



## PLANNING COMMISSION REGULAR MEETING

Tuesday, June 20, 2023 at 7:00 PM

### AGENDA

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#### CALL TO ORDER AND ESTABLISHMENT OF A QUORUM.

#### ADOPTION OF MINUTES.

- [1.](#) Draft December 20, 2023 Planning Commission Regular Meeting Minutes (Transcribed)
- [2.](#) Draft May 16, 2023 Planning Commission Regular Meeting Minutes

#### HEARING OF PUBLIC HEARING ITEMS.

- [3.](#) Special Use Permit (SUP) 2023-01 St John the Evangelist, the Applicant, and the Owner, the Catholic Diocese of Arlington (St Johns Catholic School Tees), seeks to amend a June 3, 1986, SUP approval to allow for the demolition of an existing building and the construction of a new 13,000 square foot office building. The subject parcel is located in the Residential (R-10) District of the Town of Warrenton Zoning Ordinance and is designated as Live/Work on the Future Land Use Map. The subject parcel (GPIN 6984-36-7135-000) is located at 271 Winchester Street on approximately 11.0664 acres. Public Hearing was held open by the Planning Commission at its May 16, 2023 Public Hearing.

#### COMMENTS FROM THE COMMISSION.

#### COMMENTS FROM THE STAFF.

#### ADJOURN.

In the Matter of:  
**TOWN OF WARRENTON**

**PLANNING COMMISSION**  
December 20, 2022



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TOWN OF WARRENTON

December 20, 2022

PLANNING COMMISSION

File: December 20, 2022 PM Planning Commission.mp4

1 COMMISSION MEMBERS PRESENT:

2 Chairwoman Susan Rae-Helander

3 Vice Chair James Lawrence

4 Commissioner Steve Ainsworth

5 Commissioner Ryan J. Stewart

6 Commissioner Ali Zarabi

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1 P R O C E E D I N G S

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3 CHAIR RAE-HELANDER: Good evening. My  
4 name is Susan Helander. I am chair and I'm calling  
5 this meeting to order at seven o'clock. We do have  
6 quorum of members present. They are to my right,  
7 Commissioner Ainsworth and Commissioner Lawrence.  
8 And to my left, Commissioner Zarabi and  
9 Commissioner Stewart.

10 This meeting is recorded for the minutes  
11 and will be posted on the town website as soon as  
12 it is ready.

13 Our first order of business are the  
14 adoption of minutes from the November 15th, 2022,  
15 regular meeting and the November 22nd, 2022,  
16 regular meeting. If no one has any suggestions or  
17 proposed changes, I will entertain a motion and I  
18 can do both sets if --

19 COMMISSIONER STEWART: Madam Chairwoman,  
20 I move that the Commission accept the minutes of  
21 Tuesday, November 15th, 2022, as stated and  
22 presented with the exception of on the last page

1 correcting the spelling of Commissioner Zarabi's  
2 name in the second to last line.

3 CHAIR RAE-HELANDER: Okay. Thank you.  
4 Commissioner Stewart.

5 Do I have a second?

6 COMMISSIONER ZARABI: I'll send that  
7 motion.

8 CHAIR RAE-HELANDER: Thank you,  
9 Commissioner Zarabi.

10 Are we all in favor?

11 THE COMMISSIONERS: Aye. Aye. Aye.  
12 Aye.

13 CHAIR RAE-HELANDER: Thank you. Motion  
14 passes.

15 Okay. Tonight we have a continuation of  
16 our public hearing on Special Use Permit 2022-03  
17 for an Amazon data center. At the November 22nd  
18 meeting, we voted to postpone the public hearing  
19 indefinitely, and the purpose of this meeting is to  
20 reconvene and hear from the public.

21 Before we begin the public hearing, we  
22 will allow each individual speaker, three minutes.

1 A speaker representing an organization will be  
2 given five minutes. Please be aware that if an  
3 organization or individual has already spoken, you  
4 may not speak again during this planning commission  
5 hearing. However, you can speak with -- at the  
6 public hearing when the Town Council does decide to  
7 have their public hearing.

8           Speakers who live in the town of  
9 Warrenton will be afforded the opportunity to speak  
10 first. After that, all other speakers will be  
11 called in order in which they signed up. I would  
12 also like to acknowledge that the Planning  
13 Commission members have been provided with all  
14 written comments received by noon today.

15           Finally, as chair, it is my job to  
16 preserve order and decorum. We understand there  
17 may be strong feelings of support for some  
18 speakers. However, the Planning Commission  
19 requests your respect for all speakers' time and  
20 the ability to communicate without interruption,  
21 applause, or any outbursts.

22           I will call for the continuance of this

1 public hearing for Special Use Permit 2022-03 for  
2 an Amazon data center at 704.

3 COMMISSIONER ZARABI: Madam Chairwoman,  
4 may I ask a procedural question, relative to the  
5 public hearing? I'm not attempting to derail the  
6 process, but may I just make a comment about the  
7 procedure by which, and the rotation of how the  
8 meeting is to take place? Do I have a  
9 consideration or the floor to ask a question about  
10 how we do this process this evening?

11 CHAIR RAE-HELANDER: During the public  
12 hearing?

13 COMMISSIONER ZARABI: Yes, ma'am. The  
14 order in which we entertain the application.

15 COMMISSIONER RAE-HELANDER: I'm not sure  
16 what your question is.

17 COMMISSIONER LAWRENCE: Are you  
18 questioning the order of the events this evening?

19 COMMISSIONER ZARABI: Correct.

20 COMMISSIONER LAWRENCE: Okay. Why don't  
21 you tell us what you had in mind?

22 COMMISSIONER ZARABI: Thank you.

1 Traditionally, it's been my experience and our  
2 experience here, unless the Roberts Rule indicate  
3 differently, that the town and the staff will  
4 present the case to the public and the applicant  
5 will have an opportunity to present their case.

6 And the public, having heard the  
7 stakeholders rebuttal, will have an opportunity to  
8 ask relevant questions based on the information  
9 that is shared with the public. I feel like when  
10 the public gets to go first, then we kind of lose  
11 sight of how the rest of the package gets  
12 presented.

13 I think, to me, the public ultimately  
14 ought to have the last word once they have received  
15 and have heard the information from us, the staff,  
16 our questions from the Commissioners, and the  
17 applicant presenting their case. Because as we've  
18 discovered very recently, I think there are some  
19 additions and some ongoing evaluations that have  
20 taken place that most people are not aware of. I  
21 think it is important for the sake of the process  
22 that the town presents its case, and the applicant

1 will have an opportunity to respond to it and  
2 present their case.

3           And then the public, based on the  
4 information that the latest and the most accurate  
5 information would be able to ask the questions  
6 relevant to this application. So I'm not trying to  
7 derail it, but I do think that the process used to  
8 work that way after the staff and the applicants  
9 presented their case, and then we would open the  
10 public hearing for the public.

11           I know it may be cumbersome to the public  
12 to have to sit an extra 15, 20 minutes, 30 minutes  
13 to hear the presentation, but I think that reflects  
14 a better opportunity for them to be able to grasp  
15 what is going on this minute, live, as we are. So,  
16 I'm just asking if that is something within the  
17 realm that the Commission would like to consider.

18           CHAIR RAE-HELANDER: Well, I thought that  
19 we jointly waived that before we started the public  
20 hearing, that we would wait to hear from the  
21 applicant again and staff until the end of the  
22 public hearing. I may be wrong, but I thought

1 that's what we did -- just we did decide.

2 COMMISSIONER ZARABI: Well, I'm asking  
3 for consideration. I mean, I think obviously, I  
4 mean, there's no motion. It's a request. Is that  
5 a reasonable request?

6 COMMISSIONER AINSWORTH: If I can --

7 COMMISSIONER LAWRENCE: Oh, sorry.  
8 Steve, you go ahead.

9 COMMISSIONER AINSWORTH: If I can bring  
10 out my recollection. We heard the applicant give a  
11 presentation and then we started with the public  
12 discourse. And then it was my understanding we  
13 would have the town at the end give their  
14 assessment. So we've already heard the applicant  
15 and most people are part of what's been going on.  
16 This is a continuation. So I agree with the  
17 chairwoman's approach.

18 COMMISSIONER LAWRENCE: I don't recall  
19 honestly. We've had so many fun meetings. They  
20 all run together. I don't know if someone could  
21 check the records and see. Did we hear from the  
22 applicant before this public hearing?

1 CHAIR RAE-HELANDER: Yes, we did.

2 COMMISSIONER LAWRENCE: Okay. Well, I do  
3 think it'd be relevant to hear from the applicant  
4 again, because we closed our last meeting, the last  
5 official act of this planning commission was a  
6 request for more information. So I would like to  
7 hear from the applicant and see what additional  
8 affirmation they would like to bring forward.

9 MS. PFEIFFER: Madam Chairwoman, I would  
10 suggest that the Planning Commission ask the town  
11 attorney for a point of order on this.

12 MR. CRIM: The planning commission is in  
13 charge of its own agenda.

14 Please, may I speak?

15 The planning commission is in charge of  
16 its own agenda, and if you choose to ask the  
17 applicant to speak, they may speak, they may have  
18 nothing to add to what they previously said. Same  
19 with staff. If you ask staff to speak you maybe  
20 staff may not have anything to add, but you have  
21 opened the -- the public hearing. So at this time  
22 that's what's on, on, on the agenda right now.



1 UNIDENTIFIED SPEAKER: I'm sorry, my  
2 question.

3 CHAIR RAE-HELANDER: I'm sorry.

4 COMMISSIONER LAWRENCE: Sir, you cannot  
5 address the body from the audience. You cannot  
6 address the audience.

7 UNIDENTIFIED SPEAKER: Okay.

8 COMMISSIONER LAWRENCE: Mr. Crim, I  
9 appreciate the information you gave us. Because of  
10 the way we closed our previous official act as a  
11 planning commission requesting more information, I  
12 think it's very logical to request that the  
13 applicant let us know if they have any additional  
14 information for us to request at this time, and  
15 then I think we can go forward with the public  
16 hearing.

17 CHAIR RAE-HELANDER: I --

18 MR. CRIM: Like I said, it's entirely up  
19 to the Commission, Madam Chairman.

20 CHAIR RAE-HELANDER: I --

21 COMMISSIONER STEWART: I was just going  
22 to say that I do think that it makes sense if there

1 has been a change in what the applicant presented  
2 from last time, I think there's merit in having the  
3 applicant provide us an update so that the public  
4 can weigh in on that. That being said, I wasn't at  
5 the last -- beginning of the last meeting and so,  
6 you know, I can't comment as far as, you know, what  
7 we heard previously or anything like that, or what  
8 we decided as far as what we would be hearing again  
9 this evening prior to going into the public  
10 hearing.

11 COMMISSIONER ZARABI: But, well, I mean,  
12 I think given the evaluation that has been rendered  
13 by former and current zoning administrator, the  
14 town needs to -- I'm sorry I can't grasp that  
15 information in written form in a couple of hours'  
16 time. I think it is encumbered on the town and the  
17 staff and the zoning administrator have to explain  
18 what the analysis and what their evaluation is  
19 based on.

20 I mean, it's about information and  
21 clarity. I think both sides have new information.  
22 I think the staff has been able to ascertain some

1 answers and I think the applicant does. I mean, I  
2 think that's just good governance and I think  
3 that's open and honest process. I'm not calling  
4 anybody anything, but I think it's relevant.

5 COMMISSIONER LAWRENCE: Well, can I  
6 suggest we take it in two parts perhaps? Again, we  
7 closed the last meeting with unanimous vote that we  
8 thought we needed more information from the  
9 applicant.

10 COMMISSIONER ZARABI: Right.

11 COMMISSIONER LAWRENCE: I would like to  
12 hear from the applicant whether they would like to  
13 present any more information at this time. And  
14 then perhaps we can hear from the public and then  
15 the staff.

16 And I think you're talking about  
17 something I just learned about myself, which is the  
18 sound zoning determination. And I would like to  
19 hear from the town at length on that.

20 But again, because of the order in which  
21 we closed our last meeting, let's hear from the  
22 applicant first and see if they would like to

1 present any additional information. And if you  
2 think we need a motion to do that, I'm happy to  
3 make a motion to hear from the applicant.

4 COMMISSIONER ZARABI: Sure.

5 COMMISSIONER LAWRENCE: So I make a  
6 motion that we hear from the applicant first we're  
7 we continue the public hearing.

8 CHAIR RAE-HELANDER: Well, we're -- we're  
9 in -- I already opened the public hearing, so --

10 COMMISSIONER LAWRENCE: Well, I -- as  
11 Mr. Crim just said, we have the right to change and  
12 the order we want to hear saying, so I'm making a  
13 motion that we hear from the applicant.

14 COMMISSIONER ZARABI: I second that.

15 COMMISSIONER STEWART: Just a quick  
16 opinion from you then, Mr. Crim. Would that --  
17 would we then need to close the public hearing and  
18 then reopen it later on in the meeting to make?

19 MR. CRIM: No, I think you're just  
20 suspending the public hearing at that point.

21 COMMISSIONER STEWART: Okay. Okay.

22 CHAIR RAE-HELANDER: Okay. I guess we

1 will now hear from the applicant.

2 MS. PFEIFFER: Good evening, Madam Chair.  
3 For the record, my name is Jessica Pfeiffer. I am  
4 a land planner with Walsh, Colucci, Lubely & Walsh.  
5 Here with me tonight is John Wright, our civil  
6 engineer with Bohler Engineering.

7 An Amazon representative did travel to  
8 Virginia for the hearing. Unfortunately, after  
9 getting off the plane, he is sick and did not  
10 attend in person tonight because he is sick.

11 I wanted to start with the updated public  
12 process timeline that this special use permit has  
13 followed. It has been more than a 12-month  
14 process, and the additions from the last time you  
15 saw this slide are the planning commission hearing  
16 on November 22nd, the zoning determination letter  
17 was issued on December 16th, and this planning  
18 commission hearing tonight.

19 I do not have what I would call new  
20 information to share with you tonight, but what I  
21 do plan to do is go through the items that were in  
22 the motion from the hearing on November 22nd.

1 These include the land development application, the  
2 land use application affidavit, the noise study,  
3 power, the tree removal survey, and the visual  
4 elevation from Lee Highway and discuss how those  
5 items have been met or addressed.

6 So the first item is the land development  
7 application. This was submitted on April 8th,  
8 2022. It was required to be submitted with the  
9 special use permit application in order to receive  
10 a notice of completion from town staff. There was  
11 a minor change that was made during this process  
12 that was to include the entire parcel, so 41.793  
13 acres when we removed the substation from the  
14 property.

15 So there was a portion of the property  
16 that was not included in the special use permit  
17 application area because it was going to be a  
18 substation. When that was removed, and we  
19 committed that there would be no substation on the  
20 property, that acreage just changed to reflect  
21 that. So that was the only change to this  
22 document. A substation is not proposed on the

1 property, and the land development application is  
2 on file with the town, and one has been since April  
3 8th, 2022.

4 Similarly, this is the land use  
5 application affidavit, and it has also been on file  
6 with the town and has been since April 8th, 2022.

7 A more recent version, with a minor revision  
8 similar to the last one for the same reason I  
9 mentioned, was submitted. It is on file with the  
10 town. That change is where it says parcel  
11 identification number and lists out the parcel  
12 identification number.

13 It previously had portion listed next to  
14 it. It now does not, because the special use  
15 permit applies to the entire property because there  
16 is no substation proposed on the property.

17 COMMISSIONER LAWRENCE: Ms. Pfeiffer,  
18 could you address why this owner is blank?

19 MS. PFEIFFER: This is, they filled it in  
20 on the one that was submitted to the town. I  
21 didn't scan the one that was officially submitted  
22 to the town, but the one on file does have the

1 person who signed write their name in.

2 COMMISSIONER LAWRENCE: Okay. And what,  
3 is that just for the record, who --

4 MS. PFEIFFER: I don't know. I can look  
5 in my files and get that answer for you. I don't  
6 know which person for the ownership entity signed  
7 this document.

8 COMMISSIONER LAWRENCE: But would it be  
9 safe to say that person is an employee of Amazon?

10 MR. CRIM: Yes, there's someone who are  
11 allowed to sign on behalf of the owner.

12 COMMISSIONER LAWRENCE: Okay, thank you.

13 MR. CRIM: So then the next item I wanted  
14 to address is the noise study. A draft noise study  
15 was submitted in September. That study was not in  
16 a final form, but a noise study was provided.

17 Since then, we have submitted a zoning  
18 determination letter to confirm aspects of the  
19 noise ordinance. We work with staff on a condition  
20 regarding noise, which you saw in October and  
21 November.

22 On Friday, the zoning determination



1 letter was issued and it was received by us. We  
2 are still reviewing it. We received it on Friday,  
3 like many who probably saw it. We're still  
4 digesting it and reviewing it, however, we have  
5 hurt input on all sides that more needs to be done  
6 regarding noise. So we have looked at additional  
7 assurances related to noise and have some  
8 additional commitments that we are willing to have  
9 staff add to the conditions. And we plan to work  
10 with staff accordingly on that between plan and  
11 commission and council.

12 So this is that previous conditioning --  
13 condition requiring a noise study and compliance  
14 with the noise ordinance. So it says, The  
15 applicant shall provide a sound study prepared by a  
16 qualified party or company and that we must be in  
17 compliance with that that noise ordinance as  
18 determined by the study.

19 So where we're at now, and based on what  
20 we have heard, which has all been great input, is  
21 we are willing to conduct multiple studies. We're  
22 willing to conduct separate sound studies after the

1 building is 10 percent, 50 percent, 80 percent, 90  
2 percent, and a hundred percent operational. That  
3 means that we will conduct five noise studies.

4 If at any time we are not in compliance,  
5 we will have a set period of time to achieve  
6 compliance. If compliance is not achieved, the  
7 certificate of occupancy for that portion of the  
8 building that is not in compliance with the noise  
9 study can then be suspended such that portion of  
10 the building cannot be utilized until the noise  
11 ordinance can be met.

12 I do have to say I've been a land use  
13 planner in the Northern Virginia area for 18 years.  
14 I have never seen a noise condition like this.  
15 It's very uncommon to actually do a noise study at  
16 this point in the process. It's pretty rare with  
17 special use permits and rezonings. And I have not  
18 seen a commitment to do it five times at different  
19 phases of the building.

20 And just to further explain that, the  
21 building will be built in one phase, all 220,000  
22 square feet, but as rooms become utilized as data

1 center rooms, that is what we mean by 10 percent.  
2 So when 10 percent of the building is utilized, a  
3 noise study will be done. When 50 percent is  
4 utilized, a noise study will be done.

5 COMMISSIONER AINSWORTH: Question?

6 MS. PFEIFFER: Sure.

7 COMMISSIONER AINSWORTH: Does that mean  
8 the entire building, including all chillers and  
9 generators, will be installed during the  
10 construction of the entire facility?

11 MS. PFEIFFER: I apologize. I do not  
12 know the answer to that. I know that the building  
13 will be constructed in one phase and as percentage  
14 of -- percentages of the building are operational,  
15 we will do additional noise studies.

16 So for example, if 10 percent of the  
17 building is operational, whether or not the  
18 generators are there or not, if only 10 percent is  
19 operational, additional percentage generators would  
20 not be utilized until, for example, you get to 50  
21 percent when those data rooms are open. Does that  
22 make sense?

1           COMMISSIONER AINSWORTH: I understand it.

2           MS. PFEIFFER: Okay. So the next item is  
3 regarding power. There has been a lot of  
4 discussion on power. I wanted to go back first to  
5 the conditions that you saw back in October and  
6 November regarding power. The first one is that  
7 there shall be no electric substation construction  
8 on the property. The next one is that the  
9 applicant will ensure payment of the undergrounding  
10 of these distribution lines with the utility  
11 company in accordance with its requirements.

12           I know that you guys know that  
13 conversations are ongoing between Dominion and  
14 Fauquier County, between Dominion and the town of  
15 Warrenton, and between Dominion and the public.

16           I did listen in on the December 13th town  
17 council meeting where the town council asked  
18 Dominion for additional information regarding power  
19 needs for the town. I don't know the timeline for  
20 that information to be provided to the town  
21 council.

22           I also heard that public meetings are

1 going to be ongoing with, I believe, the first  
2 occurring in February. But apart from us, there  
3 will be no electric substation constructed on the  
4 property, and the applicant will ensure payment of  
5 the undergrounding of the distribution lines.

6 A tree removal survey with the next item  
7 in the motion. This tree removal survey was  
8 submitted in early September, 2022, and it's  
9 important to note what you see here in black are  
10 the trees that will not be removed and in red the  
11 trees that will be removed. But the tree survey  
12 was only done for the setbacks, buffers, and  
13 perimeter landscaping. It was not done for the  
14 internal trees, nor was it done for the trees in  
15 the right of way. And that's specifically  
16 important for Route 29.

17 So these next few slides show Blackwell  
18 Road and Route 29 and I'll walk you through them.  
19 So this is along Blackwell Road, and I also want to  
20 mention that this is the worst case scenario  
21 because since these tree -- tree removal survey  
22 sheets were done, we are now no longer proposing

1 the substation.

2 So this is further down on Blackwell  
3 Road, and then you move on to Route 29, and you'll  
4 see that very few trees are being removed on Route  
5 29, specifically in this one as you move further  
6 down on Route 29. And if you look here, that's  
7 partly because the trees located on Route 29, a  
8 good portion of them are located within the right  
9 of way and they are not on our property.

10 So again, that tree removal survey does  
11 not include trees internal to the site or trees  
12 that are not on our property. So those trees that  
13 you see outside of that yellow line right there  
14 would remain.

15 Finally, it's important to note that  
16 along Route 20 -- sorry.

17 Finally, this is the visual elevations  
18 from Route 29. It is very similar from the -- to  
19 the elevations on Route 17 that you saw previously.  
20 This was shown in our last presentation, but we did  
21 want to clarify and make sure that you saw this.

22 So on top of this, I don't think it has

1 been specifically pointed out to you that there are  
2 conditions related to the building design and the  
3 elevations. The first is that the architectural  
4 design of the data center has to be in substantial  
5 conformance with the elevations that you saw, both  
6 the Route 17 side and the Route 29 side. And that  
7 additional changes to the design and materials may  
8 be made provided that the changes are approved by  
9 the planning director prior to the issuance of a  
10 building permit.

11 The next item, which is specifically  
12 regarding Route 29, and this has been in the  
13 conditions for a while, is that we have to provide  
14 elevations for the building in compliance with the  
15 town of Warrenton Zoning Ordinance Article 9-  
16 26.1.F. And in addition, we have to orient the  
17 building along Lee Highway to reduce the visible  
18 impact using architectural details such as a  
19 perceived reduction in massing and scale,  
20 fenestration and windows, exterior colors and  
21 materials, overhangs, canopy or porticos, recesses  
22 and or projections, arcade raised corniced

1 parapets, and varying roof lines.

2 And finally, 5(c) speaks to the height of  
3 the building that it shall be no greater than 37  
4 feet in height as the term is defined by the town  
5 zoning ordinance, and that the mechanical equipment  
6 installed on the roof of the building shall be  
7 screened with mechanical louver screens.

8 So I wouldn't say I had any additional  
9 information for you. I did want to walk through  
10 the information that was perceived to be missing  
11 from November 22nd. And with that the applicant  
12 respectfully submits that its application has not  
13 only been accepted as complete by staff, but that  
14 it is indeed complete for purposes of action this  
15 evening. Thank you.

16 COMMISSIONER AINSWORTH: Question.

17 COMMISSIONER LAWRENCE: Go ahead, Steve.

18 COMMISSIONER AINSWORTH: Is this  
19 presentation on file with staff?

20 MS. PFEIFFER: I emailed it to Denise  
21 today, so I would say yes.

22 COMMISSIONER LAWRENCE: You mentioned in



1 4(b), if you wouldn't mind going back to that.

2 MS. PFEIFFER: Sure.

3 COMMISSIONER LAWRENCE: You mentioned  
4 architectural characteristics to screen. But I  
5 think one of the things that we've heard from the  
6 townspeople, maybe we'll hear more tonight, is that  
7 they don't want to see a large data center  
8 alongside the highway like we see in Prince William  
9 and Loudoun. It's just not something people want  
10 to see here.

11 And so you've mentioned architectural  
12 screenings, but your colleague from Bohler there,  
13 I -- one of his presentations, I don't want to  
14 paraphrase, he said something to the effect of We  
15 didn't have to. We didn't move much dirt. And if  
16 this was another applicant, there might be a  
17 question of what's possible. But I think with  
18 Amazon and your resources, it's obvious that  
19 anything is possible.

20 And so I wonder why you haven't chosen to  
21 lower the building on the site, because it's higher  
22 up there, and you've intentionally not dug into the

1 site. And I'm curious why.

2 MS. PFEIFFER: So I might ask John Wright  
3 with Bohler Engineering to come up as well, because  
4 I don't remember that specific comment. I will say  
5 that what you see here, which is the Route 29  
6 elevation, does show the existing landscaping. And  
7 one thing that John has specifically looked into is  
8 additional landscaping because really you just have  
9 that gap that you see there.

10 COMMISSIONER LAWRENCE: Yeah.

11 MS. PFEIFFER: And based on the  
12 elevations of the site -- and John can -- I'm going  
13 to make him come up -- you would have to landscape  
14 by the pond in order to provide landscaping in that  
15 location. That is something that we can look into.  
16 I can't answer about lowering the building  
17 physically, but --

18 COMMISSIONER LAWRENCE: Okay.

19 MS. PFEIFFER: -- John Wright with Bohler  
20 Engineering.

21 MR. WRIGHT: Yes. Thank you.

22 So as I understood the question, you're

1 asking more about how we balance the site from an  
2 earthwork perspective. So right now we're in the  
3 preliminary design. So what we do with any large  
4 land development project, we want to balance the  
5 dirt. So as I mentioned, some of the work  
6 sessions, the existing ground in the building pad  
7 is around four 70 to four 90. So we looked at how  
8 we optimize, without creating a bolt, because you  
9 got to watch your storm mark because you don't want  
10 everything to drain and flood everything out.

11 So you want to balance the building, and  
12 that's how we came preliminary with the elevation  
13 of 486 right now. So what you look at is when you  
14 look at Lee Highway Yeah, the Lee Highway is about  
15 20 or 30 feet below that building pack because the  
16 ground is naturally high, but you also have to take  
17 in account the site soils.

18 There's rock out there as we know much in  
19 this area. So you got to look at blasting and how  
20 you deal with rock and utilities. So that all goes  
21 into the factor when we set an elevation as we did.

22 So what we looked at here, as Jessica

1 mentioned, is what can we do with existing  
2 landscaping? All the trees around the perimeter  
3 are going to save. You can see along Lee Highway.  
4 There's also parts in the site in which we're  
5 planting additional plantings.

6 So to your point, you know, there could  
7 be opportunities to put additional screening as we  
8 get to the site plan stage of landscaping.

9 COMMISSIONER LAWRENCE: And so obviously  
10 I'm never going to know as much about this as you  
11 do, --

12 MR. WRIGHT: Yeah.

13 COMMISSIONER LAWRENCE: But is it  
14 possible to lower the building?

15 MR. WRIGHT: Yeah, it's definitely  
16 possible to lower as far as that goes. Then you  
17 look at where do you take the additional dirt? As  
18 a good steward, you always want to use the land and  
19 have that cut to fill rotation on the site. So,  
20 yeah, is it possible to lower the building?  
21 Absolutely.

22 COMMISSIONER LAWRENCE: Thank you.

1 CHAIR RAE-HELANDER: Any questions for  
2 Mr. Wright or Jessica?

3 COMMISSIONER STEWART: Mr. Wright, one  
4 further question on that. I know that the building  
5 height is proposed at 37 feet. Does that include  
6 the mechanical equipment on top?

7 MS. PFEIFFER: No. That does not include  
8 the mechanical equipment on top. And that is based  
9 on the town zoning ordinance definition of height  
10 and how you measure height.

11 COMMISSIONER STEWART: Okay. Yeah. And  
12 under that -- under the provisions for the data  
13 centers in the -- in the zoning ordinance. I know  
14 that the height is 35. Was there any, you know,  
15 effort made to try to lower that additional two  
16 feet to meet that threshold? Or is the -- I guess  
17 is the 37 feet, is that a standard design or is  
18 that?

19 MS. PFEIFFER: That is a good question.  
20 I can ask that question. I'm not sure. We -- I  
21 would say we didn't really get much pushback over  
22 the 37-foot height, so we have not evaluated

1 lowering it to 35 feet. That is something that we  
2 could look at similar to looking at plantings in  
3 the location between the stormwater management pond  
4 and the building along Route 29.

5 \*\*COMMISSIONER STEWART: Yeah. Just  
6 given the number of comments we've received about  
7 visibility, you know, looking to reduce the, you  
8 know, visual footprint, you know, in any way would  
9 be something to --

10 MS. PFEIFFER: I would say that this is  
11 one of the shorter, less tall data centers --

12 COMMISSIONER STEWART: Sure.

13 MS. PFEIFFER: -- that I have worked on.

14 \*\*COMMISSIONER STEWART: Thank you.

15 COMMISSIONER ZARABI: Not at this moment.  
16 Thank you.

17 CHAIR RAE-HELANDER: Okay. Thank you  
18 very much.

19 Do we want to hear from staff now or?

20 COMMISSIONER ZARABI: Do you want to hear  
21 an analysis of --

22 COMMISSIONER STEWART: I personally --

1           COMMISSIONER ZARABI:  -- do the  
2 interpretation of the zoning determination?

3           COMMISSIONER STEWART:  I personally think  
4 it makes sense to hear from staff now, but --

5           COMMISSIONER ZARABI:  I'm fine with that.

6           COMMISSIONER STEWART:  I'll leave it up  
7 to the Commission.  Okay.

8           CHAIR RAE-HELANDER:  Thank you.

9           Ms. Harris.  It appears we're ready for  
10 you.

11          MS. HARRIS:  Let me ask the planning  
12 commission this.  This is a general presentation  
13 like you would normally get as to the proposal, but  
14 it sounds like there's more specific questions, and  
15 I don't want to -- I'm happy to give this  
16 presentation, but I also don't want to waste  
17 people's time when we have a lot of folks waiting.  
18 So I just ask what's the pleasure?

19          COMMISSIONER STEWART:  I think for me  
20 personally, it would be to know more information or  
21 an update, but I understand that there's probably  
22 people here that may have not have seen this

1 presentation before from the public. And so I see  
2 the benefit in giving the presentation even in an  
3 abbreviated form.

4 CHAIR RAE-HELANDER: Okay.

5 MS. HARRIS: Okay. I'll quickly give  
6 this presentation and then Rob Walton is here as  
7 well and can answer some specific questions. So,  
8 as I think most people are aware, this is a request  
9 for a data center on this site that is zoned  
10 industrial. The comprehensive plan designates this  
11 in the New Town character district, and it is a  
12 special use permit for 220,200 square feet on  
13 approximately 41 acres.

14 The proposal includes specifications of  
15 which you just heard of a single story 37-foot high  
16 building, plus mechanical; a security fence, which  
17 would incorporate a guard gate with access only on  
18 Blackwell Road. The applicant is requesting  
19 modification of building height allowance to allow  
20 for two additional feet, modification for height  
21 allowance to a maximum of eight feet, and a  
22 modification of loading spaces reduced to one.



1           The zoning map shows the industrial  
2 district in purple. What is in blue -- and I'm  
3 referring to the map on the left hand side of this  
4 slide -- what is in blue is considered public right  
5 of way, and then you have red in commercial  
6 residential in the tan and yellow colors.

7           For the future land use map, the New Town  
8 district is shown in the brown.

9           Some history on this site has been  
10 requested previously, so a very high level  
11 overview. The Fauquier County Real Estate records  
12 show that from 1997 there have been no improvements  
13 on the site. In the late 1990s, Walmart was  
14 considered on this site, but moved to the location  
15 where it is now situated on the southern part of  
16 town.

17           In 2007, Wilson Land submitted a proposal  
18 for a planned unit development. It was called  
19 Warrenton Greene. The planning commission spent  
20 over a year on this application and an associated  
21 zoning text amendment. The zoning text amendment  
22 received approval and Warrenton Greene was then

1 forwarded to town council.

2           Once it got to town council, it was  
3 tabled and the applicant ultimately withdrew the  
4 application in February of 2011 stating that the  
5 economy made the proposal no longer viable.

6           As I've gone through the zoning ordinance  
7 does indicate that this is an industrial zoned  
8 property with a number of by-right uses. The  
9 zoning ordinance also has a number of noise  
10 performance standards, which apply to all non-  
11 residential properties in the town as well as  
12 lighting, landscaping, and buffers which are  
13 addressed at site plan regardless of what the use  
14 is, as well as storm water, and erosion and  
15 sediment control.

16           I've been asked to speak to what are the  
17 by-right uses on industrial land. These are uses  
18 that could come in on this property for approval,  
19 and they do not require any legislative actions on  
20 the part of planning commission or town council.  
21 There are a number of them and they can be found in  
22 Article 3 of the zoning ordinance, but they are

1 also listed here and in the staff analysis if  
2 people are interested.

3 Grenny (phonetic), can you make it go  
4 forward? This stopped working? Thank you.

5 The comprehensive plan of the Newtown  
6 Character District is for a large portion of land  
7 off of Lee Highway on the northern part of town.  
8 It's a signature location for this particular  
9 parcels considered a signature location for a  
10 regional employer and job center. And then the  
11 larger area of the New Town district was envisioned  
12 to have mixed-use residential entertainment  
13 commercial uses as part of the revitalization of  
14 the existing strip malls.

15 Structures on this particular property  
16 are envisioned to go up to as much as six stories  
17 with a minimum of 35 feet for a single story  
18 commercial and lot coverage of 80 percent.

19 Evaluate development incentives that will  
20 stimulate private investment and new development.  
21 This is a gateway into the town and a signature  
22 street highlighting the desire for walkability

1 within this character district. It is also located  
2 off of a nationally designated National Scenic  
3 Byway.

4 The other goal in the comp plan is to  
5 conserve, reuse, and promote historic resources to  
6 enhance the town's sense of place and grow the  
7 economy through economic activity.

8 I will point out that as you are all very  
9 well aware of, there are literally dozens of goals  
10 within the comp plan, and so this is a very high  
11 level highlights of what are contained in there.

12 I believe you've already gone through the  
13 SUP plan as the applicant just presented, so I  
14 won't spend too much time on this.

15 Can you go to the next one? Thank you.

16 The applicant just showed you updated  
17 elevations from Lee Highway. This one, I believe,  
18 was from the Route 17 area.

19 The next one, please.

20 The proposal includes for transportation.  
21 They are suggesting about 52 employees will be able  
22 to be employed at this use. They are proposing a

1 five-foot sidewalk along Blackwell Road. No  
2 access, a conditioned no access to Lee Highway.  
3 The 24-hour gated security.

4 The water and sewer indicates that they  
5 would need an initial charging of 19,000 gallons  
6 per day with a domestic daily use anticipated at  
7 approximately 330 gallons per day. The 2015 water  
8 and sewer capacity study that was done for the town  
9 of Warrenton anticipated that this site would be  
10 using approximately 23,000 gallons per day, and  
11 this use is well within those parameters.

12 We've already been through the waivers  
13 and modifications for the fence, the building  
14 height, and the decrease in loading spaces from 22  
15 to 1. And we've already been through the history  
16 of the Planning Commission's review of this.

17 The draft conditions of approval as they  
18 were presented in the November 14th staff report  
19 include no substation on the property, the  
20 illustrative drawings, the sidewalk with no access  
21 on Lee Highway, electrical lines being underground  
22 to a future substation at a location to be

1 determined. No signage. Fifty-six parking spaces,  
2 one loading space.

3 Emergency services: we receive access  
4 and training to the site since it is secure. There  
5 is a provision for domestic use for water and sewer  
6 only.

7 The next one please.

8 We've reviewed already the noise  
9 condition and separate sound studies that would  
10 take one -- one month after commencement of use.  
11 If they are found non-compliant at any point in the  
12 future, they must undertake mitigation measures  
13 within 60 days.

14 The lighting is proposed to be dimmed by  
15 50 percent between the hours of 11:00 p.m. and  
16 dawn. There are maximum heights for the building  
17 lights and it currently meets the zoning ordinance  
18 at site plan.

19 Go back one, please.

20 Also, within the draft conditions of  
21 approval during the work sessions, there were  
22 questions raised regarding employment. Since this

1 was seen in the comp plan as a location for a major  
2 employer and the applicant came forward and  
3 proposed two conditions of approval, one of which  
4 states that they will do outreach within the  
5 Warrenton area for a job fair. And in addition,  
6 they have a program that they utilize in other  
7 jurisdictions that they would bring to Warrenton in  
8 which they would provide training in local schools  
9 K through 12 and Laurel Ridge Community College for  
10 this type of work within a data center.

11 And then we also have Mr. Walton here.

12 MR. WALTON: Good evening, Madam Chair,  
13 members of the Planning Commission.

14 So staff did issue the zoning  
15 determination on the noise that the applicant has  
16 requested. There were a number of questions asked  
17 and basically staff used the zoning ordinance.  
18 There is a reference to ANSI standards that are  
19 used as well as the Miriam Webster Dictionary.

20 Those questions included: So where is  
21 sound measurements taken? It was determined that  
22 those sound measurements are taken at the property

1 line of the subject property where the data center  
2 would take place.

3 The applicant asked: Which correction  
4 factors or how many correction factors would be  
5 accounted for as part of the use? Staff determined  
6 there were three correction factors. One would be  
7 the adjacent adjacency to the residential  
8 properties across the street, Alexandria Pike and  
9 also Wesley Highway.

10 There, the operation takes place between  
11 the hours of 10:00 p.m. and 7:00 a.m., so that's  
12 another minus five decibel correction factor. And  
13 also the sound would be considered a tone, which is  
14 another minus five correction factor. So, based on  
15 the levels listed in the zoning ordinance, the  
16 applicant would also have to lower those numbers by  
17 15 decibels as part of the noise.

18 The applicant asked at what height  
19 measurements are taken for the noise. We've used  
20 the ANSI standards. Those are taken at 1.2 meters  
21 from ground level. So it's a typical, I guess,  
22 level where you hold a microphone to take those



1 noise readings. That's just the general overview  
2 of the determination and help try to answer any  
3 questions.

4 COMMISSIONER LAWRENCE: Mr. Walton, thank  
5 you for appearing here. There was, I believe, a  
6 request to determine which of two tables readings  
7 would be taken from. One was essentially the  
8 residential table and one was the non-residential  
9 table. Do I remember that correctly?

10 MR. WALTON: Yes.

11 COMMISSIONER LAWRENCE: And was the  
12 determination made?

13 MR. WALTON: Yes. It -- as part of the  
14 determination you would use the far right column,  
15 which is non-residential uses.

16 COMMISSIONER LAWRENCE: And why was that  
17 determination made that there would -- the  
18 non-residential table would be used when, you know,  
19 when you just listed two directions that there's  
20 residences.

21 MR. WALTON: Correct. There's -- you  
22 would use the non-residential column because this

1 is a non-residential use. So the correction factor  
2 takes into account residential uses that are across  
3 the street or directly adjacent to the subject  
4 property. So you would still use the non-  
5 residential column, but you would just use a  
6 correction factor to drop that down by five  
7 decibels.

8 COMMISSIONER LAWRENCE: And is it is it  
9 your plan to use a third party sound expert to help  
10 you measure these volumes?

11 MR. WALTON: Yes.

12 COMMISSIONER LAWRENCE: And is it the  
13 town's intention to use someone other than the  
14 applicant's representative?

15 MR. WALTON: Yes, you would have to.

16 COMMISSIONER LAWRENCE: Okay. And I'm  
17 just curious. You sent this to the applicant, this  
18 determination, on Friday. Is that correct?

19 MR. WALTON: Yes, sir.

20 COMMISSIONER LAWRENCE: Okay. And I'm  
21 just curious why it wasn't forwarded to the  
22 Planning Commission until this afternoon.

1           MR. WALTON: I had copied Denise on the  
2 email. I wanted her to share it as she felt  
3 necessary with you all. I sent it to the applicant  
4 first, copied our town attorney, just to make sure  
5 that they had it first and then to distribute it to  
6 you all.

7           We also sent it to the local newspaper so  
8 they had it as well. So it was distributed at the  
9 same time to everyone.

10           COMMISSIONER LAWRENCE: And you sent it  
11 to the newspaper on Friday?

12           MR. WALTON: That was Monday. Monday,  
13 Robin (phonetic)?

14           COMMISSIONER LAWRENCE: So just recapping  
15 here were the last ones to get it. Okay. Maybe in  
16 the future with a matter of this importance, it  
17 would be nice to get us in as soon as possible.

18           MR. WALTON: Sure.

19           COMMISSIONER LAWRENCE: Thank you.

20           COMMISSIONER ZARABI: Mr. Walden. Thank  
21 you. And I'm sincere about this question, and I  
22 mean, no disrespect. Given the history of how this

1 ordinance came to be in the town of Warrenton,  
2 applicant driven with cooperation from former, and  
3 perhaps some present, leadership in the town of  
4 Warrenton. Did you all do this evaluation in  
5 response to the applicant internally? Was this  
6 generic? No, no. I'm -- I'm totally serious.

7 MR. WALTON: We did not coordinate with  
8 the applicant putting this determination together.

9 COMMISSIONER ZARABI: I need to ask that.  
10 I mean, you and you understand why I need to ask  
11 that, right?

12 MR. WALTON: Sure.

13 COMMISSIONER ZARABI: Because this is a  
14 lot more technical in some aspect, at least to a  
15 layperson like me --

16 MR. WALTON: Sure.

17 COMMISSIONER ZARABI: -- than the initial  
18 draft to include the text amendment, which was  
19 applicant driven. So I just need to -- as a matter  
20 of record -- be clear that we have that in-house  
21 expertise to be able to make these determinations.  
22 Right?

1 MR. WALTON: We do. We will be depending  
2 quite a bit on the consultant to take the noise  
3 readings. That's something that has to be  
4 undertaken by somebody that's licensed to -- to run  
5 the sound studies as well as run the equipment.

6 COMMISSIONER ZARABI: Okay. Thank you.  
7 Madam Chairman?

8 THE COURT: Mr. Stewart?

9 COMMISSIONER STEWART: No. No questions  
10 at this time. Thank you.

11 THE COURT: Thank you.

12 COMMISSIONER LAWRENCE: So now I think  
13 it'd be appropriate to continue the public hearing.

14 THE COURT: Thank you.

15 So I will call names. We will be calling  
16 names of the town residents first. And again,  
17 three minutes for individuals; five if you are  
18 representing an organization. Please state that.  
19 Please come to the podium, state your name, and we  
20 will also be calling -- I'll be calling two names  
21 at a time, so one will come to the podium first and  
22 the second will be waiting in the wings.

1           The first name is Joan Morris. Joan  
2 Morris. Christopher White is Whiteis, W-H-I-T-E-I-  
3 S.

4           Susan Whiteis,  
5           Melissa Weidenfeld.

6           MS. WIEDENFELD: My name is Melissa  
7 Wiedenfeld. I live at 12 Fishback Court in  
8 Warrenton. I believe that this application is  
9 still deficient and I recommend that you turn down  
10 the SUP.

11           The entire process has been sketchy at  
12 best. Constituent concerns are being ignored in  
13 favor of the big corporation. Even though there  
14 are so many unknowns -- we don't know what the  
15 noise is, but maybe it'll get mitigated if it's a  
16 problem -- I don't think, those are the answers we  
17 need before we go make this massive change to the  
18 town of Warrenton. Let's get all the answers up  
19 front. Let's have a full understanding of what  
20 this is going to cost us in terms of noise, in  
21 terms of water, and so forth.

22           The -- so many of these numbers are not

1 necessarily based on the kind of study we would  
2 like to see, the kind of independent study you  
3 would like to see. I also would like to point out,  
4 you know, when we came up and we spoke to about the  
5 town plan there were hundreds of people who spoke  
6 out against it and those comments were ignored.

7           And now we have this, which is not  
8 consistent with the town plan and I hope that we  
9 will not be ignored this time. The bottom line is  
10 that this -- likely, this SUP and the construction  
11 of a data center -- will negatively affect our  
12 quality of life in Warrenton. How is that not a  
13 concern for everybody? The quality of life that we  
14 have here.

15           Why is it that the constituents are --  
16 why is it that our concerns are not being  
17 adequately addressed by the town of Warrenton? So  
18 I'm asking you to please deny this. Thank you.

19           THE COURT: Thank you.

20           Christopher Bonner.

21           Please refrain from clapping.

22           Christopher Bonner.

1 Amy Hampton.

2 Ken Alm.

3 Charlotte Frederick.

4 Erin O'Donnell.

5 And next is Bevin Roland.

6 MS. O'DONNELL: Hi, I'm Erin O'Donnell.

7 I live at Blue Ridge Street by the high school.

8 Forgive me for being disorganized. The

9 presentations today have affected my comments. I

10 do want to thank you, members of the Planning

11 Commission, for requesting an Amazon submit a

12 completed application, including, and especially,

13 the noise study. And please continue to postpone

14 until all the information that is required has been

15 submitted.

16 There are so many problems that the data

17 center that it threatens Warrenton with. The

18 destruction of 41 acres of native land is huge.

19 And the idea that the data center would be built

20 and then if it fails the noise study that it

21 wouldn't be used is frankly absurd. The idea that

22 we put that burden on the town to live through the



1 building of the data center and then look at it  
2 every day, and it's not even used as insulting.  
3 Like if I'm going to be put out, I at least want it  
4 to help somebody. So that's absurd.

5           Additionally, Amazon has so much money,  
6 they get whatever they want. The idea that they  
7 would put all the money into that and then, oh, it  
8 failed some small town's noise ordinance, that's no  
9 problem. Once we let them build it, they're in  
10 control. So I just -- that idea is absurd.

11           Another point that really needs to be  
12 addressed before, like, just for all the people of  
13 Warrenton is McKenzie Scott, who owns 4 percent of  
14 Amazon, donated to the Path Foundation this past  
15 fall, I think it was 15 million.

16           The town council shares a member with the  
17 Path Foundation. There's an obvious conflict of  
18 interest and no one is addressing this. Like we --  
19 how does McKenzie Scott in California find about  
20 the Path Foundation? Path Foundation is obviously  
21 a great foundation. There are a lot of foundations  
22 between here and California. She didn't need to

1 donate to the Path Foundation. She had a ulterior  
2 motive obviously. This needs to be addressed for  
3 the people of Warrenton.

4 My friend Jonathan Snow, he lives in the  
5 Scott District. He cannot be here. He's visiting  
6 family. But he, in an email, he summed it up so  
7 well. He says, This data center is intrusive and  
8 unfitting. It will be the first of many, which is  
9 another huge problem other people have brought up.  
10 We don't want data centers here. We don't benefit  
11 from data centers here. And we, the citizens of  
12 this lovely town and county don't want it.

13 So please fight for us. Listen and don't  
14 let Amazon win. Thank you.

15 CHAIR RAE-HELANDER: Thank you.

16 Bevin Roland.

17 Michael McGee.

18 Claudia Rios.

19 Jeffrey Grambo.

20 And next is Rebecca Cross.

21 MR. GRAHAM; Commission -- excuse me,  
22 Commissioner. My name is Jeffrey Grambo. I live

1 at 300 Winchester Street, and I've been a town of  
2 Warrenton resident for over 18 years. I've never  
3 seen an issue such as a special use permit gathers  
4 so much attention to the local residents.

5 Surprisingly, a majority of the town council  
6 opposed the citizens they supposedly represent and  
7 want to force a special use permit for the Amazon  
8 data center down our throats. Apparently, they  
9 have their own self-interests to follow.

10 I have written each council member who  
11 favors this product, this project, to tell me why  
12 this SUP is good for the town. You know, please  
13 tell me what I'm missing. Not one of them has  
14 responded. Not one of them has come back and said,  
15 we need this because...Not one.

16 The town of Warrenton, it's not -- excuse  
17 me. The town council has not been honest in one,  
18 an incomplete and invalid process to go through  
19 despite overwhelming citizen opposition. We ask  
20 the Planning Commission to stand firm on the  
21 necessity of gathering complete information,  
22 especially a noise study that actually has a date

1 of compliance.

2 Since the local politicians are playing  
3 politics, members of the council, Commission -- my  
4 mistake -- please abstain from voting tonight. Do  
5 not be railroaded into a vote before Amazon has  
6 submitted sufficient, adequate, trustworthy, and  
7 complete information. Please stand your ground.  
8 The town, Warrenton, -- town of residents are  
9 counting on you. Thank you.

10 CHAIR RAE-HELANDER: Thank you, sir.

11 Rebecca Cross and Michael Cross next.

12 MS. CROSS: Good evening. My name is  
13 Rebecca Cross and I live at 606 Galena Way,  
14 Warrenton near Old Mets Road. Thank you for taking  
15 time to hear from a high school student tonight.

16 This issue is important to our town and I  
17 feel that I need to tell you what I think because I  
18 am the future of this town. I live here. I go to  
19 school here. I place sports here. This town is a  
20 part of me. I have participated in so many great  
21 things in the town of Warrenton such as parades,  
22 volunteering with the police force, with Feed

1 Fauquier and the American Legion, going into First  
2 Fridays and just enjoying Old Town with my friends.  
3 I list these things to help you see that this is my  
4 town.

5           Although I live over a mile and a half  
6 from the Blackwell location, my neighborhood sits  
7 right next to another location proposed for a data  
8 center, the old wire factory property. If Amazon  
9 data center is approved, I fear the next  
10 application will be for a data center near my home.  
11 How will we stop that data center once Amazon is  
12 approved?

13           Now, imagine all the homes that sit  
14 between these two data centers. We know that the  
15 hum can easily travel a mile. There'll be nowhere  
16 from East Lee Highway to the Greenway Trail where  
17 the sound will not be heard 24/7.

18           Surely this will change my town forever,  
19 a town that I am part of, and that is a part of me.

20           I've heard that you still do not have all  
21 the information you need to make a wise decision  
22 about the future of Warrenton. I am here with all

1 the others asking you to hold firm and continue to  
2 protect Warrenton. Thank you for listening to me  
3 tonight.

4 CHAIR RAE-HELANDER: Thank you.

5 Michael Cross.

6 MR. CROSS: Hello, my name is Michael  
7 Cross. I live -- my address is 606 Glen away in  
8 Warrenton. Thank you for taking time to hear what  
9 I have to say.

10 Many people here know me, and have seen  
11 me riding my bike all over town. One of the things  
12 I love most about Warrenton is that it is a quiet,  
13 friendly town. I believe that data centers will  
14 change this forever.

15 One of the things I fear most is the  
16 noise from these large buildings. My parents and I  
17 drove to the top of the North Waterloo Community  
18 Center, my high -- near my high school, to  
19 experience the sound from a data center that is  
20 over a mountain, a mile away. We were there at  
21 night. Imagine a mosquito buzzing in your ear  
22 while you're trying to sleep, but you can never,

1 for your entire life, brush it away. That's what  
2 it is like standing a mile from a data center.  
3 Please, let us try to keep this old historic  
4 Warrenton from being a home for data centers.  
5 Thank you.

6 CHAIR RAE-HELANDER: Thank you.

7 Elizabeth --

8 If you could please refrain from clapping  
9 every time.

10 Elizabeth Tessadori (phonetic). Next up  
11 is Lee Owsley (phonetic).

12 MS. TESSADORI: Hi. Thank you for having  
13 me. My name is Beth Tessadori and I live on Monroe  
14 Estates off Old Mets Road in Ward 2. I've been a  
15 resident of Old Town for almost 19 years, and a  
16 Northern Virginia resident for over 53.

17 When speaking to my friends that I grew  
18 up in Fairfax, they always talk about how much they  
19 love the quaint old town Warrenton.

20 I'm not here to speak about the noise  
21 pollution, watershed issue, visual impact, and  
22 negative effect on our wildlife. You all know this

1 by listening to your residents in all these  
2 meetings. I'm here to speak about the black eye a  
3 data center is going to put on our wonderful town,  
4 a black eye that will not fade in time.

5 Data centers are an eyesore that destroy  
6 our landscape, stress your residents, plummet our  
7 property value, plummet my property value, which is  
8 my retirement.

9 Data centers take away from everything  
10 that this town strives to be. Once your seat on  
11 this Planning Commission is over, you will move on  
12 and maybe move out of Warrenton, but we will leave  
13 these monstrosities for our children. Don't  
14 blacken our beautiful town's eye, because I live  
15 next door to the wire factory and that means two  
16 black eyes in the town of Warrenton. And that's  
17 not what you want your legacy to be when you're no  
18 longer on this town -- on the council.

19 Please do not vote on this SUP until we  
20 have all the facts and all the stuff. Thank you  
21 very much.

22 CHAIR RAE-HELANDER: Thank you.



1           Lee Owsley.

2           MS. OWSLEY: My name is Lee Oley. I live  
3 at 54 Winchester Street. I own Latitudes Fair  
4 Trade Store at 78 Main Street, which has been in  
5 business on Main Street for 12 years. Fair trade  
6 is a way of doing business in which every member of  
7 a supply chain is treated with dignity and no one  
8 is exploited for undue gain by anyone else in the  
9 system.

10           That way of doing business and creating  
11 community is very important to me, so I'm  
12 especially concerned as a business person in this  
13 town, and as a town resident, with the proposed  
14 Amazon data center, I'm among dozens upon dozens of  
15 citizens who have come before you, in person and in  
16 writing, stating that the Amazon data center will  
17 not be good for our common good.

18           Who better than the citizens themselves  
19 know what is for our own common good? Which  
20 citizen has come before you arguing for the good of  
21 a data center? From what I've learned, they  
22 require large amounts of electricity, water, space,

1 they're ugly, they don't employ very many people:  
2 only 56 we heard tonight. That's not very many.  
3 They are -- the noise factor, and all the listed  
4 possibilities that were listed there for what could  
5 be here, even though it's zoned industrial, data  
6 center does not seem to apply.

7           According to the Fortune 500 2022 report,  
8 Amazon is the second largest company in the world.  
9 While this doesn't imply they're inherently  
10 underhanded or unethical, they are most definitely  
11 hugely powerful and they have virtually unlimited  
12 resources with which to push their own agenda.

13           So ask yourselves, why would they care  
14 how they affect a small rural town? What incentive  
15 do they have to play fair?

16           So you're already aware from extensive  
17 testimony, Amazon's zone admission, the noise  
18 study, and the SUP application is unsatisfactory.  
19 I think the Commission should consider this  
20 submission by the second largest corporation in the  
21 world as an actual affront to your duties and  
22 responsibilities. So call them to task. They can

1 afford it, but we cannot afford to let them call  
2 the shots.

3 I ask you to hold firm to insist on the  
4 information necessary to make an informed decision  
5 and to not buckle to the pressure of the town  
6 council or Amazon's corporate interests. You may  
7 not be able to stop the freight train bearing down  
8 on Warrenton, but your legacy can be that you did  
9 what you could to make the process fair and right.

10 And I hope that you'll find this proposal  
11 from Amazon is not in any way tenable. Thank you.

12 CHAIR RAE-HELANDER: Thank you.

13 Frank Kokoszka. Frank Kokoszka.

14 MR. KOKOSKA: Kokoszka.

15 CHAIR RAE-HELANDER: Kokoszka.

16 MR. KOKOSKA: Good evening. Mike

17 Kokoszka, president of the Highland Town Commons  
18 Association, speaking with you tonight. I'm taking  
19 this more on a technical manner. But to start off  
20 with, I've been asked on behalf of the Highland  
21 Common Association, a neighborhood of the town  
22 home, single family, homes and apartments located

1 directly across from the location of the SUP  
2 application site. The HOA also borders the drive,  
3 which is one of the proposed routes to bring the  
4 power to the site.

5 We, as a concerned -- we, as concerned  
6 residents, ask you to dig deeper before making such  
7 a critical decision. Other than the taxes, what  
8 are the benefits of this application to the town of  
9 Warrenton? Could this parcel produce equal or  
10 greater taxes if developed in accordance with the  
11 comprehensive plan?

12 We ask that you demand a completed  
13 special use permit application. Looking back to  
14 2021, do you condone the applicant's influence over  
15 rewriting the town zoning code to meet their genu  
16 and not following the comprehensive plan?

17 As the applicant was able to rewrite the  
18 zoning code, what safeguards have been put in place  
19 so they may not rewrite the noise ordinance code as  
20 well? Are there any noise attenuation  
21 considerations in the application? What can and  
22 will the town of Warrenton do in the event of a

1 breach of the noise ordinance without having to go  
2 through legal means and the cost thereof?

3 Will you allow this SUP to move forward  
4 when it has no noise study and no identified course  
5 of action in the event? Some of that was answered  
6 this evening, which we did not have prior to this  
7 meeting, but the clarity and the guarantees didn't  
8 seem to be there as well.

9 The concern of closed meeting sessions  
10 and the incomplete SUP application, how many  
11 loopholes are lurking in the applications and the  
12 applicant's application that could detriment the  
13 town, if not discovery before a vote is made?

14 Has the town signed or agreed any  
15 non-disclosure agreements that could exempt the  
16 applicant from paying taxes? Other towns have  
17 found this out the hard way. As not to burden the  
18 town with any additional legal litigation, are  
19 there any specifics in the current SUP application  
20 that prevent a similar lawsuit such as the 2019  
21 Walmart Corporation to the rollback taxes still in  
22 litigation to this day, which is a substantial

1 amount of money from our HOA aspect.

2           Where is the outfall for the storm water  
3 management? Will this affect the Highland Commons  
4 Home Association area in any way, which is directly  
5 across bottom of the hill from the site?

6           In the event the Walker Drive power  
7 option is chosen, who is responsible for the cost  
8 of reclamation of the landscaping, trees, and other  
9 potential costs to return the route to its original  
10 conditions once the power lines are completed?  
11 Could this cost be passed on in any way to the town  
12 or its tax-paying residents?

13           What concessions have you requested, such  
14 as screening of the building, the security fence,  
15 as well as the final answer on the elevation of the  
16 building, to include any rooftop screening  
17 features? The property of this SUP application is a  
18 keystone location at the town and needs utmost  
19 consideration.

20           In prior public meetings, the applicant  
21 stated this would be a closed-loop cooling system  
22 and not have an impact on the town's public water

1 or sewer system. This evening we heard that there  
2 was going to be some use of the water system.

3 Are there any anticipated impacts on the  
4 property values and communities that are impacted  
5 by the potential noise factor? Is it fair to say  
6 in reality the taxes gained by this SUP  
7 application, should it be approved, could be lost  
8 in reduced real estate values, and we only hope  
9 this does not affect the businesses in the area.

10 Highland Commons Association is  
11 respectfully ask that you abstain for voting until  
12 you have answers for all of the concerns of ours  
13 and others brought to you this evening. We hope  
14 that once the Planning Commission has the answers,  
15 they can deliver a well-informed decision to the  
16 town council. As we know the final decision will  
17 have permanent impact on the town, residents, and  
18 businesses today, as well as years into the future.

19 Thank you. And I would like to also  
20 offer up, this is some good information of taxation  
21 tax implications from large corporations. Thank  
22 you.

1 CHAIR RAE-HELANDER: Thank you.  
2 Richard Kiester. Next up, Alan Burden.

3 MR. KIESTER: Name is Richard Kiester. I  
4 live at 560 Highland Town. So you just heard some  
5 of the concerns obviously that I would share. I  
6 cannot -- I will not take the opportunity to  
7 reiterate my concern, which have been shared and  
8 articulated by other citizens here, but I would  
9 certainly like to address you as counsel.

10 Is that your decision that is made on  
11 this issue, there are the very real people who will  
12 be affected by it. Each and every one of these  
13 people who live in this town, and live adjacent to  
14 it, will pay for the decision that is made. It may  
15 be good for some, but is probably bad for most.  
16 And as public servants, I would just trust that  
17 eventually when you have all the information that  
18 you need that you do consider the needs of everyone  
19 in this room, all the citizens of this town, and  
20 the adjacent people who live there, the business  
21 owners.

22 They are the people who will pay the



1 price for this data center or more data centers.  
2 And at the end of the day, if I can just say one  
3 thing is, as we all know, the pace of advancement  
4 and technology, five years ago, you didn't need  
5 these data centers. Now you do. Five years from  
6 now, you probably won't. And if you allow this and  
7 permit this to be built, if you permit two be  
8 built, I don't know, maybe none, but you're going  
9 to have an eyesore of a building left there, that  
10 is going to be very difficult to reutilize.

11           And as we all know, if you saw the Sears  
12 building or the old Kmart building, how many years  
13 did that take to be reutilized? It just sat there  
14 empty. So if we're going to be looking at  
15 something in the future, obviously I hope that you  
16 do stick with the comprehensive plan that was  
17 agreed on. The people who built homes, the people  
18 who bought homes, that's what they were looking at.  
19 That's what they made their decisions on. And  
20 that's what we all have to go with.

21           Don't change horses in midstream and  
22 force a number of people to live under conditions

1 that are no longer optimal. And in fact, they may  
2 not have purchased a home in Warrenton or built a  
3 home in Warrenton or build a business in Warrenton  
4 had this been the situation where they knew this  
5 was going to happen.

6 I do trust that eventually you will make  
7 the right decision and vote against this special  
8 permit for Amazon. Nothing against the company,  
9 but it's just the way of life in this town. It's  
10 what people agreed to when they lived here and what  
11 people have come to expect. And you are public  
12 servants, and I trust that you will do the right  
13 thing. Thank you.

14 CHAIR RAE-HELANDER: Thank you.

15 Alan Burden.

16 Steven Byfield

17 Waldo --

18 MR. BYFIELD: Good evening. My name is  
19 Steve Byfield. I own and live in Ward 1 in the  
20 Highlands of Warrenton, a single family home with  
21 my wife and 16 month old daughter. I've lived in  
22 Fauquier County for 33 years, and in the town of

1 Warrenton, specifically for the past 21.

2 For those who may not be aware, the  
3 Highlands actually contains the closest residence  
4 to the proposed data center structure itself.  
5 Hopefully, you all can understand my concern as it  
6 relates to proximity. Many people have already  
7 spoken in opposition to the SUP, and quite frankly,  
8 I can't think of much that hasn't already been  
9 said. However, my main concern relates to the  
10 noise generated by the proposed data center, more  
11 specifically, the mitigation of said noise.

12 I recently spoke to a town police officer  
13 and I basically presented several hypothetical  
14 noise ordinance violations and inquired about  
15 enforcement. I was surprised to learn just how  
16 toothless the ordinance actually is in practice due  
17 to the subjective nature of what qualifies as a  
18 disturbance. As you may already know, laws are  
19 great, but the willingness and feasibility to  
20 enforce said laws is equally, if not more,  
21 important.

22 This is what brings me here in front of

1 you tonight. If the SUP is approved without a  
2 valid noise ordinance enforcement mechanism, there  
3 is effectively no limit to the noise disturbance.  
4 Let me repeat. Without a valid noise ordinance  
5 enforcement mechanism, there is effectively no  
6 limit to the noise disturbance.

7           Conditions that may call for Amazon to  
8 pursue compliance are not the same as requiring  
9 compliance. That is why I'm asking all of you on  
10 the Planning Commission to consider the following,  
11 not just for those citizens that are currently  
12 opposed to this SUP, but for all residents of  
13 Warrenton and surrounding Fauquier County, many of  
14 whom may either be unaware of the proposed data  
15 center or may not fully understand the impact that  
16 it will likely have. And let's not forget those  
17 who may not be able to afford the time to attend  
18 and engage in these evening meetings.

19           As a Planning Commission, you are in a  
20 unique position, while not the dictating vote of  
21 the town council commands, your advisory vote is  
22 effectively one of the last enforcement mechanisms

1 that we have as it relates to the intentions of our  
2 town's ordinance in this matter.

3 It's called a special use permit for a  
4 reason because it is for an unintended use. That  
5 is why it is so critical that your review is held  
6 to the highest standard. Therefore, I'm asking you  
7 to abstain from voting on this SUP until, at the  
8 very least, the applicant has provided complete  
9 submission of all appropriate documents and  
10 reports, and specifically a valid noise study.

11 As said by Commissioner Lawrence in the  
12 November 22nd meeting, Trust, but verify.

13 I trust that when a complete and adequate  
14 submission is made, you'll proceed with your review  
15 with a keen eye on the applicant's willingness to  
16 accommodate our local ordinances. More  
17 importantly, however, I ask that you verify the  
18 applicant's ability to actually do so.

19 Once again, I ask you to abstain from  
20 voting at this time your fellow neighbors and  
21 citizens are counting on you. Thank you for your  
22 service to our community and for allowing me to

1 speak. Lastly, and equally as important, Merry  
2 Christmas to all.

3 CHAIR RAE-HELANDER: Thank you.

4 Waldo Ward.

5 MR. WARD: Yes, ma'am. My name's Waldo  
6 Ward. I live on Pinnacle Court in the Reserve at  
7 Morehead. I think what you should do first is when  
8 people are applauding, is not mention the next  
9 person's name because I was on the edge of my seat.  
10 With all that applauding, I had a hard time hearing  
11 it.

12 My wife and I moved to Warrenton about 17  
13 years ago. We lived in Maryland. We wanted to  
14 move to Northern Virginia. So we looked around.  
15 We looked in Fairfax, we looked in Manassas, we  
16 looked in Bristow, we looked in Gainesville, we  
17 looked in Sterling. We came to Warrenton.  
18 Warrenton is a beautiful, little, small town.  
19 Putting something like that in, then the next thing  
20 you know, there's another one -- that changes the  
21 whole character.

22 I don't think we need it. I think at the

1 very least, you should wait until the -- all the  
2 questions are answered, all the applicants, you  
3 know, the noise studies are done.

4 The thing the lady talked about earlier,  
5 if we get caught, we'll do this, we'll do this,  
6 we'll do this. How are you going to enforce that?  
7 I think you should abstain at the very least.

8 Thank you.

9 CHAIR RAE-HELANDER: Thank you, sir.

10 James Killian, James Killian.

11 Carolyn Strong.

12 Heather Wilson,

13 Roseanne Woodruff (phonetic).

14 MS. WOODRUFF: I think the citizens have  
15 spoken and they've spoken so well. There's not  
16 much more for me to say.

17 CHAIR RAE-HELANDER: Can you please state  
18 your name and your address please?

19 MS. WOODRUFF: My name is Roseanne  
20 Woodruff, 9255 Tournament Drive, Warrenton,  
21 Virginia. We live in one of the most beautiful  
22 counties in this country. It is beautiful because

1 those who came before us protected us. It did not  
2 allow the nightmare down the way in towards  
3 Manassas, towards Loudin. And so I'm asking that  
4 you reject this Trojan horse, that you please help  
5 us protect our county, our town, our way of life,  
6 and just say no to Amazon, please.

7 CHAIR RAE-HELANDER: Joe Lowe, Joe Lowe.  
8 Sheryl Duwe, D-U-W-E?

9 MS. DUWE: Hi. Sheryl Dewey. I live at  
10 6533 Bob White Drive. It's my first time speaking  
11 in a firm like this and I'm nervous to please be  
12 gentle. And I also had to rewrite my notes because  
13 of the information presented before us earlier.

14 Nothing super new to add the process in  
15 politicking is what that we've experienced is why  
16 there's cynicism among voters, including myself.

17 We don't want data centers here. Whether  
18 the information presented tonight is closer to what  
19 matches our zoning. We don't want them. It makes  
20 me think of that cute kid's book I read to my  
21 nieces and nephews, If You Give A Mouse A Cookie.  
22 Only, this isn't a cute mouse, it's not a cute



1 story, and it's not a cookie.

2 Sorry, I'm looking back at my notes  
3 because they're all scribbled now.

4 The town representatives don't seem to  
5 represent -- representing us the ones who voted for  
6 them. That's the problem. The noise study and the  
7 issues being addressed after the fact make me think  
8 of making soup. It's really hard to take out too  
9 much salt once you put in too much salt.

10 Just because the applicant has shown that  
11 they have additional information doesn't mean it's  
12 the right thing to move forward with this. Just  
13 because you can, doesn't mean you should. And this  
14 just isn't in keeping with the culture of this  
15 town. My fiancé and I moved here a year ago, and  
16 like someone just said, if we had known data  
17 centers were coming in, we would not have moved  
18 here. This impacts our financial future in  
19 significant ways.

20 I feel like my voice is shaking, I'm  
21 going to stop. Please say, no. We don't want data  
22 centers here.

1 CHAIR RAE-HELANDER: Thank you.

2 Alexander Nance, Alexander Nance.

3 Jasmine Ponti.

4 Ann Kehoe.

5 Sandra Seitz.

6 MS. SEITZ: Hi. My name is Sandra Seitz.

7 I live at 6642 Riley Road, New Baltimore, and I am  
8 strongly opposed to the Amazon data center. I have  
9 lived here in this county 42 years, and 24 of those  
10 were here in town. I still own that home as a  
11 rental in the town of Oak Springs, and it would be  
12 greatly impacted by this data center. As a self-  
13 employed single mom, I count on that income and the  
14 value of the property.

15 Recently, Novak plowed right through the  
16 conservation floodplain adjacent to my home in New  
17 Baltimore. It's a long story, but it was  
18 completely unnecessary. It is also the exact area  
19 that Dominion had routed power towers, and I'm here  
20 to tell you that as sad and ugly as my view looks  
21 now, it will only look like a scratch compared to  
22 what Dominion wants to do to our town and our

1 county and our property values.

2 We don't want to be like our neighboring  
3 counties overrun with data centers and power  
4 towers. We live in a beautiful, unique, rural area  
5 that we all call home, so let's protect it and  
6 treasure it. It is also the reason why so many  
7 residents flee our neighboring built-out counties  
8 to come live here. This 40 some acres of mixed use  
9 should be for the people to create jobs, office  
10 space, retail, shopping, fun and enjoyment for the  
11 town and county residents and all of our guests and  
12 visitors, not data centers.

13 If you waste the land that this town has  
14 entrusted you with on data centers, please tell me  
15 why the county should ever consider allowing you to  
16 expand the town limits. The facts remain.

17 Amazon's application is incomplete. They have  
18 proven that they are unreliable, untrustworthy, and  
19 have presented us with deceitful and inaccurate  
20 studies.

21 A NASA scientist proved their noise study  
22 inaccurate and others prove the ridiculous four-

1 hour balloon test inaccurate. And I could go on  
2 and on.

3 So wake up. This whole deal is shady.  
4 You know it and so do we.

5 I believe that the town and county  
6 residents, and our livelihood, property values,  
7 health and happiness, is so much more valuable than  
8 any dollar amount of data center tax revenue.

9 Lives are priceless. And when you're  
10 elected as representatives and want to have a good  
11 understanding of what issues are important, all you  
12 have to do is just listen to the people who live  
13 here. And I believe it is loud and clear that the  
14 people don't want this data center. It is an  
15 irreversible really bad choice.

16 So the facts say no. The people say no.  
17 And as our representatives and our voice, we  
18 respectfully ask that each of you vote no to this  
19 data center. Thank you.

20 CHAIR RAE-HELANDER: Thank you.

21 Marlina Maloney.

22 UNIDENTIFIED SPEAKER: Anne Kehoe is --

1 Anne Kehoe is here.

2 CHAIR RAE-HELANDER: Oh, okay.

3 MS. KEHOE: Good evening. My name is Ann  
4 Kehoe, 7000 Beaconsfield Lane, Warrenton. I just  
5 want to say I didn't sign up for tonight. But I'm  
6 now figuring out why there are so many people whose  
7 names are being called. It was from the previous  
8 meeting.

9 CHAIR RAE-HELANDER: Correct.

10 MS. KEHOE: And so anyway, but I'm fine  
11 about speaking tonight. And I just want to say  
12 that I think that so many people have brought up so  
13 many wonderful points. I'm not going to reiterate  
14 that many of them.

15 But I just want to say that the bottom  
16 line is we don't want it. We simply don't want it.

17 We want to maintain our quality of life  
18 here. I live out on a farm just seven, eight  
19 minutes outside of town. You know, Dominion was  
20 talking about bringing the big power lines through  
21 on the other side of the pond. It's like, really?  
22 You know, and it was explained to me that the

1 subdivision -- Dominion explained this to me -- the  
2 subdivision over by Walmart that hasn't been built  
3 yet, well, golly gee whiz, they didn't want the  
4 power lines over there. So Dominion thinks it's a  
5 better idea to put it in my backyard.

6 You know, I'm almost 72 years old. I've  
7 lived here a long time. Good grief. I've paid  
8 taxes, been part of the community. You know, where  
9 is the respect for the people who live here and who  
10 are begging you not to do this?

11 And from the bottom of my heart, I beg  
12 you not to do this to this community. Save it.  
13 It's a beautiful community. It's worthwhile.  
14 Thank you.

15 CHAIR RAE-HELANDER: Thank you.

16 Marlena Maloney, Marlena Maloney.

17 Mary Paige (phonetic).

18 MS. PAIGE: My name is Mary Paige and I  
19 live in Scott District and I appreciate you letting  
20 me speak tonight. I was one of the people that was  
21 slated to speak months ago, and I'm glad to have my  
22 chance to say pretty much what everybody else is

1 saying. I think the SUP is doing exactly what it  
2 was supposed to do: give you the opportunity to  
3 pause, to look at this in depth, and to listen to  
4 the people. They've been speaking, they've been  
5 screaming, they've been writing, they've been  
6 begging do what the SUP was put in place to allow  
7 you to do. Postpone your choice, your decision  
8 until you get all the information.

9 But from what I've heard and what is  
10 coming forth, more information isn't going to  
11 change anybody's mind. This is not the right place  
12 for this particular enterprise.

13 And what caught me tonight in the town's  
14 presentation was that the comprehensive plan calls  
15 for that 41 acres to be used in a way that speaks  
16 to the town's history and enhances its pride of  
17 place.

18 This proposal does exactly the opposite.  
19 It just puts us right back in the anywhere USA  
20 catalog that we've been trying so hard to safeguard  
21 ourselves against. And there are generations of  
22 people that have done such a good job to preserve

1 what we have here, and now the ball's been passed  
2 to us.

3 I implore you please to not fall on your  
4 knees and take this. We've hung on this long. It  
5 makes it that much more imperative that you hold  
6 the line and eventually deny this. Thank you.

7 CHAIR RAE-HELANDER: Thank you.

8 John Davidson, John Davidson.

9 Marsha Marsh.

10 Kevin Ramundo.

11 MR. RAMUNDO: Good evening. My name is  
12 Kevin Ramundo, and I live at 9757 Elmwood Road in  
13 Upperville.

14 On November 15th, I spoke to you as the  
15 president and citizens for Fauquier County. Thank  
16 you for the opportunity to speak tonight as an  
17 individual.

18 The week after the Planning Commission  
19 meeting on November 22nd, I wrote a letter that ran  
20 in the Fauquier Times applauding your decision to  
21 not vote on Amazon's data center and to return a  
22 seriously incomplete application to the company. I



1 wrote how you got it right in a big way for this  
2 application and the ones that will surely follow.

3           You sent a strong message that incomplete  
4 data center applications and flawed noise and view  
5 shed impact studies are not okay in Warrenton, but  
6 here we are tonight in the almost unbelievable  
7 situation where warrant and town officials are  
8 trying to force you to vote, even though your  
9 previous actions were completely legal.

10           How ironic that the town is trying to  
11 tell you how to do your job and they are not doing  
12 theirs, which is to protect and to listen to the  
13 citizens. Their repeated failures to do their job  
14 makes it even more important that you do yours  
15 again and send this incomplete application back to  
16 Amazon.

17           The town council seems hellbent to push  
18 this application forward having already scheduled  
19 their public hearing for January 10th. They want  
20 you to vote so that they can and probably approve  
21 this data center. You may be the last obstacle to  
22 a decision that will change this community and the

1 lives of thousands of people who live here.

2 We have all heard the comments from real  
3 people who are very concerned about being able to  
4 get a good night's sleep, enjoy their decks on  
5 quiet evenings, watch their children play in their  
6 backyards without looking at some huge building,  
7 and protect the value of their homes. Please stand  
8 up for them.

9 The opposition to this data center is  
10 overwhelming. Over 2,000 people have signed a  
11 petition opposing it. Hundreds have turned out at  
12 your November meetings when this town hall has been  
13 completely filled, as it is tonight. And 59 out of  
14 60 people spoke on November 15th passionately  
15 against it. And I think of all the hundreds of  
16 pages of comments the Planning Commission received  
17 and the recent mayoral election where the  
18 incumbent, who was known to be supportive of the  
19 data center, beat the Challenger by only 11 votes.

20 I am told that this Planning Commission  
21 has never sent an application back until you did  
22 last month. I respectfully ask that you do it

1 again. Thank you.

2 CHAIR RAE-HELANDER: Thank you.

3 Florence Keenan.

4 MS. KEENAN: Good evening. My name is  
5 Florence Keenan and I have been a resident of  
6 Fauquier County Marshall District for over 20  
7 years. Warrenton is my county seat where I shop,  
8 do business, exercise, and meet friends. You can't  
9 rely on Amazon to adhere to its proposed noise  
10 conditions without detrimentally impacting  
11 Warrenton residents and the county. Because as you  
12 heard, they're -- they want to build the building  
13 first and then try to mitigate the noise. That is  
14 absurd.

15 Amazon has never credibly demonstrated  
16 how this data center is consistent with a recently  
17 passed Plan Warrenton 2040 because it can't. The  
18 only mention of data centers in the plan is to  
19 state that data centers are inappropriate for light  
20 industrial zoned areas due to their voracious  
21 appetites for public utilities.

22 Planning staff is also asked Amazon to

1 consider green infrastructure and lead standards as  
2 encouraged in plan Warrenton, but the draft  
3 conditions do not address these standards. Town  
4 documents demonstrate that discussions about data  
5 centers were ongoing during the drafting of Plan  
6 Warrenton, so why didn't the plan provide for them?

7           Instead, just four months after the plan  
8 was passed, Amazon had a zoning amendment passed to  
9 allow data centers on site that the plan called for  
10 becoming a community friendly mixed-use area.

11           This data center is totally contrary to  
12 the plan for Warrenton's new town character.  
13 Neither Loudoun nor Prince William counties have  
14 allowed data centers smack dab in their historic  
15 county seats of Leesburg or Manassas for obvious  
16 reasons. Data centers are unfriendly, noisy,  
17 locked fortresses that use enormous amounts of  
18 electricity while increasing air pollution. This  
19 would be the first of several data centers ringing  
20 Warrenton, irrevocably changing its friendly,  
21 historic character.

22           Community development should be a win-

1 win. It shouldn't result in a divisive and  
2 inappropriate win-lose proposition.

3 Due process requires that the people's  
4 objections be addressed and that only a complete  
5 application be voted upon. If the town is so  
6 desperate for more revenues, then negotiate with a  
7 county for a greater cost share portion of revenues  
8 from county data centers. Take the time to get  
9 this right.

10 Amazon should withdraw this application  
11 at least until its noise app -- noise and other  
12 studies are complete. Amazon should also work with  
13 representatives of the county, the town, and  
14 residents to find a more appropriate location for  
15 any truly necessary data center.

16 Finally, Amazon should donate the  
17 Blackwell Road site to the town for a park. In  
18 exchange for tax deductions and perhaps even naming  
19 rights. Amazon Park could go a long way to heal  
20 the civic wounds and distrust that this application  
21 has generated. That would be a win-win. Thank  
22 you.

1 CHAIR RAE-HELANDER: Thank you.

2 Michael Housley, Michael Housley.

3 MR. HOUSLEY: Good evening. I just  
4 signed the sign in here just a minute ago. I just  
5 want to show you guys --

6 CHAIR RAE-HELANDER: Your address,  
7 please.

8 MR. HOUSLEY: Oh, 58 Winchester Street,  
9 Warrenton, Virginia.

10 CHAIR RAE-HELANDER: Thank you.

11 MR. HOUSLEY: So I would encourage  
12 everybody that's in here just to Google Sugar Top,  
13 North Carolina, to see when a development project  
14 goes really south and you have to live with the  
15 results of it for the rest of your life.

16 This is a ten-story monstrosity that they  
17 built on the most beautiful mountaintop in rural  
18 North Carolina and Sugar Mountain, and everybody in  
19 that area has to look at this every morning when  
20 they wake up and there are no takebacks. You can't  
21 get rid of that thing. It's awful.

22 But you know what? Big money came in,

1 took advantage of less-than sophisticated  
2 commissioners, planning people, and they got that  
3 thing built.

4 Don't make the same mistake. These guys  
5 don't need to have the data center here, right?  
6 Virginia Power earns nine-and-a-half percent on all  
7 the capital that they spend. That's a regulated  
8 rate of return. They're incentivized to build, you  
9 know, new transmission lines, substations to  
10 support this, they've got a power plant down in the  
11 southern end of Fauquier County. It's a peaking  
12 plant on, I don't know, 300 acres. They can put  
13 the data center right there. It's already an  
14 industrial area. They've got the interconnection  
15 with the grid. There's no reason they have to do  
16 it right here.

17 Don't be seduced by the money, okay? Do  
18 the right thing. Thank you.

19 CHAIR RAE-HELANDER: Thank you.

20 Marguerite Stevens.

21 Hope Porter.

22 Susan Russell. Are you Susan Russell?

1 MS. RUSSELL: Hello, my name is Susan  
2 Russell, and I have lived in Fauquier County for 47  
3 years and raised three children here. Despite the  
4 fact that the population of the county has more  
5 than doubled, town and county officials as well as  
6 the planning staff have done a wonderful job in  
7 letting the town and county grow population-wise  
8 and economically without changing the rural  
9 character and uniqueness of a small town and  
10 county.

11 The data center idea is, as well as the  
12 power line issues, has created many questions in my  
13 mind. What happened to the town's plan to  
14 encourage the rural gateways and a small town  
15 atmosphere to attract tourists? Is coming from the  
16 north on Route 29 and being greeted by a behemoth  
17 data center attractive to visitors? About coming  
18 from Marshall down Route 17? Is that what we want  
19 as a gateway?

20 Do other historical towns such as  
21 Manassas and Leesburg put data centers in their  
22 towns near established communities?



1 Another question. Why the rush to get  
2 this application approved when Amazon has not even  
3 revealed all the necessary information to the town  
4 as of yet?

5 Can an application be legally approved  
6 with wishy-washy information?

7 Why does Amazon keep changing its  
8 proposal with flawed data to appear willing to  
9 cooperate? It sounds like they will say anything  
10 to promote this data center.

11 Who wins? Not the public. Amazon has  
12 the most to gain and we have the most to lose.

13 How will the new plan for the power lines  
14 and substation change anything from the old plan?

15 All of this will just affect another  
16 neighborhood, different place, same results.

17 Planning Commission, I implore you to do  
18 your due diligence to carefully examine all the  
19 facts, not unknown -- not unknown quantities such  
20 as how much income can you realistically expect  
21 from this proposal, and do not rush into a  
22 potentially disastrous outcome for the people who

1 know and love this town.

2 If you want some data centers, there has  
3 to be a better way. Think about the detrimental  
4 side effects that could be harmful to those who  
5 live near the data center in power lines.

6 Do your job. Don't put the cart before  
7 the horse. You drive this train, not Amazon --  
8 Amazon or Dominion. Thank you.

9 CHAIR RAE-HELANDER: Thank you.

10 Samuel Mitchell, Samuel Mitchell.

11 Fred Smith.

12 MR. SMITH: My name is Fred Smith. I  
13 live at 6343 Old Bust Head on Broad Run. I have  
14 maybe 40 years' experience in data centers and IT  
15 infrastructure, and I'm also a retired naval  
16 officer. So I have a bit of an experience with  
17 seeing large construction projects and in planning  
18 plans to the intelligence world.

19 I'm opposed to this data center because I  
20 know data centers well enough that they don't  
21 belong inside a town. Second thing, this data  
22 center is being built for one customer. When that

1 customer no longer has a need for it, is it going  
2 to be an empty building? So in approximately ten  
3 years, you're going to be going through a cycle of  
4 trying to figure out what to do. Either they going  
5 to want to change the building or it's going to be  
6 empty.

7           When you look at the conditions document,  
8 at least the ones that I've been able to get my  
9 hands on, the whole noise issue bothers me because  
10 I have not yet seen one that says they're going to  
11 make a measurement and validate it when it's fully  
12 running. Not the day when it's -- no, not the day  
13 when it's discu -- it's fully, completely built --  
14 but when every generator's running and when every  
15 chiller is running, because that's the condition  
16 that you're allowing them to build to. That's the  
17 condition the state's going to -- the state's going  
18 to license the generators for. That should be the  
19 standard where you measure the noise.

20           Second thing with the noise is you need  
21 the right to turn it off in the sense of if they  
22 cannot resolve a noise problem, you need the right

1 to ratchet their business down. The problem you're  
2 seeing in Prince William is their due diligence  
3 takes ten years maybe, or four years, or whatever  
4 it may be, when the community wants it fixed in  
5 three to six months.

6 Right now, you're not -- you're giving  
7 them infinite time to resolve a problem. Finally,  
8 you're putting a data center in without resolving  
9 how it's going to get power. As soon as you do  
10 that, as soon as it's approved, your tongues are  
11 going to be tied when you're working with the power  
12 company because they're going to say, You approved  
13 the load. You knew this was going to happen and  
14 now we're going to put it here.

15 And right now they're proposing to put --  
16 one option is to put it right in the wire center  
17 and taking away a good portion of your industrial  
18 land for that purpose. So think twice in the  
19 timing of how you do this is my request.

20 And lastly, I've noticed that in the  
21 beginning of this process, Amazon said they wanted  
22 to light the pathway and the fence around the

1 facility. That's not come up again, and it's  
2 almost physically impossible to do given the  
3 lighting conditions that you've offered. That's in  
4 the conditions letter.

5 And in closing, I just want to say thank  
6 you for your time and your effort and best of luck.

7 CHAIR RAE-HELANDER: Thank you, sir.

8 Hugh Hoffman, Hugh Hoffman.

9 Donald Middleton -- oh, sorry.

10 Please keep whatever you have on the  
11 table.

12 MR. HOFFMAN: Good evening, Madam Chair  
13 and Planning Commission. My name is Tim Hoffman.  
14 I'm a resident of Scott District.

15 So why am I here to address you regarding  
16 the Amazon data center's special use permit? Well,  
17 I run the coalition to protect Fauquier's website  
18 that collects the petition signers, the digital and  
19 manual petition signers that are opposed to the  
20 data center, any substation, and power lines  
21 leading into Warrenton.

22 A lot of people here have already spoken

1 eloquently and passionately about good reasons why  
2 we should at least, at the very minimum, abstain  
3 from voting on this SUP until we have reliable data  
4 that we can all agree is sufficient to go forward.  
5 And if they can't be done, then we should reject  
6 that SUP.

7           So I'm trying to, what I think I'm here  
8 to do is do one thing. I want to show you that  
9 these people come in week after week for various  
10 and sundry meetings, and you only see about 50 or  
11 60 people who come in and oppose this initiative.  
12 But there are over two -- almost 2,000 people who  
13 have signed our petition against this.

14           And the reason I brought this out was  
15 because this -- this is (inaudible). I'll be happy  
16 to leave this with you. This is a stack and it's  
17 more easy to carry around.

18           I also would like to show you, I have a  
19 diagram that I mapped that I would like to show  
20 you. This is where these people live. They live  
21 in Warrenton, and they live on all the proposed  
22 lines where power lines could go in. And they have

1 been telling us incessantly since September when  
2 many of us first found out about this initiative  
3 that they do not want this Amazon data center to go  
4 in and they don't want the peripherals to go with  
5 it, i.e., a substation and power lines.

6           So I will share this with you, but if you  
7 look very carefully, you will see that these 2,000  
8 people are the people that are affected by this  
9 data center. And I would encourage you to listen  
10 to what, not only what these people say, but in  
11 absence here, these people who've also told you  
12 that they don't want this data center.

13           So it should be evident that the  
14 community opposition is formidable. And  
15 importantly, the opposition continues to increase  
16 steadily as more and more residents of the town and  
17 county learn about this initiative and what it  
18 entails.

19           Our experience has been that when  
20 residents understand what's entailed by this  
21 initiative, they overwhelmingly come to oppose it.  
22 My guess is, in our door knocking efforts, there

1 are -- we're at a very minimum 9-to-1 against this.  
2 So envision these people would fill up 27 rooms of  
3 this size, 27 rooms, maybe more. So I would ask  
4 you to take that into consideration.

5 And I would ask you to abstain from  
6 voting right now. Do due diligence, do your job,  
7 stand up to the town council. Thank you for your  
8 time.

9 CHAIR RAE-HELANDER: Thank you.

10 Jared Nieters.

11 MR. NIETERS: My name is Jared Nieters.  
12 I live at 6452 Duhollow Road.

13 So I'll keep this short and to the point.  
14 I was a civics teacher for many years, and I always  
15 looked at the town leaders and Planning Commission  
16 members like you as the people who are going to do  
17 the things that are right. And I told this to my  
18 students for the citizens. That's why we vote.  
19 That's why we have people like you in power to  
20 represent the citizens.

21 We've got thousands of citizens for you  
22 to represent now. Haven't heard any speaking out



1 for the data center. Your duty as Planning  
2 Commission members is to evaluate the special use  
3 permit applications based on guidance of the town's  
4 comprehensive plan and within the framework of the  
5 zoning ordinance to ensure that proposals are  
6 consistent with the town's vision for growth and  
7 development.

8           Beyond the fact that the proposal is not  
9 consistent with the comprehensive plan, the special  
10 use permit has been proven to be both incomplete  
11 and misleading. So anything but a vote to deny  
12 this application is a dereliction of your duty. So  
13 I hope you do your job. Thanks.

14           CHAIR RAE-HELANDER: Donald Middleton,  
15 Donald Middleton.

16           Jonathan Snow.

17           Jesse Straight.

18           MR. STRAIGHT: Yeah. Good evening. My  
19 name is Jesse Straight. My address is 8717 Springs  
20 Road. I'm about three miles down the road from  
21 here.

22           I'm not a town resident, but Warrenton is

1 my hometown. I was born in Fauquier Hospital about  
2 40 years ago, and I grew up in Warrenton Lakes.

3 And my wife and I have eight children,  
4 and it's one of my primary goals to raise my kids  
5 in such a way and to promote the good of our  
6 community in such a way that my kids will not be  
7 able -- well, can only fall in love with Warrenton  
8 and would be happy and proud to make this their  
9 home. There are two points I want to make.

10 There have been a number of issues around  
11 this application that I'll reiterate: the  
12 incomplete application with questions left  
13 remaining, the issue of the power lines as a TBD  
14 that we'll have to suffer, the lack of transparency  
15 through the process, conflicts of interest with a  
16 former town manager and being employed by the  
17 applicant now after the initial stages of the  
18 process, and again, the context of dealing with the  
19 applicant we're talking about in terms of the power  
20 differential.

21 With all those things being said, I think  
22 any reasonable person would not blame us for not

1 trusting the process and not feeling good about the  
2 process. Any reasonable person would not blame us  
3 for that. That's my first point.

4 My second point is more along -- I think  
5 I, I think about my Fauquier High School civics  
6 teacher. He used to have a saying that certain  
7 ideas are no-brainer bad ideas, and this would be  
8 one of those.

9 I don't know why we would ever consider  
10 putting such an eyesore at the entrance to our  
11 town. To me, I think the distinction here is  
12 between short term and long term goods. In terms  
13 of preserving our beauty and character, I think it  
14 would be hard to think of a more demoralizing move.  
15 This town is only as good as the good people who  
16 live in it. And if, as a community, we make moves  
17 that desecrate our beauty and our character,  
18 there's only so much that people are willing to  
19 take before they eventually quit and go somewhere  
20 else that was better taken care of.

21 So all the people that have signed this,  
22 all the people that are here, you have an

1 opportunity to show these people that their work  
2 and care is not in vain, and that we as a community  
3 consider our long-term good over short-term gains.  
4 I hope that you will consider this and that you'll  
5 see that this is a no-brainer decision. Thank you.

6 CHAIR RAE-HELANDER: Thank you, sir.  
7 Laura Hettinger.

8 MS. HETTINGER: Good evening. Yes, I'm  
9 Laura Hettinger.

10 CHAIR RAE-HELANDER: Sorry.

11 MS. HETTINGER: 7280 Waverly Drive,  
12 Warrenton. Good evening.

13 So, like other people, my notes are out  
14 the window now with what everybody else has said,  
15 but I was going to start out by saying, like many  
16 people, I'm asking you to delay this decision. But  
17 what keeps banging me in the head is why? Like  
18 other people have said, why did we even get to this  
19 point?

20 I'm incredulous that, like everyone said,  
21 the nature of this community, the Warrenton 2040  
22 plan, I can't understand what is the benefit to

1 this community by going forward with this SUP. It  
2 doesn't seem like it should even gotten this far.  
3 What's it going to do to anybody?

4 I, like many other people stated, moved  
5 to this area. We lived in Northern Virginia for 20  
6 years. We moved away for 20 years. We could have  
7 moved anywhere. Anywhere. We looked at Ashville,  
8 other places. But when we lived here before, my  
9 husband's like, let's go back. This is home. And  
10 when we came out to Fauquier County, when we were  
11 trying to get away from the stress of building our  
12 careers and driving in the rat race traffic, where  
13 did we come? Out here. This was our happy place.  
14 This smells the rural landscape. We loved it.

15 So 20 years later, we chose to move here.  
16 We buy a house that's in the middle of COVID, a,  
17 you know, fixer upper, put all this money into it.  
18 And then we start hearing about this. We are  
19 devastated and our house won't even be directly  
20 affected, but I care about the greater good of the  
21 community. What happens to my house is just me.  
22 What about the whole community?

1           And I can assure you, like the gentleman  
2           said, with a long, dramatic paper trail there, a  
3           lot of people have come here to speak out, but it's  
4           five days before Christmas. People are busy.  
5           People are raising kids. They, honestly, have  
6           given up on the public process.

7           I've talked to many friends. What do  
8           they say? Oh, I heard that's a done deal. Amazon  
9           has it in the bag. So why are we all wasting our  
10          time? Right? So we are begging you to make the  
11          right decision.

12          You know, as we tell our kids, you're  
13          going to make good choices or bad choices and it's  
14          going to affect you for the lifetime. Isn't that  
15          what we tell our children? And we say, Be  
16          responsible, do the right thing.

17          So what are we looking at right here? We  
18          have facts. Fact is, this is not going to do the  
19          community any good. Revenue is the only  
20          perceivable thing that could be good. But as Jesse  
21          said, short-term gain or whatever -- short-term  
22          game for long-term problem.

1           You're going to have residents leave. My  
2 husband said let's move. As soon as he heard about  
3 this, he said, I don't know if I want to live here.  
4 This is not the Warrenton we moved into. We chose  
5 to move into. Let's move. It's -- there's no --  
6 all the bad things everybody said, the noise, the  
7 horrible landscape issues it's just, there's  
8 nothing good to come from it.

9           So basically the fate of Warrenton is in  
10 your -- literally in your hands to make the right  
11 choice. The future of Warrenton in your hands.  
12 Thank you.

13           CHAIR RAE-HELANDER: Thank you.

14           James Spencer, James Spencer.

15           MR. SPENCER: Good evening. Lou Spencer.

16 I'm from Caret, Virginia. That's near  
17 Tappahannock. But I work for the Plumbers Union.

18           My name is Lou Spencer. I'm the  
19 assistant business manager with UA Local Union  
20 Number 5, Plumbers and Gas Fitters, and I'm the  
21 recording secretary of the Virginia Building and  
22 Construction Trades Council. We represent

1 thousands of plumbers and construction workers  
2 residing in the Commonwealth of Virginia. Many  
3 work and or live in nearby Warrenton, Virginia.

4 Data center construction has been good  
5 for the plumbing and mechanical industry. The data  
6 center owners and users have been professional and  
7 responsive to the mechanical, plumbing, and  
8 electrical sectors of the building industry.

9 Tens of thousands, possibly millions of  
10 hours of work have come out of data center  
11 construction, meaning significant dollars and  
12 decent wages in an employee/employer funded  
13 medical, retirement, and apprenticeship training  
14 contributions have been made, and those dollars  
15 stay in this community and in this region.

16 The residents of Warrenton, Virginia are  
17 blessed to have this debate. I travel through many  
18 regions of Virginia where there was extraordinarily  
19 little economic development. Some counties have no  
20 economic development director.

21 That said, I want the residents of  
22 Warrenton, Virginia, the Commission, and the board



1 to know that the professional construction trades  
2 are eager to build what needs to be built and we  
3 will do it on time and under budget, and we will do  
4 it professionally and responsibly. If you can  
5 dream it, we can build it for you.

6 I support the Warrenton Virginia Planning  
7 Commission in its efforts, and I recommend the town  
8 council approve the special use permit for the data  
9 center wherever you decide to build it. Thank you.

10 CHAIR RAE-HELANDER: Thank you, sir.

11 Laura Winn.

12 MR. WINN: I'm scheduled to speak right  
13 after her. That's my wife. She can't be here  
14 tonight.

15 CHAIR RAE-HELANDER: Okay.

16 MR. WINN: She wants to speak on her  
17 behalf. I just want to say --

18 CHAIR RAE-HELANDER: And you are, sir?

19 MR. WINN: I'm sorry?

20 CHAIR RAE-HELANDER: You are?

21 MR. WINN: Oh, David Winn, 7960  
22 Wellington Drive, Warrenton, Virginia. You can

1 start -- start the clock for me. Thank you.

2 I've been doing land studies for 40 years  
3 professional commercial development, and Warrenton  
4 is a compact urban environment. This is not the  
5 place for data centers. How it ever got into the  
6 ordinance, I will never know. But be that as it  
7 may, I have, as I always do, I start from the facts  
8 -- fact-based.

9 I've read the 11-3.10 special use permit  
10 ordinance, and it says, Special use permits may be  
11 granted upon finding that the use will not have a  
12 deleterious impact, which it does, and will reflect  
13 the spirit and intent of the comprehensive plan,  
14 which it does not. An application for a special  
15 use permit shall provide all the information and  
16 data and studies needed to allow the Planning  
17 Commission and the town council to reach conclusive  
18 evaluations, which it does not.

19 Other considerations, moving on to number  
20 eight. An evaluation shall include a noise impact  
21 in abatement studies to determine potential impact  
22 on adjoining properties and neighborhoods. This is

1 lacking. Evaluation criteria in -- in considering  
2 a special use permit application, the following  
3 factors should be considered: whether this special  
4 use permit is consistent with the comprehensive  
5 plan. It is not.

6 I also, I will not have time, but the  
7 comprehensive plan only has one line that supports  
8 the data center and that's in the Maker's District,  
9 and it says it should not rely on public water and  
10 sewer. None of this applies to this site. It is  
11 not consistent with the comprehensive plan.

12 It should study the level and impact of  
13 the noise emanating from the site including that  
14 noise generated by the proposed use in relation to  
15 the uses in the immediate area, those residential  
16 uses. The compatibility and proposed use with the  
17 existing or proposed uses in the neighborhood or  
18 adjacent parcels. It's a compact urban  
19 environment.

20 Whether the special use permit will  
21 result in the preservation or destruction, loss,  
22 and damage of any scenic feature. Boy.

1 Oh, and the last one, number 26 on your  
2 factors, the proposed days and hours of operation:  
3 24/7, 365 in case anybody's listening. Thank you.

4 CHAIR RAE-HELANDER: John Benedict, John  
5 Benedict.

6 Sally Lahm?

7 MR. BENEDICT: Lahm.

8 CHAIR RAE-HELANDER: Oh, it's Lahm.

9 MR. BENEDICT: I'm John Benedict.

10 CHAIR RAE-HELANDER: Oh, sorry.

11 MR. BENEDICT: Yeah. Well, thank you,  
12 Commissioners. Appreciate the opportunity to  
13 speak. Again, my name is John Benedict. I live at  
14 23349 Parsons Road in Middleburg. I'm a member of  
15 the Greater Piedmont community. I'm not a  
16 Warrenton resident, but we all love this town, the  
17 historic district, the town's unique character, and  
18 its close ties to the surrounding Virginia  
19 countryside.

20 It isn't Fairfax, it isn't Chantilly, or  
21 Ashburn, but within the town and throughout the  
22 Piedmont, there's a broad consensus that the data

1 center shouldn't be approved, especially it's so  
2 prominent to the site at the gateway to historic  
3 warranty. Certainly, that's the overwhelming  
4 message at the November meeting, and again tonight.

5 But you deserve public credit throughout  
6 Virginia for the decision to recognize that the  
7 application is incomplete and that it needs further  
8 work.

9 I'm actually a regulatory lawyer with 35  
10 years' experience and some familiarity with land  
11 use issues, including some issues in Loudoun  
12 County's Planning Commission. Under Virginia Law  
13 you're an independent commission tasked with an  
14 important role that includes ensuring that special  
15 use applications are appropriately and  
16 independently vetted, consistent with policy and  
17 public interest, and yes, complete. So I believe  
18 your procedural decision was justified.

19 The hundred-day rule in Virginia Code  
20 Section 15.2285(B) specifically applies to zoning  
21 applications. It doesn't specifically apply to  
22 special use permits. And although the Commission

1 must act on special use permits within a reasonable  
2 time, the a hundred-day rule doesn't necessarily  
3 apply when found -- when an application's found to  
4 be incomplete.

5           You could have voted it for denial, but  
6 instead allowed the applicant opportunity to  
7 provide more information. And moreover, the  
8 applicant substantially changed the application  
9 with new information, so even if a hundred day  
10 clock were deemed to apply, it isn't permanently  
11 tied to the original staff filing acceptance  
12 because the application's been materially modified  
13 as recently as October 28 particularly with changes  
14 about substation placement and transmission lines.  
15 The applicant even acknowledged that it's change is  
16 warranted at least some delay.

17           Of course, they want you to rush to the  
18 proceeding, but a special use proposal as major as  
19 this one, needs an unquestionably complete  
20 application. Despite their knowing how  
21 controversial the proposal would be, the record  
22 shows their application isn't complete, especially

1 after the material changes. There are many major  
2 questions unanswered, questions that profoundly  
3 affect the town, the neighbors, and the  
4 environment.

5 Accordingly, the Commission was acting  
6 within its rights and consistent with its  
7 responsibilities by declining to vote yet and  
8 instead sending it back for further work. Your  
9 decision is important not simply for this special  
10 use proposal and its impact on the town, but also  
11 as precedent for other use applications that  
12 Warrenton and the Commission will see in the future  
13 and not just data centers. And it's important  
14 precedent for other commissions throughout  
15 Virginia. Thank you.

16 CHAIR RAE-HELANDER: Thank you.

17 MS. LAHM: Good evening. My name is  
18 Sally Lahm. I live at 7035 Low Court in New  
19 Baltimore, where I've lived since 2009. I made  
20 similar comments that I'm going to make now to the  
21 Warrenton town council on the 12th of July this  
22 year. The comments are based on many years of

1 experience conducting impact assessments for  
2 industries in African countries.

3 For these studies, I employed the  
4 International Finance Corporation's Environmental  
5 and Social Performance Standards. These standards  
6 and associated policies and procedures define the  
7 IFC's client responsibilities for managing their  
8 environmental and social risks.

9 The World Bank Group also has  
10 environmental health and safety guidelines, which I  
11 have employed. These contain information on cross-  
12 cutting environmental health and safety issues  
13 potentially applicable to all industry sectors.  
14 The World Bank Group also has specific sector  
15 guidelines for a wide range of industries. These  
16 policies and guidelines regarding acceptable  
17 performance levels and measures are widely  
18 available for public use.

19 My question is simple. Why have there  
20 not been these kinds of studies, which are normally  
21 obligatory for the proposed data center and  
22 associated infrastructure?



1 I want to briefly describe the aims of  
2 impact assessments. They provide information for  
3 decision making that analyzes the biophysical,  
4 social, economic, and institutional consequences of  
5 proposed actions. They promote transparency and  
6 participation of the public in decision making.  
7 They identify procedures and methods for monitoring  
8 and mitigation of adverse consequences, and they  
9 contribute to environmentally sound and sustainable  
10 development.

11 Why has due diligence not been applied in  
12 this case of the Amazon Data Center?

13 Where are the results needed from impact  
14 assessments to inform any decisions regarding the  
15 data center?

16 Quite simply, the Warrenton Planning  
17 Commission does not have a legally viable  
18 application to review from Amazon. Thank you.

19 CHAIR RAE-HELANDER: Thank you.

20 Gislayne Pincosy.

21 MS. PINCOSY: Gislayne Pincosy, 3604

22 Sutherland Court in Warrenton, Vint Hill. I have

1 been a resident of Vint Hill since 2005. I want to  
2 be on record as opposing this Amazon Data Center  
3 project. While it's a fact that in the 21st  
4 century, there is great demand for data center, I  
5 suggest to you that a data center at the gateway to  
6 where quaint, little, historic towns such as  
7 Warrenton only makes sense to those who have a  
8 financial benefit from its existence.

9 Amazon has the resources to build centers  
10 anywhere on this planet. Planting a data center in  
11 Warrenton is akin to building new HVAC system smack  
12 in the middle of your dining room. Yes, you need  
13 its functionality, but you don't need it -- you  
14 don't need it there. A data center is simply not  
15 wanted here.

16 If Amazon is bent on disrupting a small,  
17 historic town, then perhaps it should knock at the  
18 door of this beautiful historic Williamsburg.

19 Thank you.

20 CHAIR RAE-HELANDER: Arthur Von Keller.

21 MR. VON KELLER: Hi, everybody. I'm a  
22 semi-retired trial attorney who lives on Leeds

1 Manor Road just below Marshall. My concerns are  
2 essentially this Commission putting into effect  
3 something that's concrete. It becomes a set thing,  
4 and then later we adjust to the difficulties that  
5 arise. I've heard nothing but questions from  
6 everybody. We want to know. We want to know.

7 For example, is the noise level seems to  
8 be a persistent problem. Well, do you know what  
9 the noise levels of average are for other data  
10 centers? I don't. I think the public would like  
11 to know what are we dealing with here?

12 Secondly, knowing the layout of noise  
13 levels at 10 percent, 20 percent, 30 doesn't help  
14 any of us. What we want to know is what is going  
15 to be the noise level once the darn thing is up and  
16 running. That's when the problems are going to  
17 develop.

18 And if they develop, what happens? What  
19 I was hearing today, you have X amount of days to  
20 moderate. I think the statement was you have X  
21 amount of days to take -- to undertake moderation.  
22 Moderation isn't fixing. Oh, well, we're still

1 moderating, or we are doing a study, or we're  
2 putting in baff -- whatever. We're putting in  
3 sound absorbent panels. We're doing this, that,  
4 and the other.

5           Six months, eight months, nine months  
6 later, people living around are still hearing the  
7 noise. Nothing's happened. Where's the penalty?  
8 The carrot and the stick. If you don't fix this  
9 within X days, this will happen. You've got to  
10 have that to protect yourself.

11           What about the impact on the roads?  
12 You're going to have 72 -- I mean 57 employees  
13 twice a day, maybe more later, going up and down  
14 the road. What's going to happen to the road? Are  
15 they going to pay money? I don't care about the  
16 sidewalk. Are they going to pay money to improve  
17 the road? Or what are they going to do with the  
18 traffic lights?

19           Look what's happened to coming into  
20 Warrenton now. My law firm is in Manassas. We  
21 used to be able to get on the road, come into  
22 Manassas, we'd be here in 30 minutes or less.

1           Now, long time it's 40 minutes. So what  
2   is happening is I take the back roads, Dumfries. I  
3   take Vint Hill, et cetera. What's going to happen  
4   with the traffic? What's going to happen with the  
5   road? Because you're going to have to pay for it.  
6   You're going to have to pay the money for it.

7           Did we put any money aside? Like the  
8   park idea? What are you going to do in terms of  
9   the public? We're going to cut down trees. Did we  
10   have a real environmentalist out there? Somebody,  
11   let's say, you know from the Clifton Center,  
12   somebody who can say, look, this is what trees  
13   you're cutting. This is what it means. This is  
14   the flora, this is the flora, because you're going  
15   to lose it. You're going to lose it.

16           Once it's built, this little, what we get  
17   is a pretty little picture. We get this drawing of  
18   these beautiful trees around it, and then they say  
19   they're going to plant a screen. Go look at the  
20   screens if you take the interstate down to a  
21   Fairfax. Look at the screens that they've built to  
22   protect the view from the public.

1           It's inadequate. It's completely  
2 inadequate and it's going to be here. You come to  
3 Warrenton and it's going to be the first thing that  
4 hits you. You come into this sleeping little town  
5 and -- more or less sleepy. You come to this  
6 little town. It has a bucolic feel to it. Not if  
7 you build this monstrosity.

8           So you've got too many questions,  
9 respectfully, that people need to be answered and  
10 you don't want to answer 'em after the darn thing  
11 is built. So respectfully, I would suggest that  
12 you don't go ahead with the recommendations  
13 project. Thank you. Appreciate your patience.  
14 Have a lovely holiday.

15           CHAIR RAE-HELANDER: Thank you.

16           Pat Kane.

17           MR. KANE: Hello, I'm Pat Kane, 7142 Lake  
18 Drive, Warrenton. It's new Baltimore area. Madam  
19 Chairman and council, I come here as a casual  
20 observer. Many people have spoken much more  
21 eloquently than I could ever tonight. I spent 30  
22 years in the public sector and what I've heard

1 tonight tells me that this Planning Commission has  
2 the ability to assess what is clearly a situation  
3 where lots of questions made. And for you to make  
4 a decision tonight and give the town council  
5 permission to move ahead is not doing your public  
6 responsibility. There are too many questions here.

7 We don't know how to get power to this  
8 proposed location, and we're still talking about a  
9 possible approval. There are so many unanswered  
10 questions. I personally strongly oppose it. I  
11 urge you strongly to step up and do your job and  
12 not grant permission to the town council. Thank  
13 you very much.

14 CHAIR RAE-HELANDER: Thank you.

15 I am done with my list. If there's  
16 anyone here who has not spoken or signed up, --

17 MS. ZIEGLER: I signed up.

18 UNIDENTIFIED SPEAKER: I signed up today.

19 CHAIR RAE-HELANDER: Did you speak  
20 already?

21 MS. ZIEGLER: No.

22 CHAIR RAE-HELANDER: And your name?

1 MS. ZIEGLER: My name is Ann Ziegler. I  
2 live in the new Baltimore area of Scott District,  
3 17 years.

4 CHAIR RAE-HELANDER: Okay. I'm sorry.

5 MS. ZIEGLER: May I go ahead?

6 CHAIR RAE-HELANDER: Yep. All right.

7 MS. ZIEGLER: First, I would like to  
8 express my distress and disgust for the way the  
9 town Council has treated this Planning Commission  
10 in the force -- to force this terrible SUP through  
11 no matter what the consequences.

12 I believe the town council and the town  
13 lawyer have thrown the Planning Commission under  
14 the bus and put undue an entirely inappropriate  
15 pressure to rush a deeply flawed, incomplete, and  
16 misleading SUP through the process.

17 I applaud the courage of Mr. Lawrence,  
18 Mr. Zarabi, and the other members who deferred  
19 action on the SUP until such time that the  
20 applicant can provide accurate and complete  
21 information.

22 So everybody else has spoken on a lot of



1 the other things that I wanted to bring up, but  
2 mostly I wanted to just say that approving this  
3 turns Warrenton and Fauquier County into Manassas  
4 and Ashburn and we don't want that here. It's the  
5 wrong place for our project. We all need data  
6 centers. We all use data. It's not the right  
7 place for this.

8 Please do not let them build a data  
9 center there. They can go in Vint Hill, they can  
10 go in other industrial areas, but not there.  
11 Please keep Warrenton and Fauquier County as it  
12 should be, the beautiful, bucolic, scenic,  
13 agricultural area that it always has been and not  
14 allow this to happen. Thank you.

15 CHAIR RAE-HELANDER: Thank you.

16 Yes, sir.

17 UNIDENTIFIED SPEAKER: Can anybody come  
18 to speak?

19 CHAIR RAE-HELANDER: If you've already  
20 spoken at another public meeting, you cannot speak  
21 again.

22 MR. FOX: Hi. Thank you for listening to

1 us.

2 CHAIR RAE-HELANDER: Name and address  
3 please.

4 MR. FOX: I'm sorry, Michael Fox. 7241  
5 Hastings Lane, Warrenton.

6 CHAIR RAE-HELANDER: Okay.

7 MR. FOX: People have already talked to  
8 you about, you know, the factors like the noise and  
9 the appearance. One thing I really haven't heard  
10 anyone talk about are the perceived financial  
11 benefits of the data center.

12 I think it's important to note that in  
13 2019, a joint legislative audit and review  
14 commission report showed that Virginia has only  
15 received 72 cents for every dollar that tax center  
16 -- data center tax incentives. So seven, only 72  
17 cents for every dollar.

18 For most jurisdictions in Virginia  
19 property tax is the main source of revenue, a  
20 stable source of revenue. Introducing data centers  
21 into the county introduces significant volatility  
22 into the county's economy. Data center property

1 tax is based on the number of servers installed and  
2 the amount that their tax per server decreases  
3 rapidly as servers age and, therefore, depreciate.  
4 If a data center does not implement the number of  
5 servers originally anticipated, or if it runs older  
6 servers longer than originally stated, it could  
7 have a major impact on the tax revenue generated  
8 from that data center.

9 In short, it puts our economy in the  
10 hands and at the mercy and the whims of a mega  
11 corporation who really doesn't care anything about  
12 our community. This happened in Loudoun County in  
13 2021. Loudoun County faced a 60 million shortfall  
14 and property tax revenue directly caused by the  
15 slow ramp up and delayed server installation in its  
16 data centers. Sixty million dollars.

17 People have talked about the noise  
18 studies. Well, why do we have to wait for a noise  
19 study when the center is already built? We have a  
20 similar data center in Prince William County that  
21 cannot meet the noise requirements. You have  
22 people in adjoining neighborhoods who are

1 experiencing insomnia, depression, anxiety, hearing  
2 issues, all caused by this data center, and Amazon  
3 has not been able to rectify the problem. Why  
4 would we think that after they build it here they  
5 would be able to rectify the problem?

6 Another thing I haven't heard anybody  
7 point out is the fact that on the adjacent lot to  
8 the data center, we have Poet's Walk memory care  
9 facility. Okay, that's well within the boundaries  
10 that will be affected by the noise and the  
11 vibration. What do we think it's going to do to  
12 the people in that facility?

13 Thank you guys for listening. I  
14 appreciate it.

15 CHAIR RAE-HELANDER: Thank you.

16 MR. GAGNON: Good evening. My name is  
17 Eric Gagnon, and my wife and I have lived at 2300  
18 Winchester Street here for almost 23 years. We've  
19 been walking door to door and Ward 5 talking to our  
20 neighbors about the Amazon data center, and I can  
21 tell you no one wants it here in town. We've also  
22 visited a data center site in Manassas, and it's

1 true what people say about the noise levels. It's  
2 like standing next to a big passenger jet idling at  
3 the airport.

4 We've been attending the hearings, and  
5 it's obvious to me that as an average resident,  
6 that Amazon isn't being straight with any of us  
7 about the noise and vibration levels of this  
8 project. According to the Warrenton Honest  
9 Government League consisting of three former town  
10 council members, Planning Commission  
11 representatives, and a former town legal counsel,  
12 under Virginia Law, Planning Commissions have a  
13 critical role and cannot be circumvented, not even  
14 by the town council. A planning commission  
15 recommendation must come before any town council  
16 action whenever a zoning issue is involved. And a  
17 town council may not direct a planning commission  
18 how or when to act.

19 Dr. John Livre (phonetic), a technical  
20 expert from Protect Fauquier, who is reviewing the  
21 town's most recent response on the noise issue,  
22 raises legitimate questions in key areas where

1 Amazon can play games with noise measurements to  
2 undermine the town's sound ordinances.

3 For these reasons, you must stand your  
4 ground and abstain from a vote on the Amazon  
5 special use permit until the Planning Commission  
6 and citizens can provide recommendations relating  
7 to the zoning and noise pollution issues.

8 There are so many other things wrong with  
9 this project that any one of those would've been  
10 enough to pull the plug on it months ago. So at  
11 this point, in my opinion, it's not even an issue  
12 of an incomplete application. A data center should  
13 have never been allowed on this site in the first  
14 place according to the town's original zoning plan.

15 So the right thing for the Planning  
16 Commission to do at this point is to hold your  
17 ground, insist that Amazon provides sufficient,  
18 complete and verifiable information before you vote  
19 on their special use permit. If you vote on this  
20 train wreck of an application, you will not be  
21 fulfilling your responsibility.

22 If you vote for or against the Amazon

1 special use permit, you'll be setting this up for  
2 the town council to rubber stamp this project  
3 without the required step of Planning Commission  
4 review. Thank you.

5 MS. GAGNON: My name is Christina Gagnon.  
6 I'm at 200 Winchester Street. My husband and I  
7 drove to Manassas to take a closer look at the data  
8 centers there. We found a bleak, lifeless, sterile  
9 dead zone, and yes, noise and vibration. We drove  
10 up to one of the data centers and it had a lone  
11 guard at the front gate, and it was heavily fenced  
12 in, clearly communicating the message, keep out.

13 We also drove through the neighborhoods  
14 nearby and it really hit home how property values  
15 would go down because data centers strip away the  
16 livability of a neighborhood. We spoke with a man  
17 walking his dog and he said the data center  
18 sometimes has to run noisy diesel backup generators  
19 because data centers require so much power. He  
20 also told us one family had to move away because  
21 the noise affected their autistic son.

22 I imagine one of these tomblike

1 structures built on Blackwell directly across from  
2 the welcome to Warrenton sign, and couldn't think  
3 of a worse location for it. I would even prefer a  
4 Costco there. Not that I want a Costco there, but  
5 if I was forced to choose, at least a Costco is  
6 percolating with some degree of human activity and  
7 life.

8 Data centers are anything but life-  
9 affirming, and when one is built, they sprout like  
10 mushrooms and spread like cancer. They would  
11 destroy the crown jewel of our county, the gorgeous  
12 rolling and valuable farmland that actually  
13 supports our quality of life here.

14 So I ask you to please abstain from  
15 voting on Amazon's application. It has been an  
16 invalid process, incomplete and untrustworthy.  
17 Demand a valid noise study, because it appears that  
18 Amazon will not meet the town's noise ordinance.  
19 Two required land use documents are also missing,  
20 and a meaningful balloon test still needs to be  
21 done. Updated tree removal and updated information  
22 on elevations also need to be provided.



1           Please don't be railroaded into a vote  
2 before Amazon submits sufficient, adequate,  
3 trustworthy, and complete information. Even with a  
4 complete application, the vast majority of citizens  
5 don't want this data center, so please stand your  
6 ground. We citizens are counting on you, and we're  
7 behind you. The whole county's behind you. We're  
8 counting on you and you can count on us.

9           MS. COLLINS: Good evening, Carol Collins  
10 at 490 Winchester Street. I waited 30 years to  
11 move to Warrenton. I came -- started coming here  
12 in the sixties and finally got to move here for all  
13 the reasons that people have said already. It's  
14 nothing new to you. You know. You live here.  
15 I've -- I just wanted to add my personal note that  
16 it's very precious to me, as it is to everyone else  
17 who has spoken. I'm sure it is to you as well.  
18 I'm so glad that my grandchildren live here.

19           When I grew up I spent some time in  
20 Alexandria, Virginia, and in the 50s, Alexandria  
21 was a lot like Warrenton. So I feel really good  
22 that I'm able to have that experience again.

1 I just wanted to add a comment from  
2 someone who doesn't live here, hasn't lived here.  
3 A high school friend of mine came to visit here  
4 with me in the summer, and she's quite well  
5 traveled and knows a lot of areas and she said this  
6 is a very special town. And I said I -- I think so  
7 too. But her outside observation was that this is  
8 quite a gem.

9 And for all the reasons that have been  
10 expressed before, let's keep it that way. You know  
11 the right thing to do and it's just say no.

12 MS. SONENBERG: Good evening. My name is  
13 Julianne Sonenberg. My address is 5381 Farrington  
14 Lane in Broad Run, Fauquier County. I would like  
15 to highlight some of the speakers that have stood  
16 in this spot over the past weeks and months to  
17 address the town council and Planning Commission.  
18 We've heard from a NASA engineer who soundly  
19 debunked Amazon rep's presentation. We've heard  
20 from an architect who pointed out that data centers  
21 can be built underground to help the cooling and  
22 sound requirements.

1           To this date, there's been no, that we  
2 know of, environmental impact study that is  
3 conducted on the effects of power towers on native  
4 species, honeybees, plant life, and humans who must  
5 endure the constant buzzing from power lines and  
6 the permanent destruction of our scenic  
7 countryside.

8           For the past 30 years, my husband and I  
9 have resided in Fauquier, but tonight I want to  
10 focus on what brought us to Warrenton in the first  
11 place, Oak Springs.

12           As new parents with a toddler, my husband  
13 and I desperately wanted to escape rest in  
14 Virginia. We wanted a warm and caring environment  
15 for our son to go to school. We discovered Oak  
16 Springs and found a town home we could qualify for  
17 at 17 Cherry Tree Lane, the same address as Mary  
18 Poppins. What could be better?

19           I learned what a real neighborhood was  
20 supposed to be. People spent time outside getting  
21 to know each other, keeping an eye out for each  
22 other's children. It was a perfect place for us

1 and so many others.

2 Building the proposed data center would  
3 ruin this for future young families searching for  
4 what we were so fortunate to find and experience.  
5 Moving forward to today, I live in a -- a near  
6 property proposed for the power towers to support  
7 the Warrenton data center.

8 Barring any black swan events, I'm on  
9 schedule to retire in five years. Your  
10 constituents have come before you, almost a hundred  
11 percent against the proposed data center. We have  
12 yet to hear why it is so imperative to go against  
13 the outcry from your constituents. It's time to  
14 listen and take notice. And don't scold us for  
15 being disrespectful and unfeeling as a town council  
16 member did at the conclusion of last week's  
17 meeting.

18 Protect Warrenton and reject the plans  
19 for this data center. Don't make this your black  
20 swan event resulting in severe consequences for  
21 which there's no going back.

22 MR. HARRIS: My name is Bert Harris. I

1 live at 7781 Leads Manor Road. I'm the executive  
2 director of the Clifton Institute in Warrenton, but  
3 tonight I'm speaking as an individual.

4 I moved to Fauquier County eight years  
5 ago, and there's no other place like it. I have a  
6 Ph.D. in ecology and I, together with a team of  
7 citizen scientists, have documented an incredible  
8 4,700 species of animals and plants in this county.

9 Our county is a meeting place of northern  
10 and southern species, and the reason it's still so  
11 rich is because it's rural.

12 At risk of stating the obvious, big  
13 industrial developments are anathema to provide  
14 diversity. The proposed data center would first  
15 eliminate 41 acres of habitat, but perhaps a more  
16 serious impact is the bright lights that will draw  
17 insects in from miles away.

18 We are living through an insect  
19 apocalypse. You can check the peer-reviewed  
20 literature for papers on this, and bright lights  
21 are one of the main causes for this. And don't  
22 forget that baby birds eat nothing but insects. So

1 if you like to have birds around, say no to the  
2 data center.

3 We all know that this would be the first  
4 of many data centers. Haven't we learned from the  
5 destruction of the other counties near us? This is  
6 not who we are. I ask you to please abstain.

7 MS. DORA: Hello. My name is Jennifer  
8 Dora. I am a resident of Warrenton. I live at  
9 6064 Whippoorwill Drive in Warrenton. I am  
10 speaking as an individual on my own behalf.

11 I oppose the applicant's request for a  
12 special use permit for a data center on industrial  
13 zoned property designated in the New Town Character  
14 District on the future land use map located off  
15 Blackwell Road and Lee Highway.

16 I asked the Warrenton Planning  
17 Commission, if possible, to deliberate further  
18 before voting on the application. I just have two  
19 questions to ask the Planning Commission. One, if  
20 you would please ask yourself, and excuse me --  
21 because I changed this -- if you feel that you have  
22 all of the information, data, and studies needed to

1 allow you to reach conclusive evaluations, and I  
2 would like to stress that they should be  
3 conclusive.

4 And also with regard to the conditions, I  
5 listened earlier about the sound study one month  
6 after asking you whether or not you think that is  
7 sufficient to avoid, minimize, or mitigate any  
8 potentially adverse or interest effects of such  
9 special use upon the other properties in the  
10 neighborhood. I would just ask you to please put  
11 yourself in the place of those folks who have stood  
12 before you and told you that they will be impacted  
13 by this.

14 And finally, I just was curious, and  
15 maybe this was mentioned and I missed it. I hadn't  
16 heard anything with regard to a guarantee or a bond  
17 to ensure that any of these conditions that are  
18 imposed will be complied with. And I'd be curious  
19 to know what bond or guarantee would be sufficient  
20 in these circumstances. Thank you.

21 MS. BANISH: Jean Banish Scott District  
22 as attorney and council member, simple said at the

1 last town council meeting, it is important that the  
2 Planning Commission not be buffaloeed into taking a  
3 vote, any vote, on the current Amazon data center  
4 SUP. The town attorney, among others, is promoting  
5 improper advancement and accommodation of the  
6 applicant's SUP to effectively bypass proper  
7 Planning Commission review so the town council can  
8 narrowly pass the SUP even in its currently  
9 incomplete and dishonest state, which is totally  
10 unacceptable to the vast majority of this  
11 community, and would promote a succession of  
12 similar SUPs that would rob individuals of their  
13 quality of life as well as the rights guaranteed  
14 them by the Virginia State Constitution.

15           There is more than just a groundswell of  
16 Warrenton residents working against this SUP. The  
17 greater issue is prevention of bad governance and  
18 corrupting influences. The community needs the  
19 time that your continuing maintenance of your last  
20 unified decision will afford us in order to  
21 initiate necessary improvements to protect  
22 ourselves from current maladministration.



1 Know that your true community is  
2 supporting you standing by your entirely reasonable  
3 and legal original decision. Even the local news  
4 outlets have, for months, presented sterilized  
5 coverage in a way that selectively withholds  
6 important information from the public and so  
7 effectively supports the status quo and illogic of  
8 government by intimidation.

9 This is neither criticism of where we  
10 live, nor of neighbors we should love. It is  
11 simply necessary, caring awareness to enable  
12 conscientious corrections that promote stewardship  
13 of a healthy community, and to provide a real  
14 template for the protection of the health of  
15 communities everywhere.

16 We are not just here with you holding the  
17 line against an invalid resolution of the town  
18 council that is trying to bypass your careful  
19 consideration and conclusions. But we are out  
20 there working as well as a community of neighbors  
21 caring for each other.

22 Please protect only good government by

1 affording the community residents the time  
2 necessary to be able to protect ourselves against  
3 maladministration. The town council's latest  
4 resolution to intimidate you to vote is nullified  
5 by its violation of the town charter. Stave off  
6 making any motion to vote on the SUP. Certainly  
7 refuse to second any motion to vote on the SUP. If  
8 there is a second of a motion to vote, get up and  
9 leave to deny it the validity of a quorum.

10 We all need reminders that the Virginia  
11 Constitution states that all power is vested in and  
12 consequently derived from the people, that  
13 magistrates are their servants and trustees, and at  
14 all times amenable to them.

15 Do not break faith or trust with your  
16 community. The vast majority of the community  
17 desires you each and all not to support the corrupt  
18 efforts that are trying to intimidate you and into  
19 voting on this SUP simply so that unchecked town  
20 council members can succeed at arrest and control  
21 of it to immediately approve it.

22 Send the SUP back to staff until it is

1 truly true and complete.

2 MR. BROADDUS: Good evening. My name is  
3 Ike Broaddus. I live at 6437 Old Bust Head Road in  
4 Broad Run in Scott District. My wife and I own Old  
5 Bust Head Brewing Company in Vint Hill. And my  
6 career, up until this moment, has been real estate.  
7 It's been 40 years of helping people buy and sell  
8 houses and make the emotional decisions of finding  
9 the community that they're going to be a part of.

10 For the last 15 years I've been working  
11 in commercial real estate and specifically economic  
12 development in Vint Hill and helping people find  
13 places to locate their businesses.

14 One of the things that we consistently  
15 hear from folks when they're deciding to move their  
16 business to Fauquier County is when they drive down  
17 Route 29 or I-66 or Route 28, when they leave  
18 Prince William County and they hit Fauquier, your  
19 county, the stress rolls away. They can feel the  
20 difference. And one of the reasons is the view  
21 sheds. When you enter Fauquier County, everywhere  
22 you come from, it's more beautiful and more

1 relaxing and less stressful than where you came  
2 from.

3 One of the things that this data center  
4 proposal does is it absolutely crushes the view  
5 shed -- one of the most beautiful view sheds coming  
6 down Route 29 into Warrenton. And so in my 40  
7 years, I don't think I've ever seen a more  
8 inappropriate sighting of a use like this.

9 There are places where data centers can  
10 go. There certainly is a tremendous need for data  
11 centers. But one of the things that data centers  
12 do is they require an enormous amount of external -  
13 - externalized infrastructure. Transmission lines  
14 are the -- I think the most egregious of those.

15 I would encourage you to not put the cart  
16 before the horse. We do not want to approve data  
17 center locations, and certainly not this location,  
18 until we know how power will be run to those  
19 locations.

20 So I encourage you to either vote no or  
21 put it off, which is probably the better decision  
22 because it gives everybody more time to understand

1 the impact, and most importantly, figure out how  
2 power is going to come to whatever location might  
3 be chosen down the road. And I thank you and good  
4 luck.

5 CHAIR RAE-HELANDER: Anyone else?

6 Thank you, Carol.

7 Okay. Hearing no other request to speak,  
8 I will close the public hearing at 9:42.

9 Is anyone interested in a break or ready  
10 to go on? Ready go, or you want to take --

11

12 CHAIR RAE-HELANDER:

13 COMMISSIONER ZARABI: No, we don't think  
14 we need a break.

15 CHAIR RAE-HELANDER: Okay.

16 COMMISSIONER ZARABI: No? Okay. So  
17 we've heard from the applicants. We've heard from  
18 the town. Is there a motion?

19 COMMISSIONER ZARABI: Yes, Madam  
20 Chairwoman. I move that we, the Planning  
21 Commission, continue this hearing until the  
22 majority of the commissioners feel satisfied with

1 the status of the application, that there is a  
2 clarity. And let me sort of -- I have to roll the  
3 clock back a little bit. The only explanation that  
4 this public can gather for the rush to accept this  
5 application has been, perhaps, some opportunity for  
6 economic development.

7 Now, the representative for this  
8 applicant tactfully and convincingly reminded us  
9 with a similar application on Walker Drive, which  
10 this Commission saw and the town council saw, that  
11 we could derive somewhere in the vicinity of 2.3 to  
12 2.5 million collars in revenues from a mixed-use  
13 development on Walker Drive. Mr. Foote represented  
14 that applicant.

15 And I'm surprised that if we are going  
16 down the path of an economic development  
17 opportunity that the town so desperately needs in  
18 contrast to its own comprehensive plan, in contrast  
19 to all the young people who drew their sketches for  
20 what they envisioned their communities to be, for  
21 my kids, for Mr. Lawrence's and Mr. Stewart's, that  
22 there was not one mention of envisioning a future

1 in Warrenton where they were going to grow up with  
2 a data center, that we have not heard adequate  
3 explanation from the town council and from the  
4 staff, and from the town to support that this is  
5 simply about an economic development opportunity.

6 I think if that's the case, then we ought  
7 to be able to compare the numbers and we ought to  
8 be able to compare numbers from an application that  
9 Mr. Foote has represented similar mix use  
10 development where you are, as so many have said  
11 here, you engage with the people that you visit,  
12 that you break bread, that you engage with.

13 We have worked so hard, we have spent so  
14 much resources on heritage tourism in this  
15 community to throw all of that away after all the  
16 years, all the economic development people that we  
17 had, all the marketing, all the dollars, quite  
18 frankly, all the dollars that the former town  
19 manager wanted to spend on promoting heritage  
20 tourism in this community.

21 CHAIR RAE-HELANDER: Is that a motion?

22 COMMISSIONER ZARABI: It's a motion to

1 table and defer to the next lucky people that will  
2 get to hear this application in January. Yes,  
3 ma'am.

4 MR. STEWART: For purposes of discussion,  
5 I would like to second that. I'm uncertain legally  
6 whether we can table this, whether the Commission  
7 has the authority to do that. And even so, it's  
8 not clear to me that if we were to table this, the  
9 matter would not be taken up by town council in  
10 January without --

11 CHAIR RAE-HELANDER: That's correct.

12 MR. STEWART: -- Planning Commission  
13 recommendation.

14 And so, with that in mind, if they're  
15 going to be taking this up in January, I would  
16 rather give a recommendation supported by what we  
17 know today and what we've heard from the public  
18 versus abstaining from a vote and that be  
19 misconstrued as a, you know, as an approval or  
20 denial or whatever we would, as a commission,  
21 recommend today.

22 CHAIR RAE-HELANDER: Okay. So, Ali



1 Motions and Ryan's seconds. Sorry, Commissioner  
2 Zarabi motions and Commissioner Stewart seconds.

3 Is there any discussion? I'll do a roll  
4 call vote.

5 MR. STEWART: Just for purposes of  
6 discussion, you know, I'm still unclear as far as  
7 whether we have the authority to defer.

8 And perhaps, Mr. Crim, if you could, I  
9 mean, being the legal voice of reason here for the  
10 Commission, if you could weigh in on that at all, I  
11 would appreciate whether -- you know, obviously  
12 we've heard before, but I would like that  
13 clarification.

14 MR. CRIM: With your permission, Madam  
15 Chair.

16 So if my position's been stated before,  
17 I'll just state it again, that the Commission does  
18 not have the ability to postpone indefinitely its  
19 decision; that a reasonable time is implied; that a  
20 hundred days is a analogous time because the  
21 hundred days, specifically in the statute for a  
22 zoning amendment, which is very similar as a

1 similar legislative act to a special use permit,  
2 the applicant has continued -- agreed to continue  
3 the public hearing beyond that a hundred days, but  
4 not past tonight.

5 The upshot of all that is that the  
6 council has in, as you indicated, has said that it  
7 would go ahead with its public hearing in January  
8 if -- whether or not this council votes. Now,  
9 that's not to prejudge what the outcome of that  
10 public hearing will be or the action of the town  
11 council, but simply to say that there's no power on  
12 the Planning Commission's part to kill an  
13 application for an SUP simply by inaction.

14 Does that answer your question?

15 CHAIR RAE-HELANDER: Mm-hmm.

16 MR. CRIM: Okay.

17 CHAIR RAE-HELANDER: And if we don't act  
18 tonight, that would be it. Right? We wouldn't  
19 have it back in January?

20 MR. CRIM: Well, no, that's correct.

21 CHAIR RAE-HELANDER: Yeah.

22 MR. AINSWORTH: So --

1 MR. STEWART: I mean -- I'm sorry, go  
2 ahead.

3 MR. AINSWORTH: So to me, it's we vote  
4 tonight or we don't present our voice when the  
5 people have presented theirs.

6 CHAIR RAE-HELANDER: Right.

7 MR. AINSWORTH: So --

8 MR. STEWART: I feel like we could always  
9 use more information. I feel like this application  
10 is lacking in the many respects we've discussed.  
11 There's still many unanswered questions that I feel  
12 like we could, you know, answer and that could  
13 potentially you know, lead us to a better, more  
14 sound recommendation for council.

15 You know, that's part of our doing our  
16 due diligence here that we are, you know, entrusted  
17 with. But I think that, you know, if the town  
18 council is going to move forward and on this, you  
19 know, with or without a recommendation from us, I  
20 think that it's only fair that we provide the best  
21 recommendation that we can now, provide them with  
22 that information and so that they can make a better

1 informed decision you know, next month if, indeed,  
2 they will take this up.

3 MR. LAWRENCE: So, yeah, I think the  
4 problem here is that the applicant is not  
5 encouraged to negotiate with us because they feel  
6 they have the votes to proceed. And that's a real  
7 shame because we only have so much power here. Our  
8 conditions can be ignored, our vote can be ignored.  
9 If the applicant truly felt like we could make  
10 conditions of approval that they had to abide by, I  
11 think it'd be a different story. But that's not  
12 the case.

13 And it's, again, I think it's a  
14 miscarriage of justice that the applicant does not  
15 feel the need to sweeten the offer, so to speak.  
16 And I'm in agreement with almost every comment  
17 that's been said tonight and every other meeting.  
18 Slight difference in that I think with that  
19 motivation, the applicant could sweeten the offer  
20 and maybe make it the best deal. You know, hide  
21 the data center, make us not be able to hear it,  
22 make sure there's no power line servicing it. But

1 they are not incentivized to negotiate because  
2 they're already feeling like they have their votes.

3 And I'm tired of wasting my time on it.  
4 The applicant is not negotiating good faith with  
5 us. If I thought I could compel them to negotiate,  
6 I would, but at this point I do want to make sure  
7 my vote is heard. And based on the incomplete  
8 information we have, my vote would be a no. So I  
9 don't want to kick this down the road.

10 I also acknowledge that we have two  
11 deeply experienced commissioners rolling off the  
12 Commission and two new ones coming on. And I don't  
13 know that it's fair to put them in that position,  
14 these two new members. So all in all, I plan to  
15 vote against and I would vote against this motion  
16 to delay action.

17 CHAIR RAE-HELANDER: Is there any more  
18 discussion before I call the vote on this motion?

19 \*\*3:02:01UNIDENTIFIED SPEAKER: Madam  
20 Chair, would you like to restate the motion for the  
21 record?

22 COMMISSIONER ZARABI: The motion would be

1 to defer a vote until the next month, not  
2 indefinitely.

3 Okay. Commissioner Stewart?

4 MR. STEWART: Nay.

5 CHAIR RAE-HELANDER: Commissioner Zarabi?

6 COMMISSIONER ZARABI: Aye.

7 CHAIR RAE-HELANDER: Commissioner  
8 Lawrence?

9 MR. LAWRENCE: Nay.

10 CHAIR RAE-HELANDER: Commissioner  
11 Ainsworth?

12 MR. AINSWORTH: Nay.

13 CHAIR RAE-HELANDER: I also vote nay.

14 It is four to one on that motion.

15 Do I have another motion?

16 MR. LAWRENCE: I motion to deny the SUP  
17 for us.

18 UNIDENTIFIED SPEAKER: Point of order.  
19 It's a recommendation to the town council and there  
20 needs to be the reason stated.

21 MR. LAWRENCE: Because we -- we haven't  
22 been paying attention, have we?

1           Because the applicant has not provided  
2 enough information on sound, power, tax  
3 justification, or visual impacts on the town scenic  
4 gateway. Is that enough?

5           CHAIR RAE-HELANDER: Do I have a second?

6           MR. STEWART: I will second, but I'd also  
7 like to add to that. There, you know, in, in  
8 evaluating this u you know, we look at the criteria  
9 that's in the zoning ordinance. There's a list of  
10 32 criteria that we're to look at. The very first  
11 one of those is whether or not an SUP complies with  
12 the comprehensive plan. And I think we're all in  
13 agreeance that a data center at this location is  
14 not within, you know, what was envisioned for the  
15 New Town Character District at this area.

16           You know, it, it does very little to  
17 advance the comprehensive plan objectives and it  
18 does very little to further the vision of what this  
19 town's character is supposed to be for the future.

20           You know, and that being said, you know,  
21 the applicant acknowledges that. The applicant has  
22 said that, you know, this is a, you know, just

1 simply a guidance document. And that's true. The  
2 comprehensive plan is guidance. But it is also the  
3 best -- the most recent guidance that we have for,  
4 you know, what this town wants to see in terms of  
5 all the public outreach we did, in terms of the  
6 lengthy process we went through to establish this.  
7 You know, it's pretty clear that the town does not  
8 want to see, you know, an industrial use at that  
9 particular site despite what the zoning says.

10 So, you know, in my mind, you know,  
11 that's one of the criteria we're looking at is the  
12 comprehensive plan and it's non-conformance here.

13 You know, if we were evaluating this SUP  
14 alongside perhaps comp a comprehensive plan  
15 amendment --

16 CHAIR RAE-HELANDER: Yeah.

17 MR. STEWART: -- where we're taking a  
18 look at amending the comp plan beforehand, I think  
19 we'd be having a different conversation.

20 CHAIR RAE-HELANDER: Yeah.

21 MR. STEWART: But right now, I just don't  
22 see that, that this is compatible with that comp



1 plan.

2           And to your point, you know, the number  
3 of unknowns here is just, you know, in my mind it's  
4 staggering. I've -- you know, I understand we need  
5 the economic development opportunity for the town.  
6 We need that source of revenue, whatever that might  
7 be. You know, we've not yet seen figures as far  
8 as, you know, what that might look like. Perhaps  
9 it's a little bit premature for that.

10           But certainly you know, we -- at this  
11 point, it's unclear. And beyond that revenue  
12 source, I've very much struggled to see what the  
13 public benefit of this particular application is.  
14 We're not looking at a major employer. We're  
15 looking at 50 people after construction. You know,  
16 that rivals, perhaps, some of the employment of a  
17 local fast food establishment or another small  
18 business. It certainly doesn't speak to a major  
19 employer, as would say, a hospital or, you know, a  
20 major employment center.

21           And, you know, the issue of the noise  
22 study, you know, that's another one. You know, the

1 applicant has said, well, you know, it's very  
2 uncommon to have you know, a noise study performed  
3 at this phase of the process. You know, and I  
4 would completely disagree with that. I think it's  
5 entirely appropriate that the entitlement phase,  
6 that we have a Noise Study Commission, that we --  
7 we are able to review that data in full. And, you  
8 know, that's a common -- that's a common thing to  
9 expect in a, in an application particularly, you  
10 know, a rezoning application in Northern Virginia.

11 So the idea that that somehow is, you  
12 know, out of the norm, I don't agree with. I do  
13 think it's odd to have a, you know, the condition  
14 where we would reevaluate the noise, you know, at  
15 certain levels of operation. But again, you know,  
16 why are we waiting until this is already in  
17 operation and we've identified that there's an  
18 issue before we try to correct it by looking at  
19 this more proactively.

20 You know, still the view shed issues, we  
21 still haven't resolved those. I, you know, I  
22 personally think that this site is just

1 inappropriate for the use. You know, given that  
2 it's the gateway to the town, no level of screening  
3 or, you know, facade treatments or anything, is  
4 really going to hide the fact that this is a data  
5 center and this is going to be the first thing that  
6 people see.

7           And that view shed extends far beyond the  
8 entrance to the town. We've also seen from the  
9 analysis that there are a number of high points in  
10 town that can see this data center. And, yes, they  
11 can see other buildings as well, but, you know,  
12 people did not envision seeing a data center at  
13 that site. It was envisioned to something else.

14           So, the power needs, you know, we know  
15 that at some point, you know, if operating in a  
16 hundred percent capacity, we're going to have a  
17 need for additional power. We don't know what  
18 those are. We do know that there's not a  
19 substation there on site and, you know, I can  
20 appreciate Amazon wanting to, you know, bury the  
21 power lines. But again, that's going to just  
22 create more impacts that we don't yet know what

1 those are down the road.

2 And it's unclear to me how the building  
3 will be, you know, decommissioned at the end of  
4 operation. You know, is this something that, you  
5 know, in 5, 10, 20 years, we're going to be left  
6 with a large vacant warehouse on the outskirts of  
7 town?

8 CHAIR RAE-HELANDER: A wire factory?

9 COMMISSIONER STEWART: Yeah. No,  
10 there's, again, there's no plan to or no real clear  
11 idea of how to handle transition of this particular  
12 building to another use whether that's you know,  
13 repurposing that building for something, whether  
14 that's redevelopment of the site altogether. It's  
15 just not clear in my mind, you know, how that would  
16 look.

17 And, you know, most importantly, you  
18 know, and I'm -- then I'll let someone else talk.  
19 But, you know, most importantly, you know, we've  
20 heard months of public testimony, and public  
21 opinion, and many people have come out in  
22 opposition to this plan; almost everyone. You

1 know, we've heard a few yeses, but for the most  
2 part, you know, this is one issue that, you know,  
3 the town has really united upon.

4 You know, and in a time where we're so  
5 divided by everything else, you know, that they're  
6 able to come together on this one particular issue,  
7 you know, that to me says quite a lot. And I just  
8 don't think that it would be -- I just don't think  
9 it's appropriate, you know, planning. I don't  
10 think it's good -- I don't think it's good practice  
11 to completely disregard that public opinion, you  
12 know, in our recommendation.

13 So for those reasons, this application  
14 would not have my vote. But that's why I would --

15 CHAIR RAE-HELANDER: Is that a second?

16 COMMISSIONER STEWART: That's a second.

17 Yes. That's a second, but, okay. Just to modify  
18 that there.

19 COMMISSIONER LAWRENCE: Well said, Matt.

20 MS. PFEIFFER: Madam Chair, again, point  
21 of order. That's a second, but it also sounds like  
22 there's a potential amendment to the original

1 motion for reasons why.

2 COMMISSIONER LAWRENCE: Is there any  
3 reason we can't add his reasons for denial to mine?

4 MR. CRIM: Under an informal Roberts  
5 Rules of Order, yeah, that's done all the time is  
6 to make a friendly amendment, which you won't find  
7 in this book, but it's what people do. And so I  
8 think that sounded like a friendly amendment that  
9 the maker of the motion might be agreeable to.

10 COMMISSIONER LAWRENCE: I am agreeable.  
11 Thank you.

12 CHAIR RAE-HELANDER: Okay, we have a  
13 motion and we have a second. Is there any more  
14 discussion?

15 COMMISSIONER AINSWORTH: Well, I  
16 understand that the vast majority of people who  
17 pass through these meetings are vehemently opposed  
18 for a variety of reasons. I would like to present  
19 that not everybody would be opposed to a data  
20 center. I don't object to a data center. As far  
21 as the location, I mean, I understand the  
22 comprehensive plan, had ideas for it. It's been

1 vacant for a while. It sits around and your entry  
2 into Warrenton, there are a few car dealerships.  
3 It's right by Country Chevrolet.

4 You have 24/7 grocery stores along the  
5 road and all that probably should be improved. But  
6 I don't see the data center, I'm not challenged by  
7 it as an eyesore. I don't hate it. I think it's  
8 been pointed out that we all need 'em. It's where  
9 we go to look at our retirement accounts.

10 The noise is a bit of an issue, but as I  
11 think it's been pointed out, it could have been  
12 addressed a little bit better, but could be dealt  
13 with down the road. By right, Amazon could build a  
14 refrigerated distribution center there, not coming  
15 through us at all or the town council and traffic  
16 there would be maybe insurmountable.

17 Just some alternative points there that  
18 you might want to consider that's -- the  
19 representation from the population, and the county,  
20 the town has definitely been opposed to it. But  
21 it's not everybody. That's all I have right now.

22 CHAIR RAE-HELANDER: I agree with you.

1 I'm not entirely opposed to it either if done  
2 correctly. I think my disappointment is that we  
3 have not really heard from Amazon. Amazon has been  
4 absent from this process. They have not been able  
5 to answer any questions. They have not made any  
6 presentations.

7 They have not come to us and said, this  
8 is what we're going to do for you. We have heard  
9 you, we will answer your questions. We will do  
10 what you do. We will make it work to make it work  
11 for everyone else. So that is, that's my  
12 disappointment.

13 COMMISSIONER ZARABI: Madam Chair. I,  
14 and this may be an unusual acknowledgement. I  
15 think you all have received it on the threat of the  
16 emails.

17 There's been one individual who's favored  
18 this idea. Clearly, I think most of us know that  
19 this gentleman has properties that might be  
20 suitable. And I -- and really, and I mean this  
21 sincerely, first of all, I want to recognize him.  
22 Mr. Dobson right?



1 CHAIR RAE-HELANDER: He's here.

2 COMMISSIONER ZARABI: Right? He's here.

3 Yep.

4 Unfortunately for the current applicant,  
5 I have been more enlightened --

6 CHAIR RAE-HELANDER: Right.

7 COMMISSIONER ZARABI: -- by the  
8 breakthrough technologies in this field through  
9 research and communication that Mr. Dobson has had  
10 with this Commission --

11 CHAIR RAE-HELANDER: Right.

12 COMMISSIONER ZARABI: -- than from  
13 Amazon.

14 CHAIR RAE-HELANDER: Yep.

15 COMMISSIONER ZARABI: And I, you know, I  
16 have thanked him in person and I do this now in  
17 this forum. I think we are moving in those  
18 directions, Mr. Dobson. I think time is on the  
19 side of responsible data processing and the use  
20 that my, myself, and my children and all of you  
21 have. But I am really impressed, and while he does  
22 have a vested interest --

1 CHAIR RAE-HELANDER: Sure.

2 COMMISSIONER ZARABI: -- in the outcome  
3 of this application and the potential direction of  
4 where the town is going, he is communicating, he's  
5 keeping us informed with the evolving technology,  
6 and the needs and the way they can be done  
7 responsibly. And I think those are the kinds of  
8 engagements and partnerships --

9 CHAIR RAE-HELANDER: Right.

10 COMMISSIONER ZARABI: -- that we ought be  
11 looking for, quite frankly.

12 CHAIR RAE-HELANDER: Yep.

13 COMMISSIONER ZARABI: Not this applicant  
14 who has been -- I've never seen such a dark cloud  
15 over Warrenton in Fauquier County. I mean, one  
16 application and one applicant has kind of brought  
17 out the worst out of all of us in this process.

18 I'm delighted, and I'm grateful for your  
19 partnership and for the coalitions that have been  
20 built in this community that would've been  
21 unthinkable, to be honest with you, a year ago.  
22 You've come from everywhere.

1           But you know, this one applicant has kind  
2 of turned the house upside down. And I am, yes, as  
3 Commissioner Lawrence said, I'm resentful of the  
4 time that we spent on this.

5           CHAIR RAE-HELANDER: Yeah.

6           COMMISSIONER ZARABI: But I'm grateful  
7 for all the friends that we've made in this  
8 community by your partnership and your  
9 resourcefulness, quite frankly. Thank you.

10          COMMISSIONER LAWRENCE: The one thing  
11 that I --

12          COMMISSIONER STEWART: Sorry.

13          COMMISSIONER LAWRENCE: One more quick  
14 thing just to -- I apologize. I, you know, saying  
15 I'm sick of it, I don't want anyone to think I'm  
16 taking this lightly. I just I'm sick of not having  
17 the opportunity to truly negotiate on a town's  
18 behalf. But I do really appreciate everyone's  
19 involvement, and I would also say to all of you and  
20 anyone else reading and hearing about this later,  
21 please get involved and stay involved, because I  
22 think we need more passionate people involved in

1 this town.

2 So I hope that what comes out of this is  
3 that some of the people involved in this process  
4 try to get more involved with the town. Thank you.

5 COMMISSIONER STEWART: Absolutely. And  
6 I'll just say, you know, even having young people  
7 come out and speak at these sorts of, you know,  
8 events where you typically don't see young people  
9 who'd rather be, you know, off doing something else  
10 right now, they're taking time out of their  
11 schedules now away from their homework and away  
12 from their schooling and away from their jobs, if  
13 they have them, to come out and participate. And I  
14 think that's incredibly valuable. We need to see  
15 more of that.

16 So to those of you that spoke this  
17 evening, thank you to everyone. Especially thank  
18 you to the young people who took time to do that.

19 But you know, on the other hand, you  
20 know, to Commissioner Zarabi's point, you know, we  
21 have an applicant who, you know, has not engaged,  
22 you know, in the way that I think this town

1 expects. You know, one thing we always hear about  
2 people moving to Warrenton is because they do so  
3 because they want to be part of a community and  
4 they want to be a good neighbor.

5 And we hear businesses relocating to  
6 Warrenton, and when they get up and they speak with  
7 us, it's always, here's what we want to do to help  
8 the community. Here's how we want to give back.  
9 Here's how we want to be a part of this town. And  
10 that's not what we've seen from Amazon. It's very  
11 disappointing.

12 There's been so many opportunities where  
13 they could have, you know, engaged the community  
14 and maybe attempted to dispel some of these, you  
15 know, uncertainties that the community has for  
16 their product and even they didn't take advantage  
17 of those opportunities. And I think that they're  
18 their unwillingness to do that ultimately does not  
19 look favorably.

20 COMMISSIONER AINSWORTH: I'd just like to  
21 provide some clarification, I think, of some  
22 assertions that were made. I'm a citizen of

1 Warrenton, intend to live the rest of my life here.  
2 It would take a lot more than a data center to make  
3 me move anywhere out of here. I volunteered for  
4 this position. I have no inside information ever  
5 that was brought about from this.

6 I don't know who Amazon's customers are  
7 other than some lady in my house. I don't have any  
8 vested interest in Amazon or the property. I do  
9 this because I have -- my background as an  
10 engineer, I think I can provide some insight and so  
11 that probably skews my perspective a bit. But  
12 that's -- I think what this is all about. Thank  
13 you.

14 COMMISSIONER STEWART: You know, if I  
15 could just go on record and say that as well. You  
16 know, I think that there's this assumption from the  
17 community that we have this insider knowledge or  
18 that we've been involved in these conversations.  
19 And, you know, I know for my part, I certainly have  
20 not. I know we -- we, as a Commission have not,  
21 and I think it's evidence that, you know, if the  
22 newspaper is getting information before the

1 Commission, you know, we don't really know what's  
2 going on. You know, in most cases the community  
3 knows more about what's going on than we do.

4 So, you know, certainly I don't think  
5 that, you know, the idea that we're operating from  
6 some place of knowledge is not necessarily the  
7 case.

8 CHAIR RAE-HELANDER: So just think after  
9 tonight, you won't have to worry about that word  
10 "boy-yeah" ever again.

11 Is there any more discussion? If not, I  
12 will call a roll call vote. I'll start on this  
13 end. Commissioner Ainsworth.

14 Commissioner Lawrence has already teed  
15 up.

16 COMMISSIONER AINSWORTH: Can I hear the  
17 motion again?

18 COMMISSIONER STEWART: It was lengthy,  
19 but the extent was --

20 COMMISSIONER AINSWORTH: Just the first  
21 part.

22 MS. PFEIFFER: Would you like me to

1 please summarize it?

2 COMMISSIONER LAWRENCE: Please. Yeah --

3 COMMISSIONER STEWART: A record summary  
4 there.

5 COMMISSIONER LAWRENCE: I think to the  
6 detail, I think the important point is I believe my  
7 motion was to deny, right? So if you were voting  
8 in support of my motion, you would be voting yes.  
9 That would be a yes vote to deny, not a yes vote  
10 for the application.

11 CHAIR RAE-HELANDER: So the motion --

12 COMMISSIONER LAWRENCE: In addition to  
13 that clarity, please.

14 MS. PFEIFFER: Sure. So the motion to  
15 recommend denial to the town council because SUP  
16 2203 application due to the lack of information  
17 around sound, power, tax justification, the town  
18 scenic gateway, its compliance with the  
19 comprehensive plan, issues with the view shed,  
20 power needs, and a lack of a plan around the  
21 decommissioning of the buildings.

22 COMMISSIONER LAWRENCE: I think that



1 about sums it up.

2 COMMISSIONER STEWART: Yeah. So in  
3 summary I think to summarize that with, you know,  
4 repeat of a level of impacts that have not yet been  
5 appropriately mitigated or resolved.

6 CHAIR RAE-HELANDER: Right.

7 COMMISSIONER LAWRENCE: Does that help  
8 you at all?

9 COMMISSIONER AINSWORTH: Way more than I  
10 wanted.

11 I vote nay.

12 CHAIR RAE-HELANDER: Commissioner  
13 Lawrence.

14 COMMISSIONER LAWRENCE: I'm voting yes  
15 for the denial.

16 CHAIR RAE-HELANDER: Commissioner Zarabi?  
17 This is like the first. You're going to -- I know  
18 it. Say it.

19 COMMISSIONER ZARABI: I'm going to  
20 abstain.

21 CHAIR RAE-HELANDER: What? Really?

22 COMMISSIONER LAWRENCE: All right.

1 CHAIR RAE-HELANDER: Okay.

2 COMMISSIONER STEWART: My vote would  
3 be --

4 CHAIR RAE-HELANDER: Commissioner  
5 Stewart?

6 COMMISSIONER STEWART: -- to recommend  
7 that the town council deny the application. So to  
8 support the motion, yes.

9 CHAIR RAE-HELANDER: And I also vote yay.  
10 So it is three yays, one abstention, and  
11 one nay. Is that correct?

12 COMMISSIONER AINSWORTH: Correct.

13 CHAIR RAE-HELANDER: So to clarify, we  
14 make a recommendation to council whether it is a  
15 yes or no vote, it is still a recommendation. So  
16 at this point, our recommendation to council is a  
17 no vote. That's --

18 [Applause from gallery.]

19 CHAIR RAE-HELANDER: Comments from  
20 Commission?

21 COMMISSIONER LAWRENCE: I would just like  
22 to recognize Commissioner Helander and Commissioner

1 Zarabi for their many years of service to the town  
2 of Warrenton on this body and elsewhere, and thank  
3 them for their service, and wish them good luck --

4 COMMISSIONER ZARABI: Thank you.

5 COMMISSIONER LAWRENCE: -- in the future.

6 CHAIR RAE-HELANDER: Thanks.

7 Commissioner Ainsworth, anything? No?

8 COMMISSIONER AINSWORTH: No.

9 CHAIR RAE-HELANDER: Okay.

10 COMMISSIONER STEWART: To just echo  
11 Commissioner Lawrence, it's been a real pleasure  
12 working with Commissioner Zarabi, Commissioner  
13 Helander. Thank you so much for your knowledge,  
14 your insight, and your mentorship during my years  
15 here on the Commission, and I wish you both the  
16 best.

17 COMMISSIONER ZARABI: Thank you.

18 CHAIR RAE-HELANDER: Well, you're getting  
19 two great new commissioners starting in January.

20 MS. PFEIFFER: Madam Chair, Do you want  
21 to take a five minute break and let them --

22 CHAIR RAE-HELANDER: Take a five minute

1 break?

2 MS. PFEIFFER: Yes, because --

3 COMMISSIONER LAWRENCE: Merry Christmas  
4 everyone, and if you want to leave, please leave  
5 now so we can finish up. Thank you all.

6 COMMISSIONER STEWART: I'll move the we  
7 take a five-minute recess just to allow the room to  
8 clear or is that --

9 CHAIR RAE-HELANDER: A five-minute  
10 recess?

11 [Recess.]

12 MS. PFEIFFER: I'll start with next month  
13 in January, right?

14 CHAIR RAE-HELANDER: La, la, la, la.

15 MS. PFEIFFER: In January, you will be  
16 having an organizational meeting at which point  
17 you'll be voting in a new chair and vice chair for  
18 the year and setting your organizational calendar.  
19 At this point, the agenda has not been set, so that  
20 will be forthcoming.

21 But on another note, I, too, on behalf of  
22 staff and as a town resident, would like to thank

1 Chair Helander and Commissioner Zarabi for your  
2 decades -- plural -- of service and leadership to  
3 this town. So thank you very much.

4 CHAIR RAE-HELANDER: And would that,  
5 leave your laptop.

6 COMMISSIONER ZARABI: Yes. And the  
7 charger.

8 CHAIR RAE-HELANDER: Yeah. And the  
9 charger.

10 COMMISSIONER ZARABI: You made it clear  
11 you wanted the charger left.

12 MS. PFEIFFER: And make sure the  
13 charger's there.

14 COMMISSIONER ZARABI: Yeah. Don't take  
15 it out of my last stipend.

16 CHAIR RAE-HELANDER: Yeah. How am I  
17 going to pay my water bill now?

18 Is that it?

19 COMMISSIONER LAWRENCE: Motion to  
20 dismiss?

21 COMMISSIONER ZARABI: Yeah.

22 COMMISSIONER STEWART: Second.

1 CHAIR RAE-HELANDER: Well, wait a minute.  
2 Wait a minute. I think that, you know, we have to  
3 do officially. What?

4 COMMISSIONER LAWRENCE: Oh, sorry.  
5 Speeches?

6 CHAIR RAE-HELANDER: No, no speeches. No  
7 speeches. No speeches. Look, see, and it's only  
8 10:20, right?

9 COMMISSIONER ZARABI: I mean, I'm not an  
10 Argentina fan, but Don't cry for me, Argentina,  
11 right? I'm a Dutch fan. Don't cry for me,  
12 Argentina. I'm gone.

13 CHAIR RAE-HELANDER: All right. With  
14 that, I will look for a motion to adjourn at 10:19.

15 COMMISSIONER LAWRENCE: Motion.

16 THE COURT: So a second.

17 COMMISSIONER STEWART: Second.

18 THE COURT: All in favor? Aye.

19 COMMISSIONERS JOINTLY: Aye.

20 CHAIR RAE-HELANDER: Aye, aye, aye.

21 And with that, we are done.

22 ///

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(Whereupon, the proceedings in the  
above-captioned matter were concluded at  
10:20 p.m.)

C E R T I F I C A T I O N

I, Deborah S. Anderson, court-approved  
transcriber, certify that the foregoing is a  
correct transcript from the official electronic  
sound recording of the proceedings in the above-  
entitled matter.



DEBORAH S. ANDERSON, CET-998

May 31, 2023



Planning Commission  
December 20, 2022

Index: 1..abstain

<u>1</u>	<b>2.3</b> 144:11	<b>29</b> 23:16,18 24:3,5, 6,7,18 25:6,12 28:5 32:4 90:16 141:17 142:6	<u>5</u>	<b>7241</b> 124:4
<b>1</b> 39:15 68:19	<b>2.5</b> 144:12			<b>7280</b> 102:11
<b>1.2</b> 42:20	<b>20</b> 8:12 24:16 29:15 85:6 103:5,6,15 117:13 158:5	<u>3</u>	<b>5</b> 105:20 126:19 158:5	<b>7781</b> 135:1
<b>10</b> 20:1 21:1,2,16, 18 117:13 158:5	<b>200</b> 129:6		<b>5(c)</b> 26:2	<b>78</b> 59:4
<b>10:00</b> 42:11	<b>2005</b> 116:1	<b>3</b> 36:22	<b>50</b> 20:1 21:3,20 40:15 96:10 155:15	<b>7960</b> 107:21
<b>10:19</b> 176:14	<b>2007</b> 35:17	<b>30</b> 8:12 29:15 117:13 118:22 120:21 131:10 133:8	<b>500</b> 60:7	<b>7:00</b> 42:11
<b>10:20</b> 176:8 177:3	<b>2009</b> 113:19		<b>50s</b> 131:20	<u>8</u>
<b>10th</b> 83:19	<b>2011</b> 36:4	<b>300</b> 53:1 89:12	<b>52</b> 38:21	<b>80</b> 20:1 37:18
<b>11</b> 84:19	<b>2015</b> 39:7	<b>32</b> 153:10	<b>53</b> 57:16	<b>8717</b> 99:19
<b>11-3.10</b> 108:9	<b>2019</b> 63:20 124:13	<b>33</b> 68:22	<b>5381</b> 132:13	<b>8th</b> 16:7 17:3,6
<b>11:00</b> 40:15	<b>2021</b> 62:14 125:13	<b>330</b> 39:7	<b>54</b> 59:3	<u>9</u>
<b>12</b> 41:9 48:7 59:5	<b>2022</b> 3:14,15,21 16:8 17:3,6 23:8 60:7	<b>35</b> 31:14 32:1 37:17 111:9	<b>56</b> 60:2	<b>9-</b> 25:15
<b>12-month</b> 15:13	<b>2022-03</b> 4:16 6:1	<b>3604</b> 115:21	<b>560</b> 66:4	<b>9-to-1</b> 98:1
<b>12th</b> 113:21	<b>2040</b> 85:17 102:21	<b>365</b> 110:3	<b>57</b> 118:12	<b>90</b> 20:1 29:7
<b>13th</b> 22:16	<b>21</b> 69:1	<b>37</b> 26:3 31:5,17	<b>58</b> 88:8	<b>9255</b> 73:20
<b>14th</b> 39:18	<b>21st</b> 116:3	<b>37-foot</b> 31:22 34:15	<b>59</b> 84:13	<b>9757</b> 82:12
<b>15</b> 8:12 42:17 51:15 141:10	<b>22</b> 39:14	<b>3:02:</b>	<u>6</u>	<b>9:42</b> 143:8
<b>15.2285(B)</b> 111:20	<b>220,000</b> 20:21	<b>01UNIDENTIFIED</b> 151:19	<b>60</b> 40:13 84:14 96:11 125:13	<u>A</u>
<b>15th</b> 3:14,21 82:14 84:14	<b>220,200</b> 34:12	<u>4</u>	<b>606</b> 54:13 56:7	<b>a.m.</b> 42:11
<b>16</b> 68:21	<b>2203</b> 170:16		<b>6064</b> 136:9	<b>abatement</b> 108:21
<b>16th</b> 15:17	<b>22nd</b> 3:15 4:17 15:16,22 26:11 71:12 82:19	<b>4</b> 51:13	<b>6343</b> 92:13	<b>abbreviated</b> 34:3
<b>17</b> 24:19 25:6 38:18 72:12 90:18 122:3 133:17	<b>23</b> 126:18	<b>4(b)</b> 27:1	<b>6437</b> 141:3	<b>abide</b> 150:10
<b>18</b> 20:13 53:2	<b>23,000</b> 39:10	<b>4,700</b> 135:8	<b>6452</b> 98:12	<b>ability</b> 5:20 71:18 121:2 147:18
<b>19</b> 57:15	<b>2300</b> 126:17	<b>40</b> 77:8 92:14 100:2 108:2 119:1 141:7 142:6	<b>6533</b> 74:10	<b>above-captioned</b> 177:2
<b>19,000</b> 39:5	<b>23349</b> 110:14	<b>41</b> 34:13 50:18 81:15 135:15	<b>6642</b> 76:7	<b>absence</b> 97:11
<b>1990s</b> 35:13	<b>24</b> 76:9	<b>41.793</b> 16:12	<u>7</u>	<b>absent</b> 162:4
<b>1997</b> 35:12	<b>24-hour</b> 39:3	<b>42</b> 76:9	<b>70</b> 29:7	<b>absolutely</b> 30:21 142:4 166:5
<u>2</u>	<b>24/7</b> 55:17 110:3 161:4	<b>47</b> 90:2	<b>7000</b> 79:4	<b>absorbent</b> 118:3
<b>2</b> 57:14	<b>26</b> 110:1	<b>486</b> 29:13	<b>7035</b> 113:18	<b>abstain</b> 54:4 65:11 71:7,19 73:7 96:2 98:5 128:4 130:14 136:6 171:20
<b>2,000</b> 84:10 96:12 97:7	<b>26.1.F</b> 25:16	<b>490</b> 131:10	<b>704</b> 6:2	
	<b>27</b> 98:2,3		<b>7142</b> 120:17	
	<b>28</b> 112:13 141:17		<b>72</b> 80:6 118:12 124:15,16	

Planning Commission  
December 20, 2022

Index: abstaining..appearing

<b>abstaining</b> 146:18 148:10 151:16	<b>admission</b> 60:17 148:7 149:2	<b>Amazon's</b> 60:17 61:6 77:17 82:21 130:15 168:6
<b>abstention</b> 172:10	<b>adoption</b> 3:14	<b>amenable</b> 140:14
<b>absurd</b> 50:21 51:4, 10 85:14	<b>advance</b> 153:17	<b>amending</b> 154:18
<b>accept</b> 3:20 144:4	<b>advancement</b> 67:3 138:5	<b>amendment</b> 35:21 46:18 86:8 147:22 154:15 159:22 160:6,8
<b>acceptable</b> 114:16	<b>advantage</b> 89:1 167:16	<b>American</b> 55:1
<b>acceptance</b> 112:11	<b>adverse</b> 115:8 137:8	<b>amount</b> 64:1 78:8 117:19,21 125:2 142:12
<b>accepted</b> 26:13	<b>advisory</b> 70:21	<b>amounts</b> 59:22 86:17
<b>access</b> 34:17 39:2, 20 40:3	<b>affect</b> 49:11 60:14 64:3 65:9 91:15 104:14 113:3	<b>Amy</b> 50:1
<b>accommodate</b> 71:16	<b>affected</b> 50:9 66:12 97:8 103:20 126:10 129:21	<b>analogous</b> 147:20
<b>accommodation</b> 138:5	<b>affidavit</b> 16:2 17:5	<b>analysis</b> 12:18 32:21 37:1 157:9
<b>accordance</b> 22:11 62:10	<b>affirmation</b> 10:8	<b>analyzes</b> 115:3
<b>account</b> 29:17 44:2	<b>affirming</b> 130:9	<b>anathema</b> 135:13
<b>accounted</b> 42:5	<b>afford</b> 61:1 70:17 138:20	<b>animals</b> 135:8
<b>accounts</b> 161:9	<b>afforded</b> 5:9	<b>Ann</b> 76:4 79:3 122:1
<b>accurate</b> 8:4 122:20	<b>affording</b> 140:1	<b>Anne</b> 78:22 79:1
<b>achieve</b> 20:5	<b>affront</b> 60:21	<b>ANSI</b> 41:18 42:20
<b>achieved</b> 20:6	<b>African</b> 114:2	<b>answers</b> 13:1 48:16,18 65:12,14
<b>acknowledge</b> 5:12 151:10	<b>afternoon</b> 44:22	<b>anticipated</b> 39:6,9 65:3 125:5
<b>acknowledged</b> 112:15	<b>age</b> 125:3	<b>anxiety</b> 126:1
<b>acknowledgemen t</b> 162:14	<b>agenda</b> 10:13,16, 22 60:12 174:19	<b>anybody's</b> 81:11 110:3
<b>acknowledges</b> 153:21	<b>agree</b> 9:16 96:4 156:12 161:22	<b>apartments</b> 61:22
<b>acreage</b> 16:20	<b>agreeable</b> 160:9, 10	<b>apocalypse</b> 135:19
<b>acres</b> 16:13 34:13 50:18 77:8 81:15 89:12 135:15	<b>agreeance</b> 153:13	<b>apologize</b> 21:11 165:14
<b>act</b> 10:5 11:10 112:1 127:18 148:1, 17	<b>agreed</b> 63:14 67:17 68:10 148:2	<b>app</b> 87:11
<b>acting</b> 113:5	<b>agreement</b> 150:16	<b>Apparently</b> 53:8
<b>action</b> 26:14 63:5 122:19 127:16	<b>agreements</b> 63:15	<b>appearance</b> 124:9
	<b>agricultural</b> 123:13	<b>appearing</b> 43:5
	<b>ahead</b> 9:8 26:17 120:12 121:5 122:5	
<b>actions</b> 36:19 83:9 115:5		
<b>activity</b> 38:7 130:6		
<b>actual</b> 60:21		
<b>add</b> 10:18,20 19:9 74:14 131:15 132:1 153:7 160:3		
<b>addition</b> 25:16 41:5 170:12		
<b>additional</b> 10:7 11:13 14:1 19:6,8 21:15,19 22:18 25:7 26:8 28:8 30:5,7,17 31:15 34:20 63:18 75:11 157:17		
<b>Additionally</b> 51:5		
<b>additions</b> 7:19 15:14		
<b>address</b> 11:5,6 17:18 18:14 56:7 66:9 73:18 86:3 88:6 95:15 99:19 124:2 132:13,17 133:17		
<b>addressed</b> 16:5 36:13 49:17 51:12 52:2 75:7 87:4 161:12		
<b>addressing</b> 51:18		
<b>adequate</b> 54:6 71:13 131:2 145:2		
<b>adequately</b> 49:17		
<b>adhere</b> 85:9		
<b>adjacency</b> 42:7		
<b>adjacent</b> 42:7 44:3 66:13,20 76:16 109:18 126:7		
<b>adjoining</b> 108:22 125:22		
<b>adjourn</b> 176:14		
<b>adjust</b> 117:4		
<b>administrator</b> 12:13,17		

Planning Commission  
December 20, 2022

Index: appears..Bevin

<b>appears</b> 33:9 130:17	170:10,16 172:7	<b>Argentina</b> 176:10, 12	<b>audience</b> 11:5,6	<b>Banish</b> 137:21
<b>appetites</b> 85:21	<b>application's</b> 112:3,12	<b>arguing</b> 59:20	<b>audit</b> 124:13	<b>Bank</b> 114:9,14
<b>applaud</b> 122:17	<b>applications</b> 63:11 83:4 99:3 111:15,21 113:11	<b>arise</b> 117:5	<b>authority</b> 146:7 147:7	<b>Barring</b> 134:8
<b>applauding</b> 72:8, 10 82:20	<b>applied</b> 115:11	<b>arrest</b> 140:20	<b>autistic</b> 129:21	<b>based</b> 7:8 8:3 12:19 19:19 28:11 31:8 42:14 49:1 99:3 113:22 125:1 151:7
<b>applause</b> 5:21 172:18	<b>applies</b> 17:15 109:10 111:20	<b>Arthur</b> 116:20	<b>average</b> 117:9 127:5	<b>basically</b> 41:17 69:13 105:9
<b>applicable</b> 114:13	<b>apply</b> 36:10 60:6 111:21 112:3,10	<b>Article</b> 25:15 36:22	<b>avoid</b> 137:7	<b>Beaconsfield</b> 79:4
<b>applicant</b> 7:4,17, 22 8:21 9:10,14,22 10:3,7,17 11:13 12:1,3 13:1,9,12,22 14:3,6,13 15:1 19:15 22:9 23:4 26:11 27:16 34:18 36:3 38:13,16 41:2, 15 42:3,16,18 44:17 45:3 46:2,5,8,19 62:17 63:16 64:20 71:8 75:10 100:17, 19 112:6,8,15 122:20 144:8,14 148:2 150:4,9,14,19 151:4 153:1,21 156:1 163:4 164:13, 16 165:1 166:21	<b>apprenticeship</b> 106:13	<b>articulated</b> 66:8	<b>aware</b> 5:2 7:20 34:8 38:9 60:16 69:2	<b>bearing</b> 61:7
<b>applicant's</b> 44:14 62:14 63:12 71:15, 18 136:11 138:6	<b>approach</b> 9:17	<b>Ashburn</b> 110:21 123:4	<b>awareness</b> 139:11	<b>beat</b> 84:19
<b>applicants</b> 8:8 73:2 143:17	<b>appropriately</b> 111:15 171:5	<b>Ashville</b> 103:7	<b>awful</b> 88:21	<b>beatiful</b> 58:14 72:18 73:21,22 77:4 80:13 88:17 116:18 119:18 123:12 141:22 142:5
<b>application</b> 6:14 8:6 16:1,2,7,9,17 17:1,5 26:12 35:20 36:4 48:8 50:12 55:10 60:18 62:2,8, 13,21 63:10,12,19 64:17 65:7 77:17 82:22 83:2,15,18 84:21 87:5,10,20 91:2,5 99:12 100:11,12 108:14 109:2 111:7 112:8, 20,22 115:18 128:12,20 130:15 131:4 136:18 144:1, 5,9 145:8 146:2 148:13 149:9 155:13 156:9,10 159:13 164:3,16	<b>approval</b> 35:22 36:18 39:17 40:21 41:3 121:9 146:19 150:10	<b>aspect</b> 46:14 64:1	<b>aye</b> 4:11,12 152:6 176:18,19,20	<b>beautiful</b> 58:14 72:18 73:21,22 77:4 80:13 88:17 116:18 119:18 123:12 141:22 142:5
	<b>approve</b> 83:20 107:8 140:21 142:16	<b>aspects</b> 18:18	<b>B</b>	<b>beauty</b> 101:13,17
	<b>approved</b> 25:8 55:9,12 65:7 70:1 91:2,5 94:10,12 111:1	<b>assertions</b> 167:22	<b>baby</b> 135:22	<b>because...not</b> 53:15
	<b>approving</b> 123:2	<b>assess</b> 121:2	<b>back</b> 22:4,5 27:1 40:19 53:14 62:13 75:2 81:19 83:15 84:21 103:9 113:8 119:2 134:21 140:22 144:3 148:19 167:8	<b>beg</b> 80:11
	<b>approximately</b> 34:13 39:7,10 93:2	<b>assessment</b> 9:14	<b>background</b> 168:9	<b>begging</b> 80:10 81:6 104:10
	<b>April</b> 16:7 17:2,6	<b>assessments</b> 114:1 115:2,14	<b>backup</b> 129:18	<b>begin</b> 4:21
	<b>arcade</b> 25:22	<b>assistant</b> 105:19	<b>backyard</b> 80:5	<b>beginning</b> 12:5 94:21
	<b>architect</b> 132:20	<b>Association</b> 61:18,21 64:4 65:10	<b>backyards</b> 84:6	<b>behalf</b> 18:11 61:20 107:17 136:10 165:18 174:21
	<b>architectural</b> 25:3, 18 27:4,11	<b>assumption</b> 168:16	<b>bad</b> 66:15 78:15 101:7 104:13 105:6 138:17	<b>behemoth</b> 90:16
	<b>area</b> 16:17 20:13 29:19 37:11 38:18 41:5 64:4 65:9 76:18 77:4 86:10 88:19 89:14 103:5 109:15 120:18 122:2 123:13 153:15	<b>assurances</b> 19:7	<b>baff</b> 118:2	<b>belong</b> 92:21
	<b>areas</b> 85:20 123:10 127:22 132:5	<b>assure</b> 104:1	<b>bag</b> 104:9	<b>Benedict</b> 110:4,5, 7,9,11,13
		<b>atmosphere</b> 90:15	<b>balance</b> 29:1,4,11	<b>benefit</b> 34:2 52:10 102:22 116:8 155:13
		<b>attempted</b> 167:14	<b>ball's</b> 82:1	<b>benefits</b> 62:8 124:11
		<b>attempting</b> 6:5	<b>balloon</b> 78:1 130:20	<b>bent</b> 116:16
		<b>attend</b> 15:10 70:17	<b>Baltimore</b> 76:7,17 113:19 120:18 122:2	<b>Bert</b> 134:22
		<b>attending</b> 127:4	<b>banging</b> 102:17	<b>Beth</b> 57:13
		<b>attention</b> 53:4 152:22		<b>Bevin</b> 50:5 52:16
		<b>attenuation</b> 62:20		
		<b>attorney</b> 10:11 45:4 116:22 137:22 138:4		
		<b>attract</b> 90:15		
		<b>attractive</b> 90:17		

<b>big</b> 48:13 79:20 83:1 88:22 127:2 135:12	<b>Boy</b> 109:22	39:13 40:16 51:1	70:7 77:5 147:4	<b>center</b> 4:17 6:2
<b>bike</b> 56:11	<b>boy-yeah</b> 169:10	64:14,16 67:9,12	151:18 169:12	21:1 25:4 27:7 34:9
<b>bill</b> 175:17	<b>breach</b> 63:1	84:6 85:12 93:2,5	<b>called</b> 5:11 35:18	37:10 41:10 42:1
<b>biophysical</b> 115:3	<b>bread</b> 145:12	103:11 105:21	71:3 79:7 86:9	49:11 50:17,19 51:1
<b>birds</b> 135:22 136:1	<b>break</b> 140:15	106:8 116:11 134:2	<b>calling</b> 3:4 13:3	52:7 53:8 55:8,9,10,
<b>bit</b> 47:2 92:16 144:3	143:9,14 145:12	158:2,12,13	47:15,20	11 56:18,19 57:2
155:9 161:10,12	173:21 174:1	<b>buildings</b> 56:16	<b>calls</b> 81:14	58:3 59:14,16,21
168:11	<b>breakthrough</b>	157:11 170:21	<b>cancer</b> 130:10	60:6 67:1 69:4,10
<b>black</b> 23:9 58:2,4,	163:8	<b>built</b> 20:21 50:19	<b>canopy</b> 25:21	70:15 76:8,12 78:8,
16 134:8,19	<b>Brewing</b> 141:5	67:7,8,17 68:2 80:2	<b>capacity</b> 39:8	14,19 82:21 83:4,21
<b>blacken</b> 58:14	<b>briefly</b> 115:1	88:17 89:3 92:22	157:16	84:9,19 85:16 86:11
<b>Blackwell</b> 23:17,19	<b>bright</b> 135:16,20	93:13 107:2 119:16,	<b>capital</b> 89:7	87:15 89:5,13
24:2 34:18 39:1	<b>bring</b> 9:9 10:8 41:7	21 120:11 125:19	<b>car</b> 161:2	90:11,17 91:10
55:6 87:17 130:1	62:3 123:1	130:1,9 132:21	<b>care</b> 60:13 101:20	92:5,19,22 94:8,16
136:15	<b>bringing</b> 79:20	164:20	102:2 103:20	95:20 97:3,9,12
<b>blame</b> 100:22	<b>brings</b> 69:22	<b>built-out</b> 77:7	118:15 125:11	99:1 106:4,6,10
101:2	<b>Bristow</b> 72:16	<b>burden</b> 50:22	126:8	107:9 109:8 111:1
<b>blank</b> 17:18	<b>broad</b> 92:13 110:22	63:17 66:2 68:15	<b>career</b> 141:6	114:21 115:12,15
<b>blasting</b> 29:19	132:14 141:4	<b>bury</b> 157:20	<b>careers</b> 103:12	116:2,4,5,10,14
<b>bleak</b> 129:8	<b>Broaddus</b> 141:2,3	<b>bus</b> 122:14	<b>careful</b> 139:18	119:11 123:9
<b>blessed</b> 106:17	<b>brought</b> 52:9 65:13	<b>business</b> 3:13	<b>carefully</b> 91:18	124:11,15,16,22
<b>blue</b> 35:2,4 50:7	79:12 96:14 133:10	59:5,6,10,12 66:20	97:7	125:4,8,19,20
<b>board</b> 106:22	164:16 168:5	68:3 85:8 94:1	<b>Caret</b> 105:16	126:2,8,20,22
<b>Bob</b> 74:10	<b>brown</b> 35:8	105:19 141:16	<b>caring</b> 133:14	128:12 129:17
<b>body</b> 11:5 173:2	<b>brush</b> 57:1	155:18	139:11,21	131:5 134:2,7,11,19
<b>Bohler</b> 15:6 27:12	<b>buckle</b> 61:5	<b>businesses</b> 65:9,	<b>careers</b> 103:12	135:14 136:2,12
28:3,19	<b>bucolic</b> 120:6	18 141:13 167:5	<b>careful</b> 139:18	138:3 142:3,17
<b>bolt</b> 29:8	123:12	<b>Bust</b> 92:13 141:3,5	<b>carefully</b> 91:18	145:2 150:21
<b>bond</b> 137:16,19	<b>budget</b> 107:3	<b>busy</b> 104:4	97:7	153:13 155:20
<b>Bonner</b> 49:20,22	<b>buffaloed</b> 138:2	<b>buy</b> 103:16 141:7	<b>Caret</b> 105:16	157:5,10,12 160:20
<b>book</b> 74:20 160:7	<b>buffers</b> 23:12	<b>buzzing</b> 56:21	<b>caring</b> 133:14	161:6,14 168:2
<b>borders</b> 62:2	36:12	133:5	<b>Carol</b> 131:9 143:6	<b>center's</b> 95:16
<b>born</b> 100:1	<b>build</b> 51:9 68:3	<b>by-right</b> 36:8,17	<b>Carol</b> 131:9 143:6	<b>centers</b> 31:13
<b>bothers</b> 93:9	85:12 89:8 93:16	<b>Byfield</b> 68:16,18,19	<b>Carolyn</b> 73:11	32:11 52:10,11
<b>bottom</b> 49:9 64:5	107:2,5,9 116:9	<b>bypass</b> 138:6	<b>carrot</b> 118:8	55:14 56:13 57:4
79:15 80:11	120:7 123:8 126:4	139:18	<b>carry</b> 96:17	58:5,9 67:1,5 74:17
<b>bought</b> 67:18	161:13	<b>Byway</b> 38:3	<b>cart</b> 92:6 142:15	75:17,22 77:3,12,14
<b>boundaries</b> 126:9	<b>building</b> 20:1,8,10,	<b>C</b>	<b>case</b> 7:4,5,17,22	85:18,19 86:5,9,14,
	19,21 21:2,8,12,14,		8:2,9 23:20 110:3	16,19 87:8 90:21
	17 25:2,10,14,17		115:12 145:6	92:2,14,20 108:5
	26:3,6 27:21 28:16		150:12 169:7	113:13 116:9
	29:6,11,15 30:14,20		<b>cases</b> 169:2	117:10 123:6
	31:4 32:4 34:16,19		<b>casual</b> 120:19	124:20 125:16
			<b>catalog</b> 81:20	129:8,10,15,19
			<b>caught</b> 73:5 81:13	130:8 132:20 136:4
			<b>caused</b> 125:14	142:9,11
			126:2	<b>cents</b> 124:15,17
				<b>century</b> 116:4
				<b>certificate</b> 20:7
				<b>cetera</b> 119:3
				<b>chain</b> 59:7

**chair** 3:3,4 4:3,8,13  
5:15 6:11 8:18 10:1  
11:3,17,20 14:8,22  
15:2 31:1 32:17  
33:8 34:4 41:12  
52:15 54:10 56:4  
57:6 58:22 61:12,15  
66:1 68:14 72:3  
73:9,17 74:7 76:1  
78:20 79:2,9 80:15  
82:7 85:2 88:1,6,10  
89:19 92:9 95:7,12  
98:9 99:14 102:6,10  
105:13 107:10,15,  
18,20 110:4,8,10  
113:16 115:19  
116:20 120:15  
121:14,19,22 122:4,  
6 123:15,19 124:2,6  
126:15 143:5,12,15  
145:21 146:11,22  
147:15 148:15,17,  
21 149:6 151:17,20  
152:5,7,10,13 153:5  
154:16,20 158:8  
159:15,20 160:12  
161:22 162:13  
163:1,6,11,14  
164:1,9,12 165:5  
169:8 170:11 171:6,  
12,16,21 172:1,4,9,  
13,19 173:6,9,18,  
20,22 174:9,14,17  
175:1,4,8,16 176:1,  
6,13,20

**Chairman** 11:19  
47:7 120:19

**Chairwoman** 3:19  
6:3 10:9 143:20

**chairwoman's**  
9:17

**challenged** 161:6

**Challenger** 84:19

**chance** 80:22

**change** 12:1 14:11  
16:11,21 17:10  
48:17 55:18 56:14  
67:21 81:11 83:22  
91:14 93:5 112:15

**changed** 16:20  
112:8 136:21

**changing** 86:20  
90:8 91:7

**Chantilly** 110:20

**character** 34:11  
37:6 38:1 72:21  
86:12,21 90:9  
101:13,17 110:17  
136:13 153:15,19

**characteristics**  
27:4

**charge** 10:13,15

**charger** 175:7,9,11

**charger's** 175:13

**charging** 39:5

**Charlotte** 50:3

**charter** 140:5

**check** 9:21 135:19

**Cherry** 133:17

**Chevrolet** 161:3

**children** 58:13  
84:5 90:3 100:3  
104:15 133:22  
163:20

**chiller** 93:15

**chillers** 21:8

**choice** 78:15 81:7  
105:11

**choices** 104:13

**choose** 10:16  
130:5

**chose** 103:15  
105:4

**chosen** 27:20 64:7  
143:3

**Christina** 129:5

**Christmas** 72:2  
104:4 174:3

**Christopher** 48:2  
49:20,22

**circumstances**  
137:20

**circumvented**  
127:13

**citizen** 53:19 59:20  
135:7 167:22

**citizens** 52:11 53:6  
59:15,18 66:8,19  
70:11 71:21 73:14  
82:15 83:13 98:18,  
20,21 128:6 131:4,6

**civic** 87:20

**civics** 98:14 101:5

**civil** 15:5

**clapping** 49:21  
57:8

**clarification**  
147:13 167:21

**clarify** 24:21  
172:13

**clarity** 12:21 63:7  
144:2 170:13

**Claudia** 52:18

**clear** 46:20 78:13  
146:8 154:7 158:10,  
15 174:8 175:10

**client** 114:7

**Clifton** 119:11  
135:2

**clock** 108:1 112:10  
144:3

**close** 14:17 110:18  
143:8

**closed** 10:4 11:10  
13:7,21 63:9

**closed-loop** 64:21

**closer** 74:18 129:7

**closest** 69:3

**closing** 95:5

**cloud** 164:14

**coalition** 95:17

**coalitions** 164:19

**code** 62:15,18,19  
111:19

**collars** 144:12

**colleague** 27:12

**collects** 95:18  
22 9:2,6,7,9,18 10:2  
11:4,8,21 12:11  
13:5,10,11 14:4,5,  
10,14,15,21 17:17  
18:2,8,12 21:5,7  
22:1 26:16,17,18,22  
27:3 28:10,18 30:9,  
13,22 31:3,11 32:5,  
12,14,15,20,22  
33:1,3,5,6,19 43:4,  
11,16 44:8,12,16,20  
45:10,14,19,20  
46:9,13,17 47:6,9,  
12 52:22 71:11  
143:13,16,19  
145:22 147:1,2  
151:22 152:3,5,6,7,  
10 158:9 159:16,19  
160:2,10,15 162:13  
163:2,7,12,15  
164:2,10,13 165:3,  
6,10,12,13 166:5,20  
167:20 168:14  
169:13,14,16,18,20  
170:2,3,5,12,22  
171:2,7,9,12,14,16,  
19,22 172:2,4,6,12,  
21,22 173:4,5,7,8,  
10,11,12,17 174:3,6  
175:1,6,10,14,19,  
21,22 176:4,9,15,17

**College** 41:9

**Collins** 131:9

**colors** 25:20 35:6

**Colucci** 15:4

**column** 43:14,22  
44:5

**commands** 70:21

**commencement**  
40:10

**comment** 6:6 12:6  
28:4 132:1 150:16

**comments** 5:14  
32:6 49:6 50:9 84:2,  
16 113:20,22  
172:19

**commercial** 35:5  
37:13,18 108:3  
141:11

**commission** 3:20  
5:4,13,18 8:17 10:5,  
10,12,15 11:11,19  
15:15,18 19:11  
33:7,12 35:19 36:20  
41:13 44:22 50:11  
52:21 53:20 54:3  
58:11 60:19 65:14  
70:10,19 82:18  
84:16,20 91:17  
95:13 98:15 99:2  
106:22 107:7  
108:17 111:12,13,  
22 113:5,12 115:17  
117:2 121:1 122:9,  
13 124:14 127:10,  
14,17 128:5,16  
129:3 132:17  
136:17,19 138:2,7  
143:21 144:10  
146:6,12,20 147:10,  
17 151:12 156:6  
163:10 168:20  
169:1 172:20  
173:15

**Commission's**  
39:16 148:12

**Commissioner**  
3:7,8,9,19 4:1,4,6,9  
6:3,13,15,17,19,20,

**commissioners**  
4:11 7:16 89:2  
110:12 143:22  
151:11 173:19  
176:19

**commissions**  
113:14 127:12

**commitment**  
20:18

**commitments**  
19:8

**committed** 16:19

**common** 59:17,19  
61:21 156:8

**Commons** 61:17  
64:3 65:10

**Commonwealth**  
106:2

**communicate**  
5:20

<b>communicating</b> 129:12 164:4	54:1 70:8,9 170:18	<b>conflict</b> 51:17	<b>continue</b> 14:7 47:13 50:13 56:1 143:21 148:2	6,12,14 44:1,6
<b>communication</b> 163:9	<b>complied</b> 137:18	<b>conflicts</b> 100:15	<b>continued</b> 148:2	<b>corrections</b> 139:12
<b>communities</b> 65:4 90:22 139:15 144:20	<b>complies</b> 153:11	<b>conformance</b> 25:5	<b>continues</b> 97:15	<b>correctly</b> 43:9 162:2
<b>community</b> 41:9 56:17 59:11 71:22 80:8,12,13 83:22 86:10,22 94:4 97:14 100:6 101:16 102:2, 21 103:1,21,22 104:19 106:15 110:15 125:12 138:11,18 139:1,13, 20 140:1,16 141:9 145:15,20 164:20 165:8 167:3,8,13,15 168:17 169:2	<b>comprehensive</b> 34:10 37:5 62:11,16 67:16 81:14 99:4,9 108:13 109:4,7,11 144:18 153:12,17 154:2,12,14 160:22 170:19	<b>conscientious</b> 139:12	<b>continuing</b> 138:19	<b>corrupt</b> 140:17
<b>comp</b> 38:4,10 41:1 154:14,18,22	<b>concern</b> 49:13 63:9 66:7 69:5,9	<b>consequences</b> 115:4,8 122:11 134:20	<b>contrary</b> 86:11	<b>corrupting</b> 138:18
<b>compact</b> 108:4 109:18	<b>concerned</b> 59:12 62:5 84:3	<b>conservation</b> 76:16	<b>contrast</b> 144:18	<b>cost</b> 48:20 63:2 64:7,11 87:7
<b>company</b> 19:16 22:11 60:8 68:8 82:22 94:12 141:5	<b>concessions</b> 64:13	<b>conserve</b> 38:5	<b>contribute</b> 115:9	<b>Costco</b> 130:4,5
<b>compare</b> 145:7,8	<b>concluded</b> 177:2	<b>consideration</b> 6:9 9:3 64:19 98:4 139:19	<b>contributions</b> 106:14	<b>costs</b> 64:9
<b>compared</b> 76:21	<b>conclusion</b> 134:16	<b>considerations</b> 62:21 108:19	<b>control</b> 36:15 51:10 140:20	<b>council</b> 5:6 19:11 22:17,21 36:1,2,20 51:16 53:5,10,17 54:3 58:18 61:6 65:16 70:21 83:17 98:7 105:22 107:8 108:17 113:21 120:19 121:4,12 122:9,12 127:10,14, 15,17 129:2 132:17 134:15 137:22 138:1,7 139:18 140:20 144:10 145:3 146:9 148:6, 8,11 149:14,18 152:19 161:15 170:15 172:7,14,16
<b>compatibility</b> 109:16	<b>conclusions</b> 139:19	<b>considered</b> 35:4, 14 37:9 42:13 109:3	<b>controversial</b> 112:21	<b>council's</b> 140:3
<b>compatible</b> 154:22	<b>conclusive</b> 108:17 137:1,3	<b>consistent</b> 49:8 85:16 99:6,9 109:4, 11 111:16 113:6	<b>conversation</b> 154:19	<b>counsel</b> 66:9 127:11
<b>compel</b> 151:5	<b>concrete</b> 117:3	<b>consistently</b> 141:14	<b>conversations</b> 22:13 168:18	<b>count</b> 76:13 131:8
<b>complete</b> 26:13,14 53:21 54:7 71:8,13 87:4,12 111:17 112:19,22 122:20 128:18 131:3,4 141:1	<b>condition</b> 18:19 19:13 20:14 40:9 93:15,17 156:13	<b>consisting</b> 127:9	<b>convincingly</b> 144:8	<b>counties</b> 73:22 77:3,7 86:13 106:19 136:5
<b>completed</b> 50:12 62:12 64:10	<b>conditioned</b> 39:2	<b>constant</b> 133:5	<b>cookie</b> 74:21 75:1	<b>counting</b> 54:9 71:21 131:6,8
<b>completely</b> 76:18 83:9 84:13 93:13 120:1 156:4 159:11	<b>conditioning</b> 19:12	<b>Constituent</b> 48:12	<b>cooling</b> 64:21 132:21	<b>countries</b> 114:2
<b>completion</b> 16:10	<b>conditions</b> 19:9 22:5 25:2,13 39:17 40:20 41:3 64:10 67:22 70:7 85:10 86:3 93:7 95:3,4 137:4,17 150:8,10	<b>constituents</b> 49:15 134:10,13	<b>cooperate</b> 91:9	<b>country</b> 73:22 161:3
<b>compliance</b> 19:13, 17 20:4,6,8 25:14	<b>conditioned</b> 39:2	<b>Constitution</b> 138:14 140:11	<b>cooperation</b> 46:2	<b>countryside</b> 110:19 133:7
	<b>condone</b> 62:14	<b>constructed</b> 21:13 23:3	<b>coordinate</b> 46:7	<b>county</b> 22:14 35:11 52:12 68:22 70:13 74:5 76:9 77:1,11, 15 78:5 82:15 85:6, 7,11 86:15 87:7,8,
	<b>conduct</b> 19:21,22 20:3	<b>construction</b> 21:10 22:7 49:10 92:17 105:22 106:1, 4,11 107:1 155:15	<b>copied</b> 45:1,4	
	<b>conducted</b> 133:3	<b>consultant</b> 47:2	<b>corniced</b> 25:22	
	<b>conducting</b> 114:1	<b>contained</b> 38:11	<b>corporate</b> 61:6	
	<b>confirm</b> 18:18	<b>context</b> 100:18	<b>corporation</b> 48:13 60:20 63:21 125:11	
		<b>continuance</b> 5:22	<b>Corporation's</b> 114:4	
		<b>continuation</b> 4:15 9:16	<b>corporations</b> 65:21	
			<b>correct</b> 6:19 43:21 44:18 79:9 146:11 148:20 156:18 172:11,12	
			<b>correcting</b> 4:1	
			<b>correction</b> 42:3,4,	

13 89:11 90:2,4,5,7, 10 97:17 103:10 123:3,11 124:21 125:12,13,20 130:11 132:14 135:4,8,9 141:16, 18,19,21 161:19 164:15	<b>current</b> 12:13 63:19 138:3,22 163:4	16,20,22 125:4,8, 16,20 126:2,8,20,22 128:12 129:7,10,15, 17,19 130:8 131:5 132:20 134:2,7,11, 19 135:14 136:2,4, 12,22 138:3 142:3, 9,10,11,16 145:2 150:21 153:13 156:7 157:4,10,12 160:19,20 161:6 163:19 168:2	<b>deciding</b> 141:15	<b>demand</b> 62:12 116:4 130:17
<b>county's</b> 111:12 124:22 131:7	<b>customer</b> 92:22 93:1	<b>date</b> 53:22 133:1	<b>decision</b> 55:21 61:4 62:7 65:15,16 66:10,14 68:7 81:7 82:20 83:22 102:5, 16 104:11 111:6,18 113:9 115:3,6 121:4 138:20 139:3 142:21 147:19 150:1	<b>demonstrate</b> 86:4
<b>couple</b> 12:15	<b>customers</b> 168:6	<b>daughter</b> 68:21	<b>decisions</b> 67:19 115:14 141:8	<b>demonstrated</b> 85:15
<b>courage</b> 122:17	<b>cut</b> 30:19 119:9	<b>David</b> 107:21	<b>decks</b> 84:4	<b>demoralizing</b> 101:14
<b>Court</b> 47:8,11,14 48:7 49:19 72:6 113:18 115:22 176:16,18	<b>cute</b> 74:20,22	<b>Davidson</b> 82:8	<b>declining</b> 113:7	<b>denial</b> 112:5 146:20 160:3 170:15 171:15
<b>coverage</b> 37:18 139:5	<b>cutting</b> 114:12 119:13	<b>dawn</b> 40:16	<b>decommissioned</b> 158:3	<b>Denise</b> 26:20 45:1
<b>COVID</b> 103:16	<b>cycle</b> 93:3	<b>day</b> 39:6,7,10 51:2 63:22 67:2 93:12 112:9 118:13	<b>decommissioning</b> 170:21	<b>deny</b> 49:18 82:6 99:11 140:9 152:16 170:7,9 172:7
<b>create</b> 77:9 157:22	<b>cynicism</b> 74:16	<b>days</b> 40:13 104:4 110:2 117:19,21 118:9 147:20,21 148:3	<b>decorum</b> 5:16	<b>depending</b> 47:1
<b>created</b> 90:12	<hr/> <b>D</b> <hr/>	<b>dead</b> 129:9	<b>decrease</b> 39:14	<b>depreciate</b> 125:3
<b>creating</b> 29:8 59:10	<b>D-U-W-E</b> 74:8	<b>deal</b> 29:20 78:3 104:8 150:20	<b>decreases</b> 125:2	<b>depression</b> 126:1
<b>credibly</b> 85:15	<b>dab</b> 86:14	<b>dealerships</b> 161:2	<b>deductions</b> 87:18	<b>depth</b> 81:3
<b>credit</b> 111:5	<b>daily</b> 39:6	<b>dealing</b> 100:18 117:11	<b>deemed</b> 112:10	<b>derail</b> 6:5 8:7
<b>Crim</b> 10:12 11:8,18 14:11,16,19 18:10, 13 147:8,14 148:16, 20 160:4	<b>damage</b> 109:22	<b>dealt</b> 161:12	<b>deeper</b> 62:6	<b>dereliction</b> 99:12
<b>criteria</b> 109:1 153:8,10 154:11	<b>dark</b> 164:14	<b>debate</b> 106:17	<b>deeply</b> 122:15 151:11	<b>derive</b> 144:11
<b>critical</b> 62:7 71:5 127:13	<b>darn</b> 117:15 120:10	<b>debunked</b> 132:19	<b>defer</b> 146:1 147:7 152:1	<b>derived</b> 140:12
<b>criticism</b> 139:9	<b>data</b> 4:17 6:2 20:22 21:21 25:4 27:7 31:12 32:11 34:9 41:10 42:1 49:11 50:16,19 51:1 52:7, 10,11 53:8 55:7,9, 10,11,14 56:13,19 57:2,4 58:3,5,9 59:14,16,21 60:5 67:1,5 69:4,10 70:14 74:17 75:16, 21 76:8,12 77:3,12, 14 78:8,14,19 82:21 83:4,21 84:9,19 85:16,18,19 86:4,9, 11,14,16,19 87:8,15 89:5,13 90:11,17,21 91:8,10 92:2,5,14, 19,20,21 94:8 95:16,20 96:3 97:3, 9,12 99:1 106:4,5, 10 107:8 108:5,16 109:8 110:22 113:13 114:21 115:12,15 116:2,4, 5,10,14 117:9 123:5,6,8 124:11,	<b>decades</b> 175:2	<b>deferred</b> 122:18	<b>deserve</b> 111:5
<b>Cross</b> 52:20 54:11, 12,13 56:5,6,7	<b>debunked</b> 132:19	<b>deceitful</b> 77:19	<b>deficient</b> 48:9	<b>desecrate</b> 101:17
<b>cross-</b> 114:11	<b>decades</b> 175:2	<b>December</b> 15:17 22:16	<b>define</b> 114:6	<b>design</b> 25:2,4,7 29:3 31:17
<b>crown</b> 130:11	<b>decades</b> 175:2	<b>decent</b> 106:12	<b>defined</b> 26:4	<b>designated</b> 38:2 136:13
<b>crushes</b> 142:4	<b>deceitful</b> 77:19	<b>decibel</b> 42:12	<b>definition</b> 31:9	<b>designates</b> 34:10
<b>cry</b> 176:10,11	<b>December</b> 15:17 22:16	<b>decibels</b> 42:17 44:7	<b>degree</b> 130:6	<b>desire</b> 37:22
<b>culture</b> 75:14	<b>decibel</b> 42:12	<b>decide</b> 5:6 9:1 107:9	<b>delay</b> 102:16 112:16 151:16	<b>desires</b> 140:17
<b>cumbersome</b> 8:11	<b>decibels</b> 42:17 44:7	<b>decided</b> 12:8	<b>delayed</b> 125:15	<b>desperate</b> 87:6
<b>curious</b> 28:1 44:17,21 137:14,18	<b>decide</b> 5:6 9:1 107:9		<b>deleterious</b> 108:12	<b>desperately</b> 133:13 144:17
			<b>deliberate</b> 136:17	<b>destroy</b> 58:5 130:11
			<b>delighted</b> 164:18	<b>destruction</b> 50:18 109:21 133:6 136:5
			<b>deliver</b> 65:15	<b>detail</b> 170:6
				<b>details</b> 25:18

<b>determination</b> 13:18 15:16 18:18, 22 33:2 41:15 43:2, 12,14,17 44:18 46:8	<b>diligence</b> 91:18 94:2 98:6 115:11 149:16	<b>disrespectful</b> 134:15	<b>door</b> 58:15 97:22 116:18 126:19	<b>earlier</b> 73:4 74:13 137:5
<b>determinations</b> 46:21	<b>dimmed</b> 40:14	<b>disrupting</b> 116:16	<b>Dora</b> 136:7,8	<b>early</b> 23:8
<b>determine</b> 43:6 108:21	<b>dining</b> 116:12	<b>distinction</b> 101:11	<b>doubled</b> 90:5	<b>earns</b> 89:6
<b>determined</b> 19:18 40:1 41:21 42:5	<b>direct</b> 127:17	<b>distress</b> 122:8	<b>dozens</b> 38:9 59:14	<b>earthwork</b> 29:2
<b>detriment</b> 63:12	<b>direction</b> 164:3	<b>distribute</b> 45:5	<b>draft</b> 18:14 39:17 40:20 46:18 86:2	<b>easily</b> 55:15
<b>detrimental</b> 92:3	<b>directions</b> 43:19 163:18	<b>distributed</b> 45:8	<b>drafting</b> 86:5	<b>East</b> 55:16
<b>detrimentally</b> 85:10	<b>directly</b> 44:3 62:1 64:4 103:19 125:14 130:1	<b>distribution</b> 22:10 23:5 161:14	<b>drain</b> 29:10	<b>easy</b> 96:17
<b>devastated</b> 103:19	<b>director</b> 25:9 106:20 135:2	<b>district</b> 34:11 35:2, 8 37:6,11 38:1 52:5 80:19 85:6 95:14 109:8 110:17 122:2 136:14 137:21 141:4 153:15	<b>dramatic</b> 104:2	<b>eat</b> 135:22
<b>develop</b> 117:17,18	<b>dirt</b> 27:15 29:5 30:17	<b>distrust</b> 87:20	<b>draw</b> 135:16	<b>echo</b> 173:10
<b>developed</b> 62:10	<b>disagree</b> 156:4	<b>disturbance</b> 69:18 70:3,6	<b>drawings</b> 39:20	<b>ecology</b> 135:6
<b>development</b> 16:1,6 17:1 29:4 35:18 37:19,20 86:22 88:13 99:7 106:19,20 108:3 115:10 141:12 144:6,13,16 145:5, 10,16 155:5	<b>disappointing</b> 167:11	<b>diversity</b> 135:14	<b>dream</b> 107:5	<b>economic</b> 38:7 106:19,20 115:4 141:11 144:6,16 145:5,16 155:5
<b>developments</b> 135:13	<b>disappointment</b> 162:2,12	<b>divided</b> 159:5	<b>drew</b> 144:19	<b>economically</b> 90:8
<b>Dewey</b> 74:9	<b>disastrous</b> 91:22	<b>divisive</b> 87:1	<b>drive</b> 62:2 64:6 73:20 74:10 92:7 102:11 107:22 120:18 136:9 141:16 144:9,13	<b>economy</b> 36:5 38:7 124:22 125:9
<b>diagram</b> 96:19	<b>discourse</b> 9:12	<b>Dobson</b> 162:22 163:9,18	<b>driven</b> 46:2,19	<b>edge</b> 72:9
<b>dictating</b> 70:20	<b>discovered</b> 7:18 133:15	<b>document</b> 16:22 18:7 93:7 154:1	<b>driving</b> 103:12	<b>effect</b> 27:14 57:22 117:2
<b>Dictionary</b> 41:19	<b>discovery</b> 63:13	<b>documented</b> 135:7	<b>drop</b> 44:6	<b>effectively</b> 70:3,5, 22 138:6 139:7
<b>diesel</b> 129:18	<b>discu</b> 93:13	<b>documents</b> 71:9 86:4 130:19	<b>drove</b> 56:17 129:7, 9,13	<b>effects</b> 92:4 133:3 137:8
<b>difference</b> 141:20 150:18	<b>discuss</b> 16:4	<b>dog</b> 129:17	<b>due</b> 69:16 85:20 87:3 91:18 94:2 98:6 115:11 149:16 170:16	<b>effort</b> 31:15 95:6
<b>differential</b> 100:20	<b>discussed</b> 149:10	<b>dollar</b> 78:8 124:15, 17	<b>due</b> 69:16 85:20 87:3 91:18 94:2 98:6 115:11 149:16 170:16	<b>efforts</b> 97:22 107:7 140:18
<b>differently</b> 7:3	<b>discussion</b> 22:4 146:4 147:3,6 151:18 160:14 169:11	<b>dollars</b> 106:11,14 125:16 145:17,18	<b>dug</b> 27:22	<b>egregious</b> 142:14
<b>difficult</b> 67:10	<b>discussions</b> 86:4	<b>domestic</b> 39:6 40:5	<b>Duhollow</b> 98:12	<b>elected</b> 78:10
<b>difficulties</b> 117:4	<b>disgust</b> 122:8	<b>Dominion</b> 22:13, 14,15,18 76:19,22 79:19 80:1,4 92:8	<b>Dumfries</b> 119:2	<b>election</b> 84:17
<b>dig</b> 62:6	<b>dishonest</b> 138:9	<b>Donald</b> 95:9 99:14, 15	<b>Dutch</b> 176:11	<b>electric</b> 22:7 23:3
<b>digesting</b> 19:4	<b>dismiss</b> 175:20	<b>donate</b> 52:1 87:16	<b>Duties</b> 60:21	<b>electrical</b> 39:21 106:8
<b>digital</b> 95:18	<b>disorganized</b> 50:8	<b>donated</b> 51:14	<b>duty</b> 99:1,12	<b>electricity</b> 59:22 86:18
<b>dignity</b> 59:7	<b>dispel</b> 167:14		<b>Duwe</b> 74:8,9	<b>elevation</b> 16:4 28:6 29:12,21 64:15
	<b>disregard</b> 159:11		<b>eager</b> 107:2	<b>elevations</b> 24:17, 19 25:3,5,14 28:12 38:17 130:22
	<b>disrespect</b> 45:22		<b>ear</b> 56:21	
			<b>E</b>	



Planning Commission  
December 20, 2022

Index: eliminate..facts

<b>eliminate</b> 135:15 145:11,12	<b>engaged</b> 166:21 167:13	<b>environmentalist</b> 99:18 102:8,12 119:10	<b>evenings</b> 84:5	<b>explain</b> 12:17 20:20
<b>Elizabeth</b> 57:7,10	<b>engagements</b> 164:8	<b>environmentally</b> 115:9	<b>event</b> 62:22 63:5 64:6 134:20	<b>explained</b> 79:22 80:1
<b>Elmwood</b> 82:12	<b>engineer</b> 15:6 132:18 168:10	<b>envision</b> 98:2 157:12	<b>events</b> 6:18 134:8 166:8	<b>explanation</b> 144:3 145:3
<b>eloquently</b> 96:1 120:21	<b>Engineering</b> 15:6 28:3,20	<b>envisioned</b> 37:11, 16 144:20 153:14 157:13	<b>eventually</b> 66:17 68:6 82:6 101:19	<b>exploited</b> 59:8
<b>em</b> 120:10 161:8	<b>enhance</b> 38:6	<b>envisioning</b> 144:22	<b>everyone's</b> 165:18	<b>express</b> 122:8
<b>email</b> 45:2 52:6	<b>enhances</b> 81:16	<b>equal</b> 62:9	<b>evidence</b> 168:21	<b>expressed</b> 132:10
<b>emailed</b> 26:20	<b>enjoy</b> 84:4	<b>equally</b> 69:20 72:1	<b>evident</b> 97:13	<b>extends</b> 157:7
<b>emails</b> 162:16	<b>enjoying</b> 55:2	<b>equipment</b> 26:5 31:6,8 47:5	<b>evolving</b> 164:5	<b>extensive</b> 60:16
<b>emanating</b> 109:13	<b>enjoyment</b> 77:10	<b>Eric</b> 126:17	<b>exact</b> 76:18	<b>extent</b> 169:19
<b>Emergency</b> 40:3	<b>enlightened</b> 163:5	<b>Erin</b> 50:4,6	<b>examine</b> 91:18	<b>exterior</b> 25:20
<b>emotional</b> 141:8	<b>enormous</b> 86:17 142:12	<b>erosion</b> 36:14	<b>exception</b> 3:22	<b>external</b> 142:12
<b>employ</b> 60:1	<b>ensure</b> 22:9 23:4 99:5 137:17	<b>escape</b> 133:13	<b>exchange</b> 87:18	<b>externalized</b> 142:13
<b>employed</b> 38:22 76:13 100:16 114:3, 11	<b>ensuring</b> 111:14	<b>essentially</b> 43:7 117:2	<b>excuse</b> 52:21 53:16 136:20	<b>extra</b> 8:12
<b>employee</b> 18:9	<b>entailed</b> 97:20	<b>establish</b> 154:6	<b>executive</b> 135:1	<b>extraordinarily</b> 106:18
<b>employee/ employer</b> 106:12	<b>entails</b> 97:18	<b>established</b> 90:22 155:17	<b>exempt</b> 63:15	<b>eye</b> 58:2,4,14 71:15 133:21
<b>employees</b> 38:21 118:12	<b>enterprise</b> 81:12	<b>establishment</b> 155:17	<b>exercise</b> 85:8	<b>eyes</b> 58:16
<b>employer</b> 37:10 41:2 155:14,19	<b>entertain</b> 3:17 6:14	<b>estate</b> 35:11 65:8 141:6,11	<b>existence</b> 116:8	<b>eyesore</b> 58:5 67:9 101:10 161:7
<b>employment</b> 40:22 155:16,20	<b>entertainment</b> 37:12	<b>Estates</b> 57:14	<b>existing</b> 28:6 29:6 30:1 37:14 109:17	<hr/> <b>F</b> <hr/>
<b>empty</b> 67:14 93:2,6	<b>entire</b> 16:12 17:15 21:8,10 48:11 57:1	<b>evaluate</b> 37:19 99:2	<b>expand</b> 77:16	<b>facade</b> 157:3
<b>enable</b> 139:11	<b>entitlement</b> 156:5	<b>evaluated</b> 31:22	<b>expect</b> 68:11 91:20 156:9	<b>faced</b> 125:13
<b>encourage</b> 88:11 90:14 97:9 142:15, 20	<b>entity</b> 18:6	<b>evaluating</b> 153:8 154:13	<b>expects</b> 167:1	<b>facility</b> 21:10 95:1 126:9,12
<b>encouraged</b> 86:2 150:5	<b>entrance</b> 101:10 157:8	<b>evaluation</b> 12:12, 18 46:4 108:20 109:1	<b>experience</b> 7:1,2 56:19 92:14,16 97:19 111:10 114:1 131:22 134:4	<b>fact</b> 68:1 75:7 90:4 99:8 104:18 116:3 126:7 157:4
<b>encumbered</b> 12:16	<b>entrusted</b> 77:14 149:16	<b>evaluations</b> 7:19 108:18 137:1	<b>experienced</b> 74:15 151:11	<b>fact-based</b> 108:8
<b>end</b> 8:21 9:13 67:2 89:11 158:3 169:13	<b>entry</b> 161:1	<b>evening</b> 3:3 6:10, 18 12:9 15:2 26:15 41:12 54:12 61:16 63:6 65:1,13 68:18 70:18 79:3 82:11 85:4 88:3 95:12	<b>experiencing</b> 126:1	<b>factor</b> 29:21 42:12, 14 44:1,6 60:3 65:5
<b>endure</b> 133:5	<b>environment</b> 108:4 109:19 113:4 133:14		<b>expert</b> 44:9 127:20	<b>factors</b> 42:4,6 109:3 110:2 124:8
<b>enforce</b> 69:20 73:6	<b>environmental</b> 114:4,8,10,12 133:2		<b>expertise</b> 46:21	<b>factory</b> 55:8 58:15 158:8
<b>enforcement</b> 69:15 70:2,5,22				<b>facts</b> 58:20 77:16
<b>engage</b> 70:18				

Planning Commission  
December 20, 2022

Index: fade..gave

78:16 91:19 104:18 108:7	<b>features</b> 64:17	<b>find</b> 51:19 61:10 87:14 134:4 141:12 160:6	<b>Forgive</b> 50:8	<b>fulfilling</b> 128:21
<b>fade</b> 58:4	<b>February</b> 23:2 36:4	<b>finding</b> 108:11 141:8	<b>form</b> 12:15 18:16 34:3	<b>full</b> 48:19 156:7
<b>failed</b> 51:8	<b>Feed</b> 54:22	<b>fine</b> 33:5 79:10	<b>formidable</b> 97:14	<b>fully</b> 70:15 93:11,13
<b>fails</b> 50:20	<b>feel</b> 7:9 54:17 75:20 120:6 131:21 136:21 141:19 143:22 149:8,9,11 150:5,15	<b>finish</b> 174:5	<b>forthcoming</b> 174:20	<b>fun</b> 9:19 77:10
<b>failures</b> 83:13	<b>feeling</b> 101:1 151:2	<b>firm</b> 53:20 56:1 61:3 74:11 118:20	<b>fortresses</b> 86:17	<b>functionality</b> 116:13
<b>fair</b> 41:5 59:3,5 60:15 61:9 65:5 149:20 151:13	<b>feelings</b> 5:17	<b>Fishback</b> 48:7	<b>fortunate</b> 134:4	<b>funded</b> 106:12
<b>Fairfax</b> 57:18 72:15 110:20 119:21	<b>feet</b> 20:22 26:4 29:15 31:5,16,17 32:1 34:12,20,21 37:17	<b>Fitters</b> 105:20	<b>Fortune</b> 60:7	<b>future</b> 35:7 39:22 40:12 45:16 54:18 55:22 65:18 67:15 75:18 105:11 113:12 134:3 136:14 144:22 153:19 173:5
<b>faith</b> 140:15 151:4	<b>fellow</b> 71:20	<b>five-foot</b> 39:1	<b>forum</b> 163:17	
<b>fall</b> 51:15 82:3 100:7	<b>felt</b> 45:2 150:9	<b>five-minute</b> 174:7, 9	<b>forward</b> 10:8 11:15 37:4 41:2 63:3 75:12 83:18 96:4 103:1 134:5 149:18	<b>G</b>
<b>familiarity</b> 111:10	<b>fence</b> 34:16 39:13 64:14 94:22	<b>fix</b> 118:8	<b>forwarded</b> 36:1 44:21	<b>Gagnon</b> 126:16,17 129:5
<b>families</b> 134:3	<b>fenced</b> 129:11	<b>fixed</b> 94:4	<b>found</b> 36:21 40:11 63:17 97:2 112:3 129:8 133:16	<b>gain</b> 59:8 91:12 104:21
<b>family</b> 52:6 61:22 68:20 129:20	<b>fenestration</b> 25:20	<b>fixer</b> 103:17	<b>foundation</b> 51:14, 17,20,21 52:1	<b>gained</b> 65:6
<b>fan</b> 176:10,11	<b>fiancé</b> 75:15	<b>fixing</b> 117:22	<b>foundations</b> 51:21	<b>Gainesville</b> 72:16
<b>farm</b> 79:18	<b>field</b> 163:8	<b>flawed</b> 83:4 91:8 122:15	<b>four-</b> 77:22	<b>gains</b> 102:3
<b>farmland</b> 130:12	<b>Fifty-six</b> 40:1	<b>flee</b> 77:7	<b>Fox</b> 123:22 124:4,7	<b>Galena</b> 54:13
<b>Farrington</b> 132:13	<b>fight</b> 52:13	<b>flood</b> 29:10	<b>framework</b> 99:4	<b>gallery</b> 172:18
<b>fast</b> 155:17	<b>figure</b> 93:4 143:1	<b>floodplain</b> 76:16	<b>Frank</b> 61:13	<b>gallons</b> 39:5,7,10
<b>fate</b> 105:9	<b>figures</b> 155:7	<b>floor</b> 6:9	<b>frankly</b> 50:21 69:7 145:18 164:11 165:9	<b>game</b> 104:22
<b>Fauquier</b> 22:14 35:11 55:1 68:22 70:13 82:15,20 85:6 89:11 90:2 100:1 101:5 103:10 123:3, 11 127:20 132:14 133:9 135:4 141:16, 18,21 164:15	<b>figuring</b> 79:6	<b>flora</b> 119:14	<b>Fred</b> 92:11,12	<b>games</b> 128:1
<b>Fauquier's</b> 95:17	<b>file</b> 17:2,5,9,22 26:19	<b>Florence</b> 85:3,5	<b>Frederick</b> 50:3	<b>gap</b> 28:9
<b>favor</b> 4:10 48:13 176:18	<b>files</b> 18:5	<b>focus</b> 133:10	<b>freight</b> 61:7	<b>Gas</b> 105:20
<b>favorably</b> 167:19	<b>filing</b> 112:11	<b>folks</b> 33:17 137:11 141:15	<b>Friday</b> 18:22 19:2 44:18 45:11	<b>gate</b> 34:17 129:11
<b>favoréd</b> 162:17	<b>fill</b> 30:19 98:2	<b>follow</b> 53:9 83:2	<b>Fridays</b> 55:2	<b>gated</b> 39:3
<b>favours</b> 53:11	<b>filled</b> 17:19 84:13	<b>food</b> 155:17	<b>friend</b> 52:4 132:3 86:10,20 160:6,8	<b>gateway</b> 37:21 90:19 111:2 116:5 153:4 157:2 170:18
<b>fear</b> 55:9 56:15	<b>final</b> 18:16 64:15 65:16	<b>Footé</b> 144:13 145:9	<b>friendly</b> 56:13 85:8 104:7 165:7	<b>gateways</b> 90:14
<b>feasibility</b> 69:19	<b>finally</b> 5:15 24:15, 17 26:2 87:16 94:7 131:12 137:14	<b>footprint</b> 32:8	<b>friends</b> 55:2 57:17 85:8 104:7 165:7	<b>gather</b> 144:4
<b>feature</b> 109:22	<b>Finance</b> 114:4	<b>force</b> 53:7 54:22 67:22 83:8 122:10	<b>front</b> 48:19 69:22 129:11	<b>gathering</b> 53:21
	<b>financial</b> 75:18 116:8 124:10	<b>forced</b> 130:5		<b>gathers</b> 53:3
		<b>forever</b> 55:18 56:14		<b>gave</b> 11:9
		<b>forget</b> 70:16 135:22		

<b>gee</b> 80:3	<b>Google</b> 88:12	<b>guarantee</b> 137:16, 19	<b>hate</b> 161:7	<b>held</b> 71:5
<b>gem</b> 132:8	<b>gorgeous</b> 130:11	<b>guaranteed</b> 138:13	<b>head</b> 92:13 102:17 141:3,5	<b>hellbent</b> 83:17
<b>general</b> 33:12 43:1	<b>governance</b> 13:2 138:17	<b>guarantees</b> 63:7	<b>heal</b> 87:19	<b>helping</b> 141:7,12
<b>generated</b> 69:10 87:21 109:14 125:7	<b>government</b> 127:9 139:8,22	<b>guard</b> 34:17 129:11	<b>health</b> 78:7 114:10, 12 139:14	<b>heritage</b> 145:14,19
<b>generations</b> 81:21	<b>GRAHAM</b> 52:21	<b>guess</b> 14:22 31:16 42:21 97:22	<b>healthy</b> 139:13	<b>Hettinger</b> 102:7,8, 9,11
<b>generator's</b> 93:14	<b>Grambo</b> 52:19,22	<b>guests</b> 77:11	<b>hear</b> 4:20 8:13,20 9:21 10:3,7 13:12, 14,19,21 14:3,6,12, 13 15:1 27:6 32:19, 20 33:4 54:15 56:8 134:12 141:15 146:2 150:21 167:1, 5 169:16	<b>hide</b> 150:20 157:4
<b>generators</b> 21:9, 18,19 93:18 129:18	<b>grandchildren</b> 131:18	<b>guidance</b> 99:3 154:1,2,3	<b>heard</b> 7:6,15 9:10, 14 12:7 19:20 22:22 27:5 34:15 55:17,20 60:2 65:1 66:4 81:9 84:2 85:12 98:22 104:8 105:2 117:5 120:22 124:9 126:6 132:18,19 137:16 143:17 145:2 146:17 147:12 151:7 158:20 159:1 162:3,8	<b>high</b> 29:16 34:15 35:10 38:10 50:7 54:15 56:18 101:5 132:3 157:9
<b>generic</b> 46:6	<b>grant</b> 121:12	<b>guidelines</b> 114:10, 15,16	<b>hearing</b> 4:16,18,21 5:5,6,7 6:1,5,12 8:10,20,22 9:22 10:21 11:16 12:8,10 14:7,9,17,20 15:8, 15,18,22 47:13 72:10 83:19 103:18 117:19 118:6 126:1 143:7,8,21 148:3,7, 10 165:20	<b>higher</b> 27:21
<b>gentle</b> 74:12	<b>granted</b> 108:11	<b>guys</b> 22:12 88:5 89:4 126:13	<b>hears</b> 7:6,15 9:10, 14 12:7 19:20 22:22 27:5 34:15 55:17,20 60:2 65:1 66:4 81:9 84:2 85:12 98:22 104:8 105:2 117:5 120:22 124:9 126:6 132:18,19 137:16 143:17 145:2 146:17 147:12 151:7 158:20 159:1 162:3,8	<b>highest</b> 71:6
<b>gentleman</b> 104:1 162:19	<b>grasp</b> 8:14 12:14	<b>grateful</b> 164:18 165:6	<b>heard</b> 7:6,15 9:10, 14 12:7 19:20 22:22 27:5 34:15 55:17,20 60:2 65:1 66:4 81:9 84:2 85:12 98:22 104:8 105:2 117:5 120:22 124:9 126:6 132:18,19 137:16 143:17 145:2 146:17 147:12 151:7 158:20 159:1 162:3,8	<b>Highland</b> 61:17,20 64:3 65:10 66:4
<b>genu</b> 62:15	<b>great</b> 19:20 51:21 54:20 69:19 116:4 173:19	<b>greatly</b> 76:12	<b>habitat</b> 135:15	<b>Highlands</b> 68:20 69:3
<b>get all</b> 48:18 81:8	<b>greater</b> 26:3 62:10 87:7 103:20 110:15 138:17	<b>green</b> 86:1	<b>half</b> 55:5	<b>highlight</b> 132:15
<b>Gislayne</b> 115:20, 21	<b>Greene</b> 35:19,22	<b>Greenway</b> 55:16	<b>hall</b> 84:12	<b>highlighting</b> 37:22
<b>give</b> 9:10,13 33:15 34:5 74:21 81:2 121:4 146:16 167:8	<b>Grenny</b> 37:3	<b>greeted</b> 90:16	<b>Hampton</b> 50:1	<b>highlights</b> 38:11
<b>giving</b> 34:2 94:6	<b>grew</b> 57:17 100:2 131:19	<b>grieved</b> 90:16	<b>hand</b> 35:3 166:19	<b>highway</b> 16:4 25:17 27:8 29:14 30:3 37:7 38:17 39:2,21 42:9 55:16 136:15
<b>glad</b> 80:21 131:18	<b>grid</b> 89:15	<b>Grocery</b> 161:4	<b>handle</b> 158:11	<b>hill</b> 64:5 115:22 116:1 119:3 123:9 141:5,12
<b>Glen</b> 56:7	<b>grief</b> 80:7	<b>ground</b> 29:6,16 42:21 54:7 128:4,17 131:6	<b>hands</b> 93:9 105:10, 11 125:10	<b>historic</b> 38:5 57:3 86:14,21 110:17 111:2 116:6,17,18
<b>goal</b> 38:4	<b>grocery</b> 161:4	<b>groundswell</b> 138:15	<b>happen</b> 68:5 94:13 118:9,14 119:3,4 123:14	<b>historical</b> 90:20
<b>goals</b> 38:9 100:4	<b>ground</b> 29:6,16 42:21 54:7 128:4,17 131:6	<b>Group</b> 114:9,14	<b>happened</b> 90:13 118:7,19 125:12	<b>history</b> 35:9 39:15 45:22 81:16
<b>golly</b> 80:3	<b>grow</b> 38:6 90:7 145:1	<b>grow</b> 38:6 90:7 145:1	<b>happening</b> 119:2	<b>hit</b> 129:14 141:18
<b>good</b> 3:3 13:2 15:2 24:8 30:18 31:19 41:12 53:12 54:12 59:17,19,20 61:16 65:20 66:15 68:18 78:10 79:3 80:7 81:22 82:11 84:4 85:4 88:3 94:17 95:12 96:1 99:18 100:5 101:1,15 102:3,8,12 103:20 104:13,19,20 105:8, 15 106:4 113:17 126:16 131:9,21 132:12 139:22 141:2 143:3 151:4 159:10 167:4 173:3	<b>growth</b> 99:6	<b>growth</b> 99:6	<b>happiness</b> 78:7	<b>hits</b> 120:4
<b>goods</b> 101:12			<b>happy</b> 14:2 33:15 96:15 100:8 103:13	<b>HOA</b> 62:2 64:1
			<b>hard</b> 63:17 72:10 75:8 81:20 101:14 145:13	<b>Hoffman</b> 95:8,12, 13
			<b>harmful</b> 92:4	<b>hold</b> 42:22 56:1 61:3 82:5 128:16
			<b>Harris</b> 33:9,11 34:5 134:22	<b>holding</b> 139:16
			<b>Hastings</b> 124:5	
			<b>hearings</b> 127:4	
			<b>heart</b> 80:11	
			<b>Heather</b> 73:12	
			<b>heavily</b> 129:11	
			<b>height</b> 26:2,4 31:5, 9,10,14,22 34:19,20 39:14 42:18	
			<b>heights</b> 40:16	
			<b>Helander</b> 3:4 172:22 173:13 175:1	

H

Planning Commission  
December 20, 2022

Index: holiday..insider

<b>holiday</b> 120:14	<b>hundred-day</b> 111:19 112:2	<b>impacted</b> 65:4 124:16	136:12 154:8
<b>home</b> 55:10 57:4 61:22 64:4 68:2,3, 20 76:10,16 77:5 100:9 103:9 129:14 133:16	<b>hundreds</b> 49:5 84:11,15	<b>impacting</b> 85:10	<b>incentivized</b> 89:8 151:1
<b>homes</b> 55:13 61:22 67:17,18 84:7	<b>hung</b> 82:4	<b>impacts</b> 65:3 75:18 153:3 157:22 171:4	<b>incessantly</b> 97:1
<b>hometown</b> 100:1	<b>hurt</b> 19:5	<b>imperative</b> 82:5 134:12	<b>include</b> 16:1,12 24:11 31:5,7 39:19 46:18 64:16 108:20
<b>homework</b> 166:11	<b>husband</b> 105:2 129:6 133:8,12	<b>implement</b> 125:4	<b>included</b> 16:16 41:20
<b>honest</b> 13:3 53:17 127:8 164:21	<b>husband's</b> 103:9	<b>implications</b> 65:21	<b>includes</b> 34:14 38:20 111:14
<b>honestly</b> 9:19 104:5	<b>HVAC</b> 116:11	<b>implied</b> 147:19	<b>including</b> 21:8 50:12 74:16 109:13 111:11
<b>honeybees</b> 133:4	<b>hypothetical</b> 69:13	<b>implore</b> 82:3 91:17	<b>income</b> 76:13 91:20
<b>hope</b> 49:8 61:10 65:8,13 67:15 89:21 99:13 102:4 166:2	<b>I</b>	<b>imply</b> 60:9	<b>incomplete</b> 53:18 63:10 77:17 82:22 83:3,15 99:10 100:12 111:7 112:4 122:15 128:12 130:16 138:9 151:7
<b>horrible</b> 105:7	<b>I-66</b> 141:17	<b>importance</b> 45:16	<b>incorporate</b> 34:17
<b>horse</b> 74:4 92:7 142:16	<b>i.e.</b> 97:5	<b>important</b> 7:21 23:9,16 24:15 54:16 59:11 69:21 72:1 78:11 83:14 111:14 113:9,13 124:12 138:1 139:6 170:6	<b>increase</b> 97:15
<b>horses</b> 67:21	<b>idea</b> 50:19,21 51:6, 10 80:5 90:11 119:8 156:11 158:11 162:18 169:5	<b>importantly</b> 71:17 97:15 143:1 158:17, 19	<b>increasing</b> 86:18
<b>hospital</b> 100:1 155:19	<b>ideas</b> 101:7 160:22	<b>imposed</b> 137:18	<b>incredible</b> 135:7
<b>hour</b> 78:1	<b>identification</b> 17:11,12	<b>impossible</b> 95:2	<b>incredibly</b> 166:14
<b>hours</b> 40:15 42:11 106:10 110:2	<b>identified</b> 63:4 156:17	<b>impressed</b> 163:21	<b>incredulous</b> 102:20
<b>hours'</b> 12:15	<b>identify</b> 115:7	<b>improper</b> 138:5	<b>incumbent</b> 84:18
<b>house</b> 103:16,19, 21 165:2 168:7	<b>idling</b> 127:2	<b>improve</b> 118:16	<b>indefinitely</b> 4:19 147:18 152:2
<b>houses</b> 141:8	<b>IFC's</b> 114:7	<b>improved</b> 161:5	<b>independent</b> 49:2 111:13
<b>Housley</b> 88:2,3,8, 11	<b>lke</b> 141:3	<b>improvements</b> 35:12 138:21	<b>independently</b> 111:16
<b>huge</b> 50:18 52:9 84:6	<b>illogic</b> 139:7	<b>in-house</b> 46:20	<b>individual</b> 4:22 5:3 82:17 135:3 136:10 162:17
<b>hugely</b> 60:11	<b>illustrative</b> 39:20	<b>inaccurate</b> 77:19, 22 78:1	<b>individuals</b> 47:17 138:12
<b>Hugh</b> 95:8	<b>imagine</b> 55:13 56:21 129:22	<b>inaction</b> 148:13	<b>industrial</b> 34:10 35:1 36:7,17 60:5 85:20 89:14 94:17 123:10 135:13
<b>human</b> 130:6	<b>immediately</b> 140:21	<b>inadequate</b> 120:1, 2	
<b>humans</b> 133:4	<b>impact</b> 25:18 57:21 64:22 65:17 70:15 83:5 108:12,20,21 109:12 113:10 114:1 115:2,13 118:11 125:7 133:2 135:16 143:1	<b>inappropriate</b> 85:19 87:2 122:14 142:8 157:1	
<b>hundred</b> 20:2 112:9 134:10 147:20,21 148:3 157:16		<b>inaudible</b> 96:15	
		<b>incentive</b> 60:14	
		<b>incentives</b> 37:19	

Planning Commission  
December 20, 2022

Index: insight..lawsuit

<b>insight</b> 168:10 173:14	124:20	<b>Jesse</b> 99:17,19 104:20	<b>key</b> 127:22	94:18 108:2 111:10 130:19 136:14
<b>insist</b> 61:3 128:17	<b>intrusive</b> 52:7	<b>Jessica</b> 15:3 29:22 31:2	<b>keystone</b> 64:18	<b>landscape</b> 28:13 58:6 103:14 105:7
<b>insomnia</b> 126:1	<b>invalid</b> 53:18 130:16 139:17	<b>jet</b> 127:2	<b>kick</b> 151:9	<b>landscaping</b> 23:13 28:6,8,14 30:2,8 36:12 64:8
<b>installation</b> 125:15	<b>investment</b> 37:20	<b>jewel</b> 130:11	<b>kid's</b> 74:20	<b>Lane</b> 79:4 124:5 132:14 133:17
<b>installed</b> 21:9 26:6 125:1	<b>involved</b> 127:16 165:21,22 166:3,4 168:18	<b>Joan</b> 48:1	<b>kids</b> 100:4,6 104:5, 12 144:21	<b>laptop</b> 175:5
<b>Institute</b> 135:2	<b>involvement</b> 165:19	<b>job</b> 5:15 37:10 41:5 81:22 83:11,13 90:6 92:6 98:6 99:13 121:11	<b>Kiester</b> 66:2,3	<b>large</b> 27:7 29:3 37:6 56:16 59:22 65:21 92:17 158:6
<b>institutional</b> 115:4	<b>ironic</b> 83:10	<b>jobs</b> 77:9 166:12	<b>kill</b> 148:12	<b>larger</b> 37:11
<b>insulting</b> 51:2	<b>irreversible</b> 78:15	<b>Joe</b> 74:7	<b>Killian</b> 73:10	<b>largest</b> 60:8,20
<b>insurmountable</b> 161:16	<b>irrevocably</b> 86:20	<b>John</b> 15:5 28:2,7, 12,19 82:8 110:4,9, 13 127:19	<b>kind</b> 7:10 49:1,2 164:16 165:1	<b>lastly</b> 72:1 94:20
<b>intelligence</b> 92:18	<b>issuance</b> 25:9	<b>joint</b> 124:13	<b>kinds</b> 114:20 164:7	<b>late</b> 35:13
<b>intend</b> 168:1	<b>issue</b> 41:14 53:3 54:16 57:21 66:11 93:9 100:13 127:16, 21 128:11 138:17 155:21 156:18 159:2,6 161:10	<b>jointly</b> 8:19 176:19	<b>Kmart</b> 67:12	<b>latest</b> 8:4 140:3
<b>intent</b> 108:13	<b>issued</b> 15:17 19:1	<b>Jonathan</b> 52:4 99:16	<b>knees</b> 82:4	<b>Latitudes</b> 59:3
<b>intention</b> 44:13	<b>issues</b> 75:7 78:11 90:12 100:10 105:7 111:11 114:12 126:2 128:7 156:20 170:19	<b>Julianne</b> 132:13	<b>knew</b> 68:4 94:13	<b>Laura</b> 102:7,9 107:11
<b>intentionally</b> 27:22	<b>item</b> 16:6 18:13 22:2 23:6 25:11	<b>July</b> 113:21	<b>knock</b> 116:17	<b>Laurel</b> 41:9
<b>intentions</b> 71:1	<b>items</b> 15:21 16:5	<b>jurisdictions</b> 41:7 124:18	<b>knocking</b> 97:22	<b>law</b> 111:12 118:20 127:12
<b>interconnection</b> 89:14	<hr/> <b>J</b> <hr/>	<b>justice</b> 150:14	<b>knowing</b> 112:20 117:12	<b>Lawrence</b> 3:7 6:17,20 9:7,18 10:2 11:4,8 13:5,11 14:5, 10 17:17 18:2,8,12 26:17,22 27:3 28:10,18 30:9,13,22 43:4,11,16 44:8,12, 16,20 45:10,14,19 47:12 71:11 122:17 150:3 152:8,9,16,21 159:19 160:2,10 165:3,10,13 169:14 170:2,5,12,22 171:7,13,14,22 172:21 173:5,11 174:3 175:19 176:4, 15
<b>interest</b> 51:18 100:15 111:17 137:8 163:22 168:8	<hr/> <b>K</b> <hr/>	<b>justification</b> 153:3 170:17	<b>knowledge</b> 168:17 169:6 173:13	<b>Laurence's</b> 144:21
<b>interested</b> 37:2 143:9	<b>James</b> 73:10 105:14	<b>justified</b> 111:18	<b>KOKOSKA</b> 61:14, 16	<b>laws</b> 69:18,20
<b>interests</b> 61:6	<b>January</b> 83:19 146:2,10,15 148:7, 19 173:19 174:13, 15	<hr/> <b>K</b> <hr/>	<b>Kokoszka</b> 61:13, 14,15,17	<b>lawsuit</b> 63:20
<b>internal</b> 23:14 24:11	<b>Jared</b> 98:10,11	<b>Kane</b> 120:16,17	<hr/> <b>L</b> <hr/>	
<b>internally</b> 46:5	<b>Jasmine</b> 76:3	<b>keen</b> 71:15	<b>la</b> 174:14	
<b>International</b> 114:4	<b>Jean</b> 137:21	<b>Keenan</b> 85:3,4,5	<b>lack</b> 100:14 170:16, 20	
<b>interpretation</b> 33:2	<b>Jeffrey</b> 52:19,22	<b>keeping</b> 75:14 133:21 164:5	<b>lacking</b> 109:1 149:10	
<b>interruption</b> 5:20	<b>Jennifer</b> 136:7	<b>Kehoe</b> 76:4 78:22 79:1,3,4,10	<b>lady</b> 73:4 168:7	
<b>interstate</b> 119:20		<b>Keller</b> 116:20,21	<b>Lahm</b> 110:6,7,8 113:17,18	
<b>intimidate</b> 140:4, 18		<b>Ken</b> 50:2	<b>Lahm</b> 110:6,7,8 113:17,18	
<b>intimidation</b> 139:8		<b>Kevin</b> 82:10,12	<b>Lake</b> 120:17	
<b>introduces</b> 124:21			<b>Lakes</b> 100:2	
<b>Introducing</b>			<b>land</b> 15:4 16:1,2,6 17:1,4 20:12 29:4 30:18 35:7,17 36:17 37:6 50:18 77:13	

Planning Commission  
December 20, 2022

Index: lawyer..make

<b>lawyer</b> 111:9 122:13	<b>letting</b> 80:19 90:7	<b>literally</b> 38:9 105:10	<b>locked</b> 86:17	<b>Lubely</b> 15:4
<b>layout</b> 117:12	<b>level</b> 35:10 38:11 42:21,22 109:12 117:7,15 157:2 171:4	<b>literature</b> 135:20	<b>logical</b> 11:12	<b>luck</b> 95:6 143:4 173:3
<b>layperson</b> 46:15	<b>levels</b> 42:15 114:17 117:9,13 127:1,7 156:15	<b>litigation</b> 63:18,22	<b>lone</b> 129:10	<b>lucky</b> 146:1
<b>lead</b> 86:1 149:13	<b>license</b> 93:18	<b>livability</b> 129:16	<b>long</b> 76:17 80:7 82:4 87:19 101:12 104:2 119:1	<b>lurking</b> 63:11
<b>leaders</b> 98:15	<b>licensed</b> 47:4	<b>live</b> 5:8 8:15 48:7 50:7,22 52:22 54:13,18 55:5 56:7 57:13 58:14 59:2 66:4,13,20 67:22 68:19 72:6 73:21 74:9 76:7 77:4,8 78:12 79:18 80:9,19 82:12 84:1 88:14 92:5,13 96:20,21 98:12 101:16 105:3 106:3 110:13 113:18 122:2 131:14,18 132:2 134:5 135:1 136:8 139:10 141:3 168:1	<b>long-term</b> 102:3 104:22	<b>M</b>
<b>leadership</b> 46:3 175:2	<b>life</b> 49:12,13 57:1 68:9 74:5 79:17 88:15 130:7,13 133:4 138:13 168:1	<b>lived</b> 68:10,21 72:13 76:9 80:7 90:2 103:5,8 113:19 126:17 132:2	<b>longer</b> 23:22 36:5 58:18 68:1 93:1 125:6	<b>Madam</b> 3:19 6:3 10:9 11:19 15:2 41:12 47:7 95:12 120:18 143:19 147:14 151:19 159:20 162:13 173:20
<b>leading</b> 95:21	<b>life-</b> 130:8	<b>livelihood</b> 78:6	<b>looked</b> 19:6 28:7 29:7,22 72:14,15, 16,17 98:15 103:7	<b>made</b> 16:11 25:8 31:15 36:5 43:12,17 63:13 66:10,14 67:19 71:14 106:14 113:19 121:3 162:5 165:7 167:22 175:10
<b>Leads</b> 135:1	<b>lifeless</b> 129:8	<b>lives</b> 52:4 78:9 84:1 116:22	<b>loopholes</b> 63:11	<b>magistrates</b> 140:13
<b>League</b> 127:9	<b>lifetime</b> 104:14	<b>living</b> 118:6 135:18	<b>lose</b> 7:10 91:12 119:15	<b>main</b> 59:4,5 69:9 124:19 135:21
<b>learn</b> 69:15 97:17	<b>light</b> 85:19 94:22	<b>Livre</b> 127:19	<b>loss</b> 109:21	<b>maintain</b> 79:17
<b>learned</b> 13:17 59:21 133:19 136:4	<b>lighting</b> 36:12 40:14 95:3	<b>load</b> 94:13	<b>lost</b> 65:7	<b>maintenance</b> 138:19
<b>leave</b> 33:6 58:12 96:16 105:1 140:9 141:17 174:4 175:5	<b>lightly</b> 165:16	<b>loading</b> 34:22 39:14 40:2	<b>lot</b> 22:3 33:17 37:18 46:14 51:21 95:22 104:3 122:22 126:7 131:21 132:5 159:7 168:2	<b>major</b> 41:1 112:18 113:1 125:7 155:14, 18,20
<b>Lee</b> 16:4 25:17 29:14 30:3 37:7 38:17 39:2,21 55:16 57:11 59:1,2 136:15	<b>lights</b> 40:17 118:18 135:16,20	<b>local</b> 41:8 45:7 53:4 54:2 71:16 105:19 139:3 155:17	<b>lots</b> 121:3	<b>majority</b> 53:5 131:4 138:10 140:16 143:22 160:16
<b>Leeds</b> 116:22	<b>limit</b> 70:3,6	<b>located</b> 24:7,8 38:1 61:22 136:14	<b>Lou</b> 105:15,18	<b>make</b> 6:6 14:3,5,18 21:22 24:21 28:13 37:3 45:4 46:21 48:17 55:21 61:4,9 68:6 75:7 89:4 93:11 100:8,9 101:16 104:10,13 105:10 113:20 121:3 134:19 141:8 149:22 150:9,20,21, 22 151:6 160:6 162:10 168:2 172:14 175:12
<b>Leesburg</b> 86:15 90:21	<b>limits</b> 77:16	<b>locate</b> 141:13	<b>loud</b> 78:13	
<b>left</b> 3:8 35:3 67:9 100:12 158:5 175:11	<b>lines</b> 22:10 23:5 26:1 39:21 64:10 79:20 80:4 89:9 91:13 92:5 95:20 96:22 97:5 100:13 112:14 133:5 142:13 157:21	<b>load</b> 94:13	<b>Loudin</b> 74:3	
<b>legacy</b> 58:17 61:8	<b>list</b> 55:3 121:15 153:9	<b>loading</b> 34:22 39:14 40:2	<b>Loudoun</b> 27:9 86:13 111:11 125:12,13	
<b>legal</b> 63:2,18 83:9 127:11 139:3 147:9	<b>listed</b> 17:13 37:1 42:15 43:19 60:3,4	<b>local</b> 41:8 45:7 53:4 54:2 71:16 105:19 139:3 155:17	<b>louver</b> 26:7	
<b>legally</b> 91:5 115:17 146:5	<b>listen</b> 22:16 52:13 78:12 81:3 83:12 97:9 134:14	<b>located</b> 24:7,8 38:1 61:22 136:14	<b>love</b> 56:12 57:19 92:1 100:7 110:16 139:10	
<b>Legion</b> 55:1	<b>listened</b> 137:5	<b>location</b> 28:15 32:3 35:14 37:8,9 39:22 41:1 55:6,7 62:1 64:18 87:14 121:8 130:3 142:17 143:2 153:13 160:21	<b>loved</b> 103:14	
<b>legislative</b> 36:19 124:13 148:1	<b>listening</b> 56:2 58:1 110:3 123:22 126:13	<b>local</b> 41:8 45:7 53:4 54:2 71:16 105:19 139:3 155:17	<b>lovely</b> 52:12 120:14	
<b>legitimate</b> 127:22	<b>lists</b> 17:11	<b>locations</b> 142:17, 19	<b>Low</b> 113:18	
<b>length</b> 13:19			<b>Lowe</b> 74:7	
<b>lengthy</b> 154:6 169:18			<b>lower</b> 27:21 30:14, 16,20 31:15 42:16	
<b>less-than</b> 89:1			<b>lowering</b> 28:16 32:1	
<b>letter</b> 15:16 18:18 19:1 82:19 95:4				

Planning Commission  
December 20, 2022

Index: maker..motion

<b>maker</b> 160:9	<b>massive</b> 48:17	<b>meetings</b> 9:19 22:22 58:2 64:20 70:18 84:12 96:10 160:17	<b>Mike</b> 61:16	<b>mixed-use</b> 37:12 86:10 144:12
<b>Maker's</b> 109:8	<b>matches</b> 74:19	<b>meets</b> 40:17	<b>mile</b> 55:5,15 56:20 57:2	<b>Mm-hmm</b> 148:15
<b>makes</b> 11:22 33:4 74:19 82:5 83:14 116:7	<b>material</b> 113:1	<b>mega</b> 125:10	<b>miles</b> 99:20 135:17	<b>moderate</b> 117:20
<b>making</b> 14:12 62:6 75:8 115:3,6 140:6	<b>materially</b> 112:12	<b>Melissa</b> 48:5,6	<b>million</b> 51:15 125:13,16 144:12	<b>moderating</b> 118:1
<b>maladministration</b> 138:22 140:3	<b>materials</b> 25:7,21	<b>member</b> 51:16 53:10 59:6 110:14 134:16 137:22	<b>millions</b> 106:9	<b>moderation</b> 117:21,22
<b>malls</b> 37:14	<b>Matt</b> 159:19	<b>members</b> 3:6 5:13 41:13 50:10 54:3 98:16 99:2 122:18 127:10 140:20 151:14	<b>mind</b> 6:21 27:1 81:11 90:13 146:14 154:10 155:3 158:15	<b>modification</b> 34:19,20,22
<b>Maloney</b> 78:21 80:16	<b>matter</b> 45:16 46:19 71:2 122:11 146:9 177:2	<b>memory</b> 126:8	<b>mine</b> 132:3 160:3	<b>modifications</b> 39:13
<b>man</b> 129:16	<b>maximum</b> 34:21 40:16	<b>mention</b> 23:20 72:8 85:18 144:22	<b>minimize</b> 137:7	<b>modified</b> 112:12
<b>management</b> 32:3 64:3	<b>mayoral</b> 84:17	<b>mentioned</b> 17:9 26:22 27:3,11 29:5 30:1 137:15	<b>minimum</b> 37:17 96:2 98:1	<b>modify</b> 159:17
<b>manager</b> 100:16 105:19 145:19	<b>Mcgee</b> 52:17	<b>mentorship</b> 173:14	<b>minor</b> 16:11 17:7	<b>mom</b> 76:13
<b>managing</b> 114:7	<b>Mckenzie</b> 51:13,19	<b>mercy</b> 125:10	<b>minus</b> 42:12,14	<b>moment</b> 32:15 141:6
<b>Manassas</b> 72:15 74:3 86:15 90:21 118:20,22 123:3 126:22 129:7	<b>meaning</b> 106:11	<b>merit</b> 12:2	<b>minute</b> 8:15 88:4 173:21,22 176:1,2	<b>Monday</b> 45:12
<b>manner</b> 61:19	<b>meaningful</b> 130:20	<b>Merry</b> 72:1 174:3	<b>minutes</b> 3:10,14,20 4:22 5:2 8:12 47:17 79:19 118:22 119:1	<b>money</b> 51:5,7 64:1 88:22 89:17 103:17 118:15,16 119:6,7
<b>Manor</b> 117:1 135:1	<b>means</b> 20:3 58:15 63:2 119:13	<b>message</b> 83:3 111:4 129:12	<b>misconstrued</b> 146:19	<b>monitoring</b> 115:7
<b>manual</b> 95:19	<b>measure</b> 31:10 44:10 93:19	<b>met</b> 16:5 20:11	<b>Miriam</b> 41:19	<b>Monroe</b> 57:13
<b>map</b> 35:1,3,7 136:14	<b>measurement</b> 93:11	<b>meters</b> 42:20	<b>miscarriage</b> 150:14	<b>monstrosities</b> 58:13
<b>mapped</b> 96:19	<b>measurements</b> 41:21,22 42:19 128:1	<b>methods</b> 115:7	<b>misleading</b> 99:11 122:16	<b>monstrosity</b> 88:16 120:7
<b>Marguerite</b> 89:20	<b>measures</b> 40:12 114:17	<b>met</b> 16:5 20:11	<b>misled</b> 137:15	<b>month</b> 40:10 68:21 84:22 137:5 150:1 152:1 174:12
<b>mark</b> 29:9	<b>mechanical</b> 26:5,7 31:6,8 34:16 106:5, 7	<b>Mets</b> 54:14 57:14	<b>missing</b> 26:10 53:13 130:19	<b>months</b> 80:21 86:7 94:5 118:5 128:10 132:16 139:4 158:20
<b>marketing</b> 145:17	<b>mechanism</b> 70:2,5	<b>Michael</b> 52:17 54:11 56:5,6 88:2 124:4	<b>mistake</b> 54:4 89:4	<b>Morehead</b> 72:7
<b>Marlena</b> 80:16	<b>mechanisms</b> 70:22	<b>microphone</b> 42:22	<b>Mitchell</b> 92:10	<b>morning</b> 88:19
<b>Marlina</b> 78:21	<b>medical</b> 106:13	<b>middle</b> 103:16 116:12	<b>mitigate</b> 85:13 137:7	<b>Morris</b> 48:1,2
<b>Marsh</b> 82:9	<b>meet</b> 31:16 62:15 85:8 125:21 130:18	<b>Middleburg</b> 110:14	<b>mitigated</b> 48:15 171:5	<b>mosquito</b> 56:21
<b>Marsha</b> 82:9	<b>meeting</b> 3:5,10,15, 16 4:18,19 6:8 10:4 12:5 13:7,21 14:18 22:17 63:7,9 71:12 79:8 82:19 111:4 123:20 134:17 135:9 138:1 150:17 174:16	<b>Middleton</b> 95:9 99:14,15	<b>mitigation</b> 40:12 69:11 115:8	<b>motion</b> 3:17 4:7,13 9:4 14:2,3,6,13 15:22 23:7 140:6,7, 8 143:18 145:21,22 151:15,18,20,22 152:14,15,16 160:1, 9,13 169:17 170:7,
<b>Marshall</b> 85:6 90:18 117:1			<b>mix</b> 145:9	
<b>Mary</b> 80:17,18 133:17		<b>midstream</b> 67:21	<b>mixed</b> 77:8	
<b>Maryland</b> 72:13				
<b>massing</b> 25:19				

8,11,14 172:8 175:19 176:14,15	<b>naval</b> 92:15	<b>nine-and-a-half</b> 89:6	<b>Nothing's</b> 118:7	<b>offered</b> 95:3
<b>motions</b> 147:1,2	<b>nay</b> 152:4,9,12,13 171:11 172:11	<b>no-brainer</b> 101:7 102:5	<b>notice</b> 16:10 134:14	<b>office</b> 77:9
<b>motivation</b> 150:19	<b>nearby</b> 106:3 129:14	<b>noise</b> 16:2 18:14, 16,19,20 19:6,7,13, 14,17 20:3,8,10,14, 15 21:3,4,15 36:9 40:8 41:15 42:17,19 43:1 47:2 48:15,20 50:13,20 51:8 53:22 56:16 57:20 60:3,17 62:19,20 63:1,4 65:5 69:10,11,14 70:2,3,4,6 71:10 73:3 75:6 77:21 83:4 85:9,13 87:11 93:9,19,20,22 105:6 108:20 109:13,14 117:7,9,12,15 118:7 124:8 125:17,18,21 126:10 127:1,7,21 128:1,7 129:9,21 130:17,18 155:21 156:2,6,14 161:10	<b>noticed</b> 94:20	<b>officer</b> 69:12 92:16
<b>motive</b> 52:2	<b>necessarily</b> 49:1 112:2 169:6		<b>Novak</b> 76:15	<b>official</b> 10:5 11:10
<b>mountain</b> 56:20 88:18	<b>necessity</b> 53:21		<b>November</b> 3:14, 15,21 4:17 15:16,22 18:21 22:6 26:11 39:18 71:12 82:14, 19 84:12,14 111:4	<b>officially</b> 17:21 176:3
<b>mountaintop</b> 88:17	<b>needed</b> 13:8 108:16 115:13 136:22		<b>nullified</b> 140:4	<b>officials</b> 83:7 90:5
<b>mouse</b> 74:21,22	<b>negative</b> 57:22		<b>number</b> 17:11,12 32:6 36:8,9,21 41:16 67:22 100:10 105:20 108:19 110:1 125:1,4 155:2 157:9	<b>older</b> 125:5
<b>move</b> 3:20 24:3,5 27:15 58:11,12 63:3 72:14 75:12 101:14 103:15 105:2,5 121:5 129:20 131:11,12 141:15 143:20 149:18 168:3 174:6	<b>negatively</b> 49:11		<b>numbers</b> 42:16 48:22 145:7,8	<b>Oley</b> 59:2
<b>moved</b> 35:14 72:12 75:15,17 103:4,6,7 105:4 135:4	<b>negotiate</b> 87:6 150:5 151:1,5 165:17			<b>ongoing</b> 7:19 22:13 23:1 86:5
<b>moves</b> 101:16	<b>negotiating</b> 151:4			<b>open</b> 8:9 13:3 21:21
<b>moving</b> 108:19 134:5 163:17 167:2	<b>neighbor</b> 167:4	<b>noisy</b> 86:16 129:18		<b>opened</b> 10:21 14:9
<b>multiple</b> 19:21	<b>neighborhood</b> 55:6 61:21 91:16 109:17 129:16 133:19 137:10	<b>non-</b> 36:10 44:4		<b>operating</b> 157:15 169:5
<b>mushrooms</b> 130:10	<b>neighborhoods</b> 108:22 125:22 129:13	<b>non-compliant</b> 40:11		<b>operation</b> 42:10 110:2 156:15,17 158:4
	<b>neighboring</b> 77:2, 7	<b>non-conformance</b> 154:12		<b>operational</b> 20:2 21:14,17,19
	<b>neighbors</b> 71:20 113:3 126:20 139:10,20	<b>non-disclosure</b> 63:15	<b>O</b>	<b>opinion</b> 14:16 128:11 158:21 159:11
<b>name's</b> 72:5	<b>nephews</b> 74:21	<b>non-residential</b> 43:8,15,18,22 44:1	<b>O'DONNELL</b> 50:4, 6	<b>opportunities</b> 30:7 167:12,17
<b>names</b> 47:15,16,20 79:7	<b>nervous</b> 74:11	<b>noon</b> 5:14	<b>Oak</b> 76:11 133:11, 15	<b>opportunity</b> 5:9 7:5,7 8:1,14 66:6 81:2 82:16 102:1 110:12 112:6 144:5, 17 145:5 155:5 165:17
<b>naming</b> 87:18	<b>news</b> 139:3	<b>norm</b> 156:12	<b>object</b> 160:20	<b>oppose</b> 96:11 97:21 121:10 136:11
<b>Nance</b> 76:2	<b>newspaper</b> 45:7, 11 168:22	<b>north</b> 56:17 88:13, 18 90:16	<b>objections</b> 87:4	<b>opposed</b> 53:6 70:12 76:8 92:19 95:19 160:17,19 161:20 162:1
<b>narrowly</b> 138:8	<b>Newtown</b> 37:5	<b>northern</b> 20:13 37:7 57:16 72:14 103:5 135:9 156:10	<b>objectives</b> 153:17	<b>opposing</b> 84:11 116:2
<b>NASA</b> 77:21 132:18	<b>nice</b> 45:17	<b>note</b> 23:9 24:15 124:12 131:15 174:21	<b>obligatory</b> 114:21	<b>opposite</b> 81:18
<b>National</b> 38:2	<b>nieces</b> 74:21	<b>notes</b> 74:12 75:2 102:13	<b>observation</b> 132:7	<b>opposition</b> 53:19 69:7 84:9 97:14,15 158:22
<b>nationally</b> 38:2	<b>Nieters</b> 98:10,11		<b>observer</b> 120:20	
<b>native</b> 50:18 133:3	<b>night</b> 56:21		<b>obstacle</b> 83:21	
<b>naturally</b> 29:16	<b>night's</b> 84:4		<b>obvious</b> 27:18 51:17 86:15 127:5 135:12	
<b>nature</b> 69:17 102:21	<b>nightmare</b> 74:2		<b>occupancy</b> 20:7	
			<b>occurring</b> 23:2	
			<b>October</b> 18:20 22:5 112:13	
			<b>odd</b> 156:13	
			<b>offer</b> 65:20 150:15, 19	



<b>optimal</b> 68:1	53:19 84:10 111:3	17 43:13 54:20	<b>people</b> 7:20 9:15	<b>peripherals</b> 97:4
<b>optimize</b> 29:8	<b>overwhelmingly</b>	55:19 80:8 141:9	27:9 33:22 34:8	<b>permanent</b> 65:17
<b>option</b> 64:7 94:16	97:21	148:12 149:15	37:2 49:5 51:12	133:6
<b>order</b> 3:5,13 5:11, 16 6:14,18 10:11	<b>owner</b> 17:18 18:11	159:2 167:3,9	52:3,9 56:10 60:1	<b>permanently</b>
13:20 14:12 16:9	<b>owners</b> 66:21	168:19 169:21	66:11,13,20,22	112:10
28:14 138:20	106:6	<b>participate</b> 166:13	67:17,22 68:10,11	<b>permission</b> 121:5,
152:18 159:21	<b>ownership</b> 18:6	<b>participated</b> 54:20	69:6 72:8 77:9	12 147:14
160:5	<b>owns</b> 51:13	<b>participation</b>	78:12,14,16 79:6,12	<b>permit</b> 4:16 6:1
<b>ordinance</b> 18:19	<b>Owsley</b> 57:11 59:1,	115:6	80:9,20 81:4,22	15:12 16:9,16 17:15
19:14,17 20:11	2	<b>partly</b> 24:7	84:1,3,10,14 89:2	25:10 34:12 53:3,7
25:15 26:5 31:9,13		<b>partnership</b>	91:22 95:22 96:9,	62:13 67:7 68:8
36:6,9,22 40:17	<b>P</b>	164:19 165:8	11,12,20 97:8,10,11	71:3 95:16 99:3,10
41:17 42:15 46:1		<b>partnerships</b>	98:2,16,19 101:15,	107:8 108:9,15
51:8 62:19 63:1	<b>p.m.</b> 40:15 42:11	164:8	18,21,22 102:1,13,	109:2,4,20 128:5,19
69:14,16 70:2,4	177:3	<b>parts</b> 13:6 30:4	16,18 103:4 104:3,	129:1 136:12 148:1
71:2 99:5 108:6,10	<b>pace</b> 67:3	<b>party</b> 19:16 44:9	4,5 118:6 120:9,20	<b>permits</b> 20:17
130:18 153:9	<b>pack</b> 29:15	<b>pass</b> 138:8 160:17	124:7 125:17,22	108:10 111:22
<b>ordinances</b> 71:16	<b>package</b> 7:11	<b>passed</b> 64:11 82:1	126:12 127:1	112:1
128:2	<b>pad</b> 29:6	85:17 86:8	131:13 133:20	<b>persistent</b> 117:8
<b>organization</b> 5:1,3	<b>pages</b> 84:16	<b>passenger</b> 127:2	140:12 141:7,12	<b>person</b> 15:10 18:1,
47:18	<b>paid</b> 80:7	<b>passes</b> 4:14	144:19 145:11,16	6,9 59:12,15 100:22
<b>organizational</b>	<b>Paige</b> 80:17,18	<b>passionate</b> 165:22	146:1 149:5 155:15	101:2 163:16
174:16,18	<b>panels</b> 118:3	<b>passionately</b>	157:6,12 158:21	<b>person's</b> 72:9
<b>orient</b> 25:16	<b>paper</b> 104:2	84:14 96:1	160:7,16 165:22	<b>personal</b> 131:15
<b>original</b> 64:9	<b>papers</b> 135:20	<b>past</b> 51:14 69:1	166:3,6,8,18 167:2	<b>personally</b> 32:22
112:11 128:14	<b>parades</b> 54:21	132:16 133:8 148:4	<b>people's</b> 33:17	33:3,20 121:10
139:3 159:22	<b>parameters</b> 39:11	<b>Pat</b> 120:16,17	87:3	156:22
<b>originally</b> 125:5,6	<b>parapets</b> 26:1	<b>path</b> 51:14,17,20	<b>perceivable</b>	<b>perspective</b> 29:2
<b>other's</b> 133:22	<b>paraphrase</b> 27:14	52:1 144:16	104:20	168:11
<b>outbursts</b> 5:21	<b>parcel</b> 16:12 17:10,	<b>pathway</b> 94:22	<b>perceived</b> 25:19	<b>petition</b> 84:11
<b>outcome</b> 91:22	11 62:9	<b>patience</b> 120:13	26:10 124:10	95:18,19 96:13
148:9 164:2	<b>parcels</b> 37:9	<b>pause</b> 81:3	<b>percent</b> 20:1,2	<b>Pfeiffer</b> 10:9 15:2,3
<b>outcry</b> 134:13	109:18	<b>pay</b> 66:14,22	21:1,2,3,16,18,21	17:17,19 18:4 21:6,
<b>outfall</b> 64:2	<b>parents</b> 56:16	118:15,16 119:5,6	37:18 40:15 51:13	11 22:2 26:20 27:2
<b>outlets</b> 139:4	133:12	175:17	89:6 117:13 134:11	28:2,11,19 31:7,19
<b>outreach</b> 41:4	<b>park</b> 87:17,19	<b>paying</b> 63:16	157:16	32:10,13 159:20
154:5	119:8	152:22	<b>percentage</b> 21:13,	169:22 170:14
<b>outskirts</b> 158:6	<b>parking</b> 40:1	<b>payment</b> 22:9 23:4	19	173:20 174:2,12,15
<b>overhangs</b> 25:21	<b>Parsons</b> 110:14	<b>peaking</b> 89:11	<b>percentages</b>	175:12
<b>overrun</b> 77:3	<b>part</b> 9:15 35:15	<b>peer-reviewed</b>	21:14	<b>Ph.d.</b> 135:6
<b>overview</b> 35:11	36:20 37:7,13 42:5,	135:19	<b>percolating</b> 130:6	<b>phase</b> 20:21 21:13
43:1	<b>overwhelming</b>	<b>penalty</b> 118:7	<b>perfect</b> 133:22	156:3,5
			<b>performance</b>	<b>phases</b> 20:19
			36:10 114:5,17	<b>phonetic</b> 37:3
			<b>performed</b> 156:2	45:13 57:10,11
			<b>perimeter</b> 23:13	73:13 80:17 127:19
			30:2	
			<b>period</b> 20:5	

<b>physically</b> 28:17 95:2	111:12 115:16 121:1 122:9,13 127:10,12,14,17 128:5,15 129:3 132:17 136:16,19 138:2,7 143:20 146:12 148:12 159:9	<b>policies</b> 114:6,16 148:11 150:7,22 153:2 157:14,17,21 170:17,20	<b>prevention</b> 138:17
<b>picture</b> 119:17	<b>plans</b> 92:18 134:18	<b>policy</b> 111:16	<b>previous</b> 11:10 19:12 79:7 83:9
<b>Piedmont</b> 110:15, 22	<b>plant</b> 89:10,12 119:19 133:4	<b>politicians</b> 54:2	<b>previously</b> 10:18 12:7 17:13 24:19 35:10
<b>Pike</b> 42:8	<b>planting</b> 30:5 116:10	<b>politicking</b> 74:15	<b>price</b> 67:1
<b>Pincosy</b> 115:20,21	<b>plantings</b> 30:5 32:2	<b>politics</b> 54:3	<b>priceless</b> 78:9
<b>Pinnacle</b> 72:6	<b>plants</b> 135:8	<b>pollution</b> 57:21 86:18 128:7	<b>pride</b> 81:16
<b>place</b> 6:8 7:20 38:6 42:2,10 54:19 62:18 81:6,11,17 91:16 103:13 108:5 123:5, 7 128:14 133:11,22 135:5,9 137:11 169:6	<b>play</b> 60:15 84:5 128:1	<b>pond</b> 28:14 32:3 79:21	<b>primary</b> 100:4
<b>placement</b> 112:14	<b>playing</b> 54:2	<b>Ponti</b> 76:3	<b>Prince</b> 27:8 86:13 94:2 125:20 141:18
<b>places</b> 103:8 141:13 142:9	<b>pleasure</b> 33:18 173:11	<b>Poppins</b> 133:18	<b>prior</b> 12:9 25:9 63:6 64:20
<b>plan</b> 15:21 19:9,10 30:8 34:10 36:13 37:5 38:4,10,13 40:18 41:1 44:9 49:5,8 62:11,16 67:16 81:14 85:17, 18 86:2,5,6,7,9,12 90:13 91:13,14 99:4,9 102:22 108:13 109:5,7,11 128:14 144:18 151:14 153:12,17 154:2,12,14,18 155:1 158:10,22 160:22 170:19,20	<b>plumbers</b> 105:17, 20 106:1	<b>population</b> 90:4 161:19	<b>private</b> 37:20
<b>plane</b> 15:9	<b>plumbing</b> 106:5,7	<b>population-wise</b> 90:7	<b>proactively</b> 156:19
<b>planet</b> 116:10	<b>plummet</b> 58:6,7	<b>Porter</b> 89:21	<b>problem</b> 48:16 51:9 52:9 75:6 93:22 94:1,7 104:22 117:8 126:3,5 150:4
<b>planned</b> 35:18	<b>plural</b> 175:2	<b>porticos</b> 25:21	<b>problems</b> 50:16 117:16
<b>planner</b> 15:4 20:13	<b>podium</b> 47:19,21	<b>portion</b> 16:15 17:13 20:7,9 24:8 37:6 87:7 94:17	<b>procedural</b> 6:4 111:18
<b>planning</b> 5:4,12,18 10:5,10,12,15 11:11 15:15,17 25:9 33:11 35:19 36:20 39:16 41:13 44:22 50:10 53:20 58:11 65:14 70:10,19 82:18 84:16,20 85:22 89:2 90:6 91:17 92:17 95:13 98:15 99:1 107:6 108:16	<b>Poet's</b> 126:8	<b>position</b> 70:20 151:13 168:4	<b>procedure</b> 6:7
	<b>point</b> 10:11 14:20 20:16 30:6 38:8 40:11 49:3 51:11 98:13 101:3,4 102:19 126:7 128:11,16 151:6 152:18 155:2,11 157:15 159:20 166:20 170:6 172:16 174:16,19	<b>position's</b> 147:16	<b>procedures</b> 114:6 115:7
	<b>pointed</b> 25:1 132:20 161:8,11	<b>possibilities</b> 60:4	<b>proceed</b> 71:14 150:6
	<b>points</b> 79:13 100:9 157:9 161:17	<b>possibly</b> 106:9	<b>proceeding</b> 112:18
	<b>police</b> 54:22 69:12	<b>posted</b> 3:11	<b>proceedings</b> 177:1
		<b>postpone</b> 4:18 50:13 81:7 147:18	<b>process</b> 6:6,10 7:21 8:7 13:3 15:12, 14 16:11 20:16 48:11 53:18 61:9 74:14 87:3 94:21 100:15,18 101:1,2 104:6 122:16 130:16 154:6 156:3 162:4 164:17 166:3
		<b>potential</b> 64:9 65:5 108:21 159:22 164:3	<b>processing</b> 163:19
		<b>potentially</b> 91:22 114:13 137:8 149:13	<b>produce</b> 62:9
		<b>power</b> 16:3 22:3,4, 6,18 62:4 64:6,10 76:19 77:3 79:20 80:4 89:6,10 90:12 91:13 92:5 94:9,11 95:20 96:22 97:5 98:19 100:13,19 121:7 129:19 133:3, 5 134:6 140:11 142:18 143:2	
		<b>powerful</b> 60:11	
		<b>practice</b> 69:16 159:10	
		<b>precedent</b> 113:11, 14	
		<b>precious</b> 131:16	
		<b>prefer</b> 130:3	
		<b>prejudge</b> 148:9	
		<b>preliminary</b> 29:3, 12	
		<b>premature</b> 155:9	
		<b>prepared</b> 19:15	
		<b>present</b> 3:6 7:4,5 8:2 13:13 14:1 46:3 149:4 160:18	
		<b>presentation</b> 8:13 9:11 24:20 26:19 33:12,16 34:1,2,6 81:14 132:19	
		<b>presentations</b> 27:13 50:9 162:6	
		<b>presented</b> 3:22 7:12 8:9 12:1 38:13 39:18 69:13 74:13, 18 77:19 139:4 149:5	
		<b>presenting</b> 7:17	
		<b>presents</b> 7:22	
		<b>preservation</b> 109:21	
		<b>preserve</b> 5:16 81:22	
		<b>preserving</b> 101:13	
		<b>president</b> 61:17 82:15	
		<b>pressure</b> 61:5 122:15	
		<b>pretty</b> 20:16 80:22 119:17 154:7	
		<b>prevent</b> 63:20	

Planning Commission  
December 20, 2022

Index: product..recall

<b>product</b> 53:11 167:16	114:21 115:5 121:8 134:2,6,11 135:14	<b>pull</b> 128:10	149:11 162:5,9	<b>raises</b> 127:22
<b>professional</b> 106:6 107:1 108:3	<b>proposing</b> 23:22 38:22 94:15	<b>purchased</b> 68:2	<b>quick</b> 14:15 165:13	<b>raising</b> 104:5
<b>professionally</b> 107:4	<b>proposition</b> 87:2	<b>purple</b> 35:2	<b>quickly</b> 34:5	<b>ramp</b> 125:15
<b>profoundly</b> 113:2	<b>protect</b> 56:2 74:5 77:5 83:12 84:7 95:17 118:10 119:22 127:20 134:18 138:21 139:22 140:2	<b>purpose</b> 4:19 94:18	<b>quiet</b> 56:12 84:5	<b>Ramundo</b> 82:10, 11,12
<b>program</b> 41:6	<b>protected</b> 74:1	<b>purposes</b> 26:14 146:4 147:5	<b>quit</b> 101:19	<b>ran</b> 82:19
<b>project</b> 29:4 53:11 88:13 116:3 120:13 123:5 127:8 128:9 129:2	<b>protection</b> 139:14	<b>pursue</b> 70:8	<b>quo</b> 139:7	<b>range</b> 114:15
<b>projections</b> 25:22	<b>proud</b> 100:8	<b>push</b> 60:12 83:17	<b>quorum</b> 3:6 140:9	<b>rapidly</b> 125:3
<b>projects</b> 92:17	<b>prove</b> 77:22	<b>pushback</b> 31:21	<b>R</b>	<b>rare</b> 20:16
<b>prominent</b> 111:2	<b>proved</b> 77:21	<b>put</b> 30:7 50:22 51:3, 7 58:3 62:18 75:9 80:5 81:6 89:12 90:21 92:6 94:14, 15,16 103:17 119:7 122:14 137:10 142:15,21 151:13	<b>race</b> 103:12	<b>rat</b> 103:12
<b>promote</b> 38:5 91:10 100:5 115:5 138:11 139:12	<b>proven</b> 77:18 99:10	<b>puts</b> 81:19 125:9	<b>RAE-HELANDER</b> 3:3 4:3,8,13 6:11,15 8:18 10:1 11:3,17, 20 14:8,22 31:1 32:17 33:8 34:4 52:15 54:10 56:4 57:6 58:22 61:12,15 66:1 68:14 72:3 73:9,17 74:7 76:1 78:20 79:2,9 80:15 82:7 85:2 88:1,6,10 89:19 92:9 95:7 98:9 99:14 102:6,10 105:13 107:10,15, 18,20 110:4,8,10 113:16 115:19 116:20 120:15 121:14,19,22 122:4, 6 123:15,19 124:2,6 126:15 143:5,12,15 145:21 146:11,22 148:15,17,21 149:6 151:17 152:5,7,10, 13 153:5 154:16,20 158:8 159:15 160:12 161:22 163:1,6,11,14 164:1,9,12 165:5 169:8 170:11 171:6, 12,16,21 172:1,4,9, 13,19 173:6,9,18,22 174:9,14 175:4,8,16 176:1,6,13,20	<b>reading</b> 165:20
<b>promoting</b> 138:4 145:19	<b>provide</b> 12:3 19:15 25:13 28:14 41:8 86:6 108:15 112:7 115:2 122:20 128:6 135:13 139:13 149:20,21 167:21 168:10	<b>putting</b> 46:8 72:19 94:8 101:10 117:2 118:2	<b>ready</b> 3:12 33:9 143:9,10	<b>readings</b> 43:1,6 47:3
<b>proper</b> 138:6	<b>provided</b> 5:13 18:16 22:20 25:8 71:8 130:22 153:1	<b>Q</b>	<b>real</b> 35:11 65:8 66:11 84:2 119:10 133:19 139:13 141:6,11 150:6 158:10 173:11	<b>reach</b> 108:17 137:1
<b>properties</b> 36:11 42:8 108:22 137:9 162:19	<b>provision</b> 40:5	<b>quaint</b> 57:19 116:6	<b>realistically</b> 91:20	<b>read</b> 74:20 108:9
<b>property</b> 16:14,15, 20 17:1,15,16 22:8 23:4 24:9,12 36:8, 18 37:15 39:19 41:22 42:1 44:4 55:8 58:7 64:17 65:4 76:14 77:1 78:6 124:19,22 125:14 129:14 134:6 136:13 168:8	<b>provisions</b> 31:12	<b>qualified</b> 19:16	<b>reality</b> 65:6	<b>reading</b> 165:20
<b>proposal</b> 33:13 34:14 35:17 36:5 38:20 61:10 81:18 91:8,21 99:8 112:18,21 113:10 142:4	<b>proximity</b> 69:6	<b>qualifies</b> 69:17	<b>realm</b> 8:17	<b>readings</b> 43:1,6 47:3
<b>proposals</b> 99:5	<b>public</b> 4:16,18,20, 21 5:6,7 6:1,5,11 7:4,6,9,10,13 8:3, 10,11,19,22 9:11,22 10:21 11:15 12:3,9 13:14 14:7,9,17,20 15:11 22:15,22 34:1 35:4 47:13 64:20,22 66:16 68:11 83:19 85:21 91:11 104:6 109:9 111:5,17 114:18 115:6 117:10 119:9,22 120:22 121:5 123:20 139:6 143:8 144:4 146:17 148:3, 7,10 154:5 155:13 158:20 159:11	<b>quality</b> 49:12,13 79:17 130:13 138:13	<b>reason</b> 17:8 71:4 77:6 89:15 96:14 135:10 147:9 152:20 160:3	<b>ready</b> 3:12 33:9 143:9,10
<b>proposed</b> 3:17 16:22 17:16 31:5 40:14 41:3 55:7 59:13 62:3 69:4,10 70:14 85:9 96:21 109:14,16,17 110:2		<b>quantities</b> 91:19	<b>reasonable</b> 9:5 100:22 101:2 112:1 139:2 147:19	<b>realistically</b> 91:20
		<b>question</b> 6:4,9,16 11:2 21:5 26:16 27:17 28:22 31:4, 19,20 45:21 91:1 114:19 148:14	<b>reasons</b> 86:16 96:1 128:3 131:13 132:9 141:20 159:13 160:1,3,18	<b>reality</b> 65:6
		<b>questioning</b> 6:18	<b>Rebecca</b> 52:20 54:11,13	<b>realm</b> 8:17
		<b>questions</b> 7:8,16 8:5 31:1 33:14 34:7 40:22 41:16,20 43:3 47:9 73:2 90:12 100:12 113:2 117:5 120:8 121:3,6,10 127:22 136:19	<b>recall</b> 9:18	<b>reason</b> 17:8 71:4 77:6 89:15 96:14 135:10 147:9 152:20 160:3
			<b>railroaded</b> 54:5 131:1	<b>reality</b> 65:6
			<b>raise</b> 100:4	<b>realm</b> 8:17
			<b>raised</b> 25:22 40:22 90:3	<b>reason</b> 17:8 71:4 77:6 89:15 96:14 135:10 147:9 152:20 160:3

<b>recapping</b> 45:14	<b>reference</b> 41:18	<b>removed</b> 16:13,18 23:10,11 24:4	<b>requires</b> 87:3	<b>response</b> 46:5 127:21
<b>receive</b> 16:9 40:3	<b>referring</b> 35:3	<b>rendered</b> 12:12	<b>requiring</b> 19:13 70:8	<b>responsibilities</b> 60:22 113:7 114:7
<b>received</b> 5:14 7:14 19:1,2 32:6 35:22 84:16 124:15 162:15	<b>reflect</b> 16:20 108:12	<b>rental</b> 76:11	<b>research</b> 163:9	<b>responsibility</b> 121:6 128:21
<b>recent</b> 17:7 84:17 127:21 154:3	<b>reflects</b> 8:13	<b>reopen</b> 14:18	<b>resentful</b> 165:3	<b>responsible</b> 64:7 104:16 163:19
<b>recently</b> 7:18 69:12 76:15 85:16 112:13	<b>refrain</b> 49:21 57:8	<b>rep's</b> 132:19	<b>Reserve</b> 72:6	<b>responsibly</b> 107:4 164:7
<b>recess</b> 174:7,10,11	<b>refrigerated</b> 161:14	<b>repeat</b> 70:4 171:4	<b>resided</b> 133:9	<b>responsive</b> 106:7
<b>recesses</b> 25:21	<b>refuse</b> 140:7	<b>repeated</b> 83:13	<b>residence</b> 69:3	<b>rest</b> 7:11 88:15 133:13 168:1
<b>reclamation</b> 64:8	<b>regard</b> 137:4,16	<b>report</b> 39:18 60:7 124:14	<b>residences</b> 43:20	<b>restate</b> 151:20
<b>recognize</b> 111:6 162:21 172:22	<b>region</b> 106:15	<b>reports</b> 71:10	<b>resident</b> 53:2 57:15,16 59:13 85:5 95:14 99:22 110:16 116:1 127:5 136:8 174:22	<b>result</b> 87:1 109:21
<b>recollection</b> 9:10	<b>regional</b> 37:10	<b>represent</b> 53:6 75:5 98:20,22 105:22	<b>residential</b> 35:6 36:11 37:12 42:7 43:8 44:2,5 109:15	<b>resulting</b> 134:20
<b>recommend</b> 48:9 107:7 146:21 170:15 172:6	<b>regions</b> 106:18	<b>representation</b> 161:19	<b>residents</b> 47:16 53:4 54:8 58:1,6 62:6 64:12 65:17 70:12 77:7,11 78:6 85:11 87:14 97:16, 20 105:1 106:16,21 138:16 140:1	<b>results</b> 88:15 91:16 115:13
<b>recommendation</b> 127:15 146:13,16 149:14,19,21 152:19 159:12 172:14,15,16	<b>regular</b> 3:15,16	<b>representative</b> 15:7 44:14 144:7	<b>representatives</b> 75:4 78:10,17 87:13 127:11	<b>retail</b> 77:10
<b>recommendations</b> 120:12 128:6	<b>regulated</b> 89:7	<b>represented</b> 144:13 145:9	<b>representing</b> 5:1 47:18 75:5	<b>retire</b> 134:9
<b>reconvene</b> 4:20	<b>regulatory</b> 111:9	<b>representatives</b> 75:4 78:10,17 87:13 127:11	<b>repurposing</b> 158:13	<b>retired</b> 92:15
<b>record</b> 15:3 18:3 46:20 112:21 116:2 151:21 168:15 170:3	<b>reiterate</b> 66:7 79:13 100:11	<b>represented</b> 144:13 145:9	<b>request</b> 9:4,5 10:6 11:12,14 34:8 43:6 94:19 136:11 143:7	<b>retirement</b> 58:8 106:13 161:9
<b>recorded</b> 3:10	<b>reject</b> 74:4 96:5 134:18	<b>requesting</b> 11:11 34:18 50:11	<b>requested</b> 35:10 41:16 64:13	<b>return</b> 64:9 82:21 89:8
<b>recording</b> 105:21	<b>related</b> 19:7 25:2	<b>requesting</b> 11:11 34:18 50:11	<b>request</b> 9:4,5 10:6 11:12,14 34:8 43:6 94:19 136:11 143:7	<b>reuse</b> 38:5
<b>records</b> 9:21 35:11	<b>relates</b> 69:6,9 71:1	<b>requests</b> 5:19	<b>request</b> 9:4,5 10:6 11:12,14 34:8 43:6 94:19 136:11 143:7	<b>reutilize</b> 67:10
<b>rectify</b> 126:3,5	<b>relating</b> 128:6	<b>require</b> 36:19 59:22 129:19 142:12	<b>requesting</b> 11:11 34:18 50:11	<b>reutilized</b> 67:13
<b>red</b> 23:10 35:5	<b>relation</b> 109:14	<b>required</b> 16:8 50:14 129:3 130:19	<b>requesting</b> 11:11 34:18 50:11	<b>revealed</b> 91:3
<b>redevelopment</b> 158:14	<b>relative</b> 6:4	<b>requirements</b> 22:11 125:21 132:22	<b>requesting</b> 11:11 34:18 50:11	<b>revenue</b> 78:8 104:19 124:19,20 125:7,14 155:6,11
<b>reduce</b> 25:17 32:7	<b>relaxing</b> 142:1	<b>required</b> 16:8 50:14 129:3 130:19	<b>requesting</b> 11:11 34:18 50:11	<b>revenues</b> 87:6,7 144:12
<b>reduced</b> 34:22 65:8	<b>relevant</b> 7:8 8:6 10:3 13:4	<b>required</b> 16:8 50:14 129:3 130:19	<b>requesting</b> 11:11 34:18 50:11	<b>review</b> 39:16 71:5, 14 115:18 124:13 129:4 138:7 156:7
<b>reduction</b> 25:19	<b>reliable</b> 96:3	<b>required</b> 16:8 50:14 129:3 130:19	<b>requesting</b> 11:11 34:18 50:11	<b>reviewed</b> 40:8
<b>reevaluate</b> 156:14	<b>relocating</b> 167:5	<b>required</b> 16:8 50:14 129:3 130:19	<b>requesting</b> 11:11 34:18 50:11	<b>reviewing</b> 19:2,4 127:20
	<b>rely</b> 85:9 109:9	<b>required</b> 16:8 50:14 129:3 130:19	<b>requesting</b> 11:11 34:18 50:11	<b>revision</b> 17:7
	<b>remain</b> 24:14 77:16	<b>required</b> 16:8 50:14 129:3 130:19	<b>requesting</b> 11:11 34:18 50:11	<b>revitalization</b>
	<b>remaining</b> 100:13	<b>required</b> 16:8 50:14 129:3 130:19	<b>requesting</b> 11:11 34:18 50:11	
	<b>remember</b> 28:4 43:9	<b>required</b> 16:8 50:14 129:3 130:19	<b>requesting</b> 11:11 34:18 50:11	
	<b>reminded</b> 144:8	<b>required</b> 16:8 50:14 129:3 130:19	<b>requesting</b> 11:11 34:18 50:11	
	<b>reminders</b> 140:10	<b>required</b> 16:8 50:14 129:3 130:19	<b>requesting</b> 11:11 34:18 50:11	
	<b>removal</b> 16:3 23:6, 7,21 24:10 130:21	<b>required</b> 16:8 50:14 129:3 130:19	<b>requesting</b> 11:11 34:18 50:11	

Planning Commission  
December 20, 2022

Index: rewrite..show

37:13	<b>rolls</b> 141:19	<b>safeguard</b> 81:20	<b>screens</b> 26:7 119:20,21	<b>service</b> 71:22 173:1,3 175:2
<b>rewrite</b> 62:17,19 74:12	<b>roof</b> 26:1,6	<b>safeguards</b> 62:18	<b>scribbled</b> 75:3	<b>services</b> 40:3
<b>rewriting</b> 62:15	<b>rooftop</b> 64:16	<b>safety</b> 114:10,12	<b>searching</b> 134:3	<b>servicing</b> 150:22
<b>rezoning</b> 156:10	<b>room</b> 66:19 116:12 174:7	<b>sake</b> 7:21	<b>Sears</b> 67:11	<b>sessions</b> 29:6 40:21 63:9
<b>rezonings</b> 20:17	<b>rooms</b> 20:22 21:1, 21 98:2,3	<b>Sally</b> 110:6 113:18	<b>seat</b> 58:10 72:9 85:7	<b>set</b> 20:5 29:21 117:3 174:19
<b>rich</b> 135:11	<b>Roseanne</b> 73:13, 19	<b>salt</b> 75:9	<b>seats</b> 86:15	<b>setbacks</b> 23:12
<b>Richard</b> 66:2,3	<b>rotation</b> 6:7 30:19	<b>Samuel</b> 92:10	<b>seconds</b> 147:1,2	<b>sets</b> 3:18
<b>rid</b> 88:21	<b>route</b> 23:16,18 24:3,4,6,7,16,18,19 25:6,12 28:5 32:4 38:18 64:9 90:16,18 141:17 142:6	<b>Sandra</b> 76:5,6	<b>secretary</b> 105:21	<b>setting</b> 129:1 174:18
<b>Ridge</b> 41:9 50:7	<b>routed</b> 76:19	<b>sat</b> 67:13	<b>Section</b> 111:20	<b>severe</b> 134:20
<b>ridiculous</b> 77:22	<b>routes</b> 62:3	<b>satisfied</b> 143:22	<b>sector</b> 114:14 120:22	<b>sewer</b> 39:4,8 40:5 65:1 109:10
<b>riding</b> 56:11	<b>rubber</b> 129:2	<b>save</b> 30:3 80:12	<b>sectors</b> 106:8 114:13	<b>shady</b> 78:3
<b>rights</b> 87:19 113:6 138:13	<b>ruin</b> 134:3	<b>scale</b> 25:19	<b>secure</b> 40:4	<b>shaking</b> 75:20
<b>Riley</b> 76:7	<b>rule</b> 7:2 111:19 112:2	<b>scan</b> 17:21	<b>security</b> 34:16 39:3 64:14	<b>shame</b> 150:7
<b>ringing</b> 86:19	<b>Rules</b> 160:5	<b>scenario</b> 23:20	<b>sediment</b> 36:15	<b>share</b> 15:20 45:2 66:5 87:7 97:6
<b>Rios</b> 52:18	<b>run</b> 9:20 47:4,5 92:13 95:17 129:18 132:14 141:4 142:18	<b>scenic</b> 38:2 109:22 123:12 133:6 153:3 170:18	<b>seduced</b> 89:17	<b>shared</b> 7:9 66:7
<b>risk</b> 135:12	<b>running</b> 93:12,14, 15 117:16	<b>schedule</b> 134:9	<b>Seitz</b> 76:5,6	<b>shares</b> 51:16
<b>risks</b> 114:8	<b>runs</b> 125:5	<b>scheduled</b> 83:18 107:12	<b>selectively</b> 139:5	<b>shed</b> 83:5 142:5 156:20 157:7 170:19
<b>rivals</b> 155:16	<b>rural</b> 60:14 77:4 88:17 90:8,14 103:14 135:11	<b>schedules</b> 166:11	<b>self-</b> 76:12	<b>sheds</b> 141:21 142:5
<b>road</b> 23:18,19 24:3 34:18 39:1 54:14 57:14 76:7 82:12 87:17 98:12 99:20 110:14 117:1 118:14,17,21 119:5 135:1 136:15 141:3 143:3 151:9 158:1 161:5,13	<b>school</b> 50:7 54:15, 19 56:18 101:5 132:3 133:15	<b>schools</b> 41:8	<b>self-interests</b> 53:9	<b>sheets</b> 23:22
<b>roads</b> 118:11 119:2	<b>schooling</b> 166:12	<b>scientist</b> 77:21	<b>sell</b> 141:7	<b>Sheryl</b> 74:8,9
<b>rob</b> 34:6 138:12	<b>scientists</b> 135:7	<b>schools</b> 41:8	<b>semi-retired</b> 116:22	<b>shop</b> 85:7
<b>Roberts</b> 7:2 160:4	<b>scold</b> 134:14	<b>scientist</b> 77:21	<b>send</b> 4:6 83:15 140:22	<b>shopping</b> 77:10
<b>Robin</b> 45:13	<b>Scott</b> 51:13,19 52:5 80:19 95:14 122:2 137:21 141:4	<b>scold</b> 134:14	<b>sending</b> 113:8	<b>short</b> 98:13 101:12 125:9
<b>rock</b> 29:18,20	<b>scratch</b> 76:21	<b>scold</b> 134:14	<b>sense</b> 11:22 21:22 33:4 38:6 93:21 116:7	<b>short-term</b> 102:3 104:21
<b>Roland</b> 50:5 52:16	<b>screaming</b> 81:5	<b>scold</b> 134:14	<b>separate</b> 19:22 40:9	<b>shorter</b> 32:11
<b>role</b> 111:14 127:13	<b>screen</b> 27:4 119:19	<b>scold</b> 134:14	<b>September</b> 18:15 23:8 97:1	<b>shortfall</b> 125:13
<b>roll</b> 144:2 147:3 169:12	<b>screened</b> 26:7	<b>scold</b> 134:14	<b>servants</b> 66:16 68:12 140:13	<b>shots</b> 61:2
<b>rollback</b> 63:21	<b>screening</b> 30:7 64:14,16 157:2	<b>scold</b> 134:14	<b>server</b> 125:2,15	<b>show</b> 23:17 28:6 35:12 88:5 96:8,18, 19 102:1
<b>rolling</b> 130:12 151:11	<b>screenings</b> 27:12	<b>scold</b> 134:14	<b>servers</b> 125:1,3,5,6	
	<b>sad</b> 76:20			
	<b>safe</b> 18:9			
	<b>S</b>			

<b>showed</b> 38:16 124:14	73:9 95:7 102:6 107:10,18 123:16	<b>son</b> 129:21 133:15	81:4 98:22 135:3 136:10	<b>spread</b> 130:10
<b>shown</b> 24:20 35:8 75:10	<b>sit</b> 8:12 55:13	<b>Sonenberg</b> 132:12,13	<b>speaks</b> 26:2 81:15	<b>Springs</b> 76:11 99:19 133:11,16
<b>shows</b> 35:1 112:22	<b>site</b> 24:11 27:21 28:1,12 29:1,17 30:4,8,19 34:9 35:9, 13,14 36:13 39:9 40:4,18 62:2,4 64:5 86:9 87:17 109:10, 13 111:2 126:22 128:13 154:9 156:22 157:13,19 158:14	<b>sophisticated</b> 89:1	<b>special</b> 4:16 6:1 15:12 16:9,16 17:14 20:17 34:12 53:3,7 62:13 68:7 71:3 95:16 99:2,9 107:8 108:9,10,14 109:2, 3,20 111:14,22 112:1,18 113:9 128:5,19 129:1 132:6 136:12 137:9 148:1	<b>sprout</b> 130:9
<b>sick</b> 15:9,10 165:15,16	<b>sits</b> 55:6 161:1	<b>sort</b> 144:2	<b>species</b> 133:4 135:8,10	<b>square</b> 20:22 34:12
<b>side</b> 25:6 35:3 79:21 92:4 163:19	<b>situated</b> 35:15	<b>sorts</b> 166:7	<b>specific</b> 28:4 33:14 34:7 114:14	<b>stable</b> 124:20
<b>sides</b> 12:21 19:5	<b>situation</b> 68:4 83:7 121:2	<b>sound</b> 13:18 19:15, 22 40:9 41:21,22 42:13 44:9 47:5 55:17 56:19 115:9 118:3 128:2 132:22 137:5 149:14 153:2 170:17	<b>specifically</b> 23:15 24:5 25:1,11 28:7 69:1,11 71:10 111:20,21 141:11 147:21	<b>stack</b> 96:16
<b>sidewalk</b> 39:1,20 118:16	<b>sixties</b> 131:12	<b>sounded</b> 160:8	<b>speeches</b> 176:5,6, 7	<b>staff</b> 7:3,15 8:8,21 10:19,20 12:17,22 13:15 16:10 18:19 19:9,10 26:13,19 32:19 33:4 37:1 39:18 41:14,17 42:5 85:22 90:6 112:11 140:22 145:4 174:22
<b>sight</b> 7:11	<b>Sixty</b> 125:16	<b>soundly</b> 132:18	<b>specifications</b> 34:14	<b>stage</b> 30:8
<b>sighting</b> 142:8	<b>size</b> 98:3	<b>sounds</b> 33:14 91:9 159:21	<b>specifics</b> 63:19	<b>stages</b> 100:17
<b>sign</b> 18:11 79:5 88:4 130:2	<b>sketches</b> 144:19	<b>soup</b> 75:8	<b>speeches</b> 176:5,6, 7	<b>staggering</b> 155:4
<b>signage</b> 40:1	<b>sketchy</b> 48:11	<b>source</b> 124:19,20 155:6,12	<b>spelling</b> 4:1	<b>stakeholders</b> 7:7
<b>signature</b> 37:8,9, 21	<b>skews</b> 168:11	<b>south</b> 88:14	<b>Spencer</b> 105:14, 15,18	<b>stamp</b> 129:2
<b>signed</b> 5:11 18:1,6 63:14 84:10 88:4 96:13 101:21 121:16,17,18	<b>slated</b> 80:21	<b>southern</b> 35:15 89:11 135:10	<b>spend</b> 38:14 89:7 145:19	<b>stand</b> 53:20 54:7 84:7 98:7 128:3 131:5
<b>signers</b> 95:18,19	<b>sleep</b> 56:22 84:4	<b>space</b> 40:2 59:22 77:10	<b>spent</b> 35:19 120:21 131:19 133:20 145:13 165:4	<b>standard</b> 31:17 71:6 93:19
<b>significant</b> 75:19 106:11 124:21	<b>sleeping</b> 120:4	<b>spaces</b> 34:22 39:14 40:1	<b>spirit</b> 108:13	<b>standards</b> 36:10 41:18 42:20 86:1,3 114:5
<b>similar</b> 17:8 24:18 32:2 63:20 113:20 125:20 138:12 144:9 145:9 147:22 148:1	<b>sleepy</b> 120:5	<b>speak</b> 5:4,5,9 10:14,17,19 36:16 57:20 58:2 72:1 80:20,21 82:16 104:3 107:12,16 110:13 121:19 123:18,20 143:7 150:15 155:18 166:7 167:6	<b>standing</b> 57:2 127:2 139:2	<b>start</b> 15:11 61:19 102:15 103:18 108:1,7 169:12 174:12
<b>Similarly</b> 17:4	<b>slide</b> 15:15 35:4	<b>speaker</b> 4:22 5:1 11:1,7 78:22 121:18 123:17 151:19 152:18	<b>standards</b> 36:10 41:18 42:20 86:1,3 114:5	<b>started</b> 8:19 9:11 131:11
<b>simple</b> 114:19 137:22	<b>slides</b> 23:17	<b>speakers</b> 5:8,10,18 132:15	<b>starting</b> 173:19	<b>state</b> 47:18,19 73:17 85:19 138:9, 14 147:17
<b>simply</b> 79:16 113:9 115:16 116:14 139:11 140:19 145:5 148:11,13 154:1	<b>Slight</b> 150:18	<b>speakers'</b> 5:19	<b>state's</b> 93:17	<b>stated</b> 3:21 64:21 103:4 125:6 147:16 152:20
<b>sincere</b> 45:21	<b>slow</b> 125:15	<b>speaking</b> 57:17 61:18 74:10 79:11	<b>sports</b> 54:19	
<b>sincerely</b> 162:21	<b>smack</b> 86:14 116:11		<b>spot</b> 132:16	
<b>single</b> 34:15 37:17 61:22 68:20 76:13	<b>small</b> 51:8 60:14 72:18 90:9,14 116:16 155:17			
<b>sir</b> 11:4 44:19 54:10	<b>Smith</b> 92:11,12			
	<b>Snow</b> 52:4 99:16			
	<b>social</b> 114:5,8 115:4			
	<b>soils</b> 29:17			

<b>statement</b> 117:20	<b>Store</b> 59:4	<b>stuff</b> 58:20	<b>sums</b> 171:1	<b>tactfully</b> 144:8
<b>states</b> 41:4 140:11	<b>stores</b> 161:4	<b>subdivision</b> 80:1,2	<b>sundry</b> 96:10	<b>takebacks</b> 88:20
<b>stating</b> 36:4 59:16 135:12	<b>stories</b> 37:16	<b>subject</b> 42:1 44:3	<b>super</b> 74:14	<b>takes</b> 42:10 44:2 94:3
<b>status</b> 139:7 144:1	<b>storm</b> 29:9 36:14 64:2	<b>subjective</b> 69:17	<b>supply</b> 59:7	<b>taking</b> 54:14 56:8 61:18 94:17 138:2 146:15 154:17 165:16 166:10
<b>statute</b> 147:21	<b>stormwater</b> 32:3	<b>submission</b> 60:20 71:9,14	<b>support</b> 5:17 89:10 107:6 134:6 140:17 145:4 170:8 172:8	<b>talk</b> 57:18 124:10 158:18
<b>Stave</b> 140:5	<b>story</b> 34:15 37:17 75:1 76:17 150:11	<b>submit</b> 50:11	<b>supported</b> 146:16	<b>talked</b> 73:4 104:7 124:7 125:17
<b>stay</b> 106:15 165:21	<b>straight</b> 99:17,18, 19 127:6	<b>submits</b> 26:12 131:2	<b>supporting</b> 139:2	<b>talking</b> 13:16 79:20 100:19 121:8 126:19
<b>steadily</b> 97:16	<b>street</b> 37:22 42:8 44:3 50:7 53:1 59:3, 4,5 88:8 126:18 129:6 131:10	<b>submitted</b> 16:7,8 17:9,20,21 18:15,17 23:8 35:17 50:15 54:6	<b>supportive</b> 84:18	<b>tall</b> 32:11
<b>step</b> 121:11 129:3	<b>stress</b> 58:6 103:11 137:2 141:19	<b>substantial</b> 25:4 63:22	<b>supports</b> 109:7 130:13 139:7	<b>tan</b> 35:6
<b>sterile</b> 129:8	<b>stressful</b> 142:1	<b>substantially</b> 112:8	<b>supposed</b> 81:2 133:20 153:19	<b>Tappahannock</b> 105:17
<b>sterilized</b> 139:4	<b>strip</b> 37:14 129:15	<b>substation</b> 16:13, 18,19,22 17:16 22:7 23:3 24:1 39:19,22 91:14 95:20 97:5 112:14 157:19	<b>supposedly</b> 53:6	<b>task</b> 60:22
<b>Sterling</b> 72:17	<b>strives</b> 58:10	<b>substations</b> 89:9	<b>SUPS</b> 138:12	<b>tasked</b> 111:13
<b>Steve</b> 9:8 26:17 68:19	<b>strong</b> 5:17 73:11 83:3	<b>succeed</b> 140:20	<b>surely</b> 55:18 83:2	<b>tax</b> 65:21 78:8 87:18 124:15,16,19 125:1,2,7,14 153:2 170:17
<b>Steven</b> 68:16	<b>strongly</b> 76:8 121:10,11	<b>succession</b> 138:11	<b>surprised</b> 69:15 144:15	<b>tax-paying</b> 64:12
<b>Stevens</b> 89:20	<b>structure</b> 69:4	<b>suffer</b> 100:14	<b>Surprisingly</b> 53:5	<b>taxation</b> 65:20
<b>steward</b> 30:18	<b>structures</b> 37:15 130:1	<b>sufficient</b> 54:6 96:4 128:17 131:2 137:7,19	<b>surrounding</b> 70:13 110:18	<b>taxes</b> 62:7,10 63:16,21 65:6 80:8
<b>stewardship</b> 139:12	<b>struggled</b> 155:12	<b>Sugar</b> 88:12,18	<b>survey</b> 16:3 23:6,7, 11,21 24:10	<b>TBD</b> 100:13
<b>Stewart</b> 3:9,19 4:4 11:21 14:15,21 31:3,11 32:5,12,14, 22 33:3,6,19 47:8,9 146:4,12 147:2,5 149:1,8 152:3,4 153:6 154:17,21 158:9 159:16 165:12 166:5 168:14 169:18 170:3 171:2 172:2, 5,6 173:10 174:6 175:22 176:17	<b>student</b> 54:15	<b>suggest</b> 10:10 13:6 116:5 120:11	<b>Susan</b> 3:4 48:4 89:22 90:1	<b>teacher</b> 98:14 101:6
<b>Stewart's</b> 144:21	<b>students</b> 98:18	<b>suggesting</b> 38:21	<b>suspended</b> 20:9	<b>team</b> 135:6
<b>stick</b> 67:16 118:8	<b>studies</b> 19:21,22 20:3 21:15 40:9 47:5 73:3 77:20 83:5 87:12 108:2, 16,21 114:3,20 125:18 136:22	<b>suggestions</b> 3:16	<b>suspending</b> 14:20	<b>technical</b> 46:14 61:19 127:19
<b>stimulate</b> 37:20	<b>study</b> 16:2 18:14, 15,16 19:13,15,18 20:9,15 21:3,4 39:8 49:1,2 50:13,20 53:22 60:18 63:4 71:10 75:6 77:21 109:12 118:1 125:19 130:17 133:2 137:5 155:22 156:2,6	<b>suitable</b> 162:20	<b>sustainable</b> 115:9	<b>technologies</b> 163:8
<b>stipend</b> 175:15		<b>summarize</b> 170:1 171:3	<b>Sutherland</b> 115:22	<b>technology</b> 67:4 164:5
<b>stood</b> 132:15 137:11		<b>summary</b> 170:3 171:3	<b>swan</b> 134:8,20	<b>teed</b> 169:14
<b>stop</b> 55:11 61:7 75:21		<b>summed</b> 52:6	<b>sweeten</b> 150:15,19	<b>telling</b> 97:1
<b>stopped</b> 37:4		<b>summer</b> 132:4	<b>system</b> 59:9 64:21 65:1,2 116:11	<b>tells</b> 121:1
			<b>T</b>	
			<b>table</b> 43:8,9,18 95:11 146:1,6,8	
			<b>tabled</b> 36:3	
			<b>tables</b> 43:6	

<b>template</b> 139:14	<b>thrown</b> 122:13	148:4,18 149:4	143:18 144:10,17	<b>treatments</b> 157:3
<b>ten</b> 93:2 94:3	<b>tied</b> 94:11 112:11	150:17 169:9	145:3,4,18 146:9	<b>tree</b> 16:3 23:6,7,11,
<b>ten-story</b> 88:16	<b>ties</b> 110:18	<b>toothless</b> 69:16	148:10 149:17	21 24:10 130:21
<b>tenable</b> 61:11	<b>Tim</b> 95:13	<b>top</b> 24:22 31:6,8	152:19 153:3,15	133:17
<b>Tens</b> 106:9	<b>time</b> 5:19 10:21	56:17 88:12	154:4,7 155:5	<b>trees</b> 23:10,11,14
<b>term</b> 26:4 101:12	11:14 12:2,16 13:13	<b>totally</b> 46:6 86:11	157:2,8,10 158:7	24:4,7,11,12 30:2
<b>terms</b> 48:20,21	15:14 20:4,5 33:17	138:9	159:3 161:15,20	64:8 119:9,12,18
100:19 101:12	38:14 45:9 47:10,21	<b>tourism</b> 145:14,20	164:4 166:1,4,22	<b>tremendous</b>
119:8 154:4,5	49:9 54:15 56:8	<b>tourists</b> 90:15	167:9 170:15,17	142:10
<b>terrible</b> 122:10	57:9 58:4 70:17	<b>Tournament</b> 73:20	172:7 173:1 174:22	<b>trial</b> 116:22
<b>Tessadori</b> 57:10,	71:20 72:10 74:10	<b>towers</b> 76:19 77:4	175:3	<b>Trojan</b> 74:4
12,13	80:7 87:8 94:7 95:6	133:3 134:6	<b>town's</b> 38:6 44:13	<b>true</b> 127:1 139:1
<b>test</b> 78:1 130:20	98:8 104:10 107:3	<b>town</b> 3:11 5:6,8 7:3,	51:8 58:14 64:22	141:1 154:1
<b>testimony</b> 60:17	109:6 112:2 119:1	22 9:13 10:10	71:2 81:13,16 90:13	<b>trust</b> 66:16 68:6,12
158:20	122:19 131:19	12:14,16 13:19	99:3,6 110:17	71:12,13 140:15
<b>text</b> 35:21 46:18	133:20 134:13	16:10 17:2,6,10,20,	127:21 128:2,14	<b>trustees</b> 140:13
<b>thanked</b> 163:16	138:19 140:1	22 22:14,16,17,19,	130:18 153:19	<b>trusting</b> 101:1
<b>There'll</b> 55:15	142:22 147:19,20	20 25:15 26:4 31:9	165:17	<b>trustworthy</b> 54:6
<b>thereof</b> 63:2	151:3 159:4 160:5	34:11 35:7,16 36:1,	<b>towns</b> 63:16 90:20,	131:3
<b>thing</b> 28:7 67:3	163:18 165:4	2,11,20 37:7,11,21	22 116:6	<b>turn</b> 48:9 93:21
68:13 72:19 73:4	166:10,18	39:8 45:4 46:1,3	<b>townspeople</b> 27:6	<b>turned</b> 84:11 165:2
75:12 88:21 89:3,18	<b>timeline</b> 15:12	47:16 48:18 49:5,8,	<b>trade</b> 59:4,5	<b>turns</b> 123:3
92:21 93:20 96:8	22:19	17 50:22 51:16	<b>trades</b> 105:22	<b>type</b> 41:10
104:16,20 117:3,15	<b>times</b> 20:18 82:20	52:12 53:1,5,12,16,	107:1	<b>typical</b> 42:21
120:3,10 124:9	140:14	17 54:8,16,18,19,21	<b>Traditionally</b> 7:1	<b>typically</b> 166:8
126:6 128:15	<b>timing</b> 94:19	55:2,4,18,19 56:11,	<b>traffic</b> 103:12	
132:11 156:8 157:5	<b>tired</b> 151:3	13 57:15,19 58:3,	118:18 119:4	<hr/>
165:10,14 167:1	<b>today</b> 5:14 26:21	10,16,18 59:13	161:15	<b>U</b>
<b>things</b> 27:5 54:21	50:9 65:18 117:19	60:14 61:5,17,21	<b>trail</b> 55:16 104:2	
55:3 56:11,15 98:17	121:18 134:5	62:8,15,22 63:13,	<b>train</b> 61:7 92:7	
100:21 105:6 123:1	146:17,21	14,18 64:11,18	128:20	
128:8 141:14 142:3,	<b>toddler</b> 133:12	65:16,17 66:4,13,19	<b>training</b> 40:4 41:8	
11	<b>together</b> 9:20	68:9,22 69:12 70:21	106:13	
<b>thinks</b> 80:4	<b>told</b> 84:20 97:11	72:18 74:5 75:4,15	<b>transition</b> 158:11	<b>UA</b> 105:19
<b>thought</b> 8:18,22	98:17 129:20	76:10,11,22 77:11,	<b>transmission</b> 89:9	<b>ugly</b> 60:1 76:20
13:8 151:5	137:12	13,16 78:5 79:19	112:14 142:13	<b>ulterior</b> 52:1
<b>thousands</b> 84:1	<b>tomblike</b> 129:22	83:7,10,17 84:12	<b>transparency</b>	<b>ultimately</b> 7:13
98:21 106:1,9	<b>tone</b> 42:13	86:3,12 87:5,13,17	100:14 115:5	36:3 167:18
<b>threat</b> 162:15	<b>tongues</b> 94:10	90:5,7,9,14 91:3	<b>transportation</b>	<b>unacceptable</b>
<b>threatens</b> 50:17	<b>tonight</b> 4:15 15:5,	92:1,21 97:16 98:7,	38:20	138:10
<b>threshold</b> 31:16	10,18,20 27:6 54:4,	15 99:22 100:16	<b>travel</b> 15:7 55:15	<b>unanimous</b> 13:7
<b>throats</b> 53:8	15 56:3 60:2 61:18	101:11,15 107:7	106:17	<b>unanswered</b> 113:2
<b>throw</b> 145:15	70:1 74:18 79:5,11	108:17 110:16,21	<b>traveled</b> 132:5	121:9 149:11
	80:20 81:13 82:16	113:3,10,21 116:17	<b>treasure</b> 77:6	<b>unaware</b> 70:14
	83:6 84:13 107:14	120:4,6 121:4,12	<b>treated</b> 59:7 122:9	<b>unbelievable</b> 83:6
	111:4 120:21 121:1,	122:9,12 126:21		
	4 133:9 135:3	127:9,11,14,15,17		
		129:2 132:6,17		
		133:16 134:15		
		136:13 138:1,4,7		
		139:17 140:3,5,19		



<b>uncertain</b> 146:5	<b>unknown</b> 91:19	<b>valid</b> 70:2,4 71:10 130:17	140:10 156:10	<hr/> <b>W</b> <hr/>
<b>uncertainties</b> 167:15	<b>unknowns</b> 48:14 155:3	<b>validate</b> 93:11	<b>virtually</b> 60:11	<b>W-H-I-T-E-I-</b> 48:2
<b>unchecked</b> 140:19	<b>unlimited</b> 60:11	<b>validity</b> 140:9	<b>visibility</b> 32:7	<b>wages</b> 106:12
<b>unclear</b> 147:6 155:11 158:2	<b>unnecessary</b> 76:18	<b>valuable</b> 78:7 130:12 166:14	<b>visible</b> 25:17	<b>wait</b> 8:20 73:1 125:18 176:1,2
<b>uncommon</b> 20:15 156:2	<b>unquestionably</b> 112:19	<b>values</b> 65:4,8 77:1 78:6 129:14	<b>vision</b> 99:6 153:18	<b>waited</b> 131:10
<b>underground</b> 39:21 132:21	<b>unreliable</b> 77:18	<b>variety</b> 160:18	<b>visit</b> 132:3 145:11	<b>waiting</b> 33:17 47:22 156:16
<b>undergrounding</b> 22:9 23:5	<b>unsatisfactory</b> 60:18	<b>varying</b> 26:1	<b>visited</b> 126:22	<b>waived</b> 8:19
<b>underhanded</b> 60:10	<b>unthinkable</b> 164:21	<b>vast</b> 131:4 138:10 140:16 160:16	<b>visiting</b> 52:5	<b>waivers</b> 39:12
<b>undermine</b> 128:2	<b>untrustworthy</b> 77:18 130:16	<b>vehemently</b> 160:17	<b>visitors</b> 77:12 90:17	<b>wake</b> 78:3 88:20
<b>understand</b> 5:16 22:1 33:21 46:10 69:5 70:15 97:20 102:22 142:22 155:4 160:16,21	<b>unusual</b> 162:14	<b>verifiable</b> 128:18	<b>visual</b> 16:3 24:17 32:8 57:21 153:3	<b>Walden</b> 45:20
<b>understanding</b> 9:12 48:19 78:11	<b>unwillingness</b> 167:18	<b>verify</b> 71:12,17	<b>voice</b> 75:20 78:17 147:9 149:4	<b>Waldo</b> 68:17 72:4,5
<b>understood</b> 28:22	<b>update</b> 12:3 33:21	<b>version</b> 17:7	<b>volatility</b> 124:21	<b>walk</b> 23:18 26:9 126:8
<b>undertake</b> 40:12 117:21	<b>updated</b> 15:11 38:16 130:21	<b>versus</b> 146:18	<b>volumes</b> 44:10	<b>walkability</b> 37:22
<b>undertaken</b> 47:4	<b>upper</b> 103:17	<b>vested</b> 140:11 163:22 168:8	<b>volunteered</b> 168:3	<b>Walker</b> 64:6 144:9, 13
<b>undue</b> 59:8 122:14	<b>Upperville</b> 82:13	<b>vetted</b> 111:16	<b>volunteering</b> 54:22	<b>walking</b> 126:19 129:17
<b>unethical</b> 60:10	<b>upshot</b> 148:5	<b>viable</b> 36:5 115:17	<b>Von</b> 116:20,21	<b>Walmart</b> 35:13 63:21 80:2
<b>unfeeling</b> 134:15	<b>upside</b> 165:2	<b>vibration</b> 126:11 127:7 129:9	<b>voracious</b> 85:20	<b>Walsh</b> 15:4
<b>unfitting</b> 52:8	<b>urban</b> 108:4 109:18	<b>vice</b> 174:17	<b>vote</b> 13:7 54:5 58:19 63:13 68:7 70:20,21 78:18 82:21 83:8,20 98:18 99:11 113:7 128:4, 18,19,22 131:1 138:3 140:4,6,7,8 142:20 146:18 147:4 149:3 150:8 151:7,8,15,18 152:1,13 159:14 169:12 170:9 171:11 172:2,9,15, 17	<b>Walton</b> 34:6 41:11, 12 43:4,10,13,21 44:11,15,19 45:1, 12,18 46:7,12,16 47:1
<b>unfriendly</b> 86:16	<b>urge</b> 121:11	<b>vicinity</b> 144:11	<b>voted</b> 4:18 75:5 87:5 112:5	<b>wanted</b> 15:11 18:13 22:4 45:2 72:13 94:21 116:15 123:1,2 131:15 132:1 133:13,14 145:19 171:10 175:11
<b>UNIDENTIFIED</b> 11:1,7 78:22 121:18 123:17 152:18	<b>USA</b> 81:19	<b>view</b> 76:20 83:4 119:22 141:20 142:4,5 156:20 157:7 170:19	<b>voters</b> 74:16	<b>warm</b> 133:14
<b>unified</b> 138:20	<b>users</b> 106:6	<b>Vint</b> 115:22 116:1 119:3 123:9 141:5, 12	<b>votes</b> 84:19 148:8 150:6 151:2	<b>warrant</b> 83:7
<b>unintended</b> 71:4	<b>utilities</b> 29:20 85:21	<b>violation</b> 140:5	<b>voting</b> 54:4 65:11 71:7,20 96:3 98:6 130:15 136:18 140:19 170:7,8 171:14 174:17	
<b>Union</b> 105:17,19	<b>utility</b> 22:10	<b>violations</b> 69:14		
<b>unique</b> 70:20 77:4 110:17	<b>utilize</b> 41:6	<b>Virginia</b> 15:8 20:13 57:16 72:14 73:21 88:9 89:6 103:5 105:16,21 106:2,3, 16,18,22 107:6,22 110:18 111:6,12,19 113:15 124:14,18 127:12 131:20 133:14 138:14		
<b>uniqueness</b> 90:9	<b>utilized</b> 20:10,22 21:2,4,20			
<b>unit</b> 35:18	<b>utmost</b> 64:18			
<b>united</b> 159:3	<hr/> <b>V</b> <hr/>			
	<b>vacant</b> 158:6 161:1			
	<b>vain</b> 102:2			

Planning Commission  
December 20, 2022

Index: warranted..zoning

<b>warranted</b> 112:16	<b>weeks</b> 132:16	<b>Winn</b> 107:11,12,16, 19,21	53:10	<b>Zarabi's</b> 4:1 166:20
<b>warranty</b> 111:3	<b>Weidenfeld</b> 48:5	<b>wins</b> 91:11	<b>wrong</b> 8:22 123:5 128:8	<b>Ziegler</b> 121:17,21 122:1,5,7
<b>Warrenton</b> 5:9 22:15 25:15 35:19, 22 39:9 41:5,7 46:1, 4 48:8,18 49:12,17 50:17 51:13 52:3 53:2,16 54:8,14,21 55:22 56:2,8,12 57:4,19 58:12,16 61:8 62:9,22 68:2,3, 20 69:1 70:13 72:12,17,18 73:20 79:4 83:5 85:7,11, 17 86:2,6,20 88:9 95:21 96:21 99:22 100:2,7 102:12,21 105:4,9,11 106:3, 16,22 107:6,22 108:3 110:16 113:12,21 115:16, 22 116:7,11 118:20 120:3,18 123:3,11 124:5 127:8 130:2 131:11,21 133:10 134:7,18 135:2 136:8,9,16 138:16 142:6 145:1 161:2 164:15 167:2,6 168:1 173:2	<b>weigh</b> 12:4 147:10	<b>wire</b> 55:8 58:15 94:16 158:8	<b>wrote</b> 82:19 83:1	<b>zone</b> 60:17 129:9
<b>Warrenton's</b> 86:12	<b>well-informed</b> 65:15	<b>wise</b> 55:21	<hr/> <b>Y</b> <hr/>	<b>zoned</b> 34:9 36:7 60:5 85:20 136:13
<b>waste</b> 33:16 77:13	<b>Wellington</b> 107:22	<b>wishy-washy</b> 91:6	<b>yay</b> 172:9	<b>zoning</b> 12:13,17 13:18 15:16 18:17, 22 25:15 26:5 31:9, 13 33:2 35:1,21 36:6,9,22 40:17 41:14,17 42:15 62:15,18 74:19 86:8 99:5 111:20 127:16 128:7,14 147:22 153:9 154:9
<b>wasting</b> 104:9 151:3	<b>Wesley</b> 42:9	<b>withdraw</b> 87:10	<b>yays</b> 172:10	
<b>watch</b> 29:9 84:5	<b>whims</b> 125:10	<b>withdrew</b> 36:3	<b>year</b> 35:20 75:15 113:22 164:21 174:18	
<b>water</b> 36:14 39:4,7 40:5 48:21 59:22 64:2,22 65:2 109:9 175:17	<b>Whippoorwill</b> 136:9	<b>withholds</b> 139:5	<b>years</b> 20:13 53:2 57:15 59:5 65:18 67:4,5,12 68:22 72:13 76:9 80:6 85:7 90:3 93:3 94:3 98:14 100:2 103:6, 15 108:2 113:22 120:22 122:3 126:18 131:10 133:8 134:9 135:4 141:7,10 142:7 145:16 158:5 173:1, 14	
<b>Waterloo</b> 56:17	<b>White</b> 48:2 74:10	<b>wonderful</b> 58:3 79:13 90:6	<b>years'</b> 92:14 111:10	
<b>watershed</b> 57:21	<b>Whiteis</b> 48:2,4	<b>Woodruff</b> 73:13, 14,19,20	<b>yellow</b> 24:13 35:6	
<b>Waverly</b> 102:11	<b>whiz</b> 80:3	<b>word</b> 7:14 169:9	<b>yeses</b> 159:1	
<b>ways</b> 75:19	<b>who'd</b> 166:9	<b>work</b> 8:8 18:19 19:9 29:5 40:21 41:10 87:12 102:1 105:17 106:3,10 111:8 113:8 162:10	<b>young</b> 134:3 144:19 166:6,8,18	
<b>website</b> 3:11 95:17	<b>who've</b> 97:11	<b>worked</b> 32:13 145:13	<hr/> <b>Z</b> <hr/>	
<b>Webster</b> 41:19	<b>wide</b> 114:15	<b>workers</b> 106:1	<b>Zarabi</b> 3:8 4:6,9 6:3,13,19,22 9:2 12:11 13:10 14:4,14 32:15,20 33:1,5 45:20 46:9,13,17 47:6 122:18 143:13, 16,19 145:22 147:2 151:22 152:5,6 162:13 163:2,7,12, 15 164:2,10,13 165:6 171:16,19 173:1,4,12,17 175:1,6,10,14,21 176:9	
<b>week</b> 82:18 96:9	<b>widely</b> 114:17	<b>working</b> 37:4 94:11 138:16 139:20 141:10 173:12		
<b>week's</b> 134:16	<b>Wiedenfeld</b> 48:6,7	<b>world</b> 60:8,21 92:18 114:9,14		
	<b>wife</b> 68:21 72:12 100:3 107:13 126:17 141:4	<b>worry</b> 169:9		
	<b>wildlife</b> 57:22	<b>worse</b> 130:3		
	<b>William</b> 27:8 86:13 94:2 125:20 141:18	<b>worst</b> 23:20 164:17		
	<b>Williamsburg</b> 116:18	<b>worthwhile</b> 80:13		
	<b>willingness</b> 69:19 71:15	<b>would've</b> 128:9 164:20		
	<b>Wilson</b> 35:17 73:12	<b>wounds</b> 87:20		
	<b>win</b> 52:14 87:1	<b>wreck</b> 128:20		
	<b>win-</b> 86:22	<b>Wright</b> 15:5 28:2, 19,21 30:12,15 31:2,3		
	<b>win-lose</b> 87:2	<b>write</b> 18:1		
	<b>win-win</b> 87:21	<b>writing</b> 59:16 81:5		
	<b>Winchester</b> 53:1 59:3 88:8 126:18 129:6 131:10	<b>written</b> 5:14 12:15		
	<b>window</b> 102:14			
	<b>windows</b> 25:20			
	<b>wings</b> 47:22			



**Planning Commission Regular Meeting TOWN OF WARRENTON**

**MINUTES**

**A REGULAR MEETING OF THE TOWN OF WARRENTON PLANNING COMMISSION WAS HELD May 16<sup>th</sup>, 2023, AT 7:00 P.M. IN THE TOWN HALL OF THE MUNICIPAL BUILDING IN WARRENTON, VIRGINIA**

**P R E S E N T** Mr. Ryan Stewart, Vice Chair; Mr. Steve Ainsworth, Secretary; Ms. Darine Barbour; Mr. Rob Walton, Community Development Director; Ms. Denise Harris, Planning Manager; Olaun Simmons, Town Attorney Representative

**A B S E N T** Mr. James Lawrence, Chair; Mr. Terry Lasher

**CALL TO ORDER AND ESTABLISHMENT OF QUORUM**

Mr. Ryan Stewart, Vice Chair, called the meeting to order at 7:00 PM

Mr. Stewart calls for a motion to amend or approve the agenda.

Mr. Steve Ainsworth motions to approve the agenda seconded by Ms. Darine Barbour. All were in favor, no discussion, vote was unanimous as follows:

***Ayes: Mr. Ryan Stewart, Vice Chair; Mr. Steve Ainsworth, Secretary; Ms. Darine Barbour.***

***Absent; Mr. James Lawrence Mr. Terry Lasher***

***Nays;***

**ADOPTION OF MINUTES**

Draft April 18, 2023, Planning Commission Minutes

Ms. Darine Barbour motions to adopt the Draft April 18, 2023, Planning Commission Minutes seconded by Mr. Steve Ainsworth. All were in favor, no discussion, vote was unanimous as follows:

***Ayes: Mr. Ryan Stewart, Vice Chair; Mr. Steve Ainsworth, Secretary; Ms. Darine Barbour.***

***Absent; Mr. James Lawrence Mr. Terry Lasher***

***Nays;***

## **HEARING OF PUBLIC HEARING ITEMS**

### **SUP 2022-06 Chick Fil A**

SUP 2022-06 Chick Fil A - the Applicant, Chick Fil A, Inc/Doug Wolfe, and Owner, Warrenton Crossroads LLC, seeks to amend SUP 2006-08 approval to allow for a dual drive through lanes, meal order canopy spanning both lanes, updated elevations, and a building addition of approximately 413 square feet for a total 4,642 square foot building. The existing SUP was granted for the existing drive through and building elevations. The subject parcel is located in the Commercial (C) District of the Town of Warrenton Zoning Ordinance and the New Town Character District of the Future Land Use Map. The subject parcel (GPIN 6984-28-8927-000) is located at 256 W. Lee Highway on approximately 1.21 acres.

Ms. Denise Harris presents a slide show on SUP 2022-06 Chick Fil A 2nd Drive-Thru and explains to the Commission this has a decision deadline of July 30th, 2023.

Mr. Stewart asks if there are any questions from the Commission.

Ms. Barbour and Mr. Ainsworth state none.

Mr. Stewart introduces Ms. Christina Hughes, Applicant representative of Bohler Engineering to present.

Mr. Stewart asks if the applicant wishes to move forward with the public hearing or defer.

Ms. Christina Hughes states the Applicant will move forward.

Ms. Hughes presents a slide show on the Amendment to the SUP 2022-06 Chick Fil A 2nd Drive-Through.

Ms. Hughes explains the Existing Conditions, Proposed Plan, Additional building expansion for kitchen space and reduction in seating. Additional signage items will be proposed and a new canopy.

Ms. Hughes explains a proposed change in the draft Condition of Approval verbiage "No vehicle stacking into the public Right-of-Way awaiting drive through service." And explains the Applicant proposes this Condition for signage.

Ms. Hughes explains a Traffic Consultant performed a queuing analysis.

Ms. Hughes explains additional stacking spaces with this dual lane, from order to pick up and peak hours accommodated within those.

Mr. Ainsworth questions Ms. Harris as to how is it proposed that the stacking be prevented.

Ms. Harris explains the process of enforcement, approaching the land owner to mitigate, otherwise it is a violation of the SUP approval.

Mr. Ainsworth asks Ms. Hughes if the Applicant is not anticipating a stacking issue why would it oppose the Town's proposed Condition of Approval.

Ms. Hughes explains the Applicant will install any measures it can to prevent this.

Ms. Barbour explains her concern regarding I traffic impacts.

Mr. Stewart explains he supports the Town staff's language with that condition.

Mr. Stewart questions Town staff regarding the lighting conditions.

Ms. Harris explains the Zoning Ordinance light requirements have not kept up with the changes in LED technology .

Mr. Stewart asks the Applicant if it would consider high-visibility crosswalks for pedestrian safety and connectivity around the site.

Ms. Hughes explains yes the Applicant will consider.

**Mr. Stewart opens the public hearing at 7:22 PM**

No public speakers present and no written comments.

Mr. Stewart closes the public hearing at 7:23 PM

Mr. Stewart asks the Applicant if it is alright with the Planning Commission rendering a recommendation based on the staff recommended draft Conditions of Approval .

Ms. Hughes responds yes.

Mr. Stewart seeks a motion.

Mr. Steve Ainsworth motions the Planning Commission recommend approval of SUP-2022-06 Chick Fil A to Town Council to amend SUP 2022-06-08 to allow for a dual drive-through and addition to the existing building subject to the Conditions of Approval dated May. 16<sup>th</sup> 2023 sheets one through four of the Special-Use Permit Plan created by Bohler Engineering dated August 23,2022 and revised though April 28<sup>th</sup>, 2023, and the elevations created by Hill Foley Rossi Architecture and Engineering dated September 14<sup>th</sup>, 2022. Seconded by Ms. Darine Barbour. All were in favor, no discussion, vote was unanimous as follows:

***Ayes: Mr. Ryan Stewart, Vice Chair; Mr. Steve Ainsworth, Secretary; Ms. Darine Barbour.***

***Absent; Mr. James Lawrence Mr. Terry Lasher***

***Nays;***

**SUP 2023-01 St John the Evangelist**

Special Use Permit (SUP) 2023-01 St John the Evangelist, the Applicant, and the Owner, the Catholic Diocese of Arlington (St John's Catholic School Tees), seeks to amend a June 3, 1986, SUP approval to allow for the demolition of an existing building and the construction of a new 13,000 square foot office building. The subject parcel is located in the Residential (R-10) District of the Town of Warrenton Zoning Ordinance and is designated as Live/Work on the Future Land Use Map. The subject parcel (GPIN 6984-36-7135-000) is located at 271 Winchester Street on approximately 11.0664 acres.

Mr. Ryan Stewart introduces Special-Use-Permit (SUP) 2023-01.

Ms. Denise Harris presents a slide show on SUP-23-01 St John the Evangelist. Decision deadline July 27<sup>th</sup>, 2023, unless the Applicant requests a deferral and stops the 100-day clock.

Ms. Harris explains the Planning Commission held a Work Session last month. This is to update and amend the 1986 SUP that exists for the 11-acer site zoned R-10 residential and allow for the construction of a new office building of approximately 13000 square foot pending the demolition of an existing 11000 square foot building.

Ms. Harris explains the previous SUP approval from 1986 and that the Applicant sought a Zoning Determination letter in 2017 regarding the Conditions of Approval.

Mr. Stewart asks if there are any questions from the Commission to staff.

Mr. Steve Ainsworth questions the review process with Town staff and there seems to be some confusion.

Ms. Harris answers in detail.

Mr. Ainsworth explains he would expect all issues to be resolved before the SUP is approved.

Mr. Ainsworth asks has there been any proposal from the Applicant regarding resolving any of these issues with more time and more information provided to staff.

Ms. Harris suggests allowing the Applicant to give their presentation and directly ask the Applicant questions.

Mr. Ainsworth questions the no final occupancy condition until the final demolition of the existing building. What limitations does that place on the Applicant having no final occupancy.

Ms. Harris answers.

Mr. Stewart introduces the Applicant's representative, Mr. David Norden, to present.

Mr. David Norden answers regarding occupancy and explains he is the architect for the project, and the civil engineers could not be present tonight.

Mr. Norden explains the Applicant is confident all the questions raised and issues needing to be addressed.

Mr. Norden explains the issues and states there should be no issues with meeting the height requirements, there is room to move the building if needed and stated it was the Applicant's idea to include a condition for no occupancy until the demolition of the existing building to address Planning Commission concerns raised during the Work Session

Mr. Norden explains the church is open to any suggestion and arrangement that satisfies the Town as there is zero desire to keep the old building.

Mr. Norden explains storm water, visual aspects, parking, landscaping, buffering, setbacks, travel lanes, fire hydrant, sidewalks, refuge, and the intent to not add any signage.

Mr. Norden explains the lane stacking concern is being addressed now.

Mr. Norden raises concerns with the Storm Water language.

Ms. Barbour explains concerns regarding information not provided to staff in the SUP submission and expresses stacking concerns.

Mr. Norden answers Ms. Barbour.

Mr. Ainsworth raises concerns if the location of the new building had to change and its impacts if these are included are in this application.

Mr. Norden answers with an explanation of any changes and adjustments.

Mr. Ainsworth questions Mr. Norden regarding the design team. If he will be the prime design and all other disciplines will be under contract to him. He asks Mr. Norden if he will have control over everything.

Mr. Norden answers yes.

Mr. Ainsworth explains his concerns with the demolition of the old building not being demolished when the new building is erected within a reasonable time.

Mr. Ainsworth asks the Town if there have been any complaints to the Town regarding their refuge collections.

Ms. Harris explains in other SUP'S the Commission have asked for it to be located and designated away from residential so when the Site Plan applications come through the Town is able to ensure its location.

Mr. Ainsworth questions where it is now and if it has been an issue with the community.

Ms. Harris states she is unaware of any complaints at this time.

Mr. Norden shows hardcopy pictures and plans.

**Mr. Stewart opens the public hearing at 8:08PM**

Jeffrey Grambo of 300 Winchester Street expresses concerns with the proximity of the new building to the road, including height, sound, and damage to the old trees. He questions the materials for the new building, sidewalk issues, and light illumination.

Mr. Ali Zarabi of 344 Richards Drive expressed concerns regarding water runoff from the current building and provided photographs which directly impact 338 and 344 Richards Drive and neighbors. Topography changes from east to west and south to north of the existing building and the parking lot. He would like the Applicant to mitigate the runoff. Mr. Bill Chipman of 289 Winchester Street requests clarification of how Preston Drive relates to this property.

Mr. Stewart explains.

Mr. Chipman expresses there is no reason for the old building to stay when the ground breaks of the new building. He raises storm water management concerns, height concerns, positioning of the new building, lighting illumination, parking, and loss of green space concerns.

Mr. Stewart closes the public hearing at 8:19 PM.

Mr. Ryan Stewart asks the Commission if they have any questions.

Mr. Steve Ainsworth comments on the last two speakers. There was focus on the old building being taken down as well as opening up the space for a more suitable location for the building and dealing with the storm water management issues. He expresses he is inclined to alter staff's Conditions to address these concerns.

Ms. Darine Barbour expresses agreement with Mr. Ainsworth.

Mr. Stewart explained processes for approval and would prefer to see outstanding questions answered prior to this going forward.

Mr. David Norden responds.

Mr. Stewart explains his concerns on the topics of the travel lane widths, parking, and emergency services access.

Mr. Stewart explained he would have preferred Mr. Carson, the Applicant's representative Civil Engineer, to have been present to answer questions. Mr. Stewart uses St. James Church and School SUP, which Mr. Carson produced the SUP plans for, as an example to reference.

Mr. Norden argued St. James had a different plan of expansion.

Mr. Stewart explained he wanted to give Mr. Norden the opportunity to address concerns by providing the requested information.

Mr. Norden explained the Applicant is not changing travel lanes, or the refuge area, and the Fire Department had not expressed concern previously during the 2017 school expansion.

Mr. Stewart explained the Planning Commission was presented with Applicant comments on the Draft Conditions after the meeting deadline. Before the Planning Commission makes a recommendation to the Town Council it prefers to have time to review them.

Mr. Stewart expresses he prefers to defer this application decision until the June meeting.

Mr. Ainsworth explains he is comfortable deciding tonight.



Ms. Barbour explains she has not had the opportunity to review the Applicant's mark up and agrees with Mr. Stewart to defer until June.

Mr. Stewart asked Ms. Harris if staff have reviewed the traffic patterns proposal for the drop-off location for the stacking issue.

Ms. Harris answers and explains.

Mr. Stewart asks for a motion.

Ms. Barbour motions to hold the public hearing open until the June Regular Meeting of the Planning Commission to allow the Applicant to have more time to provide the requested information. Seconded by Mr. Ainsworth. All were in favor, no discussion, vote was unanimous as follows:

***Ayes: Mr. Ryan Stewart, Vice Chair; Mr. Steve Ainsworth, Secretary; Ms. Darine Barbour.***

***Absent; Mr. James Lawrence Mr. Terry Lasher***

***Nays;***

Mr. Stewart motion to keep the Public Comment hearing open until June seconded by Ms. Darine Barbour All were in favor, no discussion, vote was unanimous as follows:

***Ayes: Mr. Ryan Stewart, Vice Chair; Mr. Steve Ainsworth, Secretary; Ms. Darine Barbour.***

***Absent; Mr. James Lawrence Mr. Terry Lasher***

***Nays;***

### **COMMENTS FROM THE COMMISSION.**

Mr. Stewart congratulated the high school graduates of the Class of 2023.

### **COMMENTS FROM THE STAFF.**

Ms. Denise Harris explains the Town Council will be approving the Budget at its June meeting.

Ms. Harris explains the Town Council is discussing the purchase of the Horse Show Grounds. If this passes, the park will come before the Planning Commission for 2232 Review and a potential Comprehensive Plan Amendment to include the property on the Future Land Use Map.

Ms. Harris reviews Pre-Application meetings, the status of the Walmart SUP Amendment, and the SUP application of the Warrenton Village apartments yet to come before the Planning Commission.

Ms. Harris reviews the Commonwealth Transportation Board schedule and the fact the Town will know in June if it was successful in Smart-Scale funding for the two roundabouts and explains locations.

Ms. Harris explains a Pipeline Study of Shirley Avenue with VDOT is kicking off this summer.

Ms. Harris explains Town Council is discussing if the County will be willing to partner with the Town on the Main Street Improvement Project since the Revenue Sharing Grant will not fund the whole project.

**Motion to Adjourn**

Mr. Ryan Stewart seeks a motion to adjourn.

Mr. Steve Ainsworth motions to adjourn. Seconded by Ms. Darine Barbour. All were in favor, no discussion, vote was unanimous as follows:

***Ayes: Mr. Ryan Stewart, Vice Chair; Mr. Steve Ainsworth, Secretary; Ms. Darine Barbour.***

***Nays: None***

***Absent During Vote: Mr. James Lawrence, Chair; Mr. Terry Lasher;***

***Abstention: None***

**ADJOURN**

With no further business this meeting was adjourned at 8:54 PM.

**Staff Analysis**

This analysis is based on the Comprehensive Plan, Zoning Ordinance, and review comments by Town Departments. The standards/analysis tables in the sections below contain the criteria for Planning Commission and Town Council consideration of Special Use Permits, per Article 11-3.1.3.

This request for a Special Use Permit for St John the Evangelist to amend the exiting 1986 SUP to allow for a new building in accordance with Article 3-4.2 and Article 11-3.10 of the Town Zoning Ordinance. The proposal is to demolish an existing approximately 11,000 square foot building with a new 13,000 square foot building. The property is operating under a Special Use Permit that was approved to allow for a school. The Special Use Permit has not been updated since 1986 to reflect the uses and needs of the property. However, through time, multiple improvements have been made to the property, including the church expanded in 2002/3, modifications to the stone wall in 2007, improvements were done to the Parish Activity Center in 2015, and the school expanded in 2017. This SUP application is the opportunity to update the 11 acres to reflect the proposed new building and provide an accounting stormwater, parking, refuse, open space, and lighting for the uses contained on the parcel.

The following table summarizes the area characteristics (see maps in Attachment A):

Direction	Land Use	Future Land Use Map Designation	Zoning
North	SF Residential	Residential	R-10 Residential
South	SF Residential	Residential	RT Multi-Family
East	SF Residential	Residential	R-10 Residential
West	SF Residential	Residential	R-10 Residential

The subject parcel is zoned to the R-10 Residential District of the Town of Warrenton Zoning Ordinance and is designated as Live Work Neighborhood on the Future Land Use Map. The subject parcel (GPIN 6984-36-7135-000) is located at 271 Winchester Street on approximately 11.0664 acres.

**Comprehensive Plan Future Land Use and Historic Resources Analysis**

Plan Warrenton 2040 labels this parcel in the Future Land Use Map is designated as Live Work outside of a Character District. It is also located within the Historic District. The Historic District goals state:

- Conserve, reuse, and promote historic resources to enhance the Town’s sense of place and grow the economy.
- Preserve the authenticity and tell the stories of historic resources for generations to come through documentation. Educate the community on the value of historic resources.
- Enhance the environment through preservation and sustainability best practices.

- Protect the rich histories of existing neighborhoods.
- Promote asset-based economic development through historic resources.

Standard	Analysis
<i>Whether the proposed Special Use Permit is consistent with the Comprehensive Plan.</i>	The proposed use falls within the future land use designation of Live Work as listed in the Comprehensive Plan and is located within the Historic District.
<i>The compatibility of the proposed use with other existing or proposed uses in the neighborhood, and adjacent parcels.</i>	The church property is adjacent to existing residential single-family homes. A church and school are permissible uses within the Residential R-10 zoning district, requiring a Special Use Permit.

**Staff Findings**

The historical survey of the existing building found it to be non-contributing. The applicant has held a work session with the Architectural Review Board to begin the process of discussion for the new building scale, massing, and materials. A Condition of Approval for the SUP addresses the need to obtain a Certificate of Appropriateness. The applicant intends to develop a building up that meets new building codes, in keeping with the context and character of the area.

**Zoning Analysis**

The legislative intent of the Residential R-10 District is this district is composed of certain low concentrations of residential uses, plus certain open space areas where similar development would be consistent with the provisions of the Town’s Comprehensive Plan. The regulations of this district are designed to stabilize and protect the essential characteristics of the district and promote and encourage suitable environment for single-family residential units and prohibit all activities of a commercial nature, except neighborhood professional businesses. To these ends, development in low density single unit dwellings, plus certain compatible uses by special use permit.

Standard	Analysis
<i>The level and impact of any noise emanating from the site, including that generated by the proposed use, in relation to the uses in the immediate area.</i>	The proposed use is adjacent to existing residential single-family detached dwellings. All non-residential uses must meet the noise standards under Article 9-14.2. No change of use is proposed.
<i>The proposed location, lighting and type of signs in relation to the proposed use, uses in the area, and the sign requirements of this Ordinance.</i>	The applicant has not proposed any new signage with the new building.

Standard	Analysis
<p><i>The location and area footprint with dimensions (all drawn to scale), nature and height of existing or proposed buildings, structures, walls, and fences on the site and in the neighborhood.</i></p>	<p>An SUP plan has been provided showing the location of the existing church, associated accessory buildings and proposed office building.</p> <p>The proposed 3-story office building is noted at 13,000 square feet. The plan shows an existing church, 1-story school, rectory, and 1 story building with a basement. No height or square footage is provided for these buildings.</p> <p>There is an existing retaining wall located at the northwestern corner of the property, and a proposed retaining wall is noted along the proposed office building, but no height is noted for other than “the proposed building height will be approximately 35’ or less” based on a calculation using the average proposed grade along the outside of the building. The applicant states “variations in the final site grading will change the building height calculation.”</p> <p>The ARB will review the retaining wall to ensure compliance with the Historic District.</p>
<p><i>The nature and extent of existing or proposed landscaping, screening and buffering on the site and in the neighborhood.</i></p>	<p>No new landscaping detail is proposed on the SUP Plan, except a call out for the area around the existing retaining wall. Staff is unable to verify ordinance requirements, which will be required at time of site plan submission</p>
<p><i>The timing and phasing of the proposed development and the duration of the proposed use.</i></p>	<p>Timing of construction will depend on receiving site plan approval. The applicant has proposed a condition that would call for the demolition of the existing building prior to final occupancy of the new building.</p>
<p><i>Whether the proposed Special Use Permit at the specified location will contribute to or promote the welfare or convenience of the public.</i></p>	<p>The additional office space may allow the church to better serve the community. Updating the Conditions of Approval to address stacking in the public right-of-way will promote safety on John E. Mann Street.</p>

Standard	Analysis
<i>Whether, in the case of existing structures proposed to be converted to uses requiring a Special Use Permit, the structures meet all code requirements of the Town of Warrenton.</i>	Any new structures will be required to meet current codes.
<i>The location, character, and size of any outdoor storage.</i>	No outdoor storage is shown on the SUP plan.
<i>The location of any major floodplain and steep slopes.</i>	No floodplain is located on site.
<i>The location and use of any existing non-conforming uses and structures.</i>	The proposed structure must meet all required setbacks and permissible uses should the SUP be granted.
<i>The location and type of any fuel and fuel storage.</i>	No fuel storage areas are noted on site.
<i>The location and use of any anticipated accessory uses and structures.</i>	The office building is proposed to be built at the Northwest corner of the site. It is not clear what services the office building will be utilized for.
<i>The area of each proposed use.</i>	The proposed area for the new office building is 13,000 square feet.
<i>The location and screening of parking and loading spaces and/or areas.</i>	Staff cannot verify parking and loading space requirements are met throughout the site. No new landscaping is proposed on the SUP Plan. Staff is unable to verify ordinance requirements, which will be required at time of site plan submission. Perimeter parking lot landscaping is required between the 14 new parking spaces and the northern boundary line, to consist of a minimum 5-foot wide buffer area planted with one canopy tree and three shrubs per 50 linear feet. A retaining wall is located between the parking area and the property, reducing the available area to provide the required buffer. The applicant provided a “Typical Wall and Landscape Detail” on the SUP Plan but does not include dimensions.
<i>The location and nature of any proposed security features and provisions.</i>	Not applicable.
<i>Any anticipated odors which may be generated by the uses on site.</i>	The site must remain in compliance with Article 9-14.5 regarding the control of odors.
<i>Refuse and service areas.</i>	Refuse is not addressed on the SUP plan. The statement of justification acknowledges conformance with refuse storage requirements will be verified at the time of site plan.

Standard	Analysis
<i>Whether the proposed Special Use Permit will result in the preservation or destruction, loss or damage of any significant topographic or physical, natural, scenic, archaeological or historic feature.</i>	No significant or topographic areas are noted on site.
<i>The effect of the proposed Special Use Permit on environmentally sensitive land or natural features, wildlife habitat and vegetation, water quality and air quality. The location of any major floodplain and steep slopes.</i>	The applicant has not provided a preliminary stormwater plan, dimensions of building, parking, and travelways. Nor has the applicant provided how the improvements on site will be constructed or if blasting is anticipated.
<i>The glare or light that may be generated by the proposed use in relation to uses in the immediate area.</i>	The applicant has provided no information for lighting. Staff and the Planning Commission have raised concerns regarding the parking on the northern side of the property.

**Staff Findings**

Staff continues to be concerned about the lack of information included on the SUP Plan. In reviewing the SUP application and existing conditions plan, which serves as a base to the SUP Plan, staff found many site improvements missing, such as pavement striping in front of the school to confirm parking and ADA needs, documentation of existing playgrounds and pavilions, as well as other items that may impact stormwater, impervious surfaces, and buffer requirements. The SUP plans are also out of date in documenting adjacent subdivisions and neighboring properties. As a legal entitlement document, the SUP plans should indicate notes of what the use of each building is on the site.

During agency review of the application, staff raised several potential issues and asked the applicant to address them. Highlights of issues include the potential inability to meet landscaping buffer requirements, no details on lighting, preliminary stormwater design, proposed refuse locations, and no height and dimensions of the building to confirm required setbacks, retaining walls, parking, travelways, and landscape buffers for staff to ensure the proposal will meet requirements. Staff is aware that stormwater and landscape buffer solutions can be expensive to engineer. Staff sought to help the applicant understand that staff cannot ensure this proposal works at Site Development Plan without more information and/or requested waivers.

As part of the agreement between the church for the pre-school expansion in 2017, in an email from Carson Land Consultants to the Town on August 4, 2017, the applicant’s engineer confirmed “but if and when St John’s does anything else in the future, the land disturbance from this project plus the next will trigger the VPDES permit.” The Town engineer responded with the statement “However, when they move to the next phase, we will go back to any upgrade during and after 2014.”

Normally staff is able to work with the applicant to do a baseline determination during the SUP approval process that allows what the applicant seeks to accomplish is feasible within the adopted ordinances and regulations. However, without additional information on the SUP Plan, staff is unable to confirm the feasibility without the applicant requesting waivers and modifications in the future.

Draft Conditions of Approval have been drafted to attempt to address potential lighting issues. The Town of Warrenton Police suggested information regarding LED lighting that the Community Development Department worked to address.

### **Transportation and Circulation Analysis**

The Transportation and Circulation goals for the Town of Warrenton are:

- Improve multi-modal capacity and safety that encourages trips by walking, bicycling, and transit. Enhance the traveling experience by creating great streets.
- Promote livability in the Town by creating great places where residents and visitors feel welcome and safe.
- Provide an equitable and connected Multi-Modal Network.

<b><u>Standard</u></b>	<b><u>Analysis</u></b>
<i>The traffic expected to be generated by the proposed use, the adequacy of access roads and the vehicular and pedestrian circulation elements (on and off-site) of the proposed use, all in relation to the public's interest in pedestrian and vehicular safety, efficient traffic movement and access in case of fire or catastrophe.</i>	The church site is used for multiple uses including a pre-school – 8 <sup>th</sup> grade school, parish activity center for community events, outdoor managed turf fields, a rectory, and the multi-use office building. The applicant has not provided information related to the proposed width of travelways or a turn analysis throughout the site.
<i>Whether the proposed use will facilitate orderly and safe road development and transportation.</i>	The proposal states approximately 38 additional parking spaces will be added.

### **Staff Findings**

The Warrenton Volunteer Fire Department requested consideration of wider access roads, strict enforcement of no parking areas, more fire hydrants, and ensuring flat areas 1/4<sup>th</sup> of the height of the building. Community Development staff raised concerns about perimeter parking, understanding of the impervious surface dimensions (e.g. parking and travelways), and information regarding school pick off and drop off to prevent stacking in the public right-of-way. Public Works and Utilities raised the 1986 condition of dedicating the right-of-way to the centerline of Winchester Street. The applicant acknowledged these items and stated they would be addressed at site plan. Staff has worked to try to develop a set of draft conditions of approval to address the right of way, potential maintenance needs and who is responsible for them, and vehicle stacking in the public right-of-way. However, staff cannot speak to the needs of the Fire Department without more information. It should also be noted there is no proposed sidewalk along the frontage of Winchester Street. The Planning Commission should discuss if this would be appropriate given the Town's goal of walkability and improving Winchester Street as a designated Signature Street in Plan Warrenton 2040. Normally a subdivision is the trigger for installing a sidewalk. In this case, the applicant is not subdividing the property.

### **Community Facilities and Environmental Analysis**

Plan Warrenton 2040 outlines Community Facilities goals and Environmental goals by stating:



- Green infrastructure and sustainability are incorporated into community facilities to promote energy efficiency and environmental protections.
- Ensure healthy, safe, adequate water and wastewater services.
- Preserve, enhance, and protect the environmental, scenic, and natural quality of the Town.

<u>Standard</u>	<u>Analysis</u>
<i>Whether the proposed Special Use Permit will be served adequately by essential public facilities, services and utilities.</i>	There is an existing water and sewer system on the parcel. The applicant has indicated a “potential stormwater management area to discharge into the storm drain on Winchester Street” with a note that stormwater is subject to change with final design on the SUP Plan.
<i>The location of any existing and/or proposed adequate on and off-site infrastructure.</i>	

### **Staff Findings**

The Town Public Works and Utilities Department cannot verify the disturbance work or the erosion and sediment control measures and calculations without more information provided. The applicant was provided information from 2017 site development plan that stated the additional disturbance related to the recently constructed education building (per SDP 2017-01) will be considered accumulative to this new SUP application (per SUP-23-01) and will trigger the Commonwealth’s SWM Regulations, as indicated in General Note 12 of the 2017 of the Saint John the Evangelist Roman Catholic Church SDP sheet 2. Public Works and Utilities also informed the applicant that at least a 10% reduction in runoff and nutrients from the site. Per February 2, 2017, memorandum (SDP 2017-01 St. John’s Catholic Church Pre-School Addition letter), the additional disturbance will be considered accumulative to this SUP application and will trigger the Commonwealth’s SWM Regulations, as indicated in General Note 12 of the 2017 of the Saint John the Evangelist Roman Catholic Church SDP sheet 2. Further concern from Public Works is the site plan must ensure that the existing drainage on Winchester Street has adequate capacity to convey drainage from this improved site.

Public Works requested a Stormwater Master Plan for the site showing how stormwater is proposed to leave the site and how it meets the Stormwater Town’s Ordinance criteria. This relates to the recently constructed education building (per SDP 2017-01) and the proposed new building.

As is stated in the Zoning Analysis section, without an up to date Existing Conditions Plan and dimensions, height, and locations of improvements on the SUP Plan, staff is unable to ensure all these concerns have been addressed to the satisfaction of a SUP approval.

Previous SUP applications have been forthcoming as to whether blasting will be required to achieve the proposal. In this case, staff is unsure how the applicant intends to proceed with building, parking, demolition, and stormwater improvements. The site is surrounded by residences that could be impacted if blasting was required on the site.

The applicant states they will address all outstanding issues at time of Site Development Plan. Staff suggests the Planning Commission consider appropriate Conditions of Approval if this application is to move forward to ensure the concerns are properly addressed.

**Economic Resources Analysis**

An economic goal of Plan Warrenton 2040 is to promote a diverse, equitable stable tax base while preserving the character of the community.

<b><u>Standard</u></b>	<b><u>Analysis</u></b>
<i>Whether the proposed Special Use Permit use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.</i>	The proposed use does not change the existing uses on the property.
<i>The number of employees.</i>	Unknown. Students is capped at 540.
<i>The proposed days/hours of operation.</i>	Unknown.

**Staff Findings**

The proposal does not change the existing economic use of the site.

**Conditions of Approval**

Staff is proposing these conditions be updated to address the revised SUP Plan, transportation, elevations, lighting, stormwater, and refuse. These draft conditions are attached. Other items for Planning Commission consideration include:

1. Warrenton Volunteer Fire Company requests
2. Concerns from Public Works and Utilities regarding Winchester Street storm drainage availability and meeting accumulative stormwater requirements.
3. Zoning concerns of landscaping buffer requirements, retaining wall heights, and setbacks.
4. Potential blasting needs
5. Sidewalk potential on Winchester Street.
6. Refuse location to ensure it is not located adjacent to residences.



Community Development  
Department

## STAFF REPORT

<b>Commission Meeting Date:</b>	June 20, 2023
<b>Agenda Title:</b>	Special Use Permit 2023-01 St John the Evangelist
<b>Requested Action:</b>	Hold a Public Hearing & Recommend to Town Council
<b>Decision Deadline:</b>	July 27, 2023
<b>Staff Lead:</b>	Denise Harris, Planning Manager

### EXECUTIVE SUMMARY

Special Use Permit (SUP) 2023-01 St John the Evangelist, the Applicant, and the Owner, the Catholic Diocese of Arlington (St Johns Catholic School Tees), seeks to amend a June 3, 1986, SUP approval to allow for the demolition of an existing building and the construction of a new 13,000 square foot office building. The subject parcel is located in the Residential (R-10) District of the Town of Warrenton Zoning Ordinance and is designated as Live/Work on the Future Land Use Map. The subject parcel (GPIN 6984-36-7135-000) is located at 271 Winchester Street on approximately 11.0664 acres.

Planning Commission held a Work Session on April 18, 2023 and a Public Hearing on May 16, 2023. Three members of the public spoke to the application. Items brought up included proximity of the new building to Winchester Street, potential loss of old growth trees, noise “bounce back” to residences, no crosswalk on Winchester to entrance, water run-off, topo/grade changes, no lighting on building, loss of green space, question if additional parking is necessary, and support for the existing building to be demolished. The Planning Commission requested the Applicant work to address items missing on the SUP Plans and issues raised. The Planning Commission also suggested the Applicant look at the potential of green space vs additional parking. The Planning Commission voted 3-0 (Lawrence, Lasher absent) to hold the Public Hearing open until the June Planning Commission meeting.

On June 1, 2023, the Applicant submitted an updated SUP Plan to address the requested missing information, including parking, topography, improvements on the site, refuse locations, adjacent properties, and other miscellaneous items. The Applicant piloted a new student pick up/drop off pattern to address draft Condition of Approval 9.b and found it to be successful in preventing stacking in the public-right-of way. In addition, the Applicant requested the language “evergreen shrubs” be added to draft Condition of Approval 10 as an acceptable buffer and shield of vehicle headlights on the northern

portion of the property. Finally, staff worked to rewrite draft Condition of Approval 7.c to be more precise in the intent related to stormwater management. The Applicant accepted the new language.

The updated information is available for the June 20, 2023, Planning Commission Public Hearing.

## BACKGROUND

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In 1986, St Johns the Evangelist received a Special Use Permit for a school. The minutes from the Town Council meeting indicate the intent was to allow:

1. Construction of the School in two phases
2. Phase 1 enrollment 270
3. Phase 2 enrollment 540
4. Relocate the convent
5. Obtain Right of way dedication to centerline of King Street (aka John E Mann Street) and Winchester

When the church school sought an expansion in 2017, a Zoning Determination letter found the building expansion could proceed without a Special Use Permit amendment as the enrollment numbers were not changing. However, during the Site Development Plan (SDP 2017-01), the Town indicated that *“as new projects are proposed by the Church, the additional work will be considered accumulative to this plan and will trigger the Commonwealth’s SWM Regulations.”* The Town’s willingness to work with the applicant in 2017 was predicated on the shared knowledge that the next proposed improvement would include a comprehensive update of the site’s uses and existing conditions.

During agency review of the application, staff raised several potential issues and asked the applicant to address them. Highlights of issues include the potential inability to meet landscaping buffer requirements, no details on lighting, preliminary stormwater design, proposed refuse locations, and no height and dimensions of the building, retaining walls, parking, travelways, setbacks, and landscape buffers for staff to ensure the proposal will meet requirements. Staff is aware that stormwater and landscape buffer solutions can be expensive to engineer. Staff sought to help the applicant understand that staff cannot ensure this proposal works without more information and/or requested waivers.

The Planning Commission held a work session on this proposal on April 18, 2023. During that meeting the Planning Commission discussed buffers and landscaping along the length of the northern boundary of the property; energy, water, and sewer demands; intentions of existing building and timing of demolition; parking overflow into adjacent neighborhoods and stacking in the public right-of-way; elevations from Winchester Street and the request for artist’s rendering; appropriate stormwater, sediment control, and boundary line adjustments; and ARB approvals.

This Special Use Permit application is the opportunity for the applicant to bring the last 37 years of property uses up to date. Similar SUPs in recent years have included notes on SUP Plans that include number of students, parking calculations, stacking and movement of vehicles, stormwater locations, dimensions, refuse locations and screening, and acknowledgement of the waivers that will be required as part of the Site Plan approval.

**STAFF RECOMMENDATION**

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Staff recommends the Planning Commission continue the Public Hearing on SUP 23-01 St John Catholic Church.

**Suggested Motions**

1. I move that the Planning Commission recommend approval of SUP 23-1, St John Catholic Church, to Town Council to amend the approved SUP in June 3, 1986, to allow for the 13,000 square foot accessory use building the church and school, subject to the draft Conditions of Approval dated June 20, 2023, sheets 1 through 4 of the Special Use Permit Plan created by Carson Land Consultants dated February 10, 2023 and revised through May 30, 2023.

OR

2. I move that the Planning Commission forward SUP 23-1, St John the Evangelist to the next Planning Commission meeting.

OR

3. I move an alternative motion.

OR

4. I move to recommend denial of SUP 23-01 to the Town Council for the following reasons...

**ATTACHMENTS**

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1. Attachment A – Maps
2. Attachment B – May 13, 2023, Staff Analysis
3. Attachment C – May 30, 2023 Special Use Permit Plan
4. Attachment D – June 20, 2023 Draft Conditions of Approval
6. Attachment F – Statement of Justification
7. Attachment G – Overall Site Access Plan
8. Attachment H – March 23, 2023/Revised April 27, 2023 Comment Response Letter

9. Attachment I – Applicant Draft Conditions and Town Council 1986 Meeting Minutes
10. Attachment J – Artist Renderings from Winchester Street
11. Attachment K – Staff Presentation from May 16, 2023 Public Hearing

**DRAFT SPECIAL USE PERMIT CONDITIONS**  
**Applicant: ST. JOHN THE EVANGELIST CATHOLIC**  
**CHURCH**  
**Owner: CATHOLIC DIOCESE OF ARLINGTON**  
**(ST JOHNS CATHOLIC SCHOOL TEES)**  
**SUP 23-01 (Supersedes SUP Dated June 3, 1986)**  
**PINs 6984-36-7135-0000 (the "Property")**  
**Special Use Permit Area: ± 11.0664 Zoning: R-10**  
**Residential**  
**Date: ~~May 16~~ June 20, 2023**

In approving a Special Use Permit, the Town Council may impose such conditions, safeguards, and restrictions as may be necessary to avoid, minimize, or mitigate any potentially adverse or injurious effect of such special uses upon other properties in the neighborhood, and to carry out the general purpose and intent of this Ordinance. The Council may require a guarantee or bond to ensure that compliance with the imposed conditions. All required conditions shall be set out in the documentation approving the Special Use Permit (SUP).

1. General: This Special Use Permit is issued covering the entire Property pursuant to the provisions of § 11-3.10 of the Town of Warrenton Zoning Ordinance.
2. Site Development: The Property shall be developed in substantial conformance with the Special Use Permit Plan entitled, "Special Use Permit Plat," prepared by Carson Land Consultants, Page 1 dated ~~March 27~~ February 10, 2023 and Pages 2-4 dated December 6, 2022, all revised ~~April 27~~ May 30, 2023, consisting of four (4) sheets (the "SUP Plan"). Minor changes and adjustments may be made to the road and street alignments, entrances, parking, dimensions and location of SWM/BMP facilities, the exact configuration and location of building footprints, and other similar features as shown on the SUP Plan, provided they meet the intent of these Conditions and are approved by the Director of Community Development or the Zoning Administrator.

3. Use Parameters:
  - a. Special Use Permit Area – The Special Use Permit shall apply to the entire +/- 11.0664 acre site.
  - b. Use Limitations – The use shall be limited to a religious institution and related facilities including the church, school, and those accessory uses customarily incidental to the primary uses.
  - c. Maximum Students – The maximum number of students shall be 540 as approved in the previous SUP dated June 3, 1986.
4. Architecture: The site is located within the Historic District and is subject to Architectural Review Board, Certificates of Appropriateness (COA), and the Town of Warrenton Guide to Historic Resources. No structures shall be modified or erected until a COA has been issued. This includes walls and fences exceeding 36” in height.
5. Signage: All signage shall comply with the applicable provisions of Article 6 of the Town of Warrenton Zoning Ordinance.
6. Site Maintenance and Refuse Collection: Any refuse storage areas shall be screened with a solid enclosure constructed of materials that are compatible with the buildings on the property. The enclosure shall have gates that prohibit viewing this area from adjoining properties and public rights-of-way. The gates shall remain closed when not in use and the trash containers shall be emptied as necessary to prevent odors or infestation by vermin. Compliance with this condition shall be demonstrated on each final site plan(s). Deliveries and refuse collection shall follow Town Code Section 11-19(9).
7. Environment: All landscaping shall be native and drought-resistant or other species as may be approved on the final site plan(s).
  - a) Landscaping – The Applicant shall make all efforts to maintain and preserve the existing mature vegetation and hardwood trees when feasible.
  - b) Minimize Clearing and Grading – The Applicant shall show the limits of clearing and grading for the site on the approved final site plan(s). For portions of buffers located outside the limits of clearing and grading, the existing vegetation shall be preserved and supplemented to meet the intent the buffer as noted above. In addition, existing trees and shrubs shall be incorporated into the landscaping plan. This does not preclude the removal of diseased, noxious and/or invasive vegetation.
  - e) Stormwater Management – ~~The Applicant shall provide one hundred percent (100%) of the required stormwater runoff quality and quantity control measures for the site. The locations and specific techniques to be utilized shall be determined at the time of plan review and discussed with Stormwater~~



~~Management staff prior to submittal of the first final site plan.~~ The property owner is required to account for all improvements, regardless of square footage, made to the property since July 1, 2014, and design and construct for the accumulative stormwater management for both quantity and quality in accordance with all applicable State and local requirements in effect at the time of site development plan approval.

8. Lighting:

- a. Proposed lighting shall be reviewed during the review of the Certificate of Appropriateness and at the time of site plan in accordance with the Zoning Ordinance.
- b. Building-mounted security lighting, which is full cut-off and directed toward the building and in compliance with the Zoning Ordinance, shall be permitted.
- c. All new and replacement light fixtures shall consist of full cut-off fixtures with a color temperature of 3,000 K or lower, and a maximum mounting height of 14 feet.
- d. Lighting on the school managed turf fields is prohibited.
- e. All other proposed lighting shall be addressed at site plan in accordance with the Zoning Ordinance.

9. Transportation:

- a) Vehicular Access – The site shall be accessed from the Winchester Street and John E. Mann entrances. Egress shall be controlled via a stop sign traffic control with stop bar at the exits.
- b) There shall be no stacking of vehicles into the public right-of-way. The school is responsible for ensuring drop off and pick up from the school do not result in backs ups on the public streets. Stacking on the property by accessing the school by way of Winchester Street or staggering times is required to achieve this condition.
- c) Handicapped Parking and Signage – Handicapped parking and signage for shall be provided in accordance with the PFM and the Americans with Disabilities Act.
- d) Dedication of public right-of-way on Winchester Street shall be included on the Site Development Plan and be recorded prior to occupancy permit. With the dedication of the right-of-way frontage, the property owner will submit with the site plan an agreement to retain the maintenance of the existing perimeter wall and entrance features, including the entrance apron on Winchester Street for Town review and approval.

10. Parking: Parking located on the north side of the property, adjacent to Richards Lane shall buffer and shield the headlights of vehicles from the adjacent residences. Headlights shall be screened from view from the residential-zoned property located

to the north to at least 3.5 feet in height above the parking surface elevation with a solid wall, sight-tight fence, evergreen shrubs, or other method as approved by the Zoning Administrator as a part of the Site Development Plan, to extend the length of the parking on the north side.

11. Water and Sewer: The site shall continue to be served by public water, with the property owner bearing all costs associated with providing the additional services that will be required. Construction of a new 3-story building, +/- 13,000 square foot located at the northwest corner of the property on Winchester Street will require a separate water meter, per Town Code
12. Demolition: Demolition of the existing 3 story stone and block building located in the northwest portion of the property adjacent to Richards Lane shall require a permit from the Town. No final occupancy permit shall be issued on a new 3-story building, +/- 13,000 square foot located at the northwest corner of the property on Winchester Street until the above existing building has been demolished.

# SPECIAL USE PERMIT PLAT

# ST JOHN THE EVANGELIST CATHOLIC CHURCH

## SUP 2023-1 (AMENDMENT TO SUP DATED JUNE 3, 1986)

## 271 WINCHESTER STREET

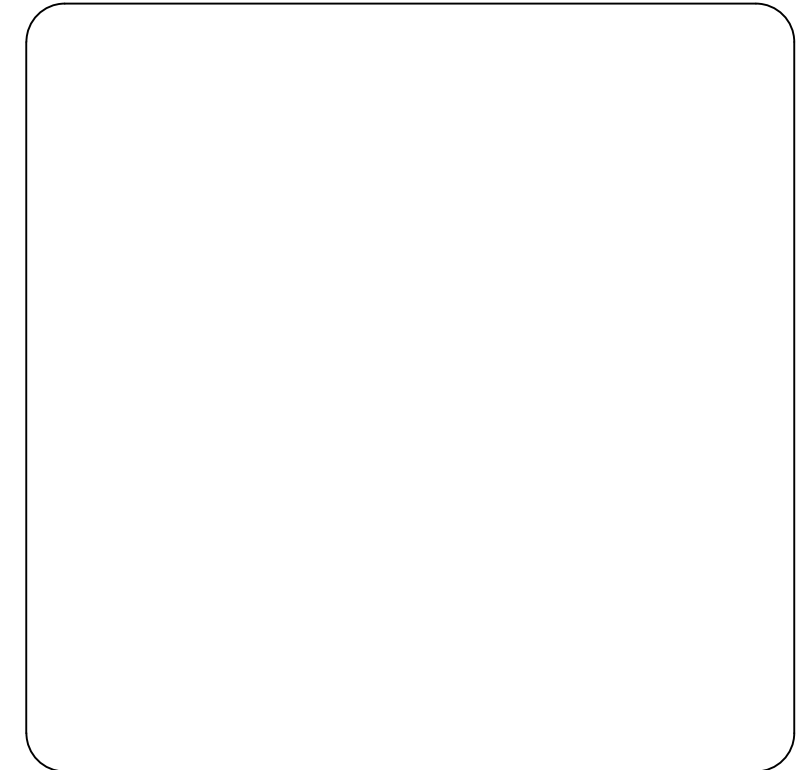
## TOWN OF WARRENTON

## FAUQUIER COUNTY, VIRGINIA

## FEBRUARY 10, 2023

## LAST REVISED: MAY 30, 2023

APPROVAL BLOCK



LEGEND	
Q	CENTERLINE
CO	CLEANOUT
EX	EXISTING
HC	HANDICAPPED
EP	EDGE OF PAVEMENT
S/C	SIAMESE YARD CONNECTION
IPS	IRON PIPE SET
IPF	IRON PIPE FOUND
RET	RETAINING
PKS	PK-NAIL SET
DHS	DRILL HOLE MADE
CONC	CONCRETE
CONN	CONNECTION
TELE	TELEPHONE
STM STR	STORM SEWER STRUCTURE
STM MH	STORM SEWER MANHOLE
SAN MH	SANITARY SEWER MANHOLE
ELEC TRANS	ELECTRIC TRANSFORMER
O	WATER VALVE UNLESS NOTED
Q	SIGN
⊕	FIRE HYDRANT
⊕	LIGHT OR UTILITY POLE
FC	FACE OF CURB
7	NUMBER OF PARKING SPACES
1 LS	NUMBER OF LOADING SPACES
5 HC	NUMBER OF HANDICAP SPACES
---	PROPERTY OR RW LINES
---	CENTER LINE
---	EASEMENT LINE
---	EXISTING TRAVEL WAY EDGE OF PAVEMENT
---	PROPOSED EDGE OF PAVEMENT
---	EXISTING CURB AND GUTTER
---	PROPOSED CURB AND GUTTER
---	FENCE LINE
---	ROADSIDE DELINEATORS
---	RAILROAD
---	ADJACENT PROPERTY OWNERS
---	EXISTING CULVERT OR STORM LINE
---	PROPOSED CULVERT OR STORM LINE
---	STORM SEWER (PROPOSED BY OTHERS)
---	EXISTING WATERLINE
---	PROPOSED WATERLINE
---	WATERLINE (PROPOSED BY OTHERS)
---	EXISTING FIRE HYDRANT
---	PROPOSED FIRE HYDRANT
---	EXISTING SANITARY SEWER
---	PROPOSED SANITARY SEWER
---	SANITARY SEWER (PROPOSED BY OTHERS)
---	EXISTING GAS LINE
---	PROPOSED GAS LINE
---	EXISTING OVERHEAD TELEPHONE
---	EXISTING OVERHEAD ELECTRIC
---	EXISTING OVERHEAD TELEPHONE & ELECTRIC
---	EXISTING UNDERGROUND TELEPHONE
---	EXISTING UNDERGROUND ELECTRIC
---	EXISTING RETAINING WALL
---	PROPOSED RETAINING WALL
---	EXISTING POWER OR TELEPHONE POLE
---	LIGHT POLE
---	EXISTING CONTOUR W/ ELEVATION
---	PROPOSED CONTOUR W/ ELEVATION
---	EXISTING SPOT ELEVATION
---	PROPOSED SPOT ELEVATION
---	EARTH DEPRESSION
---	DITCH, SWALE, STREAM OR SPRING
---	SWAMP OR MARSH AREA
---	DRAINAGE DIVIDE
---	PATH (DIRT, GRAVEL, CRUSHED STONE, ETC.)
---	TREE LINE
---	LIMITS OF CLEARING & GRADING
---	NORTH ARROW
---	TREES AND SHRUBS
---	STD. VDOT CG-12, CURB RAMP
---	PROPOSED CONCRETE
---	PROPOSED GRAVEL
---	PROPOSED UNDERDRAIN

**ADJACENT OWNERS**

6984-45-0901-000  
MANN, FAYE A/K/A, MANN, FAYE O  
101 JOHN E MANN ST  
WARRENTON VA 20186  
BK 265 / PG 1584  
ZONING: R-10

6984-45-1877-000  
ELLIOTT, KELSEY A  
216 ROBINSON ST  
WARRENTON VA 20186  
BK 1453 / PG 2270  
ZONING: R-10

6984-45-2940-000  
JAMES, CHERYL M  
220 ROBINSON ST  
WARRENTON VA 20186  
BK 1458 / PG 1263  
ZONING: R-10

6984-45-3912-000  
PAYNE, MICHELLE A TRUSTEE;  
PAYNE, MICHELLE ANN TRUST;  
PAYNE, STEVEN C TRUSTEE;  
PAYNE, STEVEN CARL TRUST  
232 ROBINSON ST  
WARRENTON VA 20186  
BK 1587 / PG 69  
ZONING: R-10

6984-46-1478-000  
DEMBOVSKI, CHANTHELLE;  
PEPIN, THOMAS G  
348 PRESTON DR  
WARRENTON VA 20186  
BK 1594 / PG 1231  
ZONING: R-10

6984-46-2402-000  
CHESLEY, COLLEEN M;  
CHESLEY, MICHAEL R  
340 PRESTON DR  
WARRENTON VA 20186  
BK 1203 / PG 2334  
ZONING: R-10

6984-46-2324-000  
MUSSER, COURTNEY CANFIELD  
332 PRESTON DR  
WARRENTON VA 20186  
BK 1587 / PG 2406  
ZONING: R-10

6984-46-2257-000  
BARAHONA, ANGEL E, BARAHONA,  
JHESSY CRYSL LAGUNA DE  
324 PRESTON DR  
WARRENTON VA 20186  
BK 1209 / PG 1125  
ZONING: R-10

6984-46-2280-000  
EVANS, LIDA FULFORD  
316 PRESTON DR  
WARRENTON VA 20186  
BK 1197 / PG 2207  
ZONING: R-10

6984-46-3113-000  
FAZENBAKER, ROBERT EUGENE;  
STAFFORD, ANNALISA  
308 PRESTON DR  
WARRENTON VA 20186  
BK 1321 / PG 2263  
ZONING: R-10

6984-46-3056-000  
WRIGHT, ANDREA J, WRIGHT, JOHN C  
300 PRESTON DR  
WARRENTON VA 20186  
BK 1440 / PG 1211  
ZONING: R-10

6984-36-9591-000  
CHIPMAN, ALBERT W III;  
CHIPMAN, KAREN S  
287 WINCHESTER ST  
WARRENTON VA 20186  
BK 1249 / PG 2301  
ZONING: R-10

6984-36-9684-000  
CHIPMAN, ALBERT W III;  
CHIPMAN, KAREN S  
289 WINCHESTER ST  
WARRENTON VA 20186  
BK 1171 / PG 2455  
ZONING: R-10

**PARKING TABULATION**

IN ACCORDANCE WITH ARTICLE 7 OF THE TOWN OF WARRENTON ZONING ORDINANCE THE PARKING REQUIRED FOR THE SITE ARE AS FOLLOWS:

CHURCH: ONE (1) SPACE PER FOUR (4) SEATS DESIGN CAPACITY OF THE PRINCIPLE PLACE OF WORSHIP  
SCHOOL: ONE (1) SPACE PER TWENTY-FIVE (25) CLASSROOM SEATS PLUS ONE (1) PER EMPLOYEE CALCULATED FOR THE WORK PERIOD CONTAINING THE LARGEST NUMBER OF EMPLOYEES.

**REQUIREMENTS**

CHURCH = 793 SEATS (PER APPROVED AMENDED SITE PLAN)  
PARKING REQUIRED: 750 SEATS / 4 = 187.5 = 188 SPACES  
HC PARKING REQUIRED: 7 SPACES (PER ADA)

PRESCHOOL = 100 CLASSROOM SEATS / 25 = 4 SPACES  
12 EMPLOYEES = 12 SPACES  
= 16 SPACES TOTAL

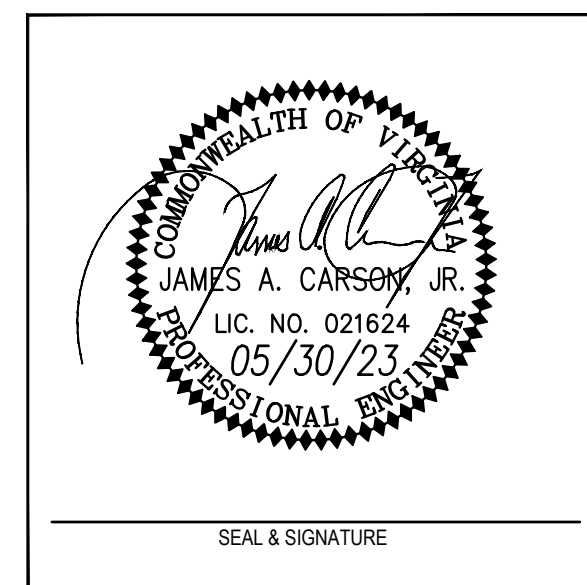
ST. JOHN'S SCHOOL (K-8) = 250 CLASSROOM SEATS / 25 = 10 SPACES  
30 EMPLOYEES = 30 SPACES  
= 40 SPACES

TOTAL NUMBER OF PARKING SPACES REQUIRED:  
CHURCH 188  
PRE-SCHOOL 16  
SCHOOL 40  
SPACES 244

TOTAL NUMBER OF PARKING SPACES PROVIDED: 244 SPACES PROVIDED (CURRENTLY)  
TOTAL NUMBER OF PARKING SPACES PROVIDED: 277 SPACES PROPOSED (WITH THIS SUP AMENDMENT)

TOTAL CHANGE WITH THIS SUP AMENDMENT: ADDITION OF 229 SPACES (SUBJECT TO CHANGE)

**NOT FOR CONSTRUCTION**  
UNDER REVIEW



**ENGINEER'S CERTIFICATE**

I, JAMES A. CARSON, JR., A LICENSED PROFESSIONAL ENGINEER IN THE COMMONWEALTH OF VIRGINIA, DO HEREBY CERTIFY THAT THE PROPERTIES UPON WHICH THIS SITE PLAN IS PROPOSED LIE IN THE NAME OF ST. JOHN'S CATHOLIC SCHOOL TEES, AS FOUND AMONG THE LAND RECORDS OF FAUQUIER COUNTY, VIRGINIA, IN DEED BOOK 205, PAGE 59.

JAMES A. CARSON, JR. P.E. NO. 021624



**VICINITY MAP**

SCALE 1"= 100'

**SHEET INDEX**

SHEET NO.	DESCRIPTION
1	COVER SHEET
2	EXISTING CONDITIONS PLAN
3	SPECIAL USE PERMIT PLAT
4	BUILDING ELEVATIONS
4	TOTAL NUMBER OF SHEETS IN PLAN

**GENERAL NOTES**

- PROJECT DESCRIPTION: THIS PROJECT PROPOSES THE CONSTRUCTION OF AN APPROXIMATELY 13,000 SQUARE FOOT, THREE FLOOR OFFICE BUILDING, SIDEWALK, SITE GRADING AND PARKING LOT IMPROVEMENTS ARE ALSO A PART OF THE PROPOSED PROJECT. APPROXIMATE 0.90 ACRE WILL BE DISTURBED DURING THE CONSTRUCTION OF THE PROJECT.
- PINS: 6984-36-7135-000
- ACREAGE: 11.0664 AC
- CURRENT USE: CHURCH, SCHOOL
- PROPOSED USE: CHURCH, SCHOOL
- OWNERS/APPLICANT: ST. JOHN'S CATHOLIC SCHOOL TEES  
271 WINCHESTER STREET  
WARRENTON VIRGINIA 20186  
DEED BOOK 205, PAGE 59
- ZONING: RESIDENTIAL (R-10)
- ZONING REQUIREMENTS:
  - MINIMUM LOT AREA: 10,000 SQ. FT
  - MINIMUM LOT FRONTAGE: 75 FEET
  - FRONT SETBACK: MINIMUM 25 FEET
  - SIDE SETBACKS: 15 FEET
  - REAR SETBACK: 20 FEET
  - MAXIMUM LOT COVERAGE: 65% IMPERVIOUS SURFACE
  - MAXIMUM BUILDING HEIGHT: 35 FEET
- TOPOGRAPHIC INFORMATION FIELD RUN BY CARSON LAND CONSULTANTS.  
CONTOUR INTERVAL: 2 FT  
DATUM: NAVD 88
- THE SUBJECT PROPERTY IS LOCATED ON FEMA FLOOD INSURANCE RATE MAP, COMMUNITY-PANEL NUMBER 51061C 0306 C, DATED FEB. 6, 2008. THE PROPERTY IS LOCATED IN ZONE "X". THIS DOES NOT CONSTITUTE A FLOOD STUDY BY THIS FIRM.
- STORMWATER MANAGEMENT WILL BE ADDRESSED WITH FINAL SITE DEVELOPMENT PLAN. THE PROPOSED OFFICE BUILDING AND ASSOCIATED PARKING AND CIRCULATION IMPROVEMENTS WILL BE TREATED AS A COMMON PLAN OF DEVELOPMENT. STORMWATER MANAGEMENT WILL BE ADDRESSED BY A COMBINATION OF ONSITE TREATMENT WITH STRUCTURAL BMPs SUCH AS BIORETENTION, DETENTION, AND/OR PURCHASE OF OFFSITE NUTRIENT CREDITS. AS CONSULT WITH THE TOWN WILL BE REQUIRED TO DETERMINE AND APPROVE ALLOWABLE DISCHARGE INTO THE EXISTING STORM SEWER SYSTEM. THE LOCATION AND ORIENTATION OF ONSITE FACILITIES WILL BE DETERMINED WITH THE SITE DEVELOPMENT PLANS. LOCATION AND SIZE HAVE NOT BEEN INDICATED ON THIS PLAN AS SUBSTANTIAL COMPLIANCE WITH THE SUP AMENDMENT LAYOUT WOULD BE REQUIRED. PLANS FOR STORMWATER MANAGEMENT ARE TENTATIVE AND SUBJECT TO CHANGE.

**SPECIAL USE PERMIT PLAT**  
**ST JOHN THE EVANGELIST CATHOLIC CHURCH**  
**SUP 2023-1 (AMENDMENT TO SUP DATED JUNE 3, 1986)**  
**271 WINCHESTER STREET**  
**TOWN OF WARRENTON**  
**FAUQUIER COUNTY, VIRGINIA**  
**FEBRUARY 10, 2023**  
**LAST REVISED: MAY 30, 2023**



45 Main Street, 1st Floor • Warrenton VA 20186 • (540) 347-9191  
CarsonLC



**NOT FOR CONSTRUCTION**

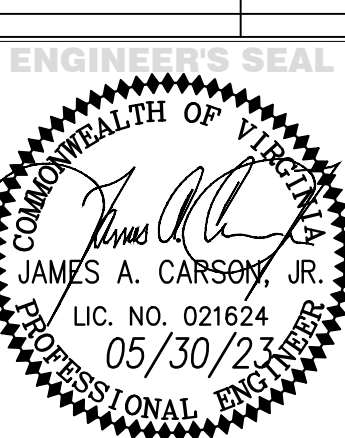
**SAINT JOHN THE EVANGELIST CATHOLIC CHURCH**  
WARRENTON, VA

**FAUQUIER COUNTY VIRGINIA**

**CENTER MAGISTERIAL DISTRICT**

REVISIONS

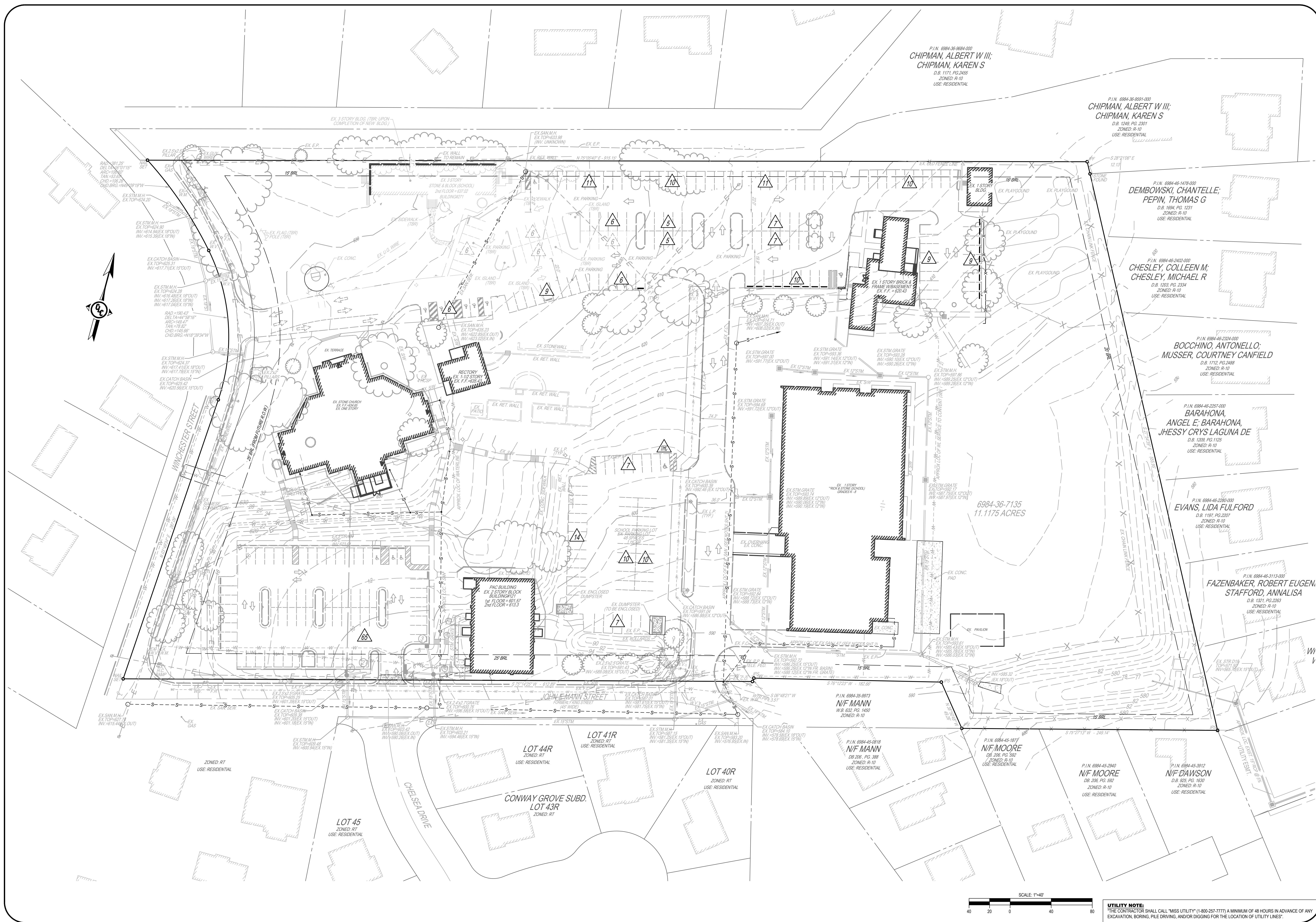
DESCRIPTION	DATE
TOWN COMMENTS	02/27/23
TOWN COMMENTS	04/27/23
TOWN COMMENTS	05/30/23



**EXISTING CONDITIONS PLAN**

DATE: 12/6/22  
 SCALE: 1"=40'  
 SHEET 2 OF 4

SAINT JOHN'S OFFICE BUILDING



P:\00013100 - Office Building\Engineering\Special Permit Plan\Presentation Drawings\000131-50\_Special Permitt.dwg, 6/17/2023 11:14:24 AM



**NOT FOR CONSTRUCTION**

**SAINT JOHN THE EVANGELIST CATHOLIC CHURCH**  
WARRENTON, VA  
FAUQUIER COUNTY VIRGINIA

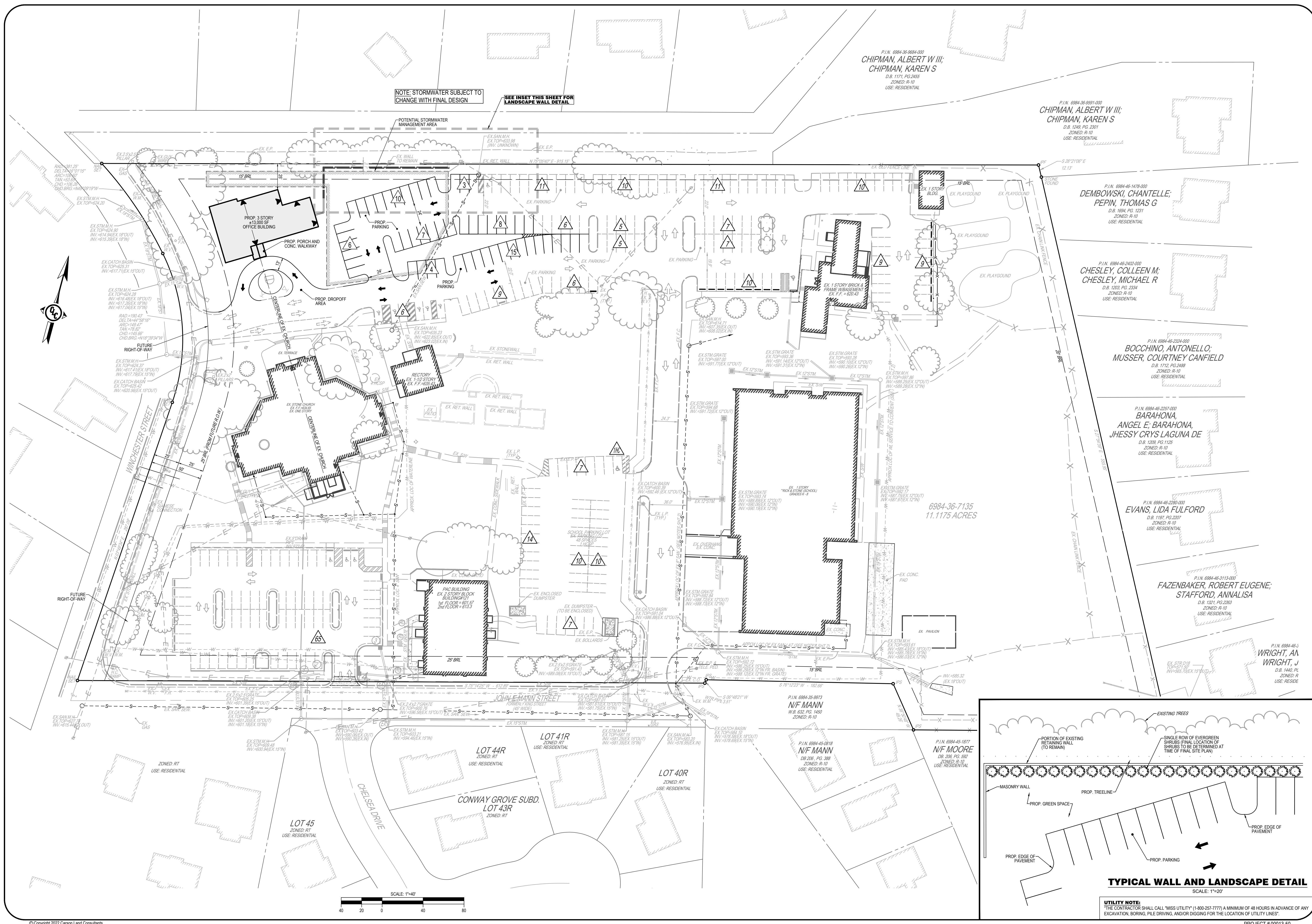
**CENTER MAGISTERIAL DISTRICT**

REVISIONS  
DESCRIPTION DATE  
TOWN COMMENTS 04/27/23  
TOWN COMMENTS 05/09/23

ENGINEER'S SEAL  
COMMONWEALTH OF VIRGINIA  
JAMES A. CARSON, JR.  
LIC. NO. 021624  
05/30/23  
PROFESSIONAL ENGINEER

**SPECIAL USE PERMIT PLAN**  
DATE: 12/6/22  
SCALE: 1"=40'  
SHEET 3 OF 4

SAINT JOHN'S OFFICE BUILDING



NOTE: STORMWATER SUBJECT TO CHANGE WITH FINAL DESIGN  
SEE INSET THIS SHEET FOR LANDSCAPE WALL DETAIL

P.I.N. 6984-36-9884-000  
CHIPMAN, ALBERT W III;  
CHIPMAN, KAREN S  
D.B. 1171, PG.2455  
ZONED: R-10  
USE: RESIDENTIAL

P.I.N. 6984-36-9891-000  
CHIPMAN, ALBERT W III;  
CHIPMAN, KAREN S  
D.B. 1249, PG. 2301  
ZONED: R-10  
USE: RESIDENTIAL

P.I.N. 6984-45-1478-000  
DEMBOWSKI, CHANTELE;  
PEPIN, THOMAS G  
D.B. 1694, PG. 1231  
ZONED: R-10  
USE: RESIDENTIAL

P.I.N. 6984-45-2402-000  
CHESLEY, COLLEEN M;  
CHESLEY, MICHAEL R  
D.B. 1331, PG. 2334  
ZONED: R-10  
USE: RESIDENTIAL

P.I.N. 6984-45-2324-000  
BOCCHINO, ANTONELLO;  
MUSSER, COURTNEY CANFIELD  
D.B. 1712, PG.2488  
ZONED: R-10  
USE: RESIDENTIAL

P.I.N. 6984-45-2257-000  
BARAHONA,  
ANGEL E; BARAHONA,  
JHESSY CRYSLAGUNA DE  
D.B. 1209, PG. 1125  
ZONED: R-10  
USE: RESIDENTIAL

P.I.N. 6984-45-2280-000  
EVANS, LIDA FULFORD  
D.B. 1197, PG. 2207  
ZONED: R-10  
USE: RESIDENTIAL

P.I.N. 6984-45-3113-000  
FAZENBAKER, ROBERT EUGENE;  
STAFFORD, ANNALISA  
D.B. 1321, PG.2263  
ZONED: R-10  
USE: RESIDENTIAL

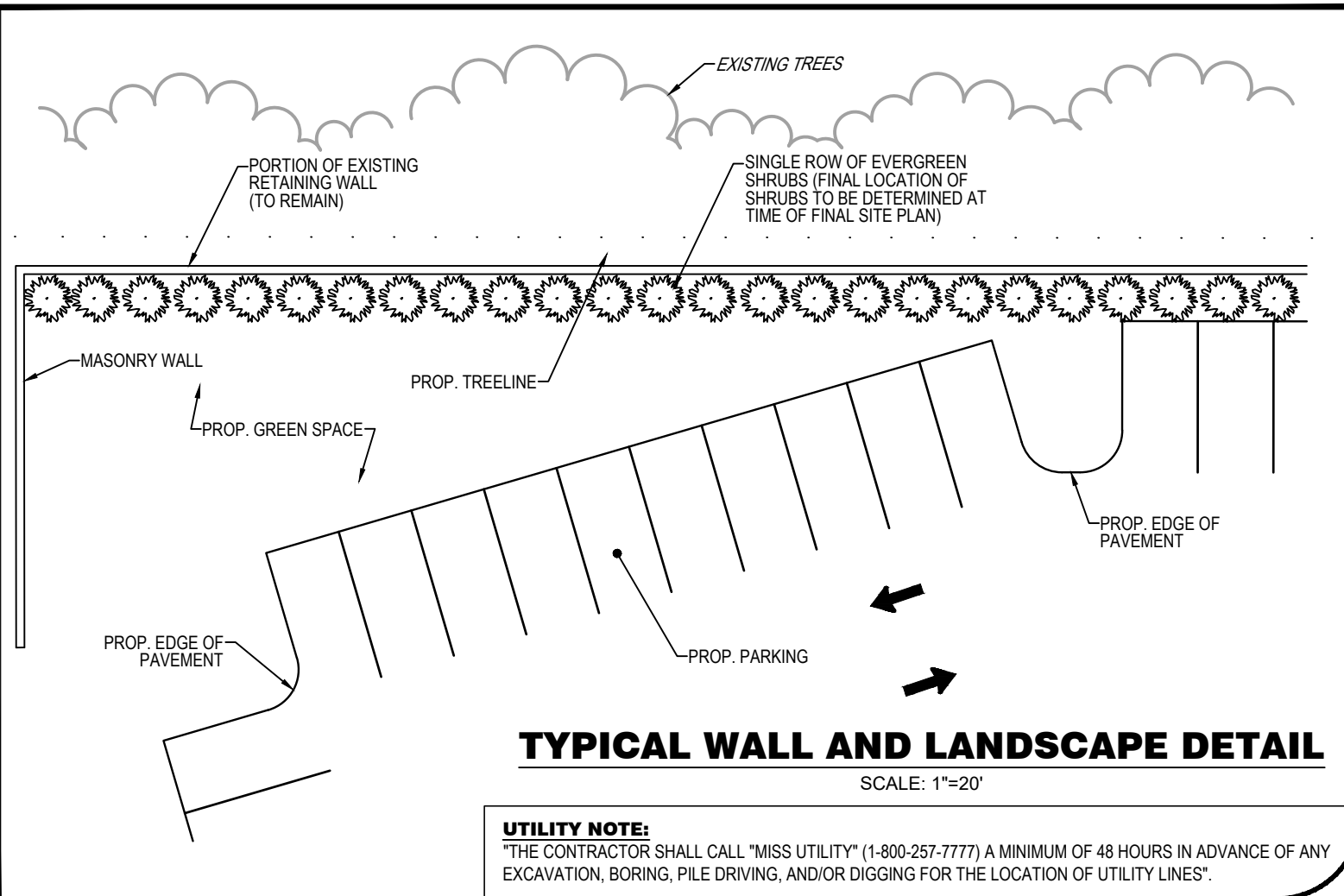
P.I.N. 6984-45-3  
WRIGHT, J  
WRIGHT, AN  
D.B. 1440, PG.  
ZONED: R  
USE: RESIDE

P.I.N. 6984-35-9973  
N/F MANN  
W.B. 632, PG. 1450  
ZONED: R-10

P.I.N. 6984-45-0818  
N/F MOORE  
D.B. 206, PG. 388  
ZONED: R-10  
USE: RESIDENTIAL

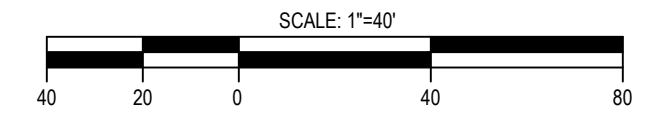
P.I.N. 6984-45-1877  
N/F MOORE  
D.B. 206, PG. 392  
ZONED: R-10  
USE: RESIDENTIAL

6984-36-7135  
11.1175 ACRES



**TYPICAL WALL AND LANDSCAPE DETAIL**  
SCALE: 1"=20'

UTILITY NOTE:  
THE CONTRACTOR SHALL CALL "MISS UTILITY" (1-800-257-7777) A MINIMUM OF 48 HOURS IN ADVANCE OF ANY EXCAVATION, BORING, PILE DRIVING, AND/OR DIGGING FOR THE LOCATION OF UTILITY LINES.



SCALE: 1"=40'

P:\00013\50 - Office Building\Engineering\Special Permit\Plan\Presentation Drawings\00013-50\_Special Permits.dwg, 6/17/2023 11:14:28 AM

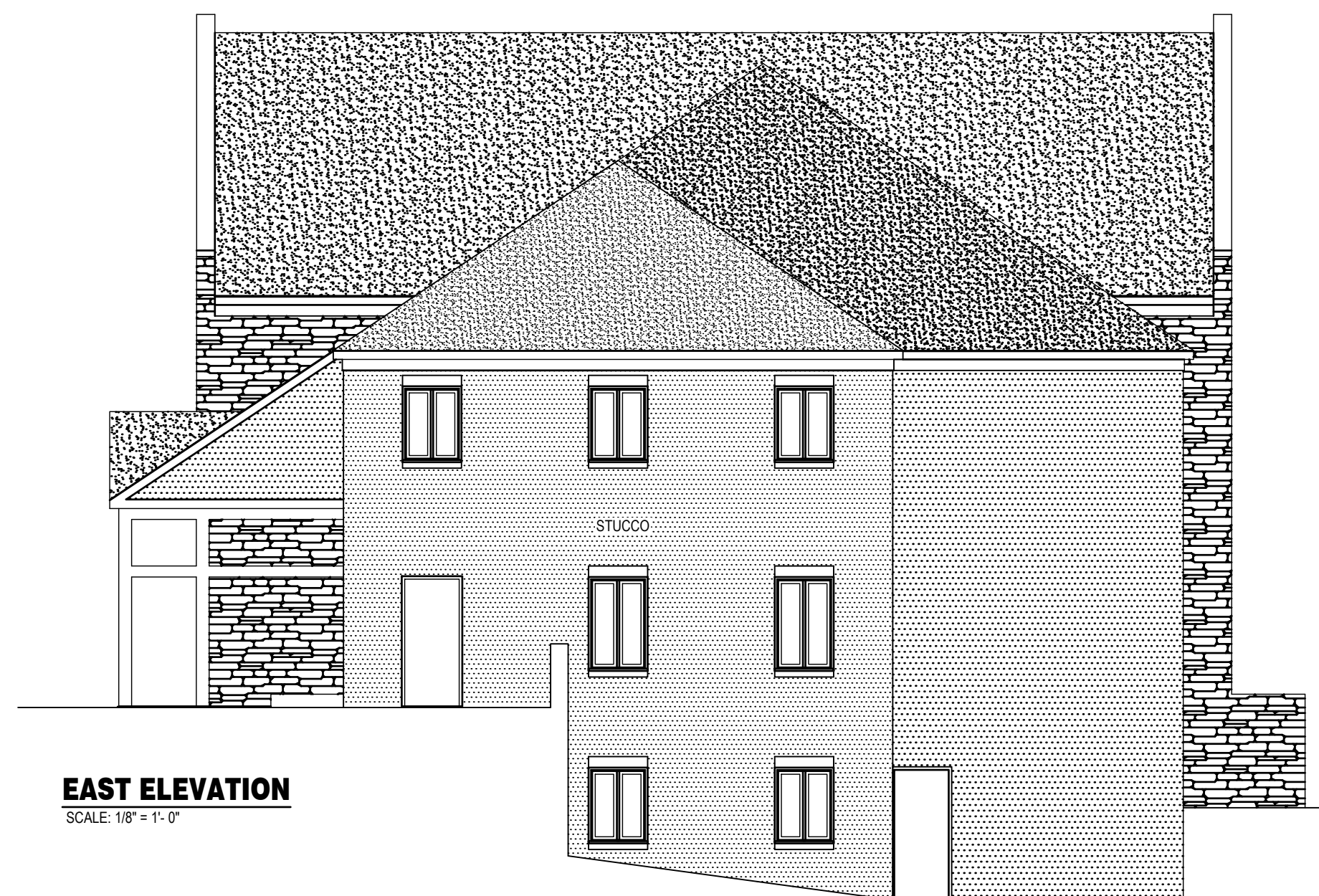


NOT FOR CONSTRUCTION

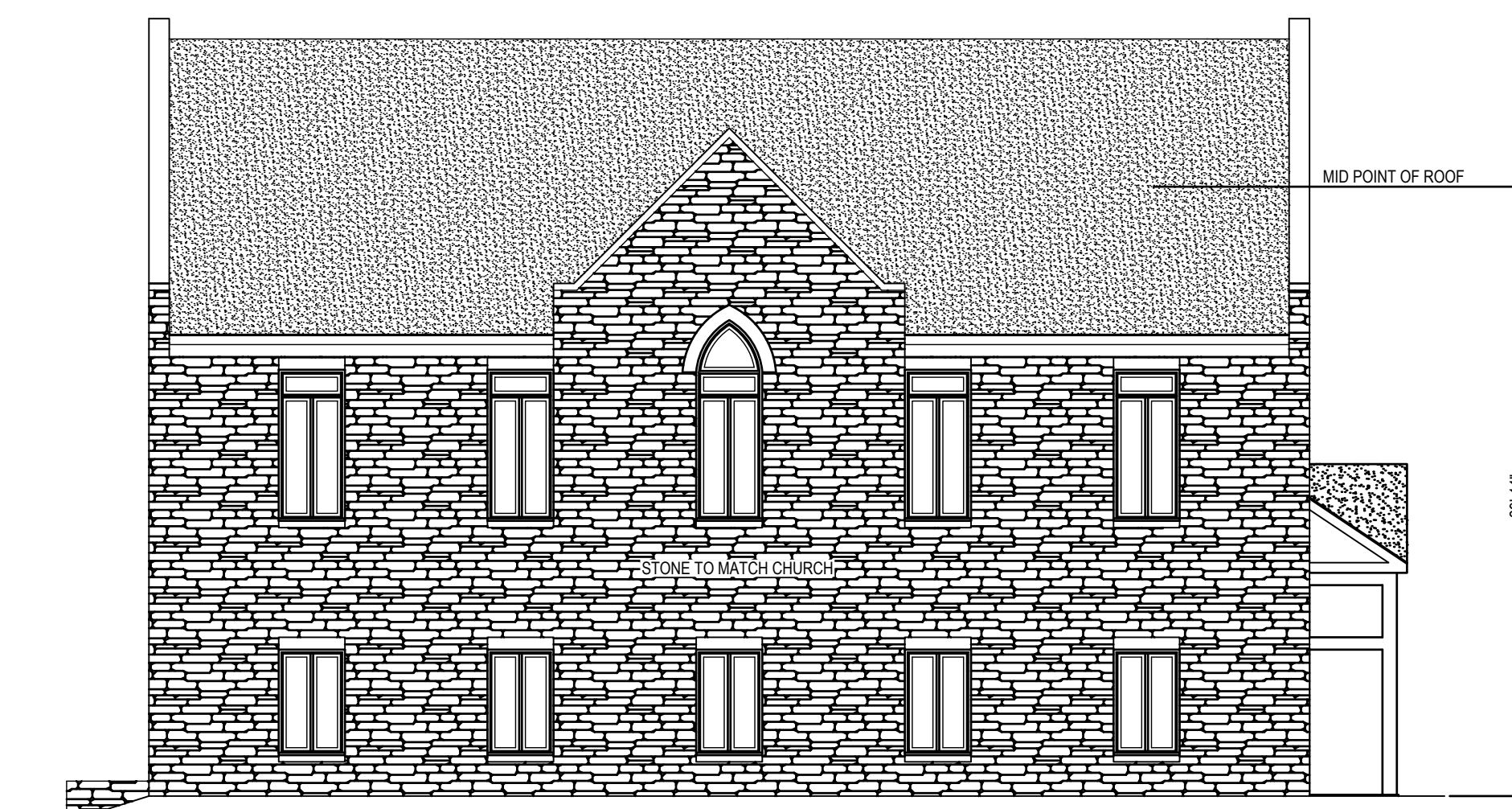
FAUQUIER COUNTY VIRGINIA

**SAINT JOHN THE EVANGELIST  
 CATHOLIC CHURCH**  
 WARRENTON, VA

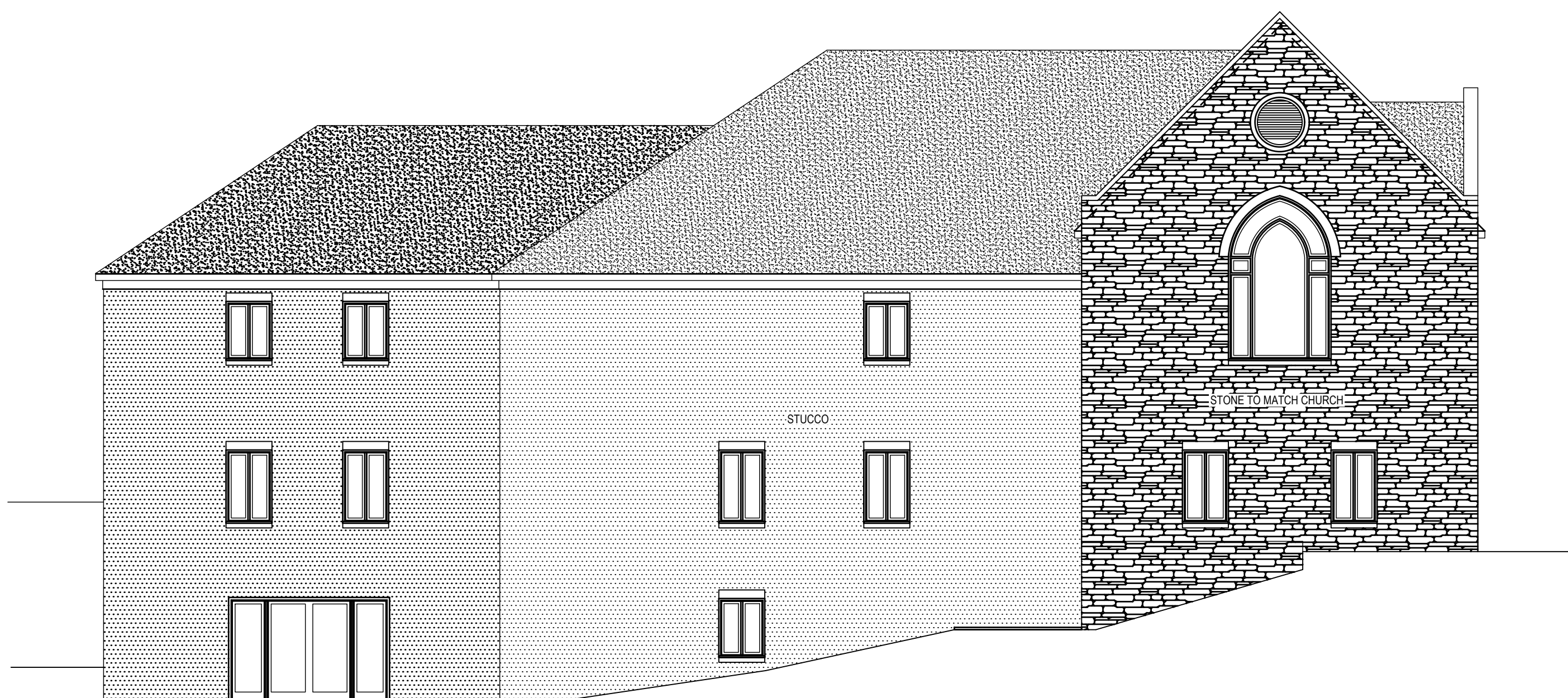
CENTER MAGISTERIAL DISTRICT



**EAST ELEVATION**  
SCALE: 1/8" = 1'-0"



**WEST ELEVATION - FACING WINCHESTER STREET**  
SCALE: 1/8" = 1'-0"

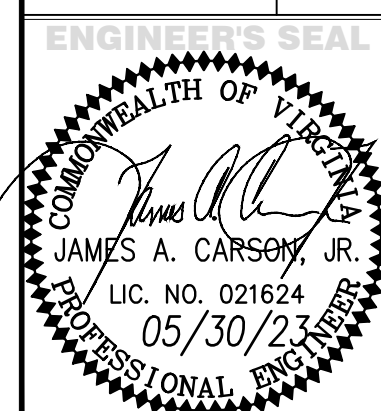


**NORTH ELEVATION**  
SCALE: 1/8" = 1'-0"



**SOUTH ELEVATION**  
SCALE: 1/8" = 1'-0"

REVISIONS	
DESCRIPTION	DATE
TOWN COMMENTS	03/27/23
TOWN COMMENTS	04/27/23
TOWN COMMENTS	05/30/23



**BUILDING ELEVATIONS**

DATE: 12/6/22

SCALE: 1"=20'

SHEET 4

OF 4

**UTILITY NOTE:**  
 "THE CONTRACTOR SHALL CALL "MISS UTILITY" (1-800-257-7777) A MINIMUM OF 48 HOURS IN ADVANCE OF ANY EXCAVATION, BORING, PILE DRIVING, AND/OR DIGGING FOR THE LOCATION OF UTILITY LINES"

**HINCKLEY · SHEPHERD · NORDEN, P.L.C. ARCHITECTS**

19 WINCHESTER STREET WARRENTON, VIRGINIA 20186 TEL. 540-347-4232 FAX 540-349-3042

**To:** Members of the Town of Warrenton Planning Commission and Town Staff**From:** David A. Norden, AIA**Re:** Responses to issues from 5/16/23 and 5/23/23 Meetings**Date:** May 30, 2023

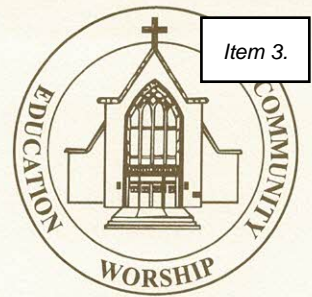
The following is a list of things that have been added to the SUP site drawing:

1. The parking layout has been altered to provide more green space facing the Richards Drive residents. Total additional parking spaces is 28.
2. The potential storm water management area has been amended and the draft conditions language for storm water management has been changed.
3. Adjacent property boundaries have been added.
4. Parking spaces on the lower lot have been added.
5. Travel lane widths have been added.
6. All existing structures, playground, dumpsters, etc. have been added.
7. The existing unenclosed dumpster will be enclosed to meet the town ordinance.
8. Existing fire hydrants have been added.
9. A change in the morning drop-off has now been implemented and has eliminated any stacking on John Mann Street.



**SAINT JOHN THE EVANGELIST CHURCH**

271 Winchester Street  
Warrenton, Virginia 20186  
(540) 347-2922



**Statement of Justification**

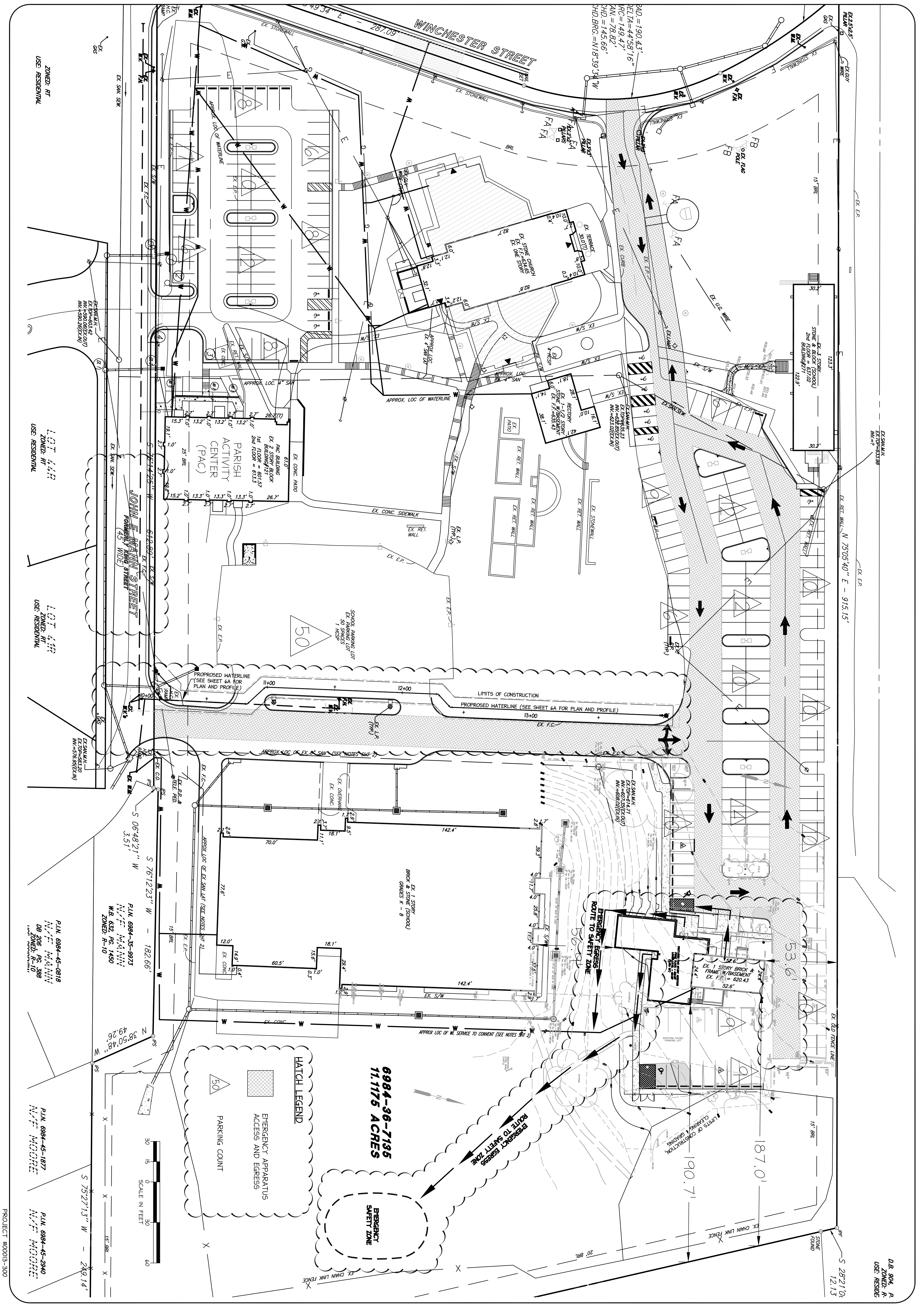
The church has an existing Special Use Permit for all the current uses on this property and has been operating on this site for 63 years. No new use is being requested. The church would like to demolish the existing cinder block office building and replace it with a new office building of similar size. The existing building was constructed as classroom and dormitory space in the early '40's and is located right on the property line abutting a residential neighborhood with no setback. The church has worked for the past two years to develop a plan to renovate the existing building to make it ADA accessible, install central HVAC, and manipulate the configuration to accommodate the modern needs of the church, but the cost was tremendous and given the shape of the existing building, the space was still not suitable for current needs.

The new building would be placed on the site to be on axis with the church and will meet all current setbacks. It will be finished in stone and stucco to match the church. The demolition of the existing building will allow for increased parking on the site to help mitigate any overflow onto neighboring streets. All new landscaping and any change in parking lot lighting will be presented on the site development plan and will be in accordance with all town ordinances. The schematic design of the building has already been presented to the town Architectural Review Board and has received their blessing.

The new building will provide a much better, fully accessible work environment, but will not increase the number of employees or increase the hours of operation. There will be no change to the service or refuse areas already located on the site.

As mentioned above, the church has had this use on the property for 63 years and it was used as the Stuyvesant School for decades before that. For as far back in the records as we could find, the future land use map has designated this parcel as Public/Semi Public – Intense. Only recently, and undisclosed to the church, this was changed to Live/Work Neighborhood. The church is an established use and has no intention of vacating this property. The zoning on the ground is still R-10 and allows for this use with a Special Use Permit which the church already possesses. Therefore, we are requesting that the existing Special Use Permit be amended to allow the existing office building to be demolished and reconstructed in a more favorable location on the site.





ZONED: RT  
USE: RESIDENTIAL

L.O.T. 4.48  
ZONED: RT  
USE: RESIDENTIAL

L.O.T. 4.18  
ZONED: RT  
USE: RESIDENTIAL

P.L.N. 6984-45-0818  
DATE: 11/14/11  
DB 206, PG. 388  
ZONED: R-10

P.L.N. 6984-45-1877  
DATE: 11/14/11  
DB 206, PG. 389  
ZONED: R-10

P.L.N. 6984-45-2940  
DATE: 11/14/11  
DB 206, PG. 390  
ZONED: R-10

**HATCH LEGEND**

- [Hatched Box] EMERGENCY APPARATUS ACCESS AND EGRESS
- [Dotted Box] PARKING COUNT

**EMERGENCY EGRESS ROUTE TO SAFETY ZONE**

**EMERGENCY EGRESS ROUTE TO SAFETY ZONE**

**EMERGENCY SAFETY ZONE**

**6984-36-7185**  
**11.175 ACRES**

SCALE IN FEET  
0 15 30 60

DATE: JANUARY 26, 2017

SHEET 4 OF 13

**OVERALL SITE & EMERGENCY ACCESS PLAN**  
**SAINT JOHN THE EVANGELIST**  
**ROMAN CATHOLIC CHURCH**  
TOWN OF WARRENTON  
FAUQUIER COUNTY, VIRGINIA

**CARSON**  
LAND CONSULTANTS  
Land Planning, Surveying & Site Design  
45 Main Street, 1st Floor • Warrenton VA 20186 • (503) 347-9191  
www.CarsonLC.com

COMMONWEALTH OF VIRGINIA  
JAMES A. CARSON, JR.  
P.L.N. NO. 021624  
6-12-17  
PROFESSIONAL ENGINEER

REVISIONS  
DESCRIPTION DATE



Civil Engineering ♦ Land Surveying ♦ Land Planning

## Saint John – Draft Conditions of Approval

March 27, 2023

**Attached are the Minutes of the Regular Meeting of the Council of the Town of Warranton Held on Tuesday, June 3, 1986.**

The minutes do not specify which items of discussion in these minutes are conditions of approval. However, Town staff is requiring the Applicant to provide proposed draft conditions of approval.

No changes to the information in the Town Council meeting minutes and/or existing conditions of approval are proposed. **As such, we infer the following conditions from the meeting minutes, subject to final approval by the Applicant.**

1. Approval of site development plan.
2. Dedication of Winchester Street public right-of-way.



There being no further business, the meeting adjourned.

Respectfully submitted,

*Evelyn J. Weimer*  
Evelyn J. Weimer  
Recorder

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF  
WARRENTON HELD ON TUESDAY, JUNE 3, 1986

The regular meeting of the Council of the Town of Warrenton was held on Tuesday, June 3, 1986 at 7:00 p.m. in the Council Chambers of the Municipal Building.

The following members were present: Mr. J. W. Lineweaver, Mayor; Benjamin T. Harris, Vice-Mayor; Councilmen J. Frederick Austin, Jr.; Frank S. Foley; Robert J. Hockensmith; John L. Mann, Sr.; Councilwoman Kathryn A. Carter; Donald A. Smith, Acting Town Manager; Carroll J. Martin, Jr., Town Attorney, and Evelyn J. Weimer, Town Recorder.

The meeting was opened with invocation by Reverend Donald W. Pickens, Pastor, Warrenton Assembly of God.

All members received copies of the minutes of the regular meeting of May 6, 1986 and the recessed meeting of May 8, 1986. Miss Carter requested that page 3, paragraph 2 of the minutes of the recessed meeting of May 8, 1986 be corrected to read: "On a motion by Miss Carter, seconded by Mr. Austin, Council voted to ask Mr. Bendall to see if elections could be held the first Tuesday in May. If this is not possible, Council requested elections take place the last Tuesday in April preceding April 22nd."

On a motion by Mr. Hockensmith, seconded by Mr. Foley, Council approved the minutes of the regular meeting as presented and the minutes of the recessed meeting of May 8, 1986 as corrected.

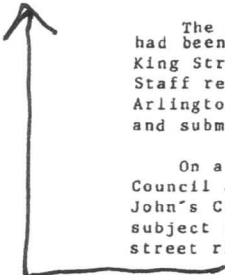
Next on the agenda was to hear from visitors. Mrs. Beverly K. Hunsaker, Secretary of the Baha'i Local Spiritual Assembly of Fauquier County, appeared before Council to request Council passage of a proclamation declaring 1986 the year of Peace in the Town of Warrenton. Miss Carter expressed concern that the Town would be setting a precedent to allow visitors to speak on matters other than Town business. The Mayor told Mrs. Hunsaker it was not Council policy to pass a proclamation without first reviewing it. Mrs. Hunsaker left a copy of the proclamation for consideration.

Next was the Public Hearing on the application of Arlington Catholic Diocese for a special use permit for expansion of the St. John Catholic School and Church at 271 Winchester Street.

The Mayor stated the Public Hearing had been properly advertised.

The Mayor declared the Public Hearing open at 7:08 p.m. Mr. James Downey, Attorney, addressed Council on behalf of the Arlington Catholic Diocese. Mr. Downey stated the Church had been at its present location for 25 years. The current enrollment of the school is 203. Mr. Downey stated the school would be constructed in two phases. In Phase I, the present school would be closed and used for meetings and special functions. Phase I would increase enrollment to 270 students and would be completed in approximately 1 1/2 years. Phase II, would increase enrollment to 540 and include a relocation of the convent. The church would be constructed over a period of ten years or more.

There being no one other person to speak for and no one to speak against the application, the Mayor declared the Public Hearing closed at 7:15 p.m.



The Acting Town Manager stated that the architect's plans had been submitted indicating that the Church owned all of King Street and to the centerline of Winchester Street. Town Staff recommended a special use permit be granted only if the Arlington Diocese agreed to construct the public improvements and submit a plan prepared by a registered surveyor.

On a motion by Mr. Hockensmith, seconded by Mr. Mann, Council approved the special use permit for expansion of St. John's Church and School located at 271 Winchester Street subject to proper site plan review and resolution of the street right-of-ways.

Next was the Public Hearing on the application of the Warrenton Assembly of God Church for a special use permit to operate a pre-school program in the Church located at 276 Cleveland Street.

The Public Hearing had been properly advertised and the Mayor opened the Public Hearing at 7:28 p.m.

Reverend Donald Pickens stated that the Warrenton Assembly of God would like to operate a pre-school for children ages 2-5. He stated they were going through the process of obtaining all necessary permits.

There being no one else to speak for and no one to speak against the application, the Mayor declared the Public Hearing closed at 7:29 p.m.

On a motion by Mr. Harris, seconded by Miss Carter, Council approved the application of Warrenton Assembly of God for a special use permit to operate a pre-school program in the Church located at 276 Cleveland Street.

Next on the agenda was a Public Hearing on the application of Fauquier Temporary Family Shelter Coalition for a special use permit to operate a temporary shelter in an RMF zone on land owned by the County of Fauquier located at Keith and E. Franklin Streets.

The Public Hearing had been properly advertised and the Mayor declared the public hearing open at 7:31 p.m.

Mr. Steve Crosby, Fauquier County Administrator, stated the Board of Supervisors approved a portion of County land to be used by the shelter. The costs of relocation of the house will be funded by the Department of Social Services and FISH. The County will be responsible for the maintenance of the house after relocation.

Mrs. Jan Selbo, Director of the Department of Social Services, stated that her agency would be responsible for admissions to the shelter. She stated they would receive referrals from other community service organizations such as FISH, Community Action, and the Health Department. Social Services would use the services of the Town Police Department to screen people who would be using the shelter. Department of Social Services will make daily visits to the shelter when it is occupied and would be on call for emergencies.

Mrs. Jean Davis of FISH stated her organization is all-volunteer. They provide food, transportation, fuel, pay utility bills, purchase medical supplies and subscriptions and supply emergency housing for those who cannot obtain it through other sources. She stated the need was great for a shelter of this kind. She stated from July 1 through December 31, 1985, FISH received 41 requests for emergency housing assistance, but they only handled 7 of these, involving 14 people. FISH volunteers housed these 14 people in their own homes. She stated the Social Services Department has received 45 calls this year and only helped 2. Fauquier Community Action receives 5-10 calls per week for this kind of assistance.

Moving and renovating the house will be financed entirely by donations.



Civil Engineering ♦ Land Surveying ♦ Land Planning

March 23, 2023  
Revised April 27, 2023

Town of Warrenton  
Department of Community Development  
PO Box 341  
Warrenton, Virginia 20188

**RE: St. John The Evangelist Office Building  
Special Use Permit Application (SUP 23-1)  
Amendment to SUP dated June 3, 1986  
Comment Response – Planning 1<sup>st</sup> Review Comments dated March 13, 2023  
Carson LC Project # 00013-500**

Dear Town Staff;

This letter is in response to the comment letter dated March 13, 2023 regarding the above-referenced SUP Amendment submission. In the letter you provided plan review comments from staff for the 1<sup>st</sup> submission review. The following are the review comments, followed by our responses to those comments.

## **Zoning Review**

### **Article 2-19 - Fences and Walls**

No height is noted for the proposed retaining wall. Be aware that retaining walls cannot exceed 6' in height. (2-19.1 ZO)

***Response: The exact height of the retaining wall is undetermined at this stage of development. Before the expense of final design and site and structural engineering, approval of the new building location is appropriate. Upon SUP approval then final design process will determine the exact wall height. All effort will be made to reduce the wall height below 6' height. It should be noted that the existing building foundation wall is driving this retaining wall location, an attempt to preserve the stone façade will be made. Additionally, the ordinance in this section provides remedies for walls exceeding 6' in height. If the wall height is determined to be over 6', then the appropriate process and permits will be obtained.***

45 Main Street, 1st Floor ♦ Warrenton, VA 20186

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[www.CarsonLC.com](http://www.CarsonLC.com)

Article 3.4.2- Residential (R-10) District

Note the building height being requested and if over the maximum height, indicate whether the setback was increased to accommodate the additional building height. In addition, please provide building height dimensions on all elevations shown on Sheet 4 of the plan. (3-4.2.5.1 ZO)

Clarification: Staff cannot verify building height and setback requirements have been met based on the information provided; further review will be required as a part of the site development plan.

**Response: The building height calculation will be calculated using the average proposed grade along the outside of the building. Variations in the final site grading will change the building height calculation. In general, the proposed building height will be approximately 35' or less. No additional setback will be required.**

Article 3-5.3- Historic District (HD)

The subject property is located within the Historic District; the applicant must obtain a Certificate of Appropriateness from the Architectural Review Board for proposed improvements. (3-5.3.4.2 ZO)

**Response: The applicant has worked with ARB and will provide application following the SUP process.**

Article 7 – Parking

Staff cannot verify parking and loading space requirements are met throughout the site. No parking tabulation has been provided. The statement of justification states parking requirements will be addressed at the time of site development plan.

Clarification: Applicant acknowledges that parking requirements must be met at the time of site development plan.

**Response: The overall parking tabulation has been provided on sheet 1 of the plat. The approximate number of parking spaces has been provided. It is estimated that approximately (±) 38 spaces will be added to the site. The final parking tabulation for the overall site will determined at time of site development plan.**

Article 8 - Landscaping

No new landscaping is proposed on the SUP Plan. Staff is unable to verify ordinance requirements, which will be required at time of site plan submission. (8-4.1 ZO)

Clarification: Applicant acknowledges that landscaping requirements must be reviewed as part of the site development plan.

**Response: Perimeter and internal landscaping requirements cannot be determined until final site design. It is inappropriate to provide detailed locations of tree and shrub**

**plantings at this stage of development. Dimensional and grading details will alter the location and types of plantings in final design stage. The Applicant proposes to provide all required landscaping and buffering at time of final site plan.**

Perimeter parking lot landscaping is required between the 14 new parking spaces and the northern boundary line, to consist of a minimum 5-foot wide buffer area planted with one canopy tree and three shrubs per 50 linear feet. A retaining wall is located between the parking area and the property, reducing the available area to provide the required buffer. The special permit plat should be revised to show an alternate method to decrease the visibility of the parking lot to an equal or better degree than the required trees and shrubs. (8-6.1 20)

Clarification: Staff cannot verify that landscaping requirements can be met as a part of the site development plan with the information provided; applicant acknowledges that landscaping requirements must be reviewed as part of the site development plan.

**Response: A typical detail has been added to the plan to address this area of concern. As stated in a previous comment concerning the existing wall to remain, it is the Applicant's intent (if possible) to utilize the existing wall as a retaining wall. It is proposed to use the wall to partially block the parking area from view in addition to a single row of evergreen shrubs. This will provide adequate screening of the parking adjacent to the property line.**

A buffer yard is required between the proposed office building and the northern property line, to consist of 25 feet, plus 1 foot for each foot of building height over 35 feet, per Table 8-8.5; from the information provided this requirement is not met. The special permit plat should be revised to show that the required buffer width is provided. (8-8.4.1 20)

Clarification: Applicant acknowledges that landscaping requirements must be reviewed as part of the site development plan.

**Response: The minimum buffer yard of 25' has been provided on the plat. Building height will be under 35 feet. The Applicant intends to meet the buffer requirements as set forth in the zoning ordinance. The exact buffering plantings are not indicated on the plat at this time, because exact plantings will be subject to change. Locations and number of plantings, meeting ordinance requirements, will be provided at time of final site plan.**

#### Article 9-8 - Lighting

No lighting plan or fixture details are provided on the SUP plan. Staff is unable to verify Ordinance requirements are met. Lighting plan review will be required as part of the Site Development Plan. Given that the proposed office building and parking areas are located adjacent to and up-slope from residential-use areas, the approval authority may wish to consider an approval condition aimed at decreasing potential negative impacts on neighboring residences, such as limiting the height of parking lot pole lights and building-mounted fixtures, or limiting the average horizontal illumination level.

**Response: The Town already has requirements to reduce illumination level onto adjacent property. At the time of final site plan a photometric plan will be required meeting the zoning ordinance. Applicant will address lighting with the final site plan and the Town will be able to review and approve the lighting plan in accordance with current zoning ordinance.**

## **Planning Review**

1986 SUP Approval

Town Council Meeting Minutes from June 3, 1986, indicate St. John Catholic School and Church at 271 Winchester Street obtained approval in two phases with the condition of resolution of the street right-of-ways. The Arlington Diocese owned to the centerline of Winchester and King(now John E. Mann) streets.

Staff Comment:

Since the SUP was approved, the church and school have both been expanded. The Town worked with the Applicant during the intervening years until the latest expansion when it was noted that any further activities on the property would require a comprehensive site plan update to ensure the total uses on the property are compiled on one approved master site plan (see PW Memo dated 2/2/2017). While it appears the right-of-way to the centerline of King Street was addressed previously, the property line still extends to the centerline of Winchester Street.

*Clarification:* The Applicant included the right-of-way on Winchester Street on Sheet 3 of the SUP Plan. However, the proposed dedication includes the existing stone wall and apron on to the parcel that is currently owned and maintained by the property owner. The staff proposed Conditions of Approval will address at time of public hearing Staff Analysis.

**Response: Currently the standard required 25' dedication is shown on the Plat. Perhaps the Town would be open to a reduced dedication such that the existing stone wall remains on the subject property.**

Transportation and Circulation Goals

Winchester Street is designated as a Signature Street with a desired multi-modal Complete Street in Plan Warrenton 2040. Among the many goals, this includes:

T-1: Improve multi-modal capacity and safety that encourages trips by walking, bicycling, and transit.

T-3 Promote livability in the Town by creating great places for residents and visitors to feel welcome and safe.

Staff Comment:

The Applicant does not provide any analysis within the Statement of Justification as to whether the proposal is consistent with the comprehensive plan. Further, the church is in a location that is a gateway to Old Town and adjacent to residential neighborhoods. The school backs up traffic daily during drop off and pick up times. The church hosts many popular



community events with parking overflowing into the adjacent Conway Grove neighborhood, and Town residents complain about speeding along the roadways adjacent to the church. Please address how this SUP meets the goals of the comprehensive plan.

*Clarification:* The Applicant has not addressed the transportation issues that exist with the uses on the property. Staff will include in Staff Analysis provided at time of public hearing.

***Response: The applicant has addressed the comprehensive plan in the statement of justification. Additional parking is being provided on the site which should alleviate overflow parking into neighborhoods. See previous zoning comment on parking. John E Mann Street connects Alexandria Pike and Winchester Street. All three roads are public right of way. Enforcement of speeding on public road system is best enforced by the proper authority. We are unsure of the connection to this complaint and the current application for relocation of the existing office building.***

Overall Criteria for Evaluation

The Statement of Justification includes the 32 criteria but does not provide analysis, information, or evaluation for decision makers. For example, the Applicant does not provide hours of operation, number of employees, timing or anticipated length of development, the location of refuse and service areas, or the proposed landscaping. These items, and others not answered, are commonly provided with SUP applications and considered by the decision makers as part of the process. Please address in the resubmission.

*Comment Remains/Clarification:* The staff will include in Staff Analysis provided at time of public hearing.

***Response: The applicant has addressed the overall criteria in the statement of justification. It is important to note that this SUP amendment proposes no changes to the existing application only change in location of the building and additional parking which would help to alleviate a transportation/parking concern. Additionally, no new refuse location for this use is needed on site, as such no location proposed with this application.***

Conditions of Approval and SUP Plan

The second submission normally includes the Applicant's suggested Conditions of Approval with the SUP Plan Amendment. Please include the previously approved documents with redlines to illustrate the proposed changes with the SUP Amendment.

*Clarification:* The staff proposed Conditions of Approval will be addressed at time of public hearing Staff Analysis.

***Response: Provided suggested language for a demolition commitment condition.***

Should you have any questions or need additional information, please feel free to contact Carson LC by email at [jonc@carsonlc.com](mailto:jonc@carsonlc.com), or [jim@carsonlc.com](mailto:jim@carsonlc.com), or by telephone at 540-347-9191.

On behalf of Carson Land Consultants,



By: Jonathan Castellano, PE, Senior Engineer







**Planning Commission Public Hearing  
SUP 23-1 St John the Evangelist  
May 16, 2023**

*Decision Deadline: July 27, 2023 (unless Applicant Requests Deferral and Stops the 100 Day Clock)*

# Request

Item 3.

## Amend June 3, 1986 SUP

- **GPIN Applicant:** 6984-36-7135-000
- **Property Owner:** Catholic Diocese of Arlington (St Johns Catholic School Tees)
- **Representative:** Jim Carson
- **Zoning:** R-10 Residential
- **Comprehensive Plan:** Live Work Neighborhood
- SUP Amendment to allow for *(demolition permit approval required)* the demolition of a 11,000 sq ft classroom/dormitory building and construction of a 13,000 sq ft, three floor office building *(ARB COA required)*

## Proposed Location



# Previous SUP Approval

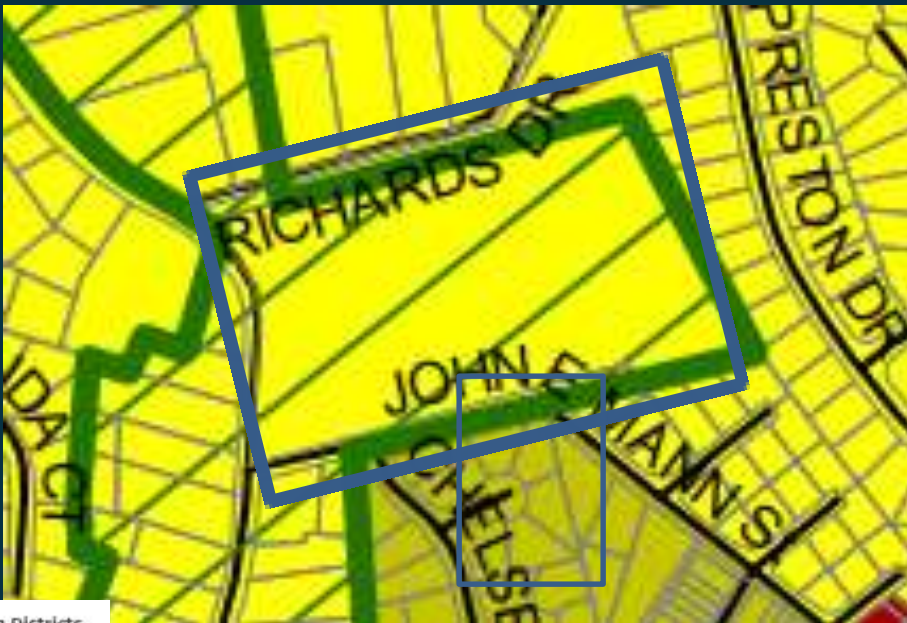
Item 3.

- June 3, 1986 SUP Approval for Expansion of Church and School
- Town Council Minutes/2017 Zoning Determination Letter
  1. Construct School in two phases
  2. Phase 1 enrollment 270
  3. Phase 2 enrollment 540
  4. Relocate the convent
  5. Right of way dedication to centerline of King Street (aka John E Mann Street) and Winchester
- SDP 2017 -01
  - Public Works and Utility stated SWM/BMP calculations would not be required at that time *“however, as new projects are proposed by the Church, the additional work will be considered accumulative to this plan and will trigger the Commonwealth’s SWM Regulations.”*

# Adjacent Uses

Item 3.

## Zoning Map



- R-10 Single Family Residential
- Conway Grove Single Family Residential, Reserve at Moorhead Single Family Residential, Richards Lane/Winchester Street/John E Mann Single Family Residential
- Historic District

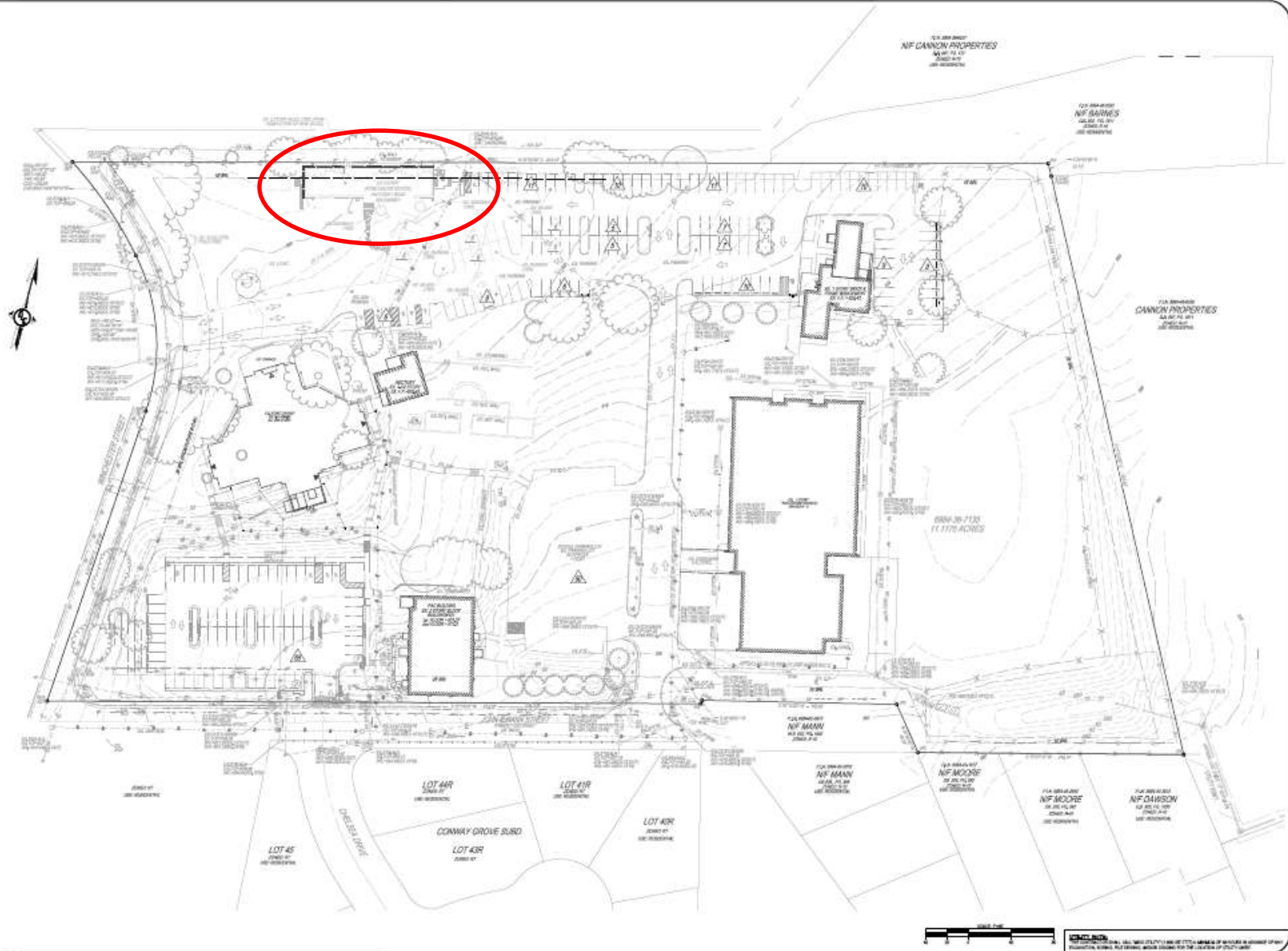
### Zoning Districts

- R-15
- R-10
- R-6
- RT
- RMF
- RO
- PSP
- C



# Existing Conditions Plan

Item 3.



**CARSON**  
LAND CONSULTANTS

NOT FOR  
CONSTRUCTION

**SAINT JOHN THE EVANGELIST  
CATHOLIC CHURCH**  
WARRENTON, VA  
FAUQUEE COUNTY VIRGINIA

CENTER MAGISTERIAL DISTRICT



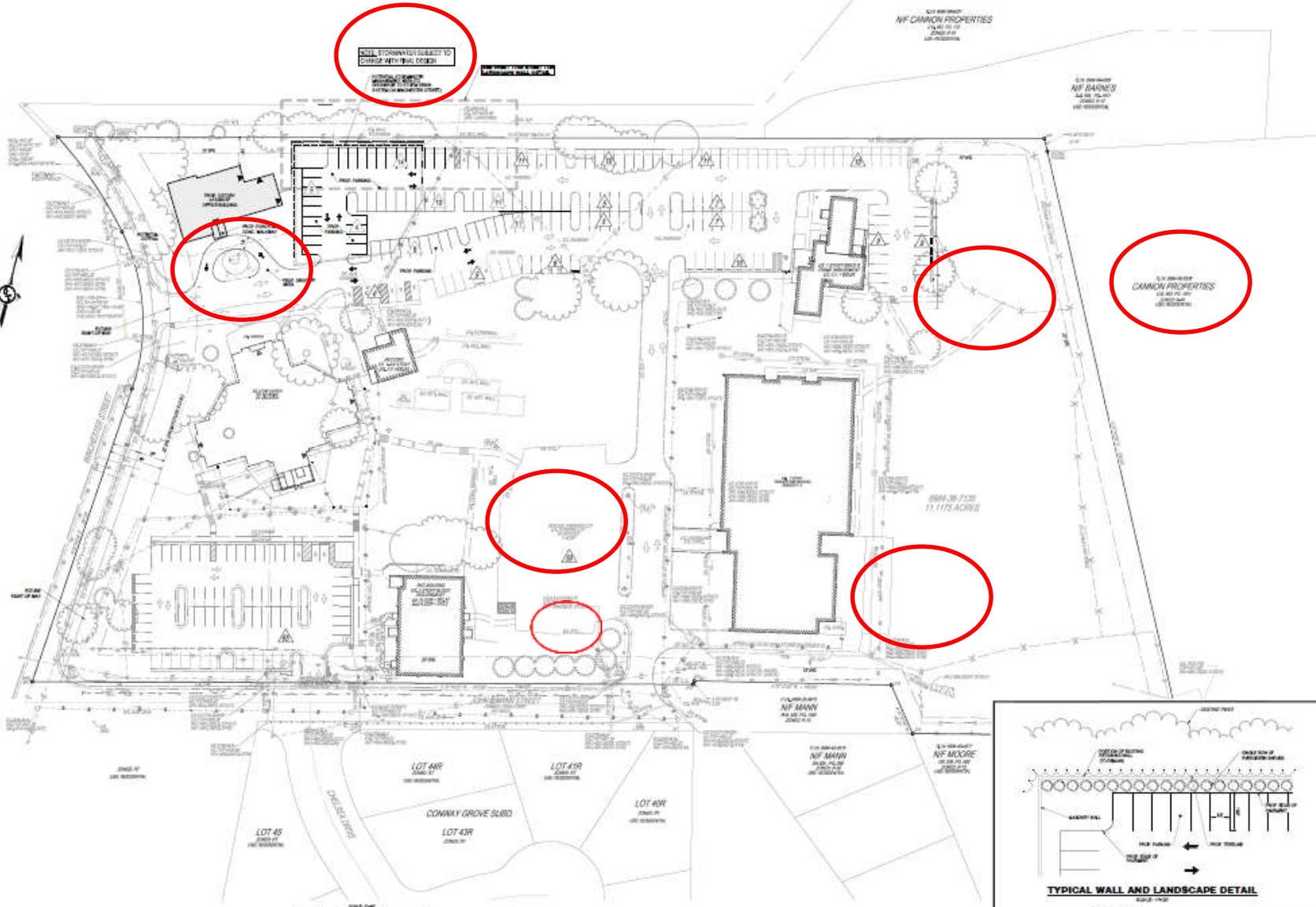
252

SCALE: 1"=40'  
SHEET: 2  
OF 4



# SUP Plan

Item 3.



**CARSON**  
LAND CONSULTANTS

HOT FOR  
CONSTRUCTION

**SAINT JOHN THE EVANGELIST  
CATHOLIC CHURCH**  
WARRENTON, VA  
FAUQUIER COUNTY, VIRGINIA

CENTER MAGISTRAL DISTRICT

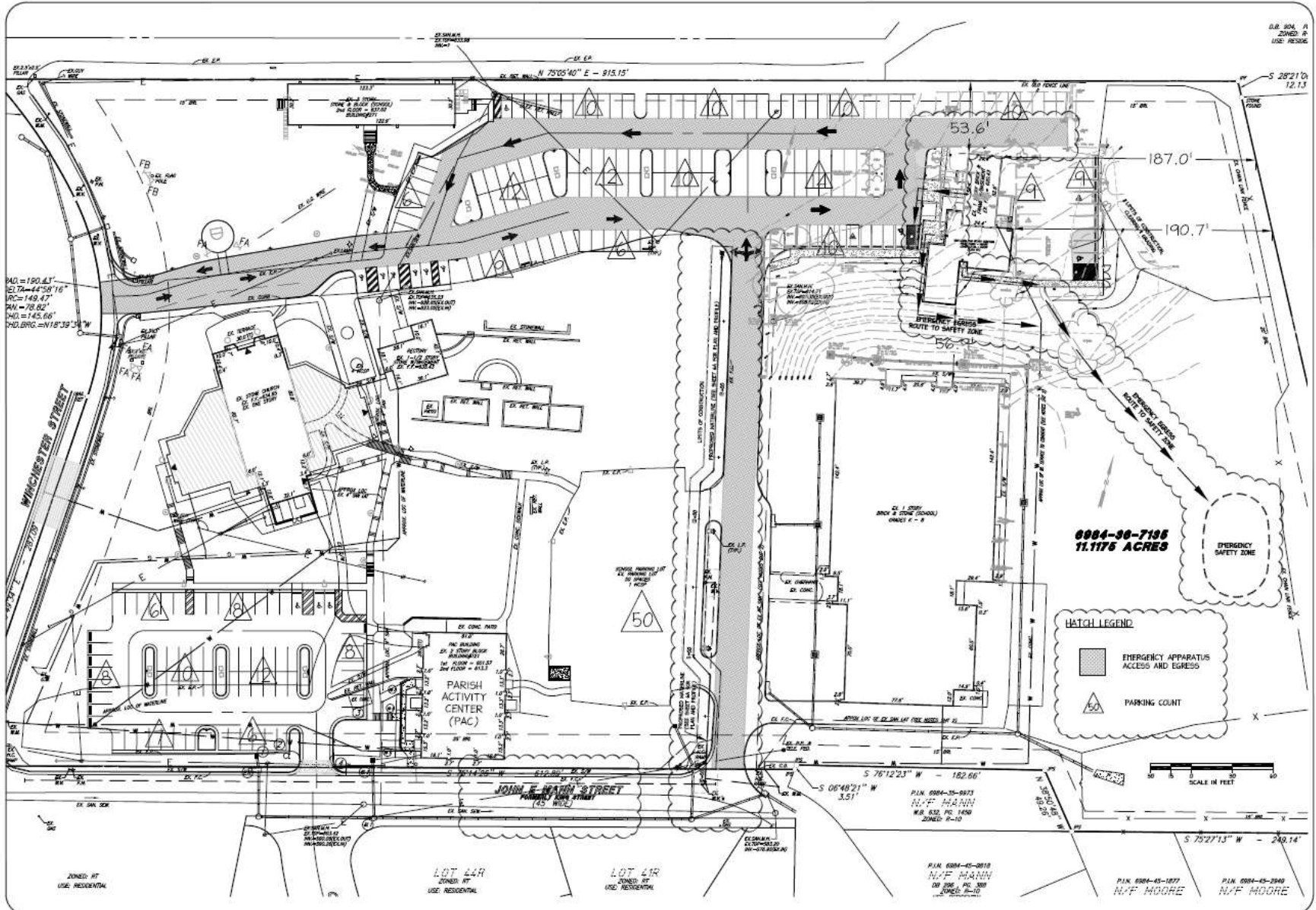


253 USE  
LAT

DATE: 1/20/22  
SCALE: 1"=40'  
SHEET: 3  
OF: 4

# Emergency Access Plan

Item 3.



**CARSON**  
LAND CONSULTANTS  
Land Planning, Surveying & Engineering  
4158 Westgate Drive, Suite 100  
Falls Church, VA 22041  
www.carsonland.com

OVERALL SITE & EMERGENCY ACCESS PLAN  
SAINT JOHN THE EVANGELIST  
ROMAN CATHOLIC CHURCH  
FAUQUIER COUNTY, VIRGINIA  
TOWN OF WARRENTON

REVISIONS  
DATE DESCRIPTION

DATE: 6-2-2010  
BY: JAMES A. CARSON, P.E.  
PROJECT NO: 081004

254

SHEET 4

OF 13

SAINT JOHN'S (PRE-SUBDIVISION SITE PLAN)

# Elevations

Item 3.

**EAST ELEVATION**

**WEST ELEVATION | FACING WINCHESTER STREET**

**NORTH ELEVATION**

**SOUTH ELEVATION**

**CARSON L&P CONSULTANTS**  
 10000 WOODBURN AVENUE, SUITE 100, WASHINGTON, VA 22192  
 (703) 491-1100  
 www.carsonlpp.com

**NOT FOR CONSTRUCTION**

**SAINT JOHN THE EVANGELIST CATHOLIC CHURCH**  
 WASHINGTON, VA  
 CENTER MANAGERIAL DISTRICT

**BUILDING ELEVATIONS**

DATE: 08/20  
 SCALE: 1/8" = 1'-0"  
 SHEET: 4  
 OF: 4

**PROJECT #2018-001**

ARB Approval Required



# Artist Rendering

Item 3.



ARB Approval Required

# Staff Comment Highlights

Item 3.

- Zoning Staff unable to verify landscaping buffers, building height variations at final grading, refuse, parking requirements, lighting, preliminary stormwater design
- PW/PU/Com Dev/Fire unable to verify travel lane widths, parking, vehicle stacking
- PW/PU unable to verify stormwater, erosion and sediment controls, and existing drainage on Winchester Street

# Planning Commission Work Session Item 3.

- Buffers and landscaping along the length of the northern boundary of the property
- Energy, water, and sewer demands
- Intentions of existing building and timing of demolition
- Parking overflow into adjacent neighborhoods and stacking in the public right-of-way
- Elevations from Winchester Street and the request for artist's rendering
- Appropriate stormwater and sediment control
- Boundary line adjustments
- ARB approvals

# Draft Conditions of Approval for Consideration

1. General: This Special Use Permit is issued covering the entire Property pursuant to the provisions of § 11-3.10 of the Town of Warrenton Zoning Ordinance.
2. Site Development: The Property shall be developed in substantial conformance with the Special Use Permit Plan entitled, “Special Use Permit Plat,” prepared by Carson Land Consultants, dated March 27, 2023, revised April 27, 2023, consisting of four (4) sheets (the “SUP Plan”). Minor changes and adjustments may be made to the road and street alignments, entrances, parking, dimensions and location of SWM/BMP facilities, the exact configuration and location of building footprints, and other similar features as shown on the SUP Plan, provided they meet the intent of these Conditions and are approved by the Director of Community Development or the Zoning Administrator.

# Draft Conditions of Approval for Consideration

## 3. Use Parameters:

- a. Special Use Permit Area – The Special Use Permit shall apply to the entire +/-11.0664 acre site.
- b. Use Limitations – The use shall be limited to a religious institution and related facilities including the church, school, and those accessory uses customarily incidental to the primary uses.
- c. Maximum Students – The maximum number of students shall be 540 as approved in the previous SUP dated June 3, 1986.

4. Architecture: The site is located within the Historic District and is subject to Architectural Review Board, Certificates of Appropriateness (COA), and the Town of Warrenton Guide to Historic Resources. No structures shall be modified or erected until a COA has been issued. This includes walls and fences exceeding 36” in height.

5. Signage: All signage shall comply with the applicable provisions of Article 6 of the Town of Warrenton Zoning Ordinance.

6. Site Maintenance and Refuse Collection: Any refuse storage areas shall be screened with a solid enclosure constructed of materials that are compatible with the buildings on the property. The enclosure shall have gates that prohibit viewing this area from adjoining properties and public rights-of-way. The gates shall remain closed when not in use and the trash containers shall be emptied as necessary to prevent odors or infestation by vermin. Compliance with this condition shall be demonstrated on each final site plan(s). Deliveries and refuse collection shall follow Town Code Section 11-19(9).



# Draft Conditions of Approval for Consideration

7. Environment: All landscaping shall be native and drought-resistant or other species as may be approved on the final site plan(s).

- a) Landscaping – The Applicant shall make all efforts to maintain and preserve the existing mature vegetation and hardwood trees when feasible.
- b) Minimize Clearing and Grading – The Applicant shall show the limits of clearing and grading for the site on the approved final site plan(s). For portions of buffers located outside the limits of clearing and grading, the existing vegetation shall be preserved and supplemented to meet the intent the buffer as noted above. In addition, existing trees and shrubs shall be incorporated into the landscaping plan. This does not preclude the removal of diseased, noxious and/or invasive vegetation.
- c) Stormwater Management – The Applicant shall provide one hundred percent (100%) of the required stormwater runoff quality and quantity control measures for the site. The locations and specific techniques to be utilized shall be determined at the time of plan review and discussed with Stormwater Management staff prior to submittal of the first final site plan.

# Draft Conditions of Approval for Consideration

## 8. Lighting:

- a. Proposed lighting shall be reviewed during the review of the Certificate of Appropriateness and at the time of site plan in accordance with the Zoning Ordinance.
- b. Building-mounted security lighting, which is full cut-off and directed toward the building and in compliance with the Zoning Ordinance, shall be permitted.
- c. All new and replacement light fixtures shall consist of full cut-off fixtures with a color temperature of 3,000 K or lower, and a maximum mounting height of 14 feet.
- d. Lighting on the school managed turf fields is prohibited.
- e. All other proposed lighting shall be addressed at site plan in accordance with the Zoning Ordinance.

# Draft Conditions of Approval for Consideration

## 9. Transportation:

- a) Vehicular Access – The site shall be accessed from the Winchester Street and John E. Mann entrances. Egress shall be controlled via a stop sign traffic control with stop bar at the exits.
- b) There shall be no stacking of vehicles into the public right-of-way. The school is responsible for ensuring drop off and pick up from the school do not result in backs ups on the public streets. Stacking on the property by accessing the school by way of Winchester Street or staggering times is required to achieve this condition.
- c) Handicapped Parking and Signage – Handicapped parking and signage for shall be provided in accordance with the PFM and the Americans with Disabilities Act.
- d) Dedication of public right-of-way on Winchester Street shall be included on the Site Development Plan and be recorded prior to occupancy permit. With the dedication of the right-of-way frontage, the property owner will submit with the site plan an agreement to retain the maintenance of the existing perimeter wall and entrance features, including the entrance apron on Winchester Street for Town review and approval.

10. Parking: Parking located on the north side of the property, adjacent to Richards Lane shall buffer and shield the headlights of vehicles from the adjacent residences. Headlights shall be screened from view from the residential-zoned property located to the north to at least 3.5 feet in height above the parking surface elevation with a solid wall, sight-tight fence, or other method as approved by the Zoning Administrator as a part of the Site Development Plan, to extend the length of the parking on the north side.

# Draft Conditions of Approval for Consideration

Item 3.

11. Water and Sewer: The site shall continue to be served by public water, with the property owner bearing all costs associated with providing the additional services that will be required. Construction of a new 3-story building, +/- 13,000 square foot located at the northwest corner of the property on Winchester Street will require a separate water meter, per Town code.

12. Demolition: Demolition of the existing 3 story stone and block building located in the northwest portion of the property adjacent to Richards Lane shall require a permit from the Town. No final occupancy permit shall be issued on a new 3-story building, +/- 13,000 square foot located at the northwest corner of the property on Winchester Street until the above existing building has been demolished.

# Other Considerations for PC

Item 3.

Warrenton Volunteer Fire Company requests for no parking locations, fire hydrants, wider access roads.

Concerns from Public Works and Utilities regarding Winchester Street storm drainage availability and meeting accumulative stormwater requirements.

Zoning concerns retaining wall heights.

Will there be blasting needs.

Sidewalk potential on Winchester Street.

Refuse location to ensure it is not located adjacent to residences.

# Draft Motions for Consideration Item 3.

1. I move that the Planning Commission recommend approval of SUP 23-1, St John Catholic Church, to Town Council to amend the approved SUP in June 3, 1986, to allow for the 13,000 square foot accessory use building the church and school, subject to the draft Conditions of Approval dated May 16, 2023, sheets 1 through 4 of the Special Use Permit Plan created by Carson Land Consultants dated February 10, 2023 and revised through April 27, 2023.

OR

1. I move that the Planning Commission forward SUP 23-1, St John the Evangelist to the next Planning Commission meeting.

OR

1. I move an alternative motion.

OR

1. I move to recommend denial of SUP 23-01 to the Town Council for the following reasons...



**Planning Commission Public Hearing  
SUP 23-1 St John the Evangelist  
May 16, 2023**

*Decision Deadline: July 27, 2023 (unless Applicant Requests Deferral and Stops the 100 Day Clock)*