

At a regular meeting of the Warren County Planning Commission held in the Warren County Government Center on June 10, 2026, at 7:00 PM

Present – Robert Meyers (Chair – Happy Creek District); William Gordon (Vice Chair – Shenandoah District); Scott Kersjes (North River District); Paul Barnhart (Fork District); Jason Ham of Litten and Sipe LLP, County Attorney; Kelly Wahl, Planning Director; Zach Henderson, Deputy Clerk to the Board of Supervisors

Absent – Brigitte Miller (South River District)

Call to Order:

Mr. Meyers called the meeting to order at 7:00 PM

Adoption of the Agenda:

On a motion by Mr. Kersjes, seconded by Mr. Gordon, and the following vote, the Commission adopted the agenda as approved.

Ayes: Myers, Gordon, Kersjes, Barnhart

Adoption of the Regular Meeting Minutes:

On a motion by Mr. Kersjes, seconded by Mr. Barnhart, and the following vote, the Commission approved the regular meeting minutes for May 13th, 2026, as presented.

Ayes: Myers, Gordon, Kersjes, Barnhart

Public Presentations:

1. **Mark Egger:** commented on the minutes saying they were inaccurate and did not represent what he says. He then spoke about the Dillon Rule and what they could mean for Data centers etc.
2. **Joanna Mosres:** spoke on data centers being considered for financial needs and urges the commission to look for other options to get revenue other than data centers and addressed the commissions comments during the work session.
3. **John Jenkins:** commented on data centers and does not support it at the Rockland location unless everything is “locked down” properly rules and regulation wise, and addressed the residential potential of that area, the scenic character of the County, issues with noise, concerns about tax revenue with no guarantees.
4. **Alexandra Wolf:** opposes data centers and that the text amendment should remain the same to not permit them, and said they need to be separate from residential areas and referred to videos from environmental hygienist going over the issues of data centers being close to agricultural and farmland as well as residential land.
5. **Edwin Wright:** talked about a proposal to make a highway corridor district from Doug Stanley and suggested the commission go back and research before any decisions are made. He would like to see a plan from the applicants to show their benefits to the community.
6. **Amber Martin:** directed the commission to look at Prince William County and asked them to name one lawsuit in VA where a data center filed a suit for a data center not being permissible and stated that the minutes needed to be corrected.
7. **Alex Rabbani:** talked about the reduction to the setback requirement and asked to delay the vote on that because the HOA and the local community has not had a chance to properly research this.
8. **Celeste Horton:** talked about the deception that they have no choice that data centers will have to come here to this locality and spoke to the prior Rockland application where data centers listed as a permissible

use was denied and said there are better ways to help Warren County grow that are not data centers and voiced her opposition.

9. **Jane Elliot:** voiced her opposition of data centers emphasizing their water consumption, non-disclosure agreements, utility costs to the citizens, issues with noise and lights, radiation emitting etc.
10. **Madison Sanders:** asked if the Commission if they knew how much money was lost to Data centers in Virginia and that cannot be enforced on a local level but on a state level and that this is unfair for the vote on this due to the clear public opposition.
11. **Mike Abril:** asked the commission to deny the zoning amendment and emphasized that the citizens do not even have the rules for these clear and written and does not have rules for this size of the facility and infrastructure issues with water and other utilities.
12. **Stephanie Seely:** stated that data centers are similar to an arms race in terms of pollution being spread into the County and stated that this is not progress, and forcing destructive development.
13. **Kevin Cuddeback:** stated that Rushmark is the wrong applicant and provided a scenario of a different technology coming in and how the application process could go and questions that could be asked and answered, disguised as a data center.
14. **Vincent Maresca:** opposed to data centers and commented on the planning commission's role to listen to the citizens as an advisory capacity, stating that the citizens have spoken that they do not want them in the community, and asked if data centers have performance metrics and the applications comments.
15. **Jake Gates:** opposed to data centers and proposed a bill to have data centers banned outright and commented that making these changes now will cause greater consequences down the road.
16. **Stephen Pilan:** opposed to data centers and emphasized the ongoing issue with water usage the data center lifecycles leaving empty shells of buildings and that the revenue will be short lived as a result.

Mr. Meyers addressed the comment on Stephanie Seely's comments stating that he does not have his mind made up and further addressed how the public hearing and agenda process will go for consent agenda items.

New Business:

SP2026-05-01 - 0 John Marshall Highway (Tax Map ID: 31G--2-5--19A, 31G--2-5--19B, and 31G--2-5--19C) - Reduction to Setback Requirements for the Highway Corridor Overlay District:

Mrs. Wahl stated that the initial submission of the general concept plan for a proposed flex space, drive-through coffee kiosk, electric vehicle charging stations, family-oriented park and rest area, and cabin. The properties are identified as Tax Map #31G--2-5--19A and 31G--2-5--19C, and are zoned Commercial, and Tax Map #31G--2-5--19B, which is split zoned Agricultural and Commercial. The properties are located South of John Marshall Highway and reside within the County's Highway Corridor Overlay District (HCOD). The proposed land-uses are allowed by either a conditional use permit or by-right in the commercial zoning district. A final site plan is required for review and approval by the Planning Commission when it has been completed and reviewed by County Planning Staff and outside agencies. This initial application with concept plan is a request by the applicant, Valley Gate, LLC, to waive the setbacks of the HCOD which is 100' to building and the parking setbacks which is 50', in order to have the flexibility for placement of the structures and associated parking on the sites. The existing average depth of the parcels is 200' and this would be prohibitive to the buildable area. As stated in the applicant's statement of justification, the proposed layout provides for site circulation, connectivity with adjacent parcels, and commercial development meeting the standards as set forth in the County Code, 180-27 and 180-29.1. The requested waiver to these setbacks will not impact or negate the other standards set forth in the HCOD ordinance and will be included as part of the final site plan when brought back to the Planning Commission.

The applicant was not present for this and Mrs. Wahl summarized a PowerPoint presentation that detailed the site plan maps and dimensions and zoning. As well as the parcel layout, graphic concepts and scenic integrations.

Mr. Meyers stated that he would like to see a traffic impact analysis before he is comfortable approving this.

Mr. Barnhart expressed a concern about how the traffic will be funneled in and out.

Mr. Gordon asked if parking is sufficient for the buildings that were shown in the graph and will have difficulty approving this even with a traffic impact analysis given how narrow the road is. He then asked if the Commission is just approving the waiver.

Mrs. Wahl stated that there would be a formal site plan process that would also need to be approved by the Planning Commission, but the matter at hand was only for the waiver to the setbacks of the Highway Corridor Overlay District.

On a motion by Mr. Barnhart, seconded by Mr. Kersjes, and the following vote, the Commission tabled the request to waive the Highway Corridor Overlay District front yard setback requirements for the site plan for the proposed development of the structures and parking areas.

Ayes: Myers, Gordon, Kersjes, Barnhart

Senate Bill 346 - Zoning; Manufactured Housing:

Mrs. Wahl stated that Senate Bill 346 amends existing provisions that require localities to permit manufactured homes in areas zoned for agriculture by expanding such requirement to all zoning districts where site-built housing is allowed, with certain conditions. The bill provides that localities shall not adopt or enforce any zoning, land-use, or development regulations that treat manufactured homes differently or more restrictively than a single-family site-built dwelling allowed in the same zoning district. The bill also removes the authority of localities without a zoning ordinance to designate the areas within the locality in which manufactured homes may be located.

Warren County Code §180-61A states: "Initiation of amendments. Proceedings for any amendment shall be initiated only in the following manner" ; Warren County Code §180-61A(3) states: "Planning Commission resolution. By the adoption by the Planning Commission of a resolution of intention to propose an amendment."

She asked the planning commission for permission to start working on an ordinance / text amendment.

Mr. Barnhart defined a manufactured home and what it would mean per this Senate Bill and stated that he is not opposed to manufactured homes but emphasized that he is opposed to the devaluation of property for citizens in Warren County and called for architecture amendments and trying to protect property values.

Mr. Gordon asked if architectural standards were added to the ordinance, would those be applied to manufactured homes?

Mr. Ham stated that standards could be put into the ordinance, but they would have to be structured carefully.

Mrs. Wahl emphasized that there will need to be a distinction between what can and can't be done for requirements in specific districts.

On a motion by Mr. Gordon, seconded by Mr. Kersjes, and the following vote, the Commission adopted the attached Resolution declaring its intention to initiate and consider amendments to the Warren County Zoning Ordinance for the purpose of evaluation and addressing the provisions of Virginia Code § 15.2-2247 and § 15.2-2290 and direct staff to prepare draft amendments.

Ayes: Myers, Gordon, Kersjes, Barnhart

Senate Bill 531 - Zoning; Development and Use of Accessory Dwelling Units:

Mrs. Wahl stated that Zoning development and use of accessory dwelling units requires a locality to include in its zoning ordinances for single-family residential zoning districts accessory dwelling units, or ADUs, as defined in the bill, as a permitted accessory use. The bill requires a person to seek a permit for an ADU from the locality, requires the locality to issue such permit if the person meets certain requirements enumerated in the bill, and restricts the fee for such permit to \$500 or less. The bill prohibits the locality from requiring (i) setbacks for the ADU that are greater than the setback required for the primary dwelling or the setback required for accessory structures on the residential lot, whichever is less; (ii) conditions for ADUs that are more restrictive than those for single-family dwellings within the same zoning area with regard to height, rear, or side setbacks, lot size or coverage, or building frontage; or (iii) consanguinity or affinity between the occupants of the ADU and the primary dwelling. The bill has a delayed effective date of July 1, 2027.

Warren County Code §180-61A states: "*Initiation of amendments. Proceedings for any amendment shall be initiated only in the following manner*"; Warren County Code §180-61A(3) states: "*Planning Commission resolution. By the adoption by the Planning Commission of a resolution of intention to propose an amendment.*"

On a motion by Mr. Gordon, seconded by Mr. Kersjes, and the following vote, the Commission adopted the attached Resolution declaring its intention to initiate and consider amendments to the Warren County Zoning Ordinance for the purpose of evaluation and addressing the provisions of Virginia Code § 15.2-2292.3 and direct staff to prepare draft amendments.

Ayes: Myers, Gordon, Kersjes, Barnhart

Consent Agenda:

On a motion by Mr. Kersjes, seconded by Mr. Gordon, and the following vote, approved the consent agenda as presented.

Ayes: Myers, Gordon, Kersjes, Barnhart

Commission Matters

Commission Members:

- **Mr. Kersjes reported the following:**
 - June 14th is Flag Day and thanked everyone for their services.
- **Mr. Meyers reported the following:**
 - Thanked the public for showing tonight and for participating and wished everyone a happy 4th of July.

Planning Director:

- **Mrs. Wahl reported the following:**
 - No further action will be taken on Rappahannock Electric Substation.

County Attorney:

- **Mr. Ham reported the following:**
 - Stated that the data center public hearing will be at a high school.

Adjournment:

On a motion by Mr. Barnhart, seconded by Mr. Gordon, and the following vote, the meeting was adjourned at 8:26PM.

Ayes: Myers, Gordon, Kersjes, Barnhart


Warren County Planning Commission Chairman