

STAFFORD COUNTY PLANNING COMMISSION

May 27, 2026

The meeting of the Stafford County Planning Commission of Wednesday, May 27, 2026, was called to order at 6:00 PM by Planning Commission Chair Kristen Barnes, in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center.

MEMBERS PRESENT: Kristen Barnes, Carlos Bratton, Marcus Oats, Willie Shelton, Jr.,
Maureen Siegmund

MEMBERS ABSENT: Kelsey Caudill, Neil Hamblin

STAFF PRESENT: Mike Zuraf, Lauren Lucian, Stacie Stinnette, Emilie Wolfson, Jasmine
Bridges, Ramin Sadiq, Calvin Dixon, Virginia Adams

CALL TO ORDER:

Ms. Barnes called the meeting to order at 6:00 p.m.

INVOCATION:

Ms. Siegmund led the invocation.

PLEDGE OF ALLEGIANCE:

Mr. Shelton led the pledge of allegiance.

ROLL CALL OF MEMBERS AND DETERMINATION OF QUORUM:

Mr. Bratton called the roll, with five members present, and determined there was a quorum.

DECLARATIONS OF DISQUALIFICATIONS:

There were no declarations of disqualifications.

PUBLIC PRESENTATIONS:

Ms. Barnes opened the Public Presentations portion of the meeting and read the procedures for speakers.

Kristin Maxson, Falmouth District, stated that in Virginia, it was illegal to remove a real estate sign to take possession of it without the owner's consent. She said that such actions could lead to serious legal consequences, including vandalism charges and theft charges. She said that regarding the water infrastructure agreement, it was not given today on the agenda and there was no site for the Commissioners. She said that it was an empty hearing for the public. She said that it read as a broken record. She said that published on May 18, 2026, Dominion Energy had been back and forth with a Florida-based energy company called NextEra, or vice versa, still with rumors.

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Ms. Maxson said that it spoke of credits, a nonprofit environmental organization. She said that it believed credits were not enough to make up for the long-lasting impacts, especially for Stafford County, likely Florida to Maine, and data center growth. She said that it was uncertain if this would pass. She said that Stafford County had spoken against credit swapping, which was a shell game. She said that they should not allow the monopolies to take away from the general public utilities and the local environment. She said that her next topic was Stafford County's public concern about data centers and possibly the Hanson Land Management System files or related database of such.

Ms. Maxson said that this related database had been criticized as being toxic, particularly due to concerns with its impact on soil and water activity. She said that this had raised significant issues in Stafford, Virginia, where it used such a link to environmental contamination as reports by records dated since May of 2019. She said that as seven years close today started with threats on the staff, it was reported that staff was threatened on May 18, 2026, at the last Board of Supervisors meeting upon the fifth hour and forty-five minutes into the videotape.

Ms. Maxson said that her next topic was the April 16, 2026 budget work session. She said that the Board of Supervisors agenda was updated a day after the meeting, April 17, 2026. She said that this was against the bylaws. She said that on another topic, bonds were now proposed to be switched in Potomac Church proffers to ensure data center build. She said that it was like a human shield. She said that this was crazy when generally the public did not want data centers. She said that Stafford County was experiencing high debt levels of 15% debt with bond upon bond.

Alyson Azzara, George Washington District, said that she wanted to address some of the claims and parts of the discussion that they heard at the last meeting about water usage for cooling. She said that she referenced some numbers, and she wanted to make sure that the Commission had the information and the references for what she was talking about for their own education, and then also some additional information to provide some context. She explained that essentially, the corporation that was being represented said that for 96% of the year they were going to use free cooling and for 4% of the year they were going to use water for cooling.

Ms. Azzara said that free cooling used favorable outdoor conditions to remove heat from data center information technology (IT) equipment, but it had to stay within what was called the thermal envelope, which was basically the operational conditions, the temperature conditions, which were 64.4 to 80.6 degrees Fahrenheit, with a relative humidity not to exceed 60%. She said that it mattered because last year, Stafford County had 101 days above 80 degrees and they had already had at least 21. She said that 4% of the year was 15 days, so they had already blown past the 4% standard.

Ms. Azzara said that they were just kind of throwing it around there, but they were not promising anything to do with that. She said that in addition, the only public record that she could find that referenced anywhere near 96% free cooling was referencing the Amazon sites in Ireland and Sweden, and those were the ones that were able to meet that 95%. She said that there was no record anywhere of

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Northern Virginia except for that one slide that they had. She said that otherwise, it was not publicly available. She said that to her, that was concerning with some inconsistencies.

Ms. Azzara said that the other part was the water use reporting. She said that they were saying that they were not going to use above a certain number of gallons per day, but these corporations did not actually say that they were going to report their water usage. She said that they said they were going to report their water usage ratio, which was a ratio of the amount of water that was used to the amount of electricity that was provided. She said that in theory, one could use more water and create a smaller ratio, which looked better on paper, but they were actually using more water. She said that the United States government fought against this at the International Maritime Organization when vessels wanted to report the ratio of carbon dioxide instead of the total amount of carbon dioxide because they did not match.

Ms. Azzara said that if they were reporting only a ratio and they were reporting a low ratio, they were also only reporting their global ratio, not the individual center. She said that for the one in Stafford, they were not going to know what the ratio was. She said that they were only going to know what the total ratio globally was, and they were not going to report the total gallons used. She emphasized that this was problematic from a reporting specific area. She said that the other pieces were just talking about some of the language they used around water positive methodologies, which captured rainwater. She said that they talked about the hydrologic cycle. She said that if one was capturing rainwater, it was not free. She said that it was being removed from the system. She said that they were using that to offset their total water usage.

Erin Sanzero, Hartwood District, said that she submitted for the record a copy of a recent Virginia Department of Environmental Quality (DEQ) enforcement action that involved Amazon data services at the Cosner Tech Campus in Spotsylvania County. She said that she shared this with the Commission not to be alarmist, nor did she want to suggest that every data center would always violate its permits. She explained that she shared it with them because it offered a concrete local example that was time-sensitive and recent as to why residents' concerns about data center impacts were not abstract.

Ms. Sanzero said that the report was eight pages long and it was dense, so she would summarize. She said that according to the consent order, the facility was permitted for 186 non-emergency diesel generators and 15 emergency generators. She said that during commissioning activity, a power outage led to the startup of three non-emergency diesel generators. She said that once those generators reached the temperature where what was called the selective catalytic reduction pollution control system was supposed to kick in and start treating the exhaust, the required urea flow was zero for part or all of the run.

Ms. Sanzero said that DEQ determined what that meant was that the facility exceeded its permitted hourly nitrous oxide allocation limits. She said that that same order also identified opacity exceedance during later stack testing. She said that Amazon had documented that the action was corrected, and follow-up testing showed compliance, but DEQ still issued a formal enforcement action and required payment of a civil charge. She said that her point that night was not to overstate what happened; her

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point was that it did happen. It happened here in their region at an AWS-related facility under a permit during what might otherwise sound like a routine commissioning process.

Ms. Sanzero said that as the Commission considered additional applications, this example, she hoped, gave them a good reason to proceed carefully. She said that these concerns were not simply lessons from Loudoun or Prince William. She said that these were concrete; they were material, and they were here, close to home. She said that this example illustrated why diligence, oversight, enforcement, and responsible siting were so important. She said that when a proposed use depended on large fleets of diesel generators, the community deserved to know not only what was modeled on paper and what protections existed when equipment failed, which it would, outages occurred, or real-world operations differed from the assumptions they discussed there.

Ms. Sanzero said that she believed genuinely that many of them shared the desire to steward the common good thoughtfully together. She said that one of the chief ways they did that was by acknowledging that there were places where data centers belonged, and there were places where data centers did not belong. She said that responsible siting was not opposition to economic development. She said that it was simply how they made sure development was compatible with the health, safety, and welfare of the communities asked to live beside it. She said that she commended them, and she hoped it helped them continue to hold close as they navigated these decisions around responsible siting.

Vick Islandfield, Aquia District, said that he was the Department of Defense (DOD) deployment manager for the electronic health record system around the globe using a DOD data center and got to take a look at those diesel backup systems up close and personal and the small lake in Montgomery, Alabama that fed that beast. He said that it was really quite an operation. He said that when they did not work right, they could be a pretty polluting sort of environment there for sure.

Mr. Islandfield said that he wanted to talk again today on energy. He said that he mentioned last time to them that if and when all 27 of the data centers that the Board of Supervisors had already approved to be built in Stafford County actually came to pass, they would consume four times the amount of energy that Stafford County consumed today, according to current estimates. He said that this would mean more power lines, more power generation facilities, and a higher cost for someone.

Mr. Islandfield said that he mentioned to them also last time that in Senate Bill 253, which was in the House in Richmond right now, the Governor had already reviewed that bill and it had gone back and forth a little bit to be marked up. He said that it basically allowed the State Corporation Commission (SCC) to tell Dominion not to pass the costs of data center energy, infrastructure, or the power itself down to residential customers there. He said that he thought they had their fingers crossed hoping that that would actually happen.

Mr. Islandfield said that the president signed a ratepayer protection pledge on March 4. He said that there was one sentence in here that he thought was pretty important. He said that they were calling on all leading U.S. hyperscalers and artificial intelligence companies to build, bring, or buy all of the energy

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needed for building and operating data centers, paying the full cost of their energy and infrastructure no matter what. He said that the signatories, which was actually appended to the actual pledge that these guys signed, included, as they mentioned earlier, Amazon, OpenAI, Microsoft, Google, Oracle, XAI, and Meta.

Mr. Islandfield said that probably about 90% of the customers that were going to be there in Stafford County all signed that pledge. He said that they said that they would, and this was a pledge; it was not a law or a regulation, so it was perhaps not enforceable in common sense. However, they had already said that they would pay that. He said that they were working on the bill in Richmond, and he just wanted to make sure that the Commission was watching the energy consumption targets of these companies and trying to ensure that those costs were not passed on to the residents of Stafford County.

PUBLIC HEARINGS

1. PLANNING AND ZONING; CONSIDER A PROPOSAL TO AMEND THE "STAFFORD COUNTY, VIRGINIA, COMPREHENSIVE PLAN 2016-2036 2021 5-YEAR UPDATE," ADOPTED ON NOVEMBER 16, 2021, AS LAST REVISED (COMPREHENSIVE PLAN), REGARDING FUTURE LAND USE DESIGNATIONS THAT WOULD SUPPORT HIGHER DENSITY COMMERCIAL DEVELOPMENT ON TAX MAP PARCEL NO. 38-126 (PROJECT KNOWN AS COM24155690; AMENDMENT TO THE STAFFORD COUNTY COMPREHENSIVE PLAN - POTOMAC CREEK CAMPUS)

Mike Zuraf, Director of Planning and Zoning, stated that staff would present a combined presentation for Items 1 through 4.

Ramin Sadiq, Planner III, stated that he would provide the staff presentation for the Potomac Creek Campus project. He said that the proposal contained four applications requesting a Comprehensive Plan amendment that would amend the Future Land Use Map (FLUM) to expand the Urban Service Area (USA) and amend the future land use from Agricultural Rural to the Central Stafford Targeted Development Area (TDA) and future land use to business and industry.

Mr. Sadiq said that the second application was about zoning reclassification from A-1 Agricultural zoning district to M-2 Heavy Industrial with proffers. He said that the third one was about the Comp Plan compliance review for the placement of one electric substation compound. He said that the fourth one was about a conditional use permit (CUP) for a maximum building height of 70 feet and to allow a public facility utility substation, an electric substation in the M-2 Heavy Industrial zoning district.

Mr. Sadiq said that all these were for permitting a data center and related accessory uses. He said that for background, the subject parcel was located on Tax Map Parcel No. 138-26. He said that the site area was 99.34 acres, located in the Falmouth Election District. He said that the applicant was Mr. Joe Jacob, and the agents were from Cooley LLP. He said that this was a follow-up to the public hearing held by the

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Planning Commission on April 22, 2026, which recommended deferral of this project to today's date, May 27, with the following recommendations.

Mr. Sadiq explained that the recommendations included that the floor area ratio (FAR) of 0.4 to be consistent with the submitted trip generation of 965 vehicles per day. They resolved the concern regarding the maximum trips; that was already included in the proffer. The general development plan (GDP) should be revised to include the required noise mitigation measures for the southern property. He said that there was another recommendation about the preliminary sound study to include low-frequency noises, provide basic details about the substation area, and provide a load letter from Dominion Energy, and lastly, resolving comments on historic and cultural resources.

Mr. Sadiq said that following the Commission meeting on April 22, some updates happened to this project, starting with the Historical Commission meeting that happened on May 7, 2026, which provided its recommendation and feedback. In addition, staff had continued coordinating with the applicant and received updated materials, which included the following revisions: amended proffers, mainly revisions to proffers 19, 26, and 27; some minor updates to the GDP on three sheets; provided an illustrative substation area looking west; the applicant had provided the load letter application that he had submitted to Dominion Energy on April 3, 2026; and lastly, they provided the revised preliminary noise study that included analysis of low-frequency noise.

Mr. Sadiq said that looking at the evaluation of each application, starting with the Comp Plan Amendment, since the Planning Commission meeting on April 22, no changes were proposed to the Comp Plan Amendment application. He said that the only minor amendment was the GDP sheets. He said that the slides contained staff evaluation on these three applications: the zoning reclassification, the Comp Plan compliance review, and the conditional use permits.

Mr. Sadiq said that starting with the updated GDP, there were no changes to the proposed FAR of 0.4, which was equal to 1.7 million square feet of gross floor area that would generate 1,263 vehicles per day, exceeding the 1,000 vehicles per day threshold for the traffic impact analysis (TIA). Staff noted that this concern could be addressed through the recommended changes to Proffer 19. He said that there was a minor update about the legend of sheet C400 regarding the open space area, and an added notation on sheets C500 and C501 for fenced generator enclosures to the previously proposed modified setbacks and buffers to the east and west or proposed.

Mr. Sadiq said that regarding the amended proffers, starting with Proffer 19, the updated language stated that if daily vehicles per day exceeded 965, the applicant shall submit a TIA to the County and VDOT, including proposed mitigation methods if necessary. He said that staff found that establishing a hard limit on vehicles per day below the TIA threshold was an acceptable approach to ensuring compliance with the TIA submission requirement. He said that staff did not support proffer language that could result in actual traffic volumes reaching or surpassing 1,000 vehicles per day.

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Mr. Sadiq said that regarding Proffers 26 and 27, the updated language of these proffers could not address sufficiently the concern and recommendations of the staff and Historical Commissions on historical and cultural resources. He said that staff recommended further revisions to these proffers as follows: the final determination of location if cemetery was relocated onto the same parcel, the location choice should be satisfactory to identified descendants; the Phase I archaeological study may need to encompass the entire parcel if deemed necessary by the archaeological professional; and the Historical Commission recommendation of a Phase III study based on the determinations of the Phase II study.

Mr. Shelton asked if Ms. Kotting could address the cemetery on the property.

Nancy Kotting, Cultural Resource Specialist, asked if Mr. Shelton had a specific question.

Mr. Shelton said that he did not recall reaching a resolution regarding the Seddon family cemetery and whether it had been approved by the Commonwealth and the County to be moved. He stated that he believed that needed to be resolved before taking the land use designation into consideration.

Ms. Barnes said that she had questions as well, but she would first ask Mr. Sadiq to finish his presentation.

Mr. Sadiq said that regarding the substation area, the applicant provided another illustrative section that showed the west-facing view of the substation area, which provided improved insight into the visibility of the substation from the eastern property. He said that they also provided the load letter application that confirmed it was under process within Dominion Energy, but it was still not approved.

Ms. Barnes asked if the trees in the rendering were current trees on the property.

Mr. Sadiq said that he did not think they were existing, but he would defer this to the applicant to explain those details. He said that he would add that the applicant had previously noted that a load letter from Dominion Energy could not be obtained before zoning reclassification was approved. He said that regarding the revised preliminary noise study, the revised study included a low-frequency sound level analysis under two hypothetical scenarios.

Mr. Sadiq said that scenario one was a baseline condition with a data center building operating without any generator, which was shown on the slide, and the table showed the sound level of the dBA and dBC. He said that the next slide showed condition two, which included both the data center building and generator testing with their associated dBA and dBC sound levels.

Mr. Sadiq further added that verification of a licensed professional engineer was still outstanding in the revised preliminary sound study. He then summarized staff's recommendations on all applications related to this project. He said that starting with the Comp Plan Amendment, staff generally supported and recommended approval of the application pursuant to Planning Commission Resolution R26-110.

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Mr. Sadiq said that regarding the zoning reclassification application, staff noted several positive aspects of the application. He said that staff could not support approval until the trip generation or TIA requirement was resolved, as it was a minimum application requirement. Staff encouraged the applicant to address the following deficiencies before the Board meeting: revise the FAR, which was associated with Proffer 4, to align with submitted trip generation data, or revise the vehicle trips per day, which was written in Proffer 19, as recommended; revise the GDP to show the required screening for the Southern residential property, addressing the Historical Commission's comment on historical and cultural resources.

Mr. Sadiq said that should the Commission desire to recommend approval, staff recommended making it contingent on approval of the concurrent Comp Plan Amendment. He said that regarding the recommendation for the Comp Plan compliance review, staff was generally in support and recommended approval of the application pursuant to Planning Commission Resolution PCR26-13. He said that for the CUP, staff was generally supportive of the application and recommended approval subject to approval of the concurrent zoning reclassification application and pursuant to Resolution R26-113.

Mr. Shelton asked if Ms. Kotting could address the issue of the cemetery. He said that he was concerned about the potential desecration of a graveyard in Stafford County, and in this case a data center would be placed on top of a cemetery, which was not apropos.

Ms. Kotting said that she would summarize the comments provided by the Historical Commission. She explained that concerning Proffer 26, the Historical Commission met on May 7, 2026. She said that they had this on their agenda for April, but they were unable to reach quorum, so it was not addressed until the May meeting. She said that they wanted to strike the term "as applicable" from it.

Ms. Kotting stated that the Historical Commission recommended to add the language "the removal and reinterment shall be conducted by the Secretary of the Interior, a qualified archaeologist hired by the applicant. The scope of work was to be approved by the County Cultural Resources Specialist or their designee. The final technical report shall be produced for review by the County Cultural Resources Specialist or their designee. The location for reinterment shall be determined in consultation with descendants and the Historical Commission in case descendants were not found."

Ms. Kotting said that she believed the current proffer allowed the Historical Commission, descendants, and the applicant to reach a decision as to location; if they could not, the applicant reserved the right to make the decision as to where the remains would be relocated. She said that she was reading from draft minutes that had not yet been approved by the Historical Commission.

Ms. Barnes said that if they were going to add that language to the proffers, they needed to have specific language rather than the draft minutes.

Ms. Kotting clarified that the specific language was included in the attachment to the meeting packet this evening. She said that as a Result of the Phase I study, the Historical Commission recommended an

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archaeological report on that study be submitted to the County, and that a Phase II study to commence. She said that generally, when a qualified archaeologist did a Phase I and or Phase II study, their report was submitted to the Department of Historic Resources and became available to professionals in the field to view, but it may not necessarily be in a timely manner.

Ms. Kotting said that further language that they recommended was that the applicant proffer to conduct archaeological monitoring during all ground-disturbing activities with the Secretary of the Interior qualified archaeologists, including someone specialized in the identification of human remains, and that they develop an unidentified and unanticipated discovery plan as it related to potential human variables that were somehow missed. She said that since there were known unmarked burials that would be delineated, if they happened to not find one particular burial, they wanted to reserve a plan for perhaps a discovery of human remains through the course of construction; they needed a plan in advance as to how that was going to be handled.

Ms. Kotting stated that the final comment from the minutes was regarding if the Phase II report determined eligibility for the National Register. She noted that getting listed on the National Register was not necessarily the objective of a determination of eligibility. She said that that determination of eligibility was arrived at through standardized criteria that were developed by the Secretary of the Interior, and it was criteria that was used with consistency across all 50 states. She said that it was a very high standard. She said that it was very consistent and obviously very professional.

Ms. Kotting said that when a cultural resource was evaluated for eligibility, they as professionals trusted that the evaluation to criteria was done to a very high standard that was reliable, and with which they could make decisions locally about what was to be done with these resources. She said that the Historical Commission stated that if the Phase II report determined eligibility or potential for eligibility, then the applicant must mitigate either through preservation in place and or Phase III excavation. She said that this would apply to archaeological artifacts discovered there that may have been related to previous settlement there, an agricultural building, a home, etcetera.

Ms. Kotting said that their research showed that there were buildings there; they had tax information and other records. With regard to the relocation of the cemetery, the applicant had expressed a desire to relocate this cemetery. She said that they had to go through a legal process because it required requesting permission from the circuit court to do so, and there was a process of notification. She said that wishes of descendants would ideally be considered by the judge. She said that the judge should also, according to the Virginia Code, consider the historical significance of the cemetery, among other items that they might consider.

Ms. Kotting said that the judge might choose to grant permission to relocate with whatever stipulations they might want to attach to it or deny them the ability to relocate and insist that it stay in place where it was. She said that either way, if this applicant wished to relocate this cemetery onto the same parcel but outside of the limits of disturbance, they would have to abide by the Stafford County Cemetery

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Ordinance. She said that whether it was relocated or remained in place, it would have to be professionally delineated so that they ensured that all known burials were captured and protected.

Mr. Oats asked if there was any precedent already set on approval or denial.

Ms. Kotting replied that in the state of Virginia, there were a number of circumstances where relocation was denied. She said that it had been approved in other cases, so each case was different.

Mr. Oats asked if there were any parameters or rationale that could be applied to those cases where relocation was denied.

Ms. Kotting said that she could research and follow up with the details of circumstances where removal and relocation was denied by the circuit court.

Mr. Bratton asked if the applicant been working with the staff and Historical Commission to mitigate damages to the site. He asked if the applicant had been compliant and willing to work with the County to preserve the site.

Ms. Kotting said that at this point in the development review process, all of that language was included in the proffers, and she said that they had had some back and forth with that. She said that actual execution of compliance occurred at site plan approval, so they had done as much as they could up to this point in the development review.

Ms. Barnes said that the proffers were still pending; they had not yet been approved. She said that they needed to determine the language of those proffers and she would only be comfortable moving forward with this application if those details were fully fleshed out in the proffers. She said that having that language included in the proffers was a critical component of this project.

Mr. Shelton asked if they identified any direct relatives of either the Seddons or subsequent later owners of the subject property.

Ms. Kotting said that she believed there were several residents in Stafford County who were descendants of owners of this property. She said that these included families by the name of Seddon and families by the name of Johnson or Johnston.

Ms. Barnes asked if they had been in contact with any of those family members.

Ms. Kotting confirmed that she had.

Ms. Barnes asked if those family members would be involved in this process.

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Ms. Kotting said that they were not involved yet; the legal process required notifying descendants, so they would have the opportunity to be involved at that point. She said that she had been careful to focus only on the development review process at this stage. She added that she had been approached by historians who had questions about this cemetery with regard to the development review, and there was a significant amount of concern among descendants.

Ms. Barnes asked if the applicant could have a meeting with those descendants, or if that would be inappropriate considering there may be a future court case.

Ms. Kotting replied that she had not received an indication of that from the applicant.

Ms. Barnes said that regarding the Comp Plan Amendment designating this as business and industry in the FLUM, she was wondering if it absolutely had to be done in order to get the reclassification.

Mr. Sadiq confirmed that yes, because business and industry was the preferred recommended land use in the Comprehensive Plan for data centers.

Ms. Barnes said that for the reclassification to be approved, it had to be consistent with the Comprehensive Plan, and the Comprehensive Plan had to be amended in order for that to be possibly approved.

Mr. Zuraf clarified that the Comp Plan did not have to be amended, but it was preferable. He said that this was the recommendation in order to make it consistent.

Ms. Barnes noted that there had been items approved in the past despite inconsistency with the Comp Plan.

Mr. Zuraf confirmed that was correct; the reclassification was the preferred process but not required.

Ms. Barnes said that regarding the floor area ratio that needed to be revised, she was wondering if that had to be handled tonight or at a future date. She asked if the 0.4 FAR was an issue because it could allow them to build much more than what was proposed at this point.

Mr. Sadiq replied yes; the FAR was 0.4 but the daily vehicle trips was over 1,000 based on the 1.7 million square feet.

Ms. Barnes asked for the amount of square feet they were proposing with these three buildings.

Mr. Sadiq said that it was 900,075 square feet.

Ms. Barnes asked if they did not adjust that floor area ratio, they could come back at some point in time and say that they were going to add some more square feet.

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Mr. Sadiq replied no; whatever was in the proffer would give them the maximum allowable amount they could build.

Ms. Barnes stated that they needed to finalize the floor area ratio. She asked if they needed to do that tonight. She said that she was not comfortable with the 0.4 FAR as the ceiling.

Mr. Sadiq stated that there were two options proposed by staff: to decrease the FAR, or to decrease the cap on vehicles per day.

Ms. Barnes asked if they changed the vehicle cap, they did not need to worry about the FAR.

Mr. Sadiq confirmed that was correct.

Ms. Barnes said that this was related to Proffer 19, and if they went above that number, the TIA would come in.

Mr. Sadiq replied yes.

Ms. Barnes said that regarding screening on the GDP, she would like clarification on what they needed extra screening for.

Mr. Sadiq said that it was for the southern side properties, which were residential. He explained that this was one of the recommendations from the previous public hearing, and they did not get any updated information on it.

Ms. Barnes asked how wide the forest buffer in that area was currently.

Mr. Sadiq answered that it was about 2,000 feet in distance, but the topography sloped downward in this area, so the development was on top of a hill.

Ms. Barnes asked what staff's suggested remediation would be.

Mr. Sadiq said that they were asking for potential screening for those generators and facilities, making them invisible to those residential properties. He said that that was staff's recommendation, but they did not receive any feedback from the applicant on that topic.

Ms. Barnes stated that they needed to resolve that this evening, too. She said that she did not understand why the generators were on the southern side of the building rather than between the buildings on the northern side. She asked if that was the primary concern with regard to the buffer.

Mr. Sadiq confirmed that was correct; the concern was with the southernmost data center building.

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Ms. Barnes invited the applicant to come forward.

Mark Looney, Cooley LLP, stated that he would briefly review some key points of the application to guide their conversation this evening. He said that looking at the Regional Context Plan, the Stafford Technology Campus (STC) was located to the north in the tan-colored area. He said that data center campus was approved a couple of years ago, and development was progressing. He said that the subject property for this application was the blue area on the regional context plan. He said that it was about 100 acres, and this particular owner had owned this property since 2005.

Mr. Looney they had tried to get residential development for more than a decade, but that did not happen for various reasons. He said that then the STC application came in on top of that, meaning that it was approved after the different residential projects had been denied for the blue area. He said that in order to make sure that this application property was consistent with its uses around it, particularly the area to the north through which access to this site was provided, in the last meeting they had a lot of conversation about the fact that STC was obligated to provide access to the blue parcel because it was otherwise landlocked from Eskimo Hill Road.

Mr. Looney explained that in order to access the application property, they had to come through the STC campus. He said that therefore, like-kind uses with the STC campus seemed to be the most appropriate use for the property. He said that to the west on the regional context plan was the pink area, which was an agriculturally zoned property on which a single pump station that served the Stafford Water Service Authority was currently located, and a second pump station to service the reclaimed water system that the STC campus was using was going to be constructed.

Mr. Looney said that even though it was zoned agricultural, it was actually used for an industrial use on the pink property. He said that lastly, the property in green to the east was similarly an agriculturally zoned property. He said that it was in for a rezoning application by the same applicants as the STC campus in order to put data centers there as well. He said that the blue area was surrounded in the north by an existing data center campus, to the west by two pump stations, and to the east by a proposed data center campus.

Mr. Looney said that they would notice that at the northern section of the blue property and northwestern section of the green property, there were two separate substations that were planned to be one against the other. He said that Ms. Barnes had asked whether the trees shown on the site section that they showed for the substation were mature, or if they were going to be existing. He said that the answer was no, those were proposed, but they were proposed in the location where that substation to the east would be located.

Mr. Looney said that they were really talking about planting a buffer between two substations as opposed to a proposed substation or houses or anything else. He said that they would recall that in the proffers they had, they had obligations to plant additional buffers both to the east and the west in the event that

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either of those two properties was developed with residential in the future. He said that one was currently being used for industrial purposes, and the other was proposed to be rezoned for industrial purposes.

Mr. Looney said that in the event that that did not happen, they had proffered that they would plant additional plantings along the property edge in order to provide buffering should a house be built on one of those two parcels. He said that he wanted to go back to the conversation that Mr. Oats had talked about at their last meeting. He said that the whole issue of this transportation concern was a technicality.

Mr. Looney said that what he meant by that was that there was a rule that said if they were proposing a rezoning application, and when they added up the total vehicle trips that would be generated based on what their application proposed, if it would exceed a total of 1,000 vehicle trips per day, then they had to submit a transportation impact analysis that was reviewed by their Transportation Department, by the Virginia Department of Transportation (VDOT), through a formal process.

Mr. Looney said that as Mr. Sadiq indicated, their application for these three data center buildings totaled 975,000 square feet in those three buildings, each 325,000 square feet. He said that when they pulled out the Institute of Transportation Engineers (ITE) manual and plugged in 975,000 square feet of data center uses, it returned 965 vehicle trips per day, 35 fewer than what would trip the requirement for a formal TIA as part of the rezoning process. He said that they had proffered under their plan that they would not exceed 965 vehicle trips per day.

Mr. Looney said that however, in five or ten years, if they added something such as a daycare as part of the office component of the data center building because they had lots of young parents who were working as technicians in the data center building, and they were going to generate another 36 trips per day as a result of the daycare going in. He said that two things happened in County staff's view. One was that they had exceeded the 965 that they had proffered with this plan, and technically ten years from now, they were now generating more than 1,000 trips that ten years prior would have required them to conduct a TIA as part of the process that they were in this evening.

Mr. Looney said that what they had done in response to that in the event they wanted to exceed not 1,000, but they wanted to exceed 965 trips as they had proffered as the maximum, that they would submit that TIA at whatever point in time they proposed to exceed 965 trips to the extent that the results of that TIA, which would go to their Transportation Department and VDOT, would necessitate improvements to the public roads, Eskimo Hill Road, as a result of the additional trips that would be generated by that use, they had to mitigate them. If they could not mitigate them, then they could not increase the trips.

Mr. Looney said that as they had talked about at the last meeting, if it required the creation or extension of a right turn lane or a left turn lane on Eskimo Hill Road, if they could not implement those things, then they could not exceed 965 trips. He said that this was not about the number of trips that were generated with 975,000 square feet of data centers that they were approving tonight. He said that this was about ten years from now, whether they had to come back through this process at some point down the line to add a few extra vehicle trips.

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Mr. Looney said that that was what they were trying to avoid. He said that they were not trying to hide from the TIA; they had proffered that they would do the TIA. He said that they were just trying to avoid having to come back to the County ten years from now because they wanted to add 30 trips to the site because they added some accessory use to it that they did not anticipate today. He said that again, they had proffered that if they could not mitigate it, they could not do it. He said that he thought what their staff was saying was that they wanted to understand now in 2026 what might happen in 2036 in the event that they added those extra 36 trips and made it 1,001 trips as opposed to 965.

Mr. Looney said that what the applicant was saying was, they would deal with that in ten years, and if they could implement the mitigation measures in ten years, there was no harm, no foul. He said that but if they could not, then they could not do what they were proposing to do.

Mr. Oats asked what protections the County had if the trips per day were increased in five or ten years.

Mr. Looney explained that it was based on the use in the building. He said that the best example he could give was a restaurant. He said that in a commercial zoning classification, a restaurant could be built by right. He said that the restaurant under the ITE manual projected a certain number of vehicle trips expected to be generated, and he said that it was based on historical data nationwide. He said that what they could not take into account in the ITE manual was a popular restaurant.

Mr. Looney said that they assumed that for every popular restaurant, there would be a similarly unpopular restaurant, and there would be a lot more vehicle trips going into a popular restaurant than there would be in an unpopular restaurant. He said that in the ITE manual, they could not create a classification that addressed that scenario; they had to average it out. He said that the same thing was true with what they were doing here.

Mr. Looney said that they were proposing a use or a set of uses, which in this case would be data centers plus the accessory office component. He said that under the ITE manual, there were a certain number of vehicle trips there today. He said that if they were to come in and try to get permitted something other than a data center and the associated office, then they would have to demonstrate that what they were doing was one, permitted by the proffered zoning, and two, compliant with the transportation limitations in those proffers because they were permitting a separate use other than data centers and offices.

Mr. Looney said that when they came in for the permit, their zoning review people would determine whether this use was allowed based on the zoning. He said that if they were separately permitting it, they would ask if they were going to exceed the 965 trips, and if they were, they could not issue them the permit until they had taken these additional steps.

Ms. Barnes asked if they could just adjust the floor area ratio, which would allow them to avoid all of those other issues.

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Mr. Looney stated that there could be additional buildings or additional square footage that they may want to be able to add at a later date that did not necessarily create trips associated with it. He said that there could be indoor storage that was associated with the data centers, but there were no trips associated with it because it was an accessory.

Ms. Barnes asked if they were willing to cap the vehicle trips.

Mr. Looney clarified that they already had agreed to do that. He said that under Proffer 19, the first sentence said the combined uses on the property shall not exceed 965 average vehicle trips per day as determined using the ITE manual. He said that it went on to say that notwithstanding that, should they modify the mix or square footage such that the projected actual number of vehicle trips per day exceeded 965, they would prepare and submit the TIA studying the additional impacts and any mitigation measures. Those mitigation measures must be installed prior to any uses exceeding 965 average vehicle trips per day. He reiterated that the intent was to avoid coming through this County process again in the future if they added a small number of vehicle trips.

Mr. Oats said that he understood that. He said that his concern was how the County had a way to mitigate it before the applicant came back.

Mr. Looney said that they would have to get it permitted and demonstrate it at that point.

Mr. Oats asked if that was still part of the process.

Mr. Looney replied yes; that was part of the process. However, it was different than going through the proffer amendment process.

Mr. Zuraf stated that this had been posed before, and historically staff had always not supported this type of proffer because it did allow for a traffic study to happen at a future date, if the use was increased. He said that it did then end up with the evaluation and potential mitigation beyond the legislative stage of approval. He said that what that impact might be was unknown until some future time, and mitigation would be required at that time.

Mr. Looney added that it was a relatively small window being discussed. He said that they had proffered 965, a 0.4 FAR was 1,263, so the difference was 300 vehicle trips. He said that they were capped at 1,263 under every scenario based on the FAR for the data center use. He said that it was a very low volume of traffic, so the applicant did not think it was necessary to come through this process again for that little impact.

Ms. Siegmund said that at 965 trips, that was a car passing every minute and a half, 24 hours a day, 365 days a year. She said that if they were doing 300, that was an additional third of those trips. She asked if keeping the historical assets stay on the property would have any impact on their transportation. She

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asked if the ITE manual addressed historical assets in that regard. She recalled that the applicant would have to provide access to the cemetery if it was kept on site.

Mr. Zuraf said that that would not play into the issue of the traffic impact assessment analysis.

Mr. Looney said that the question of the relationship to the property to the south, some of this was the distance and proximity of the residential property to the south. He said that there was approximately 2,100 linear feet between the existing residential unit and the proposed data center building. He said that they talked a lot last time about that distance and what it meant; it was roughly 0.4 miles between those things with a substantial area of resource protection area (RPA) in the middle.

Mr. Looney said that he thought a lot of what staff focused on was the building in the south, the southernmost building there, and its visibility. He said that whether they had the mechanical yard on the bottom of the building or they had it on the top of the building at 0.4 miles away, it would not be terribly visible one way or the other. He said that a lot of the conversation was around the screening. He said that they talked last time about they would need to put roughly an 80-foot berm in front of the building to try to keep it from being visible in the distance from the property to the south.

Mr. Looney said that they discussed that the better location to try to screen it would actually be to put landscaping on the residential property itself because of the way the line of sight worked. He said that they were actually sitting in a hole relative to the existing residential. He said that there was about, if memory served him correctly, about 20 feet of grade difference between their finished floor and their finished floor on their side. He said that some of the natural topography meant that the building would be lower at the base than that existing house was.

Mr. Looney said that when they added in the distance at that location, they would see a mass in the distance, but they would not really be able to make out a lot of the building itself. He said that the actual mechanical yard would be at the bottom of it because, again, they were sitting at a lower elevation on their finished floor than they were. He said that a lot of the conversation they had last time was centered around the utility of providing additional screening on the applicant's site for those buildings because of the distance, because of the grade. He said that they were not trying to avoid anything; they just frankly could not figure out how to do it in a way that was economically beneficial to the house. He said that the 80-foot berm did not seem to make sense based on this location.

Ms. Barnes asked if the mechanical yard was where the generators were located.

Mr. Looney confirmed that was correct; they would be behind a screened wall.

Ms. Barnes asked why the generators were not internal to the development. She said that this would provide the most screening for all surrounding properties. She said that they had seen that internal placement at other developments, including the one directly adjacent to this proposed project. She said that putting them on the south side was not intuitive.

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Mr. Looney said that to compare it to the STC campus to the north, some of this was just how they oriented the buildings relative to each other. He said that they had the two mechanical yards on their top two buildings facing each other in that. He said that a distance between the buildings was needed for fire code reasons, circulation, access, loading, and other sorts of things. He said that part of the reason why that building was located the way it was and oriented the way it was because they were asked to increase the distance from the southern boundary line because of their new Ordinance.

Mr. Looney said that they spent a lot of time at the last meeting discussing how the orientation of the transmission lines running diagonal through the site meant that they were pinched in the upper right-hand corner and the lower left-hand corner at meeting the new setbacks of their Ordinance, which was why they were asking for the modification. He said that in order to meet the setback from the southern boundary line of 750 feet from the building, they made a choice to put the mechanical yard on the south side of the building in order to put distance between the building and the property line.

Ms. Barnes suggested that they could consider only building two buildings.

Mr. Looney said that he understood. He said that considering one of the buildings was proposed to be located where the cemetery currently was, they may be required to reduce the number of buildings based on other factors.

Mr. Shelton asked if the applicant had looked into a reconfiguration to avoid the issues with the cemetery.

Mr. Looney said that he did not know that they had specifically done that, but he would say they had certainly contemplated it, because there was a possibility, but they had not designed a building around it. He said that as they discussed last time, their preference was to be able to try to relocate the cemetery. He said that they were not starting with what they did not want. He said that they were starting with what they wanted; if they could not accomplish that, then they would have to redo it.

Mr. Looney said that he would talk about the cultural resource aspect because he wanted to make sure they kept in mind that there were two different issues at play. He said that one was the cultural resource analysis, which involved investigating the property to determine what cultural resources might exist, where they were located, what they entailed, and what should be done about them. He said that at a macro level, that included both known and unknown cemeteries. He said that in this case, they had a known cemetery.

Mr. Looney said that on the broader cultural resource component of this, they had commissioned, they talked a lot about this the last time, they commissioned what is called a Phase IA study. He said that a Phase IA study involved studying literature, studying deeds, and studying historical records to understand who owned the property, when they owned the property, if there was evidence of structures or houses or other things there.

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Mr. Looney said that they went out and generally walked the property to understand what was there. He said that that is how they might discover a marked cemetery that they did not know was there. Then, they wrote up the report and detailed what they had discovered by researching the property, what was discovered by walking the property, and the recommendations going forward. He said that it was important to understand that when they did that, they also drew a distinction between areas on the property that they proposed to disturb for development purposes.

Mr. Looney said that this included not just where the buildings were located, but wherever they were going to be grading the property, installing utilities, other sorts of things. He said that anywhere where they were going to be disturbing the land was one area of the property. He said that the other portion of the property was the area that they were not proposing to disturb. He said that when they talked about the application property itself, the area in light green on the provided map was part of the disturbance area because they would grade out the site in order to create flat building pads.

Mr. Looney said that obviously, where the buildings were located and where the substation was proposed to be located, those were their areas that were proposed to be disturbed. He said that the cross-hatched areas, the tree preservation area, and the dark green areas were outside the limits of disturbance, which meant that they were going to be preserved in their natural state as they existed today as part of this project. He said that when they talked about why or where they would conduct a cultural resources assessment, the important part was to do it in the areas where they were proposing land disturbance because they would be disrupting whatever cultural or historical resources existed within that area.

Mr. Looney said that in the areas where they were not proposing land disturbing activities, there might be interest in understanding what was happening there, but they were not proposing to remove or change anything that was happening there. He said that as they looked at the Historical Commission's comments around the things they were recommending, they had already offered as part of this project that they would complete the Phase IB component.

Mr. Looney said that in the areas where they were proposing land-disturbing activities—the light green, the buildings, and the substation—they would go out and conduct shovel test pits, ground-penetrating radar, whatever it might be, to understand, based on the paper research and the site visits that had been done to date, what actually existed on the property and to understand what they might be disturbing as part of the land-disturbing activities to the extent that it was previously identified as part of the IA.

Mr. Looney said that they would also then go out and do analysis within the areas not to be disturbed to understand whether there were artifacts in those areas. He said that based on the results of that study, they could then do a Phase II analysis, which was to do more significant research into it and maybe dig a larger area as opposed to going in 50-foot intervals to sort of do shovel test pits in the area. He said that the intent would be to focus the attention on the land-disturbing areas because that was what they were disrupting as part of this process.

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Mr. Looney said that largely, what he thought staff was having an issue with and what the Historical Commission was really focused on was through the process, how much documentation they were doing for the areas outside the limits of disturbance and how much research they were doing into those areas. He said that one of the areas where they had a difference of opinion around this was once they conducted the Phase II analysis to the extent they needed to do a Phase III. He said that he thought what they had asked them for was to do a Phase III.

Mr. Looney said that the last time they were there, the STC project to the north did not have a single proffer associated with cultural historical research. He said that there was no requirement to do a Phase I; there was no requirement to do a Phase II; there was no requirement to do a Phase III. He said that the property to the east in the pink, that was pending before the County now, there was no proffer associated with a Phase II or a Phase III currently as part of that application.

Ms. Barnes asked if that was because there was a known cemetery on this subject property but not on those other applications' properties.

Mr. Looney said that he would come back to the cemetery in a second because it was a separate issue from this other topic. He said that it was really a question of whether the Phase III was appropriate. He said that what this applicant was concerned about was whether the presence of the cemetery was necessarily bringing in other things in addition to all the things associated with the cemetery that they were already obligated to do or intending to do, and he would talk about things that they had added to the proffers associated with that.

Mr. Looney said that it was in the non-cemetery category of things that they were worried that they had crept into doing more than was necessary given the amount of area that was going to be left undisturbed and therefore preserved as part of this project. He said that they knew that there was a cemetery there and they talked at the last meeting about the steps required under state law in order to relocate the cemetery. He said that it permitted the landowner, in the event that there had not been any burials on the site for more than 25 years to petition the circuit court to relocate the cemetery.

Mr. Looney said that it required notice to be given to interested parties and it required the court to conduct a hearing. He said that the court was then able to either approve or disapprove the relocation. He said that the relocation could occur on-site or occur off-site. He said that it was up to the applicant to propose and to the court to ultimately rule on it. He said that there were hearings that were conducted in front of the judge. He said that he had worked on one of these 20 years ago in Fairfax County near Dulles Airport.

Mr. Looney said that many times, nobody showed up at the hearing, even after notice and after notifying next of kin or others to go through the process. He said that he was not suggesting that would happen here, but he was just suggesting that each situation was different. He said that whatever the judge ruled and established as the conditions on a relocation was what the applicant would have to abide by. He said that what they had added to their proffers since the last time to try to address some of these things would be part of the court process anyway, but they stipulated that the applicant would retain the services of

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someone qualified by the Virginia Department of Historical Resources or otherwise met the Secretary of the Interior's professional standards to prepare a disinterment and reburial plan.

Mr. Looney said that if the applicant was proposing to relocate them on the property, meaning not off-site, but to continue to have them on the property in a different location, then the reinterment would be completed in accordance with the judge's ruling and applicable law. He said that if the reinterment was recommended on the property, it would also require the applicant to identify a mutually deemed area, mutually deemed appropriate by the applicant, Virginia Department of Historic Resources (VDHR), and any identified descendant next of kin or known stakeholders.

Mr. Looney said that then if they were not able to determine an appropriate location, and again, this was all subject to the judge's ultimate orders, then the applicant would determine it in accordance with applicable law, meaning that they would meet ahead of time to try to understand where on the property it could be relocated to, but if the parties were unable to agree, then it would be ultimately up to the judge to decide where the reinterment would occur on the property. He said that part of the reason why they did not feel comfortable proffering to what the Historical Commission was asking for was that ultimately, it was not the applicant's decision in all of this.

Mr. Looney said that they would be part of the process along with the next of kin and descendants. He said that they were proffering to include them as part of the process, but none of them would control what happened once it entered the court system. He said that they did not want to be in a position where they were potentially in conflict with whatever a judge was going to say. He said that before they could submit that plan to the court, they had to go out and delineate the boundaries of the cemetery, which meant going out and doing the ground-penetrating radar and doing other studies to be able to figure out where the cemetery was located, both marked and unmarked graves.

Mr. Looney said that they then had to, as part of the delineation process, create buffers outside of the outermost identified grave site. He said that if there were 25 known burial sites now, and they went out and did the delineation, and it turned out that there were 40 burial sites, 15 of which were unmarked, the outermost unmarked graves became the starting point to then put buffers on the outside of that. He said that ultimately, if it was to be preserved in place, then they fenced it off, and if it was going to be relocated, they did the same thing at the new location based on where the relocated graves ultimately resided.

Mr. Looney said that it got delineated before they ever started the process so that they knew the total scope of what they were dealing with. He said that as they went back to the cultural resources component of this, the cemetery was its own issue because they had to delineate the outside boundaries of the cemetery before they could even propose to relocate it. He said that once they had identified the outside boundaries of the cemetery, that became the operative land area that they were dealing with in terms of working with the court and the various stakeholders.

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Mr. Oats asked if the boundary of the cemetery would be determined by the outermost point where remains were discovered, or determined based on the classification of a cemetery.

Mr. Looney replied that it would be based on wherever remains were found. He said that they would look for grave markings, which may or may not contain human remains. He stated that the definition of a cemetery was a place that contained human remains.

Mr. Oats said that the starting point was an area that may have marked grave sites. He said that he did not know the scope of that. He said that the comments from the Phase III study were to review the entire site. He said that to Mr. Looney's point earlier, the delineation that he was making was from the site that he planned on building on, and they did not want this to creep outside. He said that however, they did not know the boundaries of the cemetery.

Mr. Looney confirmed that that was correct, but again, the Phase II component was separate from the delineation of the cemetery. He said that the marked graves were the starting point, and they knew where the marked graves were today. He said that according to the owner, nobody had visited since he had owned the property since 2005, but they knew where the marked graves were. He said that to do the delineation, they started with the marked graves and they worked their way out in concentric circles from there.

Mr. Oats asked if Mr. Looney was suggesting that they would only be delineating within the area where they planned to build.

Mr. Looney clarified that no, they were not limited in the land area for where the cemetery analysis had to end. He said that if they continued in concentric circles out from what they knew to be the cemetery today and they continued to find unmarked human remains as they went out in concentric circles, whatever the outermost limit was, and in theory it could be the entire property, that became the cemetery component. He said that at some point there would be a location along those concentric circles where they stopped finding human remains.

Mr. Looney said that then they drew the line around that as the boundary of the cemetery. He said that all of that then was subject to the court process to the extent that they wanted to relocate it. He said that or if they did not relocate it or they could not get approved to relocate it, then under County Ordinance and under state law, they fenced it, they provided access to it, and it stayed in perpetuity.

Mr. Oats thanked Mr. Looney for the explanation. He said that he was trying to understand the construction area versus the undisturbed areas as depicted on the provided map.

Mr. Looney said that both the cross-hatched area that was labeled tree preservation and the dark green, which was in effect the RPA of Potomac Creek, those areas were proposed not to be disturbed. He said that the cemetery was located roughly underneath the middle building, and it was a significant distance from those undisturbed areas. He said that it was unlikely that the cemetery exceeded into the undisturbed

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areas, but even if it did, they would still have to go in and delineate it and either have it relocated or fenced.

Mr. Oats asked if it was known how many parcels this was originally.

Ms. Kotting said that this property was originally five parcels under the ownership of heirs of Emmanuel Johnson. She said that through the activity given the timeframe, the Seddon family owned slaves, and slaves were buried on this site. She said that oftentimes in Virginia, slaves were buried away from the family that owned the property. She said that being able to accurately delineate this cemetery could take them to distances that they were now unaware of.

Ms. Barnes asked Ms. Kotting about the cultural resources on the STC site. She asked if it was correct that resources were located in the northwestern quadrant, and those were being preserved.

Ms. Kotting confirmed that they immediately offered to avoid that area and they had been avoided.

Ms. Barnes said that the reason why no demands were placed on Stafford Technology Center was because they agreed not to build anything there.

Ms. Kotting said that they were proactive in assessing what resources were present on that site.

Ms. Barnes asked if there were any known grave sites on the STC site.

Ms. Kotting replied there were none she was aware of.

Ms. Barnes asked if there were any known grave sites on the property to the east with the pending application for a data center.

Ms. Kotting replied there were none she was aware of.

Ms. Barnes stated that the reason they were recommending these studies and requirements for this site was because there was a known cemetery and historical information that indicated human remains were potentially scattered throughout the entire area.

Ms. Kotting confirmed that was correct; they had archaeological resources that indicated the same.

Ms. Barnes emphasized that this was a unique aspect of this parcel and the reason why they were paying attention to it in this application.

Ms. Kotting confirmed that was correct.

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Mr. Shelton said that he was concerned, as a person who managed a historic cemetery that was established in 1727, knowing that part of his cemetery that he managed on behalf of the court system, the slave burials were always to the rear of the cemetery. He said that his question to the applicant was, why would the applicant, knowing that there was a cemetery there, decide to put a building on top of a graveyard. He asked what the logic was behind that decision.

Mr. Looney said that this was not unique to this property, and as Ms. Kotting indicated, there had been relocations of cemeteries throughout Virginia for decades, if not hundreds of years. He said that he mentioned earlier he worked on one up by Dulles Airport 20 years ago in the Centreville area that was the site of multiple Civil War battles. He said that Virginia had a long history and this type of thing was not unique to this application. He said that this was not the first applicant to propose doing this.

Mr. Looney said that there were also constraints on the property that were the result of actions unrelated to this particular proposal that made it difficult for the property to be used. He said that it was burdened by the transmission lines. He said that it was landlocked from Eskimo Hill Road. He said that it was probably unlikely to develop as residential, given what was around it. He said that the applicant was looking for alternative uses on the property. He said that the law afforded him the opportunity to attempt to relocate the cemetery if a court agreed with the relocation plan.

Mr. Looney said that until he had gone through that process and determined whether the court was going to allow him to do that, he had been unwilling to concede that what the law afforded, he should not try to take stock of and attempt. He said that whether they were successful or not was not yet known, and there was a whole process that they would have to go through with that. He said that that was some of the thought process that went into strict avoidance. He said that they did not know the limits of the cemetery area at this stage.

Mr. Looney said that it could be that if the limits of the cemetery grew significantly beyond what they thought it was based on the research that had been done that day, it may alter the plans even more significantly. He said that that was a process that still had to play out. He said that most individuals in this room would be involved in that process as it happened.

Ms. Barnes said that she greatly appreciated Mr. Looney's clear explanations of the details of this application. She said that one of the speakers said they needed to look at whether a data center was well-placed. She said that she thought that this data center was well-placed, with unfortunately for the applicant what seemed like a really massively important cultural resource on it that they were just now starting to understand what was there and what could be there. She said that unfortunately, they often did not understand what they had until somebody wanted to put something there.

Ms. Barnes said that then they went to take a closer look, and they got archaeologists, anthropologists, and forensic anthropologists involved, and that brought things to a grinding halt. She said that it was not that she was against this project, as if she had to put another data center someplace in this County, this was probably the place that she would accept as a reasonable location. She said that they had the

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Historical Commission for a reason, and that was because they needed experts; they needed people that were focused on this to give them sound professional advice on how they made decisions.

Ms. Barnes said that until she could see that advice and those suggestions being followed, meaning those proffers being considered by the applicant, she was sitting in a position where she did not see a way forward unless that Historical Commission and Ms. Kotting came to them with language that they felt comfortable allowing the project to go forward and feeling like they had the triggers that they needed in place absolutely to make sure that this cultural resource that they were just now understanding was completely and fully protected.

Mr. Looney said that he understood. He said that he was trying to separate the larger cultural resource conversation from the cemetery, because the cemetery was its own issue, and there was a process that they had to go through in order to do these things. He said that for everything related to the cemetery, they had tried to incorporate and had incorporated into the proffers. He said that this included notifying next of kin; it included working with the Historical Commission; it included providing the results of what happened to the Historical Commission. He said that he thought in spirit, they had tried on the cemetery component to work with the Historical Commission and try to do those things.

Mr. Looney said that he thought the difference was somewhat on the elements outside of the cemetery, and he understood it was difficult sometimes to separate those two, but that was where he thought they were not quite aligned. He acknowledged what Ms. Barnes was saying, but he did not know that it had to do with the cemetery was his point.

Mr. Oats said that that comment was the genesis of his question because he thought they had determined through their dialogue a few minutes ago that they did not know the full scope of this cemetery.

Mr. Looney said that correct. He clarified that his point was that the specific plan for what to do with the cemetery, whatever the cemetery was, was where they were in alignment. He said that they had not done the physical research yet to know what the cemetery was, but whatever the defined boundaries of the cemetery were, then there was a process to move forward based on those defined boundaries.

Ms. Barnes said that she did not understand what was being asked of the applicant that they were uncomfortable with.

Mr. Looney said that with regard to the cemetery, they were comfortable with what was being asked. He said that they had proffered to work with the next of kin to develop an appropriate relocation and coordinate with the other stakeholders on planning. He said that first, they had to delineate the cemetery.

Ms. Barnes said that the applicant was comfortable with the requested proffers and procedures regarding the cemetery. She asked what was being asked of them outside of that.

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Mr. Looney said that essentially, the recommendation of a Phase III analysis was not something the applicant had committed to doing.

Ms. Barnes said that it would include looking for cultural resources other than the cemetery.

Mr. Looney replied yes; it would be looking for everything. He said that from their perspective, what they were focused on were the areas that they believed were based on the historical analysis, the research that had been done to date, and what they would do when they went out and hand tested. He said that the next step in all of this, other than the cemetery, which was its own thing in and of itself, but other than the cemetery, based on what the consultant they had hired had said to date, was that the most likely scenario for where they would find things was along the creek bed and along areas that they were not proposing to disturb anyway.

Mr. Looney said that the next step in all of this was to go out and do the hand testing, typically at 50-foot intervals, where they were going around the site and trying to identify artifacts. He said that that work would be done in the areas where they proposed to disturb the ground. He said that based on that disturbance, that then triggered whether a Phase II was required to go in and identify, for example, if they found evidence of a stove. He said that if they found evidence of a stove with a hand test, or they found a pot, then in the Phase II, they went out and dug around where they found the pot to figure out whether they found the kitchen.

Mr. Looney said that it went from there and could go from there depending on what they ultimately found as part of that analysis. He said that what the applicant contended was that at some point, the areas to be disturbed were known, knowing that the areas along the creek were the most logical areas for where they would find things based on the way people traveled, the way troops moved, or the way families moved. He said that the more likely scenario was that they followed the creek bed.

Mr. Looney said that the creek area was going to be preserved anyway, the same way that STC was preserving the area to the north because it had been identified as the most likely area or did contain things. He said that the same thing was true here, where the creek bed was the most likely area to find artifacts, and they would not be disturbing that area anyway.

Ms. Barnes asked if the applicant's concern was that they did not want to take on the responsibility of the Phase III study.

Mr. Looney said that that was a fair statement. He said that there was a lot more work that could come with that. He said that the Phase II could recommend any number of things coming out of it, and they did not know what those were, and it could be a pretty expensive endeavor.

Ms. Barnes asked if Ms. Kotting had anything she would like to add. She asked why an applicant was responsible for a Phase III study.

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Ms. Kotting said that they were recommending these items; they were not requirements. She said that the only thing that was required was how this cemetery was handled, and she said that he wanted to speak to that so that they understood the potential scope of this. She said that in 1880, this property was purchased by a man named Emmanuel Johnson. She said that Emmanuel Johnson had been enslaved by Charlie Tackett. She said that he was literally sold down the river. She said that following the Civil War, he returned to Tackett's Mill.

Ms. Kotting said that he acquired resources, married, and moved to Brooke. She said that in 1880, he purchased 110 acres, and in 1887, he purchased 26.26 acres, which was today the tax map parcel known as 38-126. She said that Emmanuel Johnson married a woman named Henrietta, and they had children and worked this land. She said that it was believed that Emmanuel Johnson and his wife were buried on this property. She said that they did not know if they were interred in the area of the Seddon Cemetery or if they developed their own family plot somewhere else on the property.

Ms. Kotting said that she just wanted to be clear on that when they thought about the potential of what they might discover on this property. She said that to address the question regarding the archaeological work, the applicant had completed a Phase IA, which they normally did not accept as a document upon which she would conduct the development review. She said that a Phase I was a legitimate survey, and that survey did include test pits, digging small holes and seeing what was there. She said that it also included a tremendous amount of archival research on the property to understand the historic context of what they might find.

Ms. Kotting said that the Phase II went in and did a deeper analysis of those materials that were found and really isolated the location where the resources might be, which would be, say, the indication of a home, the indication of an external kitchen. She said that in that phase, they really worked to identify the true significance of the findings. She said that they would determine whether it met the standard to be eligible for listing on the National Register or not. She said that if it was eligible, then the Phase II report went to the recommendation that a Phase III be done if the ground was going to be disturbed, which meant in the construction zone. She said that that Phase III literally removed all found resources. She said that the cemetery was separate from the archaeological site. She reiterated that these were recommendations.

Ms. Barnes asked if the recommendation for the Phase III study was that the applicant conducted that.

Ms. Kotting confirmed that was correct; the applicant would undertake the studies because they were initiating the disturbance of the area.

Mr. Oats asked what STC did for their preservation plan on site.

Ms. Kotting explained that STC conducted an archaeological Phase I, and in that Phase I, they isolated certain areas that suggested a Phase II needed to be done, which they did. She said that then, in their

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proffers, they chose to avoid those areas. She said that she followed the site plan review process through all the revisions to ensure that those sites remained marked as to be avoided.

Mr. Oats what the distinction was between Phase I and Phase IA.

Ms. Kotting said that in Phase IA, they walked around the property for visual indications that resources were present, and did archival research. She said that generally, no test pits were dug.

Ms. Siegmund said that she had some procedural questions about tonight's public hearing. She said that she was concerned about the three-minute time limit and their ability to ask and answer follow-up questions.

Ms. Barnes said that she believed the Commission could ask Ms. Kotting follow-up questions after the public hearing.

Ms. Barnes opened the public hearing for this agenda item. She read the rules of procedure for speakers.

Dorothy Jackson, Aquia District, said that she had lived in Stafford County for all 94 years. She said that she was born down in Brooke and she still lived in Brooke. She said that she knew many of the people they all were talking about. She said that she did not know Emmanuel because he was a slave, but she certainly knew his son, Alexander. She said that when she was a little girl, they used to go pick huckleberries on this land they were all talking about tonight. She said that she wanted to say a few words. She said that when Black people died years ago, they set a cedar tree for a marker; they did not have a stone.

Ms. Jackson said that she had gone around with Anita Dodd to show her a lot of the Black cemeteries when she was able; she was not able now as she was 94. She said that Ms. Dodd could tell them that in the Hamn Cemetery, there were cedar trees and markers. She said that if they were looking for a stone or whatever, they were not going to find it on the Black cemeteries. She said that she knew Emmanuel's son, Alexander. She said that she had a picture there of him, and she had a picture and a book that his granddaughter wrote.

Ms. Jackson said that she was dead now, but she was able to get in touch with her daughter today, and she lived up in Maryland. She said that she would have gladly come down had she known about this hearing to talk about her grandfather, Alexander. She said that Alexander lived on that property and he had a beautiful home that he built. She said that Ms. Kotting had told them about the acreage and how big it was. She said that she had a list of when the property was sold on June 4, 1960, on the steps of the Stafford County Courthouse, it was auctioned off.

Ms. Jackson said that parcels three, four, and five belonged to the heirs of Emmanuel Johnson, a former slave who had returned to Stafford as a free man and who had purchased a total of 26.26 acres, today recognized on the tax map as 38-126. She said that the parcel was auctioned off here in Stafford County.

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She said that she had the names of supposed heirs that received some money, but they were not sure that any money was received. She said that the lady that she talked to today was in her 70s. She said that most of the heirs were dead.

Ms. Jackson said that Thito Johnson, the grandson, took that piece of land before he died. She said that Thito had been dead for a long time. She said that it was believed that not only Emmanuel and his wife but Alexander, whom they called Mr. Alek, or Papa Johnson, was buried there too in the early 1940s, and his wife, Mama Maggie, was buried there. She said that she had this long list of names here. She said that on June 7, 1960, a deed was made and recorded between R.H.L. Chichester, Special Commissioner for the Circuit Court of Stafford County, and penning in the names under this, Sally L. Johnson versus Stanley Johnson, parties of the first part, Ralph Metz purchased the land, and parties of the second part, Thomas Metz and Herschel Metz.

Ms. Jackson said that the deed in Book 122, page 529, concluded this. She said that therefore, this deed, for the consideration of the sum of \$1,200 so paid and deposited by Ralph Metz, the receipt of which is hereby acknowledged, the party of the first part, Special Commissioner, does hereby grant, bargain, sell, and convey to the second part, Ralph Metz, with special warranty of title, all these three certain lots of land lying and being in Aquia District, Stafford County, Virginia, consisting of 27.23 acres each and being designated lots 3, 4, and 5, of the estate of Emanuel Johnson, the same having been divided by a deed or petition dated August 9, 1927, a plot which is duly recorded in deed book 24, page 534.

Ms. Jackson said that they were not sure that any of these people were paid, and the team that was working on this would like to have a little more time to look into the property and determine who was buried there. She said that she thought they could probably find out from the Freelance Star. She said that she searched something from 1900 in her family and she found the Freelance Star had the information.

Ms. Jackson said that one of the granddaughters wrote a book, and she talked about Alexander in it. She said that here was the last heir that died, the date she died, and she said that she lived in Washington, D.C. She said that her name was Doris Johnson. She said that here was another obituary of another grandson. She said that he was wounded during the Korean War, Leonard Johnson. She said that she brought these things as evidence so they all could see it and make their decision.

Ms. Jackson said that she hoped that they could give their committee a little more time to research and study Emanuel Johnson. She said that she was asked to represent them; she was not an heir. She said that she was not kin to them because it was believed. She said that she was the oldest living resident of Brooke, Virginia, white or Black, that was still living and fairly in her right mind.

Jessica Rosh, Hartwood District, said that after listening to the applicant's presentation, she did not think there was a full grasp of understanding how the cemetery itself was related to the historical significance of the property. She said that she had done a lot of research on the Seddon family. She said that she had not gotten into 1850 and beyond, as her research was mostly focused on before then. She said that the

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Seddon family came to Stafford in the late 1600s, early 1700s, and it was believed that John and Anne were one of the original owners of that land, or his father, Thomas.

Ms. Rosh said that there were a lot of Thomases in this family, so it got a little confusing. She said that the three graves that were marked there were for John's son, Thomas, and then his son, Thomas, who died while he was at Yale, along with his brother, John Seddon, who was killed in a duel by a future Supreme Court justice. She said that one of Thomas Seddon's other children was named James Alexander Seddon, who went on to be the Secretary of War for the United States. She said that right now, she thought she was at about 450 descendants of the family.

Ms. Rosh said that they included Pulitzer Prize winners, ambassadors for the United States to other countries, senators, judges, and Rhodes scholars. She said that her standard for people of significance was if other people were writing about them on Wikipedia, and reaching the third generation, so great-great-great-grandchildren of the original owners, at least eight of them that had Wikipedia pages. She said that there was Philip Alexander Bruce, who was a historian who did a very extensive history on the University of Virginia.

Ms. Rosh said that she had a whole bunch of other notes in there about how the County needed to follow its own Comprehensive Plan with promoting heritage and the objectives of not building outside the urban services area because this plot of land was not in the urban services area. She said that she just thought that there were a lot of technical reasons why it should not be approved, along with a lot of historical significance.

Kristin Maxson, Falmouth District, said that there was a lack of substation detail to support this hearing. She said that the public could not relate to the applicant's need for the convenience of multiple applications for a substation. She said that daycare centers should not be subject to data center industrial compounds, even if used just as an example. She said that the kilovolt station rating and fallout were unknown to this project. She said that convenience was not a factor here. She asked how was Stafford County to correct the daycare center in close proximity to the Potomac Church Data Center.

Ms. Maxson said that this was a grave mistake by the approval board. She said that ironic words used in the hearing today fell short upon the public and lent to the remote thinking of developers who had to have developers. She asked what the public effect upon the impact was of what they faced here today. She said that the Comprehensive Plan amendment was missing page 4 of 16 and the section code of which it was under, Resolution 26-110 changing the 5-year update supporting higher density.

Ms. Maxson said that a project should not control the Comprehensive Plan. She said that with seven attachments, it spoke of attachment 10 on page 4 immediately. She said that this was out of reference. She said that architectural information, which was specifically the concern that the public had, was not checked off, and the legal description was not contained. She said that page 336 of 449 pages today. She said that a larger scope and piecemeal of multi-parties of interest could be seen on page 83 of 449 in

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their agenda today. She said that Proffer 26 and 27, not found in the agenda, referred to the relocating cemetery, referred to on pages 17 and 71.

Ms. Maxson said that the list references were rather found on page 132, dated May 20, 2026. She said that proffers should be on all four sections in all phases, not to be deviated without a section of no content. She said that there would be an impact on the neighboring land, there had been failing drain fields in this location, as on page 14 of the agenda today. She said that demand for Potomac Creek was close to 9,000 gallons per day to tie into STC reuse water system. She said that the Utilities Department did not agree to allow the applicant to incorporate into the existing reclaimed water according to the proffer statement on page 126 of 449.

Alysson Azzara, George Washington District, said that she did not understand how they were proposing to build on top of a cemetery and not do that as the very first part and then proceed from there. She said that she was a bit confused by the order of operations that had been proposed today. She said that the second point she wanted to make was about whether or not people had visited these buried relatives.

Ms. Azzara said that she knew where her people were buried and therefore did not need to visit them because she knew where they were. She said that if anyone ever proposed moving and disturbing their rest for the purposes of enriching a corporation at the expense of her family, that would not go over well. She said that she would not speak for the people whose family this was, but she would say that if it were her family, her Sicilian heritage would never allow that.

Ms. Azzara said that in terms of the sound study, there were improvements to include generator testing for one generator at a time. She said that she did not know how reasonable that was because she did not believe that anyone had ever given them a testing cycle or testing process for those generators. She said that the study still lacked a baseline ambient measurement. She said that if one did not know what the current sound level was, one could not possibly know what the impact was going to be when that sound level was increased. She said that her ambient sound levels near her house, which was not in the middle of a forest but next to one, were somewhere between 25 and 35 dB at night.

Ms. Azzara said that this was 55 dB all the time. She said that every time decibels were increased by 10, the volume doubled. She said that this was not just doubling it; it was not quadrupling it; it was doing more than that. She said that they could not tell how loud it was. She said that the modeling used only four receiver points, but they should be modeling the whole thing, because otherwise, one did not really know what one was getting. She said that there was no discussion of model uncertainty.

Ms. Azzara said that once again, one did not know what the under or over was. She said that when they showed the color chart, if one looked at where it said 50 in the red circle, then one looked at the coloration; it actually said 50 to 55. She said that so was it 55 or was it 50. She said that if it was 55, they were not in compliance. On the back side, the table estimated all of these dB levels to the tenth of a dB, 0.5. She asked why the graphic was not showing where those 0.5s were.

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Ms. Azzara said that these were all inconsistencies in the data and the presentation that were designed to show or not show how loud this development actually was. She said that one should still care even if there were no people nearby. She said that the County's Comprehensive Plan said one should care. She said that this area was old-growth forest, and there actually was forest where they said that there was no forest, so they did not need to build a buffer.

Elena Prokos, Rock Hill District, said that she was very impressed with all of the Commission's questions tonight concerning the cemetery. She said that she was a Stafford County retired teacher, and she was going to revisit her previous 40-year role of teaching about their area for the purpose of making a point. She said that if they would, just start at the yellow area near Abel Lake. She said that follow the blue line across Centrepont Parkway, then that blue line across Highway 95, across Route 1. She said that continuing onto the blue line past the proposed Potomac Creek application and, of course, the cemetery that was within the boundaries of this application.

Ms. Prokos said that across the railroad track and across Brooke Road to the eastern end of the map, which was near Crow's Nest. She said that she was just trying to emphasize how crucial this creek was, just as how important their historical resources nearby it were. She said that any development that had the potential to cause damage to both. She said that she was not saying deny this application; she was saying they should make sure the developer had all their ducks in a row before permitting them to proceed. She said that she appreciated the Commission's due diligence in that respect and thanked them for their relevant questions to the complicated details of this project.

Jeff Eastland, Rock Hill District, said that he had brought with him a map that was created as an educational tool to show County residents where the proposed and current data centers were. He said that it had been a very valuable educational tool. He said that regarding the Potomac Creek application, he was not here to oppose it per se, although he did not like the fact that it sat on Potomac Creek because what disturbed him more than anything was that, as they could see from the map, every single current and proposed data center in red sat in a watershed, every single one.

Mr. Eastland said that this was causing significant problems already, particularly in the STC. He said that he had sent them pictures about that issue. He said that that was their canary in the coal mine right now. He said that data centers were environmental shakedowns of communities. He said that he did not think anyone completely understood just how much land was being displaced or potentially displaced.

Mr. Eastland said that as these projects came in faster than the County could manage the water, power, noise, and long-term environmental impacts, it was the environmental destruction of their resources: the trees, the land, the air, the soil, the water, the plants, animals, the basis on which all life rested. he said that it was the destruction of these ecological relationships that made human activity physically and culturally sustainable. He said that adding in the destruction of historic resources, and they were erasing who they were and what they were.

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Mr. Eastland said that of course, he understood the need for tax revenue in the County, but he asked that they consider this: the revenue obtained from these industrial projects, particularly the data center tax revenue structure, if they watched the April 21 Board meeting, would never compensate for the long-term damage to people's health from the air pollution, the water pollution, noise pollution, the emissions from the backup generators, nitrous oxide, carbon dioxide, methane, that caused everything from asthma to lung cancer to dementia.

Mr. Eastland said that those costs would be enormous. He said that water infrastructure would have to be built, floodwater infrastructure like the Brook Road project would have to be built, would not be the last. He said that the invisible mental health damage from sleep deprivation due to noise and so forth was also a consideration. He said that he was not advocating for himself as a 75-year-old; he was advocating for future generations. He asked if this was the best that they wanted to leave them; he thought not.

Ms. Barnes closed the public hearing. She asked if the applicant had a response to public comment.

Mr. Looney said that they talked a lot at the last meeting and at this meeting about the cemetery component with this, and he hoped, as Ms. Kotting had indicated, that the cemetery conversation was different from the cultural resources component of this, and he would agree with that sentiment. He said, to Mr. Shelton's point and to a couple of the speakers' concerns, they were obviously fully aware of this. He said that they had every intention of doing the right thing by trying to identify and delineate the cemetery to begin with and following the proper procedures to be able to adjust it or relocate it.

Mr. Looney said that in order to do that, they needed to be able to move this project forward so that they could begin doing that type of work. He said that ultimately, whether they were allowed to do that was not this Commission's decision; it was not the Board's decision. He said that it was ultimately going to rest with a judge if they ended up in front of them through the process, and it could be that the results of the analysis that they ended up doing caused a change in direction based on the scope.

Mr. Looney said that they were committed to being able to work on that as part of the process. He said that he thought they had demonstrated the last time, and he hoped they had demonstrated this time, that they wanted to do the right thing with it, and they were not trying to short-cut anything with respect to the cemetery. He said that it was just a process that they had to go through to first delineate the boundaries of it and then decide what to do with it. He said that they recognized certainly that this Commission and the Board were not the last deciders on that topic. He said that he hoped they had demonstrated the good faith that they were trying to show to the commission and to the Board.

Ms. Barnes asked if Commissioners had any other questions or comments.

Mr. Oats asked if the applicant could state their stance on the proffers that were contingent.

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Mr. Sadiq said that it was related to the zoning reclassification application. He said that the first was to revise the FAR based on proffer 4 to align with the submitted trip generation or to revise the vehicle per day trip limit as it was written in Proffer 19 as recommended. He said that the second suggestion was to revise the GDP to show required screening for the southern residential property. He said that the final suggestion was to address the Historic Commission's comment on historical and cultural resources.

Mr. Looney stated that regarding the transportation aspect, their view was that they were limited to 965 trips, and if at some point in the future they wanted to do something that caused an increase in trips, they would have to get it separately permitted. He said that if it was going to generate more trips, then they would have to conduct a TIA at that point and try to mitigate it.

Mr. Looney said that with respect to the southern boundary, it would require an 80-foot berm or something equivalent to be able to totally screen the building, which seemed unnecessary given the distance between the two sites. He said that with respect to the Historical Commission's questions, he focused on there being really two elements to that: the cemetery element and the cultural resources element.

Mr. Looney said that he thought they had done the bulk of what the Historical Commission recommended with respect to the cemetery component. He said that what they did not do was incorporate two elements associated with the cultural resources component of that. He said that one was the Phase 3 study that they talked about, which was essentially the extraction of whatever artifacts were found, because they did not know the scope of what that might end up being at the end of the day, and they were concerned about that.

Mr. Looney said that the second one was really related to the cemetery, which was, in effect, just delineating where unmarked graves might be and determining whether they expanded beyond the footprint of the cemetery. He said that as he talked earlier, that was part of the analysis of what they would do as part of the cemetery delineation: to try to identify the concentric rings in the outer boundaries of where the cemetery would be located. He reiterated that the Phase III component of extraction of whatever was found was their main concern.

Mr. Oats asked if the applicant's position was that they would rather go through the legal process and allow the judge to determine the appropriate way to move forward with their cultural resources because the judge was the final say.

Mr. Looney clarified that that process was for the cemetery. He said that for the cultural resources piece, there was no law per se. He said that if he owned a piece of property and had a 300-year-old house on it and wanted to tear the house down, he could do that, even if it was eligible for listing in the National Register of Historic Places. He said that it was more about what steps they needed to take to be able to investigate what was there. He said that the issue was the responsibility and expense on the part of the property owner.

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Mr. Looney said that they were trying to draw the distinction that they anticipated, based on the research they had done to date, that the bulk of the cultural and archaeological artifacts that they were likely to find were going to be concentrated more along the creek area in the areas where they were not proposing land-disturbing activity. He said that they would not be disturbing it or disrupting it either way. He said that for the areas where they were disrupting the land, they would go out and do sequential and more detailed investigations to try to figure out what they found and to be able to document those things as they happened.

Mr. Looney said that he was trying to discern whether it was necessary to excavate any artifacts, or if it was appropriate to just document the fact that it had been there. He said that it might be they got into the process and they found something wholly unexpected, and they took a different turn with it. He said that he thought what they were trying to do was draw a reasonable line around how far they took the analysis, independent of the cemetery conversation, on things like outdoor kitchens or evidence of a former house that was there.

Mr. Looney said that it sounded like from the conversation earlier from one of the speakers that this property was sold in a tax sale in the 1970s when the Metz purchased it. He said that it was a typical process for acquiring property, and the Metz family was a predecessor to the current applicant. He said that whatever improvements were on the land at that point were either gone already or subsequently removed. He said that so whatever improvements, it was really just the evidence of improvements that might be there from a century or more ago.

Ms. Siegmund asked if the current owner was aware of the cemetery when they purchased the property, or if they were made aware of this in the course of doing business.

Mr. Looney said that no, they were unaware of the cemetery when they purchased it. He said that he talked a little bit about this at the last meeting when they tried to do residential development on the property and had not succeeded. He said that he was assuming it was during that process that the evidence of the cemetery was discovered. He said that it was not atypical because particularly when there was a tax sale involved, the property was bought as-is.

Ms. Barnes said that this was a very unique situation, with an unprecedented amount of archaeology and anthropology being considered by the Commission.

RECESS:

The Commission recessed its meeting at 08:38 p.m. and reconvened at 08:48 p.m.

Mr. Oats **moved** to recommend approval of Proposed Resolution R26-111.

Mr. Shelton **seconded** the motion.

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Ms. Barnes said that she was supportive of the motion. She said that she supported the project in general; it was well-placed, but there were some things that she thought were not quite ready. She said that going forward, they would recommend that the applicant continue to work with staff to perfect those proffers, especially when it came to the cultural resources and the floor area ratio going forward. She said that hopefully, by the time it got to the Board of Supervisors, they could kind of nail those down, and the project would be a little more solid and a little more ready for the Board of Supervisors for that.

Ms. Barnes called the vote on R26-111.

The motion passed unanimously (5-0). (Ms. Caudill and Mr. Hamblin were absent.)

2. PLANNING AND ZONING; CONSIDER 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 NO. 38-126 (PROJECT KNOWN AS RC24155947; POTOMAC CREEK CAMPUS)

Mr. Oats **moved** to recommend approval of Proposed Resolution R26-112.

Mr. Shelton **seconded** the motion.

Mr. Oats said that he agreed with Ms. Barnes' earlier comments. He thought this was an appropriate location for the development, but the applicant needed to work out some of the outstanding issues before presenting it to the Board of Supervisors.

Ms. Barnes called the vote on R26-112.

The motion passed unanimously (5-0). (Ms. Caudill and Mr. Hamblin were absent.)

3. PLANNING AND ZONING; CONSIDER A REQUEST TO REVIEW COMPLIANCE WITH THE COMPREHENSIVE PLAN, IN ACCORDANCE WITH VIRGINIA CODE § 15.2-2232, FOR THE PLACEMENT OF A PROPOSED PUBLIC UTILITY OR PUBLIC SERVICE CORPORATION, SPECIFICALLY AN ELECTRIC SUBSTATION, ON A PORTION OF TAX MAP PARCEL NO. 38-126 (PROJECT KNOWN AS COM25156869; POTOMAC CREEK CAMPUS)

Mr. Oats **moved** to recommend approval of Proposed Planning Commission Resolution PCR26-13.

Mr. Shelton **seconded** the motion, which passed unanimously (5-0). (Ms. Caudill and Mr. Hamblin were absent.)

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4. PLANNING AND ZONING; CONSIDER A REQUEST FOR A CONDITIONAL USE PERMIT FOR MAXIMUM BUILDING HEIGHT OF ANY DATA CENTER BUILDING TO BE 70 FEET, AND TO ALLOW A PUBLIC FACILITY/UTILITY, SPECIFICALLY AN ELECTRICAL SUBSTATION, BOTH IN THE M-2, HEAVY INDUSTRIAL ZONING DISTRICT ON TAX MAP PARCEL NO. 38-126 (PROJECT KNOWN AS CUP25156868; POTOMAC CREEK CAMPUS)

Mr. Oats **moved** to recommend approval of Proposed Planning Commission Resolution PCR26-113.

Mr. Shelton **seconded** the motion, which passed unanimously (5-0). (Ms. Caudill and Mr. Hamblin were absent.)

5. PLANNING AND ZONING; CONSIDER A REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW SIGNAGE EXCEEDING THE LIMITS OF THE ZONING ORDINANCE PURSUANT TO CHAPTER 28, ARTICLE VIII, INCLUDING FREESTANDING, DIRECTIONAL, WALL-MOUNTED, AND TENANT CANOPY SIGNAGE, ZONED B-2, URBAN COMMERCIAL ZONING DISTRICT, ON TAX MAP PARCEL NO. 29-80 (PROJECT KNOWN AS CUP25156656; COURTHOUSE WEST COMPREHENSIVE SIGN PLAN)

Jasmine Bridges, Planner, said that she would be presenting the staff report on Item 5 on tonight's agenda, which was a request for a conditional use permit for a comprehensive sign plan. She explained that the applicant was requesting a conditional use permit for a comprehensive sign plan pursuant to County Code Section 28-123(g). She said that the project was in the B-2 Urban Commercial Zoning District on Tax Map parcel 28-80, which consisted of 28 acres located on the south side of Courthouse Road east of Austin Ridge Drive and west of I-95 in the Hartwood Election District.

Ms. Bridges said that that applicant, Walsh, Colucci, Lubeley & Walsh, P.C., would present on behalf of the property owner. She said that the site was currently zoned B-2 Urban Commercial and had remained unchanged since 1978. She said that the surrounding property zones included the right of way of Interstate 95, B-2, M-1, R-1, and A-1. She said that the existing uses were undeveloped, and the Comprehensive Plan showed surrounding zones to be in the Courthouse Targeted Development Area, which included mixed-use, commercial, residential, commercial retail, and office uses. She said that the existing conditions of the property were undeveloped with predominantly flat terrain and sparse vegetation.

Ms. Bridges stated that the site had been rough graded in advance of construction for the approved retail development Courthouse West, and access to the site was provided by the recently constructed Odin Drive. She said that there were Google images of the existing conditions of the site from two vantage points: one being the north view from Odin Drive, and the second being the south view from Courthouse Road. She said that the property was located within the Courthouse TDA and was designated as mixed-use, commercial, residential, and commercial retail and office.

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Ms. Bridges said that based on these designations, staff found that the proposed CUP was consistent with the goals and policies of the County's Comprehensive Plan. She said that the requested CUP for the sign plan was intended to address visibility conditions associated with the site's location along I-95, adjacent ramp areas, and Courthouse Road. She said that the plan included mounted wall signage across multiple buildings, as well as freestanding signage that included identification, tenant, and directional signs.

Ms. Bridges said that the site included seven buildings and a split building, 6-A, 6-B, as well as parcel 8, which served as a shared open space common area. She said that the plan showed potential signage locations on building elevations, but final sign quantities and placements may have been adjusted during permitting provided they complied with the maximum allowable sign area. She said that window signage was also limited to 25% of the window area and did not count toward building signage area totals.

Ms. Bridges said that door, awning, A-frame, umbrella, and temporary construction signs were excluded from the total signage area calculations. She said that the comprehensive sign plan included charts of the proposed freestanding and wall sign calculations compared with what was allowed under the Zoning Ordinance. She said that the chart highlighted in red the proposed wall signage that would exceed the allowable square footage and quantity.

Ms. Bridges said that the applicant proposed 76 wall signs, which was within the 80 sign maximum allowed under the ordinance, although parcels 6A and 7 individually exceeded the allowable number of wall signs per building. She said that the total number of wall signs across the site remained under the Ordinance limit. She said that the Ordinance allowed for a maximum of four signs on a building frontage and two on each remaining wall for a total of up to 10 signs per building. She said that the Ordinance also limited wall signage area to two times the building frontage.

Ms. Bridges stated that across the seven buildings, this resulted in a maximum allowable wall sign area of 2,094 square feet. She said that the applicant was requesting 6,185 square feet. She said that provided was a depiction of the conceptual wall and window signage on the site plan. She said that that was a depiction of the conceptual freestanding signage from the plan. She said that the proposed amount of freestanding signs was in compliance with the Zoning Ordinance and proposed a total of 859 square feet of sign area compared to the 2,584 square feet maximum allowed by the Zoning Ordinance.

Ms. Bridges said that the freestanding sign materials would consist of natural stone with sheet metal, black aluminum, and cool gray colors. She said that also, a proposed condition would require all freestanding signs to be constructed of brick, consistent with the Neighborhood Design Standards criteria of the Comprehensive Plan. She said that the property would be served by public water and sewer and would have no impact on schools or Parks and Recreation. She said that the site would also be served by Stafford County Volunteer Fire Station #2.

Ms. Bridges said that staff was proposing several conditions to help offset any potential negative impacts associated with the proposed application. She said that the CUP authorized the sign plan under County Code Section 28-123(g). She said that all signage must adhere to the approved plan and maximum

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allowable square footage, and any replacement signage would be subject to the limitations established in the sign plan. She said that all signs must maintain a consistent architectural style, which included any future site rebranding. She said that signage must also comply with VDOT requirements, and no signs may be placed within utility easements.

Ms. Bridges said that freestanding sign locations may be adjusted as long as visibility, landscaping, and easement constraints were maintained. She said that overall, staff found that the project's positive attributes included its consistency with the County's Comprehensive Plan and its support of the development objective of the Courthouse TDA. She said that additionally, the comprehensive sign plan helped establish a cohesive and recognizable visual identity for the commercial development while also providing clear and consistent directional information throughout.

Ms. Bridges said that lastly, the proposed conditions would help ensure that any negative impacts were mitigated. She said that staff believed that there were no apparent negative impacts due to the site's location along Courthouse Road near I-95. She summarized that staff was generally supportive of the project and recommended approval of the application with conditions pursuant to Resolution 26-200.

Ms. Barnes invited the applicant to come forward.

Jessica Pfeiffer, Land Use Planner with Walsh, Colucci, Lubeley, & Walsh on behalf of the owner and the applicant, said that with her tonight was Jonelle Cameron, who was an attorney with Walsh, Colucci, Lubeley, & Walsh, as well as Chelsea Rao, president at Norton Scott LLC, the owner and the applicant, and John Lightle with Urban, who helped them put together this comprehensive sign package.

Ms. Pfeiffer said that Ms. Bridges had explained their proposal, so she would give them some updates as to some of the users, tenants, and the future of the Courthouse West development. She said that the property was 27.99 acres located south of Courthouse Road, west of Interstate 95 in the Hartwood Election District. She provided an overall contextual exhibit. She said that it was a leasing exhibit, but it showed the development next to some other developments, including Buc-ee's, which had recently been approved there, and then there were also some of the other developments in the pipeline to show how they fit in with those developments.

Ms. Pfeiffer said that another leasing exhibit just of the Courthouse West development showed buildings at executed lease, letter of intent, at lease, and available. She said that in this exhibit, Courthouse Road was located in the front bottom left-hand corner. She said that one could see that the Courthouse Road monument sign; so Courthouse Road was running along that front. She said that the two buildings, Pad 5 and Pad 4, were national sit-down restaurants.

Ms. Pfeiffer said that the signage included in this conditional use permit request reflected the needs of those national sit-down restaurants, and the restaurant brand Darden had provided a letter in support of this conditional sign permit. She said that Buildings 1, 2, 3, and 6 were at letter of intent phases. She said that the first one, Building 1, was contemplated to be a hotel. She said that one thing to note about the hotel was that they were looking for a full-service quality hotel. She said that one of the needs for

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additional signage for that hotel was the hope that the hotel would have a sit-down restaurant, which would then have its own signage.

Ms. Pfeiffer said that these were multi-tenant buildings that had needs for not just the hotel but also for a full-service restaurant. She said that this building right here, Building 2, was contemplated to be a childcare center. She said that it could be something else, but what was seen right here was contemplated to be a childcare center. She said that Building 3 was contemplated to be a bank or other retail use. She said that Building 5 was one of the sit-down restaurants. She said that this building was approximately 180 feet from Courthouse Road, and was approximately 5,800 square feet.

Ms. Pfeiffer said that the signage showed their standard brand signage for this restaurant across the United States. She said that this was the other sit-down restaurant. She said that this restaurant was approximately 7,800 square feet, as shown on their site plan. She said that this building was approximately 240 feet from Courthouse Road. She said that Buildings 6A and 6B were anticipated to be two buildings but could potentially be one single building.

Ms. Pfeiffer said that Buildings 6 and 7 could be put together for a large anchor tenant, or Building 6 could also be another sit-down restaurant. She said that Building 7 could be an anchor tenant. She said that it also could be an office building. She said that that showed the need for multi-tenant signage, which was why signage needs and flexibility were being shown throughout.

Ms. Pfeiffer said that there was one freestanding sign along Courthouse Road and another along the I-95 ramp. She said that there were six tenant freestanding signs and one directional freestanding sign. She said that as Ms. Bridges stated, these were being constructed of high-quality materials. She said that to review the buffers, there was a 15-foot buffer along Courthouse Road and there was a 60-foot buffer along the I-95 ramp, some of which was undisturbed. She said that the Courthouse Road sign did show some of the tenants and how it would look with those tenants in there.

Ms. Pfeiffer said that there was potentially a grocery if a grocer were to come there, the hotel if an office were to come there, and then those two restaurants to show what that would look like. She said that she had another illustration that showed where those would be located. She said that yellow was the freestanding signs that were seen, blue was the tenant freestanding signs, and pink was the directional signs. She said that this was another leasing exhibit that was put together. She said that Courthouse Road was the bottom left-hand corner; the sign that was seen was the Courthouse Road freestanding sign.

Ms. Pfeiffer said that this was a leasing exhibit, so what they did not show was the landscaping that was going to be around that sign, but there would be landscaping at the base of that sign. She said that then one saw those two national sit-down restaurants in the foreground closest to that sign. She noted Darden's letter of support included acknowledgment of the critical role that well-designed, visible, and coordinated signage played in both customer experience and business performance. She said that they believed the proposed signage plan for Courthouse West reflected a thoughtful and balanced approach that aligned with both tenant needs and community expectations.

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Ms. Pfeiffer said that then the proposed signage plan supported the operational needs of restaurant tenants. She said that effective signage was fundamental to attracting customers, establishing presence within the community, and sustaining long-term business success. She said that the ability to clearly communicate a brand's location and identity was not only beneficial to individual tenants but also strengthened the overall economic vitality of the development. She said that staff was supportive of the conditional use permit, and they sought the Planning Commission's favorable recommendation that evening.

Ms. Barnes clarified for the public that the only item being approved here was the plan for the signage. She said they were not approving the layout, buildings, tenants, or any other aspects of this development.

Ms. Pfeiffer confirmed that was correct. She noted that an infrastructure plan for the property had been approved in 2024, and a site plan was under review and considered for approval shortly.

Ms. Barnes opened the public hearing for this agenda item. She read the rules of procedure for speakers.

Kristin Maxson, Falmouth District, said that she understood the sign for this hearing was not seen on Courthouse Road when driving in today for public reference. She asked how staff could ensure sign postings in the future were visible to inform the public of public hearings. She said that Parcel 29-80 stated the application was periodically updated using a current application, but it was not updated for the public. She said that the hearing today was premature for the application and it was incomplete upon public review. She said that the publication checklist was the project's first page. She said that superseding the project name owner section code addressed parcel number and applicant. She said that there was an application example on Attachment 12 of page 174 of 449 in the agenda.

Ms. Maxson said that the Stafford County application had a title with the County department and zoning and must address the code section it applied to. She said that page 2 stated notice of religious land use. She said that the application started on page 5 of 16 with pages 1 through 4 missing in the packet. She said that pages 8, 15, and 16 were also missing and mismatched pages in between. She said that names of the LLC members given in the application may be inactive by the time of the public hearing. She said that page 9 stated to see background for page 3 to determine if the request required a proffer amendment application; however, there was no page 3.

Ms. Maxson said that 3.1 clause A clause I was referred to as operating agreement of the members owning the parcel project on page 401 of 449. She said that if this was referring to the Virginia Code, this was the specific level of care for addiction treatment defined by the American Society of Addiction Medicine. She said that see page 403 which tied into urban and multi-use, which was very controversial over what was public and multi-use. She said that they should refer to the Aquia Town Center development failure. She said that the public finds meets and bounds insufficient and vague for professional use, see page 387 of 449 property ID 29-80.

Ms. Barnes closed the public hearing.

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Ms. Barnes confirmed that signs were put up to advertise the public hearing.

Mr. Shelton **moved** to recommend approval of Proposed Resolution R26-187.

Mr. Bratton **seconded** the motion, which passed unanimously (5-0). (Ms. Caudill and Mr. Hamblin were absent.)

6. DEFERRED - DATE TBD -- PLANNING AND ZONING; CONSIDER A PROPOSAL TO AMEND THE "STAFFORD COUNTY, VIRGINIA, COMPREHENSIVE PLAN 2016-2036 2021 5-YEAR UPDATE," ADOPTED ON NOVEMBER 16, 2021, AS LAST REVISED (COMPREHENSIVE PLAN), REGARDING FUTURE LAND USE DESIGNATIONS THAT WOULD SUPPORT HIGHER DENSITY COMMERCIAL DEVELOPMENT ON TAX MAP PARCEL NOS. 38-96, 38-74A, 38-45, 38-45H, 38-45I, 38-45L, 38-44A, AND 38-73 (PROJECT KNOWN AS COM25156846; AMENDMENT TO THE STAFFORD COUNTY COMPREHENSIVE PLAN – ACCOKEEK CENTER)
7. DEFERRED - DATE TBD -- PLANNING AND ZONING; CONSIDER A PROPOSED ZONING RECLASSIFICATION WITH PROFFERS, FROM THE A-1, AGRICULTURAL, A-2, RURAL RESIDENTIAL, AND B-3, OFFICE ZONING DISTRICTS TO THE M-2, HEAVY INDUSTRIAL ZONING DISTRICT ON TAX MAP PARCEL NOS. 38-44A, 38-45, 38-45H, 38-45I, 38-45L, 38-73, 38-74A, AND 38-96 (PROJECT KNOWN AS RC24155981; ACCOKEEK CENTER)
8. DEFERRED - DATE TBD -- PLANNING AND ZONING; CONSIDER A REQUEST TO REVIEW COMPLIANCE WITH THE COMPREHENSIVE PLAN, IN ACCORDANCE WITH VIRGINIA CODE § 15.2-2232, FOR PLACEMENT OF A PROPOSED PUBLIC UTILITY OR PUBLIC SERVICE CORPORATION, SPECIFICALLY AN ELECTRIC SUBSTATION, ON TAX MAP PARCEL NOS. 38-44A, 38-45, 38-45H, 38-45I, 38-45L, 38-73, 38-74A, AND 38-96 (PROJECT KNOWN AS COM24156541; ACCOKEEK CENTER)
9. DEFERRED - DATE TBD -- PLANNING AND ZONING; CONSIDER A REQUEST FOR A CONDITIONAL USE PERMIT (CUP) TO ALLOW A PUBLIC UTILITY, SPECIFICALLY AN ELECTRICAL SUBSTATION, IN THE M-2, HEAVY INDUSTRIAL ZONING DISTRICT ON TAX MAP PARCEL NOS. 38-44A, 38-45, 38-45H, 38-45I, 38-45L, 38-73, 38-74A, AND 38-96 (PROJECT KNOWN AS CUP25156540; ACCOKEEK CENTER)

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UNFINISHED BUSINESS

10. PLANNING AND ZONING; CONSIDER A WAIVER OF THE SUBDIVISION ORDINANCE REGARDING LOT FRONTAGE, DEDICATION OF STREETS, AND ADOPTION OF STATE HIGHWAY DEPARTMENT STANDARDS FOR A MINOR SUBDIVISION ON TAX MAP PARCEL NO. 56-59D (PROJECT KNOWN AS WAI25156311, TOUGH BUILDERS DIVISION WAIVER)

Calvin Dixon, Planner, said that he would give the staff presentation on Item 10, Tough Builders Division Waivers. He said that the applicant was requesting waivers of Section 22-144 Lot Frontage; Section 22-179 Dedication of Streets; and Section 22-186 Adoption of VDOT Standards. He said that the property was located on Tax Map 56-59D, was 19.85 acres and was located in the George Washington District. He said that the applicant was Roger K. Bohr of Boer Design, LLC, and the owner was Hector Anibal Vasquez.

Mr. Dixon provided a map depicting the location of the parcel, outlined in red. The property was just south of Belle Plains Road on the east side of Newton Road and the west side of Sandy Ridge Road. He provided another aerial view of the entire property outlined in red. He said that the house that was there currently would remain. He showed the proposed plat showing the two new lots that were being created. The red lines were the new lot lines to be created, and in yellow, there was the proposed 50-foot access easement to get to lots 1 and 2. He said that in orange was Dobson Lane, the existing private road that led back to the two proposed lots.

Mr. Dixon said that on the next slide, another aerial view showed Newton Road, Fannie's Lane, and then off of Fannie's Lane was Dobson, and at the very end was how they were going to be accessing the two proposed lots. He said that as shown, it was approximately 2,110 feet away from the state-maintained road. He said that in Section 22-144A, Lot Frontage, it stated that all lots shall face on existing state-maintained street or street meeting requirements with the exception of the family subdivision. He said that Lots 1 and 2 fronted on a street which did not meet the requirements of the state highway standards.

Mr. Dixon said that Section 22-179 Dedication of Streets stated that all streets shall be dedicated for public use on the final plat unless otherwise specified. He said that the intent of the waiver was to continue the private street for the new lots on the east side of the property and not dedicate it for public use. He said that Section 22-186 Adoption of the State Highway Department Standards stated that minor subdivisions serving two or more properties unless design standards for the VDOT were hereby adopted by reference, including the subdivision street requirements and related references, and shall apply to all streets serving three or more properties.

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Mr. Dixon said that the intent of this waiver was to allow the lot depicted on the plat to serve by a private street within the ingress egress easement in lieu of the VDOT standards for the subdivided street. He stated that the applicant formally requested that the Stafford County Planning Commission consider the waiver request of the Subdivision Ordinance, Stafford County Code, Sections 22-144A, 22-179, and 22-186. He explained that in the applicant's request letter, Roger K. Bohr stated that the minimum requirements would impose an unreasonable burden upon the subdivider.

Mr. Dixon said that he wrote that the granting of such waivers would have no substantial adverse effect on the future residents of the proposed subdivision or adjoining property owners, and the property owners along the private roads contributed to the maintenance of said roads. He said that the two additional lots and owners would also be responsible for the maintenance of the roads, thus spreading the responsibility over more owners.

Mr. Dixon said that Section 22-144, authority to grant specifics, specified the following: where permitted, one or more of the minimum requirements established under the chapter may be waived by the Planning Commission upon insurance of the subdivider that each of the following conditions had been met; the minimum requirement, if applied to the proposed subdivision, would impose an unreasonable burden on the subdivider; the granting of such a waiver would have no substantial adverse effect on the future residents of the proposed subdivision or upon any property adjoining such proposed subdivision.

Mr. Shelton asked how they would get emergency equipment down the 2,100 feet from Newton Road.

Mr. Dixon said that he was unsure if it was currently a gravel road, but it was a 20-foot to 25-foot wide road, and the easement coming off of that would be 50 feet to get back to the two proposed lots.

Mr. Shelton asked what the hardship burden was in this case.

Mr. Dixon said that it would be the owner's payment for approximately 0.4 miles of new road.

Ms. Barnes asked if he would be required to build the new road if only one house were built.

Virginia Adams, Planner, clarified that for the owner to build any lots, he needed this waiver. He could not build anything without this waiver.

Ms. Barnes invited the applicant to come forward.

Hector Vasquez stated that his intent was to subdivide these parcels to build more homes for his children in the future. He said that the issue he faced was that the distance from the public road made it very difficult to access the road and other people's properties.

Ms. Barnes asked if it was planned to be a family subdivision.

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Mr. Vasquez confirmed that was correct, but at this point he was just dividing it and his family would not be using the parcels for a number of years.

Ms. Siegmund asked what the timeline was for building on these parcels.

Mr. Vasquez said that his oldest child was 11 years old, but time was flying, so he wanted to ensure it was ready in seven years.

Ms. Barnes asked if the homes would be put on the market.

Mr. Vasquez replied no; they would be homes for his relatives.

Ms. Barnes asked why a family subdivision was not being sought in this case.

Ms. Adams replied that the children were not old enough for the family subdivision to apply.

Ms. Siegmund **moved** to recommend approval of Proposed Planning Commission Resolution PCR26-23.

Mr. Oats **seconded** the motion.

Ms. Siegmund said that this map was like nostalgia for her. She said that her first home in Stafford was built on a long, family-subdivided driveway. She said that she knew it was possible to ensure emergency access could reach the homes here and it was a great experience to live in places like this.

Ms. Barnes said that in reviewing the application, she saw the hardship in the fact the owner could not use the property or subdivide it at all, rather than the issue of the road. She said that she would be supporting the motion.

Ms. Barnes called the vote on approval of PCR26-23.

The motion passed unanimously (5-0). (Ms. Caudill and Mr. Hamblin were absent.)

NEW BUSINESS

11. PLANNING AND ZONING; CONSIDER 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,

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"CONDITIONAL USE PERMITS," FOR FOREST LANE DATA CENTER, WYATT LANE SOLAR, 801 TELEGRAPH ROAD, SISSON NORTH, AND SISSON SOUTH

Emilie Wolfson, Principal Planner, stated that she would present some requests for time extensions to the Planning Commission. She said that she would not read the code reference because she thought they were all familiar with this at this point. She said that she would be brief, talking about what the actual extensions were for. She said that there was a reclassification in the CUP for Forest Lane Data Center. She said that this application for both the CUP and the rezoning was originally filed and deemed complete on June 27, 2025. She said that the application would expire on June 27, 2026. She said that the applicant had requested a time extension to December 27, 2026.

Ms. Wolfson said that there was also a CUP for Wyatt Lane Solar, which was in the Heartwood District. She said that the application for the conditional use permit was originally filed and deemed complete on May 29, 2025. She said that the application would expire on May 29, 2026. She said that the applicant had requested a time extension to November 29, 2026. She said that there was also a rezoning classification for 801 Telegraph Road, which was in the Griffis-Widewater District. She said that the application was filed and deemed complete on May 28, 2026, and it would expire on May 28, 2026. She said that the applicant had requested a time extension to November 28, 2026.

Ms. Wolfson said that there was CISON North, which was a rezoning and a CUP. She said that the application for the rezoning, reclassification, and conditional use permit was originally filed and deemed complete on May 28, 2025. She said that the application would expire on May 28, 2026. She said that the applicant had requested a time extension to November 28, 2026. She said that and finally, the rezoning classification and conditional use permit for CISON South, which was originally filed and deemed complete on May 29, 2025. She said that it would expire on May 29, 2026, and the applicant had requested a time extension to November 29, 2026.

Ms. Wolfson said that staff supported all of these time extensions. She said that they believed the applicants had diligently pursued the applications in good faith, and the requested time extensions would provide the Planning Commission adequate time to consider these.

Mr. Shelton **moved** to recommend approval of Proposed Planning Commission Resolution PCR26-35.

Mr. Oats **seconded** the motion, which passed unanimously (5-0). (Ms. Caudill and Mr. Hamblin were absent.)

PLANNING DIRECTOR'S REPORT

12. PIPELINE REPORT (FOR INFORMATION ONLY)

Mike Zuraf, Director of Planning and Zoning provided the regular Project Pipeline Report, which identified the public hearings scheduled for the next meeting, and they had some tentative items for

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following meetings. He said that that was for the Commission's information. He said that next, he wanted to talk about a month ago when there was the issue with the applications for a project that were deferred at the last minute, and there was definitely some concern about that. He said that there was a request for staff to come back in a month and provide some suggestions on what might be possible to address this issue in these kinds of last-minute deferrals.

13. DISCUSSION OF APPLICANT DEFERRAL OF SCHEDULED PUBLIC HEARINGS

Mr. Zuraf said that staff was still working on this; there was a Board policy that existed regarding the processing of rezonings and proffers amendment applications, and it outlined what was expected. He said that however, it did not necessarily directly address deferrals. He said that there was one reference that somewhat addressed it, and it talked about an applicant paying for any cost to re-advertise a public hearing if there were any substantial changes to an application that might require a project to be re-advertised. He said that it did not address the issue of the deferrals and when they occurred.

Mr. Zuraf said that he was going to work with Ms. Lucian, and they were going to propose some amendments to this policy, and they would bring that forward back to the Commission at another meeting with some more specific recommendations. He said that they would also look through the other policies to make sure there were any other adjustments that might need to be made because this went back to 2019, and there might be some state code changes that required other changes. He said that this was his update for the time being, and staff would be following up with more information in the future.

COUNTY ATTORNEY'S REPORT

There was no report.

COMMITTEE REPORTS

14. COMPREHENSIVE PLAN 5-YEAR UPDATE SUBCOMMITTEE
NEXT MEETING - THURSDAY, JUNE 25, 2026 @ 5:30 PM, ABC CONFERENCE ROOM

Mr. Shelton reported that the subcommittee completed their review of Chapters 6 and 7 with staff, and would be meeting next on Thursday, June 25, 2026 at 5:30 p.m. at the ABC Conference Room.

CHAIRMAN'S REPORT

Ms. Barnes read into the record a proclamation recognizing Laura Sellers for her outstanding service on the Stafford County Planning Commission and to the Citizens of Stafford County.

Ms. Barnes read into the record a proclamation recognizing Steven Apicella for his outstanding service on the Stafford County Planning Commission and to the Citizens of Stafford County.

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OTHER BUSINESS

15. NEW TRC SUBMISSIONS - CENTREPORT VILLAGE SEC 3 & 4B - A CONTINUATION OF PROJECT (24155915) A SUBCONSTRUCTION PLAN FOR 158 SINGLE-FAMILY ATTACHED LOTS IN SECTIONS 3 & 4B LOCATED WEST OF I-95 SOUTH OF MOUNTAIN VIEW ROAD, NORTHEAST OF CENTREPORT PARKWAY, ON TM # 37-30A, ZONED R-2, CONSISTING OF 24.35 ACRES, WITHIN THE HARTWOOD ELECTION DISTRICT. - MCGRATH RENTCORP STORAGE EXP - A MAJOR SITE PLAN FOR THE EXPANSION OF THE EXISTING BUILDING (APPROVED PLAN 19152740) LOCATED ON THE NORTH SIDE OF CENTREPORT PARKWAY, BETWEEN CHESTNUT HILL DRIVE AND PATTERSON AVENUE, ON TM 37-74J, ZONED M-1, CONSISTING OF 71.28 ACRES, WITHIN THE HARTWOOD ELECTION DISTRICT.

Ms. Barnes said there were new TRC submissions including Central Stafford Community Center and the GDC storage yard in the Falmouth District.

APPROVAL OF MINUTES

There were none.

ADJOURNMENT

At 9:39 p.m., Chairman Barnes adjourned the June 10, 2026, Stafford County Planning Commission meeting.