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Henrico County Board of Supervisors and Planning Commission Special Joint Meeting (Data Centers), Thursday, May 15, 2025

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- Official agenda (Henrico County): <https://henrico.gov/pdfs/manager/meetings2025/051525ag.pdf>
- Official minutes (Henrico County, special meeting): <https://henrico.gov/pdfs/manager/meetings2025/051525spmins.PDF>
- Agend-O-Gram, Jun 10, 2025 (records the Board's approval of these minutes): <https://henrico.gov/pdfs/manager/meetings2025/6-10-25Agend-O-Gram.pdf>

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[00:00:07] I call this special meeting of the Planning Commission to order. We're pleased to be joined this evening by the Board of Supervisors and its chair, Mr. Schmidt. And I'll turn it over. Thank you, Mr. Whitty. It's good to see you all.

[00:00:23] Thank you, everyone, for joining us tonight. I'll join Mr. Whitty as the chair of the Planning Commission. I'll join those folks in calling this special meeting of the Board of Supervisors to order. And we'll begin tonight as we typically do. Please rise, if you are able, for the Pledge of Allegiance and remain standing for a quick invocation brought to you by our Vice Chair, Roscoe Cooper.

[00:00:43] We pledge allegiance to the flag of the United States of America, to the republic for which it stands, one nation, under God, individual, liberty, and justice for all.

[00:00:58] God, we thank you for giving us traveling mercies to come to Highland Springs High School to have this meaningful, public, necessary dialogue. We pray that everything that we do and say will be

beneficial to the residents of our county as well as our region be with us tonight.

[00:01:15] We do pray in your name. Amen. Amen. Thank you, Mr. Cooper. Next, I'd like to thank members of the media who are here today and certainly those that are logged in online. Tonight in the room with VPM, Lyndon German. Lyndon, thank you for being here as always.

[00:01:32] We also have Desiree Montia from NBC12. Desiree, thank you, ma'am. And Maggie Marshall is here with CBS 6. Thank you to each of you for taking the time and being here with us tonight. Also, let's take this moment and quickly remind my colleagues, all of them, that we're using the old school equipment here.

[00:01:50] So please remember for the benefit of the folks in the audience and for the folks who are online to use the push button on our mics so the folks in the audience and the folks that are dialed in virtually can hear us. Ladies and gentlemen, for those of you dialed in, the purpose of this meeting tonight is to hear from the public about proposed data center regulations.

[00:02:08] In March, the Board of Supervisors requested that staff draft these regulations. The proposals have been advertised and properly noticed for a joint hearing here this evening, and obviously we are ready to proceed with both bodies being here this evening.

[00:02:25] To keep order, I recommend that the board and the planning commission designate a single member to preside over this joint public hearing. I'd recommend that, since Ms. Roundtree sits on both bodies, I suggest that the board designate Ms. Roundtree to preside over and conduct our joint public hearing this evening.

[00:02:44] And if so agreed, is there a motion? So moved. Second. And a motion made by Mr. Cooper, seconded by Mr. Rogish. Those in favor say aye. Aye. Any opposed? all right that motion uh carries mr witty could you please um check if the planning commission concurs or have his other recommendation yes sir is there a motion designate mr roundtree to preside over and conduct a joint public meeting so moved second we have a motion by mr mackie a

[00:03:18] second by mr dandridge all in favor say aye aye opposed the ayes have it mr roundtree is designated to preside over and conduct a joint public hearing. Ms. Roundtree. Thank you, colleagues. I'd like to start the meeting by asking staff to provide a presentation, and I would note that these are expected to be the materials that have been online for a couple of weeks now, but if we could have someone from staff provide that presentation for the public.

[00:03:46] Mr. Emerson. Thank you, Madam Chair. Tonight, as has been noted, there are two items on the special agenda for the public hearing. The first item is a comprehensive plan amendment, Technology Boulevard Special Focus Area and Data Center Development Objectives and Guidelines.

[00:04:06] The proposed amendment to the 2026 comprehensive plan would designate the Technology Boulevard Special Focus Area and create development objectives and guidelines for data centers. The special focus area boundary, vision, and goals, along with the data center development objectives and guidelines, would become part of the plan and would be used to guide development standards for data centers in the county.

[00:04:29] The special focus area generally consists of those properties owned M1C, Light Industrial, M2 General Industrial, and M2C General Industrial, located east of 295 on the north and south lines of

Williamsburg Road on the east and west lines of Technology Boulevard between Williamsburg Road and Portugee Road and between the CSX Corporation Railroad and south line of Portugee Road at its intersection with Technology Boulevard.

[00:04:59] Also under consideration tonight is an ordinance amending and reordaining section 243102 and 24 being the zoning code. Also section 24-3406, 24-3704, 24-4205, 24-4319, 24-4328, 24-4402, 24-5110, 24-8405, 24-8406, 24-8501.

[00:05:38] and also to add new sections 24, 37, 11, 24, 44, 38 to create a new zoning district to be known as the White Oak Technology Park Area Overlay District and require a provisional use permit for data centers as a principal use outside of such district and establish development standards for data centers.

[00:06:05] The proposed White Oak Technology Park area overlay district would contain approximately 3,090 acres, again located generally east of Interstate 295 on the north and south lines of Williamsburg Road, on the east and west lines of Technology Boulevard between Williamsburg Road and Portugee Road, and between the CSX Corporation Railroad and the south line of Portugee Road at its intersection with Technology Boulevard.

[00:06:34] Now, these two items, once all public comment has been taken, will require two motions by the Planning Commission and then subsequently, if the Board chooses to take action, two motions again, one on each item. The staff report will be provided this evening by Mr. Ben Seal, and we also have in attendance from the Planning Department staff subject matter experts to assist with any questions you may have, Mr. Ben Blankenship and Mr. Tony Grulick.

[00:07:01] But with that, I will turn this meeting over to Mr. Ben Seal for his presentation. Thank you, Mr. Emerson, members of the Board and Planning Commission. I appreciate your time this evening. The purpose of this evening's joint meeting is to discuss the findings and recommendations of a recent analysis by staff regarding data centers.

[00:07:23] The study provides an overview of data centers in the county, including current regulations, as well as benefits and impacts from those developments. As part of the findings of this analysis, staff recommended several potential revisions to the county's comprehensive plan and zoning ordinance. and tonight's public hearing will be to consider those amendments.

[00:07:42] There are approximately 40 buildings in Henrico classified as a data center by the Department of Finance. Some of these are located within existing office parks or office service areas and are typically accessory to another use on the same or adjacent property, while others are larger in scale and developed as a principal use.

[00:07:59] These larger facilities, most of which are located within White Oak Technology Park, were the primary focus of staff's review. Prior to 2021, the zoning ordinance did not define data centers as a use. After the code update that year, data centers were defined and permitted as a principal use in the M1, M2, and M3 districts.

[00:08:25] They were also allowed in the office and office service districts, provided that all equipment for heating and cooling as well as generators were located within an enclosed building. In general, the code treats data centers in the industrial districts similar to other large industrial uses, with similar buffering, screening, and setback.

[00:08:44] Because most large-scale data centers in Henrico have located within White Oak, these standards, along with the covenants and design guidelines of the park, have resulted in minimal impacts on adjacent property owners for data center development to this point. This development has resulted in various benefits through construction, employment, and revenue generation, which has supported initiatives such as the Affordable Housing Trust and Solar Access in Henrico.

[00:09:08] While there have been benefits from data center development in Henrico, concerns have been raised due to experiences in other localities in Virginia. This has increased focus on data center development throughout the state, with numerous concerned residents raising concerns related to energy and water usage, noise, air quality, and visual impacts.

[00:09:27] Similar concerns have been raised by residents here as part of recent rezoning applications and the ongoing comprehensive plan update process. These concerns resulted in a study by the General Assembly's Joint Legislative Audit and Review Commission, or JLARC. JLARC study, as well as staff research conducted during previous rezoning requests, further detailed the possible impacts of data center development.

[00:09:52] As noted by JLARC, some of these impacts, such as the provision of electric service and air quality, are outside the purview of local government and are best addressed at the state level. For instance, their study indicates the Virginia Department of Environmental Quality adequately addresses air quality impacts from backup generators, and if so needed, has the authority to increase regulation to address ongoing concerns.

[00:10:14] They also recommended the General Assembly take action to specifically authorize localities to require certain analyses, such as noise studies, as part of a development proposal. While approved prior to the JLARC analysis, recent rezoning approvals near White Oak to allow data center development incorporated proper conditions to minimize those impacts.

[00:10:33] These conditions required certain noise studies, placed limitations on generator usage and testing, and provided for enhanced buffering to minimize visual impacts from the proposed development. Other issues raised by residents and JLARC, such as negative impacts on the county's water supply, had not been identified as concerns within Henry.

[00:10:53] Although the rezoning process and proper conditions appeared to adequately address most impacts, there were ongoing concerns related to the ability of future data centers to locate on existing industrially zoned properties without those conditions. For that reason, staff analyzed sites throughout the county that could possibly support large scale data centers and found that several properties could be developed in a way that could result in unwanted impact on adjacent properties.

[00:11:20] To address that possibility and concern, staff identified several potential changes to the Vision 2026 comprehensive plan and the zoning ordinance. Drafts of these amendments were provided to you and posted on our website two weeks ago, as mentioned. The proposed comprehensive plan amendment would create the Technology Boulevard special focus area and adopt guidelines for data center development throughout the county.

[00:11:42] A map of the special focus area is on the screen in front of you. The Zoning Ordinance Amendments would revise the definition of a data center, add a definition of accessory data centers, create

an overlay district called the White Oak Technology Park Area Overlay District, and require a Provisional Use Permit or PUF for new data center development outside of that overlay.

[00:12:03] If adopted, the Comp Plan Amendment would provide guidance for the review of future PUF applications for data center development outside of the overlay district. Data center development on properties within the overlay would continue to be permitted by right, subject to the proper conditions and design guidelines established by the covenants of the White Oak Technology.

[00:12:22] Because the proposed amendments would continue to allow data center development in a suitable area while also limiting potential impacts from such development elsewhere in the county, staff recommends approval of the proposed comprehensive plan and zoning ordinance amendments at this time.

[00:12:37] That does complete my prepared presentation. I'd be happy to try and answer any questions you might have, and as Mr. Emerson noted, Separate motions would be necessary on these items, and with that, I'd be happy to answer any questions the Board or Planning Commission has at this time. Thank you, Mr. Seale.

[00:12:52] We're going to start by asking if there are any members of Planning Commission that have questions for planning. I can't see all the way down there too well, so just wave if anybody's got any questions.

[00:13:09] No? Okay. All right. Having no questions from Planning Commission, are there questions for staff from members of the Board of Supervisors? All right. Well, then I guess I'll start off and I just want to kind of lead off by saying that the reason all of this is happening started with a concern that we had as a board about where the direction of data centers in Henrico County was going.

[00:13:41] And as part of this process, you know, we had to do a bit of a dive, just not about the history or the evolution of data centers in Henrico or even Virginia, but really across the country. And there has been a significant amount of change in a very short period of time, a relative short period of time, with how we started off with, you know, sort of data being done on a small-scale basis as needed for entities to having them co-located in buildings and now having kind of these super centers.

[00:14:14] And I think, although I'm new to elected office, I think it's fair to say that a lot of localities and states and even the federal government have really been trying to catch up with the technology as it has developed. And so in a good faith effort to say, okay, where are we now with this?

[00:14:32] Let's see, we know where Henrico has been and where it's been going. We wanted to, as a board, take a fresh look at it and say, knowing what we know now, knowing what we've seen other localities have done, knowing a lot of the feedback we've been receiving both by industry as well as private residents of Henrico, it really seemed appropriate to figure out where we go from here.

[00:14:52] And I want to say that we hear and we validate so much of what we have been hearing on an ongoing basis by both sides, and I even hate to say sides. So just as a foundational statement, I know that we're going to have a civil and a courteous and a respectful discussion today because we are not nobody's an enemy in here we there may be competing interests at various points or competing perspectives or differing perspectives but I think it's safe to say what we all want to be able to have in Henrico County is a community that looks out is

[00:15:30] a good steward for the the land that we live on that respects each other as neighbors that allows healthy growth and meets the needs and a lot of that is related to technology, for good or for not, at this point, and figuring out how to balance all of those. So in case there was any question as to why we decided to do this and why we asked staff to put this together, it is coming from the place of wanting to get everybody in a room, hear information, hear feedback from all of you, and to very cautiously consider what changes and where we go from here, because we don't want to look back 10, 15, 20 years

[00:16:05] from now and be confronted with a goliath that that we can't change so not really a question but just a foundational comment i will ask again if there are any questions of the board okay before you go a question for our chair well question for mr emerson just to make sure process um so we're asking all our all about both commission and the board are asking questions now will there is there

[00:16:40] another opportunity for us to ask questions yes sir you would have an opportunity to ask questions of staff at any point during the process that that you would choose the planning commission when madam chair asked if they had any questions did not have any at this time to come forward so if you wanted to ask questions now you could or you could take public input and see what their questions are make notes of those and then and then staff will be happy to answer your questions and then any of those questions you feel need an answer, we would be able to respond to those to the best of our ability as well.

[00:17:20] Mr. Nelson, if it helps, and I apologize, I probably could have been more clear on this. We're in the Planning Commission hearing now. Certainly there's question time now for both boards, public hearing for the Planning Commission, and then Mr. Witte would lead his group through their decision to recommend for approval or denial, much like any other Planning Commission meeting.

[00:17:37] They would take their vote, send it to the board. process would be public as well where we would have the opportunity to either hear a presentation again if needed take public comments and have board discussions so there's certainly multiple opportunities sir this would be the opportunity now if you'd like to ask questions prior to the Planning Commission taking their vote so mr. chair you saying we can comment now ask questions now public can make their comments and then we can come back and

[00:18:14] ask additional questions as as a normal yes there will be madam chair i'm sorry yes i think we're going to encourage um the the questions being asked as appropriate recognizing that some of our questions may arise after some of the comments from the audience members all right thank you madam chair if there is any if you have any preliminary questions that frankly don't matter um that aren't reliant upon hearing from the public our questions may inform some questions that the public may have so if you've got some that you're comfortable asking now then i would say let's go ahead and lead with that thank you ma'am chair so i want to begin by saying as we consider uh herical zoning

[00:18:52] ordinance to regulate the growth of data centers including through the creation of this overlay district and provisions like section 24 44 38 on accessory data centers i want to affirm my support for economic development that positions our county as a hub for technological investment however this progress must not come at the expense of community well-being public transparency and environmental justice. We have a duty to ensure that innovation, growth, and accountability do go hand in hand.

[00:19:20] So I guess Mr. Emerson or Mr. Seal, a couple of questions around a few topics, location equity. Are we intentionally concentrating data centers and low-income or historically marginalized communities creating sacrifice zones? No, sir, I can respond to that. And certainly there is no intentional effort to place these in any marginalized community. The pattern has followed a historic zoning pattern that we all

inherited but there's been no effort on part of staff or the Planning Commissioner elected body to place any

[00:19:57] of these specifically in marginalized communities. Thank you Mr. Simpson. Does the WOTPA overlay district formalize inequities and how land uses are distributed across the county? No sir my opinion would be that it does not. Technology Park was established in the 60s actually was zoned in the 60s it became a technology park in the 90s with the advent of the chip manufacturer, Infineon, I think originally was Commanda, locating there along with Hewlett-Packard and several other data technology style industries.

[00:20:35] And then, of course, the infrastructure came that made it very enticing for data center location because of the fiber coming into this location and the power being available, road network, all the things that mix together to make a very attractive site for industry.

[00:20:56] But it had for years been targeted by the State of Virginia and prior to that for industrial style uses including a fake airport during World War II. Thank you for that. So around community engagement and transparency, does the ordinance mandate early meaningful engagement with directly impacted communities before provisional use permits are approved?

[00:21:17] The one under consideration? Yes, sir. Yes, sir, it would. Will public input have substantive influence or will it remain procedural? Yes, sir. I believe the Board and the Commission always take ample interest in public input and weigh it into their decisions. Thank you, sir.

[00:21:33] Around health, safety, and environmental standards, are enforceable standards in place for noise, lighting, emissions, generated testing, water consumption, and waste heat discharge? Yes, sir. I believe they are. Will environmental impact assessments be required for every data center, particularly areas already hosting heavy infrastructure yes sir what about provision use permit safeguards does the pub process consider social health and environmental equity not just technical criteria a provisional use permit is somewhat subjective in some of its considerations and that's at the uh at the discretion of the planning commission and the governing body so i think

[00:22:11] all those things could be considered yes sir thank you so much um accessory use loophole section 24 4438. How is accessory defined and what prevents developers from using minimal office space to justify massive, otherwise unregulated data centers?

[00:22:28] Well, just a rough rule of thumb on an accessory use, it has to be at least less than 50% of the use on the property. But normally you would be looking at a one-thirds, two-thirds as an accessory use. We have many operations, the county building included, that have data centers inside of their operations, and that's the intent of an accessory use, is that it supports the primary use.

[00:22:56] So the primary use obviously has to be larger than the accessory use. Thank you. Two more questions. Around overlay district flexibility, what rules apply to data centers proposed outside of the WOTPA overlay district?

[00:23:15] It would be all of the current zoning code requirements and then whatever was deemed appropriate through the provisional use permit process. And those conditions would be placed. It would be a little different than a negotiation for rezoning.

[00:23:33] And last question for right now is around infrastructure, utilities, and climate. Will the ordinance set limits on electricity and water usage and diesel backup emissions? The electricity and the diesel for the emissions for the generators normally in our situation is handled by state and federal agencies.

[00:23:59] So we would take input from them and we would defer to them for their permitting on those items. And water, of course, is handled through our Department of Public Utilities. So the ability to provide water would be determined through the usage and the availability of water were a large use in any case, not just a data center, but any case.

[00:24:24] And last question, how does this align with our county's climate resilience and sustainability goals? Currently, I don't believe we have anything that would necessarily regulate the use of electricity and the emissions.

[00:24:47] Those would go to the state and the federal agencies, consistent with the way we currently handle those. So I don't know that it would be in violation and are infringing upon anything we have in place regarding sustainability.

[00:25:03] Well, thank you so much, Madam Chair. So I want to, I guess, maybe push back just a little bit, Mr. Emerson. So environmental justice is a thing because of the reality of where we are right now, right?

[00:25:21] I mean, you would have to acknowledge that in the county there is disparity between the east and the west, right? And at some point, I don't know when, but at some point, there were decisions made about where things would go. And, you know, for whatever reason, Innsbruck was determined to be appropriate for office space and Verina was determined to be appropriate for more industrial uses.

[00:25:48] And it's not all nefarious. I don't think it's all for nefarious reasons, right? But I think we have to recognize it because then that's the only way that we can accept it, figure out what we need to adjust and move forward. And so I think part of where we are is that for whatever reason, perhaps just because Verina is so much larger and there's so much more land mass, that a determination was made that if we're going to put industry in an area, there's a lot more space there to not have it about residences.

[00:26:21] Is that fair to say? Yes, ma'am. I think that's fair. And also I think the market force has played a part in that because if you look at the zoning, and in the western parts of the county you'll find that Innsbruck exists on portions of industrial land, Brook Hollow Shopping Center, which is where the Coles and the Target are located, I believe that is either M1 or M2 zoned property.

[00:26:45] You'll find sections of industrial property up and down the sections of Broad Street. So early on there were quite a few different locations of industrial properties throughout the county the the general market i think directed the location of much of the uh much of the development because of that you had you do have industrial lands developed as office and you've got industrial at the corner of forest and glenside where there's a doctor's office so there but yes

[00:27:21] i don't disagree with you that there is more industrial land as you move east i think part of it is due to the location of the airport. That certainly influences some of that. And then, of course, the transportation network. But I don't disagree with you on environmental justice and the consideration of it. And so, you know, the White Oak Technology Park, again, I wasn't there, but I imagine that when that was contemplated, the thought was we want to be able to support technology industries and other industrial type uses some of which are

[00:28:00] more damaging than others but we want to be able to figure out the best way to have them in our county and I'm assuming that white oak technology part arose out of a discussion about the the most practical and I would even say at that point again trying to concentrate industry away from residential areas even within Varina itself, that that's how White Oak Technology Park came about?

[00:28:29] Yes, ma'am. I would certainly concur with that. When it was originally located as a decoy airport and used by the military, and then over the years went to the state, and then of course became part of the center of the state's semiconductor endeavors in the 90s, The idea was it was located a good distance from population, and over the years, population moved next to it, but it hadn't necessarily developed based upon its zoning designations at the time.

[00:29:04] And I would surmise that some of the population moving closer to it was because of proximity to jobs. A lot of this industry was a heavy employer in the area, right? I would agree with you 100%. Yes, ma'am. Okay. So as that was taking place, and then, of course, you know, 20 years ago or so, then when we start seeing the evolution of data centers arising, I'm assuming that there was some observation that it was an effective revenue source for other localities.

[00:29:38] Yes, ma'am. Right. And would it be fair to say that, you know, 20 years ago, the knowledge and the information that is known now about some of the environmental impacts was not known? Yes, ma'am. I think that's 100% correct. I think there is an argument, perhaps, that from a financial stewardship standpoint, there was some prescience of decision makers at that time to say, here is a burgeoning industry, much like, you know, getting in on the cell phone industry early on or getting in on Bitcoin or what have you early on.

[00:30:08] You see an industry that is lucrative, and you want to position your community to be able to avail itself of that. Is that fair? Yes, ma'am. I think it is. And so I think we have to acknowledge, it's in the report certainly, that at some point a decision was made that we wanted data centers to be in the county.

[00:30:30] We wanted to make it a practical place for data center developers to view Henrico, provided incentives for that to happen. Yes, ma'am. Incentives were put in place, and it was considered a target industry.

[00:30:46] And again, it's because of the attractiveness, the infrastructure, the fiber. Everything was available for this type of industry and made it very attractive. And in my research, I noted and I came across a lot of correspondence or information where, as compared to Loudon or Fairfax or other jurisdictions, Henrico's, I guess, lure or pull, I think what I read was Henrico marketed itself as green data center property.

[00:31:17] Can you speak to that a little bit as to that? I'm sorry, Madam Chair, could you, the acoustics aren't the best. I was having a hard time hearing you. I was saying how in my review for tonight is, oh, I'm sorry. Did you ask me to repeat? Yes, ma'am.

[00:31:32] Okay. Some of what I read was distinguishing Henrico's approach in trying to get data center companies to come. It was considered to be a green process. Yes, ma'am. Yes, ma'am. Absolutely. What made it that way? Because we were, we paid close attention to the design of the facilities.

[00:31:53] We made sure that they had adequate space. most of ours are campus oriented. They are not near houses and population centers for the most part. And if you look at the ones in Northern Virginia, a lot of them are in higher density areas where you have more population nearby. There's a photo in the

study of the site in Prince William County from a townhome community that's looking directly at the side a data center. So I think our approach has been one that would be considered more environmentally sensitive and more sustainable type of approach.

[00:32:33] And how would you characterize that as evolving, say, even in the past five years? In the past five years, we've become more stringent, I think. The rezoning that was done for the 600 acres, I believe, was a good example of that. We put quite a bit of effort into that to make sure that we regulated appropriately and also that the industry did things that were more sustainable and contributed back to the community, such as the contribution to the solar efforts for the county.

[00:33:08] And, of course, the board made the decision to use some of those funds for affordable housing efforts. So there were different efforts that were put forth. Of course, stormwater regulations and other things have changed over the years. So the environmental regulations themselves have also assisted us in the buy-right areas.

[00:33:27] So going back just a tad, so when the, in the, you know, 15 or however many years ago when the decision was made that this seems to be an industry that will be healthy for the community to have, weren't fully aware of what some of the environmental ramifications would be, there was a decision to make the buy-right category for data centers.

[00:33:51] Is that right? Yes, ma'am. They've been buy-right in the zoning code for a number of years because data processing and data storage, those have been in our zoning code. Of course, we just recently amended it.

[00:34:06] It was a 1960, 59, 60 era zoning code. I'm not sure exactly when that term first appeared in the code, but it was probably 30 or 40 years ago, if not further along than that, where that technology was first mentioned in the zoning code.

[00:34:23] It's been a by-right use in the O districts, the office districts, the B districts, which are the business districts, and the M districts, which are the industrial districts, for, I would say, 30 to 40 years without doing the research and verifying that, certainly.

[00:34:43] It is a use that has been refined and become different than it was at one time, certainly. That's an excellent segue, Mr. Emerson, because when I was looking at data centers, the distinction between a data processing center in the '80s and what would then evolve, and I think, again, it started with the co-location of data hubs and then kind of evolving bit by bit.

[00:35:12] So when we talk about what a data processing center was in the 80s, is it fair to say that that is nothing like what we now know to be the data centers in particular, some of these hyperscale centers that we have today? I would say, yes, there is a difference, not dissimilar to the cell phone we all carry around that probably is powerful as a Pentium computer or more powerful, I imagine, from drawing back into the older era of computers.

[00:35:41] So all of it has progressed, certainly. Okay. And so I guess bringing it all kind of full circle, because, Mr. Sill, you gave a wonderful presentation, but a lot of it, I think, is unfamiliar language or subject matter. And so what we have had in the county is several classes of property that data centers can go into by right, meaning there's not really anything that they have to do.

[00:36:07] It's there by right. And we wanted to take a look at changes so that, because I think, I'll speak for myself, it felt like there was, I guess, some degree of helplessness with having a way to impact how much data centers were coming into the county.

[00:36:29] And so now the question before us is, what is the best way to provide more public input whenever a data center comes about? And as I understand it, a very simplistic way of looking at it is this proposed overlay district says we're carving out a space where data centers can go, amongst other things.

[00:36:52] And I want to make that point. The overlay district is not exclusive to data centers. Is that right? That's correct. Yes, ma'am. That's correct. So we're carving out a shape within which developers can put data centers in by right and then outside of that district they would have to go through a PUP or a provisional use permit process wherein that would come to the Planning Commission and the Board of Supervisors and vote on every single case before.

[00:37:19] Yes, ma'am, that's correct. But within this area the White Oak Tech Park does have restrictive covenants and that's why you see the large buffers and things. All of this has been considered within the development of this park and the direction of this park.

[00:37:36] And the land, the Atlantic Crossings rezoning, or the Horgan rezoning as we refer to it, that land has also been annexed into the White Oak Tech Park Covenants and Design Guidelines.

[00:37:52] So along with the proffers that are on that case and the underlying zoning code, it's also regulated by the design guidelines. And there was a lot of thought and effort that went into those in the 90s and in the early 2000s to make sure development would have a substantial setback from the roadways, that proper landscaping would be in place, that area spacing would be appropriate and things of that nature.

[00:38:20] And that's why it's developed as nicely as it has. It looks a little rough right now because it is under constant development. But as the landscaping goes in and it matures over the next five to ten years, it's going to be a very beautiful campus.

[00:38:37] Okay. I will have other questions for certain, but I don't want to belabor my time now. Are there any other questions from other board members at this time? I have a lot to say, but I'm going to hold it. I don't want to monopolize the meeting right now.

[00:38:53] Just a couple of basic questions. Again, Joe, I think I heard you say, or Ben, that the park, the covenants for the park were agreed upon in 1996.

[00:39:11] Is that what I heard? Yes, sir. I believe that's correct. Okay. And outside of data centers right now, we have Hewlett-Packard, Lumber Liquidators, Polycon.

[00:39:34] And I think there may be a couple others. I mean, I have all of my sheets here, but well before the first data center. And I think the first data center in the park technically was Bank of America. Is that right? Or is Bank of America outside of the park?

[00:39:52] I believe the first data center in the park, Reverend Nelson, may very well be the original Facebook. The original Facebook. Okay. All right. So inside of the park, the zoning is primarily OMB, classified, M2?

[00:40:13] Yes, sir. Okay. All right, let's talk about outside. Primarily, okay, before we go outside, the park itself is almost spoken for.

[00:40:34] Would I be accurate by saying most of the developable land is already spoken for in the park? Yes, sir. I believe I would set that number to about 90%. Not only is it spoken for already, but it's primarily vested, meaning financial commitments or PODs have been committed to those particular spaces.

[00:41:05] Yes, sir, that's correct. There are master plans, plans of development, and significant financial investment by the companies located there for the specific purpose of data center development for well over 80% of the park is master planned at this point.

[00:41:25] So I wouldn't go too far if I say that there really is not much unspoken for land in the Tech Park. And thus, for all of the other land in Verona that has OMB zoning, A PUP process would then be, can I get one of those things that are being handed out in the back?

[00:41:57] Can you hold me one? I would love to see what they are. Somebody grab me one so I can get one, too. It seems to be a lot of buzz at the back door. OMB zoning classification spread out all across the county would be by right.

[00:42:15] But this particular, whatever we agree upon tonight, we'll make sure that all of that by right is no longer by right. That's correct. You'd have to go through a provisional use permit unless it's an accessory use and can be defined as an accessory use in the O and the B districts.

[00:42:38] If they wanted to do it as a primary use, they would have to go through a provisional use permit process. Again, in order for it to be an accessory use, it would have to be similar to Capital One had a small data center in Innsbruck adjacent to their offices.

[00:42:59] Anthem has a small, it still exists, I don't know if Anthem necessarily is still there, but they have a small data center on their property there at Staples Mill and Broad Street. So you do have accessory uses. We have a small data center in the county building to handle our data processing and data storage needs.

[00:43:20] Now many things are going to the cloud, which drives these larger hyperscale type of facilities, But you would need to go through a provisional use permit in any of those categories, in any of the M-zoned categories outside of the White Oak Tech Park overlay, unless for some reason that you were vested.

[00:43:41] And the county attorney and I are working through a few situations where people have asked to be considered for vesting, and we have not completed that analysis yet. But I would say, and the attorney and I have been discussing it, that 80 to 90 percent of the tech park is vested at this point.

[00:43:59] All right, so we're talking a lot about, I just want to make sure that those who are here and, you know, the argument is made that we are trying to concentrate all of the data center, all of the data centers in the county in Varana.

[00:44:24] If you look at it from another perspective, it could be that we are also trying to protect Varana from all of the rest of the OMB zoning that is spread out across this county where data centers could go by right.

[00:44:45] Yes, sir. There is a lot of OMB in the industrial cores around Laburnum Avenue, off of Darbytown Road, OMB that is concentrated, some off of on the outskirts of Charles City Road, et cetera.

[00:45:13] Places that could be literally right across the street from residential. Outside of an agreed-upon tech park, these are places that could impact neighborhoods, et cetera.

[00:45:27] So my focus has been knowing that the tech park, which has been filling up with multiple uses over the past couple decades, is full, that residents, particularly in the area that I represent, will have a say-so about where data centers go connected to their neighborhoods.

[00:45:56] And so that has been my focus. Once we run out of space in the tech park, then if we continue to expand data centers in Rico County, they have to go somewhere.

[00:46:15] And they're not going to go in Three Chopp or Tuckahoe primarily because there's nowhere to go there. And so most of the available space is in the eastern part of the county, primarily in Verona and the eastern part of Fairfield.

[00:46:32] So I just want to go on record to say that this is not just about the concentration of data centers and the tech park was and has been over the past decade.

[00:46:49] The tech park has been advertised for industry and data centers have been the hot industry for the past decade or so. We are trying to keep, I am trying to keep data centers from spreading all across the Verona district.

[00:47:08] And so that is a part of the reason why we're here tonight, knowing that a huge part of the tech park is already spoken for. I've got more to say, but I'll pause there. Any other questions? Mr. Rogas.

[00:47:24] Madam Chair, just a couple of questions, follow up from what we heard. One, I think it was mentioned, but we talked about what are we doing environmentally. We did in that case back in May get \$5 million towards solar panels for homes.

[00:47:43] So I just want to acknowledge that. And I also want to ask a question on the admissions because, Mr. Emerson, you said on the admissions that that was done by the state. And is that true for generators, air quality for generators everywhere?

[00:48:00] So if a generator is on a hotel or a generator is in a hospital, the airport, et cetera, DEQ monitors the air quality. That's my understanding. Is that correct? Yes, sir, that is correct. Okay, so it's not just this. No, sir, it's not just this one industry.

[00:48:17] Sort of two other, one more question and then one more comment, but the accessory use, I've asked a couple of questions about this, but if a data center was to be built on a landfill, for example, that would not be an accessory use because the landfill is the primary use, the data center would not be an accessory to that use.

[00:48:39] Is that correct? That would be correct, yes, sir. Okay, and then just one last comment, just a note on what Ms. Roundtree asked regarding the data processing center versus the data center. Just so everyone knows, the iPhone was actually invented in 2007, and the iPhone came preloaded with 15 apps.

[00:49:02] The app store didn't even come around until 2008, and you can think about that. So when we talk about Data Processing Center and what kind of data are on phones now today, it is absolutely completely different. So I just wanted to make that comment too, Ms. Roundtree. I have a few other things later, but thank you.

[00:49:20] Mr. Rogish, we so appreciate you always informing us with those random trivia items. So thank you for that again. Any other comments from members of the board or questions at this time? Again, can revisit it. Well, thank you, colleagues, for that.

[00:49:37] At this time, we do want to hear from the public. We have members, obviously, of the public here. We have some on WebEx. I know that some people have signed up in advance. I've got eight folks here that signed up in advance. Just by show of hands, if you're here and you did not sign up in advance and you plan to speak, I'm trying to see how we set this time out.

[00:50:00] Can somebody who doesn't have cataracts let me know how many hands were raised? I see three hands, four, five. Five, okay. Six. Okay, less than ten. Okay, so given that we have eight and then less than 10 here.

[00:50:17] Madam Chair, can I ask you a question real quick? Yes. I've got one more question. You go ahead, but once you finish, I've got one more question for staff before we go to the public comment. Go ahead, do it now. Mr. Newby, what happens if tonight we don't vote on this?

[00:50:40] If we don't vote on this tonight until we re-advertise and vote again, then what happens? So the Board of Supervisors and Planning Commission have the option this evening to vote on the proposal as presented.

[00:51:02] The Planning Commission, of course, could recommend the proposal with amendments. It could recommend it as is or it could move not to recommend it. Then when it goes to the Board of Supervisors, the Board can approve it as is or can consider amendments. If the amendments are fundamental and material to what's proposed, the proposal would have to be re-advertised so that the public would have notice of what those amendments are and a new public hearing would be held.

[00:51:30] That could take into June, I would imagine. If you don't approve an ordinance that takes effect immediately, there's an opportunity for projects that are in the pipeline that are not yet vested, as that term has been used multiple times tonight, to become vested in the interim.

[00:51:47] that would be I think one thing for the board's consideration all right so just I want to make sure I'm clear so if there are amendments to the proposed ordinance tonight then no amendments can be so am I hearing you say if we make amendments we can't vote on those amendments to the proposal tonight sir my response would be if the amendments are so material to the proposal that it fundamentally changes what's on the table, yes, it would need to be re-advertised.

[00:52:25] If it was a minor amendment, I don't know that I could give an example of one off the top of the head, but something that's relatively inconsequential, you could proceed without re-advertising. But if it fundamentally changes the proposal, it would need to be re-advertised. Okay. So we vote on what's before us tonight, or if we amend, or if there are amendments to the ordinance, then

[00:52:56] it's tabled tonight thus any other actions or activities that are being planned can move forward because the process has been tabled yes that's the consequences i see it sir okay but whatever if we did vote tonight for by right um whatever the ordinance is as it is state as it is

[00:53:27] stated then that amendment goes into action now yes sir it will go into effect immediately and everyone who does not have vested rights to the contrary would have to comply with the new ordinance that goes into effect. All right, so non-invested rights at this point will have to go through a PUP process. If we don't vote on it tonight, then anything that is in the, anything else that is in the flow or proposed to be in the flow has a possibility to move forward. So if we table it

[00:54:02] for a month, two, three, haggling back and forward, then that means there could be many more data sellers that can move forward and buy right properties as a possible cost that right zoning yes okay thank you sir um yes I just want to make sure that was clear before we went to public state as a follow-up to that what is the what is the duration or the length of a pup process mr. Emerson you would follow a very similar schedule as a as a rezoning of course you've done pups before but

[00:54:38] the process is the same it goes to the Planning Commission and then to the board. There are prescribed advertising times for those documents, as you know, or those applications. So four months is probably about as quick as you could run one through the process and hit the prescribed advertising deadlines and submission deadlines.

[00:55:04] But I would say on average probably about six months. Thank you. Anything further? Okay. We are going to start with the speakers who have signed up, and they're here.

[00:55:20] I'm not sure what order they're in, but I'm going to call you. Where are we having speakers go to? Is it the front podium here? Okay, sorry, cataracts. All right, so if you are a speaker, then just go to the closest microphone before you.

[00:55:37] I'm going to ask that you limit your comments to four minutes just so we can try to get in all of the speakers that want to speak. And again, please try to remember that we're here for civility's sake.

[00:55:54] I'm going to start with Glenn Miller. Glenn Miller, are you here? All right, sir, please come to the mic.

[00:56:17] And I'll just, okay, so we're gonna get you to hand those to Mr. Seal there and have those distributed. As you near, I wish this was the Court of Appeals and we had the red light here, but we don't. So Mr. Schmidt is keeping time, I see.

[00:56:34] So when you get down to 30 seconds, as for all speakers, we'll just kind of give a wave to let you know that you're down to 30 seconds. Thank you. Can I wait until these are passed out first? Absolutely. Yes, sir. And you can begin while we're passing out the documents.

[00:56:49] Okay. Thank you very much, Mr. Emerson, Supervisor Roundtree, members of the Board of Supervisors and members of the Planning Commission. My name is Glenn Miller. I am the Vice President of Vienna Finance, and I'm the manager of an entity called Atlantic Crossing, and we are a landowner in Enrico County.

[00:57:13] And let me start out by saying there can be no doubt that the Board of Supervisors and the Planning Commission have a solemn responsibility to be responsive to the desires and interests of its constituents. And there could be no question that this board and the Planning Commission are looking out for its constituents.

[00:57:34] I mean, the very fact that they've called this meeting. Sir, real, I'm sorry. We don't have any monitors up here, so we can't hear you that good. Can you just get a little closer to the monitor? Sure, I'm sorry. That's perfect. Thank you. Yes, my name is Glenn Miller. I am the vice president of Vienna Finance, and I am the manager of Atlantic Crossing, which is landowner in Ryko County.

[00:58:02] In fact, we were the landowner that sold the land, ultimately, to QTS, the 600 acres. Let me start out by saying there could be no doubt that the Board of Supervisors has a solemn responsibility, and the Planning Commission has a solemn responsibility to the desires of its constituents.

[00:58:22] And I think there's no doubt of anybody in this room or in the county or watching in the media that the Board of Supervisors and the Planning Commission is trying to be responsive to the desires of its constituents in terms of seeking to add an additional layer of approvals for data centers.

[00:58:40] And it's not inconsistent. This action is not inconsistent with what you're seeing in Northern Virginia. However, this board and this Planning Commission must also balance that responsibility to its constituents with its responsibility to respect the prior decisions of the very Planning Commission and very Board of Supervisors that we're, that we're, that's meeting tonight.

[00:59:04] It has to also balance its responsibility to its constituents with respect for the law of the Commonwealth of Virginia as relating to land use. Vienna Finance and Atlantic Crossing, but Vienna Finance in particular, rezoned this property, certain properties that I've shown you, which is 175 acres of property located due north of I-64, right in the same area as White Oak Technology Park, and basically across the interstate from our other parcels that were sold to QTS.

[00:59:43] But it rezoned those parcels, and when it rezoned those parcels, it gave proffers to the county. And included in those proffers was a specific statement that it could build data centers or data processing centers, which the Henrico County Industrial Zoning Classification makes clear that data processing center is a data center.

[01:00:06] And that's the conventional usage as well. But it was specifically set forth in the proffers that we could do data centers by right. And Atlantic Crossing and Vienna Finance have in good faith relied on that action of the Board of Supervisors and the Planning Commission and has spent or incurred obligations, committed to spend over \$300,000, all of which was spent before there was any notification that there was any potential consideration for changing the zoning rules.

[01:00:39] So this was spent in good faith in terms of engineering and wetlands in order to potentially create a data center park due north of 64. And I would say that from a land use perspective, having a data center park, if you're going to have a data center park, it should be in the place that Vienna Finance is proposing to put it, which is next to a solar field, next to interstate highways, with railroad tracks, with wetlands.

[01:01:09] So it's an isolated area that is near interstate highways, which even Fairfax County, which is very strict on data centers, allows data centers near interstate highways. And so as such, it has minimal impact on any residential communities. It's buffered by wetlands.

[01:01:26] It's just abutting the interstate. And this location makes perfect sense for a number of additional reasons beyond location, which is from a utility standpoint, there will be no requirement for additional utility lines built because the utility lines that are serving QTS and White Oak are the same utility lines that we agreed to put through the Vienna Finance Parcel.

[01:01:51] So there's no new utilities needed. And as I mentioned, the county has voted on this. We've done proffers. The proffers, specifically state data centers, are permitted use. We've relied in good faith.

[01:02:07] And just in the interest of fairness and equity, we think that this year should be grandfathered and that the existing overlay district for the Technology Boulevard should be extended to include this 175 acres.

[01:02:24] Thank you. Thank you, Mr. Miller. And I neglected to ask that when speakers come up, in addition to stating your name, please state your address. and so i will just note for whatever record is being kept here um mr miller i'll just state you live in mclean virginia um the next speaker aaron mullins are you present come on it good evening

[01:02:58] this volume okay my name is aaron mullins and i live at 7520 oakmont drive in the brooklyn district of henrico county while i was raised in chesterfield i have been proud to call henrico home for the last nine plus years i am on the center team that has submitted a plan of development for for a data center in the Varina district.

[01:03:17] This proposed plan is outside of the proposed overlay. Prior to joining Centra two years ago, I taught in Henrico County Public Schools for nine years, six at Donahoe Elementary in the Varina district, and three at Moody Middle in the Brooklyn district. I'm not an out of town developer trying to take advantage of a development opportunity in the East End.

[01:03:35] I'm deeply familiar with the roots of Varina. I've biked the Capitol Trail and seen the don't short pump Varina signs alongside the rolling farmlands and taken a pit stop at Ronnie's barbecue for smoked jumbo chicken wings. I've cared for my students beyond school hours, hosting after-school basketball clubs at Donahoe, participating in tutoring programs at Forest Meadows and Mobile Home Park, and watching my students play youth football at Dory Park.

[01:03:59] And I know that the best donuts anywhere can be found at Country Style on Williamsburg Road. Our site selection for this project reflects this intimate knowledge of the county and our desire to protect its character and care for its people. Our project site is sandwiched between a pharmaceutical manufacturing plant, vacant industrial land, an industrial bakery, high-voltage transmission lines, Dominion power facilities, and multiple landfills.

[01:04:21] It is in the heart of Orion's industrial region and approximately 750 feet with 150 feet of mature forest buffer away from the nearest residential parcel. As for community impact, Director of Planning Joe Emerson provided the following quote regarding data centers during the Planning Commission's public hearing on April 11, 2024. Quote, they are overall a low-impact industrial land use from the standpoint of there's not a lot of traffic generated from them. We get more complaints from a noise basis and things from different industries that are more active, end quote. Our desire is to develop a minimally obtrusive data center in an area that is surrounded by industrial uses. While our site is zoned M1, does not require rezoning, and currently allows for

[01:05:01] data center development by right, this draft amendment as written would not allow us to proceed with a development that we have spent the past six months working on. Our small local development team simply can't afford to take on the additional time, money, and risk that accompanies a project subject to a provisional use permit.

[01:05:18] Centra first began working on this project in December 2024. We held formal meetings with economic development and planning department officials on January 31st and March 12th, in addition to numerous other exchanges. These conversations were specific to submitting a plan of development for a data center on this site, and the county was fully supportive during each meeting, assuring us that they would help us through the permitting process.

[01:05:43] Then on March 25th, the Board of Supervisors requested the Planning Commission to provide language to amend the data center zoning text. That date was an inflection point in our business dealings with the county. Since March 25th, help has not been offered and meetings have been declined. All we wanted was a chance to tell our story. After years of recruiting and permitting the development of data centers, the county has changed its course, potentially leaving us in a hole of six months of wasted work and hundreds of thousands of dollars in incurred costs.

[01:06:13] What message is being communicated through this process to all developers, not just data center developers who desire to do work in Henrico County. When this board of supervisors unanimously voted to rezone over 600 acres of agricultural land to allow for data center development on May 14, 2024, Reverend Nelson asked the county manager to put the taxes generated by the project in a specific fund so that the county can do something transformational with the revenue. Reverend Nelson, we share the same desire. Please allow us to develop this vacant industrial land and let's put that tax revenue towards transforming our schools. I know what it's like to be a teacher

[01:06:52] in the East End and not have a robust PTA behind you to fund a well-stocked classroom library. I know what it's like to spend your precious planning time working on grant applications, hoping that someone outside of the county will see the needs of your classroom and provide. I know what it's like to leave the job you were once called to because the pay isn't enough to take care of your family. Let's use the projected \$25 million in annual tax revenue from this project to ensure that we attract and retain the best teachers in Henrico County. Our companies already invested in the community how much more could we give back if given the opportunity to develop in henrico our ask is that the planning commission and board of supervisors allow our

[01:07:28] submitted plan of development to be to be grandfathered and processed under the prior use table this ask is consistent with the precedent set by loudon fairfax falkier and stafford counties since they're distracting i'm just going to finish i have two sentences fairfax falkier and stafford counties who have also recently amended their zoning ordinances and considering the county's previous communications with our team it's also what's fair thank you thank you just want to just want to go on the record and make sure that everybody who's here when when the comment is made that the county um the county was supportive you mean county staff not county um no you don't

[01:08:07] have to i'm just telling you that's what you know that's what you mean county staff not the board neither one the commission nor the board approved supported etc because it hadn't gone through the process i just want to make sure that when people come forward and say the county they're not speaking they're not talking about us and we're the ones that make the final decision when it comes to these particular processes so i just want to make sure that that's understood thank

[01:08:34] you mr mullins next speaker is david wagner good evening my name is david wagner i grew up in the three chop district attended skipwith elementary moody middle and maggie walker governor school in 2022 i started a small business here in richmond called centra that focuses on industrial and data center development i employ a team that includes three graduates of henrico county public

[01:09:14] schools a former henrico county public school teacher aaron who just spoke and several henrico residents i fully agree with the intent and principles behind this zoning ordinance i think staff did a great job highlighting the need for sufficient distance from residential screening and and environmentally conscious mechanical systems.

[01:09:35] The one area that I think this ordinance does not address is the effect on groups like us that have been working in good faith based on county's previous guidance. As many of you are business and organizational leaders, I thought it would be helpful to walk through the actions I took as owner of Centra based on the feedback I received from the county.

[01:09:51] We initially met with county officials two years ago about our interest in buying land in White Oak. Unfortunately, other companies had priority on those parcels, but the officials encouraged us to find other land in Enrico for data center development. We found a site in December 2024 after hearing that the county was recruiting industrial users.

[01:10:10] County staff was recruiting industrial users, including data center developers. The thing we look for when evaluating a site is zoning. We have to be targeted. We don't have the manpower or funding to spend time on a site that is subject to a rezoning or a provisional use permit. We reached out to the county and received a zoning confirmation letter from June 2024 that confirmed the site is zoned M1 and listed data center uses by right.

[01:10:35] From first-hand experience in Fairfax and Loudon, we know that zoning ordinances can be amended. So we didn't just rely on the current text. We looked back through recent zoning cases in the county to understand the climate, and everything we found was positive towards data centers. Our site was zoned for data center use, had the appropriate power infrastructure, and was located in the county that showed nothing but support for data center development.

[01:10:58] With all this in hand, we signed a letter of intent to purchase the property in January 2025 and began our formal due diligence. From there we wanted to meet with county officials. We met with the economic development team on January 31st to discuss our plans for the site. They again confirmed our plan, we were zoned by Wright and were fully supportive of our plans.

[01:11:18] At this point I decided to dedicate nearly all of my team's time to this project and I made two new hires to help supplement the team. On March 12th our civil engineering team, Henrico's economic development team and senior planning members all met to discuss our proposed data center plans.

[01:11:34] Again, everything was positive. They said we were by right and we were told by county staff they were supportive of data centers on this site. Every box was checked, so we signed a purchase contract and put up a non-refundable deposit on March 14th. By that point, we had committed more than \$700,000 of cost towards a project, a significant cost for a small business like us.

[01:11:56] We submitted our full plan of development on April 28th and with a date of approval scheduled for June 25th. Henrico then posted this draft ordinance May 1st with this meeting scheduled for today, two weeks later. As I reflect on the process, I can't help but think, what should I have done differently?

[01:12:13] Why didn't Henrico County just come out and say they don't want any data center development outside of White Oak? There were so many opportunities with so many different departments in Henrico that we met, and we were always given assurances that our property could move forward. If this ordinance goes through, it's not merely the cost we spent on the project.

[01:12:31] The hardest part will be the difficult resource decisions I'm forced to make. We're a small company that can only afford to work on one or two projects at a time. For the last six months and for the foreseeable future, this project was it. As heads of law firms, churches, and businesses, I know you

understand how important it is for the survival of your organizations to be able to work with counterparties that you can trust.

[01:12:54] Just running close, Mr. Wagner. Okay, thank you. I'm concerned that the zoning ordinance, as it is currently written, sets a dangerous precedent not just for this district and not just for data center developers, but for any business looking to come to Henrico. I believe the solution for this is simple and low impact, as other counties have done in their recent ordinances, allow for grandfathering for projects that have already submitted plans of development to remain by right.

[01:13:22] My understanding is that we are the only plan of development awaiting approval outside of the overlaid district. We are happy to comply with all of the new requirements in this ordinance, but a provisional use permit process would be potentially devastating for our business. Thank you, and we look forward to a successful partnership with the county.

[01:13:40] Thank you, Mr. Wagner. Next speaker, Ricky Dobson. Good evening, everyone. My name is Ricky Dobson. I'm a member of the center team, who my co-workers just spoke with you just now, who are hoping to maintain our by-right status on our data center development located behind the Fariva Pharmaceutical Facility off of Darbytown Road.

[01:14:05] I'm a civil engineer with much of my experience in data center development. Our land use attorney at Walsh, Colucci, Lubley, and Walsh, PC, who were heavily involved in the zoning ordinance amendments in Fairfax, Loudoun, Stafford, and Fauquier, wrote the following letter to the Henrico Board of Supervisors that I'd like to read out loud for you here today dated May 14th 2025 dear Board of Supervisors this firm represents central logistics the owner of certain property in Henrico County which it purchased for use as a data center as is currently allowed by Wright but will be changed if the board adopts the proposed ordinance as recommended by

[01:14:42] county staff we write to encourage the board to adopt transitional rules also known as grandfathering language for projects where site plans and other plans of development have been submitted and are under review, but have not yet been formally approved. Adopting such transitional rules in this circumstance is neither controversial nor uncommon.

[01:15:02] Within the past two years, the Fairfax County, Loudoun County, Stafford County, and Fauquier County Boards of Supervisors have all enacted changes to their ordinances relating to data centers, and in each instance also adopted grandfathering language protecting the rights of those who relied in good faith on existing ordinance provisions.

[01:15:21] Applicants for proposed developments, whether they are for data centers, office parks, retail shopping centers, residential communities, or other uses, acting in good faith and expend significant sums of money and justify reliance on the ordinances and regulations adopted by the board. In our experience in many jurisdictions through Virginia, it often takes months, if not a year or more, for site plans and other plans of development to be reviewed and approved after they are filed.

[01:15:46] Changing the applicable zoning ordinance provisions during the time in which plans have been submitted and are currently under review without adopting transitional rules exempting those plans could create significant consequences, including uncertainty over the ability to obtain approvals, making it difficult or impossible to obtain financing, creating a cloud over further investment in the county, and the potential of costly and time-consuming litigation.

[01:16:11] Adopting transitional rules as part of the proposed ordinance would not only avoid these potential consequences, but would also signal to the community that the board will not simply pull the rug out from underneath land use to applicants have in good faith expended significant resources and justifiable reliance on long-standing ordinance provisions. Thank you for the consideration on this matter. And that's the end of the letter but I just wanted to add in one note at the end that other jurisdictions have added grandfathering clauses to their amendment proposals on the night of the Board of Supervisors hearing. Thank you.

[01:16:45] Thank you Mr. Dobson. Next speaker Stuart Goodwin. Good evening. I'm not a business person. I'm not looking to put a development or a data center in Henrico or Verona.

[01:17:13] I'm a Verona resident. Been one for 37 years. My name is Stuart Goodwin. I live at 6401 White Oak Road. First, I'd like to say thank you to the county for deciding to implement the new overlay district. It's a good start. However, more needs to be done to stop the pollution of the areas surrounding the tech park and encroachment on the residential and agricultural properties already in place. In reading your suggested amendments to the current policies, I would recommend the

[01:17:46] following. Under buffers, you state a buffer of at least 100 feet to include vegetation equivalent to a TB 50 should be utilized to screen the data center from adjacent residentially zoned properties. I'm assuming TB means tight buffer, meaning one would be unable to see through the buffer. The wording of that amendment is a suggestion. From prior experience, we have learned that companies will take advantage of this lax requirement and allow the newly planted

[01:18:22] vegetation to die, causing the county to incur the cost of replacement. I believe it should state shall in place of should, and that language should be included to state the developer or landowner will be responsible for the maintenance and cost of this buffer with some form of monetary penalty if they fail to do so. It should also read the type buffer shall be 100 feet instead of 50.

[01:18:52] Anywhere in the amendment where it refers to residentially zoned properties should be changed to state residentially and agriculturally zoned property since the vast majority of the land in Verona is zoned agricultural even though it contains a residence. I would like to think that the planners when reviewing proposals for a data center would research the adjoining land to determine the zoning of the land and whether it is occupied by a residence. However from my personal experience, I was accused of violating residential zoning, even though my land is and has

[01:19:29] always been zoned agricultural. Changing reference to residentially zoned properties in number seven under recommended setbacks to any adjacent lot lines would prevent the data centers from encroaching on any properties with shared lot lines. Next, light pollution. This is not addressed anywhere in the amendments. The ability of us in Verona to enjoy looking at the night sky is being stripped away by the development of the tech park and development in general. I've lived

[01:20:02] on my current property for 20 years and it always amazed me the beauty of the night sky and the billions of stars that can be seen with the naked eye. That is being stripped away. Just recently I went to look at the sky in the west and could not see many stars at all. I realized it's from the light pollution from the tech park. There are many ways to reduce or eliminate light pollution.

[01:20:27] Downward facing lights, warmer bulbs being used in fixtures, motion detector lights that only illuminate when there is movement. There is no reason for all of the lights to shine at night in the tech

park if there is no one around. This reduction of light pollution should be addressed up front and be required part of the amendment. And finally, groundwater pollution. While there is mixed data as to whether or not data centers pollute groundwater, the one thing I know is that many of the people living east of the tech park are having their wells tested and the results are

[01:21:06] coming back positive for PFAs, also known as forever chemicals, that will never go away. While I'll acknowledge that there are many sources for PFAs, it is disturbing to learn that fish from the White Oak Swamp and the Chickahominy River are now contaminated and not safe to eat.

[01:21:25] My question to you is, while there is minimal infrastructure in the Varina District for county water, what long-term steps is the county taking to ensure that our drinking water will be safer to drink now and in the future?

[01:21:40] I realize the county is providing filtration systems to homes that test positive for PFAs. Ma'am, just FYI, getting close. Okay. They will need to meet a certain threshold, and what is that threshold?

[01:21:58] What happens when we go to sell our homes and people won't purchase them because of the threat of contaminated wells? How is the county going to help us out then? When does the county plan to install the infrastructure for drinking water in areas that don't currently have it?

[01:22:15] Are you waiting for a contractor to absorb the infrastructure cost? What about the areas where there is no room for large subdivisions and the homes are on wells? While I'm against data centers, I am more against industrial plants.

[01:22:31] I guess we need to choose the lesser of two evils, but the county needs to be more aggressive in the regulation of encroachment upon areas that are zoned residential as well as areas that appear to be residential when they are in fact zoned agricultural.

[01:22:47] Thank you, Ms. Goodwin. Thank you, ma'am. Thank you. Madam Chair, a quick question. Ms. Goodwin, you don't have any physical copies, do you, of that? I can leave this with you. I don't know what's the best way for all of us to get those comments.

[01:23:03] maybe maybe email it um i can email it to you and then you can yeah you email it to me and then i'll disseminate it to everybody else thank you okay um question for you mr newbie if um mr newbie if you um let's say there are changes to let's say if let's say it's a buffer change so we want to change a buffer line from 100 to 150 is that is that an amendment change in my opinion that wouldn't be so material and fundamental to the ordinance that it would require re-advertising and the

[01:23:43] board of the planning commission could recommend and approve such a change this evening without a further hearing. That one would be too. I think that's a good example of one that's not necessarily so material or adding a new restriction that it would require re-advertising. What to me would require re-advertising is if you created a wholly separate overlay district or included different properties in the overlay district. Or what if we just took the overlay district off? That would But also fundamentally change the proposal.

[01:24:08] Fundamentally change, okay. It's fundamental to the proposal. Okay, thank you. I have one question. What about putting a moratorium on approval of any further data center applications until you guys work this out since it's going to be such a delay? Why can't there be a moratorium and not approve anything going forward until this is in place?

[01:24:29] Thank you, ma'am. Because it appears to me that you guys are being rushed. Thank you, ma'am. Thank you. Next speaker is Eileen Rivera. My name is Aileen Rivera. I live at 1200 Dotson Road, 23231.

[01:24:54] Thank you to the Board of Supervisors and the Planning Commission for tackling this subject. I know it's not easy. There's a lot to be done. What I do ask, though, is that you take your time in making these decisions, because this is not new.

[01:25:10] And it doesn't matter how many times people say, well, grandfathered, we've been talking about this, the county promise. But the county has made mistakes. The past boards have made mistakes. And it's never going to be perfect, but we do have the opportunity to have conversations.

[01:25:31] We do have the opportunity to talk about this and come up with standards of development that honor not just the land but also the residents. We know that data centers are a tremendous burden on rate payers.

[01:25:50] And that is something that even though this is not an EJ issue in the East End, we do have a lot of working families and we have low income and we have to take in account what that means for the finances of our community.

[01:26:10] we also have the environmental impacts just looking I don't know how long it took for the Planning Commission to put together this analysis but I just finished it up today and I was really disappointed I know everybody works hard of it there's not any one one-shot solution but we need to talk more about this I don't think that there should be a vote done on this tonight because that was put out two weeks ago and if I can ask in the audience I just finished it up

[01:26:46] today who read the whole analysis in the audience I mean did anybody get a chance to read this the whole thing the residents get a chance to and then can we have that conversation I feel like like we're being rushed you're being rushed and then it needs to stop we need to really think about this and do something good because you have the opportunity and just because things were grandfathered in the past it doesn't mean I'm against data centers I know we need government military of education medical needs data centers but we need

[01:27:21] to vet these data centers correctly my rules at my house with my kids were always like whenever friends come over whatever you do in your house that's your house this is the rules in these house and what I'm asking the county is to make those rules in our house you can't say I heard here tonight well you You know, when it comes to environmental impact, well, there are state and federal regulations.

[01:27:48] Well, obviously it doesn't work because look what's happened with PFAS. Look what happened with ETO. The county wasn't paying attention at the time. I mean county agencies. So we can't trust that they're going to do that. We need to put our foot down in who comes into our home and how things are going to be run.

[01:28:08] And it's not saying no to everybody, but let's vet them. Let's be discriminatory as to, like, is this really a good thing that the community wants? The other thing, real quick, EDA had all these meetings with the businesses. And I don't see EDA coming out to the public and going, three-chop, what do you want for your community?

[01:28:31] Verina, what do you want for your community? I don't see EDA doing that. How about if EDA come talk to us? Come talk to the community and see what the community wants. So I appreciate your time. I appreciate that you please listen to your constituents individually and to please, like Stewart said, take a moratorium on this one.

[01:28:53] It pays off. Thank you. Thank you, Ms. Rivera. I'm going to interject here just very briefly because it is, I don't know if ironic is the the right word. Sad maybe is another way, but the thing is, is that the timeline is in part because of immediate action is what we kept hearing from our folks. Is that fair to say, colleagues, that we kept hearing that folks wanted to have the data center issue addressed quickly, sooner rather

[01:29:32] than later and so um it is i don't know perhaps folks you know intentionally pushing negative narratives or false narratives um to to create this impression that is exactly the opposite of why um we're having this meeting it's because there was urgency um that was seen to be that we that we felt with addressing the data center issue and um it's just unfortunate that you know that things get twisted the way that they do to make it seem like it's for an untoward reason. So Aileen, I just want to specifically speak to that, that the intention was to try

[01:30:11] to get this addressed quickly because we hear the concern. And the other thing just before the next speaker comes, Mr. Emerson, my impression of the overlay district as far as the buildings or the developments that are in that, the businesses rather, that are in the overlay district.

[01:30:31] This is not loosening any standards in that district. In fact, is it not tightening the restrictions? Yes, ma'am. The properties within the White Oak Tech Park are covered by the design guidelines that were adopted for the property.

[01:30:49] They're covenants. They're recorded in 1996. Again, they've been amended a time or two over time and, of course, amended to bring the Atlantic Crossing, Oregon, rezoning into those as appropriate. But, yes, it's heightening it.

[01:31:05] The majority are probably beyond what you would consider for a provisional use permit are already contained within those restrictive covenants on that property. Okay, so this is not granting any lesser or making it easier for any properties that are within that overlay district.

[01:31:22] Is that fair to say? No, ma'am. No, ma'am, not at all. And again, 80, 85, maybe 90% of those properties are vested. And the ones that aren't completely vested have pending approvals within the next two to three weeks.

[01:31:38] And that completes all the property in the park, essentially. Okay. Ms. Whitehead. That's Roundtree. I mean, Ms. Roundtree, sorry. Ms. Roundtree. See, I'm all messed up, Ms. Roundtree. And Ms. Rivera, who I know is about as deep into preparation conversations for data centers as anybody I know, I think there's some confusion.

[01:32:07] I think if we hold up, then what we do is allow data centers to keep on coming in by right to slow it down. What we're doing is getting control of the process. All we're voting on tonight is after tonight, if we vote to support this by right, meaning not a property that's rezoned, but if anyone comes in on a B12 or 3, O12 or 3, M12 or 3 property, they literally, if they go through the plan of development process, they don't

[01:32:44] need an approval by an elected body, nor is there a public hearing process. What we're doing tonight is saying, listen, we're going to slow the process down where you can't really have any more about right. It is every single data center case from now on, from this point forward, if we vote on it, has to go through that process other than the few pieces of parcels that are left inside the White Oak Tech Park.

[01:33:10] So, that's what, for everyone that comes forward, say what, you know, you can feel however you want to feel, but if you tell us to hold on, slow down, then in essence, what's going to happen is there's going to be a rush of data centers that's going to come in to buy right product, to find buy right property while we're waiting, and they're going to be able to push their product through at this point.

[01:33:35] I've been hearing from the community that we want to say, and so this is when we have started to get applications that come in outside of the tech park, and they're going to be all around Varina, and if we don't get control of the process, there is no public hearing, and so the public won't have a part of the process.

[01:34:00] That's really what this is about tonight. thank you next speaker um with that in mind is graham montrose members of the board and the commission my name is graham montrose and i'm a varina resident my address is 4300 eanes lane right here in varina members while i appreciate any effort to regulate the polluting exploitative

[01:34:39] data center industry i wish to raise two concerns first that this ordinance proposes to concentrate by right data center development in Varina. This ordinance cheerfully describes a vision of over 3,000 acres of data centers, much of it taken up by boxcar-sized diesel generators spewing fumes and exhaust in our community, which serve as backup power for these warehouse-sized buildings.

[01:35:04] And it is not limited to what's already permitted. The ordinance explicitly references more to come in the, quote, region beyond the White Oak Technology Park boundaries. Just to be clear, There is, as you've noted, no public process for a by-right development inside those boundaries here in Verena.

[01:35:23] Public process for the other districts, public process for me, but not for thee. It cannot seem other than a reflexive gasp, a clutching of pearls by the board members who don't live in Verena, who realized after the Azalea proposal that data centers can and will take full advantage of by-right opportunities.

[01:35:42] We can't have data centers in River Mill or Moreland Farms or Monument Avenue in Short Pump. No, the places where data centers belong are in Verrina, with the dumps, trucking centers, power plants, and other industrial development that proportionally pays the bills for the rest of the county. When we say patterns of development are inherited, think about who your predecessors are on this board and what it means to perpetuate systemic inequalities.

[01:36:06] You either continue in patterns put in place by members in a different time with different understandings of which communities they served, or you change them. You members made this industrial concentration, and now you propose to contain the cancer you made to the detriment of the people of this community, while sharing the benefits that tax revenue across all five districts.

[01:36:27] Concentrating the harms and sharing the benefits. You could simply eliminate by-right data centers, full stop, understanding that maybe there are enough of one thing in one place. Instead, you propose to allow by-right data centers here, but not where you live. I ask you to look the residents of Verena in the face and say, not in my backyard, but it's fine for yours.

[01:36:47] Sorry if your kids have asthma. Sorry if your mother has breast cancer. Sorry if your parents have heart disease, not me and mine. Second, this proposal represents another broken promise to the people of Verena. 25 years ago, you proposed, you promised that the White Oak Tech Park would be contained, buffered.

[01:37:06] You'd never know it was there. And that turned out to be a lie. The data centers aren't buffered by offices and neighborhoods. They're just a sad strip of sickly trees from our homes. They aren't contained. They're expanding across Route 60 and in this so-called region. Why should we trust that this time it's a real limit?

[01:37:23] Worse, why should we trust that a proposal full of words like consider and examine and encourage is going to have any actual teeth? I urge this board to consider its role in concentrating pollution in a single area, in a single place, in a single community, in the context of a legacy of boards in the past that agliefly ignored the health, safety, and welfare of the community for the quick dollar.

[01:37:45] Dollars in pockets countywide, while the suffering and the pollution are here in our home. It's a real shame that this board thrusts something we haven't seen onto the community and says, you want action? Take what we give you and be grateful we did anything at all. Nothing stops this board from being clear that you are directing staff to develop amendments to address concerns brought forward tonight, even as we appreciate some, any regulation at all.

[01:38:10] Getting close. Thank you. 30 seconds. Thank you very much. I have the next speaker as Ms. I'm sorry, Brock Saunders.

[01:38:35] My name is Brock Saunders. I grew up in Richmond when my family moved here from New Jersey in 1989. I've had the pleasure of living in three counties, in Goochland throughout my childhood, the city of Richmond as a young adult, and I've been a Henrico resident for the last several years.

[01:38:58] I completely appreciate the intent of the proposed ordinance. I give the county and this board tremendous credit for embracing the idea of thoughtful growth. In my conversations in the business community, Henrico is repeatedly cited as a place to invest due to its transparency, fairness, and thoughtfulness with which it operates.

[01:39:20] Now, this proposal would retroactively require a provisional use permit. My request tonight is to grandfather this Censure project that you heard about earlier. David and his team are local.

[01:39:36] They own a small business. They're not a faceless corporation. If people think the rules can change retroactively, it has implications across all future developments and investments in the county. And then on a personal note of these Censure guys, they're friends of mine.

[01:39:54] They're wonderful human beings. their parents are great their wives are great their kids are great these are the type of people that we want to encourage to invest in this community thank you thank you mr. Saunders all right that exhausts the folks that have signed up so if you are here and would like to speak in person please if you're here if you're here in person and would like to line up please do so and you can just for efficiency sake you can go ahead and line up just give some some distance between yourself and the speaker on the microphone all right we're gonna start

[01:40:32] over here. Please don't forget to identify yourself. Thank you. Good evening, everyone. My name is Brendan McGee. I live off White Oak Road. I'm here tonight on behalf of my family and the

residents of the White Oak area who are concerned about the future developments within the White Oak Technology Park. My chief complaint is in regards to the health and safety of my family.

[01:40:54] With PFAS water warnings for the White Oak Swamp issued by the Virginia Department of Health, we've lost confidence that the citizen's health is being prioritized above industrial development in our district. Many of us rely on well-drinking water, and we cannot afford to have our water poisoned by runoff from industrial complexes nearby.

[01:41:15] We're also concerned with the increasing rate of commercial vehicles on our roads heading into the area. These 18-wheelers and large apparatus are a hazard on the narrow, windy roads around our houses. Many worry that it's only a matter of time until this causes a fatal accident, And we're also concerned as they're incredibly loud as they transit our small, quiet roads.

[01:41:39] Many citizens on the White Oak Road complain that 18-wheelers on the way to the Tech Park routinely ignore signs to stay off this rural back road. Many homes and farms on White Oak and Elko Road were also told that a tree buffer would be kept in between us and the properties being developed.

[01:42:00] As Stuart and other neighbors said at night, these homes have now exchanged views of woods with heavy, bright streetlights, both from streetlights and from the sides of these buildings and the developments. We need real buffers between this heavy industry and the land zone agriculturally and residentially right next to it.

[01:42:22] More important than any mall, library, school, or business, I care that Enrico, Planning Commission does their absolute best to ensure that my drinking water, air quality, and roads are safe for me and my family. I don't want to raise my family in an area that doesn't prioritize the health of its citizens above developments.

[01:42:40] Thank you. Thank you, sir. We'll go to this side over here. Hello. My name is Andrew. I live on 4303 Pennock Road in the Brooklyn District. So I wanted to take some time to appreciate the planning committee for coming up with some recommendations before I get into that.

[01:43:04] So I also read some of the resources, and data centers consume 4.4% of the total electricity in the U.S., but 25% of Virginia's electricity. Analysts project that energy consumption from data centers will triple from their current usage by 2040.

[01:43:23] The JLARC report also says that the estimated demands for electricity cannot be met with our current clean energy infrastructure and would be tough to meet with increased power generation through additional clean energy projects. So one question I have is how are we currently powering these data centers and how does the board plan to source additional electricity to support the operation of additional data centers?

[01:43:52] That's one concern that I have. and then separately data centers consume a lot of water and as we learned from the recent water crisis in January we have a fairly precarious access to clean water the the staff analyst staff analysis report indicated that data centers in the county use 0.5 to 1 million gallons per day out of the 30 to 40 million gallons per day for the total county however I think most data centers only track scope one water consumption which is the water used to cool the physical hardware in

[01:44:31] the facilities but don't track a report on scope two water consumption which is the water consumed to generate electricity to power the plants nationwide on-site water consumption for data

centers is projected to increase 200 to 400 percent of their current levels by 2028 so with all this in mind, how does the county plan on measuring Scope 1 and Scope 2 water usage for

[01:44:56] these data centers? That's all I have. Thank you. My name is Kathy Walker. I live at 201 Reva Ridge Circle at the corner of Portuguese Red Coach in Reva Ridge. First of all, I'd like to say that you as a board work for us. We are your employer. You are my and the rest of the people here and in

[01:45:33] the county. You are our employees. And I think the county has forgotten that. We have had no say-so in anything that has happened at this end of the county. I have been complaining since Jim Donati has been in office regarding the truck traffic, 18-wheelers, dump trucks, and any other type of these heavy equipment trucks. We have had them to get stuck at the corner of Elco and Portuguese

[01:46:08] Road. This week, Monday to be exact, we have had beams that steel beams on 18-wheelers to come through. We have had cement trucks. We have had gravel trucks loaded with gravel going back and forth. This is so inexcusable that we have had to put up with this mess for the last 20 years, and I think something needs to be done about this, but I am going to tell you one thing.

[01:46:41] This is the last complaint that I'm going to say regarding this. Then I will march myself up to that gate and ask them to stop construction or do something about their truck traffic that has been in our neighborhoods. There's four little girls that live next door to me, and they play at the back of their property. If one of those trucks or any other vehicle gets loose or comes speeding through there and comes through my yard, it's going to kill these little girls. And in

[01:47:17] addition, there's the speed limit. We need speed bumps or reduced speed limit on this road. I mean, it's ridiculous. Even the cars running up and down these roads are running 50 and 60 miles an hour.

[01:47:35] And in motorcycles, I'm surprised they haven't gone splat up against some of the trees down there. And it's inexcusable that I've been complaining this long and nothing has been done about it. No tickets that I know of.

[01:47:52] I think the police need to be come there because they've been AWOL, except the ones that live in the area. I want to see tickets given to these people. I mean, something's got to be done. We should not have to put up with this mess. And barriers, there's no barriers up between these plants.

[01:48:11] not what no not one piece of barrier you're running the animals now out the woods up in our neighborhoods the deer and everything else i don't want to see any construction past technology boulevard heading east on on portuguese road that's my opinion just getting close ma'am sorry 30 seconds so i want to see something like i said this is the last time i say something I will march myself up there to those construction sites.

[01:48:47] So I'm going to give you a week to put a stop to this because it's inexcusable that we have to live in a neighborhood where they park by your house and everything else. Thank you.

[01:49:05] Are there any? Oh, I'm sorry. Okay. Didn't see you back there. Go ahead, sir. My name is Stephen Hasmer. I'm a resident of Sanston.

[01:49:22] I have a couple of observations. The first one is that it seems that given some of the comments that have been made previously, that before any action is taken, there ought to be a real plan about giving something back to the impacted community area, and particularly to the lower income people that may be living in that area.

[01:49:51] Whether it might be a reduced proffer as far as the cost of their electric bill or some kind of compensation for the problems that are being impacted by this area.

[01:50:10] And I would make that suggestion to the company and to the board. And as the next speaker is coming, I just want to reiterate that the proposal that is before the joint board is to be more restrictive on data centers.

[01:50:34] And that's why you've got folks that are speaking from the data center community that are asking for action to be taken on their side because they think that it's too much, right? So these actions are in direct response to hearing from the concerns about the perceived proliferation of data centers.

[01:50:56] And this is our attempt to have the public speak its voice and to see that we are taking action to limit it. I'm not sure where the narrative got derailed. But this, to be clear, is about limiting the ability of data centers to develop, which it is right now, by right.

[01:51:19] This is putting restrictions on their automatic ability by right. And I don't want to – I hope I'm not making that oversimplified. Is that a fair way to say it, Mr. Emerson? Yes, ma'am. That's – you're exactly correct. What we're talking about here is the overlay on the White Oak Tech Park, which has its own set of restrictive covenants and other regulations of governance development.

[01:51:44] And then anything outside of White Oak Tech Park would require a provisional use permit on properties that are already zoned correctly. If they're not zoned correctly, you've got a rezoning request and a provisional use permit. So there are several steps outside, but currently correctly zoned properties have the by right use, so this provisional use permit would be adding another layer so you could hold public hearings and take public input on any proposal and consider its appropriateness for that particular site.

[01:52:18] Thank you. And I just say that again because I know how it feels to feel like you're not heard. I know how it feels to feel like you're up against a big governmental machine and it doesn't matter. And I just want to say that while we're not, you know, we don't claim to get it perfect, we are doing this in an effort to address what we have heard about limiting data center usage.

[01:52:38] Thank you. You may go ahead. Members of the commission, members of the board, my name is Michael O'Brien. I'm a resident at 4300 Eames Lane in Verona. Get a little closer, sir. Makes me feel awkward. Oh, there you go. Not too much. I think I'd first like to point out, I think part of the consternation, I recognize that it's making things more restrictive, but I think comments by Mr. Emerson and discussion between the boards and such make it very convincing and a very convincing argument, as well as the report which is actually quite excellent, thank you to the authors of that that this has minimal impact on business. 80 to 90% has already been done, it's affecting less than 10% of the stuff out there

[01:53:17] so why does it have to be in an overlay and why can't we just change the joining code for the whole thing, and that would allay many comments here and frustrations about East versus West, is that while you are being restrictive, I think you're being permissive in a certain area, and the comments that you hear today made sure that it's a very small area and have a very small impact on business.

[01:53:37] Regarding business, starting out in terms of sunk cost with the first three speakers today, the first speaker said they've spent over \$300,000, the second and third, fourth speaker said they spent over about \$700,000. The median home price in this area is \$365,000, which means any homeowner here has essentially spent more and has more sunk cost in this than the first person who spoke.

[01:53:58] In terms of the second person who spoke, well, it's two homeowners now have more sunk costs in this area. Six months working with his puss up. My neighbor has spent more than six months trying to perfect his lawn. So trying to put things in terms of perspective about sunk costs about those who live here and those who want to manufacture here is worthwhile to think about.

[01:54:16] Lastly, and I also want to echo that industry will sustain this. There's a lot of comments about things that won't be sustainable, whether it's tax revenue, whether it's burdensome. I mean, we can think about how many millions of dollars the Horrigan project made on the first day of the rezoning went through. Industry will sustain it, and I think that's a concern that should be shed.

[01:54:33] Talking specifically about the proposal that's before today, again, I think it's very well written. One of the things that they pointed out was air quality and said, ah, DEQ, we'll take care of that. I worry a little bit, and I think that we need to take care of our own, as none of the suggestions after that dealt with air quality.

[01:54:50] The closest air quality monitor from where we're standing right here is in the Math Science Center. The other one is at Shirley Plantation. Actually, the closest air quality center of any kind is at my house. It's the little dinky purple air. So we can look and say, well, these don't impact communities.

[01:55:06] The air quality might not be that bad, but the fact is that at this point, we do not know. So taking some sort of thing on board, some sort of baseline knowledge about what is going on right here is critical because we can say ah they don't really change that much they didn't really change that much off of 495 or they didn't really change that much here we frankly just don't know so I'd like to take that in consideration as well thank you very much did you give your name just so that we make sure I yeah I believe I think I might have it's Mike O'Brien 4300 Ainsley and Verona District thank you Madam Chair can I just one comment um the so bigger than just the White Oak

[01:55:46] tech part i just want to make sure that we understand that this is not just restricting every single data center case that comes forward after tonight if this is approved has to go through a pub provisional use permit which means that they will be approved denied denied approved case by case basis if we don't then again if it's by right meaning if you want to if you're an applicant and you purchase a piece of land that is already zoned it does not have a public hearing process

[01:56:21] and the board of supervisors does not vote on it so this is bigger than just the white oak tech park i understand the concern that most of the land in the tech park is spoken for but we still have the huge district of varina that is still mostly agricultural open land open space it gives us the opportunity to be able to look at each case case by case and not do any bad right zoning so we're not just talking about the white oak tech part i know it's easy to think that this is just

[01:56:57] about the tech part but it's not this is about varina this is about the district varina just a whole not just the tech part we're going to go over here just to spice it up a little he's been waiting a while so just let him go well all right there you go good good evening members of the board. Members of the Planning Commission, my name is Andy Conlon from the Tuckhoe District.

[01:57:23] I apologize. I did sign up and got an email in confirmation, but I request that you take my comments as they are intended. Like you, I want what's best for Henrico County as a whole. I also have a unique perspective in that I used to work for Henrico County. I was trained about the Henrico County way. I have practiced land use law for over 30 years in Henrico County. I, of course, raised my family and have

been a citizen of Henrico for 30 years. I speak not tonight opposed to the substance of what is being proposed. I understand the desire to have a public dialogue about creating guardrails for development of an industry that has anticipated growth and discuss

[01:57:59] the potential impacts of that growth. It makes good policy sense to have that discussion. My concern, however, is this process, which is highly unusual in my experience for 30 years in Henrico County. From the date of the board resolution, there's been seven weeks until tonight. Five of those weeks were given to staff in order to investigate, study other jurisdictions, study a very complex industry, and make a recommendation as to what is best for the county. The public has had literally two weeks, two weeks from when the ordinance was first made available to understand the impacts that are going to come from this, good and bad. And I think you're seeing some of the

[01:58:36] frustration that comes with that. Typically there's an opportunity to have review and comment. The staff, when they're looking at a new ordinance, will go to the industry itself and ask for input to see what are the impacts on the industry and they'll go to the community. The comprehensive plan right now, we're going through a comprehensive review of the comprehensive plan, they're going out to the community for that very reason.

[01:58:58] Instead we are given the public hearing to have the dialogue, which for all good intentions this is not a dialogue. This is a person speaking and then another. There's no give and take, there's no discussion of ideas and how to make this a better example. The R5B ordinance took over six months with multiple hearings and work sessions by both bodies.

[01:59:18] since 2002 has there been a joint meeting between the Board of Supervisors and the Planning Commission, and in that particular ordinance it took over seven months. Here we have seven weeks. The intent is good, the substance is good, but we need to take a look at what we're trying to do. And no matter how good staff is, and your staff is very good, there's always room for improvement. There are a number of items I could talk to that merit, I believe, a discussion that I can't get across in just four minutes. But that is why we have community meetings. And that is, with respect to the example, the comprehensive plan, which has not been talked about a lot tonight. We talked about the ordinance, but if you think about the comprehensive plan,

[01:59:55] the county is already going through a comprehensive review. Why is that not this particular part of that being made a part of that comprehensive review? When you look at a specific use, you're having other impacts on other parts of the comprehensive plan that may be unintentional. So my ask for you tonight is to take the time, whether it be 60 or 90 or 30 days, but to take the time to make sure that we get this done right. When you rush an ordinance, an ordinance becomes set in stone. But when you rush an ordinance, mistakes happen. I'm happy to give my opinions, as I said, on matters that need to be addressed that maybe merit further discussion. When you rush an ordinance, there are unintended consequences. You've heard about two specific

[02:00:33] property owners that have come forward to say that they feel like that they're not saying that this is too much, Ms. Roundtree. They're actually saying that they're being treated unfairly. And And that's one of the things that an ordinance can do that Henrico County and the Henrico County Way wants to treat all of its citizens, business and residents, fairly.

[02:00:52] They're also being treated with similarly situated property, dissimilarly, and you've heard that from the specifics with respect to the properties. These particular items could be addressed easily. For

example, in Loudoun County, they said if you're going to be grandfathered, you needed to have application in by the time of the first public hearing.

[02:01:13] Even though the ordinance was approved many months later, so to address Mr. Nelson's concerns, you could set tonight as the date. We have a citizen, a business citizen, that has come forward at the request of the county to invest money into the county and yet are being told that the rules in the middle of the game are being changed and you have to go through an additional public process.

[02:01:33] So in conclusion, I would simply ask for three things: deferral of these matters in order to address, to make sure that we're approaching them correctly, both good and bad. restrictions, do we need different restrictions, do we need to be more efficient, and to make sure that we're doing the right thing for all the citizens of Henrico County.

[02:01:52] Number two, if a deferral is not appropriate, I do believe that it is appropriate to make sure that those projects that are already in the queue where they've already submitted a plan of development, as of today, are given priority and be able to be vested and get approved and not be subject to the ordinance.

[02:02:09] And finally, for those properties that are within the context of the overlay district that meet the same standards as the overlay district, also be given the same, treated similarly, as those that are in the White Oak overlay district. I thank you for your time, and I appreciate the opportunity to speak.

[02:02:25] - Thank you, Mr. Connelly. Yes, ma'am. - I'm Mandy Woodcock. I live in Sanborn Park, and y'all are gonna build it no matter what.

[02:02:40] But I guess my question to you is, what are you gonna do back? What are you going to give back to the community? Are you gonna go ahead? I've not once heard anything about, yeah, you know, as far as you're going to build your business.

[02:02:58] But I want to know what are you going to do about our drinking water? I don't hear anything about helping our environment around us at all as far as a business, as far as what you're going to put back into the community. Because you all don't live here. We do. That's all I really have to say.

[02:03:16] Good evening. John Montgomery, 2666 Kingsland Road, Verona. I'll be extraordinarily brief. I know y'all find that hard to believe, but I will. I will tell you that it's kind of interesting in that not so long ago we had a case involving data centers in which those of us who spoke in opposition and brought forward, I thought, some reasonable points about conservation, electricity, water, and so forth, and asked for deferrals so that those things could be studied.

[02:03:50] In that particular case, we're told that now is not the time for the study, Not by the board, not by the commission, but by the applicant, actually, that pushed it through. So I would encourage you not to delay when there's been years now of study and consideration of this matter.

[02:04:06] And then the other thing that I think is extraordinarily important is this. At each level of government, we have an opportunity to influence things, but we can't influence everything. And so the steps that you're taking here tonight are the things that you can do, that we can do, that you can do on behalf of the county.

[02:04:24] But I also believe that we as a county and those of us who are concerned should continue to advocate at the state level and even at the federal level because the impact, particularly of electrical use

and the need for generation of electrical use and transmission of that electricity is only going to become greater.

[02:04:45] And I think one of the speakers spoke about the fact there's roughly 25 percent in Virginia, which is extraordinary and will continue to grow. And so that, I believe, will become the choke point. And we as a county have an opportunity, I believe, to work with other counties and work with others to advocate at the state level and even the federal level that there be some regulation, some consideration of that matter in particular as we go forward.

[02:05:10] So I welcome the effort for what we can do here at the local level, and I'm encouraged by that. I know that there will continue to be the opportunity perhaps to amend what's done tonight, if necessary, in the future.

[02:05:26] And I encourage the folks who are doing the development that they're doing, that they participate in the process that's now being put in place. It's not so onerous that, as a matter of fact, businesses go through it all the time. It's regretful that they are at this point in their process, but they can handle it.

[02:05:46] And beyond that, I encourage us to find a way to advocate at the state and the federal level for additional regulation, particularly regarding electrical use. Thank you. Thank you, Ms. Montgomery. Yes. Hello.

[02:06:02] Hello. My name is Brandy. It's not necessary that you know my address, but I live in a right corner. First off, I'd appreciate if we never go about saying green zone data center. That is an oxymoron. We all know how much data centers water use. And the drinking water used in data centers is often treated with chemicals to prevent corrosion and bacteria growth, rendering it unsuitable for human consumption or agricultural use.

[02:06:29] This means that not only are data centers consuming large quantities of drinking water, but they are also effectively removing it from our local water cycle. I bought this property here because I love this land. I love the wide open spaces.

[02:06:45] But when I bought it seven years ago, I didn't know that I was going to be poisoned by the Virginia Sterilization Center, the PFAS in the water, and now the data centers. You're really ruining our land. We're smart people. We came out here because we want land.

[02:07:01] And now I'm led to believe that you've rezoned all of Henrico to sell us out. I mean, we know we're getting it, but we want to stop. We don't mind development, but we want responsible development. We don't want to be poisoned, and that's all. Thank you. I don't think I see anybody else lined up at the mic. Okay, go ahead. If there's anyone else after this person, go ahead and please, if you don't mind, line up.

[02:07:35] I would like to thank Mr. Nelson for clarifying that it's just not the technology part, but I know that the environmental issues should be studied, especially the water. Dominion Power is going to take care of the electricity one way or the other, but as this lady said a few minutes ago, what are you going to do for us?

[02:08:03] You got billions of development going in out there. The last time I heard is Facebook, Meta, ended up spending \$9 billion out there. Now that you're going to get, what are you going to do for us with

all that money?

[02:08:25] Tax money. That's my question to you. Are you going to reduce our taxes, our real estate taxes? I mean, what are you going to do with all that money? The data centers, I live within walking distance of them.

[02:08:47] And the data centers are already there. clearing more land every day as you said from what i understand 90 of it's already taken is spoken for don't let these data centers go down darby town charles city or wherever they want to go all right the data centers are probably the best solution for not having over development of neighborhoods and traffic and so forth and so on but you guys are going to get a mother load of

[02:09:23] money and what are you going to do with it you know i know you reduced the tax rate two cents so you took two hundred dollars out of my pocket and gave me back 220 you know now with all this you you raise the taxes on computer equipment to two dollars a hundred i mean that's a windfall because that's all that's going out there are you going to reduce our attack our real estate taxes

[02:09:57] by half is there an answer you're going to reduce our real estate taxes by a quarter what are you going to do for us thank you well i i will say that yes that the tax rate is reduced i i will point out though that and this is just an example we've been accused of being unfair by

[02:10:32] reducing the tax rate right like that that's what it's like sitting up here is that when action is taken to reduce a real estate tax rate then it's well that's not helping people that need help either 60 million dollars from the data center case last year was to build an affordable trust fund for affordable housing I don't have a single project in three chopped that that that that qualifies for that because the cost of dirt is so expensive in three chopped so where that is generally focused is in Varina so that is data center money that is going towards buying homes or

[02:11:09] helping first-time home and homeowners have housing the again just just trying to maintain decorum so I hear you and that direct question about are we going to lower tax rates yes we have just recognize that that even that is not without criticism is the point that I'm making and there is there are programs directly as a result of the data fund and I'm sure Reverend Nelson could speak to it the county manager could speak to it as well so I just that's a very simplistic way of answering that question but it's not lost upon us that

[02:11:45] there is that trade-off and if people are in the community where these data centers are then it absolutely is appropriate for remedies to be focused on that as well and I have to explain that maybe to my constituents and three chopped to say why aren't you doing something to you know build something in three chopped but in any event was there a comment here sorry all right is there anybody else here that would like to to speak if not I know we have one person

[02:12:16] on WebEx who is handling that today Miss Brackett

[02:13:21] And the note that data centers have on electric utility bills. Residence and retail sales pay utility to Richmond to order it. Yes, clear, Richmond has yet to resolve a decade-old issue. Pockets have a lot, but our water is still in the middle.

[02:13:39] Those of us who use low water, this is myself, are forced to deal with the consequences of pollution individually instead of being ordered by or reimbursed by our residents. As noted earlier, Jay

Lock noted that the Indian energy bills would increase between \$14 to \$37.

[02:13:56] This and the district, where a number of the schools received free of a B-12, and other families of K-10A recharged for school breakfast and lunch. The many times have been noted to have an increased reliance on fossil fuels, and it's backing away from a shift towards the local.

[02:14:12] And again, people would notice that community patterns were established in the city. I attended the former and Wrightsville Central School, the John Mayford Elementary, Verona Elementary, John Rock Middle School, and Verona High School. I worked at Fairfield for five years, and John Rock for three.

[02:14:29] I'm currently an institutional professional with the Community Service Board, and I plan to be a refugee for the rest of my life. The open land and open space of Burriner is being shut by obnoxious residential development. Please keep Davidson's away from us. They don't belong here or in Toronto City or in Richmond or in Hanover.

[02:14:51] The land is not isolated. It's surrounded by majority black, brown, white, working in a college community. To the developer, try speaking to the people and ask them what they want, and not just speaking into so-called representation. Please speak to the people. We are not scared.

[02:15:07] To those of our persons, please get together and exchange contact information after this meeting. Please keep getting together to study new matters as a community, coming to hearings to put forth the interests of the people. Like voting, it isn't effective to just get together once.

[02:15:23] We have to keep the conversation going so we're prepared for next time commercial interests try to overpower the people. Thank you. I believe that that concludes the public comment section of this meeting thank you for everybody who who took the time to come out and speak to this thank you for the civility with which you spoke and everybody else who sent in written comments please know that if you did send in written comments and did not speak we all received them and we all have reviewed them

[02:16:00] that being said that concludes the joint public hearing and that portion of this evening is now closed mr woody how would the planning commission like to proceed thank you mr roundtree is there any discussion or questions from the planning commissioners before i call for motion hello is there any discussion or questions from the planning commission before i call for the motion

[02:16:40] no we don't have anything i just like to thank staff for the information they put together um for us uh and i'd like to thank all the people that came up made their comments and and show the interest in the process.

[02:16:59] I move that we recommend the Board of Supervisors adopt the proposed amendment of the 2026 Comprehensive Plan to designate the Technology Boulevard Special Focus Area and create development objectives and guidelines for data centers. Second.

[02:17:15] We have a motion by Mr. Mackey, a second by Mr. Winteroff. All in favor say aye. Aye. Opposed? And we'll note we have one absent and one abstent. Motion passes.

[02:17:35] Yes. All right. I also move that we recommend approval of the revisions to the zoning ordinance to create the WTPA-O White Oak Technology Park Area Overlay District and other associated changes as presented this evening.

[02:17:52] Second. We have a motion by Mr. Mackey, a second by Mr. Andrews. All in favor say aye. Aye. Opposed? Once again, one abstention, one abstention. I can do that. Motion passes.

[02:18:07] Mr. Smith, that completes the business of the Planning Commission. Thank you, Mr. Whitty. Thank you to members of the Planning Commission, and certainly I'll echo what Ms. Roundtree said. Thank you so much for the public comment that was heard today during that public hearing.

[02:18:26] With the end of the business of the Planning Commission, we'll now turn to the work of the board. I want to take one quick side note, two quick side notes. One, I failed to mention a member of the media who was here, and I do want to recognize Jonathan Spires from BizCensus here.

[02:18:44] Jonathan, thank you. I'm sorry I missed you earlier, sir. Prior to moving into the work of the board, it is certainly an opportune time here after what has been two and a half hours. I'd like to call for a quick break to allow folks on the panel here to utilize the restroom and to take a quick break for the members of the audience.

[02:19:07] What's the quick break? Five minutes? Yeah, if we could gather back here at 7.40 p.m., 7.40, we'll gavel back in. Thank you.

[02:26:05] Welcome back, everybody. Thank you for allowing that quick break.

[02:32:58] Thank you. Hopefully it was enjoyed by everybody. As we transition here, please note we're going to enter the Board of Supervisors portion of a public hearing, so we will hold just that, a public hearing. I'd like to provide some context to it.

[02:33:14] Now that this board has received the recommendations by the Planning Commission, This board would like to reopen the floor for public comment with allowing the public an additional opportunity for comment with the following notes as part of this public hearing. We took notes. We were here. We listened. We have everything you said, and we know who spoke and how long you spoke for.

[02:33:35] Please, in the interest of everyone's time, we'll limit speakers in this public hearing to two minutes, and we'll ask that comments aren't duplicative. If you already spoke and you said your comments, they are in the public record, and we heard it. This time is simply for someone who would like to speak to this body again before this case moves on to the next step, which would be discussion by the board.

[02:33:58] Again, please limit your comments to two minutes. I'll try to do my best to politely notice anybody when you're getting to about 30 seconds. And again, I'd like to remind everybody that your comments are recorded and heard from your first, and there is no need to repeat them again.

[02:34:14] So with that said, we will move into the public comment portion of this public hearing, and I will invite any speakers in the room who wish to speak to please again address the microphones on either side of the room. All right. I'm glad to see that everybody had their opportunity in the first one, and I thank you for your efforts.

[02:34:34] Is there anybody else on WebEx that wishes to speak? Ma'am, oh, I'm sorry. Ma'am, go ahead. Please stand up. If you wish to—oh, yeah, same case. Just please go ahead and line up. For everyone's record, there's a Planning Commission public hearing that has occurred, and this is now the board of supervisors public hearing again on the same issue the planning commission heard it made their recommendation to the board and now the board will hold the public hearing discussion on the item so if

you wish to speak please do so ma'am and again please state your name and your address for the record and two minutes and i'll try to be polite okay

[02:35:07] all right sharon klein 2121 creekdale court sandstone virginia i have sent everybody a lot of communications over the last year. So my thing is that I hope that you read and took into consideration my actionable measures that I wanted you to review for this meeting.

[02:35:33] My main concerns are going forward with the White Oak overlay is how it will affect the community in terms of electrical power, the cooling fans creating an urban island heat index that could raise the temperature 1 to 3 degrees centigrade.

[02:35:56] And it's not about each individual data center. It's about the cumulative effect. And that cumulative effect of that and degrading the air by whatever power source that the rest of the data centers are going to be powered by.

[02:36:15] I just know this community, and I love it, and I hate to have to leave because I'm a two-time breast cancer survivor, and I have sinus issues.

[02:36:32] I'm doing pretty good for my age, but I would hate to have to leave the community because of not looking at the whole picture as we move forward. Thank you. Thank you, ma'am.

[02:36:47] Is there anybody else in the audience that wishes to speak this evening? Is there anyone on WebEx, ma'am? Yes, I'm going to speak on the mic. All right, thank you very much.

[02:37:03] Again, I'd like to thank everybody, all 20 of you, exactly. Thank you for your participation tonight and for everyone who has attended here this evening. As we move out of public comment, we'll move into a discussion phase of this meeting. Is there any discussion or comments from my colleagues?

[02:37:21] Yeah, Mr. Chair, just a couple things. One, first of all, thank you to staff. You did put a lot of time and effort into this over the last, I think as somebody mentioned, seven weeks. So thank you for doing this in a quick turnaround. Thank you to Mr. Emerson, Mr. Steele, and all of your staff.

[02:37:39] Number two, I'd like to also acknowledge and thank Highland Springs High School for having us here today. This is kind of a big deal for us to all be together, and I just want to thank Highland Springs High School on that. One more thing to the woman, I didn't catch her name, from Verina, who asked, maybe Executive Chief Burnett, maybe if you could send some police down to Portuguese Road afterwards, we can write a few tickets out there for you, ma'am.

[02:38:08] So thank you, Executive Chief. Other than that, I'm going to hold any other comments until the end. Thanks. Thank you, Mr. Rogish. Anyone else? This is the end, Mark.

[02:38:25] Yeah, I was going to say, as a reminder, this is it. after discussion by the board there would either need to be a motion on the item one way or the other did you want it i was going to make a motion so i was going to hold my comment to right before the motion so anybody else have anything else to say once i get the motion i'm ready to roll go for it all right well i don't have it yet so i guess we'll just sit here and wait no one has anything else to say on the board all right well let me go ahead with my comments that you're done i would say that um as i was preparing to come here this evening one of the

[02:39:00] questions I had was whether the the proposed method of addressing what I think we are fairly open at this point right I'll just I mean I'll just say I am very concerned with slowing down data centers the question in my mind was what is the best way to do it and specifically is the overlay district the best way to

do that and I came in sincerely wanting to hear from the public as to that and be able to ask you know any questions of staff as to why that particular method of doing it, you know, how we felt about it. I am also, I heard the

[02:39:37] comments by Centra about the seeming, the perception of inequity of disparate processes, and that's always something that I am definitely sensitive to when, you know, there's a favored status by one group and they don't have to go through the same process, so I do think that that is a compelling argument as well. And so I would like to just say that this dialogue here tonight especially those of you who were very civil and courteous and kind in your comments and spoke from the heart with sincerity i think has definitely moved the needle in my mind

[02:40:13] as to how what i think may be the best way to approach this so again thank you all for for coming out and giving your thoughtful comments and it is not for naught thank you ma'am mr nelson thank you i i've missed a little bit of that you want to go ahead repeat that again no i'm just

[02:40:43] I had some things to say, particularly for those of you who live in my district, the Verona district, which is technically over half of the land mass of Henrico County. Over 50, some say 52 percent, some say 54 percent of Henrico County is Henrico.

[02:41:03] It stretches all the way to New Kent and Charles City and up to the eastern part of Fairfield and to the city of Richmond and the James River. So you technically can live in Verona, the district, and not run into people who live in the same district as you because the district is so large.

[02:41:24] From close to the city to Charles City, New Kent, on the day where there's traffic, it could take you 25, 30 minutes to travel across the district. And so we have a vast district, and I just want to make sure that we understand that. We have passionate people who live all over the district, that care about our district.

[02:41:43] And so though these are countywide issues that we are talking about, we all know that pretty much the concentration of data centers are in Verona. They have been in, it seems like the interest is continued data center home in Verona.

[02:42:02] I just want to share something about me personally for those of you who don't know. And some of this even my colleagues may not know. I was interested in this, in what was happening at the back door because it seemed like it was exciting. These little blue pens that were given to you, Verona, Virginia, not just anywhere.

[02:42:22] Whoever came up with that, I thought that was really creative. It is. Verona is a special place. It's Thursday night. Tuesday night, just 48 hours ago, I was at 8187 Bradbury Road. That is, it was the former home of my uncle, who now has dementia, is in a nursing home.

[02:42:45] He built that home 40 years ago. Lived there his whole life up until he could no longer take care of himself. He's now in a nursing home. My cousin and I share co-power of attorney, and we've had to watch the journey of him, who for 30-some years didn't know he had a kid and found out that he had an adult child.

[02:43:08] Yet the both of us ended up being a power of attorney. We had to sell his house in the heart of Varana because the government said that he owned property and they could not give him Medicaid coverage because of it until he depleted all of his savings.

[02:43:27] Leaving from that house, giving the keys to the new owners, I had to drive past my grandfather and grandfather's home that they built that now was owned by someone else. pulling out the driveway i looked at the home of my aunt diagonal looked at the home of my cousin down the street looked at the home of my uncle my family most of y'all don't know um have been in the varana district um for centuries you know it it does make me smile sometimes when i hear

[02:44:00] people try to act like i don't know varana i'm not from varana i don't care about varana um my My grandparents were, well, let me go back beyond that. Clearing out my uncle's home, I found his 1973 yearbook.

[02:44:18] He and my aunt were some of the first students, black students, to attend the integrated Verona High School. My mother could not go to Verona High School because she was black. She had to go to Virginia Randolph. She had to be bused from Verona to Virginia Randolph and Glen Allen every day.

[02:44:39] Could not go to Verona High School. 17th, 18th century, late 1700s, there was a case called Pleasance versus Pleasance. Some of you all who are in the area know of it. Really interesting case.

[02:44:58] The Pleasance family came from England, moved here, moved to Curl's Neck. Decades of selling tobacco became very rich. Robert Pleasance, the son, was a Quaker.

[02:45:14] He did not believe in slavery. He got his dad to draw up a will where when he died, all of the slaves would get the land and be freed on the land. Two decades, family fought over it, fought over it.

[02:45:31] My ancestors, my great-great-great-great-great-grandfather was one of those free slaves in a community called Gravely Hill now. It's called Gravel Hill, in the center part of, sandwiched between Darbytown Road and Route 5.

[02:45:52] I say all of that because my family is Verina. I am Verina. We've been here for centuries. I care about this place. And so the decisions that we make, that I make, are important to us.

[02:46:09] I sat down with the county manager and our director of planning a day or two ago. We had a map of the district in front of us and really just kind of looking at where really are the industrial corridors and where is residential, where is it not?

[02:46:27] How can we find ways to make sure that we keep big parts of Arana from becoming residential or industrial while yet providing the best services, et cetera? I was not around.

[02:46:44] I heard one of the persons say 25 years ago at the beginning of 2000, I was not around in county government then. And so decisions that were made prior to my being elected, I can't be held accountable for those, but I can be held accountable for those decisions since then.

[02:47:03] I was a part of the QTS rezoning last year, and several data centers will come out of that. One of the things that I heard tonight was, what do we get out of it? And one of the reasons why I voted for the QTS rezoning last year was because we were able to get \$60 million committed for affordable housing that will impact people for years to come.

[02:47:35] Multiple ways by which the mortgages or home prices can be brought down to be made affordable. right now Parkside Town's apartment right across the street from Taylor Farm the brand new Taylor Farm Park you know again another one of the things that you know interests me when I hear people one of the ladies that spoke tonight actually said that you know I was one of the one of the worst things that ever happened to Verona and I was a horrible supervisor tell that to the folk

[02:48:13] to go to the school. The school wouldn't be here if it wasn't for my advocacy. Now, almost 10 years ago, Taylor Farm Park, the same. New police station up the street, the same. New fire stations, the same. New libraries, the same. And so, you know, don't believe that I do nothing for this district.

[02:48:36] This is a complex issue, this data center park situation. It is. One thing we know for a fact, we're getting out of it. I brought up Parkside Towns. Those homes were, I think they're being marketed for around 320 because of our affordable housing trust fund. About 25 people will be purchasing them houses for less than \$200,000. That's because of the rezoning. \$5 million worth of solar panel investment also came out of that same case. So we can get stuff as we move forward.

[02:49:13] I understand this tech park, when it was thought of back in 96, who would have thought that data centers would be such a concentration point across the country? We will have quite a few of them in the tech park.

[02:49:31] The reason that I support this is because it keeps us from no longer being at the mercy of zoning of land, but then now the board gets the opportunity to hear each individual case and we make a decision on each individual case.

[02:49:52] You get an opportunity to speak to each individual case. And so those things are important going forward. Now, in a second, you're going to hear a motion and the county attorney will explain it. in a second, but I want to reemphasize again, if we don't support this, then by right development will continue and data centers will continue to pop up in the Verona district, outside of the tech park, all over. They'll be close to your neighborhood and every other neighborhood if we

[02:50:32] don't get a control of it. And so we will get to be able to say now, is this a good use? Is this a good space? Is this a good place? And if not, we can say no. When it's by right, we cannot. And so that's why I support that. Mr. Newby, explain to us what we are about to do. So we are, what does this mean? We are, we have agreed individually. We've talked to each other to get some consensus.

[02:51:08] We've agreed tonight because we didn't come in here like this. We are deferring the amendment and the zoning ordinance to our regular meeting on June 10th, both the Comprehensive Plan Amendment and the Zoning Ordinance Amendment.

[02:51:29] But we are asking and directing staff to draft re-advertise for that hearing an amended version of the proposed ordinance to remove the proposed overlay district so that a PUP provisional use permit is required for data centers in that area of the county, meaning anywhere in the county.

[02:51:49] Can you can you put that into layman's terms? Yes, sir. You're absolutely correct. So the Planning Commission has acted and recommended both ordinances as as proposed. The board is considering potentially motions to defer both items to June 10th. On June 10th, the comp plan proposal will be reconsidered again. And importantly, the zoning ordinance, I'm hearing the board is interested in having staff prepare an alternative, an amendment to the proposal that would eliminate the overlay district and therefore require a provisional use permit for data centers anywhere in the county and

[02:52:26] the O B and M districts under that circumstances they would no longer be by right data centers as a principal use anywhere in the county in any district and instead by right excuse me data centers as a principal use would always require a provisional use permit and a public hearing before they could begin

[02:52:46] To include the White Oak Technology Park, which initially, the initial ordinance was to continue to do by right within the park. Now we're saying within the park. There is no overlay. So after June 10th, if we support this, everything will have to have a pup. That is not vested at this point.

[02:53:15] That's correct, sir, and that proposal will be re-advertised for a new public hearing on June 10th if the motion you propose is carried. All right. Mr. Chair, I'm prepared to make the motion after you or if you ask for further comments from our colleagues. Yes, sir. Thank you, Mr. Nelson.

[02:53:32] Are there any further comments or discussions from members of the board on this item tonight? All right. Seeing none, is there a motion on the comprehensive plan amendment? Mr. Chair, I move we defer the Comprehensive Plan Amendment recommended by the Planning Commission to the regular meeting on June 10, 2025.

[02:53:54] Is there a second? Motion's been made by Mr. Nelson, seconded by Ms. Roundtree to defer the Comprehensive Plan Amendment to the June 10th meeting. Those in favor say aye. Aye. Any post? That motion carries. Moving on, is there a motion with regard to the deferral of the Zoning Ordinance Amendment?

[02:54:14] Mr. Chair, I move we defer the zoning ordinance amendment recommended by the Planning Commission to the regular meeting on June 10th, 2025, and I further move that we direct staff to draft and re-advertise that that hearing, an amended version of the proposed ordinance, to remove the proposed overlay district so that a provisional use permit is required for all data centers in that area of the county.

[02:54:40] Thank you, sir. It's been properly moved. Is there a second? Second. We have a second made by Mr. Cooper. A motion was made by Mr. Nelson. Those in favor say aye. Aye. And he opposed. All right, that motion also carries. Mr. Manager, I believe there is no further business of this special meeting of the Board of Supervisors.

[02:54:56] Is that correct? Correct, sir. All right, Mr. Witte, we hereby adjourn this Board of Supervisors meeting, and I turn it back over to you for your regularly scheduled Planning Commission meeting, sir. Thank you. Thank you, Mr. Schmidt, members of the Board. The Planning Commission will take about a 10-minute break to give people that aren't staying for the Planning Commission meeting and the board members to vacate if they would like to.

[02:55:23] You're more than welcome to stay and participate. Thank you.



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