

**Sandra Luevano**

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**From:** Sandra Luevano  
**Sent:** Monday, December 11, 2023 11:03 AM  
**To:** chair@pwcgov.org  
**Cc:** Chap Petersen  
**Subject:** Coalition to Protect PWC's Opposition to PWC Digital Gateway Rezoning Public Hearings  
**Attachments:** 2023.12.11 Letter to BOCS Prince William County (w-enclosures).pdf

<b>Tracking:</b>	<b>Recipient</b>	<b>Delivery</b>
	chair@pwcgov.org	
	Chap Petersen	Delivered: 12/11/2023 11:04 AM

Dear Chair Wheeler,

Attached please find a letter from Mr. Chap Petersen, on behalf of the Coalition to Protect Prince William County, in opposition to the public hearings for the rezoning applications filed by QTS Realty Trust and Compass Datacenters, namely REZ2022-00032, Digital Gateway North, REZ2022-00033, Digital Gateway South, and REZ2022-00036, Compass Datacenters Prince William County Campus, which are set to be heard by the Prince William County Board of Supervisors tomorrow, **December 12, 2023 at 10:00 a.m.**

Thank you,

Sandra Luevano  
Paralegal  
Chap Petersen & Associates, PLC  
3970 Chain Bridge Road  
Fairfax, VA 22030  
(571) 459-2512 (main)  
(571) 459-2515 (direct dial)  
(571) 459-2307 (facsimile)  
[www.petersenfirm.com](http://www.petersenfirm.com)

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Sharon Kim Petersen  
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Janice M. Jang^+  
Federico J. Zablah  
Christopher T. Robertson+  
Dylan M. Phillips  
Patrick R. Corish++

December 11, 2023

*Via electronic mail*

Ann Wheeler, Chair At-Large  
Prince William County  
Board of County Supervisors  
1 County Complex Court  
Woodbridge, VA 22192  
chair@pwcgov.org

Re: **Violation of Prince William County Ordinance Sec. 32-700.60(1)  
and VA Code §15.2-2204(A)**  
REZ2022-00032, Digital Gateway North  
REZ2022-00033, Digital Gateway South  
REZ2022-00036, Compass Datacenters Prince William County Campus 1

Dear Chair Wheeler:

On Tuesday, December 12, 2023, the Prince William County Board of Supervisors (“BOCS”) is scheduled to hear the above-referenced rezoning applications filed by QTS Realty Trust and Compass Datacenters. Our firm represents the Coalition to Protect Prince William County (“the Coalition”), who oppose these applications.

It has come to the Coalition’s attention, per documents obtained through FOIA, that the County is in violation of Prince William County Ordinance Sec. 32-700.60(1) and VA Code §15.2-2204(A) as it pertains to the notice of the December 12<sup>th</sup> public hearings as follows:

**1. The County Did Not Properly Provide Advertisement/Notice of the Rezoning Hearings For Applications REZ2022-00032, REZ2022-00033, And REZ2022-00036.**

Prince William County Ordinance Sec. 32-700.60(1) states:

Notice of a zoning map amendment or Special Use Permit **shall be published once a week for two successive weeks (with not less than six days elapsing between the first and second publication)** in a newspaper having general circulation in the County. Notice for both the planning commission and Board of County Supervisors may be published concurrently. **Notice shall specify the time and place of the**

**public hearing, which shall be held not less than five days nor more than 21 days after the second advertisement shall have appeared.**  
(emphasis added)

The County's public hearing notices for the December 12<sup>th</sup> hearing were published in The Washington Post on December 2<sup>nd</sup>, December 5<sup>th</sup>, and apparently December 9<sup>th</sup>. This schedule does not comply with the requirement of the County Ordinance (or state law, *see infra*) as the notices were not provided *six days apart* and the last notice was provided a mere *three (3) days* prior to the scheduled hearing, which is a per se violation of the *five-day notice rule*. As a result, the BOCS has not given appropriate notice of the December 12<sup>th</sup> meeting as a matter of law.

**2. The Stricter Notification Requirements Provided in County Ordinance Sec. 32-700.60 Are Consistent with State Law, which the BOCS Failed to Meet Anyway.**

In July 2023, the General Assembly amended the Code to remove the language of “not less than five days nor more than 21 days after the second advertisement appears in such newspaper” language from §15.2-2204(A). Of course, that amendment occurred after the above applications had been filed, which means that the change should not be given “retroactive” effect where substantive rights are involved. *See Montgomery v. Commonwealth*, 75 Va. App. 182, 189-90 (2022) (citing *McCarthy v. Commonwealth*, 73 Va. App. 630, 647 (2021)).

The current State Code reads that the governing body may not “adopt any plan, ordinance or amendment thereof until notice of intention to do so has been published “once a week for two consecutive weeks,” with “two successive weeks” being defined as “not less than six days elapsing before the first and second publication.” Va. Code §15.2-2204(A).

Notably, the County has not yet adopted the amendments to §15.2-2204(A) in its own ordinance; meanwhile, state law provides broad discretion to localities to establish additional notification requirements. Therefore, the stricter notice requirement set forth on Ordinance Sec. 32-700.60 complies with state law even without the referenced amendment to §15.2-2204(A).<sup>1</sup>

Regardless, under either version of the State Code regarding notice, the BOCS failed as there is no “six day” time gap between its “first” (December 2<sup>nd</sup>) and “second” (December 5<sup>th</sup>) notice of the December 12<sup>th</sup> public hearing under §15.2-2204.

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<sup>1</sup>Notably, Prince William County is in the process of adopting the amendments of §15.2-2204(A) and incorporating them into Prince William County Ordinance Sec. 32-700.60 but the Planning Commission's public hearing on that issue was postponed due to its alleged failure to meet the notice requirements and, therefore, the BOCS will not be presented any amendments for approval prior to next spring The Zoning Text Amendment hearing for DPA2024-00001 was set for a hearing before the Planning Commission on December 6, 2023.

**3. The County Has Not Demonstrated That It Submitted A “Correct and Timely Notice” to The Washington Post.**

As we understand, the BOCS has taken the position that it submitted a “correct and timely notice” to The Washington Post and that the newspaper failed to publish the notice, which gives it a “safe harbor” under Virginia law. Again, to the extent this “safe harbor” text was added in 2023, there is no retroactive application. *See supra*.

Regardless, the documents provided through FOIA by the BOCS Clerk demonstrate that a draft advertisement was provided by the Washington Post on November 20<sup>th</sup> but the County never actually submitted the ad and thus the advertisement did not run on the intended scheduled dates. Specifically, the proof sheet provided by the Washington post on November 20<sup>th</sup> states “Below are the details of your saved ad. Saved ads will not run unless they are scheduled and submitted.” See Exhibit A. There is no evidence it was submitted.

VA Code §15.2-2204(A) states:

In any instance in which a locality has **submitted a correct and timely notice** request to such newspaper and the newspaper fails to publish the notice, or publishes the notice incorrectly, such locality shall be deemed to have met the notice requirements of this subsection so long as the notice was published in the next available edition of a newspaper having general circulation in the locality. (emphasis added)

In this instance, the County submitted a request for a quote and proof sheet but never gave the approval of the ad prior to November 30<sup>th</sup>, which made the notices untimely. Significantly, there is no confirmation by The Post of the November 30<sup>th</sup> advertisement purchase. By contrast, confirmation notices were provided by The Post on November 30<sup>th</sup> for the December 2<sup>nd</sup>, December 5<sup>th</sup>, and December 9<sup>th</sup> ads, which state: “Thank you for placing your order with us” (subject line) and “Thank you for your ad submission! This is your confirmation that your order has been submitted. Below are the details of your transaction. Please save this confirmation for your records.” See Exhibit B.<sup>2</sup>

**4. The County’s Staff Is Proposing That the Applications Be Denied.**

After reviewing five submissions by the Applicants, the County’s own planning Staff are recommending denial of these rezoning applications, which carry enormous environmental risk.

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<sup>2</sup> The BOCS has apparently submitted an Affidavit to The Post stating that it submitted a correct and timely request. To date, the Coalition has not been provided with a copy of the signed Affidavit. Regardless, that Affidavit is not evidence when it is contradicted by contemporaneous business records.

In the report submitted on December 7, 2023, the Planning Staff recommended denial of these rezoning applications as (i) they are not consistent with the Comprehensive Plan, (ii) they permit data centers outside of the data center opportunity zone overlay district without seeking a waiver of the Special Use Permit application process, (iii) the plans lack building footprint and site layout as required by County Ordinances, (iv) there is a lack of proffered elevations of the buildings making it impossible to hold developers accountable, (v) there is no information provided about the proposed electrical infrastructure on the property that will serve the facilities in each land bay—i.e. transmission lines—, and (vi) there is uncertainty in a number of land use areas including *inter alia* viewshed impacts, target density, environmental impact, water usage, etc. Notably, the Planning Commission also recommended denial based upon these factors.

**5. The County Must Postpone the Public Hearings.**

In order to have a legitimate vote on these projects, the BOCS must postpone the hearings and provide proper notice so that the County and the Applicant can comply with the legal notice and advertisement requirements. If the County proceeds with a hearing on December 12<sup>th</sup>, the Coalition and other civic organizations will hold the BOCS accountable for its failure to comply with County Ordinances and state law.<sup>3</sup>

Thank you for your attention to the above.

Very truly yours,

  
J. Chapman Petersen

Enclosures as stated

cc: Elena Schlossberg, Director, Coalition to Protect PWC  
Karen Sheehan, Director, Coalition to Protect PWC  
State Senator-Elect Danica Roehm  
Congresswoman Jennifer Wexton  
United States Senator Tim Kaine  
United States Senator Mark Warner  
Governor Glenn Youngkin

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<sup>3</sup> It is the County's common practice to reschedule hearings that do not meet the notice and advertisement requirements, as documented on the Staff's report for REZ2020-00022 dated September 27, 2021. In the case of REZ2020-00022, on June 2, 2021, the Planning Commission held a public hearing on Comprehensive Plan Amendment #CPA2020-00011, Hunter Property. Due to an advertising error by the Applicant, the Planning Office decided to bring the application back to the Planning Commission for a Public Hearing on July 21, 2021.

# **EXHIBIT A**

**From:** [The Washington Post Adportal](#)  
**To:** [Madden, Andrea](#)  
**Subject:** Ad Information.  
**Date:** Monday, November 20, 2023 3:19:14 PM

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

## THANK YOU for your business.

Below are the details of your saved ad. **Saved ads will not run unless they are scheduled and submitted.**

For Public Notices you may contact us directly at [Legalnotices@washpost.com](mailto:Legalnotices@washpost.com) or [202-334-7007](tel:202-334-7007)

For Trustee Sale Notices you may contact us directly at [Trusteesale@washpost.com](mailto:Trusteesale@washpost.com) or [202-334-5782](tel:202-334-5782) or [202-334-7031](tel:202-334-7031)

## Notes

Notice scheduled to publish November 28 and December 5. Cost is \$7509.48

### Job Details

Order Number: **L0015926**  
Classification: **Legal Notices**  
Package: **Legal Notice**  
Order Cost: **\$7,509.48**

### Schedule for ad number L0011487

314 lines

**Tue Nov 28, 2023**

**The Washington Post** All Zones

**Legals**

**Tue Dec 5, 2023**

**The Washington Post** All Zones

**Legals**

**PRINCE WILLIAM COUNTY  
BOARD OF COUNTY SUPERVISORS  
ONE COUNTY COMPLEX COURT  
PRINCE WILLIAM, VA 22192**



**December 12, 2023  
Public Hearings  
10:00 a.m.**

1. Rezoning #REZ2022-00036, Compass Datacenters Prince William County Campus 1 (Formerly H&H Capital Acquisitions Digital Gateway): This is a request to rezone ±884.12 acres (collectively "Property") from A-1, Agricultural Zoning District, and SR-5, Semi-Rural Residential Zoning District, to PBD, Planned Business District, using the O(H), Office High-Rise District, O(F), Office/Flex District, O(M), Office Mid-Rise District, and M-2, Light Industrial Zoning District, to allow for a maximum of 11,555,200 square feet (no greater than an overall 0.30 floor area ratio ("FAR")) of data centers and free-standing non-HAZMAT assembly uses; public facilities, including electric substations; outdoor cultural arts centers; and ancillary and secondary uses limited to a maximum of ten percent (10%) of the total gross floor area ("GFA") for each building which includes such ancillary and secondary uses. The application also includes associated waivers and modifications, including a modification to data center building height limit. The Property is generally located approximately 1 mile north of Route 29/Lee Highway, south of Route 234/Sudley Road, east and west of Pageland Lane, north and south of Thornton Drive, north and south of Artemus Road, north and northeast of Heritage Hunt Golf and Country Club, and east of Catharpin Valley Estates and Catharpin Road. The subject Property is comprised of 103 parcels identified on County maps as GPINs 7499-44-3886, 7499-44-3150, 7499-43-2193, 7499-55-4720, 7499-55-1912, 7499-44-8686, 7499-55-8403, 7499-64-1457, 7499-54-6132, 7499-64-5227, 7499-53-4696, 7499-63-0595, 7499-44-8466, 7499-43-8370, 7499-64-1129, 7499-63-6178, 7499-44-7009, 7499-53-1462, 7499-53-4833, 7499-53-1320, 7499-63-1122, 7499-40-4412, 7499-40-7510, 7498-49-2831, 7498-49-2873, 7498-49-8156, 7498-59-1085, 7499-61-2050, 7499-61-1831, 7499-61-0903, 7499-60-0576, 7499-60-0754, 7499-60-0528, 7498-59-5979, 7498-69-0083, 7498-69-4389, 7498-59-1812, 7498-59-7717, 7498-69-2830, 7498-69-9942, 7498-79-2374, 7498-79-9567, 7498-89-1468, 7498-78-2271, 7498-79-9114, 7498-89-9349, 7498-88-0681, 7498-88-6189, 7498-98-2194, 7498-88-5864, 7498-98-5857, 7498-88-8729, 7498-88-0142, 7498-58-7523, 7498-68-4733, 7498-78-0732, 7498-88-0218, 7498-87-0698, 7498-77-2681, 7498-87-0965, 7498-67-5657, 7498-77-1839, 7498-39-2117, 7498-49-2407, 7498-28-2871, 7498-28-8254, 7498-38-7570, 7498-48-5560, 7498-58-1650, 7498-38-7916, 7498-47-8196, 7498-57-4280, 7498-57-6866, 7498-57-9653, 7498-37-9232, 7498-47-6936, 7498-56-6583, 7498-66-3583, 7498-76-0192, 7498-46-7192, 7498-36-4869, 7498-56-4551, 7498-36-5811, 7498-66-2816, 7498-35-3911, 7498-56-3513, 7498-34-5957, 7498-55-0077, 7498-35-9736, 7498-45-4762, 7498-55-3343, 7498-55-5732, 7498-44-2890, 7498-44-8461, 7498-54-2867, 7498-34-9430, 7498-43-0283, 7498-53-1385, 7498-54-8408, 7498-43-1428, 7498-43-6254, 7498-53-2739, and 7498-65-5820. The Property is subject to the Comprehensive Plan Amendment #CPA2021-00004, PW Digital Gateway. Pursuant to the Comprehensive Plan, the Property is designated I-3 T/F Technology/Flex with a T-3 Transect for density purposes.

**EXHIBIT**

**A**

("I-3"), and POS, Parks and Open Space ("POS"). The I-3 designation in the Comprehensive Plan recommends a FAR of 0.23-0.57 and recommends technology uses such as data centers and accessory uses. The POS designation in the Comprehensive Plan designates existing and projected parks and recreational areas of Prince William County. The Property is located within the Airport Safety Overlay District (Approach Surface) and the Airport Safety Overlay District (Conical Surface) and within the Domestic Fowl Overlay District. A portion of the Property is located within the ERPO, Environmental Resource Protection Overlay, Gainesville Magisterial District

2. Rezoning #REZ2022-00033, Digital Gateway South: This is a request to rezone ±342 acres (collectively "Property" or "Properties") from A-1, Agricultural Zoning District, to PBD, Planned Business District, using the O(M), Office Mid-Rise District, to allow for data centers and accessory uses and structures; ancillary and secondary uses; and public facilities, including electric substations. The request is for a maximum of 3.7 million square feet of gross floor area ("GFA") with ancillary and secondary uses limited to a maximum of 10 percent (10%) of the total GFA in each building which includes such ancillary and secondary uses. The application also includes associated waivers and modifications. The proposed floor area ratio ("FAR") for the Property is no greater than an overall 0.25 FAR. The Properties are generally located on both the east and the west side of Pageland Lane, to the north and northwest of Manassas National Battlefield Park, north and northeast of Conway Robinson Memorial State Forest, east of Heritage Hunt Golf and Country Club, and approximately ½ mile north of Route 29/Lee Highway. The subject Properties are identified on County maps as GPINs 7498-42-6117, 7498-51-1835, 7498-74-6800, 7498-74-3579, 7498-83-1842, 7498-83-1869, 7498-83-6698, 7498-93-5350, 7498-94-5907, 7498-93-7484, 7498-84-6051, 7498-85-3325, 7498-85-7316, 7498-94-1180, and 7598-13-2096. The Property is subject to the Comprehensive Plan Amendment #CPA2021-00004, PW Digital Gateway. Pursuant to the Comprehensive Plan, the Property is designated I-3, T/F Technology/Flex with a T-3 Transect for density purposes ("I-3"), POS, Parks and Open Space ("POS"), and CRHS, County Registered Historic Site ("CRHS"). The I-3 designation in the Comprehensive Plan recommends a FAR of 0.23-0.57 and recommends technology uses such as data centers and accessory uses. The POS designation in the Comprehensive Plan designates existing and projected parks and recreational areas of the County. The CRHS designation in the Comprehensive Plan is designed to protect important cultural resources. Cultural resources include architectural, archaeological, and historical resources. The Properties are located within the Airport Safety Overlay District and the Domestic Fowl Overlay District. A portion of the Property is located within the ERPO, Environmental Resource Protection Overlay, Gainesville Magisterial District

3. Rezoning #REZ2022-00032, Digital Gateway North: This is a request to rezone ±534 acres (collectively "Property" or "Properties") from A-1, Agricultural Zoning District, to PBD, Planned Business District, using the O(H), Office High-Rise District, to allow for data centers and accessory uses and structures; ancillary and secondary uses; and public facilities, including electric substations. The request is for a maximum of 7 million square feet of gross floor area ("GFA") with ancillary and secondary uses limited to a maximum of ten percent (10%) of the total GFA in each building which includes such ancillary and secondary uses. The application also includes associated waivers and modifications. The proposed floor area ratio ("FAR") for the Property is no greater than an overall 0.30 FAR. The Properties are generally located on both the east and the west side of Pageland Lane, to the south of Catharpin Recreational Park and Sudley Road, north of Thornton Drive, and east of Catharpin Valley Drive. The subject Properties are identified on County maps as GPINs 7499-51-0789, 7499-50-2914, 7499-62-5386, 7499-82-1020, 7499-70-3896, 7499-81-6203, 7499-83-9783, 7499-83-4804, 7499-92-7290, 7499-73-5646, 7499-84-0870, 7499-72-1255, 7499-94-6530, 7499-84-7796, 7499-85-6806, 7599-04-3214, 7599-14-2313, and 7599-13-0663. The Property is subject to the Comprehensive Plan Amendment #CPA2021-00004, PW Digital Gateway. Pursuant to the Comprehensive Plan, the Property is designated I-3, T/F Technology/Flex with a T-3 Transect for density purposes ("I-3"), and POS, Parks and Open Space ("POS"). The I-3 designation in the Comprehensive Plan recommends a FAR of 0.23-0.57 and recommends technology uses such as data centers, and accessory uses. The POS designation in the Comprehensive Plan designates existing and projected parks and recreational areas. The Properties are located within the Airport Safety Overlay District and the Domestic Fowl Overlay District. A portion of the Property is located within the ERPO, Environmental Resource Protection Overlay, and the Highway Corridor Overlay District. Gainesville Magisterial District

For additional information regarding the Board meeting, please contact the Clerk to the Board at (703) 792-6600. All meeting materials are posted online when the agenda is published, and a copy of all staff reports, proposed resolutions and ordinances, and other documentation will be available for review by the public in the office of the Clerk of the Board at One County Complex Court, Prince William, Virginia, 22192.

Members of the public may appear at the Board of County Supervisors' Chamber in the McCoart Building, One County Complex Court, Prince William, Virginia, at the designated time to express their views.

ACCESSIBILITY TO PERSONS WITH DISABILITIES: The hearings are being held at a public facility believed to be accessible to persons with disabilities. Any persons with questions on the accessibility of the facility should contact the Clerk to the Board at One County Complex Court, Prince William, Virginia, or by telephone at (703) 792-6600 or TDD (703) 792-6295. Persons needing translation or interpreter services must notify the Clerk to the Board no later than 12:00 p.m. on Tuesday De-



September 5, 2023.

# **EXHIBIT B**

**From:** [The Washington Post Adportal](#)  
**To:** [Madden, Andrea](#)  
**Cc:** [Bryan.pokusa@washpost.com](mailto:Bryan.pokusa@washpost.com)  
**Subject:** Thank you for placing your order with us.  
**Date:** Thursday, November 30, 2023 2:23:12 PM  
**Attachments:** [L00163460.pdf](#)

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

## THANK YOU for your ad submission!

This is your confirmation that your order has been submitted. Below are the details of your transaction. Please save this confirmation for your records.

For Public Notices you may contact us directly at [Legalnotices@washpost.com](mailto:Legalnotices@washpost.com) or [202-334-7007](tel:202-334-7007)

For Trustee Sale Notices you may contact us directly at [Trusteesale@washpost.com](mailto:Trusteesale@washpost.com) or [202-334-5782](tel:202-334-5782) or [202-334-7031](tel:202-334-7031)

### Job Details

Order Number: **L0016346**  
External Number: **0012443791**  
Classification: **Legal Notices**  
Package: **Legal Notice**  
Order Cost: **\$0.00**

### Account Details

PRINCE WILLIAM CO EXEC OFFIC Acct#  
1 COUNTY COMPLEX CT, STE 245  
WOODBIDGE, VA ♦ 22192-9201  
703-792-6600  
AMadden@pwgov.org  
PRINCE WILLIAM CO EXEC OFFIC

### Schedule for ad number L00163460

314 lines

**Sat Dec 2, 2023**

**The Washington Post** All Zones

**Legals**

PRINCE WILLIAM COUNTY  
BOARD OF COUNTY SUPERVISORS  
ONE COUNTY COMPLEX COURT  
PRINCE WILLIAM, VA 22192



December 12, 2023  
Public Hearings  
10:00 a.m.

1. **Rezoning #REZ2022-00036, Compass Datacenters Prince William County Campus 1 (Formerly H&H Capital Acquisitions Digital Gateway):** This is a request to rezone ±884.12 acres (collectively "Property") from A-1, Agricultural Zoning District, and SR-5, Semi-Rural Residential Zoning District, to PBD, Planned Business District, using the O(H), Office High-Rise District, O(F), Office/Flex District, O(M), Office Mid-Rise District, and M-2, Light Industrial Zoning District, to allow for a maximum of 11,555,200 square feet (no greater than an overall 0.30 floor area ratio ("FAR")) of data centers and free-standing non-HAZMAT assembly uses; public facilities, including electric substations; outdoor cultural arts centers; and ancillary and secondary uses limited to a maximum of ten percent (10%) of the total gross floor area ("GFA") for each building which includes such ancillary and secondary uses. The application also includes associated waivers and modifications, including a modification to data center building height limit. The Property is generally located approximately 1 mile north of Route 29/Lee Highway, south of Route 234/Sudley Road, east and west of Pageland Lane, north and south of Thornton Drive, north and south of Artemus Road, north and northeast of Heritage Hunt Golf and Country Club, and east of Catharpin Valley Estates and Catharpin Road. The subject Property is comprised of 103 parcels identified on County maps as GPINS 7499-44-3886, 7499-44-3150, 7499-43-2193, 7499-55-4720, 7499-55-1912, 7499-44-8686, 7499-55-8403, 7499-64-1457, 7499-54-6132, 7499-64-5227, 7499-53-4696, 7499-63-0595, 7499-44-8466, 7499-43-8370, 7499-64-1129, 7499-63-6178, 7499-44-7009, 7499-53-1462, 7499-53-4833, 7499-53-1320, 7499-63-1122, 7499-40-4412, 7499-40-7510, 7498-49-2831, 7498-49-2873, 7498-49-8156, 7498-59-1085, 7499-61-2050, 7499-61-1831, 7499-61-0903, 7499-60-0576, 7499-60-0754, 7499-60-0528, 7498-59-5979, 7498-69-0083, 7498-69-4389, 7498-59-1812, 7498-59-7717, 7498-69-2830, 7498-69-9942, 7498-79-2374, 7498-79-9567, 7498-89-1468, 7498-78-2271, 7498-79-9114, 7498-89-9349, 7498-88-0681, 7498-88-6189, 7498-98-2194, 7498-88-5864, 7498-98-5857, 7498-88-8729, 7498-88-0142, 7498-58-7523, 7498-68-4733, 7498-78-0732, 7498-88-0218, 7498-87-0698, 7498-77-2681, 7498-87-0965, 7498-67-5657, 7498-77-1839, 7498-39-2117, 7498-49-2407, 7498-28-2871, 7498-28-8254, 7498-38-7570, 7498-48-5560, 7498-58-1650, 7498-38-7916, 7498-47-8196, 7498-57-4280, 7498-57-6866, 7498-57-9653, 7498-37-9232, 7498-47-6936, 7498-56-6583, 7498-66-3583, 7498-76-0192, 7498-46-7192, 7498-36-4869, 7498-56-4551, 7498-36-5811, 7498-66-2816, 7498-35-3911, 7498-56-3513, 7498-34-5957, 7498-55-0077, 7498-35-9736, 7498-45-4762, 7498-55-3343, 7498-55-5732, 7498-44-2890, 7498-44-8461, 7498-54-2867, 7498-34-9430, 7498-43-0283, 7498-53-1385, 7498-54-8408, 7498-43-1428, 7498-43-6254, 7498-53-2739, and 7498-65-5820. The Property is subject to the Comprehensive Plan Amendment #CPA2021-00004, PW Digital Gateway. Pursuant to the Comprehensive Plan, the Property is designated I-3, T/F Technology/Flex with a T-3 Transect for density purposes ("I-3"), and POS, Parks and Open Space ("POS"). The I-3 designation in the Comprehensive Plan recommends a FAR of 0.23-0.57 and recommends technology uses such as data centers and accessory uses. The POS designation in the Comprehensive Plan designates existing and projected parks and recreational areas of Prince William County. The Property is located within the Airport Safety Overlay Dis-

EXHIBIT

B

County. The Property is located within the Airport Safety Overlay District (Approach Surface) and the Airport Safety Overlay District (Conical Surface) and within the Domestic Fowl Overlay District. A portion of the Property is located within the ERPO, Environmental Resource Protection Overlay. **Gainesville Magisterial District**

**2. Rezoning #REZ2022-00033, Digital Gateway South:** This is a request to rezone ±342 acres (collectively "Property" or "Properties") from A-1, Agricultural Zoning District, to PBD, Planned Business District, using the O(M), Office Mid-Rise District, to allow for data centers and accessory uses and structures; ancillary and secondary uses; and public facilities, including electric substations. The request is for a maximum of 3.7 million square feet of gross floor area ("GFA") with ancillary and secondary uses limited to a maximum of 10 percent (10%) of the total GFA in each building which includes such ancillary and secondary uses. The application also includes associated waivers and modifications. The proposed floor area ratio ("FAR") for the Property is no greater than an overall 0.25 FAR. The Properties are generally located on both the east and the west side of Pageland Lane, to the north and northwest of Manassas National Battlefield Park, north and northeast of Conway Robinson Memorial State Forest, east of Heritage Hunt Golf and Country Club, and approximately ½ mile north of Route 29/Lee Highway. The subject Properties are identified on County maps as GPINS 7498-42-6117, 7498-51-1835, 7498-74-6800, 7498-74-3579, 7498-83-1842, 7498-83-1869, 7498-83-6698, 7498-93-5350, 7498-94-5907, 7498-93-7484, 7498-84-6051, 7498-85-3325, 7498-85-7316, 7498-94-1180, and 7598-13-2096. The Property is subject to the Comprehensive Plan Amendment #CPA2021-00004, PW Digital Gateway. Pursuant to the Comprehensive Plan, the Property is designated I-3, T/F Technology/Flex with a T-3 Transect for density purposes ("I-3"), POS, Parks and Open Space ("POS"); and CRHS, County Registered Historic Site ("CRHS"). The I-3 designation in the Comprehensive Plan recommends a FAR of 0.23-0.57 and recommends technology uses such as data centers and accessory uses. The POS designation in the Comprehensive Plan designates existing and projected parks and recreational areas of the County. The CRHS designation in the Comprehensive Plan is designed to protect important cultural resources. Cultural resources include architectural, archaeological, and historical resources. The Properties are located within the Airport Safety Overlay District and the Domestic Fowl Overlay District. A portion of the Property is located within the ERPO, Environmental Resource Protection Overlay. **Gainesville Magisterial District**

**3. Rezoning #REZ2022-00032, Digital Gateway North:** This is a request to rezone ±534 acres (collectively "Property" or "Properties") from A-1, Agricultural Zoning District, to PBD, Planned Business District, using the O(H), Office High-Rise District, to allow for data centers and accessory uses and structures; ancillary and secondary uses; and public facilities, including electric substations. The request is for a maximum of 7 million square feet of gross floor area ("GFA") with ancillary and secondary uses limited to a maximum of ten percent (10%) of the total GFA in each building which includes such ancillary and secondary uses. The application also includes associated waivers and modifications. The proposed floor area ratio ("FAR") for the Property is no greater than an overall 0.30 FAR. The Properties are generally located on both the east and the west side of Pageland Lane, to the south of Catharpin Recreational Park and Sudley Road, north of Thornton Drive, and east of Catharpin Valley Drive. The subject Properties are identified on County maps as GPINS 7499-51-0789, 7499-50-2914, 7499-62-5386, 7499-82-1020, 7499-70-3896, 7499-81-6203, 7499-83-9783, 7499-83-4804, 7499-92-7290, 7499-73-5646, 7499-84-0870, 7499-72-1255, 7499-94-6530, 7499-84-7796, 7499-85-6806, 7599-04-3214, 7599-14-2313, and 7599-13-0663. The Property is subject to the Comprehensive Plan Amendment #CPA2021-00004, PW Digital Gateway. Pursuant to the Comprehensive Plan, the Property is designated I-3, T/F Technology/Flex with a T-3 Transect for density purposes ("I-3"), and POS, Parks and Open Space ("POS"). The I-3 designation in the Comprehensive Plan recommends a FAR of 0.23-0.57 and recommends technology uses such as data centers, and accessory uses. The POS designation in the Comprehensive Plan designates existing and projected parks and recreational areas. The Properties are located within the Airport Safety Overlay District and the Domestic Fowl Overlay District. A portion of the Property is located within the ERPO, Environmental Resource Protection Overlay, and the Highway Corridor Overlay District. **Gainesville Magisterial District**

For additional information regarding the Board meeting, please contact the Clerk to the Board at (703) 792-6600. All meeting materials are posted online when the agenda is published, and a copy of all staff reports, proposed resolutions and ordinances, and other documentation will be available for review by the public in the office of the Clerk of the Board at One County Complex Court, Prince William, Virginia, 22192.

Members of the public may appear at the Board of County Supervisors' Chamber in the McCoart Building, One County Complex Court, Prince William, Virginia, at the designated time to express their views.

**ACCESSIBILITY TO PERSONS WITH DISABILITIES:** The hearings are being held at a public facility believed to be accessible to persons with disabilities. Any persons with questions on the accessibility of the facility should contact the Clerk to the Board at One County Complex Court, Prince William, Virginia, or by telephone at (703) 792-6600 or TDD (703) 792-6295. Persons needing translation or interpreter services must notify the Clerk to the Board no later than 12:00 p.m. on Tuesday, December 5, 2023.

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**Legals**

PRINCE WILLIAM COUNTY  
BOARD OF COUNTY SUPERVISORS  
ONE COUNTY COMPLEX COURT  
PRINCE WILLIAM, VA 22192



December 12, 2023  
Public Hearings  
10:00 a.m.

1. **Rezoning #REZ2022-00036, Compass Datacenters Prince William County Campus 1 (Formerly H&H Capital Acquisitions Digital Gateway):** This is a request to rezone ±884.12 acres (collectively "Property") from A-1, Agricultural Zoning District, and SR-5, Semi-Rural Residential Zoning District, to PBD, Planned Business District, using the O(H), Office High-Rise District, O(F), Office/Flex District, O(M), Office Mid-Rise District, and M-2, Light Industrial Zoning District, to allow for a maximum of 11,555,200 square feet (no greater than an overall 0.30 floor area ratio ("FAR")) of data centers and free-standing non-HAZMAT assembly uses; public facilities, including electric substations; outdoor cultural arts centers; and ancillary and secondary uses limited to a maximum of ten percent (10%) of the total gross floor area ("GFA") for each building which includes such ancillary and secondary uses. The application also includes associated waivers and modifications, including a modification to data center building height limit. The Property is generally located approximately 1 mile north of Route 29/Lee Highway, south of Route 234/Sudley Road, east and west of Pageland Lane, north and south of Thornton Drive, north and south of Artemus Road, north and northeast of Heritage Hunt Golf and Country Club, and east of Catharpin Valley Estates and Catharpin Road. The subject Property is comprised of 103 parcels identified on County maps as GPINs 7499-44-3886, 7499-44-3150, 7499-43-2193, 7499-55-4720, 7499-55-1912, 7499-44-8686, 7499-55-8403, 7499-64-1457, 7499-54-6132, 7499-64-5227, 7499-53-4696, 7499-63-0595, 7499-44-8466, 7499-43-8370, 7499-64-1129, 7499-63-6178, 7499-44-7009, 7499-53-1462, 7499-53-4833, 7499-53-1320, 7499-63-1122, 7499-40-4412, 7499-40-7510, 7498-49-2831, 7498-49-2873, 7498-49-8156, 7498-59-1085, 7499-61-2050, 7499-61-1831, 7499-61-0903, 7499-60-0576, 7499-60-0754, 7499-60-0528, 7498-59-5979, 7498-69-0083, 7498-69-4389, 7498-59-1812, 7498-59-7717, 7498-69-2830, 7498-69-9942, 7498-79-2374, 7498-79-9567, 7498-89-1468, 7498-78-2271, 7498-79-9114, 7498-89-9349, 7498-88-0681, 7498-88-6189, 7498-98-2194, 7498-88-5864, 7498-98-5857, 7498-88-8729, 7498-88-0142, 7498-58-7523, 7498-68-4733, 7498-78-0732, 7498-88-0218, 7498-87-0698, 7498-77-2681, 7498-87-0965, 7498-67-5657, 7498-77-1839, 7498-39-2117, 7498-49-2407, 7498-28-2871, 7498-28-8254, 7498-38-7570, 7498-48-5560, 7498-58-1650, 7498-38-7916, 7498-47-8196, 7498-57-4280, 7498-57-6866, 7498-57-9653, 7498-37-9232, 7498-47-6936, 7498-56-6583, 7498-66-3583, 7498-76-0192, 7498-46-7192, 7498-36-4869, 7498-56-4551, 7498-36-5811, 7498-66-2816, 7498-35-3911, 7498-56-3513, 7498-34-5957, 7498-55-0077, 7498-35-9736, 7498-45-4762, 7498-55-3343, 7498-55-5732, 7498-44-2890, 7498-44-8461, 7498-54-2867, 7498-34-9430, 7498-43-0283, 7498-53-1385, 7498-54-8408, 7498-43-1428, 7498-43-6254, 7498-53-2739, and 7498-65-5820. The Property is subject to the Comprehensive Plan Amendment #CPA2021-00004, PW Digital Gateway. Pursuant to the Comprehensive Plan, the Property is designated I-3, T/F Technology/Flex with a T-3 Transect for density purposes ("I-3"), and POS, Parks and Open Space ("POS"). The I-3 des-

ignation in the Comprehensive Plan recommends a FAR of 0.23-0.57 and recommends technology uses such as data centers and accessory uses. The POS designation in the Comprehensive Plan designates existing and projected parks and recreational areas of Prince William County. The Property is located within the Airport Safety Overlay District (Approach Surface) and the Airport Safety Overlay District (Conical Surface) and within the Domestic Fowl Overlay District. A portion of the Property is located within the ERPO, Environmental Resource Protection Overlay. **Gainesville Magisterial District**

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