STAFFORD COUNTY PLANNING COMMISSION MINUTES
February 11, 2026

The meeting of the Stafford County Planning Commission of Wednesday, February 11, 2026, was called to order at 6:00 PM by the Chairman Kristen Barnes in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center.

MEMBERS PRESENT:	Kristen Barnes, Carlos Bratton, Kelsey Caudill, Gregory Goldstein, Marcus Oats, Willie Shelton, Jr.
MEMBERS ABSENT:	Maureen Siegmund
STAFF PRESENT:	Mike Zuraf, Lauren Lucian, Stacie Stinnette, Emilie Wolfson, Brian Geouge, Chris Edwards (Utilities), Mark Gundersen (Utilities)

DECLARATIONS OF DISQUALIFICATION

Mr. Bratton called roll and stated there was a quorum, with Ms. Siegmund absent.

Ms. Barnes asked if there were any declarations of disqualifications, and then asked if there were any changes to the agenda.

Mr. Zuraf recommended modifying the agenda by moving item number 8 to before the first public hearing, as it was a time limit extension that was related to item number 3 and should go before it.

Ms. Barnes agreed and proceeded to open the Public Presentation portion of the meeting.

PUBLIC PRESENTATIONS

Julia Lewis from the Falmouth District spoke about the February 25 Market at Austin Ridge application. She expressed concern that the applicant submitted three development options that she believes would ultimately allow a data center. She opposed rezoning from A-1 to M-2 and noted increasing use of multiple plans, reduced buffers, and other concessions in recent applications. Ms. Lewis said developers were applying the Comprehensive Plan, Targeted Development Areas, and the Urban Services Area beyond their intended purposes by pushing heavy industrial uses into areas planned for mixed-use, community-oriented growth. She urged the commission to reject the application in full, stating that approval of any option containing a data center would lead to that outcome.
She thanked the commission.

Jeff Eastland from the Rock Hill District commented on the Market at Austin Ridge proposal. He said he could not attend the February 25 meeting but had reviewed the fifth submission and strongly opposes the inclusion of a data center. He stated the use was inconsistent with the Comprehensive Plan and the Urban Services Area and criticized requested reductions in setbacks and buffers. He urged the commission to recommend denial of the application and said he would follow up by email and phone.

Ginny Greenlaw, speaking on behalf of the Tri-County/City Soil and Water Conservation District, invited the Commission to attend the District's Spring Legislative Pasture Tour on March 26 from 5 to 7 PM. She said the event would allow participants to meet staff, learn about conservation programs, and see local conservation practices. She provided printed invitations and noted that attendees may RSVP by contacting Madison Morgan or by using the QR code included on the invitation. She added that dinner would be served and thanked the Commission.

Erin Sanzero from the Hartwood District spoke in advance of the public hearing for the Market at Austin Ridge data center application. She encouraged the Commission to closely review the applicant's impact statement in relation to the county's Comprehensive Plan. She stated that the area was designated for mixed-use, commercial, and residential development, not heavy industrial uses, and argued that the proposal was effectively a data center application requiring M-2 zoning in a location where such zoning was not envisioned. Ms. Sanzero said the application relies on assertions of compatibility that were not supported by the Comprehensive Plan and uses interpretations she believes were inconsistent with sound planning practices. She urged the Commission to uphold the adopted vision for the area and to reject the data center component, requesting that any development conform to the mixed-use and residential intent of the plan. She thanked the Commission for its time.

Kristen Maxson from the Falmouth District raised concerns about several Stafford County actions and records. She referenced the nine-foot-diameter well housing visible at the courthouse and questioned how the county plans to conduct mining under a permit granted to Stafford Technology Campus. She noted the Board's January 22, 2026 state of emergency declaration and stated that the January 29 "Kraken Loop" meeting was postponed without a new public date. She also said the Joint School Working Committee amended its agenda after a public hearing, which she believes violates bylaws. Ms. Maxon described issues with stormwater management for 1816 Richmond Highway, stating she had not been properly served and that required dedication documents appear to be missing for "Pond 2." She cited discrepancies between information in the January 28, 2026 Planning and Zoning agenda versions. She also reported inconsistencies in GIS data for Tax Map 38-124 within the Stafford Technology Campus, noting three versions of the parcel showing differing acreages.
She concluded by thanking the Board.

Abby Carter from the Falmouth District asked two questions regarding the Market at Austin Ridge proposal. First, she questioned how the public was expected to understand the application given that it contains three different generalized development plans, and she asked for clarity on whether it was effectively a data center proposal. Second, she asked why the county maintains a Comprehensive Plan if developers were permitted to amend it to accommodate their projects, stating that such amendments appear to undermine the intent of the plan. She concluded by thanking the Commission.

Ms. Barnes closed the Public Presentations portion of the meeting, and stated they would move on to the first item on the agenda.

8. <u>*Application Time Extension*</u> *– A request to grant a time limit extension for action for a Zoning Reclassification application, pursuant to Stafford County Code Sec. 28-162, "Review and requirements," for a project known as JP Mercer Powell Lane.*

Mr. Zuraf stated they would start with item number 8 and recognized Emilie Wolfson for the staff presentation.

Emilie Wolfson introduced the first item, which concerned a request to extend time limits for the JP Mercer Powell Lane rezoning application included on the evening's agenda. She explained that the zoning ordinance establishes deadlines for applications under review, including a requirement that projects be acted upon within 12 months. Due to workload and the time needed for applicants to address staff comments, some projects periodically require additional time. The JP Mercer Powell Lane case was a rezoning request with proffers to change the classification from A-1 (Agricultural) to M-1 (Light Industrial) to allow development of a contractor's equipment yard or other uses permitted in the M-1 district. The current 12-month review period would expire on February 28, and the applicant had requested an extension of the time limit to August 28, 2026. Ms. Wolfson stated she was available to answer questions regarding the application's details or timeline and noted that the item also appears later on the agenda for consideration.

Ms. Barnes asked staff to clarify differences between two review timelines cited in county processes: the 100-day timeframe, under which "we run out of time," and the 12-month timeframe, under which "they run out of time." She noted that some applications—such as Buc-ee's and Potomac Church Tech Center—have been deferred, and indicated that the item before the Commission involved a different set of time rules. Ms. Barnes requested a brief explanation of how these time standards differ and how each applies to various types of applications.

Mr. Zuraf explained that the 100-day time limit applied to public hearing items for rezoning or CUPs, and the Zoning Ordinance had application time limits.

Mr. Shelton made a motion to extend the time extension, and Ms. Caudill seconded. The motion passed 6-0 (*Ms. Siegmund absent*).

Ms. Barnes proceeded with the public hearings and welcomed Chris Edwards to present item number 1.

<u>PUBLIC HEARINGS</u>

1. <u>Amendment to the Comprehensive Plan</u> - A proposal to amend "Stafford County Virginia, Comprehensive Plan 2016-2036, 2021 5-Year Update," adopted on November 16, 2021, as last revised (Comprehensive Plan), by adopting a new document entitled "Stafford County Water, Sewer, and Reclaimed Water System Master Plan," dated December 2025 as an element of the Comprehensive Plan. The proposed document would replace the current Water and Sewer Master Plan element of the Comprehensive Plan based on the latest conditions and future land use recommendations and objectives. **(Time Limit: January 28, 2026)**

Chris Edwards, representing the Department of Utilities, addressed the Commission and noted that the Utilities Master Plan was originally presented to the Planning Commission on December 10, 2025. He stated that, at that time, one of the questions raised concerned the actions of the Utilities Commission. He explained that the Utilities Commission had been unable to achieve a quorum at its meeting prior to the December Planning Commission meeting. However, the Utilities Commission was able to meet on January 15, 2026, at which six members were present. At that meeting, the Utilities Commission voted 6–0 to recommend approval of the Utilities Master Plan. Mr. Edwards further noted that the full presentation had been given at the prior Planning Commission meeting. Recognizing that there were now new Planning Commissioners, he indicated he would go through the presentation relatively quickly for those members who were seeing it for the second time. Commissioner Barnes requested that Mr. Edwards highlights the changes made to the plan for the benefit of Commissioners who had seen an earlier version. Mr. Edwards provided an overview of the Utilities Department and the Utilities Fund. He stated that the fund was self-supported, with revenues coming from availability (connection) fees, pro-rata fees (the Developer Cost-share Program), and water and sewer user fees/sales. He emphasized that no County tax money was used to finance utilities capital projects. He outlined the department's guiding principles, noting that their primary objective was to ensure water and sewer service can support planned growth in accordance with the Comprehensive Plan and its land use requirements. He added that the department aims to meet or exceed regulatory requirements while balancing system reliability with affordability. He explained that although they could theoretically build all the projects needed at once, doing so would undermine affordability, so the department's goal was to provide capacity for growth and regulatory compliance in a phased, financially sustainable manner. During his presentation, Mr. Edwards explained why the Utilities Master Plan was being updated at this time. He noted that the last Master Plan update occurred in 2018 and that the County had been satisfied with that plan. Prior to 2018, the previous master planning effort had been initiated around 2003–2005, and that update involved wholesale changes after a 10–15 year gap. He stated that staff's goal now was to avoid having to make such drastic changes in the future by updating the plan more regularly. Following the Planning Commission's approval of an update to the Comprehensive Plan in 2021, staff began work on the Utilities Master Plan update to reflect changes to the Urban Services Area boundary and to certain land use designations. The intent was to ensure that the projects identified in the Utilities Master Plan, and subsequently included in the County's Capital Improvement Program, would continue to align with the revised Comprehensive Plan. Mr. Edwards further noted that, as staff was working on the current update, two rezoning applications for data centers—Potomac Church and Stafford Technology Campus—came forward and were approved by both the Planning Commission and the Board of Supervisors. He clarified that most, if not all, of the reclaimed water improvements associated with those projects were addressed through proffers and incorporated into subsequent water services agreements. As a result, those reclaimed water components should not be new or unexpected to either the Planning Commission or the Board of Supervisors. He concluded that, overall, staff does not consider the current changes to the Utilities Master Plan to be major in scope. Mr. Edwards reported on key elements of the Utilities Master Plan update, focusing on water and wastewater improvements. He mentioned a 15% reduction in overall water use, attributed largely to changes in customer usage patterns, particularly decreased irrigation demand across the county. In contrast, there had only been about a 3% reduction in sewer flows, indicating that the primary reduction was in non-sanitary (e.g., irrigation) water use. Lake Mooney Water Treatment Plant: It was constructed approximately 10 years ago and identified as the county's largest water treatment plant, located in the southwest corner of the county. The goal was to ensure that this existing investment was fully utilized to serve the entire county. Smith Lake Water Plant – Regulatory Improvements: New PFAS regulations require plant upgrades at the Smith Lake Water Treatment Plant to ensure compliance. 3R (Rehabilitation) Program: The 3R Program focuses on rehabilitation and replacement of existing infrastructure. Any project that adds capacity or increases pipe size had now been made pro rata-eligible, since such upgrades increase system capacity. This policy change had been added to the Master Plan. Sewer System Updates: Mr. Edwards highlighted two key changes. First, the Centerport area, in the middle of the county—has long been underserved relative to the northern and southern zones for public water and sewer. The updated Master Plan now proposes a regional pump station to serve Centerport, the Stafford Technology Campus, and nearby areas, including existing development. Reclaimed Water Integration: Reclaimed water had been fully integrated into the Master Plan. The associated improvements were already proffered and incorporated into water service agreements tied to earlier rezonings. Mr. Edwards stressed that these reclaimed water components were not new initiatives, but previously approved commitments now being reflected in the Master Plan. He emphasized the need to fully account for the large volume of reclaimed water associated with recent data center projects, noting that the master plan could not be completed without incorporating these flows and their impacts and reviewed major water system improvements: Lake Mooney Water Treatment Plant (constructed in 2015). The primary goal was to maximize use of this facility. Due to an observed 15% reduction in overall water usage, the previously anticipated need to expand the plant and reservoir around 2035 can likely be deferred 5–10 years, providing adequate annual capacity at least through 2041. Smith Lake Water Treatment Plant: Planned improvements focus on reliability and regulatory compliance, including "3R" (repair/rehabilitation/replacement) projects. Mr. Edwards stressed that movement of water within the system was critical. The transmission improvements shown in the 2018 Master Plan were carried forward unchanged in this update, with the goal of conveying Lake Mooney water as far north as possible and ultimately to be able to serve Quantico and extending service eastward across the county. He highlighted the benefit of the County's pro rata (developer cost-share) program: A cost-share agreement was already in place with NorthPoint Development for part of the transmission improvements. Proffered language from Stafford Technology Campus obliges the project to construct additional segments of the improvements. A future agreement was anticipated with Centerport Village. Collectively, these commitments would substantially reduce the amount of infrastructure the County must fund and build up front. Regarding wastewater, Mr. Edwards noted that the County operates two wastewater treatment plants: Little Falls (south) and Aquia (north). Several major "3R" projects at both facilities, originally identified in the 2018 Master Plan, remain necessary and were carried forward. Two additional new projects were included in the update, driven in part by the fact that both plants use a proprietary treatment process supplied by the Schreiber Corporation. He noted that, two or three years ago, shortly after completion of the previous Master Plan, the Schreiber Corporation went out of business, making it increasingly difficult to obtain proprietary replacement parts for the County's wastewater treatment facilities. As a result, Utilities staff proposes to replace many of these proprietary components with more standard, off-the-shelf parts to ensure the plants can operate reliably into the future. He described the major wastewater conveyance project serving the Centerport area, indicating that the green-shaded area on the exhibit represents the proposed service area. This project was included in the 2018 Master Plan in a smaller form; however, the Stafford Technology Campus and the reclaimed water system were not yet contemplated at that time. Including reclaimed water in the updated Master Plan had allowed staff to size the pump station and related facilities appropriately. Mr. Edwards stated that the Stafford Technology Campus had proffered to construct this regional pump station, resulting in no upfront capital cost to the County for that facility and reviewed reclaimed water as the largest new element in the Master Plan update. He emphasized that the reclaimed water concept was previously approved through project proffers and water service agreements, and that the reclaimed water system itself would not be funded by County tax revenues. He explained that, while Spotsylvania County had indicated its reclaimed water system was at capacity, Stafford's system was not out of capacity, but most of its planned capacity would be utilized by the two approved data center projects. Under the existing water service agreements, the applicants agreed to construct the necessary improvements, and the County agreed to provide a defined quantity of reclaimed water. Approximately 90% of the reclaimed water capacity was expected to be used by those projects. Referring to the exhibit, he pointed out the Aquia Wastewater Treatment Facility at the northern end of the alignment and explained that a pipeline would be constructed from the plant southward to the Stafford Technology Campus. The reclaimed water would be pumped from the Aquia plant and stored in two elevated storage tanks. Due to the finite capacity of the reclaimed water system, staff do not intend to significantly expand the system beyond this corridor and prefers to confine future reclaimed water customers to that immediate service area. Mr. Edwards addressed a public misconception that, if the Utilities Master Plan were not approved, the reclaimed water system would not proceed. He clarified that the relevant water service agreements were already approved by the Board of Supervisors, obligating the County to allow construction of the reclaimed water improvements and to accept and deliver reclaimed water in accordance with those agreements, regardless of Master Plan adoption. The Master Plan update primarily allows the County to properly account for the reclaimed water deliveries and system capacity within its long-range planning. Mr. Edwards concluded by noting that the Board of Supervisors granted a time extension in December for completion of the Master Plan update, and that the current meeting was the last Planning Commission meeting within that timeframe. He requested that the Commission act on the Master Plan and offered to answer any questions from the Commissioners.

Mr. Goldstein asked Mr. Edwards several questions regarding reclaimed water capacity and risk allocation. He requested clarification on how much reclaimed water capacity was effectively reserved for data centers and confirmed that Mr. Edwards had indicated approximately 90%.

Mr. Edwards responded that the reclaimed water system was being sized at 6 million gallons per day (MGD), based on low flows and anticipated return flows. Under the two existing water services agreements, approximately 5.8 MGD of that capacity had already been obligated, leaving only a small remaining amount of capacity.

Mr. Goldstein then asked, if reclaimed water demand falls short, who bears the financial risk.

Mr. Edwards stated that the County was not paying for any of the reclaimed water system improvements, and therefore there was no financial risk to the County. Any financial risk would be borne by users who require water for industrial cooling in the future.

Mr. Goldstein further inquired what happens if demand exceeds 6 MGD. Mr. Edwards explained that at that point there would effectively be a moratorium on additional reclaimed water connections, as the County would not be able to send out more than 6 MGD. He added that using the other wastewater plant for reclaimed water was not feasible, as it was approximately 10–15 miles away, and it would not be practical to construct and pump a reclaimed water system that far north.

Mr. Shelton, following up on Mr. Goldstein's question, asked whether, if the County reaches the maximum of 6 million gallons per day of reclaimed water, users would then switch over to potable water. Mr. Edwards responded that they would not switch to potable water. He explained that an ordinance update was in progress to address reclaimed water, including:

- Adding language to define when connections to reclaimed water can occur.
- Establishing a moratorium on the use of potable water for industrial cooling, so that going forward, potable water would not be used for that purpose.
- Requiring Board of Supervisors to approval of water service agreements for any connection to the reclaimed water system.

Mr. Edwards noted that these water service agreements would govern access to reclaimed water, and that ultimately the Board of Supervisors would control which connections were made to the reclaimed water system.

Ms. Barnes asked whether facilities could reconnect to potable water in an emergency situation, noting she recalled this being discussed and removed in December.

Mr. Edwards responded that there was a moratorium on the use of potable water for industrial cooling and that initial buildings may start on potable water but would then be converted to reclaimed water. Once that conversion occurs, there was no option to revert back to potable water.

Ms. Barnes clarified that her understanding was that language allowing a return to potable water had been removed at the Planning Commission's request.

Mr. Edwards confirmed that the prohibition on switching back to potable water was already included in the ordinance language. He acknowledged there had been an earlier error, and stated staff had corrected and "cleaned up" that language.

Ms. Barnes then clarified for the record that the Utilities Master Plan under consideration was a planning document and not an ordinance or law, comparing it to the relationship between the Comprehensive Plan and the County's ordinances.

Mr. Edwards confirmed that the Master Plan was a guiding document only, and that the related Utilities Ordinance does not come before the Planning Commission but instead was considered by the Utilities Commission and the Board of Supervisors.

Ms. Caudill asked for clarification regarding an apparent inconsistency between the October 2025 and December 2025 Utilities Master Plan reports. She noted that the October 2025 final report stated that, as of November 2024, the total volume of treated water from the Aquia Wastewater Treatment Facility (WWTF) had been fully allocated, while the December 2025 report stated that the total volume of treated water had been more than 90% allocated. She asked how the status changed from "fully" allocated to "more than 90%" allocated.

Mr. Edwards responded that the October 2025 statement was a misprint and was in error on staff's part. He explained that:

- The reclaimed water system was sized for 6 million gallons per day (MGD).
- The two existing water service agreements together account for 5.8 MGD of that capacity.
- There was a small amount of remaining capacity ("wiggle room") because the 6 MGD figure was based on wastewater flow.

Mr. Edwards said that in practice, the effective cap was somewhere between 6.0 and 6.1–6.2 MGD, leaving approximately 0.3–0.4 MGD uncommitted. He concluded that this leaves limited additional capacity available for future reclaimed water users.

Ms. Caudill asked what happens to the wastewater load if a reclaimed water user disconnects or a project fails or was delayed, specifically in situations where a user backs out despite having a water service agreement or falls behind schedule.

Mr. Edwards responded that the wastewater capacity in question was allocated to that user under the water service agreement. He explained that the agreement had two fee components: a flat base fee and a usage-based fee. The user was obligated to pay the flat base fee for all of the buildings from day one. If the user was not operating and thus was not producing wastewater, that wastewater simply would not be generated or treated to become reclaimed water. The County would still receive the base fee, which supports staffing and related fixed costs, but would not incur the costs associated with producing additional reclaimed water, nor would it receive usage-based revenue in that scenario.

Ms. Caudill asked what protections the County had if actual water and sewer demand was reduced and the reclaimed water system was assumed to be fully available and on schedule, but construction timing on the reclaimed system slips. She questioned what happens in that scenario and whether the County was protected.

Mr. Edwards responded that one of the key protections was there were only a limited number of potable water connections allowed, and those were tied directly to the progress of the reclaimed water system. Because it was a construction project, delays were possible; however, if delays occur, the number of potable water connections that can be made was correspondingly reduced. Additional connections were only permitted once certain construction milestones (e.g., 50% and 75% completion) were achieved, and those milestones were to be determined by the County.

Mr. Shelton asked whether the Utilities Commission vote was 6–0 in favor of the Utilities Master Plan and whether that Commission had requested any changes.

Mr. Edwards confirmed the Utilities Commission voted 6–0 in favor and stated that a log of all changes had been provided to the Utilities Commission. He said the changes were primarily minor clerical corrections and that none of the changes affected the substance of the Master Plan and that the Utilities Commission did not request any major changes or any substantive changes to the plan.

Ms. Barnes asked whether the clerical changes had already been made or were still pending.

Mr. Edwards confirmed that the clerical changes had already been incorporated and stated that the change log reflects all of the corrections that were made.

Ms. Barnes asked whether the Utilities Department had made any recommendations on the Utilities Master Plan. She noted that some dates in the document appeared outdated, specifically referencing Chapter 9, Section 2, where the VP DES permit for the County's Aquia Wastewater Treatment Facility was shown as due for renewal in October 2024. She pointed out that, since the permit had already been renewed, this language should have been updated in the December version and indicated that the version provided to the Commission the previous Friday still contained the old date.

Mr. Edwards responded that the language should have been updated and stated they would correct it (referencing page 54, Chapter 9, Section 2) and review other locations in the plan where dates appeared outdated.

Ms. Barnes also noted that the plan states there were three projects interested in reuse water—specifically mentioning Stafford Technology Campus and Potomac Church and asked Mr. Edwards whether he could identify the third project. Ms. Barnes asked about a reference in the plan to a "third project" interested in reclaimed water.

Mr. Edwards clarified that there was another potential user on a parcel immediately adjacent to the previously discussed data center sites that had expressed interest in reclaimed water service from the Stafford Technology Campus system. One of the goals in sizing the reclaimed water system was to ensure there would be enough capacity to serve a third, and possibly a fourth, very small data center campus. Mr. Edwards noted that, in terms of scale, the system could likely accommodate the equivalent of up to two Potomac Church–sized campuses.

Ms. Barnes then asked whether the proposed on-site storage tanks for reclaimed water would be located above or below ground. Mr. Edwards responded that there would be two types of tanks, and all would be above ground due to their size. Individual data center buildings would have smaller above-ground tanks for daily operational needs, and the system would also include two large above-ground storage tanks that would resemble the County's existing elevated water storage tanks. Ms. Barnes asked whether the proposed above-ground storage towers (non-water storage towers) would require a Conditional Use Permit (CUP) based on their height, noting she could not recall if the requirement applied above a certain height.

Mr. Zuraf responded that he would need to verify the requirements, including whether the towers qualify as a public facility. He added that, if located in the M-2 zoning district, a CUP consideration would be tied to the 65-foot maximum height, and any tower exceeding that height would need to be evaluated accordingly.

Ms. Barnes noted that the Master Plan states there were no data centers proposed for the southern portion of the county and asked whether that position was still accurate.

Mr. Edwards responded that there were some proposed data centers in the south. He explained that if those users wish to utilize county water, they must follow the same process as elsewhere in the county, including rezoning and proffers, execution of water services agreements, and construction of their own supporting infrastructure.

Ms. Barnes further asked why existing or potential southern data center sites were not reflected in the Master Plan, given there were approximately four in that area.

Mr. Edwards stated that, at the time the Master Plan text and graphics were prepared, this omission was likely an oversight but was something that can be updated. He added that the southern data centers were contemplated more in terms of a future phase two, and any related Master Plan updates would follow only after a successful rezoning of those properties.

Ms. Barnes requested clarification on why certain items appear in the Utilities Master Plan while others appear in the Utilities Ordinance, specifically asking for a brief explanation of the difference between the Utilities Master Plan, and the Utilities Ordinance that includes requirements for water services agreements.

Mr. Edwards responded that the primary purpose of the Utilities Master Plan was to guide long-term capital planning. Each year, the Board of Supervisors approves a Capital Improvement Plan (CIP), typically covering a 10-year period. The Utilities Master Plan was a guiding document for the County's capital improvement program, aligning projects with the Comprehensive Plan and the Utilities Ordinance was the legal framework that defines customer responsibilities, connection rules, and rates for public water and sewer.

Ms. Barnes asked whether Water Services Agreements (WSAs), and the idea of publishing them for public access, should be included or referenced within the Utilities Master Plan, and whether making WSAs available to residents was something that belongs in this document.

Mr. Edwards clarified that WSAs themselves were *not* part of the Utilities Master Plan. Some elements from WSAs, that was key terms that affect system capacity or capital projects, were incorporated into the Master Plan. The full agreements were *not* embedded in the plan; instead, the plan focuses on the "nuts and bolts" that drive projects, and how those agreements translate into infrastructure needs and capital projects, rather than reproducing the legal documents verbatim.

Ms. Barnes thanked Mr. Edwards and indicated there were no further questions from the Commission for staff. She then opened the public hearing on the agenda item.

Mr. Jeff Harvey, Legacy Engineering, addressed the Commission on behalf of the owners of Assessor's Parcel 28-130, also known as 149 Courthouse Road. He stated:

- The property was owned by ATFD LLC, a family-run corporation based in South Stafford.
- The parcel was approximately 40 acres on the north side of Courthouse Road, surrounded by three residential subdivisions and Rodney Thompson Elementary School.
- The property lies within the Urban Services Area, where the County's utility ordinance requires mandatory connection to public water and public sewer for any future development.
- While public water connection was feasible, the Utilities Manual requires gravity sewer for all new developments. Due to the parcel's lower elevation relative to surrounding development, the property cannot be served by gravity sewer under current policies.

- The Comprehensive Plan recommends the area for Suburban Residential development compatible with adjacent neighborhoods. The owners wish to develop consistent with that designation but were constrained by lack of sewer access.

Mr. Harvey explained:

- The 40-acre tract was part of a larger 100-acre drainage shed that flows to a creek feeding Aquia Creek.
- The main public sewer trunk line runs along Aquia Creek, approximately one-half mile from the subject property.
- Extending sewer to the site would require acquisition of multiple off-site easements, which the owners were not in a position to obtain.

Mr. Harvey referred to the Utilities Master Plan/CIP framework which allows the County, through Capital Projects, to acquire easements and construct needed infrastructure where appropriate. He stated that, under the current utilities policies, the owners cannot build the required sewer infrastructure needed to enable development of the property. He requested that the County amend the Sewer and Water Master Plan policies to address situations where properties located within the Urban Services Area have no practical availability of public sewer service, so that parcels such as this one can be developed in accordance with the Comprehensive Plan. He concluded by thanking the Commission for its consideration.

Ms. Kristen Maxson from the Falmouth District commented on the Utilities Five-Year Plan and amendments, stating that a search of the agenda for “amendment” did not yield useful information and asserting that the public must attend meetings in person to obtain substantive details. She cited County Code § 25-122(B) (reclaimed water service) allowing non-disclosure agreements between the County Administrator and customers, questioned how this applies when the end customer was a public entity, and linked this to concerns about data centers, the Utilities Master Plan, and future amendments. She referenced 2025 Virginia legislation on closed meetings, Table 12 of the plan (anticipated data center reclaimed water demand in the North System), and language on page 48 about minimizing borrowing for capital projects, contrasting that with what she described as “extreme budget requests” for utilities using taxpayer funds. She also noted that the “Amendments” section in the December 2025 version of the plan was blank, and raised a procedural concern from the January 15, 2025, Utilities Commission meeting, where a Commissioner reportedly seconded motion R26-20 “with exceptions,” asking how a motion could be seconded with conditions attached.

Ms. Barnes thanked Ms. Maxson for her comments and asked if anyone else wished to come forward to speak. Seeing no additional speakers, she closed the public hearing portion of the agenda item and then asked Mr. Edwards if he had any responses.

Mr. Edwards asked if there were any additional questions.

Ms. Barnes inquired whether any changes had been made to the Utilities Master Plan in response to recommendations referenced by a previous speaker, specifically asking what had occurred with those suggested changes.

Mr. Edwards responded that Commissioner Bain, a new member of the Utilities Commission who was present in the audience, had thoroughly reviewed the document and identified a few numerical references that had been revised during the process but not correctly updated in all locations and that those items had since been corrected and that the updates were reflected in the change log provided to the Planning Commission.

Ms. Barnes asked Mr. Edwards to ensure that any changes requested by a Utilities Commission member (referenced as having a comprehensive list of items during the Utilities Commission motion) were actually incorporated into the Utilities Master Plan if they were part of that motion. She noted that the commissioner in question previously served on the Planning Commission and was known for very detailed review and raised a follow-up question regarding public comment on a specific property in her district. She asked Mr. Edwards for comments or suggestions on incorporating the speaker's requested changes for that specific parcel into the Utilities Master Plan.

Mr. Edwards explained that the primary goal of the Utilities Master Plan was to establish the backbone infrastructure (major lines, interceptors, etc.) that future projects can connect to and stated that the plan does not identify or design service solutions for individual parcels, noting there were many such parcels and trying to address them one-by-one in the Master Plan would be a slippery slope. He emphasized that the County focuses on providing the backbone system; if an individual property owner or developer needs to connect, they were responsible for building the infrastructure needed to reach that backbone.

Ms. Barnes confirmed with Mr. Edwards that, under the Utilities Master Plan, it was the responsibility of the developer to construct the necessary sewer infrastructure to reach their property and noted that while a connection to sewer may technically be possible, it may not always be financially feasible for a particular project.

Mr. Edwards responded that the County would face the same challenges as a private developer in acquiring easements and constructing lines, and therefore his recommendation was not to add project-specific extensions into the Master Plan at this time. He stated the plan should continue to function as it had for the past 20 years as a backbone document, ensuring that major interceptors and piping were properly sized based on assumed development, but not mapping or committing to individual lateral projects to specific parcels.

Ms. Caudill asked Mr. Edwards, in his opinion, how the Utilities Master Plan supports planned growth without unintentionally encouraging additional rezonings.

Mr. Edwards responded that the plan simply implements the land use vision in the Comprehensive Plan as approved by the Planning Commission and Board of Supervisors. It identifies what water and sewer improvements were needed to serve that adopted plan, and its purpose was to ensure the County can provide water and sewer service to those areas—not to drive or encourage rezonings.

Mr. Shelton moved to approve the Utilities Master Plan, noting that Mr. Edwards had provided an update, that the Utilities Commission had recommended approval, and that, from the Commission's standpoint, most bases were covered. The motion was seconded by Mr. Goldstein.

Ms. Barnes stated that she appreciated the changes made to the plan and regretted that the previous meeting's weather-related cancellation had delayed action. She requested that, for any future Master Plan updates, staff provide a traditional redline version so the public and the Commission can more easily identify what had changed, rather than comparing two separate documents. She further asked that staff coordinate with the Utilities Commission to incorporate the clerical and minor corrections that the Commission had recommended and indicated she would support the motion. With no further discussion, the motion to approve the Utilities Master Plan carried by a vote of 6–0 (*Ms. Siegmund absent*).

Mr. Zuraf recognized Emilie Wolfson again for the staff presentation of item number 2.

2. CUP24155787; Conditional Use Permit – Checkers Warrenton Road – A request for a conditional use permit (CUP) to allow a drive-through facility associated with a restaurant within the B-2, Urban Commercial and Highway Corridor (HC) Overlay Zoning Districts on Tax Map Parcel No. 45-19B (Property). The Property consists of 0.442 acres, located on the north side of Warrenton Road, approximately 430 feet west of the intersection with South Gateway Drive, within the George Washington Election District. **(Time Limit: May 22, 2026)**

Emilie Wolfson presented the staff report for a conditional use permit request to allow a drive-through facility associated with a proposed Checkers restaurant on Warrenton Road. The application concerned Tax Map Parcel 25-19B, a 0.442-acre undeveloped site on the north side of Warrenton Road, approximately 430 feet west of South Gateway Drive, within the George Washington District. The property had been zoned B-2, Urban Commercial, since before 1978 and had no proffers. Surrounding uses consist of hotels, restaurants, and retail establishments, all zoned B-2. She stated the site currently contains a paved pad within an established commercial corridor, with access from Warrenton Road and internal drive aisles connecting to adjacent development. Ms. Wolfson explained that the applicant was proposing a one-story, approximately 1,000-square-foot Checkers restaurant with a 200-square-foot outdoor seating area containing three tables. The plan includes eleven parking spaces, including one ADA-compliant space, a sidewalk along Warrenton Road with a connection to the building and a crosswalk, and perimeter landscaping consistent with county standards. The project would use public water and sewer and would not affect wetlands, Resource Protection Areas, or floodplains. She reviewed conceptual architectural references, noting that the property lies within the Highway Corridor Overlay District and must comply with the Neighborhood Design Standards Plan. These standards focused on compatible architectural form and character. Staff determined the applicant's references generally complied with those requirements. Ms. Wolfson stated that the parcel was within the Berea Targeted Development Area and designated for highway commercial use on the Future Land Use Map. The proposed project aligns with Comprehensive Plan goals supporting highway-oriented commercial activity, infill redevelopment, and efficient use of existing infrastructure. Regarding public facilities and services, Ms. Wolfson reported that the use was expected to generate 516 daily trips, which was below the threshold that would require a Traffic Impact Analysis. Water and sewer utilities were available, and the expected demand was typical for a restaurant. Stormwater requirements would be addressed at the site plan stage. No impacts were anticipated to schools, parks, or fire and rescue services. She stated that staff recommended approval with conditions. These conditions included substantial conformance with the Generalized Development Plan, construction of sidewalk and crosswalk connections, compliance with Neighborhood Design Standards for architecture, screening of drive-through lanes and dumpsters, coordinated signage, installation of a bicycle rack, and noise control measures for outdoor speakers. Ms. Wolfson summarized staff findings. Positive factors included consistency with the Comprehensive Plan, reuse of a vacant site, compatibility with surrounding commercial uses, and the lack of environmental constraints. She noted that the small parcel limits future expansion or alternate design configurations, including indoor seating. Staff recommended approval of CUP24155787 with conditions as outlined in Resolution R26-28. The applicant was present and available for questions.

Ms. Barnes asked if there were questions for staff.

Ms. Caudill asked staff how drive-through traffic impacts along the Route 17 corridor were being evaluated for the proposed Checkers restaurant, noting existing congestion and stacking concerns in the area. Ms. Wolfson responded that a Traffic Impact Analysis (TIA) was not required because the projected trip generation fell below the threshold. Without a TIA, she could not provide a more detailed traffic assessment.

Ms. Caudill then asked about the trip generation data used, noting that the application relied on 2023 VDOT numbers. She requested clarification on how often such data was updated and how long it typically remains acceptable for use in traffic evaluations. Ms. Wolfson stated that VDOT data generally remains valid for two to three years, and because this application was submitted in 2024, the traffic numbers used were appropriate at the time of submission.

Ms. Caudill indicated she had an additional question for the applicant.

Ms. Barnes asked whether the project included construction of the sidewalk along the property frontage, and Ms. Wolfson confirmed that it did. Ms. Barnes then invited the applicant to speak.

Syed Rizvi appeared on behalf of the Checkers proposal. He described the site as currently vacant and showed images of existing conditions. He then presented the proposed layout, which included a sidewalk along Route 17, the building location, and vehicle stacking areas from the menu board to the pickup window. He noted that the updated Checkers design included a single drive-through lane rather than the older dual-lane model. Mr. Rizvi acknowledged being new to the process and stated that he and his team were available to answer any questions from the Commission.

Following the applicant's presentation, Ms. Barnes invited questions from the Commission. Mr. Goldstein asked whether the proposed closing time for the restaurant was 2:00 AM. Mr. Rizvi stated that hours varied depending on business conditions and typically range from 11:00 PM to 2:00 AM.

Ms. Caudill asked how pedestrian circulation and safety would be accommodated on a small site where drive-through operations dominated site movements, particularly given the presence of outdoor seating.

Mr. Rizvi explained that protective railings and U-shaped bollards would be installed around the seating area and along pedestrian paths to ensure safety.

Mr. Oats inquired further about proposed operating hours, asking whether hours were seasonal. Mr. Rizvi confirmed that they were seasonal and could range from approximately 10:00 AM to 2:00 AM.

Mr. Oats then asked about expected employment levels. Mr. Rizvi responded that staffing was also seasonal, with approximately three to five employees per shift in winter months and up to seven or eight employees during the busier summer season when outdoor seating increases activity.

Ms. Caudill asked why the restaurant as designed as drive-through only and whether that reflected a brand preference. Mr. Rizvi stated that drive-through service was a longstanding part of the Checkers brand identity. He noted that the company historically operated dual drive-through lanes but had transitioned to a single-lane model. He added that the drive-through-only format proved advantageous during the COVID-19 pandemic.

Ms. Barnes confirmed no additional questions and thanked the applicant. She then opened the public hearing for comments on the conditional use permit application.

Kristen Maxson from the Falmouth District commented on the Checkers CUP24155787 application. She noted that the Transportation Impact Analysis section was not completed and referenced concerns about application materials being filled out in red ink, which she said can cause processing issues. She stated that the notarized owner's consent form was missing, that ownership information in the application was unclear or inconsistent, and that the tax record lists the owner as Warrenton RE LLC. Ms. Maxson also raised concerns about potential traffic impacts at the nearby I-95 intersection if drive-through stacking exceeded on-site capacity. She thanked the Commission.

After public comments concluded, Ms. Barnes asked whether any additional speakers wished to address the Commission. Hearing none, she closed the public hearing and invited staff or the applicant to respond to issues raised.

Mr. Rizvi addressed a question regarding ownership information in the application. He stated that he signed the application as a member of the LLC that owns the property and asked whether the form should list "owner" instead of "member." Ms. Barnes advised him to confirm the proper designation with staff. Ms.Wolfson stated that ownership information was clear from the staff review perspective.

Ms. Barnes thanked the applicant for the clarification. She then returned the item to the Commission for deliberation. Because the project was located in her district, Ms. Caudill presented a motion. Ms. Caudill moved that the Planning Commission recommend approval of Resolution R26-28 for Conditional Use Permit CUP24155787, Checkers Warrenton Road. Mr. Shelton seconded the motion. Before the vote, Ms. Caudill thanked the applicant for attending and commended him on his first presentation. Mr. Shelton had no additional comments. Ms. Barnes then called for the vote. The motion passed unanimously, 6–0, with one member absent (*Ms. Siegmund absent*). Ms. Barnes congratulated the applicant.

The meeting then proceeded to the next agenda item, with Mr. Zuraf introducing Emilie Wolfson for the staff presentation.

3. <u>RC25156186; Zoning Reclassification – JP Mercer Powell Lane</u> – A proposed zoning reclassification from the A-1, Agricultural Zoning District to the M-1, Light Industrial Zoning District on Tax Map Parcel Nos. 44-93G and 44-93J (Property), to allow for development of a contractor's equipment and storage yard or other uses permitted in the M-1 Zoning District. The Property consists of 0.96 acres, located at the terminus of Powell Lane, approximately 2,500 feet southwest of Warrenton Road, within the George Washington Election District. **(Time Limit: May 22, 2026)**

Ms. Wolfson gave a presentation on the JP Mercer Powell Lane rezoning application. She stated that JP Mercer was requesting a rezoning to allow development of a gravel or asphalt contractor's equipment and storage yard in the George Washington District. The request concerns Tax Map Parcels 44-93G and 44-93J, totaling approximately 0.96 acres at the terminus of Powell Lane, about 2,500 feet southwest of Warrenton Road and had been zoned A-1, Agricultural, since 1978 and was not subject to proffers. Surrounding zoning consists primarily of M-1, Light Industrial, to the east, north, and south, and M-2, Heavy Industrial, to the west across Powell Lane, with some R-1 residential lots to the north. The site was currently undeveloped, heavily wooded with mature trees, and lies immediately adjacent to the Falmouth Business Center across Powell Lane, which presently terminated just before the subject property. She noted that the approved Belmont Park rezoning included a proffer requiring extension of Powell Lane to serve as the primary entrance to that project prior to issuance of a certificate of occupancy for the first building, and that plans and plats for the Powell Lane extension were under review. Reviewing the Generalized Development Plan (GDP), Ms. Wolfson explained that it showed redevelopment of the 0.96-acre vacant site within an established industrial corridor as a gravel or asphalt contractor's equipment and storage yard. A potential building location was shown conceptually and would be confirmed at site plan; no building was proposed as part of this rezoning. The GDP included a proposed 6-foot opaque security fence or alternative screening around the site perimeter, provision of

the required 20% open space, and a vehicular access point from Powell Lane. There were no identified impacts to wetlands, streams, or resource protection areas (RPAs). The site would be served by public water and sewer. As required by the Zoning Ordinance, the development would comply with all yard requirements (front, side, and rear setbacks), provide a 10-foot street tree planting area along Powell Lane in accordance with the DCSL Manual, and a 25-foot transitional buffer along the northeastern edge where the adjacent use was residential. With respect to the Comprehensive Plan, Ms. Wolfson stated that the property lies within the Berea Targeted Development Area and was designated Business and Industry on the Future Land Use Map and mentioned that the proposed use was appropriate for this location and was consistent with the Comprehensive Plan recommendations, surrounding zoning, and the existing industrial development pattern along the corridor. Ms. Wolfson reported that, with respect to the Comprehensive Plan environmental analysis, the Plan includes several objectives and policies to ensure that Stafford County's natural environmental resources were protected, including policies on conserving, restoring, and protecting tree cover. She had recommended that the applicant proffers a tree save area in several key locations adjacent to the RPA, specifically by retaining existing trees along the northeastern side setback and rear setback, and by proffering and depicting on the GDP a limit of disturbance. The applicant indicated an intent to minimize land disturbance where feasible but did not wish to proffer specific limits of disturbance. Ms. Wolfson advised that her preference was for the applicant to proffer a tree save area immediately adjacent to the RPA, given the heavily wooded existing conditions on the site. Regarding public facilities and services, Ms. Wolfson noted that the property fronted on Powell Lane. Based on ITE trip generation estimates for the proffered uses, the uses would be expected to generate approximately 298 average daily trips, and the proffers cap traffic at a maximum of 500-hour vehicle trips per day. Access to public water and sewer would be provided via Powell Lane, stormwater management would be required to comply with applicable regulations at the time of site plan review, and no impacts were anticipated to schools, parks, or Fire and Rescue services. Ms. Wolfson further explained that the applicant was proposing several proffers to help offset potential negative impacts from the various permitted uses. Approval of the reclassification from A-1 to M-1 would provide additional flexibility regarding permitted uses, although the stated intent was to develop the property as a contractor's equipment and storage yard. The proffered use list excludes certain higher-intensity and potentially undesirable industrial uses. The proffers also limited maximum trip generation to 500-hour vehicle trips per day, limit building height to 50 feet, and require a private driveway connection to the existing cul-de-sac on Powell Lane if the Powell Lane extension and improvements proffered with the Belmont Park rezoning were not completed prior to construction on this property. Ms. Wolfson summarized the findings as follows:
Positive features included that the proposed low- and medium-intensity industrial uses were consistent with the Comprehensive Plan. The proposed use was consistent and compatible with established and developing surrounding uses. The proffers prohibited higher-intensity and undesirable uses, and the proffers limited building height and trips per day.
Negative features included: A lack of detail regarding architectural design in the proffers and the absence of a proffered tree save area, as previously noted. Ms. Wolfson recommended approval of the zoning reclassification with the conditions outlined in proposed Ordinance R26-04 and further recommended that additional commitments be considered to reduce potential impacts of the development, including commitments to specific architectural standards and materials and to a proffered tree save area. She concluded her presentation by noting that the applicant was present and available to answer questions.

Ms. Barnes asked if there were any questions for staff and recognized Ms. Caudill. Ms. Caudill inquired how waiving the majority of the Generalized Development Plan (GDP) elements would still allow the Planning Commission to evaluate compatibility and long-term impacts at the rezoning stage. Ms. Wolfson asked for clarification on what was meant by "waiving the GDP." Ms. Caudill clarified that she was referring to a waiver referenced in the packet. Ms. Wolfson acknowledged that Ms. Caudill was referring to waiving certain elements of the GDP, and Ms. Caudill confirmed. Ms. Wolfson stated that the proffers limited the property to certain uses and that staff recognized the intended use as a contractor's storage yard. She explained that, beyond those limits, the applicant did not yet know many of the specific site features, which would be addressed at the site plan stage. She noted this approach was consistent with other industrial rezonings the County had handled. Because the site was within an existing industrial area, and not adjacent to significant residential development where greater certainty would be required, staff believed the level of detail provided was adequate.

Ms. Caudill expressed concern that, although the proposal was located within the appropriate area under the Comprehensive Plan, the Plan also emphasized predictability, predictable impacts, infrastructure coordination, and compatibility. She questioned whether waiving certain GDP details was consistent with those Comprehensive Plan objectives. Ms. Wolfson responded that there was a need to balance flexibility and certainty and that, in this case, the site was primarily surrounded by industrial uses. She stated that such decisions were made on a case-by-case basis and that, if the site were in a residential area, staff would be more concerned about having detailed features shown.

Ms. Caudill asked how traffic generated by the JP Mercer Powell Lane site would be accounted for relative to the Belmont Park traffic proffers and triggers. She referenced traffic-related proffers in the Belmont Park approval and inquired whether traffic from this site could overlap with, or trigger, any conditions or obligations tied to the Belmont Park proffers, noting that those proffers have already been approved. Mr. Zuraf requested that the question be restated. She restated her question, asking specifically how traffic from the JP Mercer site would be treated in relation to Belmont Park's traffic proffers and triggers, and whether it might inadvertently cause any additional obligations for the County under those existing proffers.

Mr. Zuraf responded that, based on his recollection, the Belmont Park proffers addressed certain cash contributions, several of which had already been paid, and included specific limitations on particular uses that were unconnected and applied only to the Belmont Park site itself. He stated that the limitations and proffers associated with Belmont Park did not extend to this separate parcel and that he did not believe there would be any overlap between the JP Mercer site traffic and the Belmont Park traffic proffer obligations.

Ms. Barnes asked if there were any additional questions for staff. Mr. Shelton inquired whether the road extension was part of the Belmont Park project rather than the Mercer application. Ms. Wolfson confirmed that it was, explaining that a proffer in the Belmont Park project required the Belmont Park applicant to construct the road extension. Mr. Shelton thanked staff for the clarification.

Ms. Barnes asked whether the absence of architectural or design standards for the proposed use was typical. Ms. Wolfson responded that this was fairly standard for an industrial site but noted that because the property was within a Targeted Development Area (TDA), she had raised additional concerns. She stated she had thoughts on appropriate architectural expectations and confirmed that these comments had already been conveyed to the applicant. Referring to the staff report, Ms. Wolfson indicated that on page 10 of the staff report, she had listed examples of acceptable building materials that could be proffered, such as requiring at least 50% brick, stone, or split-face block, or similar quality materials. She clarified that she was not asking the applicant to commit to a specific building design, only to a palette of higher-quality materials.

Ms. Barnes observed that this approach provided the applicant with a fairly wide range of options. Ms. Wolfson agreed, explaining that while the building would be an industrial structure and not a restauranttype design, it was important to have some certainty about materials, so the County did not end up with a low-quality, "tin shack" appearance.

Ms. Barnes inquired about the tree preservation area for the JP Mercer Powell Lane application, noting that such areas were a particular concern of hers. She first asked staff to confirm whether there was an RPA on the parcel. Ms. Wolfson responded that there was an RPA located at the northeastern corner of the site. Ms. Barnes confirmed that the applicant would be responsible for maintaining the required 100-foot RPA buffer and that no disturbance would be permitted within that area, to which Ms. Wolfson responded in the affirmative.

Ms. Barnes then asked what staff was recommending for tree preservation outside of the RPA. Ms. Wolfson stated that staff was recommending the applicant proffer a limit of disturbance, but that the applicant had indicated they preferred flexibility at this stage because they do not yet know the exact layout of the site.

Mr. Oats asked whether the "disconnect" staff identified was due to a lack of detail in the application, and whether that level of detail was consistent with other rezoning applicants. Ms. Wolfson responded that staff had allowed similar levels of flexibility in other rezoning cases and that the amount of detail provided was comparable. She explained that, while flexibility was important, she also looked for a degree of certainty on specific site issues. Given the mature vegetation on the site, she had recommended a tree preservation area to provide that certainty. Mr. Oats confirmed that the answer addressed his question and characterized the situation as a 'second and third order effect' of insufficient detail at the front end of applications. Ms. Wolfson agreed that this was a fair way to describe it.

Mr. Dave Anderson with Timmons Group, representing the applicant, introduced himself and expressed his pleasure to be before the Commission. He noted that his presentation was very similar to staff's and that, rather than repeating the graphics already shown, he would focus on the substantive aspects of the request. Referring to the invocation's mention of "those who call Stafford County their home," he said this was an apt description of the applicant and requested permission to introduce the applicant so the Commission could hear briefly from him about himself and his company. Mr. Anderson then invited Mr. Josh Mercer to come forward to address the Commission.

Mr. Mercer addressed the Commission and introduced himself and his wife, Renee, as co-owners of the company and lifelong residents of Stafford County. He stated that most of his work was performed in Stafford County and that he had enjoyed living here his entire life. Mr. Mercer explained that he was seeking to move and grow his business on the subject property, which he had owned for a number of years, and he expressed appreciation for the Commission's consideration of his request.

Mr. Anderson stated that the proposed JP Mercer project was an infill between existing M-1 and M-2 industrial uses, noting that all surrounding parcels except the two parcels owned by Mercer were industrially zoned, and therefore the applicant was requesting M-1 zoning. He explained that the application had taken time not because of the Mercers' intended use, but because of the broader zoning considerations and issues that needed to be addressed. He acknowledged the Commission's concerns about architecture, clarifying that no building wais currently proposed. The intent was to operate a contractor's equipment yard with machinery stored behind a fence, with equipment leaving the site to serve clients and returning at the end of the day. Because there was no building planned, there were no architectural precedents to present at this stage. He emphasized this should not be viewed as a lack of interest in architecture; rather, any future building would be addressed through a full site plan and building permit process, which would include all required design and review standards. Mr. Anderson noted that the site was across an asphalt plant, and that the applicant had agreed to additional landscaping along the front of the property to pull back fencing and any future buildings from the road, thereby improving visual impact. Regarding tree preservation and the RPA at the rear of the site, he explained that an RPA crossed the back side of the property and that the site was completely surrounded by the Belmont Park development. He stated that the GDP was a conceptual plan assuming a BMP in the rear corner, and that final BMP design, limits of clearing, and limits of construction would be determined at the site plan stage. He emphasized that they were experienced in ensuring stormwater facilities were not designed directly on property lines in a way that would create off-site impacts, and that the final design would be consistent with preserving the 100-foot RPA buffer shown on the GDP. Mr. Anderson stated that some staff requests included additional buffers because of a house on an adjacent residentially zoned property; however, that parcel was over one-half mile deep, fronts on Sanford, and the dwelling itself was approximately 2,000 feet or more from the subject site. For that reason, he did not believe additional visual buffering was truly necessary, although the applicant agreed to comply with the request. He reiterated that the proposal was for a contractor's yard consistent with the surrounding M-1 and M-2 industrial uses, and that the applicants, longtime county residents, were simply seeking to grow their business in a manner that would also generate revenue for the County. Regarding questions on traffic and the Powell Lane extension, Mr. Anderson noted that the applicant had proffered a maximum of 500 vehicle trips per day. After consulting with the applicant, their anticipated actual use was in the range of 13–14 trips per day, compared to the County's generalized estimate of approximately 260 trips. He clarified that Belmont Park had separate traffic trigger thresholds that require additional traffic studies once certain volumes were reached to evaluate impacts to Warrenton Road, including signal timing and potential turn-lane modifications. Those Belmont Park triggers remain fully applicable and were not reduced or offset by the Mercer application; the Mercer traffic would be separate from, and would not count against, Belmont Park's proffered thresholds. Mr. Anderson concluded by emphasizing that the site was surrounded by industrial uses, the proposed operation would be a very low-intensity, quiet industrial use, and that if a building was ever proposed, full architectural details would be provided at that time.

Ms. Barnes inquired whether the applicant was seeking a blanket rezoning to the M-1 zoning district, noting that there were many potential uses within M-1, while the applicant had indicated the intended use was essentially a storage yard. Mr. Anderson confirmed that the intent was for a contractor's storage yard and stated that, as Ms. Wolfson had mentioned, several high-intensity, high-traffic uses had been removed from consideration. He added that they were not proposing a convenience store or similar high intensity uses and had pulled those out.

Ms. Barnes then confirmed that some of the by-right uses in M-1 had been removed and Mr. Anderson responded that they had. Ms. Barnes stated that, although the property was in an M-1 industrial area and it may seem counterintuitive to focus on tree preservation, she considered it very important to avoid clearing the entire site. She said that, without the applicant working with staff to reach a compromise or develop a plan for a tree preservation area, she could not support the request. She noted she was consistently focused on saving as many existing trees as possible. Referring to the large property to the north and east with a house located far toward the rear, she explained that she was not concerned with applying additional buffers there, particularly because the application materials describe that parcel as vacant. She emphasized that, while she heard the applicant's stated intentions, she wanted tree preservation protections in writing—either in the Ordinance or in proffers—because otherwise there was more flexibility than she was comfortable with.

Mr. Anderson acknowledged her concern and, in response, clarified that the adjacent property with the house would ultimately not be used in conjunction with the application, but the ordinance's reference to an existing house/residential use was what triggered certain buffering requirements. He then requested that the image of the Generalized Development Plan (GDP) be displayed so he could walk the Commission through the extent of the wooded area on both the subject and adjacent Belmont property and the distance involved.

Ms. Barnes asked Mr. Anderson if he was referring to the distance to the house.

Mr. Anderson replied that he was not referring to the house, but rather to the area shown on the GDP where the RPA cuts into the rear of the property. He explained that from that back corner to the opposite side—where no development can occur by either Mercer or Belmont Park—there was almost 400 feet of wooded area. Mr. Anderson stated that, from a site plan perspective, he would like the Commission to consider a 10-foot design edge, such that all land disturbance would be shown and limited to at least 10 feet outside the RPA setback line. He noted that the Mercers have already had to make many changes to their plans and were trying to move forward so they can begin work. He expressed the hope that the project could proceed with a site plan condition specifying that land disturbance would occur no closer than 10 feet from the RPA line and stated that this would be sufficient from a construction standpoint. He further noted that, given the environmental controls in the rear of the site that would remain undisturbed, such an approach would make sense.

Ms. Barnes asked Mr. Anderson to clarify if the proposed 10-foot buffer would be measured from the edge of the RPA line and would preclude any design elements, silt fence, or construction activity within that area, thereby establishing the construction limits outside the RPA.

Mr. Anderson confirmed this, noting that while 10 feet may seem narrow, the RPA itself already provides a 100-foot protection area for the stream, and given the meandering nature of the stream, the effective buffer was often more than 100 feet on the property.

Ms. Barnes then asked if the applicant was willing to commit this 10-foot buffer into a proffer, emphasizing that written commitments were necessary beyond stated intentions.

Mr. Anderson responded that, if it would allow the application to proceed without deferral, the applicant would be willing to add proffer language establishing a 10-foot limit of disturbance outside the RPA.

Ms. Caudill stated she was uncertain about the request, noting that the proposed M-1 zoning would allow about 24 plus different uses. She acknowledged the applicant's stated intent for a contractor's equipment and storage yard and said she understood that such a use involved equipment, machinery, and noise. However, she expressed concern that the full list of potential M-1 uses was a lot more and included uses very different from a contractor yard. She further questioned why the Belmont Park proffers were referenced in the materials if the Mercer project traffic was not intended to affect or be counted toward those proffers, and indicated she was unclear on that relationship.

Mr. Anderson responded that the property owner had been in the process for over a year and incurred significant costs and therefore wanted enough flexibility so as not to have to rezone again if circumstances or end users change in 10 to15 years. He stated there was no current intention to pursue other, more intensive uses, but they did not want to be permanently limited only to a contractor's yard. He emphasized that high-intensity traffic generators had been removed from the use list in response to staff and County concerns about Powell Lane traffic.

Regarding Belmont Park, Ms. Wolfson explained that the reference to those proffers was included only because this project would connect to a proffered extension of Powell Lane required with the Belmont Park rezoning. The Belmont Park proffers were provided as context for that road extension, not to combine or share traffic accounting between the two projects. Ms. Wolfson clarified that Belmont Park was approved earlier, so its traffic analysis and proffers did not and could not include traffic from the Mercer site; the two were separate for traffic and proffer purposes.

Ms. Caudill acknowledged the explanation and the discussion then moved on to the public hearing.

Kristen Maxson of Falmouth District expressed concern about confusion arising from a sign shown on page 598 of the packet that appears to reference "Blackstone" property near the JP Mercer / Powell Lane site in the Falmouth Business Center. She noted that the overhead photo in the materials does not clearly show Powell Lane or parcel boundaries, making it unclear whether the sign relates to the subject property or an adjacent one and mentioned that because "Blackstone" was also the name of a large investment firm involved in other enterprises (including events and an entity using the acronym ICE), this had led to public confusion and rumors online. She emphasized that online information about such large companies can be unreliable, and this illustrates how misunderstandings can spread when relationships between entities and properties were not clearly documented and asked that future agenda materials and staff reports more clearly reflect accurate ownership and site information so the public can rely on them as the best source of truth. She stated her intent was not to hinder the applicant but to highlight how unclear references can generate rumors and confusion in the community.

Ms. Barnes closed the public hearing and returned the matter to the Commission. She invited the applicant to respond.

Mr. Anderson clarified that any earlier reference was to Luck Stone, not Blackstone. He explained that Luck Stone was the property owner that executed and recorded the plat dedicating the extension of public right-of-way. He noted that Luck Stone was a large Virginia landowner involved in quarry, mining operations and other related activities and stated that they have been working with Luck Stone to provide a VDOT public road extension on that adjacent property, which would serve as the public right-of-way that the Mercer property would tie into.

Ms. Barnes asked the applicant if he would be willing to add a proffer that would establish an additional 10-foot tree preservation area beyond the existing buffer. Mr. Anderson responded that he would need to consult with his client and stepped away to do so.

Ms. Barnes then called for a five-minute recess so that the applicant and staff could consider the recommendation and appropriate proffer language.

The meeting recessed at 7:56 PM and reconvened at 8:04 PM.

Ms. Barnes asked staff to present the updated proffer language.

Ms. Wolfson stated the revised proffer as follows: "A 10-foot tree preservation buffer, measured from the edge of the Chesapeake Resource Protection Area (RPA) buffer, shall be maintained and preserved."

Ms. Barnes acknowledged the language and asked if there were any questions from the Commission. There were none, and she returned the item to the Commission for action, noting that the property was located in Ms. Caudill's district. Ms. Caudill moved to accept the updated proffer language as read to the Commission. Mr. Shelton seconded the motion. Ms. Wolfson thanked the Commission for accepting the added tree preservation proffer. The motion to accept the updated proffer language carried a vote of 6-0 (*Ms. Siegmund absent*).

Ms. Caudill moved to recommend approval of the Proposed Ordinance O26-04 reclassification for the project known as JP Mercer Powell Lane, with the updated proffer language included. Mr. Shelton seconded the motion. Ms. Caudill congratulated the applicant. Ms. Barnes added that, although the site was in an industrial area, she strongly supports preserving any existing tree cover and appreciated the applicant's willingness to add the tree preservation proffer. The motion to recommend approval of Ordinance O26-04, with proffers as amended, passed unanimously by 6-0 (*Ms. Siegmund absent*). Ms. Barnes congratulated the applicant and noted their patience throughout the evening.

4. <u>WAI25156652; Departure from Design Standards – Vulcan Materials – Heritage Commerce Center</u> – A request for a departure from the Design and Construction Standards for Landscaping, Buffering and Screening (DCSL) Manual Section 1204, "Street Trees," on Tax Map Parcel No. 44N-1-10, zoned M-2, Heavy Industrial. The Property consists of approximately 3.443 acres, located west of Commerce Parkway, near the intersection of Capital Avenue, within the George Washington Election District. **(Time Limit: April 12, 2026)**

POSTPONED

5. <u>RC25156318; Zoning Reclassification – Buc-ee's of Stafford</u> – A proposed zoning reclassification with proffers, from the B-2, Urban Commercial Zoning District to the B-1, Convenience Commercial Zoning District on Tax Map Parcel Nos. 29-60C, 29-60D, 29-60E, 29-60F, 29-60G (portion), and 29-ROW, consisting of approximately 38.68 acres (Property), to allow a travel center with vehicle fuel sales and high-intensity commercial retail. In general, the proposed proffers include, but were not limited to, provisions that would: make the reclassification contingent upon approval of the concurrent request for a conditional use permit; require the Property to be developed in general accordance with the generalized development plan (GDP); require signage be in general conformance with the site signage package; require architectural elements and design in conformance with illustrative building elevations; specify how access to the Property was provided; require specified transportation improvements; and address vacation or abandonment of right-of-way located at Tax Map Parcel No. 29-ROW. The Property was located on the northeast corner of the intersection of Courthouse Road and Austin Ridge Drive, within the Garrisonville Election District. **(Time Limit: February 6, 2026 – Waived by Applicant) (History – Deferred at the October 29, 2025 meeting to the January 14, 2026 meeting -- Deferred by Applicant, future date to be determined)**

6. <u>CUP24155520; Conditional Use Permit – Buc-ee's of Stafford</u> - A request for a conditional use permit (CUP) to permit vehicle fuel sales, high-intensity commercial retail, and a comprehensive sign plan in the B-1, Convenience Commercial Zoning District on Tax Map Parcel Nos. 29-60C, 29-60D, 29-60E, 29-60F, 29-60G (portion), and 29-ROW (Property). The Property consists of approximately 38.68 acres and was located on the northeast corner of the intersection of Courthouse Road and Austin Ridge Drive, within the Garrisonville Election District. The Property was subject to a concurrent request for a zoning reclassification to the B-1, Convenience Commercial Zoning District. **(Time Limit: February 6, 2026 – Waived by Applicant) (History – Deferred at the October 29, 2025 meeting to the January 14, 2026 meeting -- Deferred by Applicant, future date to be determined)**

7. <u>RC24155845; Zoning Reclassification – Potomac Church Tech Center Proffer Amendment</u> – A proposal to amend proffered conditions on Tax Map Parcel No. 39-71A, consisting of

approximately 49.85 acres zoned B-2, Urban Commercial to modify proffers related to transportation, to incorporate language and requirements relating to the existing Water Infrastructure Agreement, to modify development phasing in relation to utility infrastructure requirements, and to adjust proffers related to water use. Other existing proffers applicable to the Property pursuant to Ordinance O23-27, dated November 14, 2023, would remain unchanged. The Property was located along the east side of Old Potomac Church Road, across from the intersection with South Campus Boulevard, within the Falmouth Election District. **(Time Limit: September 19, 2025) (History – Deferred at the June 11, 2025 meeting to the July 23, 2025 meeting; Deferred at the July 23, 2025 meeting to the August 27, 2025 meeting) (Deferred by Applicant, future date to be determined)**

UNFINISHED BUSINESS

NONE

NEW BUSINESS

8. Application Time Extension – A request to grant a time limit extension for action for a Zoning Reclassification application, pursuant to Stafford County Code Sec. 28-162, “Review and requirements,” for a project known as JP Mercer Powell Lane.

Discussed before Public Hearings.

9. Application Time Extension – A request to grant time limit extensions for action on multiple Zoning Reclassification and Conditional Use Permit applications, pursuant to Stafford County Code Sec. 28-162, “Review and requirements,” and Sec. 28-185, “Conditional use permits,” for Potomac Creek Campus (Data Center), Sheetz at Enon Road, and Blaisdell Data Center.

Mr. Zuraf recognized Ms. Wolfson again for the staff presentation.

Emilie Wolfson from the Planning Office presented three development applications requesting time extensions: Potomac Creek Campus, Sheetz at Enon Road, and the Blaisdell Data Center. She explained that the Zoning Ordinance imposes various deadlines on applications and that, due to staff workload and the nature of applicant responses, some projects periodically need more time to address comments. She reviewed each application individually. For Potomac Creek Campus, a rezoning for a 99.33-acre data center project, the 12-month deadline expired on December 4. The applicant requested a four-month extension to March 4, 2026. She pointed out that the request was shorter than the typical six-month extension, meaning an additional extension request may be necessary.

For Sheetz at Enon Road, involving both a rezoning and a conditional use permit for a store with 12 fueling stations, the deadline was January 27. The applicant requested an extension to July 27 of this year. For the Blaisdell Data Center, also a combined rezoning and CUP for a data center and electrical substation, the current deadline was February 28. An extension to August 26 was requested.

Ms. Barnes asked whether applicants were required to give reasons for extension requests. Ms. Wolfson stated that while they typically do, it was not mandatory. Ms. Barnes confirmed that staff believed the applicants were actively working rather than delaying. Ms. Wolfson affirmed this.

Mr. Oats confirmed that these were first-time extension requests for all three applications. Mr. Shelton asked whether the Commission votes on extensions individually or as a group, and staff clarified that items can be taken together unless a Commissioner wishes to separate them. Staff also confirmed that no public hearing was required.

Ms. Barnes noted that the Board of Supervisors receives timeline summaries with extension items and suggested that similar timelines would be helpful for the Planning Commission. Ms. Wolfson said this could be provided in future agendas.

Mr. Shelton moved to approve the requested extensions for all three applications, and Commissioner Bratton seconded. The motion passed unanimously, 6–0, with one absence (*Ms. Siegmund absent*).

The Commission then moved on to the next agenda item, the Comprehensive Plan 5-Year Update, presented by Mr. Geouge.

10. Comprehensive Plan 5-Year Update

Brian Geouge presented the kickoff for the 2026 five-year Comprehensive Plan update. He explained the purpose of the Comprehensive Plan as a 20-year guide for Stafford County's growth, covering public infrastructure, land-use policies, housing, economic development, and more. The Plan is required to be reviewed every five years under state code, though an update is not mandated—only a determination of whether revisions are advisable. Stafford completed its last update in 2021, and the next cycle targets completion by December 2026.

Mr. Geouge reviewed updates made in the 2021 cycle, including changes to the Urban Services Area boundaries, Targeted Development Areas, transportation and utilities planning, solar and data center policies, and public facility projections. He then outlined amendments made since 2021, including additional data center standards, solar facility guidance, and adjustments tied to the Stafford Technology Campus. He also summarized pending amendments and recently enacted state code provisions affecting land use and housing policy, along with several significant bills under consideration this year. He presented an overview of residential development trends, noting that while overall growth has slowed, development patterns have diverged significantly from Comprehensive Plan goals. More development has occurred in suburban and rural areas than envisioned, while TDAs continue to receive far less than the 50% target. He also discussed expected updates to demographic estimates, noting that population projections are forthcoming from Weldon Cooper.

Mr. Geouge reviewed the land-use plan map and designated growth areas, then outlined the key issues staff believes should guide the 2026 update, including community engagement methods, updated growth projections, land-use revisions, implementation priorities, transportation integration, and legislative changes relating to housing and environmental policy.

Commissioners asked questions regarding slides, amendment selection, and anticipated legislative impacts. Ms. Barnes added context about past update cycles, community participation, and workload challenges driven by population growth.

Following the presentation, Ms. Barnes established the Comprehensive Plan Subcommittee. She described the Commission's inclusive approach, encouraging all commissioners to attend and participate in subcommittee meetings. Commissioners Caudill, Shelton, and Siegmund were appointed as members, with Commissioner Bratton named as alternate; Commissioner Caudill would chair the group. Ms. Barnes recommended using the ABC Room for accessibility to the public whenever possible.

Ms. Caudill encouraged broad participation, noting the learning value from the previous update cycle. Ms. Barnes shared recent population growth statistics to underscore the increasing demands on the planning process. The Commission then moved on to the next scheduled agenda item.

PLANNING DIRECTOR'S REPORT

11. Project Pipeline Report (For Information Only)

Planning Director Mike Zuraf presented the Project Pipeline Report, noting that several cases are scheduled for upcoming Planning Commission meetings and that commissioners will receive materials in advance. He then reported on follow-up actions related to two citizen concerns raised at the previous meeting. The first involved issues with a pond and wetlands along Potomac Run Road; he explained that the Board of Supervisors received the same concern, and the County Administrator addressed it during the February 3 Board meeting. He informed Commissioners that they could view the detailed explanation beginning at the 2:42:00 mark of the Board meeting video. The second issue involved well concerns on Clark Patton Road. Mr. Zuraf stated that County Administration was collecting information on that matter and staff would share updates as they become available. He concluded his report, and the Chair moved to the County Attorney's Report.

COUNTY ATTORNEY'S REPORT

Ms. Lucian stated she had no report.

COMMITTEE REPORTS

Ms. Barnes announced that there were no committee reports to present. In her Chairman's Report, she welcomed everyone back, noting she was glad all had weathered recent conditions and were "thawing out." She thanked staff for the numerous presentations and the extensive information provided throughout the evening, emphasizing that the Commission greatly appreciates their work.

During Other Business, she reviewed new TRC submissions and noted that the County Fire Station project in Aquia appeared to finally be advancing through the review process. She then confirmed that there were no minutes to approve at this meeting.

CHAIRMAN'S REPORT

OTHER BUSINESS

12. New TRC Submissions

- 25156890 STAFFORD CO FIRE STATION #9
  - A major site plan for the development and construction of Fire Station #9 located east of Richmond Highway between Washington Drive and Town Center Boulevard on TM # 21-49, zoned B-2, consisting of 4.83 acres, within the Aquia Election District.

APPROVAL OF MINUTES

NONE

ADJOURNMENT

At 8:47 PM, Chairman Barnes adjourned the February 11, 2026, Stafford County Planning Commission meeting.