



HOA ROUNDTABLE

PROTECTING COMMUNITIES

PO BOX 400 CATHARPIN VA 20143

ADVOCATING QUALITY OF LIFE & PROPERTY VALUES
IN NORTHERN VIRGINIA

August 28, 2023

Christopher Shorter, County Executive
McCoart Administration Building
1 County Complex Court
Prince William, VA 22192

RE: PW Digital Gateway 3rd Round Review Process

Dear Mr. Shorter:

The Board of the HOA Roundtable writes today to register our strong objection to the decision you have made to order the Planning Office staff to facilitate the order of Chair Wheeler to dramatically accelerate an unprecedented schedule for a full and comprehensive review of the Digital Gateway project. Based on recent public disclosures, Chair Wheeler has announced that the Board of County Supervisors (BOCS) has scheduled the re-zoning hearing on November 21, 2023, on the Prince William Digital Gateway (PWDG).

It is no overstatement to say that the PWDG project is the most consequential and controversial political battle between factions of the Board in the history of the county. Until the BOCS has made a final decision on this project when it is properly before the Board, including a review of a complete and unbiased recommendations by the Planning Office, no one should be putting their finger on the scale to favor one political faction over another. No one on the County staff, including you, should presume the outcome before a final vote takes place. Equally important, every citizen of Prince William County has the right to a fair, unbiased, and complete assessment by the professional staff who have been hired for their expertise, not their political fidelity to one faction of the Board or another.

Chair Wheeler's decision to call for this hearing and vote is patently designed to stack the deck against opponents of the project; however, her actions need to be recognized for the political manipulations that they are, as she tries to rally public support for her position, and those actions should not be characterized as some suddenly realized urgency that the county must now hastily address, conveniently before the Chair leaves office.

Chair Wheeler's position on the Digital Gateway was clearly rejected by her constituents and that is precisely why she has the current political title as a "Lame Duck." Whether Chair Wheeler's current directive to rush to a vote on the Digital Gateway is retribution to those who opposed her re-election, or is a reward for the political contributions of some of the wealthiest global corporations who now are demanding payback from the majority of the BOCS, the

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- HOA/CMA & CIVIC LEADERSHIP FORUM TO PROTECT RESIDENTIAL QUALITY OF LIFE AND PROPERTY VALUES IN NORTHERN VA -

overworked and understaffed Planning Office should not be forced to hastily complete their work while being forced into the role of political pawns in the Chair's partisan agenda.

Your duty as the county executive is to be the administrative head of the county and you specifically have the responsibility for the "proper administration of all county affairs with the board has the authority to control."¹ More precisely, your duty to administer all county affairs obligates you to see that the processes required by Virginia statutes and county ordinances are carried out in a fair and unbiased fashion. It is disappointing that your apparent willingness to follow the unprecedented, politically driven, and legally questionable directive from Chair Wheeler gives the appearance that she is expecting you to act as her personal political bagman as she pursues her personal goals to provide the pay back to her political contributors in the data center and related industries.

We understand that Chair Wheeler, in a meeting with QTS ("the applicant") unilaterally accepted the claim made by QTS that the one-year review time for their rezoning application had expired. As we understand it, the professional staff from the Planning Office were not at that meeting and provided no input on the legitimacy of that claim. You are or should be well aware of significant amendments made by QTS to their application. Those amendments materially changed the scope of the project, and the reported multiple submissions of those amendments is at least arguably re-started the clock for any one-year review requirement. Chair Wheeler apparently did not consider QTS' substantial amendments in accepting the company's claim, and even if she did, she is not entitled nor qualified to make such a judgment on her own. The Chair loses credibility when she unilaterally accepts the self-serving assertion by QTS, especially where QTS knows that the outcome November's election could reduce their chances of approval of their project?

Among the numerous questions that arise from Chair Wheeler's unprecedented political interference with the normal scheduling protocols for a Hearing to be added to the BOCS agenda for such projects that typically are in the purview of the professional staff, we request your responses to the following questions:

1. Does the professional staff of the Planning Office agree that the one-year review time for the amended application from QTS has actually tolled?
2. It is the policy of the county that QTS can submit an incomplete application in order to start the clock to force a one-year timeline review when other applicants are held to a standard of submitting a complete application prior to starting the clock for such a review?
3. What material deficiencies have been identified by the professional staff on the QTS application that would render the application to be unacceptable to commence a review? What were the dates for amendments to the QTS application and the substantive nature of those materials? Is the QTS application currently complete and responsive to substantive deficiencies identified by professional staff, and if so, please provide specific dates when those material deficiencies were addressed by the applicant?

¹ <https://law.lis.virginia.gov/vacode/title15.2/chapter8/section15.2-811/>

4. Does the available record and existing assessments from professional staff previously expressed by them, of which you are personally aware, support any reasonable conclusion that an understaffed and overworked Planning Office staff can fully complete a full review of the recently amended application to protect the interests of the county rather than the political agenda of Chair Wheeler?

We are gravely concerned that there is insufficient time available between now and any scheduled Planning Commission hearing to appropriately review, assess and comment on the recommended 4th round submission. It is not ethically feasible to accomplish a good faith review within the artificially created time constraints. Staff has worked tirelessly under enormous, unwarranted, and unprofessional pressure from the applicants. Chair Wheeler’s latest directive, clearly made for political reasons, adds an unacceptable level of coercion and intimidation to the professional staff. It is your duty to protect and insulate county staff from such tactics, not to be an active participant in this political charade being orchestrated by Chair Wheeler.

The professional staff in the Planning Office need the appropriate time and resources to do their job and fulfill the responsibility of the county in this enormous land use case. The Planning Office has been understaffed at least since February of this year when it experienced a number of resignations. Staff must be permitted to carry out their duties according to professional standards and ethics, they must be given a reasonable timeframe to perform their duties with the resources they have available, and they *must* be supported by the County Executive, without political coercion or intimidation, in whatever decision and recommendation the facts, proposals and data support.

The HOA Roundtable is a discussion and information exchange forum with participation from 93 HOAs and Civic Organizations who represent more than 150,000 homes across the region, from Prince William, Fairfax, Loudoun, and Fauquier Counties.

Respectfully,

Mac Haddow
Chairman
HOA Roundtable of Northern Virginia

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cc: Prince William Board of County Supervisors
Michelle R. Robl, County Attorney
David J. McGettigan, Sr., AICP, Acting Director of Planning
Prince William County Planning Commission