

STAFFORD COUNTY PLANNING COMMISSION

July 24, 2024

The meeting of the Stafford County Planning Commission of Wednesday, July 24, 2024, was called to order at 6:01 PM by Chairman Steven Apicella in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center.

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

MEMBERS ABSENT: Kelsey Caudill

STAFF PRESENT: Mike Zuraf, Lauren Lucian, Stacie Stinnette, Evelyn Keith, Dylan Palmer, Kathy Baker, Bryon Counsell, Matthew Lehane

DECLARATIONS OF DISQUALIFICATION

Mr. Martinez: Mr. Chairman, we have one absent, but we have a quorum.

Mr. Apicella: Thank you, Mr. Martinez. Are there any declarations of disqualification? Alright, seeing none. Are there any changes to the agenda? None there either. Alright, so we'll move on to public presentations. This is an opportunity for the public to comment on any matter except the three public hearing items on today's agenda. There'll be a separate comment period tonight when those items come up. 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 means there's one minute left. Red means your time is up. So if anyone would like to come forward and speak during the public comment period, now is time to do it.

PUBLIC PRESENTATIONS

Ms. Maxson: Kristen Maxon. I was trying to download our agenda packet, and I wasn't able to do it. And what happens is, if the server is down, you don't know if the document is loading. If you hit the document to load five times, you will get five documents, and that will actually slow things down, which is unfortunate because the public can only get information through the internet unless they access the right person to talk to. Could this meeting have the same person giving the presentation at the beginning of the year for data centers and majority of the pipeline studies, or the studies within the pipeline going in the pipeline, now be the Zoning and Planning Director, page 5 of 1,293 pages of our packet today, and the Project Manager with a contradiction of the same name for AICP, which is means Acting Director Department Planning, Acting Assistant Director Department of Planning and Zoning title? All these specified as the same person, can that be? Planning Commission, July 24, 2024, is 1,290 pages and this person's name comes up multiple times. That's a lot of responsibility on one person. Rocky Run Planning Commission, the GIS does not respond to Tax Map 43-72, there is no such tax number. I understand we're speaking on this. So please keep this in mind when you are reviewing it. Is the GIS being updated? The tax map is not found in the documents when you search Stafford document area and the web, known as Rocky Run Village. It stated it's previously subdivided, but the public doesn't know how the subdivision came about, because we're, we search for it and it's not there. The public is not informed. The total is 506.72 acres, but that's not found either. Plank Road Development 4/7... the fourth month of 17th, 23, record time, 3:14pm, three o'clock and 14 PM, five pages. Thank you so much.

Mr. Apicella: Thank you, ma'am.

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Mr. Stencavage: Peter Stencavage, Garrisonville District. Road trip. This phrase brings back memories for most of us. Maybe it was a spring break trip or driving across the country. What if this same trip was made with an acquaintance who never stepped up to contribute towards gas money and expenses. Pretty messed up, right? And yet, Stafford County is contemplating letting Buc-ee's come along for the ride. Buc-ee's claims they will create X number of jobs and generate so much revenue. Fine. Maybe, maybe not, but so would many other businesses that are community oriented. And Buc-ee's has a track record of making things difficult for local governments. In New Kent County, Virginia, for example, the county board is asking the state of Virginia for 44 million in road improvements for Buc-ee's benefit. Forty-four million, some of which will be paid by Virginia taxpayers. You and I. Other examples – in Clarksburg, Clarksville, Tennessee, Buc-ee's bowed out finally because of the cost of they weren't willing to spend more on the cost of road improvements. In DeForest, Wisconsin, Buc-ee's offered up, up to, only offered up to \$8 million for road improvements, but the cost for road improvements will be closer to 15 million. In some ways, Buc-ee's is worse than that deadbeat acquaintance who won't contribute to gas money by costing taxpayers more in the long run and straining local road infrastructure. I'll finish by referencing LBJ's great society speech of 1964. In it he talks of a place where people are more concerned with the quality of their goals than by the quantity of their goods. Stafford 2040 sounds nice on paper, but are we focusing too much on quantity and not enough on quality for the community that we all chose to live in? Thank you.

Mr. Apicella: Thank you, sir. Anybody else?

Mrs. Stencavage: Good evening, darla Stencavage, Garrisonville District. I want to continue part of what my husband said, and just say that looking at the 2024 Community Survey, the main things people were concerned about were mobility, safety, education, arts, and culture. But it we seem to have a disconnect between that and what we see out of our Stafford County officials. It seems like often that the, the focus is more on revenue and what we can get, rather than what makes the best community. We worry about seeing too many warehouses, too many data centers, too many housing developments with not enough community focused things. People complain about mobility, both traffic and walkability in the area. Safety, as of the 2023 Board of Supervisors meeting, there was a transportation committee. One of the things that was mentioned was that the intersection at Courthouse Road is one of the worst for safety in the whole county, and yet we're talking about bringing 21,000 cars more through that intersection, which is already predicted to fail by 2031 simply for economic reasons. And it just doesn't seem to make sense that we're following that. Additionally, with the education and arts and culture, we don't see how at Buc-ee's we'll be bringing any of those things for our Stafford County people. We need to be bringing in things that Stafford County people want to do. How many of us end up going down to Fredericksburg or up to Potomac Mills area or somewhere else just to go out to eat or to do shopping? And Buc-ee's would not benefit us in any way to bring about the changes that Stafford County people are asking for for those three main areas. So I appreciate your consideration on that. Thank you.

Mr. Apicella: Thank you, ma'am.

Ms. Rueter: Good evening. Nancy Rueter. Thank you for serving and being a part of active things. I know you do this as a volunteer, so I really appreciate all you do. I'm very proud to have lived in Stafford County for 18 years. It is a good place to live and work. I can say this because I was a former County employee. At present, the Buc-ee's Corporation is working to build a facility on property bordered by I-95 and Courthouse Road in North Stafford. This gas station/convenience store would not be in the best interest of the community of Stafford for the following reasons: traffic congestion caused by the thousands of cars a day that would choose to use this establishment. This congestion would interfere with the safe and timely transport of children to and for, to and from school. Emergency vehicles

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traversing from their facility east of I-95; slowing commuters who wish to park in the commuter lot but live west of I-95; traffic on I-95 that would be slowed and stopped because the exit ramp is full. And I've actually spoken to people who've gone to Buc-ee's, and this is exactly what they've experienced, even in open areas where there's nothing else but Buc-ee's. Stafford, this would put right, put us all right back where we were many years ago because of the choke points that are part of this interstate. There'd be noise and light pollution of a 24/7 operation that would interfere with the daily lives of those hundreds of people who live in proximity. This facility would devalue housing in the area, meaning that money the County could collect from property tax would be diminished. So I question just how much taxes we're going to be getting from them. Building a Buc-ee's at this location would be against the original zoning plan, one that planned for a variety of uses. Personally, I feel this land could be used to enhance the quality of life by building sit down and take out restaurants, small shops, put some fountains in, have a library, a community center with a stage, movie theater, music, art and dance studios. Make it part of a walkable community. This plan would be for the citizens instead of the interstate travelers who would have little or no concern for our residents. Let's maintain our community pride, our pride in Stafford County, and reject this bad idea. We can do better than Buc-ee's. Thank you very much for your time. Appreciate it.

Mr. Apicella: Thank you. Anybody else? Alright, seeing no one else, I'm going to close the public presentation portion of the meeting, move on to the first item on the agenda. Mr. Zuraf?

PUBLIC HEARINGS

1. 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 approximately 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 specified uses otherwise permitted in the M-2 Zoning District; establish how floor area and open space requirements shall be calculated; permit height for data center buildings of one hundred and five (105) feet; permit a maximum of six (6) substations on the Property and establish requirements applicable to the electric substations; regulate vehicle and equipment storage; 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 provide a public liaison and require plans related to construction management, 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) (History: Public Hearing deferred at the June 12, 2024 meeting to the July 24, 2024 meeting)**
2. 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 approximately 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) (History: Public Hearing deferred at the June 12, 2024 meeting to the July 24, 2024 meeting)**

Mr. Zuraf: Yes, Mr. Chairman, if I could, I would like to present items 1 and 2 together.

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Mr. Apicella: Sounds good.

Mr. Zuraf: If I could have a computer, please. Okay, so these items are for a project known as Stafford Technology Campus. This is a zoning reclassification and a Comprehensive Plan Compliance Review. So there are two requests; for the rezoning first, it's to rezone properties from the A-1, Agricultural zoning district to M-2, Heavy Industrial, and include proffers for the Comprehensive Plan Compliance Review. It's review and compliance with the Comprehensive Plan for placement of up to six electric substations. This would all be to permit a data center, public facility utility, and related accessory uses. On June 12th, the Planning Commission took the following actions related to this project. There was a separate Comprehensive Plan amendment before the Commission; that was recommended for approval. The remaining two items, the rezoning and Comp Plan, were both recommended to be deferred to this meeting. So this is, these are two properties that cover over 500 acres in the Falmouth District. Stafford Technology, LC is the applicant. Jonelle Cameron and Jessica Pfeiffer are here representing the applicant. So here's the location of the project. It's located on the east side of Richmond Highway, across from Sage Lane and on the south side of State Shop Road and both sides of Eskimo Hill Road. This is the zoning, current zoning map of the site and surrounding property. You can see the light green shading is A-1 zoned property which covers a lot of the surrounding properties. There also is some other M-2 in the darker blue and light blue is M-1, Light Industrial, in the adjacent properties. This is the aerial view of the site. The site is entirely wooded, other than a cleared area that bisects the site from north to south. That's the location of existing, of an existing power line corridor. The green shading represents Resource Protection Area that covers portions of the site. This is the proposed Comp Plan amendment that the Planning Commission recommended approval for which proposed expanding the Central Stafford Targeted Development Area to cover the entire property under consideration. And then this is the proposed Central Stafford Targeted Development Area Land Use concept map, which also the Planning Commission recommended approval, which would expand business and industry recommendation across the entire site. So for the zoning reclassification, here is the development plan that was submitted by the applicant. This shows up to 23 buildings. Those are the yellow squares, rectangles on this site. And as a data center campus, it anticipates up to 5.8 million square feet of total floor area. The buildings are clustered into specific segments of the, of the site and also avoiding the Critical Resource Protection Area stream corridors. The plans show potential building locations and layouts. With the project of this size, it's going to be developed over, over many years. And so the applicant can't be too specific as to the location and number of buildings so, but this generally shows you where the buildings will be located. There might be fewer or potentially more, but you do have a cap of 5.8 million square feet. The buildings would be two or three level; the two level buildings would be up to 65 feet tall, three level buildings up to 105 feet tall. The applicant is proposing to construct a new road extension from Eskimo Hill Road to connect over to Richmond Highway. And then also in the center of the, of the site, the gray area represents where up to six electric substations are proposed. And then those substations would draw power off of that main power line corridor that runs through the middle of the site. The development plan also includes this exhibit that shows areas where tree preservation would be provided. That's the green shading across the site, which covers the Resource Protection Areas and then some additional area on the northern side of the property. That northern preservation area reflects an expanded buffer of 400 to 1,000 feet in width. And there are transitional buffers along the perimeter of 20 feet on the east side, adjacent to the regional landfill, and 50 feet on the south side, where some planned residential development is located. There are also street buffers of 50 feet in width proposed along Eskimo Hill Road and the new road connection. So they... you had received proffers at the last meeting on June 12th, and since then, the applicant has made several modifications to the proffer. So I'll focus on kind of going through those changes. On Proffer 5, that was amended to specify that the building height is measured based on the definition in the Zoning Ordinance. There was a bunch of different criteria listed in the proffer, and the applicant is just basically

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stating that it would just follow along with the, how it is defined in the Zoning Ordinance. Proffer 6 adds that if more than six substations are needed in the future, those additional substations would be required to obtain a separate conditional use permit at a later date. Proffer 8a, that adds a series of more specific building façade standards to ensure there's variety in materials and façade treatments on these buildings. Proffer 8b, that clarifies that fencing shall be around the perimeter of the property data center building or multiple data center buildings – basically requiring that fencing be provided in some way around any data center building that's on this project. Proffer 8d did add that generators that face A-1 properties to the south, and if they are happened to not be screened by other buildings, they shall be screened by a solid wall that will provide for visual and sound attenuation. Proffer 12 is a new proffer that would contribute \$1.5 million for fire and rescue purposes to the County, and that would be paid at issuance, prior to issuance of the first occupancy permit for the first data center building. Proffer 14 would require building sprinklers meet NFPA 13 standards. Some additional adjustments: Proffer 18 clarifies that sound measurements must be taken six months after final occupancy of each data center building, and then annually for five years after the occupancy permit of the final building. Proffer 20 adds that the sewer, water sewer agreement restrict the amount of development that might use potable water, and the water sewer agreement shall be approved prior to the first occupancy permit. Proffer 28 is a new proffer that adds a series of standards to address construction mitigation, because construction will be happening over, over a period of time here, given the size of the site. So those proffers address any issues that might occur and tries to mitigate those. Proffer 29 is a new proffer; it requires a community point of contact be established moving forward to address any community concerns with the operations. Proffer 32 would require reimbursement to the County if any third-party contractors are needed for assistance with permitting enforcement of this, of this type of use. And then Proffer 33 is a new proffer that would limit generator testing to daytime hours, essentially between 7 AM and 6 PM. In the previous meeting, we did identify several concerns from staff. There are still a few remaining issues. The first point, VDOT did request, comments requested modifications to several of the mitigation measures and requested other additional information. In discussions with transportation staff, they did view those as really more minor issues that could probably be, some of those could be addressed at other later date, but there was less of a concern with this issue. There still was a concern with proffers that leave open the possibility that the connector road to Richmond Highway may potentially not be constructed, and the way that is mentioned in the proffers there that the applicant would do a future traffic study and make any improvements that are recommended at that time. And staff does have a concern that that kind of leaves kind of some improved future improvements open-ended and kind of unknown. On the third point, the proposed inter-parcel connection alignment to the southern properties may be difficult to construct and may impact proffered buffers due to topography and crossing of Resource Protection Areas. And on the fourth point, the electric substations with components up to 90 feet in height may be in conflict with the airport compatibility guidelines in the Comp Plan. A few additional concerns regarding utilities. Staff does recommend the proffers identify the maximum amount of development that could use potable water prior to connecting to a water reuse system. Also, moving the Water Service Agreement approval up earlier in the development approval process. And then, as a third point, the projects needed for bridging and the long term improvements need to be included with the proffers. And in addition to being in the Water Service Agreement, this includes the capacity improvements at the Aquia Wastewater Treatment Facility needed to accommodate the additional flow from areas outside of the existing Urban Services Area. And last point, recommended, staff recommended including additional sound measurements criteria, specifically conducting measurements at specific months and at varied locations around the site. That was mentioned in the initial staff report. It did not, was not placed in the in the latest report by error. So, I'm just bringing that up. Overall, staff does recommend approval of the application pending satisfactory resolution of the unresolved issues. With the Comp Plan Compliance Review, again, this would be consideration of the six electric substations that are proposed, and whether they are in compliance with the Comprehensive Plan. Those

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six substations are in the center part of the site in the area highlighted in red. The application included this, this image of what a typical substation may look like. So just as an update for this application, the June 12th staff report noted that the substations complied with the relevant Comprehensive Plan policies in Chapter 2. However, the staff report did cite the use as being incompatible in two of the Airport Land Use Compatibility Zones that bisects the site. That's another aspect of our Future Land Use Plan. The application was deferred to this meeting. The application was forwarded on to the Stafford Regional Airport to seek comment. Staff would note the substation height is less than the proposed surrounding buildings that are proposed, which... and the applicant has previously already sought input from the from the FAA and received comments from FAA determining that there would be no hazard to air navigation. Staff does recommend the Planning Commission find the request substantially in accord with the Comp Plan pursuant to Resolution 24-13 should the substations not pose a hazard to the airport. And that concludes my remarks.

Mr. Apicella: Thank you, Mr. Zuraf. Questions for staff? Ms. Barnes?

Ms. Barnes: Okay, I'll go first. Just to clarify, you said that staff recommends approval. You're talking about the Comprehensive Compliance Review, correct?

Mr. Zuraf: Yes.

Ms. Barnes: Because with the reclassifications there, I think this is although there are several positive aspects, staff recommends the Commission consider the following remaining issues, which you listed, but that's different than the approval for the Comprehensive Plan.

Mr. Zuraf: Yeah, they're two separate...

Mr. Apicella: Compliance.

Ms. Barnes: Comprehensive compliance, yes, yes.

Mr. Zuraf: Yeah, yes.

Ms. Barnes: Okay, so just a couple of questions, and some of these may be for our Utilities experts, but these are also questions that I've gotten from constituents, so just bear with me as well. I noticed at some point in the package there was a vehicle trips per day to be not more than 4,376. We didn't cover that, but it is in the application. That's a lot of trips for a data center. It's my understanding that a data center is not really going to have 4,376 necessarily trips back and forth, unless, of course, you're talking about when it's under construction. What, why this number? And if there is this number, what are the consequences, penalties, or remedies if they go over that number?

Mr. Zuraf: So that, that number of vehicle trips, we went through before the application was submitted, we do a scoping meeting, a traffic impact assessment scoping meeting with VDOT and evaluate the total amount of development and corresponding vehicle trips. And that is the amount of vehicle trips that would potentially be generated by this use, just because the project is so large that that's why that, that is the case. And there's a proffer that limits the over, total number of vehicle trips to that cap. And so what will happen is as there will be separate site plans being submitted through the, likely, unless you know likely, I don't think, I don't think the application is going to completely come in as one entire site plan; it'll probably be in phases. And as each site plan is submitted, the applicant will have to provide a tally of corresponding vehicle trips, and we will as part of a normal site plan review, we do proffer

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evaluation of each site plan to make sure that they're following along with each proffer. That's one of the proffers and that gets tracked that way.

Ms. Barnes: So, and the follow-up for that is, what are the consequences, penalties, remedies, if we discover that, and this is just in general, because I noticed that we have these vehicle trips per day, but we never say, well, what happens if they go over that? If it's in a CUP, obviously, the CUP can be pulled. If it's in a proffer, what are the remedies and penalties for that, if something, if, for some reason, it goes way over that? How do you monitor that?

Mr. Zuraf: Really all we can do is base it on the estimated vehicle trips. If the actual trips that happen end up more, that's something that cannot be, that there's no, there's no penalty there. It's all based on what our, what, you know, the estimations, that's how that's tracked.

Ms. Barnes: So basically it's in the proffer but it's not really just, it's nothing really we can do about it if, for some reason, we all of a sudden have 10,000 cars or something different happens to go in on that, on that parcel.

Mr. Zuraf: Well, the... if there's a different use that is submitted, there's, there's a series of other uses that can be, can be provided. But again, we're, you know, no matter what uses go on the property, you cannot exceed that, that estimated vehicle trip. And it's all based on what is estimated. So if there's some higher intensity commercial use that likely would, would go, push the trips beyond that, that 4,300 cap, and we wouldn't be, we wouldn't, likely, we wouldn't approve a plan that has any use that exceeds that.

Ms. Barnes: Okay. As far as the fence that you mentioned, that will go on... a fence or a wall, actually, I should say a wall... on the south side, because it's, I don't think there's very much, a 50-foot buffer on a data center. And if there is going to be residential down there, what kind of fence, how tall is it going to be, or what kind of wall, and how tall is that going to be, so that we can make sure that it mitigates the problems, or the possible problems with the sound?

Mr. Zuraf: It's going, well, it'll be a solid wall. I probably would have to defer to the applicant to what type of material that might be and then the height is going to be dependent on the size of the generators and probably the corresponding topography and everything as well.

Ms. Barnes: Okay.

Mr. Zuraf: It's going to really be evaluated at building permit stage.

Ms. Barnes: I'll ask Mr. Payne when he comes up, we can take the notes on that. Okay, so I noticed that there were some proffers for sound studies, but there was no time of the year when those sound studies would take place. Is, can we add that? That's a clarification I think is really important, because there's times of the years where, obviously, where it's very cool, and we're not going to, we're not going to have nearly as much sound as opposed to the summer, when things are very hot and everything is running 24/7, hot and heavy. Why, why is there not, or could there be a, included in that, a specific time of year? I liken it to, hey, let's do a transportation study, a vehicle study, you know, in front of, in front of a school and we'll set our little strips out there at one o'clock in the morning. Well, there's not going to be a whole lot of trips. It seems to me that it would, it would be best to do a sound study at the time of the year that has the most intense use. I'm not sure if that's a question for you, a question for the applicant again. That seems like, and not only that, are we going to do sound study on the north side, where there's going to be a really nice buffer, but are we going to do a sound study on the south side, which it looks like there's

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a pretty skeletal buffer down there? It seems like those two points would probably want to make, you know, clear up, because we're looking at, you know, what we want to see is what's worst case scenario, and is the worst case scenario up to our levels and up to our standards that we're expecting in the data centers?

Mr. Zuraf: That's definitely a question that would be forwarded to the applicant...

Ms. Barnes: Okay.

Mr. Zuraf: ... for their consideration.

Ms. Barnes: So, I also noticed that there's no limit or cap on water use, specifically the potable water use. I know that, you know, connecting all the dots here, we've got the Potomac Church, and they're going to build that infrastructure for that recycled water was, what we call the purple pipe. And then that is going to be built, hopefully, between the Potomac Church to Stafford Technology Campus. By the way, who's building that? Do we know? Between Potomac Church and Stafford Technology Centers? Is the County building that, that line, that infrastructure? Who's, who's doing that?

Mr. Zuraf: My understanding is Amazon.

Ms. Barnes: Oh, okay, good to know. But it seems to me that it's going to take a while, and there's going to be a lot of use for potable water before we get that purple pipe. There could be delays to get that. Is there, you know, in my opinion, I think there should be a cap. There should be some safeguards. There should be, if it's a cap on an amount on the usage, or is there a cap on the square feet? I know, with the last data center we, you know, they had to, they had to have that purple pipe built before the second building goes in. I'm not seeing anything on here, and that really gives me pause. I think we need some safeguards for the community, because that's the biggest concern that the community has at this point in time, is, you know, we're going to build, you know, this huge complex which is going to take time, and people need to know that it's not, it's not like, you know, tomorrow they're going to come out of the out of the ground like mushrooms, but it is going to take time, and they are going to be using potable water. And I think that it would be very valuable for the community to know that there's, that there's some, some safeguards for them. We have, you know, none of us up here have any idea what's going on with that Water Services Agreement. I know we can't do it now, but boy, that would be a good thing to have for us, to be able to look at that and see what safeguards and see what checks and balances there are for these utilities that could, that could, under certain circumstances, be scarce and really impact the community. So that's something that I'd also really like to see. As far as the Water Service Agreement goes, is that an agreement that is set up with the County and it goes in perpetuity? Is that an agreement that's set up on a yearly basis? Do we get to, you know, revisit that if something is not working? Once again, I'm not sure if that's a question for you or for Utilities.

Mr. Zuraf: Yeah, I might ask Bryon Counsell to kind of help out with the details there.

Ms. Barnes: Okay.

Mr. Counsell: Thank you, Mike. My name is Bryon Counsell, Chief Director for Infrastructure. My purview includes Transportation and Utilities. Commissioner Barnes, if you would repeat your question, I'd like to make sure I understand it completely.

Ms. Barnes: I'm not sure that I can.

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Mr. Counsell: I can repeat what I think I heard.

Mr. Apicella: I think there are a couple of them.

Ms. Barnes: So as far as the Water Services Agreement, I mean we're... in my mind, I'd really like to... I know this time it's not going to happen, because I don't think it's even complete yet, but it certainly would be nice if we're going to be recommending and voting on something in the future, for us to see what that Water Service Agreement is, and to see if there's checks and balances and safeguards for the community and for citizens who think, you know, are we going to run out of water and power because we've got 5.8 million square feet of data center running in 110 degree heat. That is something that I, that really gives me pause, it gives a lot of people pause. It's something that we'd, I think, like to see. And as far as the Water Services Agreement goes, is there one Water Service Agreement that is in effect in perpetuity? Is it updated on a yearly basis? If something is not working, if they're using too much water, and we're having a problem or too much electricity, is that something that is revisited, the Water Services Agreement?

Mr. Counsell: Typically, the Water Services Agreement will have a term, a finite term. However, there are provisions that will be worked in there that upon any necessary changes there are provisions in there to do that. There will be an assignment clause that will allow the Water Services Agreement to be assigned to a successor and owner of the property or to the operation of the, of the facility. Also, there will be provisions in there to allow a change, if it's an unnecessary burden or impact on the County or the, or the developer, or the property owner.

Ms. Barnes: Is there a timeframe for that? Is it yearly? Is it every five years?

Mr. Counsell: Unless I'm mistaken, it would be consistent with the term when it, when it's necessary. It's not going to, I don't think it's an easy thing to do. There's no triggers in there that says the agreement will be changed if this condition occurs. But for most part, there's no anticipated need at the, at the moment to have changes in the Water Service Agreement once it's finalized and agreed.

Ms. Barnes: Okay. In that Water Service Agreement, is there any, because it's not in the proffers that I can see here, is there anything that's going to have a cap on the amount of water, potable water, until that purple pipe reaches it? Is there any kind of limit on square-footage before, you know, that purple pipe comes? I mean, if we, if we get built out and, you know, things happen and that purple pipe isn't there, there's going to be, you know, there's, they're going to be using a lot of potable water. Is there any, any cross-check, any kind of checks and balances that will protect the County and the citizens of the County if we begin to have a problem, especially with the purple pipe?

Mr. Apicella: Can I jump in? So I'm, again, I'm looking at the staff report, and there are three things that the Utilities Department, I assume they work with you to identify these issues. And one of those is, staff still recommends the proffers identify the maximum amount of development that could use potable water. Do you have a sense of what that is? What are we looking at? What are we suggesting that cap be? Is it a square-footage? Is it total number of buildings? What is the recommendation, specific recommendation from the Utilities Department?

Mr. Counsell: The answer in short, is absolutely. There will be caps on the potable water, and it will be under a threshold that the County and utility staff feel safe within their operation, operational responsibilities. The more complicated answer is, the proffers will ultimately, if it's going to get some utility support, will have a finite cap of some method, either number of buildings, number of pods,

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gallons, or flow before those, a certain number of buildings can go online. There is and absolutely will be a limit to the amount of potable water they'll be using. And just for clarification, in the proffers, also, the developer is currently proffering to build additional capital infrastructure that we have in years into our future that we need. They are going to accelerate that through proffer to give additional capacity today or tomorrow into the near future to allow that potable water use. We have an inherent capacity after those projects are built of a certain amount, and we're discussing those values as we speak, and as this process continues. We believe there's a limit somewhere between 800 and 1.3 million gallons of capacity. And depending on how the buildings are built, how they're staged, how the pods and the buildings are built out in various buildings, there is a limit to the number of pods, or number or the flow that will, that will be, that will be within our capacity. And before Utilities will support that, the proposed buildings or pods that are going to go in will have to be within that capacity after what we refer to as the bridging water projects are constructed.

Mr. Apicella: So again, I apologize...

Ms. Barnes: Go ahead, we're probably going to ask the same question.

Mr. Apicella: ... because I'm going back to the specific language in the staff report, unless you disagree with it. It says, it intimates that the Water Service Agreement by itself is not sufficient. It recommends specific changes in the proffers. So, those specific changes have not been incorporated into the proffers. So we're still, there's still this kind of vagueness about what the applicant is agreeing to in terms of square-footage and the associated water that the County can provide. You mentioned a specific number. So we're still, we're still not there. It seems like there's some misalignment between what you're saying... and I don't disagree with it, obviously you guys are the experts... and what's actually in the proffers today. That's number one. And number two is, you've talked about some other projects you've, you generally, I'll say the Utilities Department and the people who work for you, have indicated that, secondly, you want the Water Service Agreement approval to move earlier in the development process, but more related to the conversation we're having now, the projects needed for bridging and long term improvements need to be included with the proffers, not only in the WSA, Water Service Agreement, this includes capacity improvements at the I think it's Aquia Wastewater Treatment Facility to accommodate the additional flow. So those things at this point have not been identified in the proffers. So again, we still have this gap between what you all are saying needs to be there and what's actually identified in the proffers, irrespective of what's in the WSA. I'm not an attorney, and I know our attorney probably can answer this question, but it seems to me, the proffers have more substance, especially because they're permanent as compared to the Water Service Agreement. And these things are important to put in the proffers for that very reason. They're binding, but what I heard earlier was that the agreement has a term; 15 years, 20 years, 25 years. Proffers last forever, unless and until they're changed. So that's the delta, in my opinion. So how do we, how do we, I'm not going to use the term bridging... how do we bridge the gap here? Because we need to kind of do that to move this package forward and make sure the board has everything they need for them to deliberate on this project.

Mr. Counsell: You're absolutely correct. So the, as I understand it, Mike, and Mike can chime in and correct me if I'm wrong, there was a deadline to get the, all the package requirements for the evaluation for the Planning Commission tonight. After that deadline passed, so the Planning Department could get all their recommendations and their subsequent report ready, the negotiations of the proffers continued between the developer and, at least as far as utilities goes, between the utility staff. We have reviewed some proposed modifications to the proffers that, that hone in a lot closer and will likely be acceptable to utility staff, as far as the how much, to what amount of buildings can go in based on flow. They've been reviewed, where they've been submitted. We're reviewing those now. There has been constant

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communication and talks about a variety of ideas on how best to manage and how to measure the amount of water that's left, or the amount of water capacity that's available for the temporary, for the temporary potable use. So those continue today, and we're, we're, we're confident that, I won't say we're, well we are confident, but there has been an extraordinary amount of effort on the developer's part to meet these. They've not been quiet. They've been very engaged, and we have been working towards what will hopefully be a solution in the very near future.

Ms. Sellers: Mr. Chairman, I have a question.

Mr. Apicella: Please go ahead.

Ms. Sellers: What is the surge rate for water usage? Because residents, we pay one rate, but then if you go over a certain amount of gallons that you use per month, there's a rate, it's a different rate.

Mr. Counsell: I don't know the specific rates, but there's a tiered rate, correct.

Ms. Sellers: Yeah, there's a tiered rate. So there's a financial, there's a financial aspect to this, too, that's in their best interest to not continue to be on the, on the potable water, because it, from what I remember, it's, it's, it's pretty large. Once you get into, and if we're talking about 1.3 million gallons of water, I can only imagine how much that's going to cost. Yeah, what their water bill is going to be, you know. So, that's just something to consider, too, is they have a financial incentive to get off that potable water because of that surge rate.

Mr. Apicella: I hear you and I don't disagree, but there's only so much capacity that the utilities folks can provide. Also, we may have other projects in the queue, data center projects who are going to be big demanders of water, too, from probably the same area. So I don't know to what extent that's been calculated or even thought about up to this point. So I think what I've heard you say is there's been some back and forth. It's kind of left with you all to review the latest version of what's been proposed, but we, we haven't seen it yet. So that's, again, my concern is, it's not there yet. It's not in the documentation, and we're being asked to make a decision tonight on a recommendation to the board. So, I mean is that something you all are willing to share with us at this point, or we just have to go on faith that at some point, if we were to move this package forward, the board would get what they need when it comes to them. You're going to reach that finite point where, yes, we all are in agreement about, here's how much water we can provide, and that's the associated amount of square-footage or buildings that could occur on the, on the parcel. Do you understand what I'm, what I'm asking?

Mr. Counsell: Yes, sir. I'll defer to Mike on the process and how the process is designed. But what I can tell you is the utility staff and the developer or the applicant have been engaged. We remain engaged on a daily basis on proposed language, different types of words, what they mean, how they describe things, and if they're not in the proffers now, I can only expect that if the developer decides to proffer that, they'll include them at some point in the future.

Ms. Barnes: So that's my question. Is usually when we have proffers, we see them here at Planning Commission, we recommend or deny or whatever, and then it goes on to the Board of Supervisors who make the final decision. So you're saying that outside of those two specific the public hearings for that, they can add proffers into the agreement outside of us or the Board of Supervisors...

Mr. Apicella: The proffers, the proffers can always change between the time that the Planning Commission has made its recommendation and the board receives it. So yeah, those proffers can either

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be more, I'll say, strident or less strident based on what the applicant chooses to present to the board. The board has the ultimate authority as to whether or not they accept those. But my concern is some of the words you said that is the if, because that would be very important for the staff when it gets to the board to say, hey, we think this is what we need, and the applicant has not agreed to it. We can't support it because we can't provide it. We can't provide that amount of water, or we can't, we can't allow them to build X number of square-footage because we can't support anything beyond this threshold requirement or need.

Mr. Counsell: Well, my only response is this, we can't review what we don't have, and you've just outlined that you can't review what you don't have if that's, if that's the Commission's desire to review that. What I can speak to is the continued discussions between the applicant and utilities in an effort to, for them to understand the impacts and to offer whatever mitigation they choose to offer. I can tell you that is ongoing and is strong.

Ms. Barnes: Will the Board of Supervisors be able to see that before they make a vote?

Mr. Counsell: Oh, that's up to the board. But the intent of always is to make sure the board...

Ms. Barnes: Because that would, that would make me I think it'll be a little bit more comfortable that, you know, at least somebody has a look at that before we all vote. And, you know, and what is it Meg calls in, I believe, we need to see that, or at least, ultimately, the Board of Supervisors needs to see that. And that can be complete so that they can look at that and make sure that Stafford is protected in extreme cases of power outages or droughts or things like that.

Mr. Counsell: Like I said, it's up to, it's up to the applicant to submit those proffers at some point in time for what they want to use as mitigation...

Ms. Barnes: But I'm talking about the Water Services Agreement.

Mr. Counsell: The Water Services Agreement, at least right now, is proffered to be complete and agreed to before they get their first occupancy permit.

Ms. Barnes: But not before the Board of Supervisors votes on it.

Mr. Counsell: The current proffer says they, they will proffer to have that agreed before the first occupancy permit.

Ms. Barnes: Okay, that's a good thing. Okay. I do have a couple more questions. So, real quick, some constituents have asked me some questions. They're, they're a little simple, and they may be, maybe to an engineer or to a utilities person seem kind of silly, because you all know all about this.

Mr. Counsell: No silly questions.

Ms. Barnes: Yeah. Well, so the water that this Stafford Technology Campus is going to be drawing from is not being drawn from the Rappahannock River.

Mr. Counsell: The, we have two reservoirs. It's not just a simple yes or no. We have two reservoirs, one in the north, one in the south...

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Ms. Barnes: Right, Lake Mooney and Smith Lake.

Mr. Counsell: ... Lake Mooney and... Lake Mooney is pumped off of the Rappahannock River. Some of the water that the data centers will be using, potable water, temporary potable water, will come from the Rappahannock via Lake Mooney.

Ms. Barnes: Okay. So, when that purple pipe is finally completed and we have it come into the Potomac Church site, and we have it coming down to here, that water is coming from water treatment plants that originally, that water came out of Smith Lake?

Mr. Counsell: Are you talk about the potable water?

Ms. Barnes: No.

Mr. Counsell: The reuse water.

Ms. Barnes: The reuse water.

Mr. Counsell: Reuse water will be, will be treated at the Aquia Wastewater Facility and pumped to the site, and then recaptured again and sent back to Aquia Wastewater again.

Ms. Barnes: And it'll cycle back and forth.

Mr. Counsell: Keep cycling back and forth, yes.

Ms. Barnes: Okay. So, and this is an interesting question that somebody gave me. As it is right now, when the water treatment plants receive the water that they need to treat, you know, from all of our sewers and, you know, our washing machines and everything, that's treated; right now, where does that go after it's treated? Is it released back into the watershed?

Mr. Counsell: It's released back into the environment, correct.

Ms. Barnes: So, when we actually have this purple pipe and we have the recyclable water, is that going to impact the watershed because we're not releasing that recycled water back into the watershed, instead, it's going to data centers. Is that going to impact the watershed up there? Because it all of a sudden, we're not, we're not putting that back into it. We're sending it down to a data center. Does that make sense?

Mr. Counsell: Yes. There will always be flow coming out of the wastewater treatment plant to keep the streams alive and to keep the, at least a certain level of minimum amount of water per the Department of Environmental Quality.

Ms. Barnes: So we're not going to, we're not going to pump all the reuse water out and dry up the entire watershed.

Mr. Counsell: No, we're not allowed to do that.

Ms. Barnes: These are questions that I do get, so. Last question I believe I have for you. Have we had any experts, environmental consultants, utility experts, water, electric, that have expressed concerns

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about adequate water and power that we will need when these things are at build out? We hear a lot of people having concerns that, you know, this is going to take a lot of water, and we do have, there's a reason why a lot of places are competing for these, because obviously this is going to be a great revenue source. But people are very concerned about the water and the power usage. Just regular folks. Me. I'm not an expert. Have we had anything from experts that have said we have plenty of water and we have plenty of electricity?

Mr. Counsell: I can't speak to electricity because that's Dominion Power. But as I understand it, there are no current concerns. We have spoken in various meetings with Dominion Power. I'm aware of no challenges to, to Dominion Power providing power. But speaking from utilities, we have had, we've engaged two consulting firms along, as well as our utility staff. We've gone over this. We continue to go over it. We learn new things. Every once in a while, a little, a little usage here, a little usage there we didn't anticipate. We think we've covered all of that now. Both of our consultants, as well, of all, as all of our staff, we've evaluated the water models, we've evaluated the demand models from the developer, and we've arrived at that number for temporary potable water. And we feel very comfortable with that number.

Ms. Barnes: Okay. And, to loop it back then, and if, for some reason, things aren't exactly as we planned, there is the ability for that Water Services Agreement to be updated and changed.

Mr. Counsell: That is correct.

Ms. Barnes: Okay, thank you.

Mr. Apicella: I'm just going to go ahead and springboard off the, one of the questions that Ms. Barnes asked. So, who is paying to connect the line from Old Potomac Church to the Stafford Technology site?

Mr. Counsell: One meeting ago, or maybe two meetings ago, I think it was... I can't, I can't, I think it was the July, the first July meeting, the Board of Supervisors approved the Potomac Church tech site Water Services Agreement. And in that agreement, Amazon agreed to build the reuse water line, the facility at the Aquia Wastewater Treatment Plant, the level one treatment portion of it, as well as all the pumping facilities and the main lines all the way to the Stafford Technology Campus site.

Mr. Apicella: And in that agreement that it was approved, what's the timeline for that to happen?

Mr. Counsell: Right now the line to, at least to the Potomac Church site, is set as, at Quarter 2, '27, the end of the second quarter of '27. And coincidentally, all of the pipe is scheduled by the, by the applicant or property owner of the Old Potomac Church site to be finished by Q2 '27, end of the second quarter 2027.

Mr. Apicella: So the earliest that reuse water could be available would be 2027.

Mr. Counsell: That's correct.

Mr. Apicella: Okay, in the AWS proffers for that project, one of the items that they offered the County was to financially support a utility study. That project is 10 times, 10 times smaller than this project. Is there a reason, or reasons why we didn't think that was necessary in this case?

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Mr. Counsell: During the study we had, even the studies today that we're looking at and engaging the consultants, we've had the ability to really study the system through the studies we used for the Old Potomac Church site, as well as the proposed site that we're speaking about here tonight. With the engagement of two consultants, we have thoroughly gone over this. We've thoroughly looked at all the modeling and all the demands, and the utility staff right now is comfortable with all the studies that have been done, and they're adequate to make decisions on.

Mr. Apicella: Okay, so again, the bottom line is, from your vantage point as the person who's leading the Utilities Department, that once there's an agreement on the amount of potable water that the county can provide, that we will not be putting ourselves in jeopardy by allowing the applicant to build more than the system can offer to them.

Mr. Counsell: That is correct, and I'll even go further than that. The amount of water I was speaking about earlier, the 800 to 1.2 million, 1.3 million gallons, is in additional capacity to what the anticipated undeveloped areas could demand in the area, as well as a safety factor. So all of the all of development in that watershed is anticipated in our model and the up to 1.3 million gallons is additional capacity that we could use, temporary basis, for some short period of time, two to five years, to allow this project to go on potable water temporarily.

Mr. Apicella: Okay, thank you. Any other questions to the utilities folks? Thank you, sir. I have some questions for staff but I'll give other folks a chance to ask. Okay, Mr. Zuraf, I apologize that I wasn't here at the last meeting, so I may be cover covering some ground that was already covered. Just kind of a generic question for the residential parcels that are close to the project, what is the applicant doing to mitigate both visual and noise impacts?

Mr. Zuraf: For the residential projects adjacent on the north side of the site, the applicant has proffered to retain existing trees in a buffer area that's included. That was on one of the images that I presented tonight. That buffer ranges from 400 to 1000 feet from the areas that would be cleared for development. On the south side there's a larger property that has an approved A1 subdivision has not been developed. The property owner actually submitted a comp plan amendment on that property to basically expand the area of business and industry around that site. They've not submitted any rezoning yet, but just that they're considering expansion of the growth area in there. In adjacent to that, there's a larger property with one or two homes on it, and that's where you have the smaller, 50-foot buffer. And then the additional proffer that was mentioned about screening any generator equipment with solid walls, if for some reason they do not screen those with buildings.

Mr. Apicella: And how about in terms of noise?

Mr. Zuraf: With noise there's a proffer to screen all the external mechanical equipment, which will have some sound qualities and then also, they are reducing the maximum decibels in the evening by five decibels, down from 55 to 50. I believe it is, let me check that.

Mr. Apicella: I think in the evening, it's still proposed to be 55 so I think they just had a universal 55.

Mr. Zuraf: Yeah, 55.

Mr. Apicella: Okay. Are we aware of any other potential residential building that might occur in the southern part of the area?

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Mr. Zuraf: No, nothing else is planned.

Mr. Apicella: Okay, can you pull up slide 16? Alright, actually, that slide's fine. So, at the bottom of the slide, it says, there's some words there that say illustrative. So what portions of the GDP are illustrative, meaning it could change versus other parts of the GDP that I'll use this term "cast in stone"?

Mr. Zuraf: So, the illustrative features are the building, I guess, locations and number of buildings, and I guess specific building locations shown. That's really kind of what is illustrative on this and then also where you kind of have the darker shaded generator areas adjacent to those buildings. That's all illustrative, because the applicant doesn't have necessarily "set in stone" plans, as far as we're aware, to be too specific. The items that are set in stone was the other image, which, let me go to that. These are the features, really, that you kind of have where it's set in stone is the road network, that connector road, alignment, the land and the stream preservation areas and buffers. Those are features that are set in stone.

Mr. Apicella: How about setbacks?

Mr. Zuraf: And setbacks as well. Let me see if that is specified. I have to check through the details of these proffers as we're going forward to just check on that.

Mr. Apicella: Okay, just kind of move on. So, one of the questions Ms. Barnes asked was about electricity impacts. As far as you know, although we haven't seen it, you might have, has the applicant received a load letter from Dominion indicating that that utility provider will be able to meet their demand?

Mr. Zuraf: I don't recall if they have or not.

Mr. Apicella: Okay. I think you covered this one, but just to be sure I do. There were some lingering VDOT comments the applicant believes are beyond their control or beyond their responsibility to address. Are there any other specific improvements that they have not yet addressed that staff thinks they still should?

Mr. Zuraf: Not the issues raised by VDOT but the other factors that we mentioned about the access road connecting to the property to the south, and then the issue with the connector road and kind of the uncertainty.

Mr. Apicella: So, on those two issues, do you have some specific recommend changes that you would ask the applicant to make, either language or at least in general terms?

Mr. Zuraf: With the access road, really probably more direct road, and that's kind of been mentioned, but they do have concerns. The applicant has expressed some concerns about security with providing a more direct route, a road network, as opposed to kind of following along the perimeter.

Mr. Apicella: But they will provide an access road? It may not necessarily be what we see on the...

Mr. Zuraf: Well, right now the proffer is to provide what you kind of see on the plan, but you know that...

Mr. Apicella: And what's the issue that you all are seeing that you'd like to see changed?

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Mr. Zuraf: A more direct route. The issue with it around the perimeter of the site is the unknown of how much additional areas needed for clearing because the unknown of slopes with grading and then if there's a need to deal with any off-site easements that they may or may not be able to get. To hug a property line, it can make it more challenging and also that could affect buffers that are required.

Mr. Apicella: So, what in a hypothetical world, what happens if those issues arise and they need to make changes? Will they be allowed at site plan to make changes but still have that connector road?

Mr. Zuraf: I have to look at the details of how that connector road is proffered, if there can be an alternate location. I can check on that.

Mr. Apicella: Again, I'm going back to the what if scenario, saying there might be steep slopes or there might be other issues that impact what they've put on their GDP is the specific location of the connector road, and if those issues arise again, that would be a concern of mine, that they still have to provide a connector road, irrespective of whether or not any issues come up.

Mr. Zuraf: They will and they'll have to either work to get off-site easements and still provide the buffers that are required, so it could be done but we just don't know. It's kind of some gray area there.

Mr. Apicella: And how about the interpersonal connection? There were some concerns there. What change or changes would you like to see to ameliorate the issues that you've seen there?

Mr. Zuraf: With the connector road?

Mr. Apicella: No, with the interpartial connection.

Mr. Zuraf: Yeah, yeah, that's the issue of providing the more direct route.

Mr. Apicella: Okay, so again, there were two issues. There was connector road and there was the interpartial connection. I'm sorry, if I'm confusing the two. I thought, in one case, the language was, you thought was vague, and they could somehow wind up not doing whichever one it was?

Mr. Zuraf: That's the connector road, yes.

Mr. Apicella: So what language would you like to see to clarify that that's going to be set in stone?

Ms. Barnes: Mike, can you pull that up on the screen that we can look at it? Because I'm getting the connector and the inter parcel. Thank you.

Mr. Zuraf: I don't have a pointer here, but the connector road is the orange line going east to west, you know, from Route 1, over towards the power line. That's the connector road that will connect from Eskimo hill over to Route 1.

Mr. Apicella: Yeah, so again, I'm reading the language that was in the staff report. It says proffers leave open the possibility that the connector road to Richmond Highway may not be constructed. Again, how do we assure ourselves that the proffers get modified to the point where that's not going to be a concern?

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Mr. Zuraf: Well, I guess the options are either to, because they have a provision, it basically says if the county VDOT does not approve that road, then they will, you know, then they'll access via Eskimo Hill. So, I guess one option is to remove that language that provides that option to not...

Mr. Apicella: Get out of jail card?

Mr. Zuraf: Or the other option would be because their proffer says that they would have to submit a traffic study in the future and make any improvements, one option would be to do a traffic study now and I'd list out what those improvements would be, but that's going to cause delays, and you know that they may not want to go through at this point.

Mr. Apicella: Okay, just, just one more question. There have been a lot of positive changes. You've referenced a number of those that have occurred even since the last meeting. From staff's perspective, aside from the issues we just talked about, are there any showstoppers?

Mr. Zuraf: No, I don't think so. And I think the, well, the big issue which we've talked about is really the utility details, you know, so and how that, you know, Brian mentioned talking about the planning process moving forward with getting those details on the utility improvements, how that will happen. So, if, for example, if the Planning Commission chooses to recommend approval tonight, we will still move forward with those comments, moving forward to the Board with those concerns from utilities about wanting to see those details, those maximum potable water details, until such time as the applicant provide those modified proffers.

Mr. Apicella: So, if it doesn't get resolved when the Board sees this, which is, what about a month and a half from now, two months maybe, then will staff recommend the Board not move forward? Again, water usage is a pretty big deal. So, to me, that would, we're going a little bit on faith here, if we move this package forward.

Mr. Zuraf: I'm not going to say necessarily what our final recommendation will be, but those concerns will still be pushed forward, you know, in consultation with utilities department.

Mr. Apicella: Okay, that's it. Thank you. Any other questions for staff? Ms. Barnes.

Ms. Barnes: You may have covered this. I may have missed it. There's a lot of information going on here. The electric substation and the airport compatibility. We haven't heard back from them yet on that.

Mr. Zuraf: I've not.

Ms. Barnes: Okay, is that something that is, what is it Steven calls a show stopper?

Mr. Zuraf: Well, I don't think it will, because it's meant as the applicant provided that information, the documentation that they provided to the FAA, estimated structures up to 170 some feet for (175), you know, and this is much less, it's, you know, almost half the half the height of that. So, I don't anticipate that, but we've not heard back.

Ms. Barnes: Hopefully we'll hear back by the time the Board of Supervisors gets that. Okay, thank you.

Mr. Apicella: Alright. Thank you everybody. Thank you Mr. Zuraf and Mr. Council. With no other questions, would the applicant like to come forward?

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Ms. Cameron: Thank you. My name is Jonelle Cameron with Walsh, Colucci, Lubeley and Walsh. With me tonight is Taylor Chess and Kevin McHugh with Peterson, Michael O'Shaughnessy, the Civil Engineer with Bohler, Kevin Sitzman, the traffic consultant with Gorove Slade, Charlie Payne, the representative for the contract purchaser. And Mike went through the presentation in pretty great detail. I have a lot of slides for brevity since we've been an hour and 15 minutes, I will go ahead and maybe skip, if it's okay with you, Chair Apicella, the background information that Mike already covered, but I do want to focus on transportation improvements again, because Mike has did not go over those in great detail, and then I will walk through staff's recommendations and why we think that those have been addressed. Some of them specifically we talked about when we saw you all in June, which were the transportation improvements, what VDOT is asking for, specifically what we are doing and then finally, I will hit on the proffer revisions. I'll go through those pretty quickly as well, because Mike did address those, and I'll slow down and hit the water service agreement proffer to answer some of Commissioner Barnes and Commissioner Apicella questions. Sorry that clicker is not working today. User error. Thank you. So as part of this proposal, the applicant did proffer several transportation improvements. And I just want to walk through those transportation improvements with you all, and then we can slow down and talk about any of the VDOT comments after. These transportation improvements are all outlined in proffer 27 for you. At the intersection of Route 1 and Hospital Center Boulevard, which is more than 2.4 miles away from the site. In order to mitigate any impacts, the applicant has proffered to restripe the eastbound approach on Hospital Center Boulevard, to provide dual left turn lanes, one through lane and two right turn lanes. The applicant has also proffered to modify the traffic signal, if required. With these improvements, the overall level of service at this intersection changes from a level of service E, in the future, without this development, during the am peak hour to a level of service D and it changes in the pm peak hour in the future without this development from a level of service F to a level of service E. A lot of the improvements were focused on the site, including the connector road at the intersection of Route 1 in Sage Lane, the applicant proffered to provide dedicated left and right turn lanes into the site, restripe the Southbound right turn lane on Route 1 to provide a shared right through lane extending from Sage Lane to Blackjack Road and to install a traffic signal. On Sage Lane itself the applicant also proffered to provide curb and striping modifications to not allow for through movements onto the connector road. At Route 1 and I95 ramp the applicant proffered to provide striping to channelize the right turn lane and provide signal modification timing. And we talked a lot about the water service agreement and the proposed infrastructure. Bryon really hit on some of the CIP projects that the applicant is proffered and as Commissioner Barnes mentioned we have also received a lot of comments about the reuse water so I thought it would be helpful just to provide an exhibit. The applicant is creating a new potable water pump station on Centreport Parkway and a new waterline that crosses from Centreport Parkway connecting to the existing waterline. This is the blue line that you see as P3 on the screen. This project is tapping into water from Lake Mooney. The project was identified in the CIP as a critical project that wouldn't be completed until after 2028. It was approximately \$6.5 million in the CIP. The applicant is proffering to construct and fund that improvement. The applicant is also increasing the size of the sanitary force main from the Potomac Creek Pump Station and expanding the Potomac Creek Pump Station that was also a CIP project. That was about \$3.5 million that was outlined in the CIP. These improvements will expand capacity and will be at the cost of the applicant which is estimated to be over \$10 million in those improvements. The applicant will be tapping into a specific sewer line when the reuse water becomes available. With the new sewer pump station and the new sewer force main that infrastructure is what you see in the green line on the screen and the applicant has proffered that they will connect to a dedicated reuse supply line through a water service agreement in which all of the cooling systems will use reuse water once the line becomes available and these lines are the lines you see in purple. Until the reuse water supply becomes available there will be a limit to the number of buildings in potable water supply that can be used for cooling systems for data centers to ensure that there is not a negative impact to County residents. The water service agreement is an agreement that is

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ultimately approved by the Board and our proffer specifically state that that water service agreement will have a cap on the maximum number of potable water until that reuse system is available. A question came up as to whether or not we would be willing to add a proffer to provide additional information as to the scope and the actual amount of potable water and the applicant, as Bryon mentioned, has been working with the utilities department and is willing to provide a proffer once agreed upon between the Planning Commission and the Board so at the Board public hearing they have additional information.

Mr. Apicella: So, before you move on Janelle, you mentioned a couple of specific utility improvement proffers and I'm looking at the utilities section and I don't see those proffers here. I do see the proffer on the connection but I don't see, and I'm sorry the print is really small, so help me understand, which specific items here are actually in the proffers and where they are in the proffers.

Ms. Cameron: They are not outlined specifically in the proffer but they are outlined as infrastructure improvements which would be included in the water service agreement. So we are happy to between the Planning Commission and Board to add a proffer to specifically outline those but as the proffer is written it does say that there would be in the course of the applicable county requires the applicant will design, permit and construct all onsite and offsite potable water and sewer improvements required to provide such services for demand generated by the development on the property including to support the bridging water and bridging sewer for the project. And then it goes on to say the design of the utility infrastructure improvement shall be submitted by the applicant to the county following rezoning approval and is subject to approval by the county, and such approval will not be reasonably denied, withheld or delayed. The capacity design, permitting and construction specifications for these improvements, along with the details regarding funding, bonding and construction obligations, will be described and performed in accordance with the separate water service agreement between the applicant in the county.

Mr. Apicella: Okay, again, I hear you, I understand what you're saying, and I think what staff is saying what I think I heard you just agree to, between now and the time this gets to the Board is to identify what those specific projects are, because right now, there is no specificity. And in my opinion, a water service agreement doesn't have the same horsepower. Maybe that's not the right word, teeth, as a proffer. So, is that what you're saying to me, to us?

Ms. Cameron: I am saying that we would add that information between the Planning Commission and the Board. I do think the water service agreement is a binding document, and it is ultimately also approved by the Board, so the Board is able to look at that water service agreement, and it's at a public hearing, and walk through what that capacity is. It is also binding on the land. The applicant would, if the County preferred, record that water service agreement instead of it being in the proffers. The water service agreement is subject to change. As Bryon had mentioned, there could be something that happened. So, we just want to be very careful that what we proffer still says "as may be amended in the water service agreement". Because ultimately, the Board is the deciding factor, and they review that water service agreement and it may be amended in the future. And what we would not want to happen is have to come back again for a proffer amendment if there was a change that was agreed upon by the Utilities Department and the Board for the water service agreement. But we hear you and we will add additional language between the Planning Commission and Board.

Mr. Apicella: Okay, thank you.

Ms. Cameron: You're welcome. And then quickly, just in the next few slides, we thought it would be helpful just to provide some line of site exhibits. So, this was part of the original Planning Commission package that shows the distances between the nearest buildings. So, from nearest building to building,

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really quick, just line of sight exhibits to the south. This is 294 feet from the property line to the nearest building. This slide is 195 feet away. We have 802 feet away from the North. 835 feet away, 1235 feet away, 1064 feet away, and then 490 sorry, 493 feet away. And then this last slide in the corner is also 438 feet away. As Mike mentioned, as part of this proposal, the applicant is seeking a comprehensive plan compliance review to allow for six substations on the property. This slide shows an illustrative of the substations, and then quickly and the next couple of slides, I just want to walk through with you the Virginia Department of Transportation comments and what they were asking for and why we think that we've gone above and beyond to adequately mitigate our impacts. So, the concern specifically with Route 1 and Hospital Center Boulevard. VDOT would like for there to be a sixth eastbound lane on Hospital Center to Route 1, and that is not possible because of that existing 7-11 that was constructed that has a wall there. That was proffered by Burns Corner, but subsequently, that 7-11 was constructed, and so, as I mentioned before, the applicant, per their proposed improvement is mitigating the impacts and improving the levels of service at this intersection. This slide shows the delay. So, what it shows is how we are mitigating those impacts in the am and pm to better help. VDOT also requested additional studies at Route 1 and Sage Lane. We subsequently amended our proffers to specifically add that shared through lane and right turn lane from Sage Lane to Blackjack Road. So that was a change to specifically address VDOT comments. At Route 1 and Centerport VDOT commented on potential improvements at Enon. Enon was not part of the original scope, and as our proffered improvements were not negatively impacting that intersection. And this slide shows what the levels of service are at US Route 1 and Centerport Parkway. Both a comment from VDOT and the County pertain to the uncertainty if the connector road was not constructed, and while both VDOT and the County approved the connector road because it is going over RPA that also requires the Army Corps of Engineer approval and DEQ approval, which are federal and state. And in the event they do not approve the road, the applicant has specifically proffered that they would make improvements to Eskimo Hill Road, as outlined in the comprehensive plan, and do a traffic impact analysis that is reviewed and approved by VDOT, and make any additional improvements on Eskimo Hill Road to mitigate that impact. Staff's recommendation for the inter-parcel connection, what staff is looking for, hopefully I don't break your board, is a direct connection here, and for security reasons, the applicant is unable to make that direct connection. It also would lead to a four-way stop. And a four-way stop is less safe than a three way stop. So, once you get to the end here it would be a three way stop sign instead. The applicant also believes that there is plenty of space for any additional grading that may be needed on the site. So as part of the proposal, there is, sorry, I messed it up already. There's 150-foot building setback. Then on the site, there's 25 feet between the property to the south and the road. There's then 60 feet of right-of-way that is being designed. If the properties to the south develop 200 homes or less, that road width is only required to have 22 feet. If the properties to the south develop 200 homes or more, that road with is 24 feet. So that essentially, is giving the applicant anywhere between 36 to 38 feet to do grading before you hit that 50-foot buffer area. So, we do not believe that there would be any impacts to the buffers. In addition, the 50-foot buffer is required. So, in the event there's grading that is needed, the applicant would still be responsible to construct that 50-foot buffer. Finally, I think Mike hit it, so I'll go super quick. The substations height is proposed to be at 90 feet. The applicant did submit FAA determinations for every building on the property to determine that there is no hazard to air navigation. And the buildings closest to the substations, as Mike mentioned, were up to 175 feet above finished floor area, and for all of the buildings on the site, the FAA determined that there was no hazard to air navigation, so we believe that there would not be a hazard at 90 feet either. Finally, I wanted to quickly walk through with you the latest proffer revisions. We went through the utility infrastructure improvements. The applicant did make these proffer revisions after receiving and working with staff, after the Planning Commission, public hearing and recommendations from the Planning Commission, and then separate meetings with the Planning Commissioners. So specifically added the utility infrastructure proffer to talk about the water service agreement and make it clear that the water service agreement does need to have a cap on the maximum number or the maximum water

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usage and sewer usage that could occur before bridging. The applicant also proffered reuse water to make it clear that all industrial data center cooling water demands required for the project will utilize reuse water and walked through in the event that reuse water becomes delayed, they would not be able to increase the capacity without approval from the Utility Department to make sure there were no negative impacts to the residents. The applicant updated proffer 6 to make it clear that six electric substations shall be permitted on the property without requiring any further conditional use permits. In the event seven or more substations are needed on the property. Each additional substation over six would require a conditional use permit. The applicant updated proffer 8A to match the design standards that were outlined in the AWS Potomac Church proffers. In addition, the applicant, specifically, at a request of Commissioner Caudill, included that there would be sound enclosures for each generator. Proffer 8B, we made it clear that fencing shall be required and added language to confirm that the buildings will be fenced. For screening of mechanical equipment, we added language that for the properties to the South that are planned for residential uses, screening shall address both visual screening and sound attenuation, and in addition, generators that are facing the above-mentioned tax map parcels that are not screened by buildings shall be screened by a solid wall. The applicant included a monetary contribution for \$1.5 million to be used for fire and rescue purposes. The applicant included language requiring the sprinkler system to be NFPA 13 standard. The applicant included language for the noise levels to decrease the level for the daytime from 60 feet to 55 feet in residential and mixed-use zoning districts. The applicant, again, I highlighted this previously, updated the proffer for utility infrastructure to make it clear that the water service agreement has to include a cap on the maximum capacity for bridging. The applicant highlighted what would occur if reuse water project became delayed. The applicant updated the proffer for transportation to extend the shared through right turn lane from Sage Lane to Blackjack Road. The applicant added several proffers pertaining to construction. They proffered a construction mitigation plan, delivery notification, requiring a Public Liaison, requiring a joint construction traffic reaction team, a proffer pertaining to pavement damage, providing an applicant point of contact, and then requiring third party contractor reimbursement to the County in the event the county has to hire a third-party contractor to review the applications. And that concludes my presentation. We also heard some comments pertaining to what are the economic benefits for this proposal? It's about \$1.5 billion in capital investments, about \$88 million per year for tax revenue. It will be about 150 full time jobs. That does not include construction workers during the construction and I can answer any questions you all may have.

Ms. Barnes: Can you repeat that, what, per year? It's 88...

Ms. Cameron: Million, approximately.

Ms. Barnes: ... at full build-out.

Ms. Cameron: At full build-out, yes.

Ms. Barnes: Okay.

Mr. Shelton: Mr. Chairman, I have a couple questions.

Mr. Apicella: Please go ahead, Mr. Shelton.

Mr. Shelton: I commend the applicant on the modifications of the proffers. I have a couple comments and questions. One, with type one construction, NFPA 13 and FPA 14 are mandatory, so we will be looking at a fully sprinkled facility as well as a standpipe in the fire resistive stairwell. So where I asked

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the question about on the roof aspect, it will be in the stairwell at the access to the roof. So thank you very much for that. Also talking about the noise dBA, since this is going to be an extremely large project, it's going to be a mini city, I think we need to consider the fact that we had made recommendations previously on a 55 dBA during the day and a 50 dBA at night. I would like the applicant to consider that. I think that's important, because I, as I see this, we're, we're going to have a major growth area on US 1 in the foreseeable future with your project, as well as many other projects that now seem to be hitting, hitting the table. So comment on the 55/50?

Ms. Cameron: I can talk to the applicant about it. I know that because of the property to the south, that would potentially be the closest residential development to this property. The applicant has agreed to do sound enclosures around each one of the generators. They've also agreed to do a wall to better screen the generators and noise modifications to that wall so it's sound attenuation. I can talk to the applicant to see about the 50 at night, but I do know that they have proffered additional noise attenuation measures to make sure that we meet the zoning ordinance standards.

Mr. Shelton: Understand. Two other comments on the traffic reaction team. Please add Fire and Rescue to that reaction team, because we're part of the emergency management aspect, either from a fire EMS standpoint, would you please?

Ms. Cameron: Okay.

Mr. Shelton: My, my last comment deals with the aspect that we discussed, a dedicated five acres for a Fire and Rescue station in the future. I'm not talking 2024, I'm talking five to seven years. So you have done a commendable job with the 1.5 million in Fire and Rescue apparatus, but I ask you to consider a parcel of property as close to US 1 as we can. Right now the two stations that serve that particular area, one is on Courthouse Road and the other one's on Butler Road, so there's a parameter of eight miles in between the two. So, from a person that does fire protection engineering and emergency management, I'm looking to the future, because I'm looking at the fact that you're building a mini city, and everything else is beginning to grow on US 1. I ask for consideration there. And that concludes my comments.

Mr. Apicella: Thank you, Mr. Shelton. Ms. Barnes?

Ms. Barnes: Okay, so I brought it up before, and I didn't hear it mentioned; the sound study. I know that there's a sound study that's going to be required, but there was no specificity as to where the sound study was going to be happening and what time of the year. Like I mentioned before, I'd like to see that the sound study takes place during the most intense part, or the hottest part of the year, when most intense use is going to happen, as well as specifying that there's, there's a sound study both on the north side and on the south side. I would like to have that considered as well.

Ms. Cameron: So the applicant would be willing to do a proffer between the Planning Commission and Board that requires the sound study, I would say, between June and August, if that's acceptable to you, which is technically the summer months.

Ms. Barnes: Yeah.

Ms. Cameron: And then at various locations on the north and south side.

Ms. Barnes: So that's something you would consider before you get to the Board of Supervisors, you will add that in.

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Ms. Cameron: We will add that in.

Mr. Apicella: Is there a reason you can't do that tonight?

Ms. Cameron: Type it up?

Mr. Apicella: Yeah.

Ms. Cameron: Well, I figured...

Mr. Apicella: It's a couple of words to add to the proffers. We can accept new proffers tonight.

Ms. Cameron: Accept those proffers tonight?

Mr. Apicella: We can accept any modifications to the proffers at the will of the Planning Commission.

Ms. Cameron: I guess... I was just asking because we still have to make the revisions to the proffers pertaining to the utilities before the Board. So I didn't know if it'd be easier to add all of the proffers at one time, but if, Commissioner Barnes, you would like us to type up those proffers beforehand.

Ms. Barnes: This seems like a really simple addition, and I mean, probably a couple of sentences, if you feel that you can do it, that'd be great.

Ms. Cameron: Okay.

Mr. Apicella: Did you have anything else, Ms. Barnes?

Ms. Barnes: Oh, nope, that was it. Thank you.

Mr. Apicella: Anyone else? Okay, um, can you help me or help us understand kind of the timeframe for this project? When, when do you think if the, if the Board approves this project in the next couple of months, from the time you start turning dirt to the completion of the final building, what's that timeframe look like?

Ms. Cameron: From the time that they start turning dirt, so after site plan approval, building permit approval, we think it would be seven years for full build-out. And can I correct one thing? For the jobs it's 150 jobs per phase. There's about four phases here, so it'd be 600 jobs in total.

Ms. Barnes: Permanent?

Ms. Cameron: Yes, permanent jobs.

Mr. Apicella: What, what's kind of the average salary range for those jobs?

Ms. Cameron: We don't have the exact average salary range. We did get that question, and the answer back was they're high paying jobs, but I don't have that exact number.

Mr. Apicella: More than minimum wage.

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Ms. Cameron: Yes, more than the minimum wage.

Mr. Apicella: Okay. Staff have continued to raise a concern about some of the language, specific language on the connector road. I think their concern is the word “if.” Can you consider modifying that to address staff's concern?

Ms. Cameron: We can't, because the final approval is not only VDOT, which is the state and they've reviewed the connector road, but there are federal agencies that are required to also approve the connector road. So there is a slight chance that the connector road does not get approved by DEQ or the Army Corps of Engineers. It's a small chance, but that could happen. But in order to give VDOT, because it also came from VDOT... well, if it doesn't happen, there are potential impacts to Route 1 and Eskimo Hill Road. And we said we acknowledge that, and we will do a Traffic Impact Analysis. And a Traffic Impact Analysis outlines mitigation measures that are required to make sure that the levels of service are not degraded. And so we have proffered that we would do that Traffic Impact Analysis, and whatever those mitigation measures are to adequately in, to adequately address any impacts, we would do those. So what we are trying to accomplish is, if the connector road is not connect... is not approved, we would still make transportation improvements to make sure that there, that Eskimo Hill Road and Route 1 would still operate acceptably.

Mr. Apicella: At the last meeting, Ms. Caudill had a concern about the buffer, the minimum 50-foot buffer, where your property abuts residential, and I think she mentioned a request for a minimum of 100 feet. Did you all look at that?

Ms. Cameron: We did look at that. We are not able to accommodate the 100-foot buffer, but what we have done is there is 150-foot building setback. We've also proffered to mitigate any impacts, visual impacts of generators. So if they're visible from the residential to the south, they would have to have screening both for visual and sound. And then we also proffered the sound wall to help with any visual impacts.

Ms. Barnes: How tall is that sound wall? Do you know?

Ms. Cameron: We do not know. It would be determined at site plan to be able to make sure that it adequately screens the generators in the generator pad.

Ms. Barnes: And you don't know necessarily what it's... it's not going to be a huge...

Ms. Cameron: No.

Ms. Barnes: ... Soviet block wall type of thing.

Mr. Apicella: What does a Soviet block wall look like?

Ms. Barnes: A Soviet block wall, the Great Wall of, yeah. You say you don't have an idea what the, uh, what it would be made of?

Ms. Cameron: It's architectural precast generally.

Ms. Sellers: We have standards, more of them.

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Mr. Apicella: Ms. Sellers, did you have a question?

Ms. Sellers: I have a point of clarification for Ms. Barnes. Are you talking about a sound study or are you talking about noise measurements? There are two different proffers in here, one on noise measurements, which they're already saying that they'll do at each build, at each permit, six months after final occupancy permit, and then annually. And you're saying maybe biannually or twice a year. Or are you talking about, and I don't really know what a sound study is. I have no idea what that is. I'm being completely honest how that differs from measurements, but.

Ms. Barnes: I was specifically referring to the sound study, but you bring up a valid point.

Ms. Sellers: Right, yeah, what are you asking for? Because I'm not really... I mean, they have a, because they do have proffers in here for what I think you're trying to get them to do, and it sounds like they're going to be taking measurements.

Ms. Barnes: I want to make sure that the sound studies or the measurements take place during the most intensive use. Not, you know, when it's negative 10 degrees outside, not that it ever gets that way. You know, something during August, because that's when the chillers are going to be running at their max all day and all night. So it, you know, I know that there was language in there for a sound study, but there wasn't for a specific time. And of course, where that takes place. I mean, because there is residential to the north and there's, obviously it sounds like there's going to be residential to the south. So that's, that's where I specifically was going with that. Now, if that would be more effective, if this, you know, putting that in there with the sound measurement, that's fine. But what I was concerned about and looking at was the sound study.

Ms. Cameron: I think, so what we say is sound or noise measurements shall be taken to confirm compliance with Proffer 14 and 15, six months after final occupancy permit is issued, and then annually for a period of five years after final occupancy permit for conduct... permit for the final data center building on the property. And I think what you're asking for is that those sound measurements be conducted annually, anytime between the months of June and August.

Ms. Barnes: I'd like it during July and August, but I'll take June and August. That sounds fine.

Ms. Cameron: If it's July and...

Ms. Barnes: Just, I just, it has to be done when, when those buildings are going to be running at their, at their peak performance basically.

Ms. Sellers: So you want an amendment to paragraph 18.

Ms. Cameron: Seventeen.

Ms. Sellers: Seventeen, whatever the number is.

Ms. Cameron: Seventeen.

Ms. Sellers: But the sound noise measurements. I just wanted clarification to make sure we were, because they did have, they have two different, a sound study and then noise measurements. And based

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on your comments, it sounded like you wanted to take them, to have them update the noise measurements that they're taking.

Ms. Barnes: Would that be more appropriate?

Ms. Cameron: That is more appropriate.

Ms. Barnes: Then let's do it there.

Ms. Cameron: That works.

Mr. Apicella: I can't speak for the rest of my colleagues, but you know, when I make a recommendation to the Board about a specific proposal I like it to be as fully baked as possible, so that they're not dealing with loose ends. And I understand the Water Service Agreement and some of the utility issues are still being negotiated between you all and the Utilities Department. So what I heard tonight, and I hope you will consider addressing these tonight, maybe while we're having the public hearing, I heard Mr. Shelton make a request to consider a potential donation of land on your parcel for a fire station. He also mentioned considering 50 dBA at night for abutting residential parcels. And again, what Ms. Barnes and you just talked about. Is there anything else that, that came up tonight that folks would like them to address prior to us making a decision tonight and sending this on to the Board?

Mr. Shelton: The inclusion of Fire and Rescue in the traffic reaction team.

Mr. Apicella: Okay. So four, four things I heard mentioned. So if you'll, if you'll consider those and potentially make modifications that we can consider tonight, that would be, that would be helpful.

Ms. Cameron: Okay.

Mr. Apicella: Any further questions? Alright, with no further questions for the applicant at this point in time, I'm going to open up the public hearing on this item. It's an opportunity for the public to comment on both the rezoning and Comp Plan compliance review associated with Stafford Technology Center. Before starting your comments, please state your name and address. The clock starts when the green light appears. Yellow means there's one minute left. Red means your time is up. So, I see somebody already standing there, please go ahead.

Ms. Muller: Hello. My name is Linda Muller. I live in the Aquia District, and I really appreciate this evening's discussion on the water issue. Really, Commissioner Barnes, you probably took a lot of my thunder out of some of my comments I was going to make. I read your, I read the draft minutes from your last meeting. And what kind of struck me and has been raised this evening was that when it came to the actual water needed for this enormous project, I don't know if the public understands how large this project is going to be. But the amount of water was not specifically identified. And as been discussed this evening, there is a variety of reasons for that, depending on the build-out, et cetera, et cetera. But I believe that the public should at least have an understanding of at least of a minimum if you can't give a specific amount. I mean, for example, a data center that uses something like 300,000 gallons a day. That's equivalent to, let's say, three residential houses. I also, from reading the last minutes, I read your minutes from your last meeting, the idea or the discussion of drought came up, and we were given, or at least the County was given the understanding that we're not in a drought condition. But what are the requirements as far as water use during a drought? And it first starts out as voluntary; so residential voluntary, commercial voluntary, and then when the drought gets worse, it's residential

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mandatory, then commercial mandatory. So really, data centers can never not be cool. They require water or cooling all the time. So in a hopefully never drought, but potentially, we've been experiencing one recently, they need to be cooled, though residents may not be required, be allowed to have water during a drought session. I again, I appreciate your discussion on the Water Service Agreement and making sure we understand that the residents understand that water usage will be capped, and when we say potable water, we mean our, of course, our household using water, drinking water. I think those issues do need to be ironed out as far as benefits to the County because our one re... there's two resources we are offering for the, for the developer, our land obviously, but also our water. And we really need to be paying attention to our water use. There's going to be future residential growth, there's going to be other future proposed data centers, and we need to be mindful of again our water use. So thank you this evening for your discussion and thank you.

Mr. Apicella: Thank you, Ms. Muller. Is there anybody else who would like to come forward?

Ms. Maxson: Kristen Maxson. The applicant side, number 11, reclaimed water system was not in the packet and was not stated by the Chair, and was stated by the Chair, not in the proffer statement. So this means that the public did not have a chance to review this and see the impact. There was a request for a parcel for fire station. I know that there is target range close to this area, and there's a lot of government land, so I would imagine that the government has the land for this. Please understand that the RPA is completely covered in the project area, and the buildings are right up to the RPA lines. What does this do to the soil? There are 15 ponds depicted in the site. The Hospital Boulevard and Route 1 all was stated that the impact will be immediate, mediated, immediated. How? Connector road was painted as, pointed out as the road that was purple in the project area, but it really should have another name so it can be defined with another service connector road. Connector road is too vague. And why are the words so vague when the public is trying to read it and trying to understand and the Commissioners have to ask so many questions. The proffer statement dated July 18, 2024 does not allow 30 days approval time for the Commissioners to review. Page 13 of 1,293 of this packet, that's a lot of pages. This allows less than a week for people to read it. Mitigations. Mitigating a traffic like, light to will only mitigate it to the traffic going the opposite direction. The applicant can't even commit to the specific number of buildings, and it's a mini city. Well, let's just say it's a campus. Let's just use the word campus. Why does the document state applicant in no case be responsible for addition, additional traffic studies. Page 8 of 1,293. It does state of an alternative design, and that will probably impact the people more. The applicant suggests, excuse me. I'm running out of time, so I want to thank everybody here, and please...

Mr. Apicella: Thank you.

Ms. Maxson: ... consider the impact on the people.

Mr. Apicella: Is there anybody else who would like to speak on these two agenda items? Alright, seeing no one, I'm gonna, I'm gonna close the public hearing, and what I'm gonna do, since they're still working feverishly on potentially making some modifications to the proffers, is postpone any further consideration on this item until they're ready to go, and then move on to the next agenda item, which is a Conditional Use Permit, Vulcan Materials. So Ms. Keith, would you like to come forward?

3. CUP23155239; Conditional Use Permit – Vulcan Materials – A request for a conditional use permit (CUP) to allow heavy industrial and heavy manufacturing uses not otherwise listed, specifically a ready-mix concrete batch plant and related accessory uses in the M-2, Heavy Industrial Zoning District on Tax Map Parcel No. 44N-1-10 (Property). The Property consists of approximately 3.44 acres, located on the north side of Commerce Parkway, approximately

1,300 feet west of Warrenton Road, within the George Washington Election District. **(Time Limit: November 1, 2024)**

Ms. Keith: Good evening, Chairman and members of the Commission. I'm Evelyn Keith with the Department of Planning and Zoning, and I will be presenting item 3 on the agenda. This is a conditional use permit for a ready mix concrete batch plant and related accessory uses. Vulcan Lands, Inc., is the applicant. The site is located on Tax Map 44N-1-10 within the George Washington District. Charlie Payne with Hirschler is here representing the applicant this evening. The property is outlined in blue on this zoning map and is zoned M-2, Heavy Industrial. The site is located on the north side of Commerce Parkway, approximately 1,300 feet west of Warrenton Road. Surrounding zoning districts are other M-2 which is the darker shade blue, Heavy Industrial, and M-1, Light Industrial, which is the lighter shade blue. The property consists of approximately 3.44 acres which has been zoned M-2, Heavy Industrial since before 1978 and is not subject to proffers. This aerial view shows the existing conditions. The site is currently undeveloped and wooded, surrounded by commercial and industrial uses and located within the Heritage Commerce Center Industrial Park. Site topography is relatively level with areas of moderate slopes within the central, eastern, and western portions of the site. A non-perennial stream is located on the west side of the property and is not within a Resource Protection Area. Nearby uses include auto sales, autos and truck service facilities, and warehouse uses, with a concrete and asphalt plant located nearby on Powell Lane. This is a street view of the property from Commerce Parkway. This development plan depicts the site layout for the proposed ready mixed concrete batch plant and related accessory uses such as storage bins for cement, rock and sand; stockpile areas; storage tanks; chiller; conveyor belt; silos; and a truck wash rack. The silos are the tallest structures on the property. The Zoning Ordinance permits a maximum height of 65 feet. The plant also includes three single-story 480 square-foot accessory buildings for the plant office, electrical equipment center, and employees break room. Access to the site will be provided through a new full access entrance along Commerce Parkway. A street buffer is proposed along Commerce Parkway, and transitional buffers are proposed to the north and east sides of the site. A detailed landscape review occurs during the site plan process. This is a photo representation depicting the proposed design of the site. The Neighborhood Design Standards Plan element of the Comprehensive Plan does not include architectural guidelines for industrial areas or this type of use. The Comprehensive Plan identifies the property for Business and Industry Future Land Use within the Berea Targeted Development Area. Targeted Development Areas are areas of the County where a significant amount of development or redevelopment is expected to occur, and the areas identified as Business and Industry are intended to encourage business and industry uses, such as retail, wholesale, corporate and professional offices, research and development, entertainment, manufacturing, distribution, and transportation. Staff notes that the proposed ready mixed concrete batch plant use is consistent with the Comprehensive Plan recommendations for the Berea Targeted Development Area and Business and Industry Land Use concept, and is also consistent with the established development pattern along Commerce Parkway and other industry-oriented uses adjacent to the site. The following are a few of proposed conditions which will help offset any positive, or potential, I apologize, negative impacts and would require the property be developed in general conformance with the GDP: require a truck wash rack be installed and utilized to remove debris from truck tires and the undersides of trucks before accessing Commerce Parkway; require all travelways and parking areas consist of an impervious asphalt or concrete surface; require a dust collector system be installed as a component of the plant; and limit one plant at any one time within the limits of the CUP. Staff finds the positive features or aspects of this application are that the proposed use is generally consistent with land use recommendations in the Comprehensive Plan. The proposal is consistent with the established development patterns within the vicinity. And the proposed conditions will help ensure any potential negative impacts are mitigated. And staff finds no apparent negative aspects associated with this application. Staff is supportive of the

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project and recommends approval of the application, with conditions, pursuant to Resolution 24-227. This concludes my presentation. I'm open for any questions.

Mr. Shelton: Any questions... excuse me... for Ms. Keith? Ms. Barnes?

Ms. Barnes: Thank you. And these are questions that I gave you before, but I'm just going to go over them real quick so that the public can hear it as well. The truck waste water, the truck wash. What happens to that contaminated water?

Ms. Keith: I do want to say that that is regulated by DEQ, the Department of Environmental Quality. What I received from the applicant that a sump pump will be installed where that they can recirculate the water from the pump to the wash area. And the applicant can probably elaborate further on that. But that is the information that I have received.

Ms. Barnes: I'll ask that. The stream, you indicated that there's not an RPA or a CRPA. Is that stream still going to nevertheless be undamaged? Is it going to stay?

Ms. Keith: As far as my knowledge, the environmental staff went out to the site in 2022 and deemed that a non-perennial stream and identified, they did not identify any resource protection area.

Ms. Barnes: So it doesn't have to stay; they can, they can plow over it? Maybe I'll ask the applicant this, but what do they plan on doing to possibly keep that there?

Ms. Keith: Okay, yes, you can defer that to them.

Ms. Barnes: And then as far as, of course, I'm always going to ask about the trees; it's fully wooded right now. Are they going to leave any trees? I know it's an industrial area, but I still like to ask.

Ms. Keith: My understanding, received from the applicant, they are going to retain as many trees to the extent practical. There are buffer requirements, so there has to be a form of buffer around the perimeter of the property.

Ms. Barnes: But the buffer doesn't have to include the trees.

Ms. Keith: Not necessarily. But the applicant did say that they will retain the trees, and they can most likely get credit toward the trees that they will retain for the buffer area that's required.

Ms. Barnes: Okay, thank you.

Ms. Keith: You're welcome.

Mr. Shelton: Any additional questions? I have one. You mentioned the recycling of the water. Does that also include an oil/water separator?

Ms. Keith: Mr. Shelton, I have no idea, but I can...

Mr. Shelton: I shall ask the applicant.

Ms. Keith: Yes, please.

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Mr. Shelton: Thank you.

Ms. Keith: Thank you.

Mr. Shelton: Any other questions? Thank you very much, Ms. Keith.

Ms. Keith: Okay. Thank you.

Mr. Shelton: Would the applicant like to come forward please?

Mr. Payne: I don't know the answer that question, Mr. Shelton. Mr. Chairman, Mr. Acting Chairman, Charlie Payne with the law firm Hirschler, I represent the applicants. It's always a pleasure to be in Stafford County. It's good to see you all. I can't think of the last time I was here, but it's always good to be in good old Stafford County. Thank you for your time. Thank you, Evelyn, for your presentation. I do have a PowerPoint as well. So if I can get the computer, I will be as quickly as possible, and I'll answer any questions that you have and try to add some additional information for Ms. Barnes and for Mr. Shelton. I will note that, you know, obviously this site, and all industrial sites in Stafford County and in the Commonwealth of Virginia, for purposes of water discharge are regulated by DEQ. So you have to submit a water discharge permit application to DEQ, which has to be approved. So that process has to occur. So that would go to the likelihood Mr. Shelton's question, also to Ms. Barnes' question. But on the details on, in regards to how the water from the truck wash is recycled through the system and then utilize a sump pump and then sent to the wet wheels, it's just a cyclical process before it gets to a discharge system, which then is obviously regulated by DEQ. So that, in a nutshell, is how it works. On the tree buffering, Ms. Barnes, I know how much you love preservation of trees. Good news, our plan is not to disturb that intermittent stream, even though it's not an RPA. So we're going to preserve that to the best extent that we can. But there is no plans to disturb that area, just so you know. And of course, we're going to have to maintain our required buffers around the site. We want to keep as many trees as we possibly can. But remember, there's going to be some outside storage areas in addition to the plant itself, so, and places for trucks to park and for our employees to be, and a small office, etc. So you're going to have those on the site. And it is a small site. It's a 3.2+, 3.4 acre site, and about almost an acre of it is going to be left as open space. So a tight spot, a tight spot site, I'm sorry, but we are going to, I think, undertake some measures that you'll be happy with. And just real quick. You all may or may not know who Vulcan is, but Vulcan has been in Stafford County since 1976. It is the premier construction aggregate company in the US. They have 397 aggregate facilities in the country, including 66 asphalt facilities – let me get this down so you can hear me – and 63 ready mix concrete facilities across 23 states and the District of Columbia. And like I said, they have been a long time employer and corporate citizen in Stafford County. This request that the property is zoned M-2, and you'll see there's a lot of surrounding uses that are very, also zoned M-1 or M-2, and because of the ready mix use concrete batch plant, we are requesting a conditional use permit, which is required under the County Ordinance. As I noted earlier, the site is about 3.4 acres. It is located within your Urban Services Area, and with the Terea... Berea, Development Area. It is designated, this particular location under your TDA, it is designated for Business and Industry uses. And I think the proposed use will address growing demands of our transportation infrastructure improvements for the County and the region as Ms. Sellerswell knows. We are a growing area, and I think it's important to note that 100% of the product generated at this plant will be used for local projects. So that's important, because otherwise trucks would be trucking into our site, delivering product without us getting the benefit of the jobs and the tax revenue. So I think that's important to note. Here is a copy of the GDP, which staff had noted. Again, this is near the intersection of Commerce Parkway and Heritage Industrial Park, which many of you may well, may well know – I know Mr. Shelton knows it well – and the intersection of Capital Avenue. And here's the

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layout, Ms. Barnes, I think will help you in regards to us avoiding the stream, as you can see, and the layout. A lot of this, again, some outside storage piles, not super large facilities on this site, again, intended for our purpose and use. The property is not currently used for any active development at this time. It is vacant and wooded. We are surrounded, as I noted, by other industrial uses like Carter Machinery, Virginia Green Fredericksburg, World Auto, Coca-Cola Bottling, BDL Motorsports, and Lansing Builders. The project is anticipated to generate about, again, a low traffic generator for this site, generate about 19 vehicles during the AM peak hour and about six in the PM, and about 136 for the entire day. And this includes everything from employees, mixers, cement, and the aggregate uses. As I noted, the applicant has 33 employees, full time employees in the County, and produces about 26 million in sales, wages and taxes, and utilities to date. I thought this would just be a good slide to show you the surrounding uses. Of course, the blue being M-2, the, the lighter color being M-1, and again, you can see that we're surrounded by very, very similar and compatible uses. And again, I thought this would be a good slide to show you the location of the site and the location aerial of the surrounding uses near us, including the International Auto Auction site that's right adjoining to us, and the Virginia Green Fredericksburg and Rector's Repair and Welding, Henderson Construction is right across the street. And I know that there's also another paving company not too far from our location, also another Titan, I believe, ready mix company not too far from our location. So again, we're surrounded by compatible uses. And I'm happy to answer any questions you may have.

Mr. Apicella: Thank you, Mr. Payne. Ms. Barnes?

Ms. Barnes: So as far as the concrete plant that's up here on courthouse, the lovely concrete plant, this is in addition to not replacing that.

Mr. Payne: At the time, currently... well, I'm sure you're aware, there's been a VDOT condemnation of part of that site, so the operational capacity of that site is limited. But we do have current contracts we must honor. So in the near term, that, that site will continue to operate. I would, I would not commit, per se, that that site would close down if this site's approved, but I think it's fair to say that having both of those operating at the same time would not be very efficient. So take it for with that, for what that's worth.

Ms. Barnes: Read between the lines. Okay, got it. Okay. And they're going to be doing concrete recycling on, in the business, the crushing of the concrete?

Mr. Payne: It's a ready mix site, so there's no...

Ms. Barnes: It's not, they're not going to be doing that?

Mr. Payne: Right. There's no crushing there, it's just mixing of materials.

Ms. Barnes: Okay. Just making sure. Alright. And thank you for the comments on the trees; you know I always like that.

Mr. Payne: Yes, ma'am. Thank you.

Mr. Shelton: Mr. Chairman?

Mr. Apicella: Yes, go ahead, Mr. Shelton.

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Mr. Shelton: I'll ask the question on the oil/water separator, and I know that's probably a conditional use with DEQ, but I just want to refresh the applicant's requirement that when you wash any unit in a pre-wash, you're going to envelope petroleum products. It has to be an oil/water separator included in that concept.

Mr. Payne: Confirmed. Thank you, Mr. Shelton.

Mr. Apicella: Thank you. Any other questions for the applicant? Alright, seeing none. Thank you, Mr. Payne.

Mr. Payne: Thank you.

Mr. Apicella: Okay, so I'm going to open the public presentation of the public comment period on this item. Before starting your comments, please state your name and address. The clock starts when the green light appears. Yellow means there's 1 minute left. Red means your time is up. Thank you, sir.

Mr. Gokce: Good evening. Matt Gokce, I'm the owner of World Auto located in 30 Commerce Parkway and Parcel Number 44N-1-9. So I do operate a used car lot. So having a cement factory plant, I think, is what I read, having next door I believe will affect our business greatly, especially keeping cars in clean shape. And 136 trips a day I think I read, stones, rocks and all kinds of stuff coming to our land side I think will be a concern for our business. They did mention that it's a heavy industrial use area. We do have a light industrial use directly next to them, and we do have concerns keeping our vehicles clean and damage free. Not really sure what their plans are as far as for businesses like ours being next door from them. I would like the board to consider maybe having some proffers to protect our business, small business as well. Thank you for your time.

Mr. Apicella: Thank you, sir. Anyone else? Okay, seeing no one else, would the applicant like to respond?

Mr. Payne: Thank you, Mr. Chairman, other members of Planning Commission. Again, Charlie Payne, I represent the applicant. Of course, this site is located within an industrial park, and the future land use is business and industrial. But notwithstanding that, we will have dust suppressors on site. We will also have, we have to get an air permit through DEQ, as Mr. Shelton probably knows as well, so in addition to that, we also will keep the dust, if you will, from disseminating beyond our location as part of that dust suppressing process. So we're not anticipating any impact on the property owner. Of course, we're also intending to preserve and buffer, as we're required to do, as many trees as we possibly can. So we're not anticipating any issues. I don't think we've had any history of any issues with adjoining neighbors in the past. So and again, Vulcan's been operating in Stafford County since 1976 and been operating these aggregates across 23 states for a very long time, so they know how to be a good neighbor. So I'm pretty confident that we'll be able to address any sort of dust issues that may drift to our neighbors. Also note that this is, I don't know if the gentleman heard us, but this is a really, really low traffic generator, you know, really, really low traffic in the AM peak hours and in the PM peak hours. And overall, on a 24/7 operation, 136 trips. That's a low, low number of trips in a day. Yes, sir, Mr. Chairman.

Mr. Apicella: Will you be moving rock, crushing rock?

Mr. Payne: Yeah, we're not, this is not a crushing location. This is just a mixing location, materials are already onsite.

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Mr. Apicella: Right, making concrete, right?

Mr. Payne: Exactly.

Mr. Apicella: Okay. Anyone else have questions?

Ms. Barnes: So you won't have small pieces of rock flying through the air and creating little chips on windshields, it's just a concrete batch...

Mr. Payne: That's right, yes, ma'am.

Ms. Barnes: Okay, thank you.

Mr. Apicella: Alright, no one else? Thank you. Alright, bringing this back, I'm going to close the public hearing and bring this back to the Commission. This is in the George Washington District, Ms. Caudill's district. She's out of town today, so would someone like to make a motion on this one?

Mr. Shelton: I would, sir. Motion to approve CUP23155239 for Vulcan Materials for a mixed concrete batch plant.

Mr. Apicella: Is there a second?

Ms. Sellers: Second.

Mr. Apicella: Okay, there's been a motion, and it's been seconded. Any further comments, Mr. Shelton?

Mr. Shelton: No, sir.

Mr. Apicella: Ms. Sellers? Anyone else? Alright, please cast your vote on the motion to approve the conditional use permit for Vulcan Materials. Alright, that motion carries 6-0 with one absent (*Ms. Caudill absent*). Thank you very much.

Mr. Payne: Thank you.

Mr. Apicella: Looks like... are we ready for...

1. RC23154931; Zoning Reclassification – Stafford Technology Campus
2. COM24155687; Comprehensive Plan Compliance Review – Stafford Technology Campus

Ms. Pfeiffer: Jessica Pfeiffer with Walsh, Colucci & Lubeley. Kathy Baker is just printing the revised proffers.

Mr. Apicella: Okay, we'll just move on to the next item, and then when that gets done, we'll bring you all back.

Ms. Pfeiffer: Okay, thank you.

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Mr. Apicella: Alright, next item on the agenda is a preliminary site plan for Rocky Run Village. Mr. Palmer?

UNFINISHED BUSINESS

NONE

NEW BUSINESS

4. SPR23155130; Preliminary Site Plan - Rocky Run Village – A proposed preliminary site plan for 107 lots on Tax Map Parcel Nos. 43-71 and 43-72, zoned R-1, Suburban Residential, consisting of 56.80 acres, located on the east and west sides of Village Parkway between Bealton Court and Royal Crescent Way, within the Hartwood Election District. **(Time Limit: September 22, 2024)**

Mr. Palmer: Good evening, Mr. Chairman and Commissioners. My name is Dylan Palmer with the Department of Planning and Zoning, and I'm here tonight to present item number 4 on the agenda, which is the Preliminary Subdivision Plan for Rocky Run Village. So I'll start with the site information. The proposal is for a 107 lot cluster subdivision in the R-1 zoning district. The site is on Tax Map Numbers 43-71 and 43-72, the latter of which has since been subdivided into Section 1 of this subdivision. So I'll explain it a little later. It's a little easier for me to do it with the map in front of me. But 43-72 no longer exists, now it's a bunch, it's like 57 different parcel numbers. So I thought that was a lot to add on to one slide, so. The site is located on both sides of Village Parkway between Bealton Court and Royal Crescent Way. So this is towards the back section of Stafford Lakes Village. The total acreage of the site is 56.8 acres, with 26.83 acres being dedicated to open space. Part of this site was previously dedicated for Lake Mooney back in the late 2000s. The engineer is Monte Loving with Commonwealth Engineering. The owner of the site is the Pruitt Companies, and I believe we're also joined by Logan Brunette with Hirschler tonight. This is the location of the site. It's again on both sides of Village Parkway, between Sections 9 and 10 of Stafford Lakes Village there in the north and then Section 11 there on the south side of this development. The site abuts Lake Mooney on its eastern edge. Nearby zoning includes R-1 to the north and south, M-1 to the east across the lake, and A-1 to the west. The A-1 area zoned to the west is the site of the proposed Benson's Mill subdivision, which is currently under review by staff. So at one point, these two subdi... this Rocky Run Village and Benson's Mill were kind of running on the same timeline, but now they're no longer doing that. And Benson's Mill is being handled by a different engineer and different developer. So just a quick background before I get too crazy. Preliminary plans are required for any subdivisions over 51 lots, and it's laid out in our County ordinance and in state code. In this case, Section 1 was approved and is starting work now because it was under 50 lots, and it's determined through state and county code that if they go up to 50 lots they don't need a preliminary subdivision. Once they hit 51 and above, they can apply for one. Well, they're required to apply for one. With this preliminary subdivision, they're adding on Sections 2 and 3 to this subdivision. So these are the existing conditions of the site. The site is outlined in yellow, and then the RPA is shown in blue. And then the RPA, I kind of had to draw it in there on the eastern part of that site was identified during the review process for this plan. And then this image is fairly up-to-date. There's, I have another image, but most of the eastern side of the site is cleared, and then the western side of the site, on the other side of Village Parkway, is still wooded. Then this is the existing conditions. This is as of this morning, and you can see the first house being put up there. I think that's the model home for Section One of the subdivision, which, again, was previously approved about a year ago. And then this is the existing condition on the west side of Village Parkway, and that's the same today. This is the site plan for the subdivision. So the development will be accessed by three new entrances onto Village Parkway. There's

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two there on the east side and then one on the west side, as well as one inter-parcel connection there, kind of in the southwest section, that's an extension of Idlebrook Way. That's an existing road in Section 11 of Stafford Lakes Village. So currently, Section 1 is under construction. This is the one that's been approved already. It's only 50 lots. Section 2 is shown here in orange. It's comprised of 33 lots and then it contains one tot lot and a multi-purpose court. Then Section 3 is shown across the road there in black. It's composed of 24 lots. It will contain the off-site soccer field, one tot lot, and the picnic area. And then Section 3, again, will be accessed through the extended Idlebrook Way. And then you can also see on this site plan, if you follow that cul-de-sac on the far left side of the site plan, there's a future street extension; that's supposed to go into the Benson's Mill subdivision.

Mr. Apicella: Are there any trails?

Mr. Palmer: Yes, there are, yeah. So you can kind of see, let me back the colors out. You can kind of see the dotted line running almost right through the center of the site. That's, I believe that's the multi-purpose trail. And then there's kind of those little, little gray triangles. They're running mostly around the perimeter of the site. Those are another trail running all throughout the site.

Mr. Apicella: Thanks.

Ms. Sellers: Mr. Chairman, I have a...

Mr. Apicella: Yes, please.

Ms. Sellers: So this was all part of one rezoning in 2005 and they're able to break it up in phases to get around having to put in a preliminary plan review?

Mr. Palmer: The first phase did. So tech... there's kind of, it's a little quirk in the rules where if they come in with a site plan under 50, or 50 or under lots, they can do it without the preliminary. But once they propose the second, the 51 and over lots, then they have to come in with the preliminary.

Ms. Sellers: Well, that's good to know for future reclassifications. So when you do to that, I mean, because...

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

Ms. Sellers: ... No, they did not do that at Winding Creek.

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

Ms. Sellers: No, maybe they did, but we'd be talking about an applicant. Yeah, it's just very interesting that they would do that. And looking at this layout, it's kind of, it's just interesting why they would do that. Sorry.

Mr. Apicella: Thank you.

Mr. Palmer: So here, this is the amenity plan. So there are two tot lots, both of those will be constructed in Sections 2 and 3, a multi-purpose court which will be constructed as part of Section 2, and then, of course, I already mentioned the trails running all throughout the site. And then there's an off-site soccer field and a picnic area that will be constructed as part of Section 3. So the off-site soccer field is a

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proffered requirement. It's shown on the approved preliminary plan for Benson's Mill Estates and then it's shown here as well. The latest plans for Benson's Mill Estates, which, again, those have been submitted now by a different developer and a different engineer, don't show that soccer field or show that street extension. And staff has made the comment that they need to add that on there, as it was included in the proffers. Staff has also determined that moving the soccer field or the street extension around would not be in compliance with the GDP or in compliance with the proffers. So kind of the fix that we've worked out with the developer is that they can come in and request a proffer amendment before Section 3 is submitted in order to work something out if they do not want to cross that RPA and build that soccer field off-site.

Ms. Sellers: So this Benson's Mill property, is that a by-right development, or is that a rezoning? What is that?

Mr. Palmer: I believe it's a by-right development. It was originally, again, it was all kind of done together as one big site plan back in 2005, but I'll defer to the applicant on the exact circumstances on why that got split off. I don't know the background information on it. But it is, today it has come in as an A-1 by-right subdivision with, I want to say, three acre lots.

Mr. Shelton: Mr. Chairman, I have a question.

Mr. Apicella: Please.

Mr. Shelton: On the off-site, Mr. Palmer, soccer field, you mentioned an RPA. Does that mean that they've got to bridge that to get to it?

Mr. Palmer: Yeah. So that's shown on here. If you follow that tot lot arrow on the left down, you can kind of see that bridge marker on there. So that was something, again, we worked with the applicant as much as we could, but it's part of the proffers that, and the approved GDP from the rezoning that they have to have that street extension in there. But again, that's something that can be worked out with the applicant in a proffer amendment at a later date to remove that and the soccer field prior to Section 3.

Mr. Apicella: Wait a minute. Are you saying remove the soccer field or move it to a different location?

Mr. Palmer: Both of them are up to the developer. So the developer originally wanted to move the soccer field onto like where the picnic area is on this map now, and...

Ms. Barnes: Which is...?

Mr. Palmer: ... that's just to the right of the soccer field. It's across the RPA. So that would be kind of, you know, all on the same side of that waterway there is where they wanted to put it. But with the approve... with the proffer requesting an off-site soccer field and the GDP showing the street extension going through the RPA, neither of those could be worked out. So that's why they would have to come back with a proffer amendment if they want to remove that RPA crossing and move the soccer field to another location.

Mr. Apicella: Is there, from staff's perspective, is there a viable location on, on the parcel for the soccer field more internal to the site?

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Mr. Palmer: Yeah, the applicant did provide us with exhibits that would show it on the eastern side of that RPA and it would fit in. I think they would have to take two or three lots out of the subdivision, but yes, there is, there are multiple options to move that soccer field around.

Mr. Apicella: Alright, thank you.

Mr. Shelton: So the bottom line is that the preference would be not to go through that RPA, but to relocate the soccer field on an opposite side? Is that what we're saying, near the tot lots?

Mr. Palmer: That was the idea proposed by the developer. And like I said, unfortunately, with the proffers and with the GDP in place, we couldn't allow them to do that.

Mr. Shelton: So because we're talking about a preliminary site plan, we're not talking about something that's in concrete right now, am I correct?

Mr. Palmer: No.

Mr. Shelton: Okay.

Mr. Palmer: This is just the the outline of what they want to do with it.

Mr. Shelton: Thank you.

Mr. Apicella: Ms. Sellers and then Ms. Barnes.

Ms. Sellers: On the, on the off-site soccer field, I mean, reading the proffer it says off-site soccer field, and it does say in the GDP. So I had brought to Mr. Shelton and then to Ms. Baker, Mr. Zuraf, the idea, if there is an appetite to have that off-site soccer field perhaps go to the brand new school that's up the street from there, and maybe instead of building it on this site, contribute a cash proffer in its place to support whatever is going on there. Because in 2005 we may have had a random standalone soccer field, but now we don't do that. Now we do complexes like what we have at Embrey Mill or what we have at Smith Lake Park and Chichester Park. And so it would be, you know, it would open up this area over here to allow them to play with the layout a little differently maybe while providing some sort of contribution to what we will eventually need as a field up at the school sites would be my assumption. But that would be up to them, and I guess would have to be done at Phase 3, I don't know, or through some proffer thing. But if that's a consideration, because, again, this off, this soccer field is going to be a standalone 24 things... it's going to be the one, there's a middle school that has this random soccer field off in the back that has no lights. And when you're the coach or the parent using that soccer field, you hate that soccer field. So, you know, just to kind of throw it out there, and for the district to think about.

Mr. Palmer: I'll defer to the applicant on that one, but yeah, it would be, you're correct. It would be a proffer amendment that they would have to go through. And the, I think the original, this is, I'm in 2005 I was really young, not to date myself, but... *[laughter]*

Mr. Apicella: I was, too. Or younger.

Mr. Palmer: So I think that was supposed to be because, again, it was, this and Benson's Mill were going in conjunction, that was supposed to be part, I don't want to say part of Benson's Mill, but it was supposed to be kind of a centerpiece of Benson's, you know, a feature more for Benson's Mill than this

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neighborhood. But again, that's, you know, almost 20 years ago now. But yeah, again, I'll defer to the applicant on the... *inaudible, being talked over.*

Ms. Sellers: In 2005 nothing existed down there.

Mr. Apicella: Ms. Barnes?

Ms. Barnes: So that soccer field is right up against an RPA. Is it in a floodplain?

Mr. Palmer: No, it's not.

Ms. Barnes: Okay. I don't want to see another Apple Grove. I don't know if you guys know Apple Grove... yeah. Okay, thank you.

Mr. Palmer: I'll move on. So this is the original GDP that we're talking about. So this is the one that shows the street extension across the RPA, and it's shown on the GDP as a wetland but today it's the RPA. And this is what is making us hold them to that requirement, because this was approved back as an ordinance in 2005. However, I will say that zoning staff did find that the current plan is in compliance with the GDP. It still shows the same amount of street access. It is the same inter-parcel connection. The only big change on it is there on the far eastern end, they kind of changed that horseshoe into a cul-de-sac, and a lot of that was because that RPA in that, where that horseshoe is is where an RPA is now, it's where it was determined to be found. So they to work their way around that. And then there are some proffers associated with the site from 2005, so I'll cover the big ones. Proffer B requires that there's a maximum density of 107 lots. Under the 2005 code they could have been allowed up to 170; that's not accounting for roads and the RPA and open space and everything. But they have shown 107 lots on this plan. Proffer C requires a Fred bus stop along Village Parkway, which they've shown, and they've included a little pull out area for that. Proffer D requires the previously mentioned amenities. Proffer J requires a \$20,000 cash contribution paid at issuance of the building permits; most of that's going to the schools. And then Proffer L requires an HOA to be formed. And then I'll defer any questions on that to the applicant. And staff recommends approval of the preliminary subdivision plan. Staff believes it complies with all applicable ordinance requirements. If you all have any questions.

Mr. Apicella: Thank you. Ms. Barnes, additional questions for staff?

Ms. Barnes: Yeah, just something that I found interesting, and I'm not understanding this. It says that the site, the developer is actually providing 52.91 or .91 acres of open space.

Mr. Apicella: Can you pull up the GDP, please?

Mr. Palmer: The older GDP, or this one?

Ms. Barnes: Yeah, 52.91 acres of open space, including land that is now part of Lake Mooney Reservoir. How is land under water considered part of open space?

Mr. Palmer: So this is again, because it was dedicated back in, or the GDP was passed back in 2005, at the time they blocked that off and called that open space. And I wasn't there for it, but...

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Ms. Barnes: They did it with Abel Lake, too. So I'm wondering how, maybe, maybe somebody else has an answer, but this is the second development that I've seen that open space is, is underwater, and probably would require scuba gear.

Ms. Sellers: Well, it wasn't underwater then.

Ms. Barnes: In 2005 it wasn't underwater? So this is before Mooney was in, is that...

Ms. Sellers: Yes. Yes, Lake Mooney was not Lake Mooney or Rocky Pen wasn't a reservoir in 2005; it was land. So we would have had to condemn the land, purchase the land. So what likely happened is the District Supervisor negotiated through the, the reclassification them to dedicate the land as open space. Instead of us having to, the Board of Supervisors, having to go in, condemn it, which would have increased the cost. So now it's...

Ms. Barnes: And then the water filled in and then...

Ms. Sellers: Yeah, because in 2014 I think, or 2015 on a very cold day, I might add, we opened Rocky Pen Reservoir and, and now it's a lake, Lake Mooney. But it was not underwater then.

Ms. Barnes: I'm wondering how they did it on another one. But that's not a question for right now.

Mr. Apicella: Thank you, Ms. Barnes. Other questions? Alright, seeing none, thank you. Would the applicant like to come forward?

Ms. Brunette: Alright, good afternoon Commissioners. I'm Logan Brunette with Hirschler, and it seems like we have a few questions about Section 3. I do want to note that tonight we're doing the prelim for Section 2, which is the 33 lots. And as Dylan or Mr. Palmer correctly stated, the County does believe that it is in conformance with not only the proffers, but the County Ordinance. I did hear a few questions about the soccer field though that will be in Section 3, potentially. It does sound like the applicant would be amenable to coming back for that proffer amendment and moving it either on-site or doing like Commissioner Seller's said, a proffer amendment to do a cash contribution to support the development of a soccer field for one of the local schools. But that will certainly be something that we'll come better prepared with when we come with that application to discuss Section 3. And then, were there any other questions?

Mr. Apicella: Other questions for the applicant? Well, thank you.

Ms. Brunette: Perfect. Thank you guys.

Mr. Apicella: Okay, Mr. Shelton, this is in your district. How would you like to proceed?

Mr. Shelton: I'd like to recommend we approve SPR23155130, as a preliminary site plan for Section 2, not 3.

Ms. Barnes: Second. Not 3.

Mr. Apicella: Sorry, Martin, you got beat out on that one. Any further comments Mr. Shelton?

Mr. Shelton: No, sir.

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Mr. Apicella: Ms. Sellers? Mr. Martinez? Alright, motion to approve the preliminary site plan for Rocky Run Village, Section 2, all those in favor, well, please cast your vote. Alright, that motion carries 6-0 with one absent (*Ms. Caudill absent*). Alright, I'm going to bring back Stafford Technology Center Rezoning and Comp Plan Compliance Review.

1. *RC23154931; Zoning Reclassification – Stafford Technology Campus*
2. *COM24155687; Comprehensive Plan Compliance Review – Stafford Technology Campus*

Ms. Cameron: Thank you. Ms. Baker is handing out revised proffers for you. They are double-sided, but if you want to start on page 8. The first revision is page 8, Proffer 18. The applicant has added language that, sound and noise measurement shall be taken to confirm compliance with Proffer 15 and Proffer 16 six months after final occupancy permit for each data center building is issued, and then annually between the months of June and August for a period of five years after final occupancy permit for the final data center building on the property. Said sound and noise measurement shall be taking, taken at varied locations, including those along the north and south property boundaries. So that was to address Commissioner Barnes' request. The next proffer change is on page 13, Proffer 27b3. It reads, it pertains to the Eskimo Hill Road improvements in the event the connector road is not constructed. And it says, in addition, the applicant shall conduct another Traffic Impact Analysis to be reviewed and approved by the County and VDOT to identify the impacts to Eskimo Hill Road and provide such improvements recommended from the, from the northern property boundary on Eskimo Hill Road to Eskimo Hill Road/Route 1 intersection. The next change you will see is on page 17; we realized that there were two number 28s so we just quickly updated the proffer numbers so they were accurate. So 17 is just a change to the proffer number. Page 18, 29d, County Fire and Rescue Department was added to the joint construction reaction team. And Commissioner Shelton, you had two specific requests regarding the dBA to 50 at night, and we... as well as the 5-acre fire department and the stakeholders that are able to make that final decision are not here this evening, but we will take that into consideration between the Planning Commission and Board.

Mr. Shelton: Thank you.

Ms. Cameron: You're welcome.

Mr. Apicella: Thank you.

Ms. Cameron: Thank you.

Mr. Apicella: Okay, I closed the public hearing on this one. I'm going to pass, pass the gavel to Mr. Shelton so I can make some motions.

Mr. Shelton: Mr. Apicella, it's your floor.

Mr. Apicella: So I'd like to make a motion to accept the proffers as just read and updated.

Ms. Sellers: Second.

Mr. Shelton: Motion by Mr. Apicella and second by Ms. Sellers. Am I correct?

Mr. Apicella: Yes.

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Mr. Shelton: Any additional comments, Mr. Apicella?

Mr. Apicella: I appreciate the additional changes that the applicant made, and hopefully the other ones that we talked about will be forthcoming when this moves on to the Board of Supervisors.

Mr. Shelton: Ms. Sellers?

Ms. Sellers: No comments.

Mr. Shelton: Other Commission members?

Mr. Shelton: Alright, let's cast your vote. Tally the vote. Looks like we're 6 to 0 with one absent (*Ms. Caudill absent*).

Mr. Apicella: Mr. Chairman, another motion I'd like to make is to approve the zoning reclassification for Stafford Technology Campus, RC23154931.

Ms. Sellers: Second.

Mr. Shelton: A motion and a second. Any further discussion, Mr. Apicella?

Mr. Apicella: Yes. I'll be quick. So we've been working on preparing the County for potential data centers for around 18 months, including developing robust policy and criteria. If we're going to allow data center campus anywhere in Stafford County, this would appear to be a very good location. County staff, the applicant, and the planning... and the Planning Commission, specifically, Planning Commissioners have worked to identify and address issues and to mitigate impacts, including noise, water use, transportation, and other considerations, notwithstanding the fact that, again, there's still some outstanding utility issues that we've identified tonight that the applicant has agreed to work with the County on and to move it forward to the Board of Supervisors with potential additional proffer changes. If this project is ultimately approved by the Board of Supervisors, once it's built out, it will provide hundreds of high paying jobs, and as the applicant indicated, around \$88 million in tax revenue as the property is built out. In my mind, that's a significant amount of money that could help pay towards a new courthouse, a new school, or make significant transportation improvements over the life of this project. This will be one of, if not the most significant development projects in the County's history. I want to thank everybody involved in its consideration, including County staff and my colleagues, and especially applicant for agreeing to the many changes that we've requested over the past many, many months. With that in mind, Mr. Chairman, those are the reasons why I'm recommending approval of the reclassification.

Mr. Shelton: Ms. Sellers?

Ms. Sellers: Yeah, I echo what Mr. Apicella says, and add that, you know, with any big application like this, you're kind of going in with some faith and entering into this long term agreement. So it's kind of exciting and also a little nerve wracking to see where we're going, because there are some things that we're not going to know that we have to go in and really just trust our attorneys and trust that our staff know what they're doing. But it does provide this opportunity to fund some things, and I think the residents here in the County have seen our taxes go up and continuously go up, and they're going to continue to go up. And this is a very unique opportunity, not only to generate some revenue, but to build in some infrastructure with very limited impact to transportation, which is something that we have got

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to figure out, because I spend a lot of time looking at transportation and there's not much new revenue coming into transportation. So we need every opportunity we can to generate revenue that does not put more burden on our transportation networks. So this is exciting, also very again nerve wracking, and glad we're on the Planning Commission where we make the recommendation and not on the Board where they're the ones who have to really get in the weeds. But I appreciate everybody's patience, particularly the folks who've been with us for 18 months as we've talked about noise and all these other things. So I will support this as well.

Mr. Shelton: Mr. Martinez? Ms Barnes?

Ms. Barnes: So, yeah, what everybody said so far is very much, I'm in very much in agreement with, and to me, this was a very, very, very difficult decision, because this is just, you know, that if you've got 540 acres of trees out there, and someone comes along and says, hey, we're going to plow it down and put up some data centers. If someone had told me 10 years ago, I wouldn't have been supporting that; I would have called them crazy. But there's a, there's a lot that needs... there's a lot that Stafford County needs right now. And we constantly hear from taxpayers, from constituents, from citizens, that we need to bring in revenue streams. We need to bring in business and industry so that the tax burden isn't on property taxes. It's basically on the backs of property owners. But then when you say, hey, let's, we've got a data center here or a warehouse there, oh, no, those are those are too big, those are too impactful. We would rather have a county park. Well, we don't own the land and the county park's probably not going to earn a lot of money. And we're building four schools right now, and... three schools right now, and by the time those are built, those are going to be full. We're going to need many more schools coming down the line. I watched a work session a couple weeks ago with the Board of Supervisors. If they were to build that courthouse, which they were supposed to build many, many years ago, if they were to build it today, it's \$120 million. And with every month that goes by, that, of course, goes up. So we can't build these things with vape shops and nail salons and storage units; not that, not that they don't pay taxes or are a valuable part of our corporate citizenry of Stafford. Nevertheless, those aren't adequate. So when we have something like this come along, it's huge, it's scary, and in my opinion, it still needs some work. There still needs to be some massaging to this application, but we need to get this off of our desk and up to the Board of Supervisors so that the varsity team can really take a stab at this and hopefully work out some of those things with the Water Service Agreement, and make it very clear to the public that the priority is to make sure that not only is this a good source of revenue and a revenue stream, but that it is not going to negatively impact the quality of life of the rest of the people living in Stafford County. We know that when these applications come to us, they come with rose colored glasses sometimes. We know that these things come to us with best case scenario. Nevertheless, when you say \$88 million when this is at full build-out, that's going to buy a few things, and we need those things. So, surprising myself, I have to support this. Thank you.

Mr. Shelton: Mr. Braxton?

Mr. Braxton: No comment.

Mr. Shelton: I'd like to close the comment by saying, I appreciate what the applicant has done in compromising. I think that's commendable. I think it's a win-win for Stafford County, even though it's going to be a little city. And as Emergency Manager, I am worried about little cities. So thank you very much. If you would, cast your vote. Tally the vote. Pass 6 to 0 with one absent (*Ms. Caudill absent*).

Mr. Apicella: Mr. Chairman, one more motion on this item. I make a motion that the Planning Commission approve the Comp Plan Compliance Review application, COM24155687.

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Ms. Sellers: Second.

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

Mr. Apicella: No further comments, Mr. Chairman.

Mr. Shelton: Ms. Sellers? Other Commission members? Cast your vote. Tally the vote. Pass 6 to 0 (*Ms. Caudill absent*). And it's back to you, Mr. Apicella.

Mr. Apicella: Thank you, Mr. Shelton. And again, congratulations to the applicant. And appreciate all the hard work that you did on this project. Alright, next item on the agenda is number 5, Comprehensive Plan Amendments for Transportation Master Plan and Transportation Impact Fees.

5. Comprehensive Plan Amendments for the Transportation Master Plan and Transportation Impact Fees – Amend the “Stafford County, Virginia, Comprehensive Plan 2016-2036, 2021 5-Year Update,” adopted November 16, 2021, as last revised (Comp Plan), to adopt a new appendix to the Comp Plan entitled “Draft 2024 Transportation Master Plan Stafford County 5/8/24,” pursuant to proposed Resolution R24-207; and to amend Chapter 4, “Transportation,” of the Comp Plan to update transportation impact fee information and update the Roadway Improvement Plan, pursuant to proposed Resolution R24-229. **(Time Limit: September 22, 2024)**
(Authorize for Public Hearing by: July 24, 2024)
(Potential Public Hearing Date: September 11, 2024)

Mr. Lehan: Alright, thank you. You all have seen me before. My name is Matthew Lehan. I'm the Transportation Planning and Funding Manager here for Stafford County. I have somewhat of a brief presentation, but I do have a accompanying interactive web map that we can go through as well to further describe what we're looking at here. So at the July 2nd Board meeting, the Board approved referrals for two items, an amendment to the... an amendment to the Comprehensive Plan for two items; transportation Master Plan and Transportation Impact Fees, both due back by September 22nd. The master plan, the goal, I spoke to you about this previously, to help inform policy makers, guide investment decisions, and undertake a performance based planning process. It got a lot quieter in here very quickly. So using the strategic plan as an appendix to the Comprehensive Plan. And then we have transportation impact fees, additional projects, or new projects, and a new impact fee. And this is under revising the prior ordinance, so a new ordinance, O24-21 is under review by the Impact Fee Advisory Committee, and we are looking to make Comprehensive Plan amendments for review by the Planning Commission, to Chapters 4.1.4 specifically for impact fees, but also throughout the greater plan for references to the master plan and to impact fees. The master plan identified several projects eligible for the impact fees. These projects support new capacity and future growth in the County. So just briefly, the master plan as an appendix, I have the document printed out here, it's about a 40-page document, and really what we're looking at is three different phases. Phase one is our existing CIP. These are projects that are already funded by VDOT and Stafford County and federal grants. These are projects that are worth a little over \$200 million. For instance, Berea Church Road is currently under construction in Stafford County. It's projects like that. Phase two, these are shorter term projects out to 2030/2040, worth almost \$600 million. We have looking at interchanges on US 1. We're looking at improvements through VDOT Smart Scale Program that we are applying for by next week, a little over \$300 million there, and then 50 million in some additional projects that we're looking at, some roundabouts and some minor intersection improvements as well, as well as a widening of Garrisonville Road Phase 2. And then Phase 3, this is the longer term vision for Stafford County. Looking at major improvements to

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Stafford County, such as major road widenings, the western network, the long planned Mine Road extension, as well as additional projects such as a widening of Courthouse Road, Shelton Shop Road, Mountain View Road, and so on. What these projects do is provide additional capacity north-south in the County, through that western network, Mine Road, Enon Road, Centreport Parkway, Plantation Drive, and then also additional capacity in northern Stafford County, northwestern Stafford County, where we're already making improvements to Shelton Shop Road, for instance. So that's the appendix of the master plan. And then we have the updates to impact fees I mentioned, which pulls projects from Phase 1, Phase 2 and Phase 3. Specifically, per state code, these are projects that increase capacity on the roads and support future growth. We cannot do projects that don't support future growth on the roads, and those are based on the travel demand model that's run by our regional planning organization. In total, impact fees, there's around 19 projects totaling a little over a billion dollars. With that, I'm happy to take any questions, and if we are able to get it working, we also do have an interactive map that I can, might be able to go through as well... *inaudible, being talked over*.

Mr. Shelton: Mr. Chairman. Would you back up to the last slide please?

Mr. Lehane: Yes.

Mr. Shelton: Clarify for me the 100 million for interchange at US 1, Route 218, Route 17. I'm a native Staffordian and I don't see where they connect.

Mr. Lehane: Yeah, certainly. So this is at Route 1/Warrenton Road and Butler Road. So this is the intersection just over the Falmouth bridge where VDOT previously made improvements back in 2013/2014-ish, maybe.

Mr. Shelton: Well, 218 is White Oak Road. So I'm wondering where you got that connection.

Mr. Lehane: Yes, 218 starts at, is also Butler Road.

Mr. Shelton: 212, is it not?

Mr. Lehane: I believe it's 218.

Ms. Barnes: Was it 212 at one point?

Mr. Shelton: Absolutely was.

Mr. Lehane: 212, I know there's Chatham Heights Road and then one other road over there, those are also 200 level roads; that might also be 212 over there. This is, predates me, but there was improvements done back in, I want to say the 90s or early 2000s and those realigned roadways over near Deacon Road, White Oak Road and kind of where Butler Road all intersected. So there could have also been a realignment of the route numbers at that point as well.

Mr. Shelton: Okay, thank you.

Mr. Apicella: Before I entertain additional questions, I just wanted to kind of put a frame around this, as I understand the referral, we need to schedule a public hearing. When we have that public hearing, it's basically an up or down vote. We can't make any changes.

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Mr. Lehane: Mike, do you want to provide a little bit of context as to the charter of the Planning Commission here?

Mr. Zuraf: That is dependent on the resolution, I guess... let me check that out.

Mr. Apicella: Yeah, normally it would say that we could make, we have the ability to make recommended changes. It just says to make our recommendation.

Mr. Zuraf: Yeah, it is an up or down on this one.

Mr. Apicella: Okay. Alright, so with that said, folks have any questions, please feel free to ask Mr. Lahane. Anybody? Wow, you did such an awesome job.

Ms. Barnes: Not that we're tapped out or anything.

Mr. Lehane: It's been 3 hours. So we'll look to, I guess, schedule a public hearing and come back to you all at that point as well... *inaudible, being talked over*.

Mr. Apicella: Yeah, I just need to kind of do that formally, and I'll just do it by voice vote. All those in favor of holding a public hearing at our September 11 meeting, please signify by saying aye.

Ms. Barnes: August.

Mr. Apicella: August? I thought it was September 11. We don't have an August 11 meeting. It's August 28. So is September 11 okay? Or do you want us to do it in late August?

Ms. Lucian: I think in order to keep the Board's schedule, we need to do it in August.

Mr. Apicella: It says the Planning Commission schedule a public hearing and take action by September 11. Do we not have a meeting then?

Mr. Zuraf: That's the...

Unknown speaker: That's the last possible date.

Mr. Zuraf: ... yeah, the last possible date.

Mr. Apicella: Okay. So I take that back. Is there... all those in favor of scheduling a public hearing on this item or items for our August 28th meeting please signify by saying aye.

All Commissioners: Aye.

Mr. Apicella: Opposed? Okay, that motion carries. Thanks again.

Mr. Shelton: Thank you.

Mr. Apicella: And then at that point we expect you to go line by line through all the projects.

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Mr. Lehane: I have the document right here. We can just start reading through it. So the interactive web map will also help kind of give an idea of what the actual projects are that we're looking at. So future studies, all that kind of stuff.

Mr. Apicella: Awesome. Thank you very much. Alright, Planning Director's Report.

PLANNING DIRECTOR'S REPORT

6. Project Pipeline Report (For Information Only)

Mr. Zuraf: Mr. Chairman, I don't have too much to report, but just let you know on July 2nd the Board did approve the Belmont Park rezoning, which everybody worked on for a while. So that did get approved. And also, just for your information, probably has no effect on the Planning Commission, but the Board did adopt a new meeting structure where they're going to have, they're going to have three potential meeting dates every month. They're going to have kind of what they call A, B, and C Meeting days. They're meeting on the first, third, and fourth Tuesdays of the month. Their meetings are going to start at 5 o'clock instead of they, they currently, currently they have, they, well, what they did have previously were 12 o'clock starts for work sessions, and then the regular meeting started at 3:00. The meetings going to start at 5:00. They're, you know, one day is going to be dedicated to more work session items, another the B day is going to be focused on the work sessions and public hearings. And then C is like an optional day. If they're needing to meet more than two times in a month. And staff's just going to be going to be going through all the new deadlines and everything, but that's just for your information.

Mr. Apicella: So just to kind of clarify, our goal in scheduling our meetings was to do it on the opposite Wednesday. Is that still pretty much going to be the case? Or are we still, are we going to be kind of not butting up against but, the goal was to help you all in terms of staff not having to...

Mr. Zuraf: There might be some potential, you know, with the, hat fourth, that third, if they have that third meeting, which is on the fourth Tuesday, there might be occasion where we have, you know, back to back days.

Ms. Barnes: But those are as needed, correct?

Mr. Zuraf: Right, right.

Mr. Apicella: Okay, well, thanks for the information. County Attorney's Report?

COUNTY ATTORNEY'S REPORT

Ms. Lucian: I have no report at this time.

COMMITTEE REPORTS

Mr. Apicella: Alright, we don't have any committees. Nothing under Chairman's Report. There is a TRC for the Aquia District. Mr. Martinez, I'm sure you got all that information. Last item on the agenda is Approval of the Minutes. Is there a motion...

CHAIRMAN'S REPORT

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OTHER BUSINESS

7. New TRC Submissions
- [24155760](#); Telecom Tower Milestone VDOT Aquia – Aquia Election District
 - A Major Site Plan for a Telecommunications Facility at the exit 143A I-95 interchange on VDOT land consisting of 23.56 acres, within the Aquia Election District.

APPROVAL OF MINUTES

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Mr. Shelton: Motion to approve.

Mr. Apicella: Okay, thank you. Is there a second?

Ms. Sellers: Second.

Mr. Apicella: Alright, just do that by voice vote. All those in favor of approving the June 12 minutes say aye.

Mr. Shelton/Ms. Barnes/Mr. Bratton/Mr. Martinez/Ms. Sellers: Aye.

Mr. Apicella: Opposed? Abstentions? I'm going to abstain since I wasn't here, so that that carries. With no further business before the Planning Commission, we are hereby adjourned.

ADJOURNMENT

At 8:59 PM, Chairman Apicella adjourned the July 24, 2024, Stafford County Planning Commission meeting.