

1 **Minutes of the special meeting of the Planning Commission and Board of Supervisors**  
2 **Joint Public Hearing of Henrico County held in the Highland Spring High School**  
3 **Auditorium, 200 S Airport Drive, Highland Springs, beginning at 5:00 p.m., Thursday,**  
4 **May 15, 2025. Display Notice having been published in the Richmond *Times-Dispatch***  
5 **on May 1, 2025, and May 8, 2025.**  
6

7 Planning Members Present: Mr. Robert Witte, Jr., Chairperson (Brookland)  
8 Mr. Jaron N. Dandridge, Vice-Chair (Fairfield)  
9 Mr. William M. Mackey, Jr. (Varina)  
10 Mr. Brian Winterhoff (Tuckahoe)  
11 Mr. R. Joseph Emerson, Jr., AICP, Director of Planning  
12 Secretary  
13

14 Board of Supervisors Members Present:

15  
16 Mr. Daniel J. Schmitt, Chair (Brookland)  
17 Mr. Roscoe D. Cooper, III, Vice-Chair (Fairfield)  
18 Mr. Jody K. Rogish (Tuckahoe)  
19 Mr. Tyrone E. Nelson (Varina)  
20 Ms. Misty D. Roundtree (Three Chopt)  
21

22 Planning Commission Members Absent:

23  
24 Mr. Bob Shippee (Three Chopt)  
25

26 Also Present:

27 Mr. John A. Vithoulkas, County Manager  
28 Ms. Cari M. Tretina, Deputy County Manager/Chief of Staff  
29 Mr. Steven J. Yob, Deputy County Manager for Community  
30 Operations  
31 Mr. Michael Y. Feinmel, Deputy County Manager for Public  
32 Safety  
33 Mr. W. Brandon Hinton, Deputy County Manager for  
34 Administration  
35 Ms. Monica Smith-Callahan, Deputy County Manager for  
36 Community Affairs  
37 Mr. Andrew R. Newby, County Attorney  
38 Mr. Ben A. Sheppard, Director of Public Relations  
39 Mr. Bentley Chan, Director of Public Utilities  
40 Ms. Tanya N. Brackett, Assistant to the County Manager for  
41 Board Affairs  
42 Ms. Jean Moore, Assistant Director of Planning  
43 Mr. Ben Sehl, Senior Principal Planner  
44 Mr. Ben Blankinship, Senior Principal Planner  
45 Mr. Tony Greulich, Senior Principal Planner  
46 Mr. Livingston Lewis, County Planner  
47 Mr. Michael Morris, County Planner  
48 Ms. Ali Hartwick, County Planner  
49 Ms. Neha Shinde, County Planner  
Ms. Kelly Drash, County Planner

May 15, 2025

Ms. Molly Mallow, County Planner

Mr. Witte - I call this special meeting of the Planning Commission to order. We are pleased to be joined this evening by the Board of Supervisors and its chair, Mr. Schmitt.

Mr. Schmitt - Thank you, Mr. Witte. It's good to see you all. Thank you, everyone, for joining us tonight. I'll join Mr. Witte 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.

[Recitation of the Pledge of Allegiance]

Mr. Cooper - 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, we do pray. In your name. Amen.

Mr. Schmitt - 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. We also have Desiree Montilla from NBC 12. Desiree, thank you, ma'am. And Maggi Marshall is here with CBS 6. Thank you to each of you for taking the time and being here with us tonight. I'd also like to take this moment and quickly remind my colleagues, all of them, that we're using the old-school equipment here 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 that folks in the audience and the folks that are dialed in virtually can hear us. Ladies and gentlemen and for those of you dialed in, the purpose of this meeting tonight is to hear from the public about proposed data center regulations. 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. 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, and if so agreed, is there a motion?

Mr. Cooper - So moved.

Mr. Rogish - Second.

Mr. Schmitt - There's been a motion made by Mr. Cooper, seconded by Mr. Rogish. Those in favor, say aye.

Board - Aye.



97  
98 Mr. Schmitt - Any opposed? All right. Motion carries. Mr. Witte, could you  
99 please check if the Planning Commission concurs or has another recommendation?

100  
101 Mr. Witte - Yes, sir. Is there a motion designating Ms. Roundtree to  
102 preside over and conduct a joint public meeting?

103  
104 Mr. Mackey - So moved.

105  
106 Mr. Dandridge - Second.

107  
108 Mr. Witte - We have a motion by Mr. Mackey, a second by Mr. Dandridge.  
109 All in favor, say aye.

110  
111 Commission - Aye.

112  
113 Mr. Witte - Opposed? The ayes have it. Ms. Roundtree is designated to  
114 preside over and conduct a joint public hearing. Ms. Roundtree.

115  
116 Ms. Roundtree - Thank you, colleagues. I'd like to start the meeting by asking  
117 staff to provide a presentation, and I would note that these are expected to be the  
118 materials that have been online for a couple of weeks now. But if we could have someone  
119 from staff provide that presentation for the public. Mr. Emerson?

120  
121 Mr. Emerson - Thank you, Madam Chair. Tonight, as has been noted, there  
122 are two items on the special agenda for the public hearing. The first item is a  
123 Comprehensive Plan amendment, Technology Boulevard Special Focus Area and Data  
124 Center development objectives and guidelines. The proposed amendment to the 2026  
125 Comprehensive Plan would designate the Technology Boulevard's special focus area and  
126 create development objectives and guidelines for data centers. The special focus area  
127 boundary, vision and goals, along with the data center development objectives and  
128 guidelines, would become part of the plan and would be used to guide development  
129 standards for data centers in the county. The special focus area generally consists of  
130 those properties zoned M-1C, Light Industrial, M-2, General Industrial, and M-2C General  
131 Industrial, located east of 295 on the north and south lines of Williamsburg Road, on the  
132 east and west lines of Technology Boulevard, between Williamsburg Road and Portugee  
133 Road, and between the CSX Corporation railroad and south line of Portugee Road at its  
134 intersection with Technology Boulevard. Also under consideration tonight is an ordinance  
135 amending and reordaining Section 24-3102 and 24 being the zoning code. Also, Section  
136 24-3406, 24-3704, 24-4205, 24-4319, 24-4328, 24-4402, 24-5110, 24-8405, 24-8406, 24-  
137 8501 and also to add new sections, 24-3711, 24-4438, to create a new zoning district to  
138 be known as the White Oak Technology Park Area Overlay District and require a  
139 Provisional Use Permit for data centers as a principal use outside of such district and  
140 establishment or establish development standards for data centers. The proposed White  
141 Oak Technology Park Area Overlay District would contain approximately 3,090 acres,  
142 again located generally east of Interstate 295 on the north and south lines of Williamsburg

143 Road, on the east and west lines of Technology Boulevard between Williamsburg Road  
144 and Portugee Road, and between the CSX Corporation Railroad and the south line of  
145 Portugee Road at its intersection with Technology Boulevard. Now, these two items, once  
146 all public comment has been taken, will require two motions by the Planning Commission  
147 then subsequently if the Board chooses to take action, two motions again, one on each  
148 item. The staff report will be provided this evening by Mr. Ben Sehl, and we also have in  
149 attendance, from the Planning Department staff, subject matter experts to assist with any  
150 questions you may have, Mr. Ben Blankinship and Mr. Tony Greulich. But with that, I will  
151 turn this meeting over to Mr. Ben Sehl for his presentation.

152  
153 Mr. Sehl - Thank you, Mr. Emerson, members of the Board and the  
154 Planning Commission, I appreciate your time this evening. The purpose of this evening's  
155 joint meeting is to discuss the findings and recommendations of a recent analysis by staff  
156 regarding data centers. The study provides an overview of data centers in the county,  
157 including current regulations, as well as benefits and impacts from those developments.  
158 As part of the findings of this analysis, staff recommended several potential revisions to  
159 the county's Comprehensive Plan and zoning ordinance, and tonight's public hearing will  
160 be to consider those amendments. There are approximately 40 buildings in Henrico  
161 classified as a data center by the Department of Finance. Some of these are located  
162 within existing office parks or office/service areas and are typically accessory to another  
163 use on the same or adjacent property, while others are larger in scale and developed as  
164 a principal use. These larger facilities, most of which are located within White Oak  
165 Technology Park, were the primary focus of staff's review. Prior to 2021, the zoning  
166 ordinance did not define data centers as a use. After the code update that year, data  
167 centers were defined and permitted as a principal use in the M-1, M-2, and excuse me.  
168 In the M-1, M-2, and M-3 districts. They were also allowed in the Office and Office/Service  
169 districts, provided that all equipment for heating and cooling, as well as generators, were  
170 located within an enclosed building. In general, the code treats data centers in the  
171 Industrial districts similar to other large industrial uses with similar buffering, screening  
172 and setback requirements. Because most large-scale data centers in Henrico have  
173 located within White Oak, these standards, along with the covenants and design  
174 guidelines of the park, have resulted in minimal impacts on adjacent property owners for  
175 data center development to this point. This development has resulted in various benefits  
176 through construction employment and revenue generation, which has supported  
177 initiatives such as the Affordable Housing Trust and Solar Access Henrico. While there  
178 have been benefits from data center development in Henrico, concerns have been raised  
179 due to experiences in other localities in Virginia. This has increased focus on data center  
180 development throughout the state with numerous concerned residents raising concerns  
181 related to energy and water usage, noise, air quality, and visual impacts. Similar concerns  
182 have been raised by residents here as part of recent rezoning applications in the ongoing  
183 Comprehensive Plan update process. These concerns resulted in a study by the General  
184 Assembly's Joint Legislative Audit Review Commission, or JLARC. JLARC's study, as  
185 well as staff research conducted during previous rezoning requests, further detailed the  
186 possible impacts of data center development. As noted by JLARC, some of these  
187 impacts, such as the provision of electric service and air quality, are outside the purview  
188 of local government and are best addressed at the state level. For instance, their study

189 indicates Virginia's Department of Environmental Quality adequately addresses the air  
190 quality impacts from backup generators, and if so needed, has the authority to increase  
191 regulation to address ongoing concerns. They also recommended the General Assembly  
192 take action to specifically authorize localities to require certain analyses, such as noise  
193 studies, as part of a development proposal. While approved prior to the JLARC analysis,  
194 recent rezoning approvals near White Oak to allow data center development incorporated  
195 proffered conditions to minimize those impacts. These conditions required certain noise  
196 studies, placed limitations on generator usage and testing, and provided for enhanced  
197 buffering to minimize visual impacts from the proposed development. Other issues raised  
198 by residents and JLARC, such as negative impacts on the county's water supply, have  
199 not been identified as concerns within Henrico. Although the rezoning process and  
200 proffered conditions appear to adequately address most impacts, there were ongoing  
201 concerns related to the ability of future data centers to locate on existing industrially zoned  
202 properties without those conditions. For that reason, staff analyzed sites throughout the  
203 county that could possibly support large-scale data centers and found that several  
204 properties could be developed in a way that could result in unwanted impact on adjacent  
205 properties. To address that possibility and concern, staff identified several potential  
206 changes to the Vision 2026 Comprehensive Plan and the zoning ordinance. Drafts of  
207 these amendments were provided to you and posted on our website two weeks ago as  
208 mentioned. The proposed Comprehensive Plan amendment would create the Technology  
209 Boulevard special focus area and adopt guidelines for data center development  
210 throughout the county. A map of the special focus area is on the screen in front of you.  
211 The zoning ordinance amendments would revise the definition of a data center, add a  
212 definition of accessory data centers, create an overlay district called the White Oak  
213 Technology Park Area Overlay District, and require a provisional use permit, or PUP, for  
214 new data center development outside of that overlay. If adopted, the Comp Plan  
215 amendment would provide guidance for the review of future PUP applications for data  
216 center development outside of the overlay district. Data center development on properties  
217 within the overlay would continue to be permitted by right, subject to the proffered  
218 conditions and design guidelines established by the covenants of the White Oak  
219 Technology Park. Because the proposed amendments will continue to allow data center  
220 development in a suitable area while also limiting potential impacts from such  
221 development elsewhere in the county, staff recommends approval of the proposed  
222 Comprehensive Plan and zoning ordinance amendments at this time. That does  
223 complete my prepared presentation. I'd be happy to try and answer any questions you  
224 might have, and as Mr. Emerson noted, separate motions would be necessary on these  
225 items. And with that, I'd be happy to answer any questions the Board or Planning  
226 Commission has at this time.

227  
228 Ms. Roundtree - Thank you, Mr. Sehl. We're going to start by asking if there  
229 are any members of Planning Commission that have questions for Planning. I can't see  
230 all the way down there too well, so just wave if anybody's got any questions.

231  
232 Mr. Schmitt - I don't see any.



234 Ms. Roundtree - No? Okay. All right. Having no questions from the Planning  
235 Commission, are there questions for staff from members of the Board of Supervisors? All  
236 right. Well, then I guess I'll start off, and I just want to kind of lead off by saying that the  
237 reason all of this is happening started with a concern that we had as a Board about where  
238 the direction of data centers in Henrico County was going. As part of this process, we had  
239 to do a bit of a dive just not about the history or the evolution of data centers in Henrico  
240 or even Virginia, but really across the country. And there has been a significant amount  
241 of change in a very short period of time, a relative short period of time, with how we started  
242 off with, you know, sort of data being done on a small-scale basis as needed for entities  
243 to having them co-located in buildings and now having kind of these super centers. I think,  
244 although I'm new to elected office, I think it's fair to say that a lot of localities and states,  
245 and even the federal government, have really been trying to catch up with the technology  
246 as it has developed. And so, in a good-faith effort to say, okay, where are we now with  
247 this? Let's see. We know where Henrico has been and where it's been going. We wanted  
248 to, as a Board, take a fresh look at it and say, knowing what we know now, knowing what  
249 we've seen other localities have done, knowing a lot of the feedback we've been receiving,  
250 both by industry as well as private residents of Henrico, it really seemed appropriate to  
251 figure out where we go from here. I want to say, start, you know, say that we hear, and  
252 we validate so much of what we have been hearing on an ongoing basis by both sides,  
253 and I even hate to say sides. So just as a foundational statement, I know that we're going  
254 to have a civil and a courteous and a respectful discussion today because we are not -  
255 nobody's an enemy in here. There may be competing interests at various points or  
256 competing perspectives or differing perspectives, but I think it's safe to say what we all  
257 want to be able to have in Henrico County is a community that looks out, is a good steward  
258 for the land that we live on, that respects each other as neighbors, that allows healthy  
259 growth and meets the needs. And a lot of that is related to technology, for good or for not,  
260 at this point, and figuring out how to balance all of those. In case there was any question  
261 as to why we decided to do this and why we asked staff to put together, it is coming from  
262 the place of wanting to get everybody in a room, hear information, hear feedback from all  
263 of you, and to very cautiously consider what changes and where we go from here.  
264 Because we don't want to look back 10, 15, 20 years from now and be confronted with a  
265 goliath that we can't change. So not really a question, but just a foundational comment. I  
266 will ask again if there are any questions of the Board.

267  
268 Mr. Nelson: [inaudible]

269  
270 Ms. Roundtree: Ok.

271  
272 Mr. Nelson - Before you go, question for our chair. Well, question for Mr.  
273 Emerson, just to make sure, process. We're asking all about both Commission and the  
274 Board are asking questions now. Will there - is there another opportunity for us to ask  
275 questions?

276  
277 Mr. Emerson - Yes, sir. You would have an opportunity to ask questions of  
278 staff at any point during the process that you would choose. The Planning Commission,  
279 when Madam Chair asked if they had any questions, did not have any at this time to come

280 forward. If you wanted to ask questions now, you could, or you could take public input  
281 and see what their questions are and make notes of those and then and then staff would  
282 be happy to answer your questions. And then any of those questions you feel need an  
283 answer, we would be able to respond to those to the best of our ability as well.  
284

285 Mr. Schmitt - Mr. Nelson, if it helps, and I apologize. I probably could have  
286 been more clear on this. We're in the Planning Commission hearing now. Certainly,  
287 there's question time now for both Boards, public hearing for the Planning Commission.  
288 And then Mr. Witte would lead his group through their decision to recommend for approval  
289 or denial. Much like any other Planning Commission meeting, they would take their vote,  
290 send it to the Board. Our process would be public as well, where we would have the  
291 opportunity to either hear a presentation again if needed, take public comments and have  
292 Board discussion. There are certainly multiple opportunities, sir. This would be the  
293 opportunity now, if you'd like to ask questions prior to Planning Commission taking their  
294 vote.  
295

296 Mr. Nelson - Mr. Chair, are you saying we can comment now, ask  
297 questions now, public can make their comments, and then we can come back and ask  
298 additional questions as a normal...  
299

300 Ms. Roundtree - Yes. I...

301  
302 Mr. Nelson - Ok.

303  
304 Ms. Roundtree - There will be [inaudible]  
305

306 Mr. Nelson - Madam Chair, I'm sorry.  
307

308 Ms. Roundtree - Yes. I think we're going to encourage the questions being  
309 asked as appropriate, recognizing that some of our questions may arise after some of the  
310 comments from the audience members.  
311

312 Mr. Nelson - All right. Thank you, Madam Chair.

313  
314 Mr. Cooper - Would you recommend us asking or wait?  
315

316 Ms. Roundtree - If there is any - if you have any preliminary questions that  
317 frankly don't matter, that aren't reliant upon hearing from the public, our questions may  
318 inform some questions that the public may have. If you've got some that you're  
319 comfortable asking now, then I would say let's go ahead and lead with that.  
320

321 Mr. Cooper - Thank you, Madam Chair. I want to begin by saying, as we  
322 consider Henrico's zoning ordinance, to regulate the growth of data centers, including  
323 through the creation of this overlay district and provisions like Section 24-4438 on  
324 accessory data centers, I want to affirm my support for economic development that  
325 positions our county as a hub for technological investment. However, this progress must

not come at the expense of community wellbeing, public transparency and environmental justice. We have a duty to ensure that innovation, growth and accountability do go hand-in-hand. I guess Mr. Emerson or Mr. Sehl, a couple of questions around a few topics. Location, equity. Are we intentionally concentrating data centers on low-income or historically marginalized communities, creating sacrifice zones?

Mr. Emerson - 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 the part of staff or the Planning Commission or elected body to place any of these specifically in marginalized communities.

Mr. Cooper - Thank you, Mr. Emerson. Does the WOTPA overlay district formalize inequities in how land uses are distributed across the county?

Mr. Emerson - No, sir. My opinion would be that it does not. The 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 it was Qimonda. Locating there along with Hewlett-Packard and several other data technology style industries. 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, the road network. All the things that mix together to make a very attractive site for industry. 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.

Mr. Cooper - 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?

Mr. Emerson - The one under consideration?

Mr. Cooper - Yes, sir.

Mr. Emerson - Yes, sir. It would.

Mr. Cooper - Would public input have substantive influence over the remaining procedure?

Mr. Emerson - Yes, sir. I believe the Board and the Commission always take ample interest in public input and weigh it into their decisions.

Mr. Cooper - Thank you so much. Around health, safety, and environmental standards, are enforceable standards in place for noise, lighting, emissions, generator testing, water consumption and waste heat discharge?

Mr. Emerson - Yes, sir. I believe they are.



372  
373 Mr. Cooper - Will environmental impact assessments be required for every  
374 data center, particularly in areas already hosting heavy infrastructure?  
375  
376 Mr. Emerson - Yes, sir.  
377  
378 Mr. Cooper - What about Provisional Use Permit safeguards? Does the  
379 PUP process consider social health and environmental equity, not just technical criteria?  
380  
381 Mr. Emerson - A provisional use permit is somewhat subjective in some of its  
382 considerations and that's at the discretion of the Planning Commission and the governing  
383 body. I think all those things could be considered. Yes, sir.  
384  
385 Mr. Cooper - Thank you so much. Accessory use loophole, Section 24-  
386 4438, how was accessory defined and what prevents developers from using minimal  
387 office space to justify massive, otherwise unregulated data centers?  
388  
389 Mr. Emerson - Well, just a rough rule of thumb on an accessory use, it has to  
390 be at least less than 50 percent of the use on the property. But normally you would be  
391 looking at a 1/3, 2/3 as an accessory use. We have many, many operations, the county  
392 building included, that have data centers inside of their operations.  
393  
394 Mr. Cooper - Mm-hmm.  
395  
396 Mr. Emerson - And that's the intent of an accessory use, is that it supports  
397 the primary use. The primary use obviously has to be larger than the accessory use.  
398  
399 Mr. Cooper - Thank you. Two more questions around overlay district  
400 flexibility. What rules apply to data centers proposed outside of the WOTPA overlay  
401 district?  
402  
403 Mr. Emerson - It would be all of the current zoning code requirements and  
404 then whatever was deemed appropriate through the provisional use permit process. And  
405 those conditions would be placed. It'd be a little different than a negotiation for a rezoning.  
406  
407 Mr. Cooper - Okay. And last question for right now is around infrastructure,  
408 utilities and climate. Will the ordinance set limits on electricity and water usage and diesel  
409 backup emissions?  
410  
411 Mr. Emerson - The electricity and the diesel from the emissions for the  
412 generators, normally in our situation is handled by state and federal agencies. So, we  
413 would take input from them and we would defer to them for their permitting on those items.  
414 And water of course is handled through our Department of Public Utilities. So the ability  
415 to provide water would be determined through the usage and the availability of water were  
416 a large use in any case, not just a data center but any case.  
417

418 Mr. Cooper - And last question. How does this align with our county's  
419 climate resilience and sustainability goals?

420  
421 Mr. Emerson - Currently, I don't believe we have anything that would  
422 necessarily regulate the use of electricity and the emissions. Those would go to the state  
423 and the federal agencies.

424  
425 Mr. Cooper - Okay.

426  
427 Mr. Emerson - Consistent with the way we currently handle those. So, I don't,  
428 I don't know that it would be in violation and or infringing upon anything we have in place  
429 regarding sustainability.

430  
431 Mr. Cooper - Well, thank you so much. Madam Chair.

432  
433 Ms. Roundtree - So I want to, I guess maybe push back just a little bit, Mr.  
434 Emerson. So environmental justice is a thing because of the reality of where we are right  
435 now; right? I mean, you would have to acknowledge that in the county there is disparity  
436 between the east and the west; right? At some point, I don't know when, but at some point  
437 there were decisions made about where things would go. And, you know, for whatever  
438 reason, Innsbrook was determined to be appropriate for office space and Varina was  
439 determined to be appropriate for more industrial uses. And it's not all nefarious. I don't  
440 think it's all for nefarious reasons; right? But I think we have to recognize it because then  
441 that's the only way that we can accept it, figure out what we need to adjust and – and  
442 move forward. And so I think part of where we are is that for whatever reason, perhaps  
443 just because Varina is so much larger and there's so much more land mass that a  
444 determination was made that if we're going to put industry in an area, there's a lot more  
445 space there to not have it abut residences; is that fair to say?

446  
447 Mr. Emerson - Yes, ma'am. I think that's fair and also, I think the market  
448 forces played a part in that. Because if you look at the zoning in in the western part of the  
449 county, you'll find that Innsbrook exists on portions of industrial land. Brookhollow  
450 Shopping Center, which is where the Kohl's and the Target are located, I believe that is  
451 either M-1 or M-2 zoned property. You'll find sections of industrial property up and down  
452 the sections of Broad Street. So early on, there were quite a few different locations of  
453 industrial properties throughout the county. The general market, I think, directed the  
454 location of much of the development because of that, you do have industrial lands  
455 developed as office and you've got industrial at the corner of Forest and Glenside.

456  
457 Ms. Roundtree - Mm-hmm.

458  
459 Mr. Emerson - Where there's a doctor's office. So there but yes. I don't  
460 disagree with you that there is more industrial land you move east. I think part of it is due  
461 to the location of the airport. That certainly influences some of that. And then of course  
462 the transportation network. But I don't disagree with you on environmental justice and the  
463 consideration of it.

464  
465 Ms. Roundtree - And so, you know, the White Oak Technology Park, again, I  
466 wasn't there, but I imagine that when that was contemplated, thought was we want to be  
467 able to support technology industries and other industrial type uses, some of which are  
468 more damaging than others. But we want to be able to figure out the best way to have  
469 them in our county and I'm assuming that White Oak Technology Park arose out of a  
470 discussion about the most practical and I would even say at that point, again, trying to  
471 concentrate industry away from residential areas, even within Varina itself, that that's how  
472 White Oak Technology Park came about?  
473

474 Mr. Emerson - Yes, ma'am. I would – I would certainly concur with that. When  
475 it was originally located as a decoy airport and used by the military and then over the  
476 years went to the state and then of course became part of the center of the state's  
477 semiconductor endeavors in the '90s, the idea was it was located a good distance from  
478 population. And over the years, population moved next to it.  
479

480 Ms. Roundtree - Mm-hmm.  
481

482 Mr. Emerson: But it hadn't necessarily developed based upon its zoning  
483 designations at the time.  
484

485 Ms. Roundtree - And I would surmise that some of the population moving  
486 closer to it was because of proximity to jobs. A lot of this industry was a heavy employer  
487 in the area; right?  
488

489 Mr. Emerson - I would agree with you 100 percent. Yes, ma'am.  
490

491 Ms. Roundtree - Okay. So, as that was taking place and then of course, you  
492 know, 20 years ago or so, then when we start seeing the evolution of data centers arising,  
493 I'm assuming that there was some observation that it was an effective revenue source for  
494 other localities.  
495

496 Mr. Emerson - Yes, ma'am.  
497

498 Ms. Roundtree - All right. And would it be fair to say that, you know, 20 years  
499 ago, that the knowledge and the information that is known now about some of the  
500 environmental impacts was not known?  
501

502 Mr. Emerson - Yes, ma'am. I think that's 100% correct.  
503

504 Ms. Roundtree - I think there is an argument perhaps that, from a financial  
505 stewardship standpoint, there was some prescience of decision makers at that time to  
506 say, here is a burgeoning industry much like, you know, getting in on the cell phone  
507 industry early on or getting in on Bitcoin or what have you, early on. You see an industry  
508 that is lucrative, and you want to position your community to be able to avail itself of that;  
509 is that fair?



510  
511 Mr. Emerson - Yes, ma'am.  
512  
513 Ms. Roundtree - All right.  
514  
515 Mr. Emerson - I think it is.  
516  
517 Ms. Roundtree - So, I think we have to acknowledge it. It's in the report  
518 certainly, that at some point, a decision was made that we wanted data centers to be in  
519 the county. We wanted to make it a practical place for data center developers to view  
520 Henrico.  
521  
522 Mr. Emerson - Yes, ma'am.  
523  
524 Ms. Roundtree - Provided incentives for that to happen.  
525  
526 Mr. Emerson - Yes, ma'am.  
527  
528 Ms. Roundtree - All right.  
529  
530 Mr. Emerson - Incentives were put in place and it was considered a target  
531 industry and again it's because of the attractiveness, the infrastructure, the fiber.  
532 Everything was available for this type of industry and made it very attractive.  
533  
534 Ms. Roundtree - In my research, I noted and I came across a lot of  
535 correspondence or information where, as compared to Loudoun or Fairfax or other  
536 jurisdictions, Henrico's I guess, lure or pull, I think what I read was Henrico marketed itself  
537 as green data center property. Can you speak to that a little bit as to that?  
538  
539 Mr. Emerson - I'm sorry. Madam Chair, could you...the acoustics aren't the  
540 best. I was having a hard time hearing you.  
541  
542 Ms. Roundtree - Okay. I was saying how in my review for tonight as...Oh, I'm  
543 sorry. Did you ask me to repeat? I'm sorry.  
544  
545 Mr. Emerson - Yes, ma'am.  
546  
547 Ms. Roundtree - Okay.  
548  
549 Mr. Emerson - If you would. I'm sorry.  
550  
551 Ms. Roundtree - Some of what I read was distinguishing Henrico's approach in  
552 trying to get data center companies to come. It was considered to be a green process.  
553  
554 Mr. Emerson - Yes, ma'am. Yes, ma'am. Absolutely.  
555

556 Ms. Roundtree - And what made it that way?  
557

558 Mr. Emerson - Because we paid close attention to the design of the facilities.  
559 We made sure that they had adequate space. Most of ours are campus-oriented. They  
560 are not near houses and population centers for the most part. And if you look at the ones  
561 in northern Virginia, a lot of them are in higher density areas where you have more  
562 population nearby. There's a photo in the study of the site in Prince William County from  
563 a townhome community that's looking directly at the site of a data center. So I think, I  
564 think our approach has been one that would be considered more environmentally  
565 sensitive and more a sustainable type of approach.  
566

567 Ms. Roundtree - And how would you characterize that as evolving, say, even  
568 in the past five years?  
569

570 Mr. Emerson - In the past five years, we've become more stringent. I think  
571 the rezoning that was done for the 600 acres, I believe, was a good example of that.  
572

573 Ms. Roundtree - Mm-hmm.  
574

575 Mr. Emerson - We put quite a bit of effort into that to make sure that we  
576 regulated it appropriately and also that the industry did things that were more sustainable  
577 and contributed back to the community such as the contribution to the solar efforts for the  
578 county. And of course, the Board made the decision to use some of those funds for  
579 affordable housing efforts.  
580

581 Ms. Roundtree - Mm-hmm.  
582

583 Mr. Emerson - So there were different efforts that were put forth. Of course,  
584 stormwater regulations and other things have changed over the years. The environmental  
585 regulations themselves have also assisted us in the by-right areas.  
586

587 Ms. Roundtree - Okay. So going back just a tad, so when in the, you know, 15  
588 or however many years ago, when the decision was made that this seems to be an  
589 industry that will be healthy for the community to have, weren't fully aware of what some  
590 of the environmental ramifications would be, there was a decision or to make the by-right  
591 category for data centers; is that right?  
592

593 Mr. Emerson - Yes, ma'am. And they've been by-right in the zoning code for  
594 a number of years because data processing and data storage have those have been in  
595 our zoning code. Of course, we just recently amended it. It was a 1960, '59 era zoning  
596 code. I'm not sure exactly when that term first appeared in the code, but it was probably  
597 30 or 40 years ago, if not further along than that, where that technology was first  
598 mentioned in the zoning code. So it's been a by-right use.  
599

600 Ms. Roundtree - Mm-hmm.  
601

602 Mr. Emerson - In the O districts, the Office districts, the B districts, which are  
603 the Business districts, and the M districts, which are the Industrial districts, for I would say  
604 30 to 40 years without doing the research and verifying that certainly. But it is a use that  
605 has been refined and become different than it was at one time certainly.

606  
607 Ms. Roundtree - And that's an excellent segue, Mr. Emerson, because when I  
608 was looking at, you know, data centers, the distinction between a data processing center  
609 in the '80s and what would be then evolve and I think again it started with the co-location  
610 of data hubs and then kind of evolving bit by bit. So, when we talk about what a data  
611 processing center was in the '80s, is it fair to say that it is nothing like what we now know  
612 to be the data centers, in particular some of these hyperscale centers that we have today?

613  
614 Mr. Emerson - I would say yes. There is a difference not dissimilar to the cell  
615 phone we all carry around that probably is powerful as a Pentium computer, or more  
616 powerful I imagine, from drawing back into the older era of computers. So, all of it has  
617 progressed certainly.

618  
619 Ms. Roundtree - I guess bringing it all, you know, kind of full circle, because  
620 Mr. Sehl, you gave a wonderful presentation, but a lot of it, I think is unfamiliar language  
621 or subject matter. And so, what we have had in the county is several classes of property  
622 that data centers can go into by-right, meaning there's not really anything that they have  
623 to do. It's there by right. And we wanted to take a look at changes so that, because it, I  
624 think speak for myself, it felt like there was I guess some degree of helplessness with  
625 having a way to impact how much data centers were coming into the county. And so now  
626 the question before us is, what is the best way to provide more public input whenever a  
627 data center comes about? As I understand it, a very simplistic way of looking at it is this  
628 proposed overlay district says, we're carving out a space where data centers can go,  
629 amongst other things, and I want to make that point, that the overlay district is not  
630 exclusive to data centers; is that right?

631  
632 Mr. Sehl - That's correct. Yes, ma'am.

633  
634 Mr. Emerson - Yes, ma'am. That's correct.

635  
636 Ms. Roundtree - Okay. So, we're carving out a shape within which developers  
637 can put data centers in by right and then outside of that district, they would have to go  
638 through a proper provisional use permit process wherein that would come to the Planning  
639 Commission and the Board of Supervisors and vote on every single case before it; is  
640 that...

641  
642 Mr. Emerson - Yes, ma'am. That's correct. But within this area, the White  
643 Oak Tech Park does have restrictive covenants.

644  
645 Ms. Roundtree - Mm-hmm.

646



647 Mr. Emerson - And that's why you see the large buffers and things. That all  
648 of this has been considered within the development of this park and the direction of this  
649 park. And the land, the Atlantic Crossing rezoning, or the Hourigan rezoning as we refer  
650 to it, that land has also been annexed into the White Oak Tech Park covenants and design  
651 guidelines. So along with the proffers that are on that case and the underlying zoning  
652 code, it's also regulated by the design guidelines. There was a lot of thought and effort  
653 that went into those in the '90s and in the early 2000s, to make sure development would  
654 have a substantial setback from the roadways, that proper landscaping would be in place,  
655 that area spacing would be appropriate and things of that nature. That's why it's  
656 developed as nicely as it has. It looks a little rough right now because it is under constant  
657 development. But as the landscaping goes in and it matures over the next 5 to 10 years,  
658 it's going to be a very beautiful campus.

659  
660 Ms. Roundtree - I will have other questions for certain but I don't want to  
661 belabor my time now. Are there any other questions from other Board members at this  
662 time?

663  
664 Mr. Nelson - I have a lot to say but I'm going to hold it. I don't want to  
665 monopolize the meeting right now. Just a couple of basic questions. Again, Joe, I think I  
666 heard you say, or Ben, that the park, the covenants for the park were agreed upon in  
667 1996; is that what I heard?

668  
669 Mr. Emerson - Yes, sir. I believe that's correct.

670  
671 Mr. Nelson - Okay. And outside of data centers right now, have Hewlett-  
672 Packard, Lumber Liquidators, Polykon, and I think there may be a couple others. I may  
673 not have all of my sheets here. But well before the first data center, and I think the first  
674 data center in the park technically was Bank of America; is that right? Or is Bank of  
675 America outside of the park?

676  
677 Mr. Emerson - I believe the first data center in the park, Reverend Nelson,  
678 may very well be the original Facebook.

679  
680 Mr. Nelson - The original Facebook. Okay.

681  
682 Mr. Emerson - Yes, sir.

683  
684 Mr. Nelson - All right. So inside of the park, the zoning is primarily O, M, B.

685  
686 Mr. Emerson - M.

687  
688 Mr. Nelson - Classified?

689  
690 Mr. Emerson - M-2.

691  
692 Mr. Nelson - M, O, M-2?

693  
694 Mr. Emerson - Yes, sir.  
695  
696 Mr. Nelson - All right. Let's talk about outside, primarily okay. Before we go  
697 outside, the park itself is almost spoken for. Would I be accurate by saying most of the  
698 developable land is already spoken for in the park?  
699  
700 Mr. Emerson - Yes, sir. I believe. I would set that number at about 90 percent.  
701  
702 Mr. Nelson - Not only is it spoken for already, but it's primarily vested,  
703 meaning financial commitments or PODs have been committed to those particular  
704 spaces.  
705  
706 Mr. Emerson - Yes, sir. That's correct. There are master plans, plans of  
707 development, and significant financial investment by the companies located there for the  
708 specific purpose of data center development. Well over 80 percent of the park is master  
709 planned at this point.  
710  
711 Mr. Nelson - So I wouldn't go too far if I say that there really is not much  
712 unspoken for land in the tech park and thus for all of the other land in Varina that has O,  
713 M, B zoning, a PUP process would then be... can I get one of those things that are being  
714 handed out in the back? Can you hold me one? I would love to see what they are.  
715 Somebody grab me one so I can get one too. There seems to be a lot of buzz at the back  
716 door. O, M, B zoning classification spread out all across the county would be by-right, but  
717 this particular, whatever we agree upon tonight, will make sure that all of that by right is  
718 no longer by-right?  
719  
720 Mr. Emerson - That's correct. You'd have to go through a provisional use  
721 permit unless it's an accessory use and can be defined as an accessory use in the O and  
722 the B districts. If they wanted to do it as a primary use, they would have to go through a  
723 provisional use permit process. Again, in order for it to be an accessory use, it would have  
724 to be similar to - Capital One had a small data center in Innsbrook adjacent to their offices.  
725 Anthem has a small one if it still exists. I don't know if Anthem necessarily is still there.  
726 But they have a small data center on their property there at Staples Mill and Broad Street.  
727 So, you do have accessory uses. We have a small data center in the county building to  
728 handle our data processing and data storage needs. Now, many things are going to the  
729 cloud which drives these larger hyperscale types of facilities. But you would need to go  
730 through a provisional use permit in any of those categories, in any of the M zoned  
731 categories outside of the White Oak Tech Park overlay, unless for some reason that you  
732 were vested. The county attorney and I are working through a few situations where people  
733 have asked to be considered for vesting, and we have not completed that analysis yet.  
734 But I would say, and the attorney and I have been discussing it, that 80 to 90 percent of  
735 the tech park is vested at this point.  
736  
737 Mr. Nelson - All right. So we're talking a lot about I just want to make sure that those  
738 who are here and, you know, the argument is made that we are trying to concentrate all

739 of the data center all of the data centers in the county in Varina, there could if you look at  
740 it from another perspective, it could be that we are also trying to protect Varina from all of  
741 the rest of the O, M, B zoning that is spread out across this county where data centers  
742 could go by right.

743  
744 Mr. Emerson - Yes, sir.

745  
746 Mr. Nelson - There is a lot of O, M, B and industrial cores around Laburnum  
747 Avenue, off of Darbytown Road, O, M, B that is concentrated, some off of on the outskirts  
748 of Charles City Road, etc. Places that could be literally right across the street from  
749 residential. Outside of an agreed-upon tech park, these are places that could impact  
750 neighborhoods, etc. So, my focus has been knowing that the tech park, which has been  
751 filling up with multiple uses over the past couple decades, is full, that residents, particularly  
752 in the area that I represent, will have a say-so about where data centers go connected to  
753 their neighborhoods. And so that has been my focus. Once we run out of space in the  
754 tech park, then if we continue to expand data centers in Henrico County, they have to go  
755 somewhere. And they're not going to go in Three Chopt or Tuckahoe, primarily because  
756 there's nowhere to go there. And so, most of the available space is in the eastern part of  
757 the county, primarily in Varina, and the eastern part of Fairfield. So, I just want to go on  
758 record to say that this is not just about the concentration of data centers in the tech park  
759 was, and has been over the past decade, the tech park has been advertised for industry  
760 and data centers have been the hot industry for the past decade or so. We are trying to  
761 keep, I am trying to keep, data centers from spreading all across the Varina District. And  
762 so that is a part of the reason why we're here tonight, knowing that a huge part of the tech  
763 park is already spoken for. I've got more to say but I'll pause there.

764  
765 Ms. Roundtree - Any other questions Mr. Rogish?

766  
767 Mr. Rogish - Madam Chair, just a couple of questions follow up from what  
768 we heard. One, I think it was mentioned, but we talked about the, what are we doing  
769 environmentally? We did, in that case back in May, get \$5 million towards solar panels  
770 for homes. I just want to acknowledge that. And I also want to ask a question on the  
771 emissions because, Mr. Emerson, you said on the emissions that that was done by the  
772 state. And is that true for generators, air quality for generators, everywhere? So, if a  
773 generator is on a hotel or a generator is in a hospital, the airport, etc., DEQ monitors the  
774 air quality. That's my understanding; is that correct?

775  
776 Mr. Emerson - Yes, sir. That is correct.

777  
778 Mr. Rogish - Okay. It's not just this.

779  
780 Mr. Emerson - No, sir. It is not just this one industry.

781  
782 Mr. Rogish - Sort of two others, one more question then one more  
783 comment. But the accessory use, I've asked a couple questions about this, but if a data  
784 center was to be built on a landfill, for example, that would not be an accessory use

785 because the landfill is the primary use, the data center would not be an accessory to that  
786 use; is that correct?

787

788 Mr. Emerson - That would be correct. Yes, sir.

789

790 Mr. Rogish - Okay. And then just one last comment. I just... a note on what  
791 Ms. Roundtree asked regarding the data processing center versus a data center. Just so  
792 everyone knows, the iPhone was actually invented in 2007, and the iPhone came  
793 preloaded with 15 apps. The app store didn't even come around until 2008, if you can  
794 think about that. So, when we talk about data processing centers and what kind of data  
795 are on phones now today, it is absolutely completely different. So, I just wanted to make  
796 that comment too, Ms. Roundtree. I have a few other things later but thank you.

797

798 Mr. Roundtree - Mr. Rogish, we so appreciate you always informing us with  
799 those random trivia items. Thank you for that again. Any other comments from members  
800 of the Board? Or questions at this time? Again, we can revisit it. Okay. Well, thank you  
801 colleagues for that. At this time, we do want to hear from the public. We have members  
802 obviously of the public here. We have some on Webex. I know that some people have  
803 signed up in advance. I've got eight folks here that signed up in advance. Just by show of  
804 hands, if you're here and you did not sign up in advance and you plan to speak, can you  
805 I'm trying to see how we set this time out. Can somebody who doesn't have cataracts let  
806 me know how many hands were raised?

807

808 Mr. Schmitt - I see three hands, four, five.

809

810 Ms. Roundtree - Five. Okay.

811

812 Mr. Schmitt - Six. Maybe seven.

813

814 Ms. Roundtree - Okay.

815

816 Mr. Schmitt - Less than 10.

817

818 Ms. Roundtree - Less than 10. Okay. Given that we have 8 and then less than  
819 10 here.

820

821 Mr. Nelson - Madam Chair, can I ask a question real quick?

822

823 Ms. Roundtree - Yes.

824

825 Mr. Nelson - I've got one more question. You go ahead but once you finish,  
826 I've got one more question for staff before we go to before we go to the public comment.

827

828 Ms. Roundtree - Go ahead. Do it now.

829



830 Mr. Nelson - All right. Mr. Newby, what happens if tonight we don't vote on  
831 this? If we don't vote on this tonight, until we readvertise and vote again, then what  
832 happens?  
833

834 Mr. Newby - So the Board of Supervisors and Planning Commission have  
835 the option this evening to vote on the proposal as presented. The Planning Commission  
836 of course could recommend the proposal with amendments, it could recommend it as is,  
837 or it could move not to recommend it. Then when it goes to the Board of Supervisors, the  
838 Board can approve it as is or it can consider amendments. If the amendments are  
839 fundamental and material to what's proposed, the proposal would have to be readvertised  
840 so that the public would have notice of what those amendments are and a new public  
841 hearing would be held. That could take into June I would imagine. If you don't approve an  
842 ordinance that takes effect immediately, there is an opportunity for projects that are in the  
843 pipeline that are not yet vested, as that term has been used multiple times tonight, to  
844 become vested in the interim. That would be I think one thing for the Board's  
845 consideration.  
846

847 Mr. Nelson - All right. So, I want to make sure I'm clear. If there are  
848 amendments to the proposed ordinance tonight, then no amendments can be, so am I  
849 hearing you say if we make amendments, we can't vote on those amendments to the  
850 proposal tonight?  
851

852 Mr. Newby - Sir, my response would be if the amendments are so material  
853 to the proposal that it fundamentally changes what's on the table, yes. It would need to  
854 be readvertised. If it was a minor amendment, I don't know that I can give an example of  
855 one off the top of the head, but something that's relatively inconsequential, you could  
856 proceed without readvertising. But if it fundamentally changes the proposal, it will need to  
857 be readvertised.  
858

859 Mr. Nelson - Okay. We vote on what's before us tonight or if we amend or  
860 if there are amendments to the ordinance, then it's tabled tonight, thus any other actions  
861 or activities that are being planned can move forward because the process has been  
862 tabled.  
863

864 Mr. Newby - Yes. That's the consequence as I see it, sir.  
865

866 Mr. Nelson - Okay. But what if we did vote tonight for by-right, whatever the  
867 ordinance is it is stated, then that amendment goes into action now.  
868

869 Mr. Newby - Yes, sir. It would go into effect immediately and everyone who  
870 does not have vested rights to the contrary would have to comply with the new ordinance  
871 that goes into effect.  
872

873 Mr. Nelson - All right. So, no vested rights at this point would have to go  
874 through a PUP process. And we don't vote on it tonight, then anything that is in the  
875 anything else that is in the flow or proposed to be in the flow has a possibility to move

876 forward. So, if we if we table it for a month, two, three, haggling back and forward, then  
877 that means there could be many more data centers that can move forward in by-right  
878 properties?

879  
880 Mr. Newby - That is a possible consequence.

881  
882 Mr. Nelson - By-right zoning. Yes.

883  
884 Mr. Newby - Yes.

885  
886 Mr. Nelson - Okay. Thank you, sir. Yes. I just wanted to make sure that was  
887 clear before we went to public statements

888  
889 Ms. Roundtree - As a follow up to that, what is the duration or the length of a  
890 PUP process, Mr. Emerson?

891  
892 Mr. Emerson - It would follow a very similar schedule as a rezoning. Of  
893 course, you've done PUPs before. But the process is the same. It goes to the Planning  
894 Commission and then to the Board. There are prescribed advertising times for those  
895 documents, as you know, or those applications. Four months is probably about as quick  
896 as you could run one through the process and hit the prescribed advertising deadlines  
897 and submission deadlines. But I would say on average probably about six months.

898  
899 Ms. Roundtree - Thank you. Anything further? We are going to start with the  
900 speakers who have signed up and they're here. I'm not sure what order they're in but I'm  
901 going to call you - where are we having speakers go to? Is it the front podium here  
902 or...Okay. Sorry. Cataracts. All right. If you are a speaker and then just go to the closest  
903 microphone before you. I'm going to ask that you limit your comments to four minutes,  
904 just so we can try to get in all of the speakers that want to speak. Again, please try to  
905 remember that we're here for civility's purpose, for civility's sake. I'm going to start with  
906 Glenn Miller. Glenn Miller, are you here? All right, sir. Please come to the mic.

907  
908 Mr. Miller - Is it this mic or this one?

909  
910 Ms. Roundtree - This one. And I'll just...

911  
912 Mr. Sehl - [inaudible]

913  
914 Ms. Roundtree - Okay. We're going to get you to hand those to Mr. Sehl there  
915 and have those distributed. As you near, I wish this was the Court of Appeals and we had  
916 the red light here, but we don't, so Mr. Schmitt is keeping time I see. So, when you get  
917 down to 30 seconds, this is for all speakers, we'll just kind of give a wave to let you know  
918 that you're down to 30 seconds; okay?

919  
920 Mr. Miller - Thank you. Can I wait until these are passed out first?

921

922 Mr. Witte - Absolutely. Yes.  
 923  
 924 Mr. Miller - Okay.  
 925  
 926 Ms. Roundtree - All right. You can begin while we're passing out the  
 927 documents.  
 928  
 929 Mr. Miller - Okay. Thank you very much, Mr. Emerson and Supervisor  
 930 Roundtree, members of the Board of Supervisors and members of the Planning  
 931 Commission. My name is Glenn Miller. I am the Vice President of Vienna Finance and I'm  
 932 the manager of an entity called Atlantic Crossing. We are a landowner in Henrico County.  
 933 Let me start out by saying there can be no doubt that the Board of Supervisors and the  
 934 Planning Commission have a solemn responsibility to be responsive to the desires and  
 935 interests of its constituents and there can be no question that this Board and the Planning  
 936 Commission are looking out for its constituents. I mean, the very fact that they called  
 937 this...  
 938  
 939 Mr. Nelson - Sir.  
 940  
 941 Mr. Miller - ...this meeting and...  
 942  
 943 Mr. Nelson - Sir, we're, I'm sorry. We don't have any monitors up here so  
 944 we can't hear you that good. Can you just get a little closer to the mic?  
 945  
 946 Mr. Miller - Sure. I'm sorry.  
 947  
 948 Mr. Nelson - That's perfect. Thank you.  
 949  
 950 Mr. Miller - [Inaudible] Yes. My name is Glenn Miller. I am the vice  
 951 president of Vienna Finance, and I am the manager of Atlantic Crossing which is a  
 952 landowner in Henrico County. In fact, we were the landowners that sold the land ultimately  
 953 to QTS, the 600 acres. Let me start out by saying there could be no doubt that the Board  
 954 of Supervisors has a solemn responsibility, and the Planning Commission has a solemn  
 955 responsibility to the desires of its constituents. And I think there's no doubt of anybody in  
 956 this room or in the county or watching in the media that the Board of Supervisors and the  
 957 Planning Commission is trying to be responsive to the desires of its constituents. In terms  
 958 of seeking to add an additional layer of approvals for data centers. And it's not  
 959 inconsistent, this action is not inconsistent, with what you're seeing in northern Virginia.  
 960 However, this Board and this Planning Commission must also balance that responsibility  
 961 to its constituents with its responsibly to respect the prior decisions of the Planning  
 962 Commission and Board of Supervisors that's meeting tonight. It has to also balance its  
 963 responsibility to its constituents with respect for the law of the Commonwealth of Virginia  
 964 as relating to land use. Vienna Finance and Atlantic Crossing, but Vienna Finance in  
 965 particular, rezoned this property of a certain property that I've shown you, which is 175  
 966 acres of property located due north of I-64 right in the same area as White Oak  
 967 Technology Park and basically across the interstate from our other parcels that were sold

968 to QTS. But it rezoned those parcels, and when it rezoned those parcels, it gave proffers  
969 to the county and included in those proffers was a specific statement that it could build  
970 data centers or data processing centers which the Henrico County Industrial Zoning  
971 Classification makes clear that data processing center is a data center. And that's the  
972 conventional usage as well. But it was specifically set forth in the proffers that we could  
973 do data centers by right. And Atlantic Crossing and Vienna Finance have, in good faith,  
974 relied on that action of the Board of Supervisors and the Planning Commission and has  
975 spent or incurred obligations, committed to spend over \$300,000, all of which was spent  
976 before there was any notification that any of there was any potential consideration for  
977 changing the zoning rules. This was spent in good faith in terms of engineering and  
978 wetlands in order to potentially create a data center park due north of 64. And I would say  
979 that from a land use perspective, having a data center park, if you're going to have a data  
980 center park, it should be in the place that Vienna Finance is proposing to put it, which is  
981 next to a solar field, next to interstate highways with railroad tracks, with wetlands. It's an  
982 isolated area that is near interstate highways, which even Fairfax County, which is very  
983 strict on data centers, allows data centers near interstate highways. And so, as such, it  
984 has minimal impact on any residential communities, it's buffered by wetlands. It's just  
985 abutting the interstate. And this location makes perfect sense for a number of additional  
986 reasons beyond location, which is, from a utility standpoint, there will be no requirement  
987 for additional utility lines built because the utility lines that are serving QTS and White  
988 Oak are the same utility lines that we agreed to put through the Vienna Finance parcel.  
989 So, there's no new...

990  
991 Mr. Schmitt - You've got about 30 seconds, sir.

992  
993 Mr. Miller - No new data cen...no new utilities needed. And as I  
994 mentioned, the county has voted on this. We've done proffers. The proffers specifically  
995 state data centers are permitted use. We've relied in good faith and just in the interest of  
996 fairness and equity and that we think that this use should be grandfathered and that the  
997 existing overlay district for the Technology Boulevard should be extended to include this  
998 175 acres. Thank you.

999  
1000 Ms. Roundtree - Thank you, Mr. Miller. I neglected to ask that when speak, no.  
1001 I'm sorry, not for you. That when speakers come up, that in addition to stating your name,  
1002 please state your address. And so, I will just note for whatever record is being kept here,  
1003 Mr. Miller, I'll just state you live in McLean, Virginia. The next speaker, Aaron Mullins. Are  
1004 you present? All right. Come on up.

1005  
1006 Mr. Mullins - Good evening. Is the volume okay? My name is Aaron Mullins  
1007 and I live at 7520 Oakmont Drive in the Brookland District of Henrico County. While I was  
1008 raised in Chesterfield, I have been proud to call Henrico home for the last nine plus years.  
1009 I am on the Centra team that has submitted a plan of development for a data center in  
1010 the Varina District. This proposed plan is outside of the proposed overlay. Prior to joining  
1011 Centra two years ago, I taught in Henrico County Public Schools for nine years, six at  
1012 Donahoe Elementary in the Varina District and three at Moody Middle in the Brookland  
1013 District. I am not an out-of-town developer trying to take advantage of a development



1014 opportunity in the east end. I am deeply familiar with the roots of Varina. I have biked the  
1015 Capital Trail and seen the Don't Short Pump Varina signs alongside the rolling farmlands  
1016 and taken a pit stop at Ronnie's Barbeque for smoked jumbo chicken wings. I've cared  
1017 for my students beyond school hours, hosting after-school basketball clubs at Donahoe,  
1018 participating in tutoring programs at Forest Meadows Mobile Home Park, and watching  
1019 my students play youth football at Dorey Park, and I know that the best donuts anywhere  
1020 can be found at Country Style on Williamsburg Road. Our site selection for this project  
1021 reflects this intimate knowledge of the county and our desire to protect its character and  
1022 care for its people. Our project site is sandwiched between a pharmaceutical  
1023 manufacturing plant, vacant industrial land, an industrial bakery, high-voltage  
1024 transmission lines, Dominion Power facilities and multiple landfills. It is in the heart of  
1025 Varina's industrial region and approximately 750 feet, with 150 feet of mature forest buffer,  
1026 away from the nearest residential parcel. As for community impact, Director of Planning  
1027 Joe Emerson provided the following quote regarding data centers during the Planning  
1028 Commission's public hearing on April 11, 2024. Quote, "They are overall a low-impact  
1029 industrial land use from the standpoint of there's not a lot of traffic generated from them.  
1030 We get more complaints from a noise basis and things from different industries that are  
1031 more active." End quote. Our desire is to develop a minimally obtrusive data center in an  
1032 area that is surrounded by industrial uses. While our site is zoned M-1, does not require  
1033 rezoning and currently allows for data center development by right, this draft amendment  
1034 as written, would not allow us to proceed with the development that we've spent the past  
1035 six months working on. Our small, local development team simply can't afford to take on  
1036 the additional time, money and risk that accompanies a project subject to a provisional  
1037 use permit. Centra first began working on this project in December 2024. We held formal  
1038 meetings with Economic Development and Planning department officials on January 31st  
1039 and March 12th in addition to numerous other exchanges. These conversations were  
1040 specific to submitting a plan of development for a data center on this site and the county  
1041 was fully supportive during each meeting, assuring us that they would help us through the  
1042 permitting process. Then, on March 25th, the Board of Supervisors requested the  
1043 Planning Commission to provide language to amend the data center zoning text. That  
1044 date was an inflection point in our business dealings with the county. Since March 25th,  
1045 help has not been offered and meetings have been declined. All we wanted was a chance  
1046 to tell our story. After years of recruiting and permitting the development of data centers,  
1047 the county has changed its course, potentially leaving us in a hole of six months of wasted  
1048 work and hundreds of thousands of dollars in incurred costs. What message is being  
1049 communicated through this process to all developers, not just data center developers who  
1050 desire to do work in Henrico County? When this Board of Supervisors unanimously voted  
1051 to rezone over 600 acres of agricultural land to allow for data center development on May  
1052 14th, 2024, Reverend Nelson asked the county manager to put the taxes generated by  
1053 the project in a specific fund so that the county could do something transformational with  
1054 the revenue. Reverend Nelson, we share the same desire. Please allow...

1055  
1056 Mr. Schmitt -  
1057 seconds.

Sir, and sir, I'm sorry to interrupt. Just getting close. About 30

1059 Mr. Mullins - Please allow us to develop this vacant industrial land and let's  
1060 put that tax revenue towards transforming our schools. I know what it's like to be a teacher  
1061 in the east end and not have a robust PTA behind you to fund a well-stocked classroom  
1062 library. I know what it's like to spend your precious planning time working on grant  
1063 applications hoping that someone outside of the county will see the needs of your  
1064 classroom and provide. I know what it's like to leave the job you were once called to  
1065 because the pay isn't enough to take care of your family. Let's use the projected \$25  
1066 million in annual tax revenue from this project to ensure that we attract and retain the best  
1067 teachers in Henrico County. Our company is already invested in the community. How  
1068 much more could we give back if given the opportunity to develop in Henrico? Our ask is  
1069 that the Planning Commission and Board of Supervisors allow our submitted plan of  
1070 development to be grandfathered and processed under the prior use table.

1071  
1072 Ms. Roundtree - Thank you.

1073  
1074 Mr. Mullins - This ask is consistent with the precedent set by Loudoun,  
1075 Fairfax...

1076  
1077 Ms. Roundtree - Mr. Mullins.

1078  
1079 Mr. Mullins - Fauquier and Stafford Counties. Since they're distracting, I'm  
1080 just going to finish. I have two sentences. Fairfax, Fauquier and Stafford Counties, who  
1081 have also recently amended their zoning ordinances and considering the county's  
1082 previous communications with our team, it's also what's fair. Thank you.

1083  
1084 Ms. Roundtree - Thank you.

1085  
1086 Mr. Nelson - I just want to go on the record and make sure that everybody  
1087 who's here, when the comment is made that the county was supportive, you mean county  
1088 staff, not county, no. You don't have to, I'm just telling you, that's what, you know, that's  
1089 what you mean, county staff, not the Board. Neither one, the Commission nor the Board  
1090 approved, supported, etc., because it hadn't gone through the process. I just want to make  
1091 sure that when people come forward and say the county, they're not speaking, they're not  
1092 talking about us and we're the ones that make the final decision when it comes to these  
1093 particular processes. So, I just want to make sure that that's understood.

1094  
1095 Ms. Roundtree - Thank you, Mr. Mullins. Next speaker is David Wagner.

1096  
1097 Mr. Wagner - Good evening. My name is David Wagner. I grew up in the  
1098 Three Chopt District, attended Skipwith Elementary, Moody Middle and Maggie Walker  
1099 Governor's School. In 2022, I started a small business here in Richmond called Centra  
1100 that focuses on industrial and data center development. I employ a team that includes  
1101 three graduates of Henrico County public schools, a former Henrico County public school  
1102 teacher, Aaron who just spoke, and several Henrico residents. I fully agree with the intent  
1103 and principles behind this zoning ordinance. I think staff did a great job highlighting the  
1104 need for sufficient distance from residential, screening and environmentally-conscious

mechanical systems. 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 the 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. 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 Henrico for data center development. We found a site in December 2024 after hearing that the county was recruiting industrial users, county staff were 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 as zoned M-1 and listed data center uses by right. From firsthand experience in Fairfax and Loudoun, 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. It showed nothing but support for data center development. 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 as we were zoned by right and were fully supportive of our plans. 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. 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 costs towards the project, a significant cost for a small business like us. We submitted our full plan of development on April 28<sup>th</sup> and with a date of approval scheduled for June 25<sup>th</sup>. Henrico then posted this draft ordinance May 1<sup>st</sup> 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? 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 zoning ordinance goes through, it's not merely the cost we spent on the project. 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.

Mr. Schmitt -

Just running close, Mr. Wagner.

1151  
1152 Mr. Wagner - Okay. Thank you. I'm concerned that the zoning ordinance as  
1153 it is currently written sets a dangerous precedent not just for this district and not just for  
1154 data center developers for but for any business looking to do, for any business looking to  
1155 come to Henrico. I believe the solution for this is simple and low-impact. As other counties  
1156 have done in their recent ordinances, allow for grandfathering for projects that have  
1157 already submitted plans of development to remain by right. My understanding is that we  
1158 are the only plan of development awaiting approval outside of the overlay district. We are  
1159 happy to comply with all of the new requirements in this ordinance, but a provisional use  
1160 permit process would be potentially devastating for our business. Thank you and we look  
1161 forward to a successful partnership with the county.

1162  
1163 Ms. Roundtree - Thank you, Mr. Wagner. Next speaker, Ricky Dobson.

1164  
1165 Mr. Dobson - Good evening, everyone. My name is Ricky Dobson. I'm a  
1166 member of the Centra team, who my coworkers just spoke with you just now, who are  
1167 hoping to maintain our by-right status on our data center development located behind the  
1168 Fareva pharmaceutical facility off of Darbytown Road. I'm a civil engineer with much of  
1169 my experience in data center development. Our land use attorney at Walsh Colucci  
1170 Lubeley & Walsh P.C., who were heavily involved in the zoning ordinance amendments  
1171 in Fairfax, Loudoun, Stafford and Fauquier, wrote the following letter to the Henrico Board  
1172 of Supervisors that I would like to read out loud for you here today, dated May 14th, 2025.  
1173 "Dear Board of Supervisors, this firm represents Centra Logistics, the owner of certain  
1174 property in Henrico County, which it purchased for use as a data center as is currently  
1175 allowed by right but will be changed if the Board adopts the proposed ordinance as  
1176 recommended by county staff. We write to encourage the Board to adopt transitional  
1177 rules, also known as grandfathering language, where projects or site plans and other  
1178 plans of development have been submitted and are under review but have not yet been  
1179 formally approved. Adopting such transitional rules in this circumstance is neither  
1180 controversial nor uncommon. Within the past two years, the Fairfax County, Loudoun  
1181 County, Stafford County and Fauquier County Boards of Supervisors have all enacted  
1182 changes to their ordinances relating to data centers and in each instance also adopted  
1183 grandfathering language protecting the rights of those who relied in good faith on existing  
1184 ordinance provisions. Applicants for proposed developments, whether they are for data  
1185 centers, office parks, retail shopping centers, residential communities or other uses, act  
1186 in good faith and expend significant sums of money and justified reliance on the  
1187 ordinances and regulations adopted by the Board. In our experience, in many jurisdictions  
1188 through Virginia, it often takes months, if not a year or more, for site plans and other plans  
1189 of development to be reviewed and approved after they are filed. Changing the applicable  
1190 zoning ordinance provisions during the time in which plans have been submitted and are  
1191 currently under review, without adopting transitional rules exempting those plans, could  
1192 create significant consequences including uncertainty over the ability to obtain approvals,  
1193 making it difficult or impossible to obtain financing, creating a cloud over further  
1194 investment in the county and the potential of costly and time consuming litigation.  
1195 Adopting transitional rules as part of the proposed ordinance would not only avoid these  
1196 potential consequences but would also signal to the community that the Board will not



1197 simply pull the rug out from underneath land use applicants who have, in good faith,  
1198 expended significant resources and justifiable reliance on longstanding ordinance  
1199 provisions. Thank you for the consideration on this matter." That's the end of the letter but  
1200 I just wanted to add in one note at the end, that other jurisdictions have added  
1201 grandfathering clauses to their amendment proposals on the night of the Board of  
1202 Supervisors hearing. Thank you.

1203  
1204 Ms. Roundtree - Thank you, Mr. Dobson. Next speaker, Stewart Goodwin.

1205  
1206 Ms. Goodwin - Good evening. I'm not a businessperson. I'm not looking to  
1207 put a development or a data center in Henrico or Varina. I'm a Varina resident, been one  
1208 for 37 years. My name's Stewart Goodwin. I live at 401 White Oak Road. First, I'd like to  
1209 say thank you to the county for deciding to implement the new overlay district. It's a good  
1210 start. However, more needs to be done to stop the pollution of the areas surrounding the  
1211 tech park and encroachment on the residential and agricultural properties already in  
1212 place. In reading your suggested amendments to the current policies, I would recommend  
1213 the following. Under buffers, you state a buffer of at least 100 feet to include vegetation  
1214 equivalent to a TB 50 should be utilized to screen the data center from adjacent  
1215 residentially zoned properties. I'm assuming TB means tight buffer, meaning one would  
1216 be unable to see through the buffer. The wording of that amendment is a suggestion.  
1217 From prior experience, we have learned that companies will take advantage of this lax  
1218 requirement and allow the newly planted vegetation to die, causing the county to incur  
1219 the cost of replacement. I believe it should state shall in place of should, and that language  
1220 should be included to state the developer or landowner will be responsible for the  
1221 maintenance and cost of this buffer with some form of monetary penalty if they fail to do  
1222 so. It should also read the tight buffer shall be 100 feet instead of 50. Anywhere in the  
1223 amendment where it refers to residentially zoned properties should be changed to state  
1224 residentially and agriculturally zoned property since the vast majority of the land in Varina  
1225 is zoned agricultural even though it contains a residence. I would like to think that the  
1226 planners, when reviewing proposals for a data center, would research the adjoining land  
1227 to determine the zoning of the land and whether it is occupied by a residence. However,  
1228 from my personal experience, I was accused of violating residential zoning even though  
1229 my land is and has always been zoned agricultural. Changing reference to residentially  
1230 zoned properties in number seven, under recommended setbacks, to any adjacent lot  
1231 lines would prevent the data centers from encroaching on any properties with shared lot  
1232 lines. Next, light pollution. This is not addressed anywhere in the amendments. The ability  
1233 of us in Varina to enjoy looking at the night sky is being stripped away by the development  
1234 of the tech park and development in general. I've lived on my current property for 20 years  
1235 and it always amazed me, the beauty of the night sky and the billions of stars that can be  
1236 seen with the naked eye. That is being stripped away. Just recently, I went to look at the  
1237 sky in the west and could not see many stars at all. I realized it's from the light pollution  
1238 from the tech park. There are many ways to reduce or eliminate light pollution downward  
1239 facing lights, warmer bulbs being used in fixtures, motion detector lights that only  
1240 illuminate when there is movement. There is no reason for all of the lights to shine at night  
1241 in the tech park if there is no one around. This reduction of light pollution should be  
1242 addressed up front and be a required part of the amendment. And finally, groundwater

1243 pollution. While there is mixed data as to whether or not data centers pollute groundwater,  
1244 the one thing I know is that many of the people living east of tech park are having their  
1245 wells tested and the results are coming back positive or PFAS, also known as for forever  
1246 chemicals that will never go away. While I'll acknowledge that there are many sources for  
1247 PFAS, it is disturbing to learn that fish from the White Oak Swamp and the Chickahominy  
1248 River are now contaminated and not safe to eat. My question to you is, while there is  
1249 minimal infrastructure in the Varina District for county water, what long-term steps is the  
1250 county taking to ensure that our drinking water will be safer to drink now and in the future?  
1251 I realize the county is providing filtration systems to homes that test positive for PFAS.

1252

1253 Mr. Schmitt - Ma'am, just FYI, getting close.

1254

1255 Ms. Goodwin - Okay. What they will need to meet certain they will need to  
1256 meet a certain threshold and what is that threshold? What happens when we go to sell  
1257 our homes and people won't purchase them because of the threat of contaminated wells?  
1258 How is the county going to help us when out then? When does the county plan to install  
1259 the infrastructure for drinking water in areas that don't currently have it? Are you waiting  
1260 for a contractor to absorb the infrastructure cost? What is the area, what about the areas  
1261 where there is no room for large subdivisions and the homes are on wells? While I'm  
1262 against data centers, I am more against industrial plants. I guess we need to choose  
1263 the lesser of two evils but the county needs to be more aggressive in the regulation of  
1264 encroachment upon areas that are zoned residential as well as areas that appear to be  
1265 residential when they are in fact zoned agricultural.

1266

1267 Ms. Roundtree - Thank you, Ms. Goodwin.

1268

1269 Mr. Schmitt - Thank you, ma'am.

1270

1271 Ms. Roundtree - Thank you.

1272

1273 Mr. Nelson - Quick, Madam Chair, a quick question. Ms. Goodwin, did you,  
1274 you don't have any physical copies, do you, of that?

1275

1276 Ms. Goodwin - I can leave this with you.

1277

1278 Mr. Nelson - I don't know what's the best way for all of us to get those  
1279 comments.

1280

1281 Ms. Goodwin - I can...

1282

1283 Mr. Nelson - Maybe e-mail it.

1284

1285 Ms. Goodwin - I can e-mail it to you and then you can [inaudible]

1286

1287 Mr. Nelson - Yes. You e-mail it to me and then I'll disseminate it to  
1288 everybody else. Thank you.

1289  
1290 Ms. Goodwin - Okay.  
1291  
1292 Mr. Nelson - Question for you, Mr. Newby. If, Mr. Newby, if you, let's say  
1293 there are changes to, let's say, let's say it's a buffer change. So, if we want to change a  
1294 buffer line from 100 to 150, is that an amendment change?  
1295  
1296 Mr. Newby - In my opinion, that wouldn't be so material and fundamental  
1297 to the ordinance that it would require readvertising and the Board, or the Planning  
1298 Commission could recommend and approve such a change this evening without a further  
1299 hearing.  
1300  
1301 Mr. Nelson - That one would be too –  
1302  
1303 Mr. Newby - Yes. I think that's a good example of one that's not necessarily  
1304 so material or adding a new restriction that it would require readvertising. What to me  
1305 would require readvertising is if you created a wholly separate overlay district or included  
1306 different properties in the overlay district [inaudible].  
1307  
1308 Mr. Nelson - Well, what if we just took the overlay district off? Would  
1309 that...?  
1310  
1311 Mr. Newby - That would also fundamentally change the proposal.  
1312  
1313 Mr. Nelson - Fundamentally change it. Okay.  
1314  
1315 Mr. Newby - Because the overlay is fundamental to the proposal.  
1316  
1317 Mr. Nelson - Okay. Thank you.  
1318  
1319 Ms. Goodwin - I have one question. What about putting a moratorium on  
1320 approval of any further data center applications until you guys work this out since there is  
1321 going to be such a delay? Why can't there be a moratorium and not approve anything  
1322 going forward until this is in place?  
1323  
1324 Ms. Roundtree - Thank you, ma'am.  
1325  
1326 Ms. Goodwin - Because this appears to me that you guys are being rushed.  
1327  
1328 Ms. Roundtree - Thank you, ma'am. Thank you. Next speaker is Aileen Rivera.  
1329  
1330 Ms. Rivera - Good evening. My name is Aileen Rivera. I live at 1200  
1331 Dotson Road, 23231. Thank you to the Board of Supervisors and the Planning  
1332 Commission for tackling this subject. I know it's not easy. There's a lot to be done. What  
1333 I do ask though, is that you take your time in making these decisions because this is not  
1334 new. And it doesn't matter how many times people say, well, "grandfathered." We've been

1335 talking about this. But the county promised. But the county has made mistakes. The past  
1336 Boards have made mistakes, and it's never going to be perfect. But we do have the  
1337 opportunity to have conversations. We do have the opportunity to talk about this and  
1338 come up with standards of development that honor not just the land but also the residents.  
1339 We know that data centers are a tremendous burden on ratepayers. And that is something  
1340 that, even though this is not an EJ issue, in the east end, we do have a lot of working  
1341 families, and we have low income, and we have to take in account what that means for  
1342 the finances of our of our community. We also have the environmental impacts. Just  
1343 looking, I don't know how long it took for the Planning Commission to put together this  
1344 analysis, but I just finished it up today and I was really disappointed. I know everybody  
1345 works hard at it. There's not any one stop solution. But we need to talk more about this. I  
1346 don't think that there should be a vote done on this tonight because that was put out two  
1347 weeks ago, and if I can ask in the audience, I just finished it up today. Who read the whole  
1348 analysis in the audience? I mean, did anybody get a chance to read this, the whole thing?  
1349 Did residents get a chance to? And then can we have that conversation? I feel like we're  
1350 being rushed, you're being rushed, and then it needs to stop. We need to really think  
1351 about this and do something good because we have the opportunity. And just because  
1352 things were grandfathered in the past it doesn't mean I'm against data centers. I know we  
1353 need government, military, education, and medical needs data centers. But we need to  
1354 vet these data centers correctly. My rules at my house with my kids were always like  
1355 whenever friends come over, whatever you do in your house, that's your house. This is  
1356 the rules in this house. And what I'm asking the county is to make those rules in our  
1357 house. You can't say, I heard here tonight, well. You know, when it comes to  
1358 environmental impacts, well, there are state and federal regulations. Well, obviously it  
1359 doesn't work because look what's happened with PFAS, look what happened with ETO.  
1360 The county wasn't paying attention at the time. I mean county agencies. So we can't trust  
1361 that they're going to do that. We need to put our foot down in who comes into our home  
1362 and how things are going to be run and this is not to everybody but let's vet them. Let's  
1363 be let's be discriminatory as to like, is this a really a good thing that the community wants?  
1364 The other thing real quick. EDA had all these meetings with the...

1365  
1366 Mr. Schmitt - About 30 seconds [inaudible].  
1367

1368 Ms. Rivera - ...with the businesses and I don't see EDA coming out to the  
1369 public and going, Three Chopt, what do you want for your community? Varina, what do  
1370 you want for your community, I don't see EDA doing that. How about if EDA come talk to  
1371 us? Come talk to the community and see what the community wants? So, I appreciate  
1372 your time. I appreciate that you please listen your constituents individually and to please,  
1373 like Stewart said, take a moratorium on this one. It pays off. Thank you.  
1374

1375 Ms. Roundtree - Thank you, Ms. Rivera. I'm going to interject here just very  
1376 briefly because it is I don't know if ironic is the right word. Sad maybe is another way. But  
1377 the thing is that the timeline is in part because of immediate action is what we kept hearing  
1378 from our folks. Is that fair to say, colleagues? That we kept, we kept hearing that folks  
1379 wanted to have the data center issue addressed quickly, sooner rather than later. And so  
1380 it is, I don't know, perhaps folks, you know, intentionally pushing negative narratives or



1381 false narratives to create this impression that is exactly the opposite of why we're having  
1382 this meeting. It's because there was urgency that was seen to be that we, that we felt with  
1383 addressing the data center issue. And it's just unfortunate that, you know that things get  
1384 twisted the way that they do to make it seem like it's for an untoward reason. So, Aileen,  
1385 I just, I just want to specifically speak to that, that, you know, the intention was to try to  
1386 get this addressed quickly because we hear. We hear the concern. The other thing, just  
1387 before the next speaker comes, Mr. Emerson, my impression of the overlay district, as  
1388 far as the buildings or the developments that are in the businesses rather, that are in the  
1389 overlay district. This is not loosening any standards in that district. In fact, is it not  
1390 tightening the restrictions?  
1391

1392 Mr. Emerson - Yes, ma'am. The properties within the White Oak Tech Park  
1393 are covered by the design guidelines that were adopted for the property, their covenants  
1394 that are recorded in 1996. Again, they've been amended a time or two over time and of  
1395 course amended to bring the Atlantic Crossing/Hourigan rezoning into those as  
1396 appropriate. But yes. It's, it's heightening it. The majority are probably beyond what you  
1397 would consider for a provisional use permit, are already contained within those restrictive  
1398 covenants on that property.  
1399

1400 Ms. Roundtree - Okay. So, this is not granting any lesser or making it easier  
1401 for any properties that are within that overlay district; is that fair to say?  
1402

1403 Mr. Emerson - No, ma'am. No, ma'am.  
1404

1405 Ms. Roundtree - Okay.  
1406

1407 Mr. Emerson - Not at all. And again, the 80, 80, 85, maybe 90 percent of  
1408 those properties are vested. And the ones that aren't completely vested have pending  
1409 approvals within the next two, three weeks, and that completes all the property in the park  
1410 essentially.  
1411

1412 Ms. Roundtree - Okay. So...  
1413

1414 Mr. Nelson - Ms.  
1415

1416 Ms. Roundtree - Mm, hmm.  
1417

1418 Mr. Nelson - Ms. Whitehead.  
1419

1420 Ms. Roundtree - It's Roundtree but...  
1421

1422 Mr. Nelson - I mean, Ms. Roundtree. Sorry. Ms. Roundtree. See. I'm all  
1423 messed up, Ms. Roundtree. Ms. Rivera, who I know is about as deep into preparation  
1424 conversations for data centers as anybody I know. I think there's some confusion. I think  
1425 if we, if we hold up, then what we do is allow data centers to keep on coming in by-right,  
1426 to slow it down, to 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 it if anyone comes in on a B-1, 2 or 3, O-1, 2 or 3, M-1, 2 or 3 property, they literally, if they go through the plan of development process, they don't 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 by 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. So that's what, for everyone that comes forward, and 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 by-right product to find by-right property while we're waiting and they're going to be able to push their product through at this point. I've been hearing from the community that we want a 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 a part of if we don't get control of the process, there is no public hearing and so the public won't have a part in the process. That's really what this is about tonight.

Ms. Roundtree - Thank you. Next speaker, with that in mind, is Gray Montrose.

Ms. Montrose - Members of the Board and the Commission, my name is Gray 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 data center industry, I wish to raise two concerns. First, 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 box-car-sized diesel generators spewing fumes and exhaust in our community which serve as backup power for these warehouse-sized buildings. 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 Varina. 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 Varina, who realized after the Azalea proposal that data centers can and will take full advantage of by-right opportunities. We can't have data centers in River Mill or Mooreland Farms, on Monument Avenue and in Short Pump. No. The places where data centers belong are in Varina with the dumps, trucking centers, powerplants 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. 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, 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

1473 place. Instead, you propose to allow by-right data centers here but not where you live. I  
1474 ask you to look the residents of Varina in the face and say, not in my backyard, but it's  
1475 fine for yours. Sorry if your kids have asthma, sorry if your mother has breast cancer,  
1476 sorry if your parents have heart disease. Not me and mine. Second, this proposal  
1477 represents another broken promise to the people of Varina. 25 years ago, you proposed,  
1478 you promised that the White Oak Tech Park would be contained, buffered. You'd never  
1479 know it was there. And that turned out to be a lie. The data centers aren't buffered by  
1480 offices and neighborhoods. They're just a sad strip of sickly trees from our homes. They  
1481 aren't contained. They're expanding across Route 60 and in this so-called region. Why  
1482 should we trust that this time it's a real limit? Worse, why should we trust that a proposal  
1483 full of words like consider and examine and encourage is going to have any actual teeth?  
1484 I urge this Board to consider its role in concentrating on pollution in a single area, in a  
1485 single place, in a single community in the context of a legacy of Boards in the past that  
1486 have gleefully ignored the health, safety and welfare of the community for the quick dollar.  
1487 Dollar in pockets countywide while the suffering and the pollution are here in our home.  
1488 It's a real shame that this Board thrusts something we haven't seen onto the community  
1489 and says, you want action. Take what we give you and be grateful we did anything at all.  
1490 Nothing stops this Board from being clear that you are directing staff to develop  
1491 amendments to address concerns brought forward tonight, even as we appreciate  
1492 some...

1493  
1494 Mr. Schmitt - Just...

1495  
1496 Ms. Montrose - ...any regulation at all.

1497  
1498 Mr. Schmitt - Getting close, ma'am.

1499  
1500 Ms. Montrose - Thank you.

1501  
1502 Mr. Schmitt - 30 seconds. Thank you very much.

1503  
1504 Ms. Roundtree - I have the next speaker as Brock Saunders.

1505  
1506 Mr. Saunders - My name is Brox Saunders. I grew up in Richmond when my  
1507 family moved here from New Jersey in 1989. I've had the pleasure of living in three  
1508 counties, in Goochland throughout my childhood, the City of Richmond as a young adult,  
1509 and I've been a Henrico resident for the last several years. I completely appreciate the  
1510 intent of the proposed ordinance. I give the county and this Board tremendous credit for  
1511 embracing the idea of thoughtful growth. In my conversations in the business community,  
1512 Henrico is repeatedly cited as a place to invest due to its transparency, fairness and  
1513 thoughtfulness with which it operates. Now, this proposal would retroactively require a  
1514 provisional use permit. My request tonight is to grandfather this Centra project that you  
1515 heard about earlier. David and his team are local. They own a small business. They're  
1516 not a faceless corporation. If people think the rules can change retroactively, it has  
1517 implications across all future developments and investments in the county. And then a  
1518 personal note. Of these Centra guys, they're friends of mine. They're wonderful human

1519 beings. Their parents are great, their wives are great, their kids are great. These are the  
1520 type of people that we want to encourage to invest in this community. Thank you.

1521  
1522 Ms. Roundtree - Thank you, Mr. Saunders. All right. That exhausts the folks  
1523 that have signed up. So, if you are here and would like to speak in person, ...

1524  
1525 Mr. Schmitt - WebEx. WebEx?

1526  
1527 Ms. Roundtree - I'll go to WebEx next. If you're here in person and would like  
1528 to line up, please do so. And you can just for efficiency's sake, you can go ahead and line  
1529 up. Just give some distance between yourself and the speaker on the microphone. All  
1530 right. We're going to start over here. Please don't forget to identify yourself. Thank you.

1531  
1532 Mr. McGee - Good evening, everyone. My name is Brendan McGee. I live  
1533 off White Oak Road. I'm here tonight on behalf of my family and the residents of the White  
1534 Oak area who are concerned about the future developments within the White Oak  
1535 Technology Park. My chief complaint is in regard to the health and safety of my family.  
1536 With PFAS water warnings for the White Oak Swamp issued by the Virginia Department  
1537 of Health, we've lost confidence that the citizens' health is being prioritized above  
1538 industrial development in our district. Many of us rely on well drinking water and we cannot  
1539 afford to have our water poisoned by runoff from industrial complexes nearby. We're also  
1540 concerned with the increasing rate of commercial vehicles on our roads heading into the  
1541 area. These 18-wheelers and large apparatus are a hazard on the narrow, windy roads  
1542 around our houses. Many worry that it's only a matter of time until this causes a fatal  
1543 accident and we're also concerned as they're incredibly loud as they transit our small,  
1544 quiet roads. Many citizens on the White Oak Road complain that 18-wheelers on their  
1545 way to the tech park routinely ignore signs to stay off this rural backroad. Many homes  
1546 and farms on White Oak and Elko Road were also told that a tree buffer would be kept in  
1547 between us and the properties being developed. As Stewart and other neighbors said, at  
1548 night these homes have now exchanged views of woods with heavy, bright streetlights,  
1549 both from streetlights and from the sides of these buildings and the developments. We  
1550 need real buffers between this heavy industry and the land zoned agriculturally and  
1551 residentially right next to it. More important than any mall, library, school or business, I  
1552 care that Henrico Planning Commission does their absolute best to ensure that my  
1553 drinking water, air quality, and roads are safe for me and my family. I don't want to raise  
1554 my family in an area that doesn't prioritize the health of its citizens above developments.  
1555 Thank you.

1556  
1557 Ms. Roundtree - Thank you, sir. We'll go to this side over here.

1558  
1559 Mr. Huynh - Hello. My name's Andrew. I live at 4303 Penick Road in the  
1560 Brooklyn District. So, I wanted to take some time to appreciate the Planning committee  
1561 for coming up with some recommendations. But before I get into that, so I also read some  
1562 of the resources and data centers consume 4.4 percent of the total electricity in the U.S.  
1563 but 25% of Virginia's electricity. Analysts project that energy consumption from data  
1564 centers will triple from their current usage by 2040. The JLARC report also says that the



1565 estimated demands for electricity cannot be met with our current clean energy  
1566 infrastructure and would be tough to meet with increased power generation through  
1567 additional clean energy projects. So, one question I have is, how do these da, how are  
1568 we currently powering these data centers? And how does the Board plan to source  
1569 additional electricity to support the operation of additional data centers? That's one  
1570 concern that I have. And then separately, data centers consume a lot of water, and as we  
1571 have learned from the recent water crisis in January, we have a fairly precarious access  
1572 to clean water. The staff analyst, staff analysis report indicated that data centers in the  
1573 county use .5 to 1 million gallons per day out of the 30 to 40 million gallons per day for  
1574 the total county. However, I think most data centers only track scope 1 water  
1575 consumption, which is the water used to cool the physical hardware in the facilities, but  
1576 don't track or report on scope 2 water consumption, which is the water consumed to  
1577 generate electricity to power the plants. Nationwide, on-site water consumption for data  
1578 centers is projected to increase 200 to 400 percent of their current levels by 2028. So,  
1579 with all this in mind, how does the county plan on measuring scope 1 and scope 2 water  
1580 usage for these data centers? And that's all I have.

1581  
1582 Ms. Roundtree - Thank you. Oh. Nobody's...

1583  
1584 Ms. Walker - My name is Kathy Walker. I live at 201 Riva Ridge Circle at  
1585 the corner of Portugee, Red Coach and Riva Ridge. First of all, I'd like to say that you, as  
1586 a Board, work for us. We are your employer. You are my, and the rest of the people here  
1587 and in the county, you are our employees, and I think the county has forgotten that. We  
1588 have had no say-so in anything that has happened at this end of the county. I have been  
1589 complaining since Jim Donati has been in office regarding the truck traffic, 18 wheelers,  
1590 dump trucks and any other type of these heavy equipment trucks. We have had them.  
1591 They get stuck at the corner of Elko and Portugee Road. This week, Monday to be exact,  
1592 we have had beams, that's steel beams, on 18-wheelers to come through. We have had  
1593 cement trucks. We have had gravel trucks loaded with gravel going back and forth. This  
1594 is so inexcusable that we have had to put up with this mess for the last 20 years and I  
1595 think something needs to be done about this. But I am going to tell you one thing. This is  
1596 the last complaint that I'm going to say regarding this. Then I will march myself up there  
1597 to that gate and ask them to stop construction or do something about their truck traffic  
1598 that has been in our neighborhoods. There's four little girls that live next door to me and  
1599 they play at the back of their property. If one of those trucks or any other vehicle gets  
1600 loose or comes speeding through there and comes through my yard, it's going to kill these  
1601 little girls. In addition, there's the speed limit. We need speed bumps or reduced speed  
1602 limit on this road. I mean, it's ridiculous. Even the cars running up and down these roads  
1603 are running 50 and 60 miles an hour. And motorcycles, I'm surprised they haven't gone  
1604 splat up against some of the trees down there. And it's inexcusable that I've been  
1605 complaining this long and nothing has been done about it. No tickets that I know of. I think  
1606 the police need to become there because they've been AWOL except the ones that live  
1607 in the area. I want to see tickets given to these people. I mean, something's got to be  
1608 done. We should not have to put up with this mess. And barriers, there's no barriers up  
1609 between these plants. Not what, not one piece of barrier. You're running the animals now  
1610 out the woods up in our neighborhoods. The deer and everything else. I don't want to see

1611 any construction past Technology Boulevard hitting east on Portugee Road. That's my  
1612 opinion.

1613  
1614 Ms. Schmitt - Just getting close, ma'am. Sorry. 30 seconds.

1615  
1616 Ms. Walker - So I want to see, like I said, this is the last time I say  
1617 something. I will march myself up there to those construction sites. So I want, I'm going  
1618 to give you a week to put a stop to this because it's inexcusable that we have to live in a  
1619 neighborhood where they park by your house and everything else. Thank you.

1620  
1621 Ms. Roundtree - Are there any

1622  
1623 Mr. Schmitt - [inaudible]

1624  
1625 Ms. Roundtree - I'm sorry. Oh. I'm sorry. Okay. Didn't see you back there. Go  
1626 ahead, sir.

1627  
1628 Mr. Hassmer - My name is Steven Hassmer. I'm a resident of Sandston. I  
1629 have a couple of observations. The first one is that it seems that, given some of the  
1630 comments that have been made previously, that before any action is taken, there ought  
1631 to be a real plan about giving something back to the impacted community area.  
1632 Particularly to the lower income people that may be living in that area, whether it might  
1633 be a reduced proffer for as far as the cost of their electric bill or some kind of compensation  
1634 for the problems that are being impacted by this area. And I would make that suggestion  
1635 to the company and to the Board.

1636  
1637 Ms. Roundtree - As the next speaker is coming, I just want to reiterate that the  
1638 proposal that is before the joint Board is to be more restrictive on data centers and that's  
1639 why you've got folks that are speaking from the data center community that are asking for  
1640 action to be taken on their side. Because they think that it's, they're too much; right? So  
1641 these actions are in direct response to hearing from the concerns about the perceived  
1642 proliferation of data centers and this is our attempt to have the public speak its voice and  
1643 to see that we are taking action to limit it. I'm not sure where the narrative got derailed but  
1644 this, to be clear, is about limiting the ability of data centers to develop, which it is right  
1645 now, by right. This is putting restrictions on their automatic ability by right and I don't want  
1646 to, I hope I'm not making that oversimplified. Is that a fair way to say Mr. Emerson?

1647  
1648 Mr. Emerson - Yes, ma'am. That's, you're exactly correct. What we're talking  
1649 about here is the overlay on the White Oak Tech Park, which has its own set of restrictive  
1650 covenants, and other regulations that govern its development. And then anything outside  
1651 of White Oak Tech Park would require a provisional use permit on properties that are  
1652 already zoned correctly. If they're not zoned correctly, you've got a rezoning request and  
1653 a provisional use permit, so there are several steps outside. But currently, correctly zoned  
1654 properties have the by-right use. So this provisional use permit would be adding another  
1655 layer so you could hold public hearings and take public input on any proposal and  
1656 consider its appropriateness for that particular site.

1657  
1658 Ms. Roundtree - Thank you. I just say that again because I know how it feels  
1659 to feel like you're not heard. I know how it feels like you're up against a big governmental  
1660 machine and it doesn't matter. And I just want to say that while we're not you know, we  
1661 don't claim to get it perfect, we are doing this in an effort to address what we have heard  
1662 about limiting data center usage. Thank you. You may. Go ahead.  
1663  
1664 Mr. O'Brien - Members of the Commission, members of the Board. My  
1665 name is Michael O'Brien. I'm a resident at 4300 Eanes Lane in Varina.  
1666  
1667 Ms. Roundtree - Get a little closer, sir.  
1668  
1669 Mr. O'Brien - Oh gosh. Makes me feel awkward. Oh. There you go.  
1670  
1671 Ms. Roundtree - Not too much.  
1672  
1673 Mr. O'Brien - I think I'd first like to point out, I think part of the concentration  
1674 and recognize that it's making things more restrictive, but I think the comments by Mr.  
1675 Emerson and discussion between the Boards, and such make it very convincing and a  
1676 very convincing argument as well as the report which was actually quite excellent. Thank  
1677 you to the authors. That this has minimal impact on business. 80 to 90 percent has already  
1678 been done. It is affecting less than 10 percent of the stuff out there so why does it have  
1679 to be in an overlay and why can't we just change the zoning code for the whole thing?  
1680 And that would allay many comments here and frustrations about east versus west is that  
1681 while you are being restrictive, I think you're being permissive in a certain area and the  
1682 comments here today made sure that's a very small area and have a very small impact  
1683 on business. Regarding business, starting out in terms of sunk cost, the first three  
1684 speakers today. The first speaker said they've spent over \$300,000, second and third,  
1685 fourth, sixth speaker said they spent over about \$700,000. The median home price in this  
1686 area is \$365,000 which means any homeowner here has essentially spent more and has  
1687 more sunk cost in this than the first person who spoke. In terms of the second person  
1688 who spoke, well it's two homeowners now have more sunk cost in this area. Six months  
1689 working in this project, my neighbor has spent more than six months trying to perfect his  
1690 lawn. So trying to put things in terms of perspective, about sunk cost, about those who  
1691 live here and those who want to manufacture here, is worthwhile to think about. Lastly, I  
1692 also want to echo that industry will sustain this. There's a lot of comments about things  
1693 that won't be sustainable, whether it's tax revenue, whether it's burdensome. I mean, we  
1694 can think about how many millions of dollars the Hourigan project made on the first day  
1695 their zoning went through. Industry will sustain it and I think that's a concern that should  
1696 be shed. Talking specifically about the proposal that's before today, again, I think it's very  
1697 well written. One of the things that they pointed out was air quality and said, oh, DEQ will  
1698 take care of that. I worry a little bit and I think that we need to take care of our own as  
1699 none of the suggestions after that dealt with air quality. The closest air quality monitor  
1700 from where we're standing right here in the MathScience Center. The other one is at  
1701 Shirley Plantation. Actually, the closest air quality center of any kind is at my house. It's  
1702 the little dinky purple there. So, we can look and say, well. These don't impact

1703 communities. They don't the air quality might not be that bad. But the fact is that at this  
1704 point, we do not know. So, taking some sort of thing on board, some sort of baseline  
1705 knowledge about what is going on right here, is critical. Because we can say, oh. They  
1706 don't really change that much. They didn't really change that much off of 495 or they didn't  
1707 really change that much here. We frankly just don't know. So I would like to take that into  
1708 consideration as well. Thank you very much.

1709

1710 Ms. Roundtree - I'm sorry. Sir did you give your name just so that we make  
1711 sure...

1712

1713 Mr. O'Brien - Yeah. I believe I think I might have. It's Mike O'Brien, 4300  
1714 Eanes Lane, Varina District.

1715

1716 Ms. Roundtree - Thank you.

1717

1718 Mr. Nelson - Madam Chair, can I just, one comment. This is bigger than  
1719 just the White Oak Tech Park, I just want to make sure that we understand that this is not  
1720 just restricting every single data center case that comes forward after tonight, if this is  
1721 approved, has to go through a PUP, provisional use permit, which means that they will  
1722 be approved, denied, denied, approved case-by-case basis. If we don't, then again, if it's  
1723 by-right, meaning if you want to, if you're an applicant and you purchase a piece of land  
1724 that is already zoned, it does not have a public hearing process, and the Board of  
1725 Supervisors does not vote on it. So this is bigger than just the White Oak Tech Park. I  
1726 understand the concern that most of the land in the tech park is spoken for. But we still  
1727 have the huge district of Varina that is still mostly agricultural, open land, open space. It  
1728 gives us the opportunity to be able to look at each case, case-by-case, and not do any  
1729 by-right zoning. So, we're not just talking about the White Oak Tech Park. I know it's easy  
1730 to think that this is just about the tech park but it's not. This is about Varina. This is about  
1731 the district, Varina just a whole. Not just the tech park.

1732

1733 Ms. Roundtree - We're going to go over here just to spice it up a little.

1734

1735 Unknown Speaker - Well, he's been waiting a while so just let him go and I'll go  
1736 last.

1737

1738 Ms. Roundtree - Well, all right. There you go.

1739

1740 Mr. Condlin - Good evening, members of the Board, members of the  
1741 Planning Commission. My name is Andy Condlin from the Tuckahoe District. I apologize.  
1742 I did sign up and got an e-mail and confirmation. But I request that you take my comments  
1743 as they are intended. Like you, I want what's best for Henrico County as a whole. I also  
1744 have a unique perspective in that I used to work for Henrico County. I was trained about  
1745 the Henrico County way. I have practiced land use law for over 30 years in Henrico  
1746 County. I of course raised my family and have been a citizen of Henrico for 30 years. I  
1747 speak not tonight opposed to the substance of what is being proposed. I understand the  
1748 desire to have a public dialogue about creating guardrails for development of an industry



1749 that has anticipated growth and discuss the potential impacts of that growth. It makes  
1750 good policy sense to have that discussion. My concern, however, is this process, which  
1751 is highly unusual, in my experience, for 30 years in Henrico County. From the date of the  
1752 Board resolution, there's been seven weeks until tonight. Five of those weeks were given  
1753 to staff in order to investigate, study other jurisdictions, study a very complex industry and  
1754 make a recommendation as to what is best for the county. The public has had literally two  
1755 weeks, two weeks from when the ordinance was first made available, to understand the  
1756 impacts that are going to come from this, good and bad. And I think you're seeing some  
1757 of the frustration that comes with that. Typically, there's an opportunity to have review and  
1758 comment. The staff, when they pass, when they're looking at a new ordinance will go to  
1759 the industry itself and ask for input to see what are the impacts on the industry. And they'll  
1760 go to the community. The Comprehensive Plan right now, we're going through a  
1761 comprehensive review of the Comprehensive Plan and they're going out to the community  
1762 for that very reason. Instead, we are given the public hearing to have the dialogue which,  
1763 for all good intentions, this is not a dialogue. This is a person speaking and then another.  
1764 There's no give and take. There's no discussion of ideas and how to make this a better  
1765 example. The R-5B ordinance took over six months with multiple hearings and work  
1766 sessions by both bodies. Not since 2002 has there been a joint meeting between the  
1767 Board of Supervisors and the Planning Commission, and in that particular ordinance, it  
1768 took over seven months. Here, we have seven weeks. The intent is good, the substance  
1769 is good, but we need to take a look at what we're trying to do. And no matter how good  
1770 staff is, and your staff is very good, there's always room for improvement. There are a  
1771 number of items I could talk to that merit I believe a discussion that I can't get across in  
1772 just four minutes. But that is why we have community meetings and that is with respect  
1773 to example of the Comprehensive Plan which has not been talked about a lot today,  
1774 tonight. We talked about the ordinance. But if you think about the Comprehensive Plan,  
1775 the county is already going through a comprehensive review. Why is that not this  
1776 particular part of that being made a part of that comprehensive review? When you look at  
1777 a specific use, you're having other impacts on other parts of the Comprehensive Plan that  
1778 may be unintentional. So my ask for you tonight is to take the time, whether it be 60 or 90  
1779 or 30 days, but to take the time to make sure that we get this done right. When you rush  
1780 an ordinance, an ordinance becomes set in stone. But when you rush an ordinance,  
1781 mistakes happen. I'm happy to give my opinions, as I said, on matters that need to be  
1782 addressed that maybe merit further discussion. When you rush an ordinance, there are  
1783 unintended consequences. You've heard about two specific property owners that have  
1784 come forward to say that they feel like that, they're not saying that this is too much, Ms.  
1785 Roundtree. They're actually saying that they're being treated unfairly. And that's one of  
1786 the things that an ordinance can do that Henrico County and the Henrico County way  
1787 wants to treat all of its citizens, business and residents, fairly. They're also being treated  
1788 with similarly situated property dissimilarly. And that you've heard that from this type of  
1789 the specifics with respect to the properties. These particular items could be addressed  
1790 easily. For example, in Loudoun County, they said, if you're going to be grandfathered,  
1791 you needed to be, have application in by the time of the first public hearing, even though  
1792 the ordinance was approved many months later. So to address Mr. Nelson's concerns,  
1793 you could set tonight as the date. We have a citizen, a business citizen, that has come  
1794 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. 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. Do we need more 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 of the citizens of Henrico County. 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 or 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. 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.

Ms. Roundtree - Thank you, Mr. Condlin. Yes, ma'am.

Ms. Woodcock - I'm Mandi Woodcock. I live in Sandburne Park and you all are going to build it no matter what. But I guess my question to you is what are you going to do back, what are you going to give back to the community? Are you going to go ahead, I've not once heard anything about, yeah, you know, as far as you're going to build your business, 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.

Mr. Montgomery - Good evening. John Montgomery, 2666 Kingsland Road, Varina. I'll be extraordinarily brief. I know you 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 and 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 in that particular case. We're told that now is not the time for the action not by the Board, not by the Commission but by the applicant actually that pushed it through. I would encourage you not to delay when there's been years now of study and consideration of this matter. And then the other thing I think's 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. 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 impacts particularly of electrical use and the need for generation of electrical use and transmission of that electricity is only going to become greater. 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 regulations, some consideration of those of that matter in particular as we go forward. So, I welcome

1841 the effort for what we can do here at the local level and am encouraged by that. I know  
1842 that there will continue to be the opportunity perhaps to amend what's done tonight if  
1843 necessary in the future and I encourage the folks who are doing the development that  
1844 they're doing that they participate in the process that is now being put in place. It's not so  
1845 onerous that as a matter of fact, businesses go through it all the time. It's regretful that  
1846 they are at this point in their process, but they can handle it. And beyond that, I encourage  
1847 us to find a way to advocate at the state and federal level for additional regulation,  
1848 particularly regarding electrical use. Thank you.

1849  
1850 Ms. Roundtree - Thank you, Mr. Montgomery. Yes.

1851  
1852 Ms. Brandi - Hello. My name is Brandi. It's not necessary that you know my  
1853 address but I live in Henrico. First off, I appreciate if we never go about saying green zone  
1854 data center. That is an oxymoron. We all know how much data centers water use and the  
1855 drinking water used in data centers if often treated with chemicals to prevent corrosion  
1856 and bacteria growth, rendering it unsuitable for human consumption or agricultural use.  
1857 This means that not only are data centers consuming large quantities of drinking water  
1858 but they are also effectively removing it from our local water cycle. I bought this property  
1859 here because I love this land. I love the wide-open spaces. But when I bought it seven  
1860 years ago, I didn't know that I was going to be poisoned by the Virginia Sterilization  
1861 Center, the PFAS in the water and now the data centers. You're really ruining our land.  
1862 We're smart people. We came out here because we want land and now I'm led to believe  
1863 that you've rezoned all of Henrico to sell us out. I mean, we know we're getting it but we  
1864 want to stop. We don't mind development, but we want responsible development. We  
1865 don't want to be poisoned. And that's all.

1866  
1867 Ms. Roundtree - Thank you. I don't think I see anybody else lined up at the mic.  
1868 Okay. Go ahead. If there's anyone else after this person, go ahead and please, if you  
1869 don't mind, line up.

1870  
1871 Unknown speaker - I would like to thank Mr. Nelson for clarifying that it's just not  
1872 the technology park. But I know that the environmental issue should be studied, especially  
1873 the water, and then your power's going to take care of the electricity one way or the other.  
1874 But as this lady said a few minutes ago, what are you going to do for us? You've got  
1875 billions of development going in out there. The last time I heard is Facebook Meta ended  
1876 up spending \$9 billion out there. Now that you're going to get what are you going to do  
1877 for us with all that money? Tax money. That's my question to you. Are you going to reduce  
1878 our taxes, our real estate taxes? Huh? I mean, what are you going to do with all that  
1879 money? The data centers, I live within walking distance of them and the data centers are  
1880 already there declaring more land every day. As you said, from what I understand, 90  
1881 percent of it's already taken is spoken for. Don't let this data centers go down Darbytown,  
1882 Charles City or wherever they want to go. All right. The data centers are probably the best  
1883 solution for not having over-development of neighborhoods and traffic and so forth and  
1884 so on. But you guys are going to get a motherlode of money, and what are you going to  
1885 do with it? You know, I know you reduced the tax rate two cents, so you took \$200 out of  
1886 my pocket and gave me back \$20. You know, now with all this, you raise the taxes on



computer equipment to \$2100. I mean, that's a windfall because that's all that's going out there. Are you going to reduce our real estate taxes by half? Is there an answer? Are you going to reduce our real estate taxes by a quarter? What are you going to do for us?

Ms. Roundtree - Thank you. Well, I will say that, yes. That the tax rate is reduced. I will point out though that, and this is just an example. We've been accused of being unfair by reducing the tax rate; right? Like, 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 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 Chopt that qualifies for that because the cost of dirt is so expensive in Three Chopt. So, where that is generally focused is in Varina so that is data center money that is going towards buying homes or helping first-time homeowners have housing. Again, 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 even that is not without criticism is the point that I'm making and there are programs directly as a result of the data fund. 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 there is that tradeoff 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 in Three Chopt to say, why aren't you doing something to, you know, build something in Three Chopt? But in any event, was there a comment here? I'm sorry. All right. Is there anybody else here that would like to speak? If not, I know we have one person on Webex. Who is handling that today? All right. Ms. Brackett.

Ms. Clemmons - [Inaudible] I live at 2300 Mill Road. I just wanted to say that I noticed something interesting in the HenricoNext video that was put out recently. Quote "the county doesn't build homes or neighborhoods, grocery stores or hospitals. This is done with private development." So I just wanted to say to an earlier comment that historical zoning patterns are reflected in the [inaudible]. As the grandchild of a woman who [rode the school bus from Mill Road in Varina to Mountain Road in Glen Allen to attend Virginia Randolph Training School, those development patterns were deliberate. About the data centers. Please consider delaying your vote out until January and evaluating the impact on the east end and west end of Henrico and the known impact data centers have on electricity usage and utility bills. Residents and retail still pay utilities to Richmond, who we share water with, and it's clear Richmond has yet to resolve decades old issues with the system. Pockets have been lined but our water is still [inaudible]. Those of us who use well water, such as myself, are forced to deal with the consequences of pollution individually instead of being covered by or reimbursed by our government. As noted earlier, JLARC noted that Dominion Energy bills would increase between \$14 to \$37. This in a district where the schools receive free and reduced lunch and other families are facing an increased charge for breakfast- school breakfast and lunch. Dominion Power has been noted to have an increased reliance on fossil fuels and is backing away from its shift towards renewable energy. And again, since it was noted that some of these patterns were established in the '60s. I attended the former Henrico



1933 Central School which is now Mehfoud Elementary, Varina Elementary, John Rolfe Middle  
1934 School and Varina High School. I worked at Fairfield for five years and then John Rolfe  
1935 for three. I'm currently a mental health professional with a community service org and I  
1936 plan to be in Henrico for the rest of my life. The open land and open space of Varina is  
1937 being shut by obnoxious residential developments. Please keep data centers away from  
1938 us. They don't belong here or in Charles City or in Goochland or in Hanover. The land is  
1939 not isolated. It's surrounded by majority black, brown, white, working and impoverished  
1940 communities. To the developers, try speaking to the people and ask them what they want  
1941 and not just speaking to so-called representation. Please speak to the people. We are not  
1942 scary. To those in person, please get together and exchange contact information after  
1943 this meeting. Please keep getting together to study these matters as a community and  
1944 coming to hear and to put forth the interest of the people. Like voting, it isn't effective to  
1945 just get together once. We have to keep the conversation going so we're prepared the  
1946 next time commercial interests try to overpower the people. Thank you.

1947  
1948 Ms. Roundtree - I believe that that concludes the public comment section of  
1949 this meeting. Thank you for everybody who took the time to come out and speak to this.  
1950 Thank you for the civility with which you spoke. And everybody else who sent in written  
1951 comments, please know that if you did send in written comments and did not speak, we  
1952 all received  
1953 them and we all reviewed them. That being said, that concludes the joint public hearing  
1954 and that portion of this evening is now closed. Mr. Witte, how would the Planning  
1955 Commission like to proceed?

1956  
1957 Mr. Witte - Thank you, Ms. Roundtree. Is there any discussion or  
1958 questions from the Planning Commissioners before I call for motions? Hello? Is there any  
1959 discussion or questions from the Planning Commission before I call for the motions?

1960  
1961 Mr. Mackey - No. We don't have anything. Oh. I would just like to thank staff  
1962 for the information they put together for us and I would like to thank all the people that  
1963 came up, made their comments and showed their interest in the process. I move that we  
1964 recommend the Board of Supervisors adopt the proposed amendment of the 2026  
1965 Comprehensive Plan to designate the Technology Boulevard special focus area and  
1966 create development, objectives and guidelines for data centers.

1967  
1968 Mr. Winterhoff - Second.

1969  
1970 Mr. Witte - We have a motion by Mr. Mackey, a second by Mr. Winterhoff.  
1971 All in favor, say aye.

1972  
1973 Commission - Aye.

1974  
1975 Mr. Witte - Opposed? And we'll note we have one absent and one  
1976 abstention.

1977  
1978 Mr. Mackey - All right.

1979  
1980 Mr. Witte - This motion passes.  
1981  
1982 Mr. Mackey - Yes. All right. I'll also move that we recommend approval of  
1983 the revisions to the zoning ordinance to create the WOTPA White Oak Technology Park  
1984 Area Overlay District and other associated changes as presented this evening.  
1985  
1986 Mr. Dandridge - Second.  
1987  
1988 Mr. Witte - We have a motion by Mr. Mackey, a second by Mr. Dandridge.  
1989 All in favor, say aye.  
1990  
1991 Commission - Aye.  
1992  
1993 Mr. Witte - Opposed? Once again, one abstention, one absent. Motion  
1994 passes.  
1995  
1996  
1997 Mr. Witte - Mr. Schmitt, that completes the business of the Planning  
1998 Commission.  
1999  
2000 Mr. Schmitt - Thank you, Mr. Witte. Thank you to members of the Planning  
2001 Commission and certainly I'll echo what Ms. Roundtree said. Thank you so much for the  
2002 public comment that was heard today during that public hearing. With the end of the  
2003 business of the Planning Commission, we'll now turn to the work of the Board. I want to  
2004 take one quick sidenote, two quick sidenotes. One, I failed to mention a member of the  
2005 media who was here and I do want to recognize Jonathan Spiers from BizSense is here.  
2006 Jonathan, thank you. I'm sorry. I missed you earlier, sir. Prior to moving into the work of  
2007 the Board, it is certainly an opportune time here, after what has been two-and-a-half  
2008 hours, that I'd like to call for a quick break to allow folks on the panel here to utilize the  
2009 restroom and to take a quick break for the members of the audience. If we could –  
2010  
2011 Mr. Nelson - What's a quick break? Five minutes?  
2012  
2013 Mr. Schmitt - Yeah. If we could...  
2014  
2015 Mr. Nelson - Okay.  
2016  
2017 Mr. Schmitt - ...gather back here at 7:40 p.m. we'll gavel back in. Thank  
2018 you.  
2019  
2020 Mr. Schmitt - Correct. Welcome back everybody. Thank you for allowing that quick break.  
2021 I think hopefully it was enjoyed by everybody. As we transition here, please note we're  
2022 going to enter the Board of Supervisors' portion of a public hearing. So, we will hold just  
2023 that, a public hearing. I'd like to provide some context to it. Now that we've received this  
2024 Board has received the recommendations by the Planning Commission, this Board would

2025 like to reopen the floor for public comment with the allowing the public an additional  
2026 opportunity for comment with the following notes as part of this public hearing. We took  
2027 notes. We were here. We listened. We have everything you said, and we know who  
2028 spoke and how long you spoke for. Please, in the interest of everyone's time, we'll limit  
2029 speakers in this public hearing to two minutes, and we'll ask that comments aren't  
2030 duplicative. If you already spoke and you said your comments, they are in the public  
2031 record, and we heard it. This time is simply for someone who would like to speak to this  
2032 body again before this case moves on to the next step which will be discussion by the  
2033 Board. Again, please limit your comments to two minutes. I'll try to do my best to politely  
2034 notice anybody when you're getting to about 30 seconds. And again, I'd like to remind  
2035 everybody that your comments are recorded and heard from you first and there is no need  
2036 to repeat them again. So, with that said, we will move into the public comment portion of  
2037 this public hearing, and I will invite any speakers in the room who wish to speak to please  
2038 again address the microphones on either side of the room. All right. I'm glad to see it.  
2039 Everybody had their opportunity in the first one and I thank you for your efforts. Is anybody  
2040 else on Webex that wishes to speak? Ma'am, I'm sorry, ma'am. Go ahead. Please stand  
2041 up. If you wish to...

2042  
2043 Ms. Klein - Is this the data center thing?

2044  
2045 Mr. Schmitt - Oh yeah. Same case. Just please go ahead and line up. For  
2046 everyone's record, there's a Planning Commission public hearing that has occurred and  
2047 this is now the Board of Supervisors public hearing, again, on the same issue. The  
2048 Planning Commission heard it, made their recommendation to the Board, and now the  
2049 Board will have the public hearing discussion on the item. So if you wish to speak, please  
2050 do so, ma'am, and again, please state your name and your address for the record and  
2051 two minutes and I'll try to be polite.

2052  
2053 Ms. Klein - Okay. All right. Sharon Klein, 2121 Creekdale Court,  
2054 Sandston, Virginia. I have sent everybody a lot of communications over the last year. So  
2055 my thing is that I hope that you read and took into consideration my actionable measures  
2056 that I wanted you to review for this meeting. My main concerns are going forward with the  
2057 White Oak Overlay is how it will affect the community in terms of electrical power, the  
2058 cooling fans creating an urban island heat index that could raise the temperature one to  
2059 three degrees centigrade. And it's not about each individual data center. It's about the  
2060 cumulative, you know, effect. And that cumulative effect of that and degrading the air by  
2061 whatever power source that the rest of the data centers are going to be powered by. That  
2062 just know this community and I love it and I hate to have to leave. Because I'm a two  
2063 times breast cancer survivor and I have sinus issues. I'm doing pretty good for my age  
2064 but I would hate to have to leave the community because of some not looking at the whole  
2065 picture as we move forward. Thank you.

2066  
2067 Mr. Schmitt - Thank you, ma'am. Is there anybody else in the audience that  
2068 wishes to speak this evening? Is there anyone on Webex, ma'am?

2069  
2070 Ms. Davis - No, sir. There is no one else on Webex.

2071  
2072 Mr. Schmitt - All right. Thank you very much. Again, I'd like to thank everybody, all 20 of  
2073 you exactly. Thank you for your participation tonight and for everyone who has attended  
2074 here this evening. As we move out of public comment, we'll move into a discussion phase  
2075 of this meeting. Is there any discussion or comments from my colleagues?  
2076  
2077 Mr. Rogish - Yeah. Mr. Chair, just a couple things. One, first of all, thank  
2078 you to staff. You did put a lot of time and effort into this over the last I think as somebody  
2079 mentioned seven weeks. So thank you for doing this in a quick turnaround. Thank you to  
2080 Mr. Emerson and Mr. Sehl and all of your staff. Number two, I'd like to also acknowledge  
2081 and thank Highland Springs High School for having us here today. This is kind of a big  
2082 deal, you know, for us to all be together and just want to thank Highland Springs High  
2083 School. And that one more thing too, the woman, I didn't catch her name, from Varina  
2084 who asked maybe Executive Chief Burnett, maybe if you could send some police down  
2085 to Portugee Road afterwards, we can write a few tickets out there for you, ma'am. So,  
2086 thank you, Executive Chief. Other than that, I'm going to hold any other comments until  
2087 the end. Thanks.  
2088  
2089 Mr. Schmitt - Thank you, Mr. Rogish. Anyone else? Just...  
2090  
2091 Mr. Nelson - This is the end; right?  
2092  
2093 Mr. Schmitt - Yeah. I was going to say, this as a reminder, this is it. After  
2094 discussion by the Board, there would either need to be a motion on the item one way or  
2095 the other. Or...  
2096  
2097 Mr. Nelson - So did you want to...I was going to make a motion so I was  
2098 going to hold my comment to right before the motion. So...  
2099  
2100 Mr. Schmitt - Go ahead [inaudible]  
2101  
2102 Mr. Nelson - I mean, anybody else have anything to say  
2103  
2104 Mr. Rogish - I'll finish [inaudible]  
2105  
2106 Mr. Nelson - ...once I get the motion, I'm ready to roll.  
2107  
2108 Mr. Schmitt - Go for it.  
2109  
2110 Mr. Nelson - All right. Well, I don't have it yet so guess we'll just sit here  
2111 and wait. No one has anything else to say on the Board?  
2112  
2113 Mr. Schmitt - No.  
2114  
2115 Mr. Nelson - All right. Well, let me go ahead with my comment. Misty, are  
2116 you done?



2117

2118 Ms. Roundtree - I would just say that as I was preparing to come here this  
2119 evening, one of the questions I had was whether the proposed method of addressing  
2120 what I think we are fairly open at this point; right? I'll just, I mean, I'll just say I am very  
2121 concerned with slowing down data centers. The question in my mind was, what is the  
2122 best way to do it? And is specifically, is the overlay district the best way to do that? And I  
2123 came in sincerely wanting to hear from the public as to that and be able to ask, you know,  
2124 any questions of staff as to why that particular method of doing it, you know, how we felt  
2125 about it. I am also, I heard the comments by Centra about the seeming the perception of  
2126 inequity of disparate processes and that's always something that I am definitely sensitive  
2127 to when, you know, there is a favored status by one group and they don't have to go  
2128 through the same process. So, I do think that that is a compelling argument as well. And  
2129 so I would like to just say that this dialogue here tonight, especially those of you who were  
2130 very civil and courteous and kind in your comments and spoke from the heart with  
2131 sincerity, I think has definitely moved the needle, in my mind, as to how what I think may  
2132 be the best way to approach this. So, again, thank you all for coming out and giving your  
2133 thoughtful comments and it is not for naught.

2134

2135 Mr. Schmitt - Thank you, ma'am. Mr. Nelson?

2136

2137 Mr. Nelson - Thank you. I missed a little bit of that. You want to go ahead  
2138 and repeat that again? No. I'm just playing. Yeah. I had some things to say, particularly  
2139 or those of you who live in my district, the Varina District, which is technically over half of  
2140 the land mass of Henrico County. Over 50, some say 52%, some say 54% of Henrico  
2141 County is Varina. It stretches all the way to New Kent and Charles City and up to the  
2142 eastern part of Fairfield into the City of Richmond and the James River. So you technically  
2143 can live in Varina, the district, and not run into people who live in the same district as you  
2144 because the district is so large from close to the city to Charles City and New Kent, on  
2145 the day where there's traffic, it could take you 25, 30 minutes to travel across the district.  
2146 And so we have a vast district, and I just want to make sure that we understand that. We  
2147 have passionate people who live all over the district. They care about our district. And so,  
2148 these are countywide issues that we are talking about. We all know that pretty much the  
2149 concentration of data centers are in Varina. They have been in it seems like the interest  
2150 is continued data center home in Varina. I just want to share something about me  
2151 personally for those of you who don't know. And some of this even my colleagues may  
2152 not know. I was interested in this in what was happening at the back door because it  
2153 seemed like it was exciting. These little blue pins were given to you, Varina, Virginia, not  
2154 just anywhere. I well, whoever came up with that, I thought that was really creative. It is.  
2155 Varina's a special place. It's Thursday night, Tuesday night. Just 48 hours ago, I was at  
2156 8187 Bradbury Road. That is, it was the former home of my uncle who now has dementia.  
2157 He's in a nursing home. He built that home 40 years ago, lived there his whole life up until  
2158 he could no longer take care of himself. He's now in a nursing home. My cousin and I  
2159 share co-power of attorney and we've had to watch the journey of him, who for some 30  
2160 some years didn't know he had a kid, then found out that he had an adult child. Yet the  
2161 both of us ended up being the power of attorney. We had to sell his house in the heart of  
2162 Varina because the you know, 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. Leaving from that house, giving the keys to the new owners, I had to drive past my grandmother, my grandfather and grandfather's home that they built that now is 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 you all don't know, have been in the Varina District for centuries. You know, it does make me smile sometimes when I hear people try to act like I don't know Varina, I'm not from Varina, I don't care about Varina. My grandparents were well, let me go back beyond that. Clearing out my uncle's home, I found his 1973 yearbook. He and my aunt were some of the first students, black students, to attend the integrated Varina High School. My mother could not go to Varina High School because she was black. She had to go to Virginia Randolph. She had to be bussed from Varina to Virginia Randolph and Glen Allen every day. Could not go to Varina High School. 17th, 18th century, late 1700s, there was a case called Pleasants vs. Pleasants. Some of you all who were in the area know of it. Really interesting case. The Pleasants family came from England, moved here, moved to Curles Neck. Decades of selling tobacco, became very rich. Robert Pleasant, the son, was a Quaker. 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. My ancestors, my great-great-great-great-great grandfather, was one of those free slaves in a community called Gravel Hill now. It's called Gravel Hill, in the center part of, sandwiched between Darbytown Road and Route 5. You know, I say all of that because my family is Varina. I am Varina. 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. 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? How can we find ways to make sure that we keep big parts of Varina from becoming residential or industrial while yet providing the best services, etc.? I was not around, I heard one other person 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. 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 would impact people for years to come, multiple ways by which the mortgages or, you know, home prices can be brought down to be made affordable. Right now, Parkside Townes 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 worst things that ever happened to Varina and I was a horrible supervisor. Tell that to the folk that go to this school. This 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. 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 Townes. Those homes were I think

2209 they're being marketed for around \$320,000 because of our affordable housing trust fund.  
2210 About 25 people will be purchasing them houses for less than \$200,000. That's because  
2211 of the rezoning. \$5 million worth of solar panel investment also came out of that same  
2212 case. So we can get stuff as we move forward. I understand this tech park. When we,  
2213 when it was thought up back in '96, who would have who would have thought that data  
2214 centers would be such a concentration point across the country? We will have quite a few  
2215 of them in the tech park. The reason that I support this is because it keeps us from no  
2216 longer being at the mercy of zoning of land but that now the Board gets an opportunity to  
2217 hear each individual case and we make a decision on each individual case. You get an  
2218 opportunity to speak to each individual case. And so those things are important going  
2219 forward. Now, in a second, you're going to hear a motion and the county attorney will  
2220 explain it in a second. But I want to reemphasize again, if we don't support this, then by-  
2221 right development will continue and data centers will continue to pop up in the Varina  
2222 District outside of the tech park all over. They'll be close to your neighborhood and every  
2223 other neighborhood if we don't get a control of it. And so we will get to be able to say now,  
2224 is this a good use? Is this a good space? Is this a good place? And if not, we can say no.  
2225 When it's by right, we cannot. And so that's why I support that. Mr. Newby, explain to us  
2226 what we are about to do. So, we are what does this mean? We are, we have agreed  
2227 individually, we've talked to each other to get some consensus. We've agreed tonight  
2228 because we didn't come in here like this. We are deferring the amendment and the zoning  
2229 ordinance to our regular meeting on June 10th, both the Comprehensive Plan amendment  
2230 and the zoning ordinance amendment. But we are asking and directing staff to draft  
2231 readvertise for that hearing an amended version of the proposed ordinance to remove the  
2232 proposed overlay district so that a PUP, Provisional Use Permit, is required for data  
2233 centers in that area of the county, meaning anywhere in the county. Can you put that into  
2234 laymen's terms?  
2235

2236 Mr. Newby - Yes, sir. You're absolutely correct. So the Planning  
2237 Commission has acted and recommended both ordinances as proposed. The Board is  
2238 considering, potentially, motions to defer both items to June 10th. On June 10th, the  
2239 Comp Plan proposal will be reconsidered again. And importantly, the zoning ordinance  
2240 I'm hearing the Board is interested in having staff prepare an alternative, an amendment  
2241 to the proposal that would eliminate the overlay district and therefore require a provisional  
2242 use permit for data centers anywhere in the county in the O, B and M districts. Under  
2243 those circumstances, there would no longer be by-right data centers as a principal use  
2244 anywhere in the county in any district and instead by-right or excuse me. Data centers as  
2245 a principal use would always require a provisional use permit and a public hearing before  
2246 they could begin operation.  
2247

2248 Mr. Nelson - To include the White Oak Technology Park, which initially the  
2249 initial ordinance was to continue to do by-right within the park. Now we're saying within  
2250 the park, there is no overlay. So, after June 10th, if we support this, everything will have  
2251 to have a PUP that is not vested at this point.  
2252

2253 Mr. Newby - That's correct, sir. And that proposal will be readvertised for a  
2254 new public hearing on June 10th if the motion you propose is carried.

2255  
 2256 Mr. Nelson - All right. Mr. Chair, I'm prepared to make the motion after you  
 2257 or if you ask for further comments from our colleagues.  
 2258  
 2259 Mr. Schmitt - Yes, sir. Thank you, Mr. Nelson. Are there any further  
 2260 comments or discussions from members of the Board on this item tonight? All right.  
 2261 Seeing none, is there a motion on the Comprehensive Plan amendment?  
 2262  
 2263 Mr. Nelson - Mr. Chair, I move we defer the Comprehensive Plan  
 2264 amendment recommended by the Planning Commission to the regular meeting on June  
 2265 10th, 2025.  
 2266  
 2267 Mr. Schmitt - Is there a second?  
 2268  
 2269 Ms. Roundtree - Second.  
 2270  
 2271 Mr. Schmitt - Motion has been made by Mr. Nelson, seconded by Ms.  
 2272 Roundtree to defer the Comprehensive Plan amendment to the June 10th meeting. Those  
 2273 in favor, say aye.  
 2274  
 2275 Board - Aye.  
 2276  
 2277 Mr. Schmitt - Any opposed? That motion carries. Moving on, is there a  
 2278 motion with regard to the deferral of the zoning ordinance amendment?  
 2279  
 2280 Mr. Nelson - Mr. Chair, I move we defer the zoning ordinance amendment  
 2281 recommended by the Planning Commission to the regular meeting on June 10th, 2025  
 2282 and I further move that we direct staff to draft and readvertise that that hearing and  
 2283 amended version of the proposed ordinance to remove the proposed overlay district so  
 2284 that a provisional use permit is required for all data centers in that area of the county.  
 2285  
 2286 Mr. Schmitt - Thank you, sir. It's been properly moved. Is there a second?  
 2287  
 2288 Mr. Cooper - Second.  
 2289  
 2290 Mr. Schmitt - A second made by Mr. Cooper, a motion was made by Mr.  
 2291 Nelson. Those in favor, say aye.  
 2292  
 2293 Board - Aye.  
 2294  
 2295 Mr. Schmitt - Any opposed? All right. That motion also carries. Mr.  
 2296 Manager, I believe there was no further business of this special meeting of the Board of  
 2297 Supervisors; is that correct?  
 2298  
 2299 Mr. Vithoulkas - Correct, sir.  
 2300




2301 Mr. Schmitt - All right. Mr. Witte, we hereby adjourn this Board of  
2302 Supervisors meeting and I turn it back over to you for your regularly scheduled Planning  
2303 Commission meeting, sir. Thank you.  
2304

2305 Mr. Witte - Thank you, Mr. Schmitt, members of the Board. The Planning  
2306 Commission will take about a 10-minute break to give people that aren't staying for the  
2307 Planning Commission meeting...  
2308

2309 Mr. Schmitt - No, sir.  
2310

2311 Mr. Witte - ...and the Board members to vacate if they would like to.  
2312 You're more than welcome to stay and participate. Thank you.  
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Mr. Robert Witte, Jr., Chairperson  
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Mr. R. Joseph Emerson, Secretary