We should have more than enough reuse water for this, for this project.

Ms. Sellers: Okay. And even with the water, the new water that they're going to need in the beginning, it's my, it was my understanding from my years on the Board that they would have to pay for that anyway. I mean, it's not free water. They're going to have to pay for that capacity upgrade. And so...

Mr. Edwards: Yeah, they will make that capacity upgrade. And then they will, you know, that will be potable water. Once the reuse water line is there, they will go back to all the existing buildings, reconnect those to reuse water, and then all new buildings will also go on reuse water.

Ms. Sellers: Okay.

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Mr. Shelton: Additional questions?

Ms. Barnes: The reuse line, it's going to be hooked up to Potomac Church.

Mr. Edwards: Mm-hmm.

Ms. Barnes: And then from Potomac Church to this project, that's, that's on the County, right? The County is going to be building that.

Mr. Edwards: No ma'am, that will be run by, you know, by the applicant, or, you know, by the previous applicant for Potomac Church from Aquia Wastewater Treatment Plant by the Potomac Church site to the STC site. So the County will not need to make, you know, they will not expend any funds to get reuse water down to the applicant's site.

Ms. Barnes: So the applicant is paying for offsite improvements to get the purple pipe to the the campus.

Mr. Edwards: Yes. I mean, a long story short, like I said, the County is going to be, you know, expend, you know, is not going to spend, expend any funds to construct the purple pipe to the Stafford Technology Campus.

Ms. Barnes: Okay.

Mr. Shelton: Additional questions?

Ms. Barnes: I have a few more for Mike, but I can...

Mr. Shelton: I have a couple, Mr Edwards, I'd like to ask you. If I understand what you're saying, you have not finished your utility impact study. Is that correct?

Mr. Edwards: We, yeah, we are, we're finalizing. Actually, it will be something that we present to the Board at the end of the... in the next couple of months. But it is a overall water, it's a reuse master plan that will be incorporated into our water sewer master plan that will have all of these improvements in it.

Mr. Shelton: So for the benefit of the public that's in the audience, what impact could this potentially have on water distribution? And I know what, I don't believe anyone's here from Dominion, but out of those two utilities, what potential impact would that have on our citizenry?

Mr. Edwards: You know, after, you know, after reuse water is brought to the site, there actually will not be any, you know, additional impact in, there won't be any impacts to the, you know, water or sewer capacity to our citizens for the potable water that they're provide, being provided for for the first year or two. They are making improvements to make sure that our citizens don't have long term or any impacts.

Mr. Shelton: So we're saying that Mooney Reservoir is capable of supplying adequate water to that geographical area.

Mr. Edwards: Yes, and...

Mr. Shelton: With no limitations.

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Mr. Edwards: Yeah, we're, we right now, you know, going through, you know, all the calculations, it does not appear that, you know, Lake Mooney will have any negative impacts because of the project.

Mr. Shelton: Thank you.

Ms. Barnes: One more question, I'm sorry. I remember listening to a work session a couple weeks ago between the Board of Supervisors and I believe it was you, I don't remember... we are working on a drought plan. And the reason why I'm asking this is because if we do go through something like a drought, I remember that there was a series of, you know, who, who gets to go without first.

Mr. Edwards: Yeah.

Ms. Barnes: Can you just explain a little bit about that? Because one of the questions I'm getting is, if we have a drought and if we have water restrictions, do we restrict our uses so that the data centers can have the water, or is it going to be the other way around?

Mr. Edwards: Okay. So, number one, the drought management plan, that was a response. It's actually going back to Lake Mooney. We had to update our, you know, it's been 15 years since that was finished. So we had to update our... *inaudible*... permit there. It is a state mandate that we have a drought management plan. So the drought management plan, number one, was brought to the Board because it is a requirement by the state. But kind of, you know, as you remember, the presentation was three or four slides. The slide on there, you know, had, if the state like is in a drought watch or drought warning, the water levels of either Lake Mooney or Smith Lake, it actually requires two of the three. If they get past a certain level, we will go through voluntary water restrictions for residential customers, then voluntary water restrictions for commercial customers, then mandatory for residential, mandatory for commercial. You know, last year was one that, you know, one of the highest droughts of records or one of the driest droughts of records, we still would not have gone to water restrictions last year. So what would end up happening is, we would, you know, ask, you know, if, and as I told Mr Shelton, you know, when we went back through it, even with the demand from a data center, we would not have gone to water restrictions last year. But the way that it would work is just like, you know, like we laid it out, we would have voluntary restrictions for residential, then commercial, and then mandatory for residential, then commercial. But we are not, you know, anticipating over the two year period, you know, hitting either voluntary or mandatory restrictions. But, you know, we could hit the next drought of record, and something does happen. I can't say without certain, with all certainty, but we do not anticipate going to restrictions with our existing water supplies.

Ms. Barnes: Okay, thank you.

Mr. Edwards: Yep.

Mr. Shelton: Any additional questions? Mr. Zuraf, I have one question. What has the Airport Commission said about the 105-foot building and the 95-foot structural thing for the electric distribution system? Do we have a letter from the Airport Commission condoning or questioning? I noticed you went over two or three different things about the glide path and that aspect. And for a person who worked aviation, crash Fire Rescue for 25 years, glide path is essential that we not have any obstructions.

Mr. Zuraf: Yeah, we we notified the Airport Authority of the of the applications, of the initial applications, which included the rezoning and the Comp Plan amendment. We did not get any input on or response on that aspect, which would have included the height. The issue of the substations, that

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application was submitted later in the game, and I don't think that was sent to them. So that was something we've, we've discovered very late, the issue of that incompatibility. So we do need to re-reach out to the Airport Authority again and, and make them aware of this, and just confirm they're, or see if they have any more specific information that they can provide us.

Mr. Shelton: Thank you very much. Any additional questions?

Ms. Barnes: I have one more.

Mr. Shelton: Yes, ma'am.

Ms. Barnes: Mike, we said, we said something about develop... in the proffers it says, develop a construction plan, but we don't know what that construction plan is, but it's proffered. Or do we do?

Mr. Zuraf: Was that referring to construction mitigation plan?

Ms. Barnes: Yes, yes.

Mr. Zuraf: Yeah, that would be something that would happen later, as they're getting into, actually, how the site is going to be developed, and they, they get into their phasing. And let me find that language. But it essentially is, it's something that happens, and it's typically something that is done at a later point in the game, when they're knowing more specifically where their access will be and where impacts may be.

Ms. Barnes: So we haven't, we haven't really nailed down whether they're gonna, they're gonna access this off of Eskimo Road, or if we're going to have access off of Route 1.

Mr. Zuraf: There potentially could be either way. Initially, it could be from both directions at first and, because it is phasing for the, the connection is through the proffers phased to happen at a later point.

Ms. Barnes: So there's a possibility that we could have a lot of really heavy construction traffic that does that little zigzag on Eskimo Hill, around the corner there and pass some of those houses.

Mr. Zuraf: Yes.

Ms. Barnes: Okay, thank you.

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

Ms. Barnes: I don't know that I can say it again. There's a possibility that we'll have heavy construction, very large trucks coming off of Route 1 at where it's, I think it's Foreign Legion Road is on the west side, and Eskimo Hill is on on the east side. And then you go through Eskimo Hill, and there's that, that zigzag that goes, I mean, it's a, it's a funky little zigzag. I don't think it was ever intentioned for, or intended to be used for really heavy construction equipment. I know that the dump is there, but this is, this is a pretty heavy industrial construction plan. So it concerns me that that is a very, I don't even think there's a... is there even a line on that zigzag that goes around there? *Inaudible...* the line broke?

Mr. Zuraf: I believe so.

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Ms. Barnes: Yeah, so, I mean, that's a... I'd like to see some, some construction mitigations a little bit more firm in where that's going to come in, how it's going to come in, and if that we possibly can get it to come in from Route 1 rather than doing that. Does that make sense? Okay.

Mr. Shelton: Thank you, Mr. Zuraf. Would the applicant come forward and speak?

Ms. Cameron: Good evening. My name is Jonelle Cameron with Walsh, Colucci, Lubeley and Walsh, here tonight on behalf of the applicant, Peterson Companies. With me is Taylor Chess and Kevin McHugh with Peterson, Michael O'Shaughnessy, our civil engineer with Bowler, Kevin Sitzman, our traffic consultant with Grove Slade. Mike goes first, so a lot of my presentation is a repeat, so I will go through that pretty quickly, but I do have some exhibits that I think would be helpful based on the comments and conversations that you have asked Mike. So I will walk through the presentation. We have some line of sight exhibits to show you. I will then talk about the recommendations that were in the staff report for deferral and how we think that that has been adequately addressed, and I have some exhibits to show you there. And then I will end with proffer changes. So we provided updated proffers to staff last week before the staff report was dispatched, but those were too late to be incorporated into the staff report. But I do believe some of those proffers specifically address some of the comments that we have received after meeting with several of the Planning Commissioners over the last couple of weeks, and specifically Commissioner Barnes, some of those also get to the construction management plan. As Mike mentioned, the property is a little less than 504 acres in size. It's located east of Route 1 and west of Eskimo Hill Road. The property is currently zoned A-1. This is a request for a reclassification to M-2, a Comprehensive Plan Amendment, and a Comprehensive Plan Compliance Review for the substations. This slide, Mike went over in great detail that shows the Comprehensive Plan Amendment area. And as you can see, again, a portion of the property is within the Urban Service Area. There's about 262 acres that are outside of the Urban Service Area, so we are seeking all of the property to be located within the Urban Service Area and then designated as Central Stafford Targeted Development Area. This slide is the General Development Plan that Mike went through in great detail. As part of this proposal, the applicant is seeking a floor area ratio of 1.0; however, we have limited the uses to not exceed 4,365 average vehicle trips per day, and that is a data center campus and associated uses of approximately 5.8 million square feet. The applicant has proffered 25% of open space on the property, and the applicant has committed to a minimum of 63 acres of preservation areas on the property. You can see those areas in green on the screen. A large part of this proposal and transportation improvement is a connection from Eskimo Hill Road to Route 1. This is what we're calling in the proffers, the connector road. And as Mike mentioned previously, the County's Comprehensive Plan did call for a connection between Eskimo Hill Road and Route 1. This slide is an illustrative of the building elevations, and it shows the landscaping. So as mentioned, the applicant is proposing a 50-foot buffer to the south adjacent to the vacant properties that are currently planned for residential. There is one property that's zoned M-1 to the south, so there will be a 20-foot buffer. We are proposing 50-foot buffers adjacent to Eskimo Hill Road, that new connector road, a 50-foot buffer adjacent to Route 1, a 100-foot buffer that would be preserved adjacent to the residential to the north, and then 20-foot buffers adjacent to the landfill and the Virginia jail. The applicant has proffered that no data center building or equipment yard can be located within 150 feet from the residential properties to the south. As you all are aware, the Board adopted new standards, both Comprehensive Plan standards and Zoning Ordinance standards for data centers. This property was grandfathered from those standards, but the applicant has incorporated a majority of those standards, both from a architectural standpoint, but also layout standpoint, fencing and screening. So the applicant has proffered to screen ground level and rooftop mechanical equipment. The screening may be provided by a principal building, existing vegetation, berms, landscaping, a visual solid fence, green wall or panel, parapet wall or other visually solid screens shall be constructed of materials generally compatible with those used in the exterior construction of the

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buildings or a combination thereof. As a request from a few of the Planning Commissioners, what you all have in the revised proffers, the applicant has mimicked the architectural standards that you all recommended approval for, for the Potomac Church data center project. So our updated proffers mimic those design standards. The applicant has also committed to conducting sound studies prior to site plan approval, and which is proffer 18, and committed to certain noise requirements, which is proffers 14 through 17.

Mr. Shelton: Excuse me for one moment. What's the dBA output?

Ms. Cameron: Fifty-five. So the applicant, um, part of the data center recommendation, although if you are adjacent to residential, it's 60 dBA in the zoning ordinance. The applicant has limited if you are adjacent to residential, that noise that hits that residential cannot be louder than 55 dBA in the day and at night.

Ms. Sellers: I have a question for you. While you have this up, this tree preservation area here, these are going to be evergreens I'm assuming?

Ms. Cameron: That's the existing trees that are out there today. So it's a mix.

Ms. Sellers: Because you do have some residential homes right here. That would put some sound barriers between those.

Ms. Cameron: So, these residential homes here, the buildings, I will show you some line of sight exhibits. I think those are helpful because they show you the distance from the nearest home to the nearest building. And there is plenty of distance in between those, and we can walk through that.

Ms. Sellers: Okay.

Ms. Cameron: As part of the proposal, the applicant proffered several transportation improvements. Mike pulled this up earlier, but I do want to focus on the main transportation improvements with you all. At Route 1 and Hospital Center Boulevard, it's about 2.4 miles away from the site. The applicant proffered to restripe the eastbound approach on Hospital Center Boulevard to provide dual left turn lanes, one through lane, and two right turn lanes, and if required to modify the signal. With these improvements, the overall, the overall intersection changes from a Level of Service E in the future condition without our development, to a Level of Service D in the future with this development, and that's for the AM peak hour. And for the PM peak hour with this improvement, it's currently a Level of Service F in the future without this development, and this improvement would make it a Level of Service E. Many of the improvements were focused at the access to the site. So at Sage Lane and Route 1, the applicant proffered to provide a dedicated left and right turn lanes into the site on the connector road. They proffered to restripe the southbound right turn lane on Route 1, to provide a shared through right turn lane extending from Sage Lane to Blackjack Road, and to install a traffic signal. On Sage Lane itself, the applicant proffered to provide curb and striping modifications to not allow for through movements to the connector road, so you can only do a left or right from Sage Lane onto Route 1. And the benefit of that is it helps with that overall intersection, and it's less phasing that happens instead of having two throughs through that movement. At Route 1 and the I-95 ramps, the applicant proffered to provide striping to channelize the right turn lane and provided signal timing modifications. And we have had a lot of questions about the water line. I think this exhibit is helpful. Commissioner Barnes, you had questions about where it extends to and where it doesn't extend to. So as part of this proposal, the applicant is creating a new port potable water pump on Centreport and a new water line that crosses from

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Centrepoint and connecting to Route 1's existing line, so that new water line that you see, that's that water line in blue, and this water line is tapping into the water availability for Lake Mooney. The applicant is connecting a dedi... is connecting to a dedicated reuse line. That's that purple line that you see. Until the reuse water is available, there will be a limit on the number of buildings and potable water supply that can be used for cooling systems to ensure that there is not a negative impact on the residents of Stafford County. In addition, the applicant will be connecting to a specific sewer return line so they are not tapping into any existing sewer infrastructure going to Aquia Wastewater Treatment Plant.

Ms. Barnes: Can you go back to that slide again?

Ms. Cameron: Yeah, absolutely.

Ms. Barnes: A little clarification on that blue line, which is on the line from Centrepoint. So, that, that's been on the County CIP for, for a while, hasn't it?

Ms. Cameron: And the applicant is paying for that.

Ms. Barnes: Okay.

Ms. Cameron: So that will be an applicant payment for that line.

Ms. Barnes: Okay, thank you.

Ms. Cameron: You're welcome. And this slide shows distances. So to get to the properties to the north, so there's about 800 feet. And I'll start, I always break this thing, so I'll start here. This one is 800 feet from this building to the nearest residential. It's 850 feet from that building here. And then we have about 1,250 feet here, sorry. And then there's about 1,000 feet in this area in here. And then to the south, it's 500 feet. And this property here, it's 500 feet, and about 425 feet here.

Ms. Barnes: Okay, and just to clarify, because if I were the people living up there in those houses in the north, I want to make sure. That's the tree preservation area...

Ms. Cameron: Tree preservation area.

Ms. Barnes: Okay, and it's, it's not going anywhere. I mean...

Ms. Cameron: It is not going anywhere.

Ms. Barnes: It's absolutely in stone that that's going to remain there in perpetuity.

Ms. Cameron: Yes. Now there are some exceptions if we have to connect, like the sewer line and water line. It would go through that tree preservation area. But that tree preservation area is staying. It is shown on the general development plan as outside of the limits of clearing and grading.

Ms. Barnes: Okay, so, and if you, if you do have to do, do the connections that you just discussed, would that, would that, where it goes through. would that be re-landscaped then? Would it be turned...

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Ms. Cameron: So, depending on the utility... so, you can't necessarily plant trees, but we might be able to plant shrubs or some other plantings over that. But we're not anticipating that it would be large swaths. For example, it's not going to be the large transmission line...

Ms. Barnes: Yeah, yeah.

Ms. Cameron: ... running through there.

Ms. Barnes: Okay. And you are, and you are able to get in there to do safety things, like, if there are trees down, or...

Ms. Cameron: Yes.

Ms. Barnes: ... is this like, are you treating it like an RPA?

Ms. Cameron: So we've said if, like, there are dead, dying, or noxious trees that might be a detriment to the data center building where it looks like it's falling, then they can remove those. But the goal is that it would remain in place. Some of it is within the RPA, so we wouldn't touch that. But if it's outside of the RPA, our goal is let it stay, but if it's a danger or harm, then we would remove it.

Ms. Barnes: Okay, thank you.

Ms. Cameron: You're welcome. And then in the next few slides, I just have some line of sight exhibits that better depict what people would see from a distance. So this is section AA, which is circled, and that is about 294 feet from the property line. The next one is 195 feet from the property line. Into the north again, that's about 800 feet from the building to building. That's about two football fields away. This is again about 850 feet away, two football fields away. And we have this from building to building, and it's about 3.48 football fields away, so over 1200 feet away.

Ms. Barnes: How tall is that building that's on the left there. Is it 105, or...?

Ms. Cameron: So, these are all shown as 105 feet. So when you're looking at the line of sight, what you see is a home. The HOA property has landscaping. You see the vegetation to remain. So we start with the home, the HOA landscaping, the vegetation to remain, and then in this instance, we have the transmission line easement, open space, a drive aisle, and then you get to that building. So their visual impacts are going to be minimal, if at all, because of the landscaping and the distance in between. And then we do that again on this slide as well. So you have the home, the HOA property, vegetation to remain, and then we have the transmission line easement, additional vegetation to remain, open space in between the drive aisles, the drive aisle, and then you get to that building. So from a visual impact perspective, we're not anticipating that the people to the north would be able to see the buildings.

Mr. Shelton: Question.

Ms. Cameron: Yes.

Mr. Shelton: Back up...

Ms. Cameron: Absolutely.

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Mr. Shelton: ... to that one slide. So we're saying that the topography of where the transmission lines are in the lower level. Is that correct?

Ms. Cameron: Yes.

Mr. Shelton: Thank you.

Ms. Cameron: You're welcome. And then we have a couple from the south, assuming that there would be homes there based on the approved subdivision plan.

Mr. Shelton: Okay, clarify, 105 feet does not include the dog box, does it?

Ms. Cameron: It does not.

Mr. Shelton: So how tall is the dog box?

Ms. Cameron: We don't have that; usually it's 15 to 20 feet, but I can get that exact answer for you.

Ms. Barnes: Clarify, what is a dog box?

Ms. Cameron: It's this, it's... he's talking about...

Mr. Shelton: A utility access.

Ms. Barnes: Okay.

Mr. Shelton: So, in other words, we're saying we're going from 105 feet up to a potential of 125 feet. Am I correct?

Ms. Cameron: Potentially, yes, and that would be for parapet wall and screening. So what you would see wouldn't be the mechanical equipment, but potentially the mechanical wall and screening.

Mr. Shelton: Thank you.

Ms. Cameron: You're welcome. And then this is the final line of sight exhibit. As part of the proposal, we do have Comprehensive Plan Compliance Review. I think Mike went over this in great detail. I do have in a couple of slides just to walk you through what we've already done with the FAA for the height, so I do want to show you all that. This is the substation rendering that was submitted as part of the Comprehensive Plan Compliance Review application.

Mr. Shelton: Is that one of six? Or is that...?

Ms. Cameron: Yes, this shows one of the six, just what that would look like. Thank you for that clarification. And I wanted to walk through with you all, staff had some recommendations, or, I would say, reasons for their recommendation for deferral. And I wanted to walk through each of these with you all, because we do feel like they were adequately addressed, either previously or with the proffers that we did submit to staff that you have in front of you today. So the VDOT comments requested modifications to several of the mitigation measures and asked for additional other information. So in the next couple of slides, I'll just walk through you, with you all what VDOT was asking for and how

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we think we've adequately mitigated our impacts. So, for this slide, VDOT essentially wants there to be a sixth right turn lane. So he wants this, they want this right turn lane here. And that right turn lane was already proffered by the Burns Corner development. But what subsequently happened is that 7-Eleven was constructed. And so in order to make a sixth right turn lane, you would impact the existing 7-Eleven, and there is a grade difference there. But as I mentioned to you all previously, we are mitigating the impacts, and we are making that Level of Service with what we've proposed better. And we thought it would be helpful maybe to show a graph that shows what that actually looks like. So the first two here, this is the existing Levels of Service today. So what the Level of Service is without this proposal today, and what you see is the delay is a Level of Service F, essentially. So this is the AM peak is yellow, and the PM peak is blue. And if you look at the future in 2030, without our development, that shows the delay. And then the total future with the development shows that we're decreasing that Level of Service, and we're bringing it back down from an F to an E in the PM peak hour. The next slide pertains to additional requests at Sage Lane and Route 1. Essentially, the comment from VDOT was you'll have to do a signal justification warrant when you do your signal and that is something that's a requirement anyways. So anytime you're proposing a signal after your project is approved, at the time of site plan, you have to submit a signal justification to the County and VDOT. And VDOT will review the justification and say, yes, we believe that a signal is justified. Recently, VDOT has been trying to get away from signals, and they've asked if people can look at alternative intersection designs. And what we did, and have proffered are the no through cut here and here, and to do that in advance of the signal, which helps with that intersection. So what we've done is, if... so if this didn't exist today, what you'd be able to do is make, go through. So you'd be able to go straight, and then if we didn't have that with our development, you would be able to go straight that way. And what happens is that gives you an additional traffic phasing. So essentially, everybody would have to stop at Route 1, and then there would be a Sage Lane phase to go left and right, and then there would be – and I might have our transportation person come just to make sure I'm saying it correctly – and then coming out, there would be a separate phase. So by only allowing the lefts and the rights, you're getting rid of a phase at that traffic signal. So the through lanes are able to move through quicker. And really what you want to do is move people on Route 1 as fast as you can.

Mr. Martinez: How much time does that usually save? If you add the throughput?

Ms Cameron: Twenty-five seconds or so.

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

Ms. Cameron: Yes, that too. The next comment was at Route 1 and Centreport. One of the comments that VDOT asked us for is to look at potential improvements at Centreport, Route 1, and Enon. And Enon was not part of the scoping study that we had to provide. And what we're showing you on the screen is the improvements at Centreport and Route 1, which is further from our site. Those improvements are actually not changing the Levels of Service, so we're keeping the Levels of Service the same. And so normally what happens is, as long as you're not degrading the Level of Service, you don't have to make any additional improvements. The next staff recommendation pertain to Eskimo Hill Road. And staff mentioned, and Commissioner Barnes, you had questions about Eskimo Hill Road. So the property will be phased with the construction starting at Route 1, moving towards Eskimo Hill Road. Because of the need to go over the RPA, it requires both state and federal permits. And what we proffered was that in the event we cannot do the connector road, so we cannot get permission to do the connector road, the applicant is going to make improvements on Eskimo Hill Road that are in, in alignment with the Comprehensive Plan. So the Comprehensive Plan outlines improvements on Eskimo Hill Road. In addition, we have proffered that we would do a Traffic Impact Analysis again to see what

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the impacts are to Eskimo Hill Road and make any transportation improvements that are recommended in that Traffic Impact Analysis that would be reviewed and approved by VDOT.

Ms. Caudill: Does that... sorry. Does that mean that all the potholes will stop being potholes on that road?

Ms. Cameron: We would have to pave it as well, yes.

Ms Caudill: Thank you.

Ms. Cameron: You're welcome. The other comment pertained to the Eskimo Hill Road, as we're showing it. It currently goes through, sorry, I can't draw well, it goes through this property here, which is owned by VEPCO. The County Zoning Ordinance specifically has a section that said, if any lot is realigned or is reduced because of a realignment of the road, so we believe that this is a new road that would be accepted into the state system, that lot would then become non-conforming. And so we don't think that there is an issue with the road going through the A-1 lot. However, we have been in conversations that property is owned by Dominion. With Dominion, they are aware of this road alignment, and actually were willing to have their property added into this rezoning application, but it was too late in the process, and we didn't want to delay the process. So if we have to come back to rezone that small portion of the VEPCO property, we would be willing to do that. But I don't think it's needed based on the section that allows for a road to go through an A-1 property or any property. This is a repeat. It was also staff's recommendation about Eskimo Hill Road not being mitigated. So I talked about that with you all. The next comment pertains to staff's recommendation for the inter-parcel connection. So currently we are showing the inter-parcel connection here, and what staff would like is a direct connection like this. And that direct connection cannot occur because of the secured facility and the fencing that is required. We also don't think it's safe to have a four-way stop. It's safer to have a three-way stop than a four-way stop, which would be what is here. It's really hard to tell at this scale what the dimensions are, but from the property line to the right-of-way that we're providing, it's 25 feet. So essentially, say from here to here is 25 feet, and then there's right-of-way that's being provided. That right-of-way width is going to be 60 feet. That right-of-way with the road itself is only required to be 24 feet, and usually there's a 6-foot shoulder on each side. So that's a 36-foot wide width. So that gives essentially 24 feet or so to play with for a grading. So we do not believe that there would be an impact to the 50-foot buffer that's on the other side of the right-of-way. *Can you help me? I don't know how to get rid of what I did. Sorry. Thank you.* The staff recommendation pertaining to the substation location, so staff went over the various approach zones as you get to the airport. As part of the proposal, you are required... as part of a development, no matter if it's by-right, or if you're going through a rezoning, you have to get FAA approval, and there's a form that's called No Hazard to Air Navigation. And what that form said, what you have to do with that form is you have to show the buildings and a finished floor area and the height. So we submitted for each of the campuses a No Hazard to Air Navigation for the buildings of a build... with the buildings of 105 feet. The FAA came back, they gave us that determination that the buildings at 105 feet do not have any impact, so they came back and said, yes, we agree there's no hazard to air navigation. That FAA form was for the buildings at 105 feet. So if there's not any impact at 105 feet, there would not be an impact at 95 feet. We would have to fill out that form before site plan for every substation and every building. We did it for the building now. If something was to change, you have to update that form, and that is a requirement when you are within the flight paths of an airport. And this was the other location, so it was also the location... so for your reference, here's the substation on this one, and then here is the substation locations on this one.

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Mr. Shelton: Okay, you used the figure 105 feet, but you're actually saying that doesn't include the dog box.

Ms. Cameron: It does not. But what we did here is when we gave the airport the heights, we increased the heights to include potentially mechanical equipment, and then any construction equipment that's needed in order to put the mechanical equipment on top of the floor, on top of the roof. So as you can see on these buildings, like for example, Building A has a finished floor area of 175 feet, and that was what was submitted to the FAA to make sure that anything that is putting stuff on buildings would also not be a hazard to air navigation. The next one of staff's comments was that the exception to the maximum building heights might be too open ended, but the Zoning Ordinance definition of height does not include the mechanical equipment that's on top of the roofs or the parapet walls. So we are actually proffering what is already in the Zoning Ordinance I believe. We just made it very clear as to what does not count. But that is what is, how the Zoning Ordinance defines height is only to the roof.

Mr. Shelton: Okay, hypothetically, our aerial that's located at station two is 105 feet. Mathematically and in a calculation that area will not reach the top of that 105 feet.

Ms. Cameron: And what you're referencing, just for my clarity, is a fire truck?

Mr. Shelton: Aerial unit, yes, ma'am.

Ms. Cameron: Yes. Okay, what we would be willing to do, if you would like, is that commit to any building that's over 90 feet that it would have an exterior ladder that can get to the roof in the event of a fire – stairs, I'm sorry, exterior stairs that can get to the roof in the event of a fire.

Mr. Shelton: Okay, so let me clarify one thing. Any of our firefighters are going to be carrying about 85 pounds worth of weight on their back. Transcending up a stairwell exterior is not the most advantageous way of doing it, so, just from a safety standpoint.

Ms. Cameron: Okay, we'll take that into consideration. The final comment, or one of the final comments, was the request that there's not a, there's a commitment to reutilizing reuse water when available, but we do not establish a timeframe for completion or restrict the amount of development that might use potable water. What we included in the proffers and that you see highlighted, is that the Water Service Agreement will cap the maximum capacity for bridging water and sewer until reuse water becomes available. That Water Service Agreement is negotiated with the Utilities Department, but ultimately it is approved by the Board. So the Water Service Agreement would be the mechanism in which the amount of water to not negatively impact the residents of this community is capped. Staff also had a recommendation pertaining to the sound proffer. So we do have a sound proffer, and what staff asked for is that there be monitoring for a longer period of time. So the applicant is willing, between the Planning Commission and the Board, to add a proffer that has monitoring for five years after the last building is constructed. That is something that the applicant would be willing to do. And finally, you all have proffers in front of you, but I just wanted to quickly summarize what was changed in those proffers. So architectural revisions to match Potomac Church. We added screening adjacent to residential to the south would be both for visual and sound attenuation. We made it clear that the sprinklers are NFPA 13 standard. We updated the Water Service Agreement and reuse water in order to make it clear that that is the mechanism in which the water would be capped until reuse water is available. We updated the transportation improvement on Route 1 to extend from state, to extend from Sage Lane to Blackjack Road. For construction proffers, we mimicked what Potomac Church did. So essentially, there is a construction mitigation plan that will outline construction traffic, any additional mitigations

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that may be needed for traffic, delivery notifications, providing a Public Liaison during construction, having a joint construction traffic reaction team in the event there is something that occurs, agreeing to pavement damage replacement within a certain timeframe, and then adding an applicant point of contact so that somebody will have a point of contact for the applicant throughout construction. And then there's a third-party contractor in which the County for Potomac Church requested that they be reimbursed for any third-party contractor that may be needed to review plans or implement or enforce a proffer. And that concludes my presentation. I can answer any questions that you have. We do request, we think that we have addressed staff's comments and request action this evening. Thank you.

Mr. Shelton: Questions for the applicant?

Ms. Caudill: I do.

Mr. Shelton: Ms. Caudill.

Ms. Caudill: So on page 5 of this the proffer statement, it says fencing may be provided. What do you mean may be provided? I thought you said there was going to be a...

Ms. Cameron: So, there is fencing that's provided around the data center campus. We, the data center ordinance says that it's 7 feet but there may not be, it might be fencing around each campus. We can say shall be provided around the data center, if that is the preference, but we would be providing fencing around the data centers.

Ms. Caudill: I think it should...

Ms. Cameron: Okay.

Ms. Barnes: Yeah, shall be and may be are vastly different descriptions, so I would...

Ms. Cameron: We're happy to change that.

Ms. Barnes: ...definitely do, yeah.

Ms. Caudill: And then I've got another question, if, unless somebody else has one. On page 4, you have enclosures for generators. What do those enclosures look like for the generators?

Ms. Cameron: So we have proffered and let me just grab them.

Ms. Caudill: Yeah, absolutely.

Ms. Cameron: And you're looking at the new proffers?

Ms. Caudill: Yes, in the blue, number 3 all the way down on page 4, under building.

Ms. Cameron: I can get what those look like for you.

Ms. Caudill: Okay. And then my last thing, one more, is the the buffer. So you were saying that some of them are 20, some of them are 50. Why wouldn't we just do a total 100 buffer for like the site? So

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when you're driving down the road, you can't really see it. Because, you know, the whole visual experience of it is... *inaudible*.

Ms. Cameron: So we did the buffers based on the Zoning Ordinance requirements for buffers, and then laid out the site according to where the buffers would be located.

Ms. Caudill: Okay.

Ms. Cameron: And so, for example, the 20 feet on this side is because it's closer, and I said this side like you can see it, sorry.

Ms. Caudill: That's okay.

Ms. Cameron: The 20 feet on this side, it's because it's closer to like the dump, the jail, and then this property here is A-1... I'm sorry, M-1 and so that is why that had a 20-foot buffer as well.

Ms. Caudill: What about the one, what was the buffer on the potential residential?

Ms. Cameron: Fifty feet.

Ms. Caudill: Fifty. So could we make that 100 if it's going to be a residential, possibly a residential?

Ms. Barnes: That's a pretty skeletal buffer.

Ms. Cameron: I can ask.

Ms. Barnes: Yeah.

Ms. Cameron: So I have two questions to get back to you on.

Ms. Caudill: Yes, thank you.

Ms. Cameron: You're welcome.

Mr. Shelton: Additional questions for Ms. Cameron? I have one. On the dBA output, why is it a stagnet 55? Don't we, shouldn't we have one for the day and one for the night?

Ms. Cameron: So, the Zoning Ordinance for the day is 60 adjacent to residential, and at night it's 55. And we were asked to make it 55 during the day as well.

Mr. Shelton: If we were to emulate the Potomac Church, it's a 55 day and a 50 night.

Ms. Cameron: We can look into that. But I think we did 55 for both.

Mr. Shelton: Thank you.

Ms. Cameron: You're welcome.

Mr. Shelton: Additional questions? Hearing none, thank you very much.

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Ms. Cameron: Thank you.

Mr. Shelton: Alright, at this time, we'll open it up to the public hearing comment period. This is the opportunity for the public to comment on this issue. Before starting your comments, please state your name and address. The clock starts when the green light appears. Yellow light means you have one minute. Red light means that your time is up. If you would like to speak, please come forward. Do we have anyone that wants to speak on this topic? Seeing none, I'll bring it back to the Commission. What's the favor of the Commission?

Ms. Barnes: I'm going to go ahead and make a recommendation. Let me preface this by saying that there's been a lot of really great work on this. I mean, some excellent work and great presentations. The application, I think, is much improved. A lot of, a lot of work has gone into this, and that's kind of what the Planning Commission does, is we, we take an application, regardless of what happens to it, and we make it better before it goes to the Board of Supervisors. And I think that we've done some work. However, our experts, which is staff, have mentioned some things that, that, that they they think need to be done before this is going to be passed on to the Board of Supervisors. I tend to agree with them. I think that this is probably, and maybe you guys can correct me, probably one of the largest, most impactful projects that we've seen in Stafford County. We've also given the applicant a couple of things to look at and to address, which I know that, I know that you guys will and I'm very, very sure that the next time we see you, that those items will be addressed. But because this is such an important and impactful application and such a huge application, and, quite frankly, a complicated application as well, I think that we need to listen to our experts, and I'm going to recommend that we defer to our July meeting. I don't remember what the date is on that; we only have one in July.

Mr. Shelton: Could I ask you to hold up on that for a moment, because I missed asking the...

Ms. Barnes: Okay.

Mr. Shelton: ... the applicant or staff if they had any comments since we had no public service, public comments.

Ms. Cameron: Thank you. So for the buffer, I just wanted to answer Commissioner Caudill's questions before you guys wrap up. For the enclosure, it's a solid enclosure, and we did proffer that if it is adjacent to the proposed residential to the south, because that's the closest residential, that it would be, not only for visual, but it would be a sound enclosure as well. So it would help with sound. And then as far as the buffer, it is a 50-foot buffer, but the distance from the property line to the building is 150 feet, at least 150 feet, because that's what we proffered.

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

Ms. Cameron: Yes.

Ms. Sellers: This Eskimo Hill, is this suggesting that you guys are maintaining the Eskimo Hill Road through the property?

Ms. Cameron: So the Eskimo Hill Road through the property will be constructed by the applicant, and then it will be dedicated to VDOT for the, to be part of the state system.

Ms. Sellers: So you'll have the connector road through, and then this additional realignment of Eskimo Hill Road.

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Ms. Cameron: Correct.

Ms. Sellers: Okay, back into the state system. Okay, through an easement. Okay. Thank you.

Ms. Cameron: You're welcome.

Mr. Shelton: Thank you.

Ms. Cameron: You're welcome.

Ms. Caudill: Thank you for that clarification. And I do want to apologize to you guys. I have been so busy at work that I wasn't able to get those couple questions to you.

Ms. Cameron: That's fine; life happens.

Ms. Caudill: So my apologies for real.

Ms. Cameron: Thank you.

Mr. Shelton: Mr. Zuraf, do you have any additional comments or questions? Okay, I'll bring it back to the Commission. Excuse me, Ms. Barnes, go ahead.

Ms. Barnes: Do I have to start over?

Mr. Shelton: No.

Ms. Barnes: So like I was saying, our experts have advised a deferral for the, for the reclassification and for the comprehensive compliance. But all three of these applications are inextricably, they can't be, be split up. So I'm going to recommend, and I'll do it one at a time that we defer to the July meeting, and I have to look at my calendar. What was the, what's the date for July?

Mr. Zuraf: It's July 24<sup>th</sup>.

Ms. Barnes: July 24<sup>th</sup> meeting, and we can bring all three of those back, and I think that gives us a lot of time. We have our cutoff times for the second two are September 20<sup>th</sup> and August 11<sup>th</sup>, so that still gives us a really decent amount of time to get that in. But like I said, I'm going to recommend deferral for all three of those for our July meeting. That is my motion.

Mr. Shelton: Do we have a second?

Ms. Sellers: Mr. Chairman, I'd like to make a counter motion. I'd like to, I'd like to move... I'd like to actually make a recommendation. I'd actually like to make a recommendation right now, just... we're going to make separate recommendations correct for each of these?

Mr. Shelton: Yes, ma'am.

Ms. Sellers: So I'd like to move forward on them and send them to the Board of Supervisors. And, you know, these are not the last time that we will see them. We are not the final say. The Board of Supervisors is the final say. And some of these are going to be highly political conversations, particularly

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the things with transportation. I, too, am very interested in those conversations. There's a couple of projects that the state has some money on in there that are going to be impacted, so I'm interested. So I'd like to make a motion on a couple of these separately, with the amendment to the Comprehensive Plan, the first one, I would like to recommend approval of that one.

Mr. Shelton: Do we have a second?

Ms. Caudill: Second.

Mr. Shelton: Discussion? Alright, cast your vote. Tally the vote. Three yes, two no.

Ms. Lucian: Can you reset the vote please?

Mr. Shelton: Please cast your vote. Four yes, two no, one absent (*Ms. Barnes and Mr. Martinez opposed; Mr. Apicella absent*).

Ms. Sellers: Okay, for the rezoning class, the zoning reclassification, I, I'd also like to make a recommendation. I'd like to approve that one and make the recommendation to approve that one, and I'll have a comment on it in a minute.

Mr. Shelton: Do we have a second? We do not have a second?

Ms. Caudill: Second.

Mr. Zuraf: So just to clarify, there were some new proffers.

Ms. Sellers: Yes, with the proffers that were provided up here. But, you know, my comment to that one is, I do think it needs some work on the proffers, and I think the Board of Supervisors needs to sit down and work with you guys on these things and really hash out the details. But I don't believe that's the role of the Planning Commission. I believe that's the role of the politicians. They got elected to do that work, and they need to sit down with you and do that work. And so I think it's time to get it out of here and send it to the Board of Supervisors.

Ms. Caudill: I have a comment as well.

Mr. Shelton: Sure, go ahead, please.

Ms. Caudill: I know that you, a lot of you, have already talked to Supervisor Diggs, at least in my district, so I know that he had mentioned, as long as it, you know, from the road, it's going to look nice and it's not going to impact, you know, residents' view of the data center. So I would just say I am in support of that as well, just kind of getting with him, because I know he's, he's already told me quite a bit that he's had conversations with you all, so.

Mr. Shelton: Mr. Zuraf.

Mr. Zuraf: For clarification, since the Commission did just receive the proffers this evening, you should also have a first, a separate vote to accept the proffers or not.

Ms. Sellers: We do that first?

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Ms. Lucian: Yes, you would have to do that first in order to make that a part of your vote on the rezoning.

Ms. Sellers: Okay, then I make the motion to accept the proffers that we received tonight.

Mr. Shelton: Do I have a second?

Ms. Caudill: I second those proffers, but as long as the fencing gets changed, not maybe. And then maybe a little bit more information on what the enclosures of the generators are going to look like, too. I know that they told us, but have it in there.

Ms. Barnes: Do we need to make, do we need to have some verbiage for that then?

Ms. Lucian: If you want to vote on it that way, yes, you would need to. So it may be a good idea to take a recess for a few minutes to allow you to do that with the applicant.

Mr. Shelton: Okay, if it's in agreement, we'll take a five minute recess.

*Meeting recessed: 7:46 PM*

*Meeting reconvened: 7:51 PM*

Mr. Shelton: We'll vote in the change in the proffers first that were presented to us tonight, so I'll entertain a motion.

Ms. Barnes: We already did that, didn't we?

Ms. Sellers: Yeah, I think... *inaudible, microphone not on.*

Mr. Shelton: A change in language.

Mr. Zuraf: The applicant is finishing up the language.

Mr. Shelton: Is the applicant ready?

Ms. Cameron: Almost. There are a lot of pages to initial. Sorry, y'all, I know it was going to be an early night. While he's still initialing the pages, I just wanted to walk through the changes. So we have made a change that, starting on design guidelines, 8, it says sound enclosures for each data center generator. So 8.a.i.3. And then 8b fencing says fencing for data center buildings shall be provided. And it's, we re-dated the proffers so they're dated today, July 12, 2024. June 12, sorry. Okay, that's it.

Mr. Shelton: Okay, did we have a motion to accept the proffers? And a second?

Ms. Sellers: So moved.

Ms. Caudill: Second.

Mr. Shelton: Cast your vote.

Ms. Caudill: And this is for number 2, right?

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Mr. Shelton: No, this is for just accepting the proffers.

Ms. Caudill: Oh, yes, okay.

Mr. Shelton: The vote is 3 to 3.

Ms. Lucian: The motion fails.

Mr. Shelton: So the motion is denied.

Unknown speaker: What does that mean?

Ms. Lucian: It's just a failure.

Mr. Shelton: Clarification, fails.

Ms. Sellers: What does that mean?

Ms. Lucian: If you vote on the rezoning, it will not be with the new proffers.

Ms. Sellers: Well, I'd still like to make the motion to, in general, approve, recommend approval for the Stafford Tech Campus to the Board of Supervisors, and I'd like them to negotiate the proffers, as I stated before.

Mr. Shelton: And which one are you talking about, the zoning reclassification?

Ms. Sellers: Yes, number 2, RC23154931.

Mr. Shelton: Do we have a second?

Ms. Caudill: I'm not going to second that without the proffers.

Mr. Shelton: No second, so that also fails. Am I correct?

Ms. Lucian: There is no motion. So does anybody have an alternative motion?

Ms. Barnes: So I will go back to recommending a deferral for this to the meeting in July, and hopefully at that point in time, we'll, we'll make some progress with us, with whatever the, whatever is left with the proffers. It sounds like that they were pretty well established, but, yeah, defer until the end of the July meeting.

Mr. Martinez: Second.

Mr. Shelton: Any discussion amongst the Commission members? Ms. Sellers?

Ms. Sellers: So we're going to defer it, and I'd almost rather make a recommendation to deny the rezoning without the proffers, and still send it forward to the, to the Board of Supervisors, because it's going to come back here and we're going to go through public... it's not like before, where we came back here and we just discussed it. We have to go back through public hearing again and go through the

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whole process again. And so it's going to be another very long meeting, very long process. So my recommendation is for us to say, let's deny it without, without the proffers. Send it to the Board of Supervisors and let them do the negotiation. That way we don't come back here, put them back through the public hearing process here, put all of us through the public hearing process here. Let's send it to the Board of Supervisors and make it, and streamline this process. So I'd like to make a counter motion to deny the RC23154931, as it is today, because it doesn't have great proffers.

Mr. Shelton: Do we have a second on her substitute motion?

Ms. Caudill: Can I ask a question?

Mr. Shelton: Sure.

Ms. Caudill: On a motion, or do I have to wait till you guys to that and then I ask the questions?

Mr. Shelton: No.

Ms. Lucian: Who's the question for?

Mr. Shelton: Do we have a second to the substitute? Hearing none, we'll revert back to the original motion, and a motion is to deny until July.

Ms. Barnes: Nope, defer.

Mr. Shelton: Defer, excuse me.

Ms. Barnes: So, just a quick clarification. The public hearing part, we can keep that open, but usually that's closed at this point in time.

Ms. Lucian: No, it's not. Due to a change in state code last year, any deferral requires a new public hearing.

Ms. Barnes: Okay.

Ms. Lucian: So it'll be re-advertised, and they'll be the public comments again in July.

Mr. Shelton: Mr Martinez, since you seconded, do you have any comments?

Mr. Martinez: No further comment, thank you.

Mr. Shelton: Ms. Caudill, your comments? Question then.

Ms. Caudill: Okay. I have a question for the applicant. So I know with speaking with my Supervisor for the George Washington District, are any of these proffers changes, stuff that he has talked to you all about or is this just us?

Ms. Cameron: That's just you all, but I will say, with or without those proffer changes, we told you we would make them, and we would make them whether or not you all voted on them tonight or not. We were, we were going to make those changes.

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Ms. Caudill: Okay, thank you.

Ms. Cameron: You're welcome.

Mr. Shelton: Okay, so we have a motion on the floor to defer until July. Cast your vote. Three to three. Okay, legal, what do we do?

Ms. Lucian: Motion fails.

Mr. Shelton: Motion fails.

Ms. Sellers: So I put my motion back on the floor that we deny the rezoning and send it to the Board of Supervisors.

Ms. Lucian: If there's a second.

Mr. Bratton: I second it.

Ms. Barnes: Point of clarification – if we take no action tonight then basically it goes to the Supervisors.

Ms. Lucian: You have to take an action.

Ms. Barnes: We have to take an action.

Ms. Lucian: You have to either defer it or make a recommendation.

Ms. Barnes: Okay, folks.

Mr. Martinez: So it just ping-pongs then.

Ms. Barnes: Unless somebody wants to change their mind. I, I personally don't want to deny this. I still think that there's, there's some work that we can do.

Ms. Cameron: Can we take a two minute pause? I have a question for the county attorney, and then.

Mr. Shelton: So granted.

*Meeting paused: 8:00 PM*

*Meeting reconvened: 8:01 PM*

Ms. Barnes: Like I said, yes, we're going to have to do this again, but we do this again frequently, we defer things all the time. There are some things our experts have told us, staff has told us, that there, there are some things that need to be worked out. It doesn't sound like there's a lot of things, and then we can, we can send it on up to the Board of Supervisors. I agree with with Ms. Sellers; I'd love to get it up to the Board of Supervisors. They're the ones that are really going to take a stab at this. But right now, our, our professionals, our experts, have told us that on these second two, the reclassification and the compliance plan, they recommend a deferral, and I am inclined to agree.

Mr. Shelton: Do I have a second?

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Mr. Martinez: Mr Chair, I have just one quick question about the, for the staff, if I may.

Mr. Shelton: Go ahead, sir.

Mr. Martinez: Mr. Zuraf, the applicant made an attempt to address the, the points that you laid out. Did that, would... was that addressed sufficiently?

Mr. Zuraf: I would not just tonight want to just say everything is okay without...

Mr. Martinez: Thank you.

Mr. Zuraf: ... looking at it in a little more detail.

Mr. Martinez: Appreciate it. I second.

Mr. Shelton: We have a motion and a second; any comments Ms. Barnes?

Ms. Barnes: I've made them all.

Mr. Shelton: Mr. Martinez?

Mr. Martinez: No sir.

Mr. Shelton: Anyone else on the Commission? Cast your vote to defer. Four to two (*Ms. Caudill and Ms. Sellers opposed; Mr. Apicella absent*).

Ms. Barnes: That was painful. Next one? We have to do the third one.

Mr. Shelton: We have to do it on the third one also. Alright, on the comprehensive plan compliance review, I entertain a motion.

Ms. Barnes: I'm just going to make a motion to defer based on staff's recommendation. It sounded like we've got some things that really need to be taken care of with, with those electric substations.

Mr. Martinez: Second.

Mr. Shelton: Motion and second. Ms. Barnes, any comments?

Ms. Barnes: Nope.

Mr. Shelton: Mr Martinez, any additional comments?

Mr. Martinez: No sir.

Mr. Shelton: Comments from the remaining Commissioners?

Ms. Sellers: What was the comments specific to the substations?

Ms. Barnes: It was regarding the airport.

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Ms. Sellers: Regarding the airport?

Mr. Zuraf: The concern was the potential of the substations being within the Airport Land Use Compatibility zones that have, identified... them not being not compatible.

Ms. Sellers: And that's the gift that keeps on giving. I voted against it in 2015 and it just keeps on giving.

Mr. Shelton: Okay, we have a motion and a second. Please cast your votes to defer. Five to one to defer (*Ms. Sellers opposed; Mr. Apicella absent*). And we will reschedule that for July the... excuse me... the 24<sup>th</sup>. Thank you very much. Under New Business, Stone Division Waiver. Ms Baker?

**UNFINISHED BUSINESS**

NONE

**NEW BUSINESS**

4. **WAI24155654; Stone Division Waiver** – A waiver request of Subdivision Ordinance, Sec. 22-143, Lot shape, for a family subdivision lot located on Tax Map No. 60-65, zoned A-1, Agricultural, consisting of 49.2186 acres, located on the south side of Chapel Green Road between Rufus Road and Chapel Heights Drive, within the George Washington Election District. **(Time Limit: August 11, 2024)**

Ms. Baker: Good evening. Kathy Baker, Department of Planning and Zoning here to present the Stone Division Waiver. This is a request for a waiver of Section 22-143 of the Subdivision Ordinance regarding lot shape. This is for the Stone family on a 43- acre parcel zoned A-1 in the George Washington District. And Albert Stone is the applicant. I believe his family is here on his behalf tonight if there are any questions. This property is located on the south side of Chapel Green Road, south of White Oak Road. And just to zoom in a little bit closer of the aerial for the existing conditions on the property, you'll see the property outlined in red. There's a yellow square that identifies an existing residence, and the property is served by a private driveway off of Chapel Green Road. This driveway also serves two other lots adjacent to this parcel. There's a, the property is wooded for the most part, other than these areas where the existing development has already occurred. There's a Resource Protection Area, as you see in the light green, that goes through the center of the property. I'll note that there was a family subdivision previously divided from the center of this property back in 2013. So the the owner, Mr. Stone, submitted a subdivision plat, and this family subdivision would create one new 22-acre parcel, which you see highlighted in red, and this would be for his daughter. And that property would contain the existing residence. The, this parcel would meet all of the subdivision requirements. The remaining acreage, the 21 acres, or 20 acres for the, Mr. Stone to retain would exceed the lot shape ratio for, for lots that are being subdivided. This is primarily due to the reduction of the lot width at the frontage of the property on Chapel Green Road. The Section 22-143(a) specifies the depth of the lot not to exceed five times the distance between the primary side lot lines as measured at the front building line. So basically, it can't exceed the width, that the frontage of the property can't exceed, excuse me, the length can't exceed five times that width. This just about doubles that width, but the family has discussed issues as to why this couldn't be subdivided in any different manner. The waiver request letter that was in your package included the, noted that the intention is to allow the owner's daughter to build the home on the new lot. The owner would retain ownership for the remainder of the property for farming and forestry purposes. There's no immediate desire to do any additional building on that

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property at this time. The applicant indicated in their letter that the parcel configuration that resulted from that previous subdivision has made it difficult to divide this parcel and, while meeting the lot shaped standards. Basically that cut-out of the center of the property has really affected the potential for how they could further divide this property. They have noted that the Stone family has owned this property since the 1700s and so they want to continue the heritage of supporting the property for family members. Section 22-241 of the Subdivision Ordinance specifies the following criteria to be met in order to have a waiver granted, and that includes the applicant proving that the application of the ordinance requirements would impose an unreasonable burden on the owner and that the waiver would not have any substantial adverse effects on future residents. So it is up to the Planning Commission to determine if a waiver is deemed applicable on this property. I'd be happy to answer questions.

Mr. Shelton: Questions for staff?

Ms. Caudill: I don't have a question, but I did speak with Mr. Stone back in February. So I would like to make a motion.

Mr. Shelton: Mr. Stone, would you like to come up?

Mr. Stone: Unless you need me to.

Mr. Shelton: If you'd like to say something, it's not necessary.

Mr. Stone: I'm good.

Mr. Shelton: Good.

Ms. Barnes: We wanted to give you the chance.

Mr. Stone: I appreciate it.

Mr. Shelton: Alright, Ms. Caudill.

Ms. Caudill: I would like to make a motion to approve.

Mr. Bratton: I second it.

Mr. Shelton: I have a motion and second. Ms. Caudill, any additional comments?

Ms. Caudill: Good luck.

Mr. Stone: Thank you.

Mr. Shelton: Mr. Bratton, any additional comments? Any comments from the other members of the Commission? Alright, let's cast your vote. Six to zero (*Mr. Apicella absent*), congratulations.

Mr. Stone: Thank you very much.

Unknown speaker: Sorry, you had to sit through all that.

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Mr. Shelton: You can come back on the 24<sup>th</sup> if you'd like to...

Ms. Barnes: The story is not over.

Mr. Shelton: Planning Director's Report, Project Pipeline.

**PLANNING DIRECTOR'S REPORT**

5. Project Pipeline Report (For Information Only)

6. Enon Road Solar Farm Time Limit Waiver

Mr. Zuraf: Mr. Vice Chairman, just want to kind of address the Planning Commission and let everybody know that I look forward to serving the Planning Commission in my new capacity as Director, and hopefully it'll be as seamless as possible since I've been around for a little while and, and you know, we have a great staff here that will continue to support the Commission. And I look forward to working with you in the months and years to come.

Mr. Shelton: I think I can speak on behalf of the Commission, congratulations or condolences, whichever.

Mr. Zuraf: So we have a lot of work ahead. We, you know, have some big projects coming your way and some initiatives coming down from the Board. So anyway, it'll be fun. And we do also, in case the Commission is not aware, as part of the last budget from the Board, we did receive approval for two new planner positions to help in the long range division of planning. So that will provide us some assistance with these rezoning and conditional use permit cases, which are time consuming, and then comprehensive planning efforts. And we have some other vacancies to fill, too, so that will be, hopefully we can move forward with that rather quickly. Other than that, you received the Project Pipeline Report of upcoming cases. And then also, just want to make the Commission aware that at the last Board meeting, the Board did approve a resolution to, for the Enon Road Solar Farm conditional use permit; they approved a time limit waiver request that would allow for that conditional use permit to be resubmitted within the required 12 month window where they usually would not be allowed to. So you might see that conditional use permit again sometime soon. That concludes my report.

Mr. Shelton: Thank you. County Attorney Report.

**COUNTY ATTORNEY'S REPORT**

Ms Lucian: Good evening, Planning Commission. Congratulations, Mike. It'll be nice to have you up here at the dias with us, and that's all I have to say. Thank you.

**COMMITTEE REPORTS**

**CHAIRMAN'S REPORT**

**OTHER BUSINESS**

7. New TRC Submissions

- [24155710](#); Sheetz Warrenton Road – George Washington Election District

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- A Major Site Plan for a 6,879 sf convenience store with vehicle fuel sales and drive-through located south of Warrenton Road between Iras Lane and Sanford Drive on TM 44-143, zoned B-2, consisting of 3.49 acres, within the George Washington Election District.

Mr. Shelton: We have no Committee Reports. The Chairman has no reports. We do have a new TRC submission for Sheetz on Warrenton Road. And for those of you that are not familiar with that, that's where Hardee's is right now. So Hardee's is going to go bye-bye, and Sheetz is the new TRC submission. So I'd like to...

Ms. Caudill: We just had, I thought, or is that a different one? We just had that one when I first started.

Ms. Barnes: This is just a TRC. This is a Technical Review Meeting. It's not coming to us.

Ms. Caudill: Okay. I was gonna say, I thought we already did that.

**APPROVAL OF MINUTES**

8. May 22, 2024 Planning Commission Meeting Minutes\_DRAFT

Mr. Shelton: Alright. We have approval of the minutes for May the 22<sup>nd</sup>. I'll entertain a motion to approve the minutes.

Ms. Sellers: So moved.

Ms. Barnes: Second.

Mr. Shelton: Motion to approve and second, all those in favor say, aye.

All members: Aye.

Mr. Shelton: All those opposed by the same sign, motion so carries. We are adjourned.

**ADJOURNMENT**

At 8:14 PM, Vice Chairman Shelton adjourned the June 12, 2024, Stafford County Planning Commission meeting.