

MOTION:

November 28, 2023

SECOND:

Regular Meeting

Ord. No. 23-

RE:

**REZONING #REZ2022-00022, DEVLIN TECHNOLOGY PARK –
BRENTSVILLE MAGISTERIAL DISTRICT**

ACTION:

WHEREAS, this is a request to rezone approximately 270 acres from PMR, Planned Mixed Residential, to M-2, Light Industrial, to allow for the development of up to a 0.30 floor area ratio (FAR) of data center space/use, including electric substations, a provision for the dedication of a new public park site, and to modify the building height for data center buildings from 60 feet to 81 feet (including rooftop mechanical equipment and screening walls); and

WHEREAS, this is also a request to amend the map of the Data Center Opportunity Zone Overlay District (DCOZOD) to incorporate these parcels into the DCOZOD; and

WHEREAS, the site is located 370 feet northwest of the corner of Devlin Road and Linton Hall Road; is currently addressed as 9000 Devlin Road, 8900 Devlin Road, and 12615 Fog Light Way; and is identified on County maps as GPINs 7496-51-8372, 7496-63-4146, and 7496-65-8860, respectively; and

WHEREAS, the site is currently designated I-3, Technology / Flex Industrial, with a T-3 Transect that recommends a range of 0.23 to 0.57 floor area ratio (FAR), and is partially located within the ERPO, Environmental Resource Protection Overlay, in the Comprehensive Plan; and

WHEREAS, the site is currently zoned PMR, Planned Mixed Residential, and is partially located within the Airport Safety Overlay District; and

WHEREAS, staff has reviewed the subject application and recommends approval, as stated in the staff report; and

WHEREAS, the Planning Commission, at its public hearing on July 27, 2022, recommended approval, as stated in Resolution Number 22-078, on the Regular Agenda; and

WHEREAS, a Prince William Board of County Supervisors' (Board) public hearing, duly advertised in a local newspaper for a period of two (2) weeks, was held on November 28, 2023, and interested citizens were heard; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practice are served by the approval of the request;

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NOW, THEREFORE, BE IT ORDAINED that the Prince William Board of County Supervisors hereby approves Rezoning #REZ2022-00022, Devlin Technology Park, subject to the proffers dated November 6, 2023;

NOW, THEREFORE, BE IT FURTHER ORDAINED that the Prince William Board of County Supervisors hereby amends the Data Center Opportunity Zone Overlay District Map to incorporate and include GPINs 7496-51-8372, 7496-63-4146, and 7496-65-8860, as shown on the associated Rezoning #REZ2022-00022 General Development Plan, into the Data Center Opportunity Zone Overlay District boundaries;

BE IT FURTHER ORDAINED that the Prince William Board of County Supervisors' approval and adoption of any proffered conditions does not relieve the applicant, and / or subsequent owners, from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

ATTACHMENT: Proffer Statement, Dated November 6, 2023

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

For Information:

Acting Planning Director

Jonelle Cameron, Shareholder
Walsh, Colucci, Lubeley & Walsh, P.C.
4310 Prince William Parkway, Suite 300
Prince William, VA 22192

J. Truett Young, Vice President of Land
Stanley Martin Homes
14200 Park Meadow Drive, Suite 100
Chantilly, VA 20151

ATTEST: _____
Clerk to the Board

PROFFER STATEMENT

RE: REZ2022-00022, Devlin Technology Park
Record Owner: Stanley Martin Homes, LLC
Applicant: Stanley Martin Homes, LLC
Property: GPINs 7496-51-8372, 7496-63-4146, and 7496-65-8860 (the
"Property")
Brentsville Magisterial District
±269.85 acres
PMR, Planned Mixed Residential to M-2, Light Industrial

Date: November 6, 2023

The undersigned hereby proffers that the use and development of the subject Property shall be in strict conformance with the following conditions, and shall supersede all other proffers made prior hereto, including proffers associated with Rezoning #REZ2016-00029, 8008 Devlin Road. In the event the referenced rezoning is not granted as applied for by the Applicant, the below-described proffers shall be withdrawn and shall become null and void and proffers associated with Rezoning #REZ2016-00029 shall remain in full force and effect on the Property.

The headings of the proffers set forth below have been prepared for convenience or reference only and shall not control or affect the meaning or be taken as an interpretation of any provision of the proffers. Any improvements proffered herein shall be provided at the time of development of that portion of the site served by the improvement, unless otherwise specified. The term "Applicant" as referenced herein shall include within its meaning all future owners and successors in interest.

For purposes of reference in this Proffer Statement, the General Development Plan ("GDP") shall be the plan prepared by Land Design Consultants entitled "Devlin Technology Park," dated February 11, 2022, last revised November 6, 2023.

USE & DEVELOPMENT

1. General Development Plan: The Property shall be developed in substantial conformance with the GDP, subject to changes approved by the County in connection with final site plan review.
2. Use Parameters: The Property shall be developed in accordance with the M-2, Light Industrial Zoning District and the Data Center Opportunity Zone Overlay District regulations. The foregoing shall not preclude consolidation of the Property

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with any adjacent property or preclude the development of an internal private travelway, the final design and location of which shall be shown on the final site plan, in accordance with the Prince William County Design and Construction Standards Manual ("DCSM"). All uses permitted in the M-2 Zoning District shall be permitted on the Property. Notwithstanding the above, the following uses shall be prohibited:

- a. Bus Station, commercial.
 - b. Flea market.
 - c. Heliport.
 - d. Helistop.
 - e. Marina.
 - f. Racetrack (equestrian or motorized).
 - g. Radio or TV broadcasting station.
 - h. Railroad passenger station.
 - i. Ranges, shooting, indoor or outdoor.
 - j. Recycling collection points.
 - k. Trade or convention center.
 - l. Stadium or arena, indoor or outdoor.
 - m. Water transportation facility.
 - n. Mobile home or trailer court.
 - o. Labor camp.
 - p. Junkyard or stockyard; provided that this shall not preclude the temporary use of construction trailers, or staging areas for construction materials during periods of construction, reconstruction, or maintenance.
 - q. Landfill, garbage dump, or other facility for the dumping, disposing, incinerating, or reduction of garbage, exclusive of garbage compactors located within or near any building.
 - r. Heavy or chemical intensive manufacturing (including, but not limited to steel production or chemical or petrochemical manufacturing) or operations which store explosive chemicals.
3. Data Center Opportunity Zone Overlay District: Approval of this rezoning shall constitute a modification of the Data Center Opportunity Zone Overlay District map boundary to fully include the Property.

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4. Floor Area Ratio: Pursuant to Section 32-400.04 of the Zoning Ordinance, the maximum floor area ratio ("FAR") for any data center/data center associated use on Landbay B may be up to 0.30 FAR, and shall be calculated on the combined acreage of Landbay A and Landbay B. FAR shall be calculated as the cumulative total and not on a percentage of each subdivided parcel. At the time each final site plan is filed on Landbay B, a running tabulation of the approved uses on Landbay B, as reflected on approved final site plans, shall be provided to evidence compliance with this proffer.
5. Height: Pursuant to Section 32-400.03.2 of the Zoning Ordinance, the maximum finished height of any data center building (including any rooftop mechanical equipment and rooftop screening walls) on Landbay B shall be limited to eighty one feet (81') in height. Height shall be measured based on the existing definition of height in the Zoning Ordinance in effect at the time of approval of this rezoning.
6. Open Space: For purposes of calculating open space and tree canopy coverage, the entire Property shall be used, and not individual parcels. With each final site/subdivision plan submitted, the Applicant shall provide a cumulative tabulation of the open space and tree canopy coverage calculations for the entire Property, in order to ensure that Zoning Ordinance requirements have been satisfied upon full buildout.

COMMUNITY DESIGN

7. Materials for Front Façade: The primary materials utilized for the front façade of any building within Landbay B, facing and within two hundred feet (200') of Devlin Road, Linton Hall Road, and University Boulevard shall be constructed of brick, stone, architectural concrete masonry unit (e.g. regal stone, split face, precision, ground face), stucco, architectural poured-in-place or precast concrete panels, or architectural metal panels, but not plain concrete block. Compliance with this proffer shall be evidenced with the submission of building elevations for review and approval at least two weeks prior to the issuance of the building permit release letter. Any substantive changes to the design and/or materials shall be submitted to the Planning Director for review and approval. Such approval shall be based on a determination that the changes result in a building of similar or greater quality.
8. Data Center Design Standards; Elevations: Any data center use shall be designed in accordance with the data center design standards and design guidelines set forth in Section 32-509.02.4(A) – (F) of the Zoning Ordinance. Notwithstanding the

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requirement set forth in Section 32-509.02.4(A)(1), the Applicant shall include four (4) of the design elements listed therein on principal building facades and include a minimum of 20% fenestration on any building façade facing and visible from the Amberleigh Station and Silverleaf communities or University Boulevard. In addition, data center buildings shall be in general conformance with the architectural renderings entitled “Building Elevations,” dated August 24, 2022.

9. Screening of Loading and Service Areas: In addition to screening and landscaping requirements set forth in Section 32-400.08 of the Zoning Ordinance, all loading and service areas located within two hundred feet (200') of and visible from University Boulevard shall be screened with plantings or other methods acceptable to the County to mitigate visibility from Devlin Road, Linton Hall Road, and/or University Boulevard.
10. Screening of Mechanical Equipment: If visible from Devlin Road, Linton Hall Road, or University Boulevard, ground level mechanical equipment (including generators) shall be screened by a visually solid fence, screen wall or panel, parapet wall, or other visually solid screen that shall be constructed of materials compatible with those used in the exterior construction of the principal building.
11. Landscaped Buffers: The Applicant shall provide landscaped buffers on the Property as substantially shown on the GDP and in accordance with the following:
 - a. Within the two hundred foot (200') wide buffer adjacent to Linton Hall Road, the buffer shall remain undisturbed except for the removal or chipping-in-place of dead and dying trees, supplemental plantings, minimal perpendicular utility crossings, access to stormwater management facilities, existing access to the high voltage transmission line, and the grading for installation of sidewalk. The purpose is to retain natural forest conditions, and, if needed, to supplement the two hundred foot (200') buffer so that the overall buffer contains the equivalent of 1,200 plant units per 100 linear feet. The final location and design shall be determined at final site plan review.
 - b. Within the two hundred foot (200') wide buffer adjacent to Devlin Road, the buffer shall remain undisturbed except for the removal or chipping-in-place of dead and dying trees, supplemental plantings, minimal perpendicular utility crossings, access to stormwater management facilities, the Devlin Road entrance road (which may be parallel to Devlin Road), and grading for the widening of Devlin Road. The purpose is to retain natural forest

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conditions, and, if needed, to supplement the two hundred foot (200') buffer so that the overall buffer contains the equivalent of 1,200 plant units per 100 linear feet. The final location and design shall be determined at final site plan review.

- c. Within the one hundred foot (100') wide buffer adjacent to Amberleigh Station, the buffer shall remain undisturbed except for the removal or chipping-in-place of dead and dying trees, supplemental plantings, minimal perpendicular utility crossings, and access to stormwater management facilities. The purpose is to retain natural forest conditions, and, if needed, to supplement the one hundred foot (100') buffer so that the overall buffer contains the equivalent of 600 plant units per 100 linear feet.
- d. Within the one hundred foot (100') wide landscape area adjacent to University Boulevard, the landscape area shall be planted at a rate of 600 plant units per 100 linear feet, and shall include trees, shrubs, ornamental grasses, and/or perennials.
- e. Within the fifty-foot (50') wide buffer adjacent to GPIN 7496-73-7984, which is owned by the County to be used for future right-of-way, the buffer shall remain undisturbed except for the removal or chipping-in-place of dead and dying trees, supplemental plantings, and minimal perpendicular utility crossings. The purpose is to retain natural forest conditions, and, if needed, to supplement the fifty foot (50') buffer so that the overall buffer contains 320 plant units per 100 linear feet.
- f. Within the one hundred foot (100') wide buffer adjacent to the commercial center the buffer shall remain undisturbed except for the removal or chipping-in-place of dead and dying trees, supplemental plantings, minimal perpendicular utility crossings, and access to stormwater management facilities. The purpose is to retain natural forest conditions, and, if needed, to supplement the one hundred foot (100') buffer so that the overall buffer contains the equivalent of 600 plant units per 100 linear feet. Notwithstanding the above, in the event the owner of GPIN 7496-61-5407 requests that a community garden be located in the area generally shown on the GDP, the Applicant shall only be required to provide a sixty-five foot (65') wide buffer adjacent to GPIN 7496-61-5407 and an area 35' x 311' may be cleared to provide for the community garden.

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12. Plantings: Supplemental plantings in buffers and landscaped areas shall be planted with plant species indigenous to Virginia and drought resistant.
13. Outside Storage: Notwithstanding Section 32-400.12 of the Zoning Ordinance, outside storage associated with a flex industrial use shall not be allowed on the Property within five hundred feet (500') of a residentially zoned property.
14. Lighting: Exterior lighting fixtures shall be energy-saving and shall include focused sharp cut-off designs that direct light downward and into the interior of the Property and away from adjacent roads and/or adjacent properties. Exterior fixtures shall be fully shielded to prevent glare from projecting onto the adjacent residential properties.
15. Sustainability Measures: As a condition of the first final site plan approval, the Applicant shall, in consultation with the County's Sustainability Officer determine if site/building sustainability measures are appropriate for such development located in Landbay B. If they are appropriate, such measures shall be incorporated into the applicable site plan or building documents. Such measures may include, but are not limited to, the following:
 - a. Use of available recycled aggregate materials;
 - b. Aeration of ponds using solar power;
 - c. Recycling of construction material waste as accepted by recycling markets;
 - d. Use of available high recycled content construction materials;
 - e. LED site and interior lighting; or
 - f. Heat reflective roofing materials.
16. Noise: Notwithstanding and in addition to the applicable Noise Ordinance, any noise which emanates from any operation, activity, or source on Landbay B, including, but not limited to, heating and cooling system(s), between the hours of 7:00 a.m. and 10:00 p.m. weekdays and from 9:00 a.m. to 10:00 p.m. on Saturdays, Sundays, and legal holidays observed by the County government, shall be subject to the following maximum permissible sound levels: 60 dBA (in residential and mixed use zoning districts), 65 dBA (in commercial and office zoning districts), and 79 dBA (in industrial zoning districts). Any noise which emanates from any operation, activity, or source on Landbay B, including, but not limited to, heating and cooling system(s), between the hours of 10:00 p.m. and 7:00 a.m. weekdays and from 10:00 p.m. to 9:00 a.m. on Saturdays, Sundays, and

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legal holidays observed by the County government, shall be subject to the following maximum permissible sound levels: 55 dBA (in residential and mixed use zoning districts), 60 dBA (in commercial and office zoning districts), and 72 dBA (in industrial zoning districts). These maximum sound levels are a cumulative limit for the entire site, meaning that the maximum sound levels control regardless of the number of buildings being operated on Landbay B. Such levels shall be measured at the Landbay B boundary or at any point within any other property affected by the noise using the methodology outlined in Proffer 19 below. When a noise source can be identified and its noise measured in more than one zoning district classification, the limits of the most restrictive classification shall apply. Notwithstanding the above, any person, with lawfully obtained permits, who between the hours of 6:00 a.m. and 10:00 p.m. weekdays and between the hours of 9:00 a.m. and 10:00 p.m. on Saturdays, Sundays and legal holidays observed by county government operates or causes to be operated any equipment used in construction, repair, alteration or demolition work on buildings, structures, alleys or appurtenances thereto in the outdoors shall not be subject to the levels enumerated above. Additionally, persons performing construction of public projects, repair or maintenance work for such projects or persons performing work for private or public utilities for the repair of facilities or restoration of services shall not be subject to the levels enumerated above. Furthermore, electric substations shall not be subject to the levels enumerated above or Proffer 17 below.

17. Prominent Discrete Tone Noise: For any source of sound that has a prominent discrete tone component, the levels established by Proffer 16 above shall be reduced by 3 dBA. The term “prominent discrete tone” shall be defined as an instance when one-third octave band sound pressure level in the band with the tone exceeds the arithmetic average of the sound pressure levels of the 2 contiguous one-third octave bands by:
 - a. 5 dB for center frequencies of 500 Hz and above;
 - b. 8 dB for center frequencies between 160 and 400 Hz; or
 - c. 15 dB for center frequencies less than or equal to 125 Hz.
18. Emergency Operations: Emergency operations shall not be subject to the limitations outlined in Proffer 16 or Proffer 17 above. For the purposes of this section, the term “emergency” shall mean any situation arising from sudden and reasonably unforeseen events beyond the control of the facility, which situation requires the immediate use of the emergency generators to restore normal operation of the facility.

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19. Sound / Noise Measurements: Sound or noise measurements shall be taken to confirm compliance with Proffer 16 and Proffer 17 six (6) months after a final occupancy permit is issued and then, upon request of the County, whenever there has been a change in the operations or use of the buildings on the project that could reasonably be expected to affect compliance with Proffer 16 and Proffer 17. There will be no more than one set of sound or noise measurements required in any one calendar year pursuant to the sentence above. Any sound or noise measurement must be conducted by a professional third-party acoustical consultant who has knowledge and experience taking such measurements ("Acoustical Consultant"). The Acoustical Consultant shall measure sound or noise with sound level meters which meet the standards prescribed by the ANSI: Type 1 or Type 2. The Acoustical Consultant shall only use sound level meters and other instruments that have been maintained in calibration and good working order. The Acoustical Consultant shall calibrate the sound level meter the time of any noise measurement. The Acoustical Consultant shall only record measurements which were taken so as to provide a proper representation of the noise source and shall note and exclude extraneous noise events. During the measurement, the Acoustical Consultant will position the microphone so as not to create any unnatural enhancement or diminution of the measured noise and will use a windscreen for the microphone. Sound level measurements shall be based on the "Leq" during the measurement interval, using a minimum measurement interval of one minute for a constant sound source or a thirty-minute measurement for a noncontinuous sound source. During a measurement interval, the "Lmax" associated with facilities within Landbay B may exceed the sound level limits of Proffers 16 and 17 above, but not by more than 15 dB(A). For the purposes of this section, the "Lmax" means the maximum sound over a measurement interval determined by using a sound level meter set to "fast" response time, and "Leq" means the equivalent sound level, that is the constant sound level in a given time.
20. Sound Studies: Prior to the approval of each final site plan for Landbay B, that includes a data center building, the Applicant shall provide a Sound Study (the "Sound Study") that is specific to the proposed site layout and building type shown on said site plan. This Sound Study shall include recommendations for any necessary mitigation measures and the Applicant shall implement the mitigation measures on the final site plan as a condition of final site plan approval. In the event mitigation measures are building related, said measures shall be included in the building plans prior to issuance of a building permit. In addition, the Applicant

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shall conduct subsequent Sound Studies six (6) months after issuance of each occupancy permit to ensure compliance with Proffer 16 and Proffer 17 above.

21. Sound Barriers: Sound barriers shall be constructed on Landbay B in the locations shown on the GDP. The height and location of the Sound barriers shall be constructed in accordance with the mitigation measures provided in the Sound Study, as referenced in Proffer 20, or as otherwise determined in consultation with the Director of Planning. Said sound barriers shall be constructed prior to issuance of an occupancy permit for those buildings that are located within 350 feet of the sound barrier.
22. Pre-Blast Notices and Inspections:
 - a. In the event blasting is required during the course of construction on Landbay B, the Applicant shall prepare a blasting schedule and provide it to the Lanier Farms, Amberleigh Station, and Silver Leaf Estates Home Owners' Association Boards, to the Principal of Chris Yung Elementary School, to the Directors of the Bristow Montessori School, and to the Bristow Commons property management company not later than ten (10) days prior to the first blasting event. In addition, prior to the first blasting event, the Applicant shall offer Pre-Blast Construction Surveys to residential home owners within the Amberleigh Station community and Silver Leaf Estates community, as well as to those properties located within 500 feet of the Property and to Chris Yung Elementary School. Documentation demonstrating compliance with this proffer shall be provided to the Director of Planning prior to any blasting occurring on the Property.
 - b. Coordination with Chris Yung Elementary School: In the event blasting is required during the course of construction on Landbay B, the Applicant shall coordinate with the Principal of Chris Yung Elementary School regarding the time and date of the blasting and shall perform such blasting work that limits disruption to classes of Chris Yung Elementary School.
23. Post-Blast Inspections: In the event, the Applicant is notified of damage to a home or structure that was included in the Pre-Blast Construction Surveys, the Applicant shall perform a follow-up survey. In the event damage associated with a blasting event is confirmed, the Applicant shall make such repairs necessary to ensure the home or structure is restored to the pre-blast condition. Blast damage claims by affected property owners must be made no later than three (3) months from the

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final blasting event on Landbay B. Documentation demonstrating compliance with this proffer shall be provided to the Director of Planning prior to release of the performance bond associated with the final site plan under which the blasting occurred.

24. Data Center Cooling Systems: Cooling systems for data center buildings located on Landbay B shall be equipped with closed loop cooling systems or air cooling systems that provide efficient and optimized water consumption. Compliance with this proffer shall be evidenced prior to the issuance of a building permit.
25. Principal Data Center Building Setback: Notwithstanding what is shown on the GDP, the "APPROXIMATE DATA CENTER BUILDING LIMIT" location may be modified so long as any principal data center building shall not be located within (i) five hundred feet (500') of an existing principal residential dwelling; or (ii) two thousand two hundred feet (2,200') from the existing Chris Yung Elementary School principal building. The "APPROXIMATE DATA CENTER BUILDING LIMIT" shall apply to the distance between principal residential dwelling units or the principal Chris Yung Elementary School building existing at the time of this rezoning and any principal data center building. The "APPROXIMATE DATA CENTER BUILDING LIMIT" shall only apply to principal data center walls, cooling units, and cooling unit enclosures on Landbay B. The "APPROXIMATE DATA CENTER BUILDING LIMIT" shall not apply to public facilities (such as electric substations or transformers), parking lots, retaining walls, security guard stations, security gates, fences, stormwater facilities, sound walls, travelways, etc. Other setbacks shall apply in accordance with the Zoning Ordinance.

CULTURAL RESOURCES

26. If not already satisfied with Rezoning #REZ2016-00029, the Applicant shall complete the following:
 - a. In the event the findings of the Phase I studies submitted to the County indicate that further investigation is warranted to justify a Phase II or Phase III investigation with reference to specific locations and/or resources on the Property, the Applicant shall conduct such Phase II and/or Phase III investigation in connection with such sites and resources to the extent that they are located on the Property and located in an area proposed to be disturbed in connection with development of the Property. Prior to the submission of the final site/subdivision plan that includes any such

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significant site, the Applicant shall retain a qualified professional archeologist to conduct the Phase II evaluation and the scope of work shall be approved by the Planning Director or its designee. All reports shall be submitted to the County prior to the issuance of the first land disturbance permit in the area that includes any such significant site.

- b. A mitigation plan shall be prepared for each site that has been determined to be significant as a result of a Phase II survey and is proposed to be disturbed in connection with development of the Property. The mitigation plan shall be submitted to the County for review and approval with the submission of the final site/subdivision plan for any portion of the Property that includes any such significant site. Mitigation measures may include Phase III data recovery. Data recovery shall be carried out by a qualified archeologist and shall be approved by the Planning Director or its designee. All mitigation measures shall be completed prior to the issuance of the first land disturbance permit for any area that includes any such significant site.
- c. The Applicant shall curate with the County all artifacts, field records, laboratory records, photographic records, and other records recovered and produced as a result of the excavations undertaken in connection with the Phase I, Phase II, and Phase III investigations completed to date on the Property which the Applicant has in its possession. All artifacts and records submitted for curation shall meet current professional standards and *The Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation*. The Applicant shall pay to the County a curation fee identical to the Virginia Department of Historical Resources' curation fee at the time of delivery to the County. Ownership of all records submitted for curation shall be transferred to the County with a letter of gift.

ELECTRIC SUBSTATION

- 27. At the sole discretion of the Applicant, electric substations of approximately ten (10) acres in size each (hereinafter, the "Substations") shall be permitted on Landbay B to serve data center uses, as follows:
 - a. A maximum of three (3) Substations shall be permitted on Landbay B without a separate public facilities review and determination. Said substations shall be located east of the high voltage transmission line.

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- b. The Substations may consist of approximately 300-475 kV transmission voltage switching stations containing structures of varying heights.
- c. The Substations shall be enclosed by a chain link security fence up to twelve feet (12') in height.
- d. Pursuant to § 32-201.12(a)(2) of the Prince William County Zoning Ordinance, the GDP shall constitute a Plan of Development within the meaning of Va. Code Ann. § 15.2-2232 and § 15.2-2286(A)(8), and the public facilities identified thereon shall be deemed approved and not subject to a separate public facilities review and determination.
- e. Adjustments to the foregoing standards in this proffer and/or location, number, size, and height of the Substations may be proposed by the Applicant and allowed by the Planning Director without the need for an amendment to the proffers and/or GDP or approval of a public facilities review.

ENVIRONMENT

- 28. The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$75.00 per acre for water quality monitoring, drainage improvements, and/or stream restoration projects. Said contribution shall be made prior to and as a condition of final site plan approval with the amount to be based on the acreage reflected on the final site plan.
- 29. Stormwater Management Facilities ("SWM") and Best Management Practices ("BMPs") for the Property shall be provided for each phase as the site is developed. Final location of said facilities shall be determined at the time of final site plan approval. To the greatest extent practicable, stormwater management facilities shall be located in areas that were previously disturbed.
- 30. The Applicant agrees that fuels, oils, anti-freeze, solvents, or other pollutants or flammable substances shall be properly disposed of or recycled and shall not be discharged into the storm water system, sanitary sewer, on the ground or surface water unless approved by the Prince William County Service Authority in connection with final site plan approval.

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31. The Applicant shall limit clearing and grading to within those areas depicted on the GDP subject to minor revisions in accordance with final engineering considerations at the time of final site plan review and approval. Those areas outside the limits of clearing shall remain in their natural undisturbed condition with the exception of the installation and maintenance of crossings for: utility connections, electric lines running to/from the electric transmission lines, sanitary and storm outfalls, and supplemental planting as approved by the County. Clearing allowed pursuant to this Proffer shall be kept to a minimum. The foregoing restrictions shall not preclude the Applicant from utilizing the natural open space areas for stormwater management/BMP calculations and credits. The Property owner shall have the right to prune and remove objectionable vegetation, such as poison ivy, poison oak, etc., as well as damaged and/or diseased vegetation.

FIRE AND RESCUE

32. The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$0.61 per square foot of building area constructed on the Property. Said contribution shall be used for fire and rescue purposes and shall be paid prior to and as a condition of the issuance of a building permit release letter for each building constructed on the Property.
33. For buildings with a building height higher than sixty feet (60'), the Applicant shall, as a condition of final site plan approval, be in full compliance with the fire and safety systems standards set forth in Section 300 of the DCSM, unless otherwise waived by the Fire Marshal's Office. Issuance of Occupancy Permits shall be contingent upon full compliance with Virginia Uniform Statewide Building Code requirements.

PARKS AND RECREATION

34. Trail Easement: If requested by the County, as part of the first final site plan approval for the Property, and at no cost to the County, the Applicant shall provide, to the Board of County Supervisors, pedestrian connectivity for parks and recreational uses, an eighteen foot (18') wide permanent trail easement on the Property (the "Trail Easement"), and a thirty foot (30') wide temporary construction easement ("Construction Easement"), (collectively the "Easements"). The purpose of the Trail Easement is to provide a natural surface trail connection between Linton Hall Road and the northern property line of the Property, and GPIN 7496-47-2202 or GPIN 7496-88-1217. The Trail Easement and Construction Easement

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shall be located generally as shown on the GDP. The final alignment and location of the Trail Easement and Construction Easement shall be determined by the Applicant, in consultation with the County's Department of Parks and Recreation, provided that neither Easements will extend east of the high voltage transmission easement or into the development area of the Property on Landbay B. The obligation to construct and maintain the Trail Easement and Construction Easement will be the responsibility of the Grantee of the Easements.

35. Public Park Dedication: The Applicant shall dedicate Landbay A to the Prince William Board of County Supervisors for future passive and active parks and recreational purposes, which the County may build an indoor recreational facility. The conveyance of Landbay A as part of the dedication shall be subject to providing any easements that may be required by the Applicant, the County or utility providers for the development of Landbay B (collectively "Landbay B Development Easements." The development and maintenance of said improvements within the Landbay B Development Easements shall be the responsibility of the grantee of said easement. Said dedication shall be made five (5) business days following the receipt of the "Plan Approval Letter" from Development Services for the first final site plan on the Property.
36. Parks & Recreation Monetary Contribution: The Applicant shall make a monetary contribution to the Prince William County Board of County Supervisors in the amount of \$5,000,000 to be used towards the development of the public park / recreation facilities as outlined in Proffer 35 above. Said payment shall be made as a condition of the first final site plan approval for Landbay B.

TRANSPORTATION

37. Access: Subject to Prince William County Department of Transportation ("PWCDOT") and the Virginia Department of Transportation ("VDOT") approval, access to Landbay B may be provided via two (2) entrances: one (1) entrance from Devlin Road and one (1) entrance from University Boulevard, as generally shown on the GDP. The final location and design of the entrances shall be shown on the applicable final site plan proposing such entrance(s). The existing driveway access points on Linton Hall Road, which are used to service the high voltage transmission line and other utilities, shall remain in service, and said access points may be used for construction vehicles during construction on the Property.

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38. University Boulevard Improvements:

- a. University Boulevard Right-of-Way Dedication and Extension: As shown on the GDP, the Applicant shall dedicate, at no cost to the County, right-of-way, up to one hundred twenty-eight feet (128') wide for the future extension of University Boulevard (the "University Boulevard ROW") and associated right and left turn lanes at the entrances to the Property. The GDP depicts a general alignment for the extension of University Boulevard through the Property. The alignment is conceptual and may be revised by the PWCDOT and/or VDOT, without amending these Proffers and/or the GDP. Dedication of the University Boulevard ROW shall be made at the time of and in connection with the first final site plan approval for Landbay B or when otherwise requested in writing by the County and/or VDOT. In the event PWCDOT requests the dedication of right-of-way prior to the Applicant processing a site plan for Landbay B, the Applicant shall provide the dedication at no cost, but shall not be responsible for the preparation of the documents necessary for said dedication.
- b. Construction: If not already done by others, the Applicant shall construct access to the uses on the Property and a temporary turn-around (the "University Boulevard Access Improvements"), both by means of a public road located within the University Boulevard ROW. The University Boulevard Access Improvements will be constructed as a public road meeting the design standards of a half-section of a modified MA-1 road in conformance with the DCSM. In the event the County receives funding for construction of the University Boulevard project, and proceeds with the construction of the University Boulevard extension as shown on the GDP before the Applicant has started or completed the University Boulevard Access Improvements, the Applicant and the County shall coordinate with each other to finalize the road design and timing of construction so that the Applicant's access to the Property, as shown on the GDP, is provided throughout the County's construction of University Boulevard.
- c. Reimbursement to Prince William County: In the event the County determines that it will complete the construction of University Boulevard, west of Devlin Road to Wellington Road, the Applicant shall be relieved of its obligations to complete any improvements to University Boulevard. However, the Applicant shall be required to reimburse the County for the cost of construction of the University Boulevard Access Improvements

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described in Proffer 38.b., such reimbursement to be made prior to the issuance of final site plan approval for the first final site plan that requires access to University Boulevard. The Applicant shall provide a cost estimate, to be reviewed and approved by the County, to determine the reimbursement the Applicant shall pay to the County for the cost of construction of University Boulevard to the access into the Property in the event the County decides to complete the project.

- d. Signalization: If not already installed by others, as a condition of final site plan approval, which includes the road extension providing access to the Property from University Boulevard, the Applicant shall be responsible for the design, modification, and installation of the fourth leg of the traffic signal at the intersection of University Boulevard and Devlin Road. Said signal shall include preemptive and pedestrian equipment as required by PWCDOT. In addition, at the time of final site plan review, the Applicant shall coordinate with PWCDOT with respect to County Project #21C17001 and shall, if warranted, provide additional analysis of the University Boulevard and Devlin Road intersection to determine if additional mitigation measures are needed (unless constructed by others).
- e. Easements: The Applicant shall grant, at no cost to the County and/or VDOT, temporary and permanent drainage and utility easements where required for SWM for the County's University Boulevard project so long as the location of said easements do not have a materially adverse impact on development of the Property.

39. Devlin Road Improvements:

- a. Devlin Road (South of University Boulevard): The Applicant shall reserve and dedicate, at no cost to Prince William County or VDOT, right-of-way along the Devlin Road frontage of the Property, up to a maximum of sixty-four feet (64') in width from the existing centerline of Devlin Road, including, but not limited to, any permanent or temporary easements required for utilities, utility relocation, and stormwater management, plus additional right-of-way as necessary for right and left turn lanes at the access point to Landbay B from Devlin Road, in the location as generally shown on the GDP. Said right-of-way and/or easements shall be dedicated to the County prior to or concurrent with the approval of the first final site plan for Landbay B that includes the Devlin Road improvements (or such later date approved

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by PWCDOT). In the event PWCDOT requests the dedication of right-of-way and/or easements prior to the Applicant filing a final site plan for the portion of Landbay B that includes the Devlin Road improvements, the Applicant shall provide the dedication at no cost, but shall not be responsible for the preparation of the documents necessary for said dedication.

- b. Construction of Devlin Road Entrance Turn Lanes: As a condition of final site plan approval for the plan that includes the Devlin Road entrance, the Applicant shall construct left and right turn lanes at said entrance subject to PWCDOT and VDOT approval or, if requested by PWCDOT, escrow the funds for said turn lanes. The escrow amount shall be based upon an estimate provided by the County.
- c. Southbound Left Turn Lane: The Applicant shall provide an extension of the southbound Devlin Road left turn lane to Linton Hall Road within the existing concrete median in order to provide approximately ninety feet (90') of additional storage subject to PWCDOT and VDOT approval.

40. Linton Hall Road Improvements:

- a. Linton Hall Road Turn Lane: Within existing right-of-way the Applicant shall construct, subject to County and VDOT approval, an extension of the existing eastbound left turn lane on Linton Hall Road, at its intersection with Devlin Road, to increase available storage to an ultimate five hundred and seventeen foot (517') turn lane with a ninety five foot (95') taper, subject to PWCDOT and VDOT approval. The ultimate length of the turn lane and taper is subject to engineering design and constraints. The Applicant shall complete the construction of the Linton Hall Improvements prior to issuance of the first building permit (or such later time as approved by the PWCDOT). For purposes of this proffer, "complete" shall mean that the improvements are constructed in accordance with approved plans and open to traffic, but not necessarily accepted into the State system for maintenance. The Linton Hall Improvements shall be subject to modifications as set forth in these proffers and/or as may be approved by the PWCDOT and/or VDOT.
- b. Linton Hall Road Dedication: The Applicant shall reserve and dedicate, at no cost to Prince William County or VDOT, right-of-way along the Linton Hall Road frontage of the Property, up to a maximum of sixty-four feet (64')

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in width from the existing centerline of Linton Hall Road. In the event PWCDOT requests the dedication of right-of-way prior to the Applicant filing a final site plan for the Property that includes the Linton Hall Road improvements, the Applicant shall provide the dedication at no cost, but shall not be responsible for the preparation of the documents necessary for said dedication. Said right-of-way shall be dedicated to the County prior to or concurrent with the approval of the first final site plan for the Property (or such later date as approved by PWCDOT).

- c. Linton Hall Road Sidewalk: Subject to PWCDOT and VDOT approval, within existing right-of-way or right-of-way to be dedicated by the Applicant, the Applicant shall construct: (i) a five foot (5') wide sidewalk along the Linton Hall Road frontage of the Property; and (ii) a five foot (5') sidewalk, on the off-site portion of Linton Hall Road, to connect to the existing sidewalk at Amberleigh Station, subject to obtaining the necessary right-of-way and/or easements needed for the off-site sidewalk. Said improvements shall be constructed prior to issuance of the first building permit (or such later time as approved by PWCDOT).
41. Eminent Domain: In the event the Applicant is not able to acquire off-site right-of-way and associated easement required in order to provide the sidewalk along Linton Hall Road, the Applicant shall request the County to acquire the right-of-way and easements by means of its condemnation powers at Applicant's expense. Applicant's request shall be in writing and shall comply in all respects with the County's Eminent Domain Policy. Said request shall be made to the appropriate County agency and shall be accompanied by the following:
- a. The names of the record owners, the property addresses, tax map parcel numbers, and GPIN numbers for each landowner from whom such right-of-way and/or easements are sought.
 - b. Plats, plans, and profiles showing the necessary right-of-way and/or easements to be acquired and showing the details of the proposed transportation improvements to be located on each such property.
 - c. Pursuant to Virginia Code § 25.1-417, a determination of the value of the Property shall be based on the following:

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- i. If the assessed value is less than \$25,000, then the value shall be determined by assessment records or other objective evidence; or
 - ii. If the assessed value is greater than \$25,000 an independent appraisal of the value of the right-of-way and easements to be acquired, and any and all damages to the residue of the involved property, said appraisal to be performed by an appraiser licensed in Virginia and approved by the County.
- d. A 60 year title search of each involved property.
- e. Documentation demonstrating to the County's satisfaction Applicant's good faith, best efforts to acquire the right-of-way and/or easements, at a cost of at least the appraised value of the involved property interests.
- f. A letter of credit acceptable to the County, cash or equivalent (from a financial institution acceptable to the County) in an amount equal to the appraised value of the property to be acquired, and all damages to the residue, together with an amount representing the County's estimate of its cost of condemnation proceedings, in a form permitting the County to draw upon the same as necessary to effectuate the purposes hereof.
- g. An agreement signed by Applicant's representative and approved by the County Attorney's Office whereby Applicant agrees to pay all costs of the condemnation, including expert witness fees, court costs, exhibit costs, court reporter fees, attorney fees for the Office of the County Attorney, and all other costs associated with the litigation, including appeals. The agreement shall specifically provide that in the event the property owner is awarded in the condemnation suit more than the appraised value estimated by Applicant's appraiser, Applicant shall pay to the County the amount of the award in excess of the amount represented by the letter of credit or cash deposit within 15 days of the award.
42. Transportation Monetary Contribution: The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$2.50 per square foot of building area constructed on Landbay B. Said contribution shall be used for the Devlin Road South widening project or other transportation projects in the area, as determined by the County, and shall be paid prior to and

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as a condition of the issuance of a building permit release letter for each building constructed on Landbay B.

43. Bicycle Rack: The Applicant shall provide five (5) inverted-U bicycle parking spaces for each data center building constructed on Landbay B, unless waived or reduced by Prince William County Department of Transportation at final site plan review.
44. Bus Stop: As a condition of approval of the last final site plan for Landbay B, the Applicant shall coordinate and consult with the Potomac and Rappahannock Transportation Commission ("PRTC") for PRTC staff to determine if a bus shelter is desired on Devlin Road, University Boulevard, or Linton Hall Road. If it is determined a bus shelter is needed, the Applicant shall construct a bus shelter along one of the aforesaid road frontages of the Property. The design of the bus shelter shall conform to the applicable PRTC standards and shall be located in an area acceptable to the Applicant and PRTC. If it is determined that such a bus shelter is not needed, the Applicant shall be released from the obligation to construct the bus shelter.
45. Interparcel Connection: In the event that Landbay B is developed for a use other than data centers or secured campus, an interparcel connection shall be provided to the Bristow Commons Shopping Center, in a location that is mutually agreeable to both property owners.

WATER AND SANITARY SEWER

46. All development on the Property shall be connected to public water and sewer service. The Applicant shall be responsible for the costs and construction of those on and off-site improvements required in order to provide such service for the demand generated by the development on the Property as determined in consultation with the Prince William County Service Authority.

MISCELLANEOUS

47. Final Rezoning: For purposes of this Proffer Statement, "final rezoning" shall be defined as that zoning which is in effect on the day following the last day upon which the Prince William Board of County Supervisors' decision granting the rezoning may be contested in the appropriate court or, if contested, the day following entry of a final court order affirming the decision of the Board of

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Supervisors which has not been appealed, or if appealed, the day following which the decision has been affirmed on appeal.

48. Monetary Escalator: In the event the monetary contributions set forth in the Proffer Statement are paid to the Prince William Board of County Supervisors ("Board") within eighteen (18) months of the approval of this rezoning, as applied for by the Applicant, said contributions shall be in the amounts as stated herein. Any monetary contributions set forth in this Proffer Statement which are paid to the Board after eighteen (18) months following the approval of this rezoning shall be adjusted in accordance with the Urban Consumer Price Index ("CPI-U") published by the United States Department of Labor, such that at the time contributions are paid they shall be adjusted by the percentage change in the CPI-U from that date eighteen (18) months after the approval of this rezoning to the most recently available CPI-U to the date the contributions are paid, subject to a cap of six percent (6%) per year, non-compounded.

WAIVERS/MODIFICATIONS

49. Pursuant to Section 32-400.03.2 of the Prince William County Zoning Ordinance, the building height for data center buildings shall not exceed eighty one feet (81') subject to Proffer 5 above.

[SIGNATURE ON FOLLOWING PAGE]

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SIGNATURE PAGE

STANLEY MARTIN HOMES, LLC

By: _____

Name: _____

Title: _____



STAFF REPORT

BOCS Meeting Date:	November 28, 2023
Agenda Title:	Rezoning #REZ2022-00022, Devlin Technology Park
District Impact:	Brentsville Magisterial District
Requested Action:	Approve Rezoning #REZ2022-00022, Devlin Technology Park, subject to proffers dated November 6, 2023
Department:	Planning Office
Staff Lead:	David J. McGettigan, Sr., AICP, Acting Planning Director

EXECUTIVE SUMMARY

This request is to rezone approximately 270 acres from PMR, Planned Mixed Residential, to M-2, Light Industrial, to allow for the development of up to a 0.30 floor area ratio (FAR) of data center space/use, including electric substations, a provision for the dedication of a new public park site, and to modify the building height for data center buildings from 60 feet to 81 feet (including rooftop mechanical equipment and screening walls). In addition, this is a request to amend the map of the Data Center Opportunity Zone Overlay District (DCOZOD) to incorporate parcels associated with the subject application into the DCOZOD. The site is located 370 feet northwest of the corner of Devlin Road and Linton Hall Road, and is currently addressed as 9000 Devlin Road, 8900 Devlin Road, and 12615 Fog Light Way.

This proposal went before the Planning Commission at the July 27, 2022 public hearing and was recommended for approval, subject to numerous stipulations and items to address prior to consideration by the Board of County Supervisors. It was then heard by the Board of County Supervisors on February 7, 2023 with public feedback and deferred to a date certain of March 7, 2023. Subsequently, and at the Applicant's request, the item was deferred to a date uncertain and removed from the March 7th agenda. The amended proposal, which incorporates previous public feedback and Board requested changes, is now scheduled for consideration at the Board of County Supervisors' public hearing on November 28, 2023.

It is the recommendation of the Planning Commission and staff that the Board of County Supervisors approve Rezoning #REZ2022-00022, Devlin Technology Park, subject to the proffers dated November 6, 2023.

BACKGROUND

- A. Request: To rezone approximately 270 acres from PMR, Planned Mixed Residential, to M-2, Light Industrial, to allow for the development of up to a 0.30 floor area ratio (FAR) of data center space/use, including electric substations, a provision for the dedication of a new public park site, and to modify the building height for data center buildings from 60 feet to 81 feet (including rooftop mechanical equipment and screening walls). In addition, this is a request to amend the map of the Data Center Opportunity Zone Overlay District (DCOZOD) to incorporate parcels associated with the subject application into the DCOZOD.

Uses/Features	Existing (Proffered Rezoning)	Proposed with Rezoning
Zoning	PMR, Planned Mixed Residential LDR / OS, Low Density Residential / Open Space ±269.9 acres	M-2, Light Industrial
Use(s)	Up to 516 single-family detached dwelling units	Data Center Facility
Uses/Features	3 unit types: Provided per Unit Types Zoning Ordinance "Cluster house" "Reduced setback house" "Village house"	- Up to 0.3 FAR of data center or 3.53 million square feet - Building Height with rooftop mechanicals up to 81 feet - No more than 3 substations
Rezoning Area	269.85 acres	269.85 acres
Density/Intensity	Gross: PMR - LDR/OS= ±1.91 1 - 4 dwelling units per acre (d/u/acre) Net per Comprehensive Plan (less the ER of 23.2 acres) = ±2.09 d.u./acre	The proposed maximum floor area ratio ("FAR") for the Property is no greater than an overall 0.30 FAR or up to 3.53 million square feet
Open Space	40.3% of site (±108.9 acres, which includes utility easement) 30.3% (±81.7 acres) - Provided w/ exclusion of easement	Minimum 20% of site

- B. Site Location: The site is located 370 feet northwest of the corner of Devlin Road and Linton Hall Road, is currently addressed as 9000 Devlin Road, 8900 Devlin Road, and 12615 Fog Light Way, and is identified on County maps as GPINs 7496-51-8372, 7496-63-4146, and 7496-65-8860, respectively.
- C. Comprehensive Plan: The site is designated I-3, Technology/Flex Industrial, with a T-3 Transect that recommends a range of 0.23 to 0.57 FAR, and is partially located within the ERPO, Environmental Resource Protection Overlay.
- On May 24, 2022, the BOCS initiated Comprehensive Plan Amendment #CPA2022-00015, Devlin Technology Park to change the long-range land use designation of the site from SRL, Suburban Residential Low, to FEC, Flexible Use Employment Center. *This is now no longer relevant and has been superseded by the updated Comprehensive Plan.*
- D. Zoning: The site is currently zoned PMR, Planned Mixed Residential, and is partially located within the Airport Safety Overlay District.
- E. Surrounding Land Uses: The site is currently undeveloped except for an electric transmission line traversing the site from north to south just east of Piney Branch. The properties to the north of the site are zoned M-2, Light Industrial, and A-1, Agricultural, and are vacant/undeveloped and planned PL, Public Land, and I-3, Technology/Flex Industrial. On the south side of the property, the existing development is predominantly residential, consisting of single-family detached and townhouse units. There are also two elementary schools in the area to the south and west of the site (Bristow Run Elementary and Piney Branch Elementary, respectively). Bristow Commons Shopping Center, a neighborhood-serving commercial property consisting of retail and retail service uses and secondary office uses, is located to the south of site at the corner of Linton Hall Road and Devlin Road. Properties to the east of the site largely consist of single-family detached residential development. Chris Yung Elementary School is also located on the northeast side of the property adjacent to the existing Lanier Farms residential development. To the west, the property is bordered by vacant industrial-zoned land and single-family detached residential to the southwest.
- F. Background & Context: Throughout 2014 and 2015, there was a previous rezoning request under review by the County known as Stonehaven (Rezoning #PLN2014-00127), which included the subject rezoning site as part of a ±718-acre mixed use development. The Rezoning was to permit development of up to 1,006 residential units consisting of single-family detached (SFD) and townhouse units and a maximum of 1,124,175 square feet of office/flex/light industrial development. Prior to final action by the Board of County Supervisors, the Applicant withdrew the application in December of 2015. The Devlin Road Rezoning, to rezone the property to PMR, Planned Mixed Residential, for 516 single family detached dwelling units was

approved by the Board on March 10, 2020. The Applicant submitted the Devlin Technology Park Rezoning on February 11, 2022.

The Planning Commission public hearing included comments in opposition from residents in adjacent neighborhoods, including Amberleigh Station. Staff received comments, after the Planning Commission hearing, from adjacent property owners who are concerned about visibility of the structures and potential noise from the operating and cooling systems.

- G. Planning Commission Recommendation: At the July 27, 2022, public hearing, the Planning Commission recommended approval of Rezoning #REZ2022-00022, Devlin Technology Park, subject to the proffers dated July 1, 2022, and Comprehensive Plan Amendment #CPA2022-00015, Devlin Technology Park. (As previously mentioned, this CPA is no longer relevant due to the updated Comprehensive Plan.)

As part of their motion, the Planning Commission requested the Applicant address the following items:

- **Provide building elevations and meet with Supervisor Lawson and Commissioner Gordy prior to the Board of Supervisors public hearing.**
 - Applicant Response: The Applicant met with Supervisor Lawson, Commissioner Gordy, and the Planning Office. The Applicant provided conceptual elevations and proffered to general conformance. The Applicant also proffered additional design standard requirements in the text of the proffer statement, including a commitment to 20% fenestration on visible facades facing Amberleigh Station, Silverleaf or University Boulevard.
- **Provide a proffer to ensure that no buildings exceeding 80 feet are constructed within the Amberleigh Station Community viewshed.**
 - Applicant Response: The Proffer Statement has been amended to provide an exhibit which limits buildings in excess of 80' to certain portions of the subject property. Buildings located near Amberleigh Station are limited to 80' in height, exclusive of rooftop mechanical equipment.
- **Provide a proffer requiring an interparcel connection to Bristow Commons Shopping Center, if the Property is not developed for data center or secured-campus use.**
 - Applicant Response: The Proffer Statement has been amended to require interparcel connection as stated in the PC motion.

- **Prior to the approval of the site plan for the Property, the Applicant shall commission a Sound Study that is specific to the proposed site layout and building type. This Sound Study shall include recommendations for any necessary mitigation measures.**
 - Applicant Response: The Proffer Statement has been amended as stated in the PC motion.
- **The Applicant will provide a proffer stating any data center and all noise emanating equipment, including heating and cooling equipment on the Property, shall be comply with Chapter 14 of the Prince William County, Virginia Code of Ordinance.**
 - Applicant Response: The Proffer Statement has been amended as stated in the PC motion.
- **Provide a proffer pertaining to pre-blast procedures and notifications to abutting neighborhoods and residences within 500 feet of the project site.**
 - Applicant Response: The Proffer Statement has been amended as stated in the PC motion.
- **Address with staff the environment and community design weaknesses listed in the staff report.**
 - Applicant Response: The Applicant has addressed most weaknesses, with the exception of reducing the limits of disturbance in areas with stream corridors.

H. Updates from Board of County Supervisors & Public Feedback: In response to the feedback and recommendations provided at the February 7, 2023 public hearing, and subsequent coordination by the Applicant, below is a list of how each main item has been addressed by the Applicant in the latest submission. The below updates are to be considered by the Board at the November 28, 2023 public hearing.

The Applicant has provided a revised Proffer Statement, dated November 6, 2023.

- **Amend the Application to only have data centers and associated uses on Parcels B and C (Landbay B).**
 - Applicant Response: As shown on the GDP, the Applicant has created two land bays. Landbay A (east of University Boulevard) and Landbay B (west of University Boulevard). The Applicant is proposing to dedicate Landbay A, which is ±84.96 acres, for future passive and active parks and

recreational purposes. Please see Proffer #35. The Applicant is also proffering a monetary contribution to the Board of County Supervisors in the amount of \$5,000,000.00 to be used for the development of the public park / recreation facilities. Please see Proffer #36.

- **Increase the buffers to 200 ft. adjacent to Linton Hall Road and Devlin Road.**

- Applicant Response: The Applicant has proffered 200 ft. buffers adjacent to Linton Hall Road and Devlin Road. Please see the GDP and Proffers #11.a. and #11.b.

- **Increase the buffer to 100 ft. adjacent to University Boulevard and the commercial center.**

- The Applicant has proffered a 100 ft. landscape area adjacent to University Boulevard and a 100 ft. buffer adjacent to the commercial center. Please see the GDP and Proffers #11.e. and #11.f.

- **Proffer that data center buildings should use a closed loop system.**

- The Applicant proffered that data centers on the Property shall be equipped with closed loop cooling systems or air cooling systems that provide efficient and optimized water consumption. Please see Proffer #24.

- **As a follow-up to additional community feedback received to date, in addition to the above-mentioned changes, the Applicant has also made the following revisions:**

- Reduced the overall maximum height of the building from 80 ft. plus 15 ft. for mechanical equipment and screening to a maximum height of 81 ft. inclusive of rooftop mechanical equipment and screening. Please see Proffer #5.
- Added a principal data center building setback that limits the location of a principal data center building, so that it is not closer than 500 ft. from an existing principal residential dwelling or 2,200 feet from the existing Chris Yung Elementary School. Please see Proffer #25.

STAFF RECOMMENDATION

Staff recommends approval of Rezoning #REZ2022-00022, Devlin Technology Park, subject to the proffers dated November 6, 2023, for the following reasons:

- The proposed zoning request directly implements the long-range land use designation of I-3, Technology/Flex Industrial.
- The site abuts existing M-2, Light Industrial, zoning that is proffered to contain a data center campus.
- The proposal will deliver a data center campus, which is identified as a “targeted industry” that favorably aligns with strategic goals for economic development and the adopted Strategic Plan goal non-residential tax base for the County.
- The proposed extension of the DCOZOD boundary is consistent with the goals of the overlay district to minimize impacts on abutting residential uses.
- The proposed rezoning, as proffered, appropriately mitigates impacts to abutting uses.
- The site abuts the existing Data Center Opportunity Zone Overlay District (DCOZOD) and an approved data center use, which is under development. As such, it is among similar uses in the area context.
- The site abuts existing power infrastructure that would allow minimal impacts to abutting residential land uses.

Comprehensive Plan Consistency Analysis

Long-Range Land Use: The subject site is designated I-3, Technology/Flex Industrial, with a T-3 Transect that recommends a range of 0.23 to 0.57 floor area ratio (FAR), and is partially located within the ERPO, Environmental Resource Protection Overlay, in the Comprehensive Plan. As proffered, the development is proposing up to a 0.30 FAR for data center space/use.

Level of Service (LOS): The LOS impacts for this proposed rezoning are being mitigated by the proffered monetary contributions and as proffered by the Applicant, as follows on the next page:

Water Quality	\$75.00 per acre	±269.85 acres	\$20,238.75
Fire & Rescue	\$0.61 per square feet (SF) of new building area	Total potential building area = 3.53 million SF (0.30 FAR)	\$2,151,103.88
Transportation	\$2.50 per SF of building area	Total potential building area = 3.53 million SF (0.30 FAR)	\$8,816,000.00
Parks & Recreation	\$5,000,000.00 Monetary contribution (total)		\$5,000,000.00
TOTAL \$			\$15,987,342.63

Community Input

Notice of the rezoning proposal has been transmitted to property owners within 500 feet of the site. The Applicant indicated that a community meeting was held on June 14, 2022, at the Spring Hill Suites in Virginia Gateway. It is our understanding that all members of the Lanier Farms HOA were invited.

Based on the most recent submission and over the past two months, the Planning Office has received numerous emails in opposition. Notably, individuals associated with the “Say No To Devlin Tech Park” citizen coalition/movement provided a detailed correspondence, which included many questions and items needing clarification. In response to this, the Applicant (Stanley Martin Homes) provided a response/rebuttal, which was directed to the Board of County Supervisors and Planning Commission. Furthermore, staff has also received several requests from residents in the vicinity to urge the Board to remand this request back to the Planning Commission for reconsideration.

At the time of this report, Supervisor Lawson is scheduled to host a Town Hall Meeting on November 14, 2023 in the evening at Grace Life Community Church on Linton Hall Road.

At the time of writing this staff report, staff has been made aware of notable community opposition, which is the majority of the public’s position on the current version of the proposal.

Other Jurisdiction Comments

The subject site is located outside of the required notification area of any jurisdiction.

Legal Issues

If the rezoning is approved, the ±270-acre project site could be developed with a data center campus, as proffered, through the M-2 zoning district. If the current proposal is denied, the site can be utilized for the development of a maximum of 516 single-family detached dwelling units in the approved PMR zoning district, as per #REZ2016-00029. Legal issues resulting from the Board of County Supervisors' action are appropriately addressed by the County Attorney's Office.

Timing

The Board of County Supervisors generally has one year from the date of acceptance to take action on a rezoning request. In this case, the one-year timeframe expired on April 22, 2023. However, additional review time was needed due to deferral by the Applicant, periods of inactivity, the updated Comprehensive Plan, revised submissions, and time needed to determine a feasible Board public hearing date.

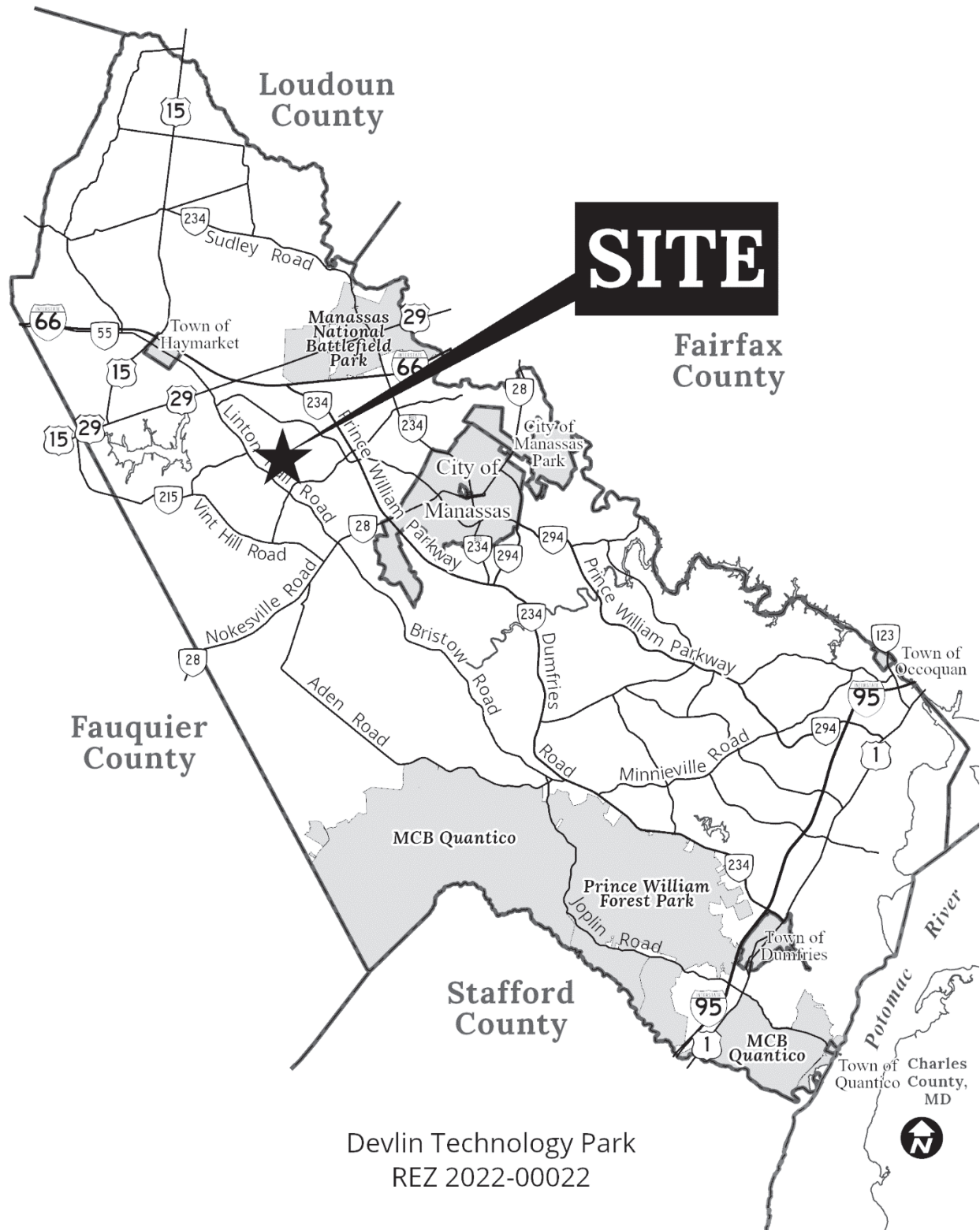
A public hearing before the Board of County Supervisors is now scheduled for November 28, 2023.

STAFF CONTACT INFORMATION

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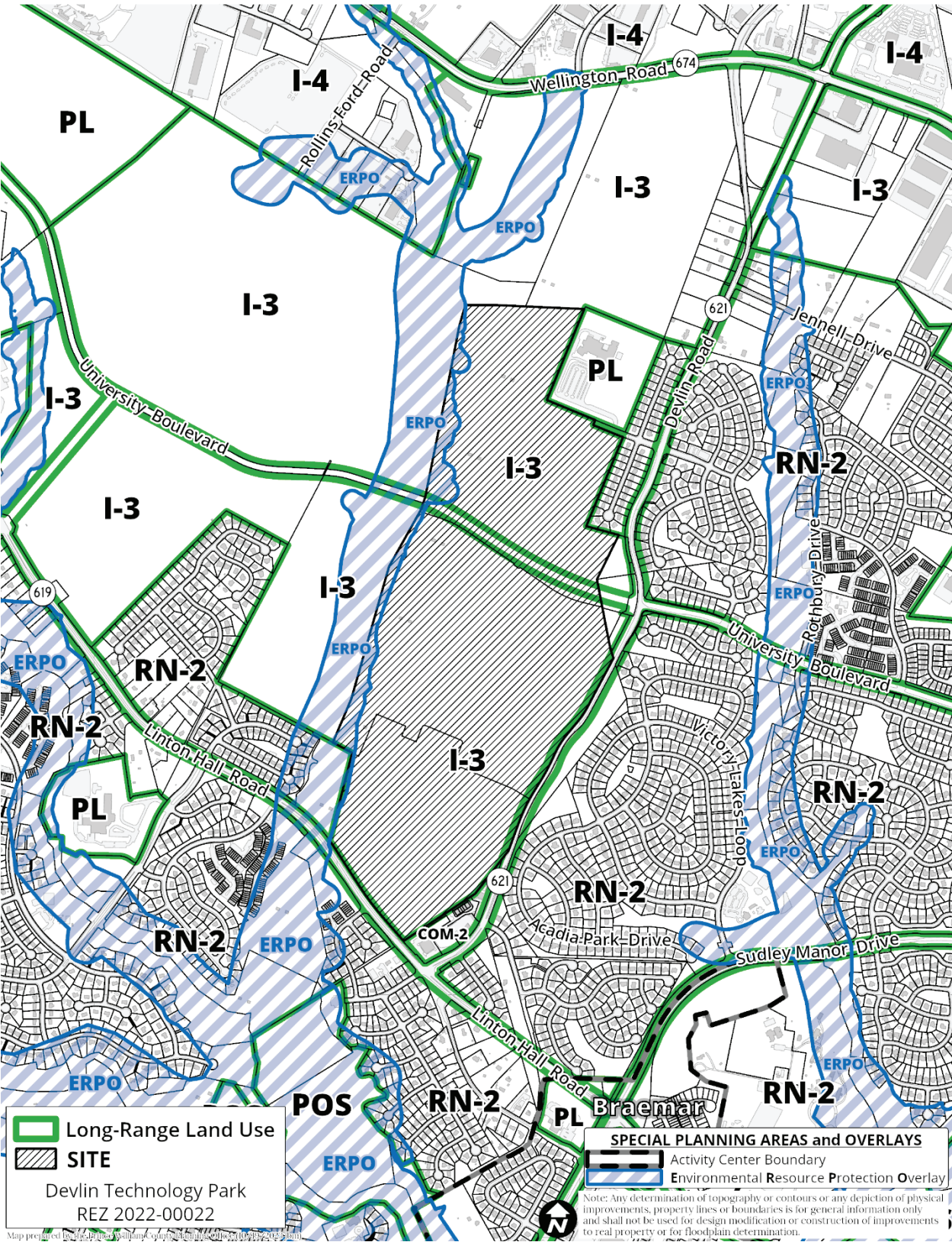
ATTACHMENTS

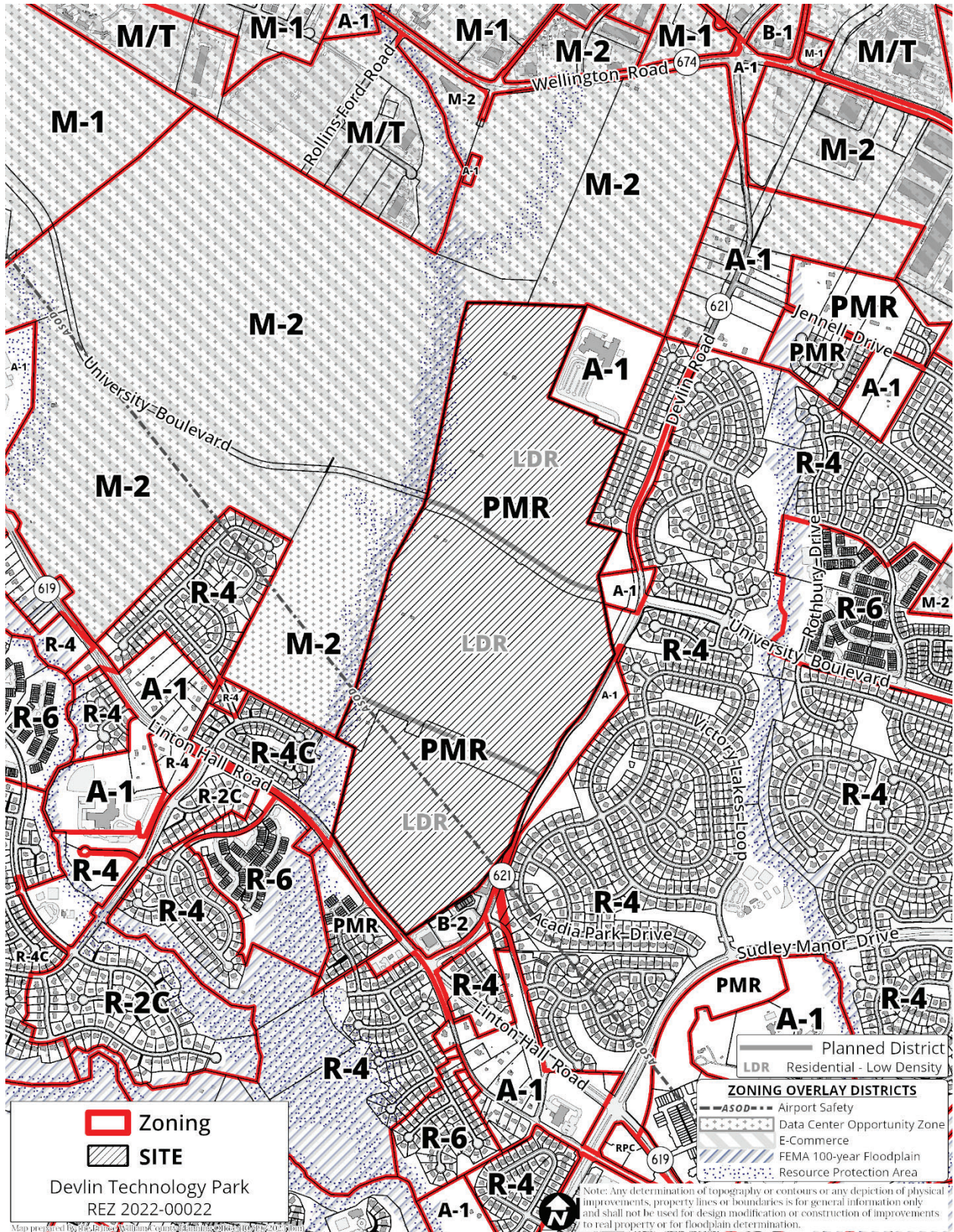
Attachment A – Area Maps
Attachment B – Staff Analysis
Attachment C – General Development Plan (GDP)
Attachment D – Environmental Constraints Analysis (ECA) Map
Attachment E – Utility and Easement Plan
Attachment F – Building & Architectural Elevations
Attachment G – Planning Commission Resolution for REZ



Devlin Technology Park
REZ 2022-00022







Part I. Summary of Comprehensive Plan Consistency

Staff Recommendation: Approval

This summary analysis is based on the relevant Comprehensive Plan action strategies, goals, and policies. A complete analysis is provided in Part II of this report.

Comprehensive Plan Sections	Plan Consistency
Long-Range Land Use	Yes
Community Design	Yes
Cultural Resources	Yes
Economic Development	Yes
Environmental	Yes
Fire & Rescue	Yes
Parks, Open Space and Trails	Yes
Police	Yes
Potable Water	Yes
Sanitary Sewer	Yes
Electrical Utilities Services	Yes
Transportation	Yes

Part II. Comprehensive Plan Consistency Analysis

The following table summarizes the area characteristics (see attached maps in previous section):

Direction	Land Use	Long-Range Land Use Map Designation	Zoning
North	Vacant / Undeveloped; Planned and zoned for light industrial and technology/flex industrial, and public land/use (Chris Yung Elementary School)	I-3; PL	M-2; A-1
South	Retail, service, childcare facility; Single-family detached dwellings, townhouses	COM-2; RN-2	R-4; A-1; B-2
East	Single-family residential; Chris Yung Elementary School; Across Devlin Road (Lanier Farms, Sheffield Manor, & Pembroke subdivisions)	RN-2; PL; ROW	R-4; A-1
West	Vacant/ Undeveloped (industrial-zoned land); Environmental features; single-family detached dwellings	I-3; RN-2; ERPO	M-2; R-4C; A-1

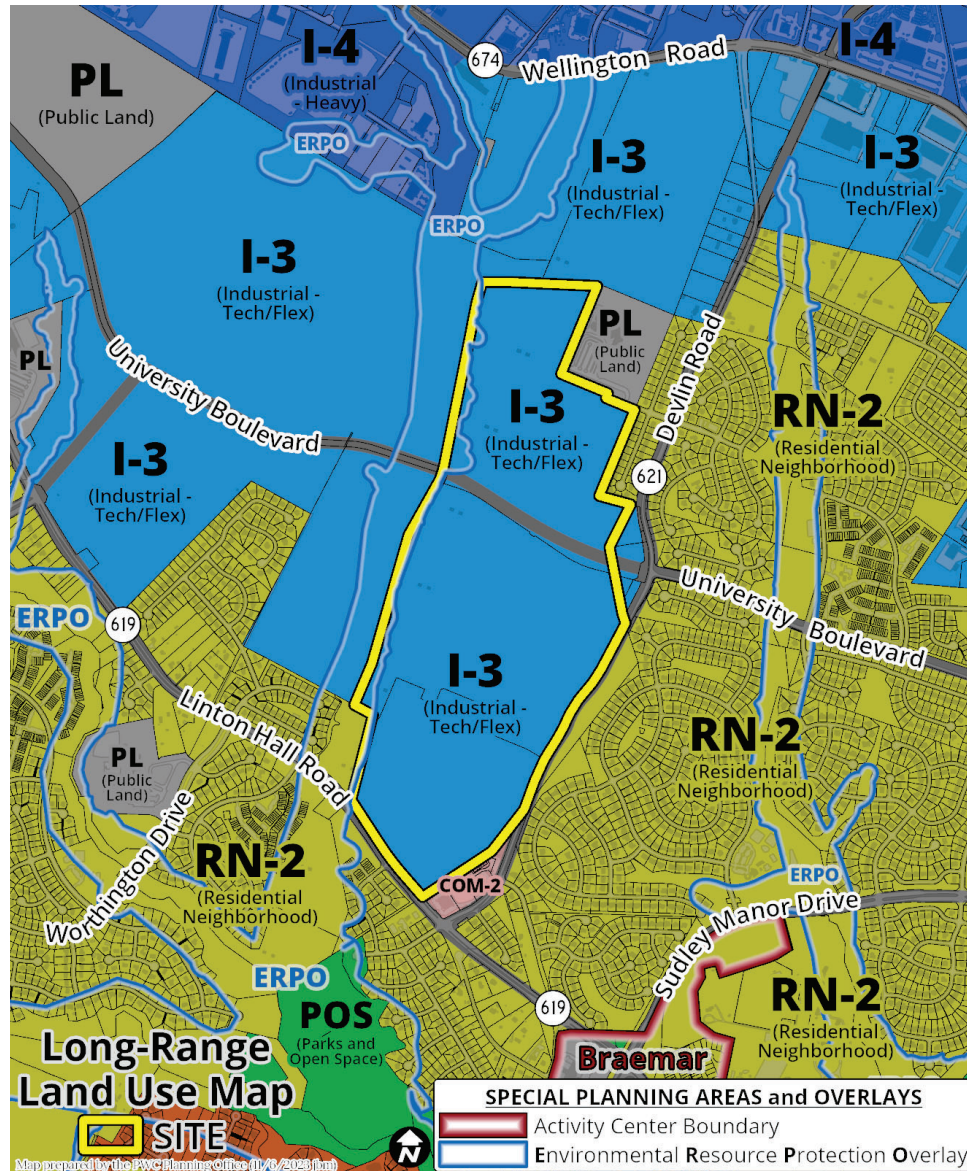
Long-Range Land Use Plan Analysis

Through wise land use planning, the County ensures that landowners are provided a reasonable use of their land while the County is able to judiciously use its resources to provide the services for residents and employers' needs. The Long-Range Land Use Plan sets out policies and action strategies that further the County's goal of concentrating on population, jobs, and infrastructure within vibrant, walkable, mixed-use centers serviced by transit. In addition to delineating land uses on the Long Range Land Use Map, the Plan includes smart growth principles that promote a countywide pattern of land use that encourages fiscally sound development and achieves a high-quality living environment; promotes distinct centers of commerce and centers of community; complements and respects our cultural and natural resources, and preserves historic landscapes and site-specific cultural resources; provides adequate recreational, park, open space and trail amenities that contribute to a high quality of life for county residents; and revitalizes, protects, and preserves existing neighborhoods.

This site is designated as I-3, Industrial with a small portion of the Property located within the ERPO, Environmental Resource Protection Overlay, as identified in the Comprehensive Plan:

Long-Range Land Use Map Designation	Intended Uses and Densities
Industrial (I-3) (Technology/Flex)	The purpose of the Industrial classification is to provide for areas of employment uses situated on individual sites or in campus-style "parks." Primary uses in the I, T-3 classification are light manufacturing, "start-up" businesses, small assembly businesses, and office uses (including government offices, particularly those for Prince William County agencies). Within an I, T-3 designated project, the more intense uses shall be located in the core of the area and the less intense uses (excluding outdoor storage) at the periphery, to act as a transition between the I, T-3 project, and adjacent areas designated or developed for different uses. T-3 Transect recommends a range of 0.23 to 0.57 floor area ratio (FAR). Targeted building height in T-3 is 3 to 5 stories. Data centers are among the appropriate primary uses.
ERPO, Environmental Resources Protection Overlay	<u>Environmental Resources Protection Overlay (ERPO)</u> includes areas located in sensitive environmental places in which special building regulations and restrictions operate in order to help to maintain natural integrity. The purpose of the Environmental Resource Protection Overlay is to maintain natural spaces, provide a safe environment for residents, control the safety of houses, keep the surface water clean, preserve habitats of wild animals, maintain slope and soil stability, as well as maintaining open spaces between buildings. Environmental Resources areas include all 100-year floodplains as determined by the Federal Emergency Management Agency ("FEMA"), Flood Hazard Use Maps or natural 100-year floodplains as defined in the DCSM, and Resource Protection Areas ("RPAs") as defined by the Chesapeake Bay Preservation Act. In addition, areas shown in an environmental constraints analysis submitted with a rezoning or special use permit application with wetlands; 25 percent or greater slopes; areas with 15 percent or greater slopes in conjunction with soils that have severe limitations; soils with a predominance of marine clays; public water supply sources; and critically erodible shorelines and stream banks. These areas should be considered as open space or part of an open space corridor. ERPO areas should not be deducted in density calculations for Activity Centers, Redevelopment Corridors, Small Area Plans and areas where Targeted Industries are to be developed. In areas with 25 percent or greater slopes and areas with 15 percent or greater slopes in conjunction with soils that have severe limitations that are to be disturbed by a proposed development, enhanced stabilization and stormwater protections should be provided during construction. In addition, to the extent required, stabilization should be provided for such remaining areas that will not be disturbed.

The below graphic is extracted from the land use designation map as it relates to the project area. The subject site is outlined in yellow highlight.



Land Use Mix Analysis

As per the Comprehensive Plan, the site is currently designated I-3, Technology/Flex Industrial, with a T-3 Transect that recommends a range of 0.23 to 0.57 FAR, and is partially located within the ERPO, Environmental Resource Protection Overlay, in the Comprehensive Plan.

T-3 Transect recommends a range of 0.23 to 0.57 floor area ratio (FAR). Targeted building height in T-3 is 3 to 5 stories and the minimum open space requirement is 30%. Data centers are among the appropriate primary uses.

The targeted mix of uses within I-3 areas is as follows:

- Residential = 0%
- Nonresidential = 95% – 100%
- Civic = 0 – 5%

This proposal includes all non-residential uses with a data center campus, at a proposed FAR of 0.30, which allows a maximum total potential building area of up to 3.53 million square feet (SF). The total maximum building height is capped at 81 feet (including rooftop mechanical equipment and screening walls). In addition, as proffered, approximately 85 acres of the total ±270-acre project site is to be dedicated to the County for public park/recreational purposes. The western fringe of the project area, with limited proposed new development, is within the ERPO, Environmental Resource Protection Overlay, as identified in the Comprehensive Plan.

Based on the above breakdown, the proposal is consistent with the recommended use/mix/density ranges of the I-3 use designation, and is implementing the overall mixture of uses that is envisioned within this area.

Proposal's Strengths

- Land Use & Zoning Compatibility: This site is designated as I-3, Technology/Flex Industrial, with a small portion of the Property located within the ERPO, Environmental Resource Protection Overlay, as identified in the Comprehensive Plan. The site is located next to an existing industrial site that is zoned M-2 and abutting the Data Center Opportunity Zone Overlay District.
- Use Restrictions: The Applicant has proffered to eliminate incompatible industrial uses.
- Existing Infrastructure: The site is encumbered by an abutting existing power infrastructure, and the expansion of the DCOZOD would be appropriate because the expansion does not appear to cause the extension of power infrastructure that would impact existing residential neighborhoods.

Proposal's Weaknesses

- Extent of Surrounding Existing Residential to the East & South: Any industrial development needs to be sensitive to the proximity to residential. Consideration should be given to the overall viewshed from residential neighborhoods as well as providing noise mitigation through solid architectural walls/screens from all cooling system equipment.

On balance, this application is found to be consistent with the relevant components of the Long-Range Land Use Plan.

Community Design Plan Analysis

An attractive, well-designed County will attract quality development, instill civic pride, improve the visual character of the community, and create a strong, positive image of Prince William County. The Community Design Plan sets out policies and action strategies that further the County's goals of providing quality development and a quality living environment for residents, businesses, and visitors, and creating livable and attractive communities. The Plan includes recommendations relating to building design, site layout, circulation, signage, access to transit, landscaping and streetscaping, community open spaces, natural and cultural amenities, stormwater management, and the preservation of environmental features.

The primary materials utilized for the front façade of any building facing and within two hundred feet (200') of Devlin Road, Linton Hall Road, and University Boulevard shall be constructed of brick, stone, architectural concrete masonry unit (e.g. regal stone, split face, precision, ground face), stucco, architectural poured-in-place or precast concrete panels or architectural metal panels, but not plain concrete block.

Based on the latest submission, the Applicant requests to modify the building height for data center buildings from 60 feet to 81 feet (including rooftop mechanical equipment and screening walls). This latest proposal is a reduction from the previously proposed height of 80 feet and with the allowance for rooftop equipment to be an additional 15 feet (totaling 95 feet). The Applicant has also agreed to restrict the increased height to be no closer than 700 feet from a property line, and provided visual perspectives to indicate that this increased setback would mitigate the impact from the increase in height. The perspectives show that the increased height would not be seen by a typical person standing in areas adjacent to the site.

All loading and service areas located within 200 feet of and visible from Devlin Road, Linton Hall Road and University Boulevard shall be screened with plantings or other methods acceptable to Prince William County to mitigate visibility from Devlin Road, Linton Hall Road and University Boulevard.

Height Increase Modification

Pursuant to Section 32-400.03.2 of the Zoning Ordinance, the Applicant is requesting a modification to the building height standard in the M-2 District from 60 feet to 81 feet (including any rooftop mechanical equipment and rooftop screening walls). As stated by the Applicant, this modification is requested to provide for development of the subject property with similar or compatible building height that is allowed on an abutting property, GPIN 7496-47-2202, pursuant to REZ 2017-00023, Aura Development, and GPIN 7496-43-8199, pursuant to REZ2020-00022, Hunter Property.

In accordance with Section 32-400.03.2 of the Zoning Ordinance, the Board of County Supervisors may, by approval of a proffered rezoning or special use permit, approve a structure with a height greater than any specific limitation, subject to the following standards:

1. For a rezoning application, the maximum height shall be specifically proffered by the applicant and accepted by the Board of County Supervisors; for a Special Use Permit application, the maximum height shall be made a condition of approval of the application; and

Applicant response: The Applicant is requesting a maximum structure height for data centers not to exceed 81 feet (including any rooftop mechanical equipment and rooftop screening walls) and the Applicant has provided a proffer reflecting this maximum height.

2. The Board of County Supervisors shall be satisfied that approval of a proffer or Special Use Permit is a more appropriate course than a rezoning to a classification permitting the height requested; and

Applicant response: The Property is currently zoned PMR, Planned Mixed Residential, and the Applicant is seeking a rezoning to M-2, Light Industrial. The height modification being requested only applies to data centers.

3. The Board of County Supervisors shall be satisfied that the proposed height shall not have a substantial adverse impact on the light and air of adjacent and nearby properties; and

Applicant response: The Property is located within a primarily industrial center of the County, which includes similarly zoned properties. The Applicant's request for additional height will be in keeping with adjacent properties, and because the Applicant is providing significant buffer area between the proposed development area of the Property and the adjacent neighbors, the height will not adversely impact adjacent or nearby properties. In addition, the Applicant has proffered to limit the building height to 81 feet (including any rooftop mechanical equipment and rooftop screening walls) and proffered a principal data center building setback that limits the location of a principal data center building so that it is not closer than 500 feet from an existing principal residential dwelling or 2,200 feet from the existing Chris Yung Elementary School.

4. The County Fire Marshal has certified in writing that the proposed building or other structure can be properly protected, and will not endanger improvements on adjacent properties, in case of fire; and

Applicant response: The Applicant met with the Fire Marshal Office to discuss the proposed building height for the project. As a result, the Applicant has included a proffer specifically vetted by the Fire Marshal's office, which addresses their concerns. The Applicant will continue to work with the County Fire Marshal's office as part of this application process and/or site plan review to obtain written certification.

5. All other requirements of this chapter for a conditional rezoning or Special Use Permit have been met; and

Applicant response: The Applicant has met all other requirements of this chapter.

6. The proposal shall not constitute a hazard to aerial navigation. Where the Board of County Supervisors believes a proposal may be such a hazard, the proposal shall not be approved unless the Federal Aviation Administration certifies in writing that the proposal does not constitute a hazard to aerial navigation.

Applicant response: The Applicant reached out to the Manassas Regional Airport and the proposed height has no impact on the Airport, because the transitional surface is approximately 400 feet above ground level in the vicinity of the Property.

Proposal's Strengths

- Increased Perimeter Landscape Buffering: In the latest submission and as proffered, the following enhanced landscaping is proposed:
 - 200-foot buffer along Linton Hall Road
 - 200-foot buffer along Devlin Road, except for proposed access point
 - 100-foot buffer adjacent to Amberleigh Station
 - 100-foot buffer adjacent to University Boulevard to be extended
 - 50-foot buffer adjacent to GPIN 7496-73-7984 (southwest of Devlin Road/University Boulevard intersection), which is owned by the County, for future right-of-way
 - 100-foot buffer adjacent to commercial center (southeastern corner) and with community garden.
- Reduced Floor Area Ratio: As proffered, the maximum floor area ratio (FAR) for any data center/data center associated use on the Property may be up to 0.30 FAR.
 - This is a reduction from the 0.50 FAR, which is allowed in the M-2 zoning district.
- Height Provisions: As proffered, pursuant to Section 32-400.03.2 of the Zoning Ordinance, the maximum finished height of any data center building (including rooftop mechanical equipment and rooftop screening walls) on Landbay B shall be limited to eighty-one (81) feet in height.
 - The latest proposal is a reduction from the previously proposed height of 80 feet and with rooftop equipment to be an additional 15 feet (totaling 95 feet).
- Data Center Design Standards: Any data center use shall be designed in accordance with the data center design standards and design guidelines set forth in Section 32-509.02.4.(A) – (F) of the Zoning Ordinance. As proffered, the Applicant shall include four (4) of the design elements listed therein on principal building facades, which include the following:

- change in building height;
 - building step-backs or recesses;
 - fenestration;
 - change in building material, pattern, texture, and/or color; or
 - use of accent materials
- Building Elevations: As proffered, all buildings shall be in general conformance with the architectural renderings entitled "Building Elevations," dated August 24, 2022.
- Screening of Mechanical Equipment: As proffered, if visible from Devlin Road, Linton Hall Road, or University Boulevard, ground level mechanical equipment (including generators) shall be screened by a visually solid fence, screen wall or panel, parapet wall, or other visually solid screen that shall be constructed of materials compatible with those used in the exterior construction of the principal building.
- Mitigation for Noise Producing Equipment: Noise mitigation will be provided in the form of a solid architectural wall or screen to prevent noise from travelling across property lines and disrupting abutting residential uses.
- Enhanced Principal Data Center Building Setbacks: As proffered, any principal data center building shall not be located within 500 feet of an existing principal residential dwelling or within 2,200 feet from the existing Chris Yung Elementary School principal building.
- Siting of Proposed Substations: The three substations proposed are located abutting the existing power infrastructure on the western side of the project area, which is not visible from the public road infrastructure abutting the site. The Applicant also proffers to provide enhanced architectural screening abutting the school use and existing residential.
- Sustainability Measures: The Applicant has proffered, in consultation with the County's Sustainability Officer, to determine if site/building sustainability measures are appropriate, for development located in Landbay B. If they are appropriate, such measures shall be incorporated into the applicable site plan or building documents. Such measures may include, but are not limited to, the following:
 - Use of available recycled aggregate materials;
 - Aeration of ponds using solar power;
 - Recycling of construction material waste as accepted by recycling markets;
 - Use of available high recycled content construction materials;
 - LED site and interior lighting; or
 - Heat reflective roofing materials.

Proposal's Weaknesses

- None identified.

On balance, this application is consistent with the relevant components of the Community Design Plan.

Cultural Resources Plan Analysis

Prince William County promotes the identification, evaluation, and protection of cultural resource sites throughout the County, as well as the tourism opportunities these sites present. The Cultural Resources Plan recommends identifying, preserving, and protecting Prince William County's significant historical, archaeological, architectural, and other cultural resources – including those significant to the County's minority communities – for the benefit of all of the County's citizens and visitors. To facilitate the identification and protection of known significant properties that have cultural resource values worthy of preservation, the land use classification County Registered Historic Site (CRHS) is used in the Comprehensive Plan. The Plan includes areas of potentially significant known but ill-defined or suspected pre-historic sites, Civil War sites, historic viewsheds, landscapes or areas of potential impact to important historic sites, and encourages the identification, preservation, protection, and maintenance of all cemeteries and/or gravesites located within the County.

The previous rezoning (#REZ2016-00029) completed a Cultural Resources Assessment and Records Check (CRARC). In addition to those previous requirements, the Applicant shall complete a Phase I assessment and Phase II and III if warranted.

The Historical Commission reviewed this item at their May 10, 2022 meeting and recommended “No Further Work”.

Proposal's Strengths

- Phase I, II and III: The Applicant has proffered to complete studies, as necessary.
- Mitigation Plan: The Applicant proffers a mitigation plan for each site that is determined to be significant as a result of a Phase II survey.
- Curation: Within one year of the final rezoning, the Applicant will curate all artifacts, field records, lab results, photographic records and other records recovered and produced as part of the Phase I, II, and III the Applicant has in its possession, including those artifacts recovered by Cultural Resources, Inc. in 2005 that were returned to the Applicant. Artifacts and records generated from excavations after the approval of this rezoning shall be curated with the County within three (3) months after approval of the final report for the specific area or site. All artifacts and records submitted for curation shall meet current professional standards and The Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation. The Applicant shall pay to the County a curation fee identical to VDHR's curation fee at the time of delivery to the County. Ownership of all records submitted for curation shall be transferred to the County with a letter of gift.

Proposal's Weaknesses

- None identified.

On balance, this application is found to be consistent with the relevant components of the Cultural Resources Plan.

Economic Development Analysis

A robust and diversified nonresidential tax base not only enhances the commercial tax revenue, but also facilitates the creation of quality jobs. This empowers residents to improve their overall quality of life by both residing and working within Prince William County. The Economic Drivers outlined in the Land Use Plan put forth policies and action strategies that “encourage Comprehensive Plan amendments and rezonings which could lead to increased acreage for targeted industries and mixed-use development.”

The Board of County Supervisors recognizes data centers as a targeted industry for driving economic growth and retaining businesses. This proposal aligns with the County’s Strategic Plan goal to expand its commercial tax base and will help attract more high-tech jobs and businesses to the area.

Proposal’s Strengths

- Alignment with Targeted Industry: The endorsement of data centers as a targeted industry by the Board of County Supervisors underscores the strategic alignment of the proposal.

Proposal’s Weaknesses

- None identified.

On balance, this application is found to be consistent with the relevant components of the Economic Development component of the Comprehensive Plan.

Environment Plan Analysis

Prince William County has a diverse natural environment, extending from sea level to mountain crest. Sound environmental protection strategies will allow the natural environment to co-exist with a vibrant, growing economy. The Environment Plan sets out policies and action strategies that further the County’s goal of preserving, protecting, and enhancing significant environmental resources and features. The Plan includes recommendations relating to the incorporation of environmentally sensitive development techniques, improvement of air quality, identification of problematic soil issues, preservation of native vegetation, enhancement of surface and groundwater quality, limitations on impervious surfaces, and the protection of significant viewsheds.

This site has been the subject of several rezoning proposals for more than a decade. The site contains a long segment of the Piney Branch Resource Protection Area (RPA), a perennial stream with associated wetlands.

The Aura data center (REZ2017-00023) approved to the northwest and the Gainesville Technology Park data center (REZ2020-00011) to the north have both proffered to preserve substantial forested area outside of and abutting the Piney Branch Resource Protection Area (RPA) and floodplain, helping to create a significant stream valley preservation corridor. Likewise, the current proffers for the approved residential development of this site, the Devlin Road rezoning (#REZ2016-00029), and

the previously proposed Stone Haven development (REZ2014-00127), for the same area, both retained all of the land west of the VEPCO right-of-way transmission corridor as natural (undisturbed) open space, extending a great distance beyond the RPA.

For this proposal to be consistent with neighboring developments and proposals and the Comprehensive Plan, staff recommends the Applicant provide for a corridor of natural open space from the western edge of the VEPCO right-of-way through the RPA. The entirety of this area contains mature hardwood forest. This will provide for the Comprehensive Plan's call for the identification of environmental features suitable for conservation with an emphasis on connecting to existing conserved natural resources, minimizing clearing, the preservation of mature trees and natural landscapes.

With the latest submission, the Applicant has proposed to dedicate Landbay A to the County for future passive and active parks and recreational purposes. This could be in accordance with EN-3.7 policy, which encourages fee simple dedication to preserve open spaces in already developed areas to provide natural areas, protect environmentally sensitive resources, preserve wildlife habitat, and ensure a scenic appearance over time. Watershed Management staff recommends the Applicant address the following to ensure conservation of natural resources as a long-term use on Landbay A:

- Rezone the land to a district more suitable for passive recreational uses than the M-2 district -- for example, A-1.
- Remove the proposal to include it in the Data Center Opportunity Zone Overlay District, since this is inconsistent with a park/recreational use.
- Commit to removing the small paved area with storage containers in Landbay A so that it may return to a natural state.

Water Quality

The Applicant has proffered to make a monetary contribution to the Board of County Supervisors in the amount of \$75.00 per acre (± 269.85 acres) for water quality monitoring, drainage improvements, and/or stream restoration projects. Said contribution shall be made prior to and as a condition of final site plan approval with the amount to be based on the site area acreage.

Proposal's Strengths

- Landscaped Buffer abutting Lanier Farms Subdivision: The draft Site Design standards for the Data Center Opportunity Zone Overlay District call for a minimum 100-foot buffer for any side/rear yards abutting the data center use. The Applicant is proposing a 100-foot undisturbed buffer where the proposed use abuts the Lanier Farms subdivision. This exceeds the DCSM standard buffer of 50 feet.
- Landscaped Buffer abutting Chris Yung Elementary School: The Applicant is proposing a 100-foot undisturbed buffer abutting Chris Yung Elementary School. This exceeds the minimum DCSM standard of a 30-foot buffer abutting an institutional use.

- Proffered Limits of Disturbance: The Applicant proffers to limit clearing and grading to within those areas depicted on the GDP, subject to minor revisions in accordance with final engineering considerations at the time of final site plan review and approval. Those areas outside the limits of clearing shall remain in their natural undisturbed condition with the exception of the installation and maintenance of crossings for: utility connections, electric lines running to/from the electric transmission lines, sanitary and storm outfalls, and supplemental planting as approved by the County.
- Preservation of Specimen Tree: The Applicant has proffered to preserve one of the four specimen trees onsite.

Proposal's Weaknesses

- Lack of Tree Preservation Plan: The prior rezoning (REZ2016-00029) had preservation areas, some in similar places to what is proposed herein. Staff recommends the Applicant provide a tree preservation plan in line with Proffer #16 of REZ2016-00029 at the time of site plan review.
- Disturbance of Environmental Resource Areas: The Applicant is proposing to disturb 6.76 acres of the 15.46 onsite, including steep slopes surrounding an intermittent channel in the southwestern end of the site that to date has been preserved on each previously proposed development. This proposed disturbance is not consistent with current policy. The limits of disturbance should be revised to show the steep slopes around the intermittent stream protected and less impact. This is a distance of about 100 feet from the stream edge and a distance of approximately 600 feet from the property line upstream.

On balance, this application is found to be consistent with the relevant components of the Environment Plan.

Fire and Rescue Plan Analysis

Quality fire and rescue services provide a measure of security and safety that both residents and businesses have come to expect from the County. The Fire and Rescue Plan sets out policies and action strategies that further the County's goal of protecting lives, property, and the environment through timely, professional, humanitarian services essential to the health, safety, and well-being of the community. The Plan includes recommendations relating to siting criteria, appropriate levels of service, and land use compatibility for fire and rescue facilities. The Plan also includes recommendations to supplement response time and reduce risk of injury or death to County residents, establishment of educational programs, such as cardio-pulmonary resuscitation (CPR) training, automatic external defibrillators (AED), and encourage installation of additional fire protection systems – such as sprinklers, smoke detectors, and other architectural modifications.

Fire/Rescue Station #25 (Linton Hall) is the first due fire/rescue resources in the corridor. The facility is inside the required 4.0-minute travel time for Basic Life Support and is inside the required 8.0-minute travel time for Advanced Life Support. In Fiscal Year 2022, Fire/Rescue Station 25 responded to 3,194 incidents. The workload capacity for Fire/Rescue Station 25 is 4,000 incidents per year.

All emergency access and onsite circulation will need to be reconfirmed during site plan review. In addition, it is suggested that the Applicant contact the Fire Marshal's Office to set up a meeting to discuss the project to allow us to determine if the water yield requirements can be satisfied. A minimum fire flow of 2,500 gallons per minute (GPM) at 20 pounds per square inch (PSI) residual pressure will be required for any structures associated with the application.

Proposal's Strengths

- **Monetary Contribution:** As proffered, the Applicant will make a monetary contribution to the Board of County Supervisors for \$0.61 per square feet (SF) of building area, which is based on a total potential building area of 3.53 million SF (based on 0.30 FAR). This will provide a \$2,151,103.88 LOS monetary contribution.
- **Fire Protection Standards:** For buildings with a building height higher than sixty feet (60'), the Applicant shall, as a condition of site plan approval, be in full compliance with the fire and safety systems standards set forth in Section 300 of the DCSM, unless otherwise waived by the Fire Marshall's office.
- **Development Site within 4.0-Minute Travel Time:** The portion of the site to be developed is located within the required 4.0-minute travel time for basic life support and fire suppression services.
- **Development Site within 8.0-Minute Travel Time:** The portion of the site to be developed is located within the required 8.0-minute travel time for advanced life support.
- **Station Workload:** Fiscal Year 2022 figures indicate that Fire and Rescue Station #25 responded to 3,194 incidents, while the workload capacity is 4,000 incidents per year. As such, it is operating within capacity.

Proposal's Weaknesses

- None identified.

On balance, this application is found to be consistent with the relevant components of the Fire and Rescue Plan.

Parks, Open Space and Trails Plan Analysis

The quality of life for residents of Prince William County is linked closely to the development and management of a well-maintained system of parks, trails, and open space. Prince William County contains a diversity of park, open space, and trail resources. These parklands, open spaces, and recreational facilities play a key role in shaping both the landscape and the quality of life of Prince William County residents through the conservation of natural and cultural resources, protection of environmental quality, and provision of recreational facilities. The Parks, Open Space and Trails Plan sets out policies and action strategies that further the County's goal of providing park lands and recreational facilities of a quantity, variety, and quality appropriate to meet the needs of the current

and future residents of Prince William County. The Plan includes recommendations to preserve existing protected open space, maintain high quality open space, expand the amount of protected open space within the County, and to plan and implement a comprehensive countywide network of trails.

The Applicant requests to rezone approximately 270 acres from PMR, Planned Mixed Residential, to M-2, Light Industrial, to allow for the development of up to a 0.30 floor area ratio (FAR) of data center space/use, including electric substations, a provision for the dedication of a new public park site, and to modify the building height for data center buildings from 60 feet to 81 feet (including rooftop mechanical equipment and screening walls), and to include an extension of the Data Center Opportunity Zone Overlay District to include the project site. For reference, this application is intended to supersede a previous residential rezoning application, including a proffer for a public trail through the property.

Furthermore, a trail connection should be provided between the proposed trail alignment and Chris Yung Elementary School to expand the recreation and outdoor classroom opportunities of the school and create a potential future safe route to the school. However, staff recognizes that this connection may be problematic with a data center use.

Public Park Dedication: As proffered, as a condition of first final site plan approval in Landbay B, the Applicant shall dedicate Landbay A (±85 acres) to the Board of County Supervisors for future passive and active parks and recreational purposes, which will include an indoor recreational facility. The conveyance of Landbay A as part of the dedication shall be subject to providing any easements that may be required by the Applicant, the County, or utility providers for the development of Landbay B.

Parks & Recreation Monetary Contribution: As proffered in the latest submission, the Applicant shall make a monetary contribution to the Board of County Supervisors in the amount of \$5,000,000 to be used for the development of the public park / recreation facilities as outlined in Proffer #35. Said payment shall be made as a condition of the first final site plan approval for Landbay B.

Proposal's Strengths

- Provision for Trail Easements: With the latest submission, there is a provision for trail easements. If requested by the County as part of the first final site plan approval for the Property and at no cost to the County, the Applicant shall provide to the Board of County Supervisors, pedestrian connectivity, an 18-foot-wide permanent trail easement on the Property, and a 30-foot-wide temporary construction easement. The purpose of such trail easement is to provide a natural surface trail connection between Linton Hall Road and the northern property line of the Property, and GPIN 7496-47-2202 or GPIN 7496-88-1217.

Proposal Weaknesses

- None identified.

On balance, this application is found to be consistent with the Parks, Recreation, and Open Space component of the Comprehensive Plan.

Police Plan Analysis

Residents and businesses expect a high level of police service for their community. This service increases the sense of safety and protects community investments. The Police Plan is designed to promote Prince William County's public safety strategic goal to continue to be a safe community, reduce criminal activity, and prevent personal injury and loss of life and property, as well as to ensure effective and timely responses throughout the County. This Plan encourages funding and locating future police facilities to maximize public accessibility and police visibility as well as to permit effective, timely response to citizen needs and concerns. The Plan recommends educational initiatives, such as Neighborhood and Business Watch, and Crime Prevention through Environmental Design (CPTED), which encourages new development to be designed in a way that enhances crime prevention. The Plan also encourages effective and reliable public safety communications linking emergency responders in the field with the Public Safety Communications Center.

At this time, the Police Department does not believe this application will create significant impact on calls for service. During site plan review, the Applicant should focus on the following key areas for the development: landscape maintenance; access control; secure facility management; lighting in common areas; and community/area surveillance.

The Applicant should coordinate with the Police Department as the site develops, and apply the various Crime Prevention Through Environmental Design (CPTED) principles, which can be found at the following: <https://www.pwcva.gov/assets/documents/police/002035.pdf>.

Proposal's Strengths

- Impacts to Levels of Service: The Police Department does not believe this application will create significant impact on calls for service.

Proposal's Weaknesses

- None identified.

On balance, this application is found to be consistent with the relevant components of the Police Plan.

Potable Water Plan Analysis

A safe, dependable drinking water source is a reasonable expectation of County residents and businesses. The Potable Water Plan sets out policies and action strategies that further the County's goal of providing an economically and environmentally sound drinking water system. The Plan includes recommendations relating to system expansion, required connections to public water, and the use of private wells or public water.

The subject property is within the utility service area of the Prince William County Service Authority, and is thereby required to utilize public water from the Service Authority to develop. The Service Authority has an existing 24-inch water main located in Linton Hall Road and an existing 12-inch water main stub-out near the northern property boundary at the Chris Yung school site. The developer will be required to install a minimum 12-inch diameter main through their site connecting the existing 24-inch main and the 12-inch stub out. All connections to the public water system shall be in accordance with the Service Authority's Utility Standards Manual (USM) requirements and restrictions.

Additionally, the Service Authority has a planned project, as shown in the County's Comprehensive Plan, to construct a 30-inch water transmission main through the proposed site along the future extension of University Boulevard. The Service Authority may enter into an agreement with the developer to design and construct this main in conjunction with the development project, the details of which will be provided during plan review.

Depending on the final configuration of any proposed onsite water mains, additional water main extensions may be required by the Service Authority to provide adequate fire protection or satisfy water quality requirements. The Applicant shall plan, design, and construct all onsite and offsite water utility improvements necessary to develop/utilize the subject property and satisfy requirements in accordance with all applicable Service Authority, and County and State requirements, standards, and regulations.

Proposal's Strengths

- **Water Connection & Service**: As proffered, the Applicant shall plan, design, and construct all onsite and offsite public water utility improvements required to provide the water service demand generated by the development.

- Provision for Data Center Cooling Systems: As proffered, cooling systems for data center buildings located on Landbay B shall be equipped with closed loop cooling systems or air cooling systems that provide efficient and optimized water consumption.

Proposal's Weaknesses

- None identified.

On balance, this application is found to be consistent with the relevant components of the Potable Water Plan.

Sanitary Sewer Plan Analysis

Appropriate wastewater and sanitary facilities provide needed public health and environmental protections. The Sanitary Sewer Plan sets out policies and action strategies that further the County's goal of providing an economically and environmentally sound sanitary and stormwater sewer system. The Plan includes recommendations relating to system expansion, required connections to public sewer in the development area, and the use of either private or public sewer systems.

The subject property is within the utility service area of the Prince William County Service Authority, and is thereby required to utilize public sewer from the Service Authority to develop.

The Service Authority has an existing 24-inch gravity sewer main located on the adjacent parcel west of the property. Offsite easements may be required to connect to the existing sewer collection system. All connections to the public sewer system shall be in accordance with the Service Authority's Utility Standards Manual (USM) requirements and restrictions.

The Applicant shall plan, design, and construct all onsite and offsite sanitary sewer utility improvements necessary to develop the property and satisfy all requirements in accordance with all applicable Service Authority, County, and State requirements, standards, and regulations.

Proposal's Strengths

- Sewer Connection & Service: As proffered, the Applicant shall be responsible for all onsite and offsite improvements required to provide the sewer service demand generated by the development.

Proposal's Weaknesses

- None identified.

On balance, this application is found to be consistent with the relevant components of the Sanitary Sewer Plan.

Electrical Utility Services Plan Analysis

Electrical utility services include facilities that generate, transmit, distribute, and/or store power. The need for these facilities accelerates commensurate with development. As the need for sites for these facilities increases, so does the scarcity of appropriate land for their construction. The policies and action strategies set forth in this plan provide guidance on siting and design issues and are to be used in evaluating land use applications. They should not be interpreted as superseding or amending any requirements of the Zoning Ordinance or other county, state, and federal laws pertaining to these facilities.

There are three main policy objectives associated with this section of the Comprehensive Plan.

1. Locate electrical utility facilities to provide maximum service levels as unobtrusively as possible.
2. Design electrical facilities to minimize negative impacts on existing and future communities.
3. Support and encourage alternative green energy infrastructure.

Development of new such data centers should prioritize context sensitive design considerations towards adjacent land uses, historic viewsheds, and natural resources. During recent discussions among the County, Dominion Power, and NOVEC, it was mentioned that the pre-planning of utility lines is preferred, and the County is encouraged to emphasize this as part of review of all datacenter developments. Without this type of planning, such utilities may be installed along property lines and within landscape buffers, as all other areas on the site are planned/approved for parking, access, and buildings. Thus, by not including proposed transmission line corridors on such plans and to provide maximum flexibility for the location of these utility lines, these transmission corridors may be located in areas identified to preserve forests and sensitive environmental resources and cultural resources, perimeter buffers required by the DCSM, and supplemental landscaping areas.

To avoid the above situation, the Applicant is encouraged to work with NOVEC and Dominion Power to depict, label, and provide dimensions on the plan for the proposed electrical infrastructure on the property, which will serve each landbay.

Proposal's Strengths

- Substation Locations: Three (3) potential electric substations are depicted on the plan and are located interior to the site or abutting to the existing high voltage line corridor to minimize viewshed impacts.

Proposal's Weaknesses

- None identified.

On balance, this application is found to be consistent with the relevant components of the Electrical Utility Services Plan.

Transportation Plan Analysis

Prince William County promotes the safe and efficient movement of goods and people throughout the County and surrounding jurisdictions by providing a multi-modal approach to traffic circulation. The Transportation Plan establishes policies and action strategies that further the County's goal of creating and sustaining an environmentally friendly, multi-modal transportation system that meets the demands for intra- and inter-county trips, is integrated with existing and planned development, and provides a network of safe, efficient, and accessible modes of travel. The Plan includes recommendations addressing safety, minimizing conflicts with environmental and cultural resources, maximizing cost effectiveness, increasing accessibility of all travel modes, minimizing projected trip demand, and providing sufficient network capacity. The County recognizes that it is not possible to address congestion through road investments alone and has reduced the acceptable standard to (LOS) of "E" specifically in Small Area Plans, in Activity Centers, and on Arterials. Projects should include strategies that result in a LOS E or better on all roadway corridors and intersections, reduce traffic demand through transportation demand management strategies, dedicate planned rights-of-way, provide transit infrastructure, pedestrian and bicycle pathways, and improved and coordinated access to transit facilities.

The subject property will be accessed by up to three entrances: one from Devlin Road and two from University Boulevard, as shown on the GDP. The existing driveway access points on Linton Hall Road are used to service the high voltage transmission line and other utilities, and will remain in service without access to the Property.

The Applicant will dedicate right-of-way (ROW) up to one hundred twenty-eight feet (128') wide for the future extension of University Boulevard and associated right and left turn lanes at the entrances to the Property. The dedication of the University Boulevard ROW will be made at the time of and in connection with the first final site plan approval for the Property or when requested by the County and/or VDOT.

The Applicant will reserve and dedicate to the County or VDOT, right-of-way along the Devlin Road frontage of the Property, up to a maximum of sixty-four feet (64') in width from the existing centerline of Devlin Road, including but not limited, any permanent or temporary easements required for utilities, utility relocation, and stormwater management, plus additional right of way as necessary for right and left turn lanes at the access point to the Property from Devlin Road.

The Applicant will extend the southbound Devlin Road left-turn lane to Linton Hall Road within the existing concrete median for approximately ninety feet (90') of additional storage subject to PWCDOT and VDOT for approval. In addition, the Applicant will reserve and dedicate, at no cost to the County or VDOT, right-of-way along the Linton Hall Road frontage, up to sixty-four feet (64') in width from the existing centerline of Linton Hall Road.

A Traffic Impact Analysis (TIA) was required based on the increase in AM peak hour trips and the change in type of land use. Based on trip generation data from the *ITE Trip Generation Manual, 11th Edition*, calculated by Wells + Associates, the approved residential development would generate 352 AM peak hour, 494 PM peak hour, and 5,565 weekday daily trips during a typical weekday. The proposed data center use would generate 547 AM peak hour, 462 PM peak hour, and 4,208 weekday daily trips on a typical weekday.

Staff Analysis

The following summary table provides the 2021 Virginia Department of Transportation (VDOT) annual average daily traffic counts and Prince William County Travel Demand model levels of service (LOS) information in the vicinity of the site.

Roadway Name	Number of Lanes	2021 VDOT Annual Average Daily Traffic Count	Travel Demand Model 2019 Daily LOS
Devlin Road	2	9,600	E
University Boulevard	2	5,400	B
Linton Hall Road	4	4,300	B

Proposal's Strengths

- Bike Racks: The Applicant is providing five bike racks per data center building.
- Road Right of Way: The Applicant proffers dedication of up to sixty-four feet (64') in width from the existing centerline of Linton Hall Road and Devlin Road, and up to a one hundred twenty-eight feet (128') width for the future extension of University Boulevard and associated right and left turn lanes at the entrances to the Property.
- Sidewalk and Trail Connections: The Applicant will construct: a five foot (5') wide sidewalk along the Linton Hall Road frontage of the Property and a 5-foot-wide sidewalk on the off-site portion of Linton Hall Road. This sidewalk will connect to the existing sidewalk at Amberleigh Station, subject to obtaining the necessary right-of-way needed for the off-site sidewalk.
- Bus Shelter: The Applicant agrees to construct a bus shelter on one of the major road frontages, as determined by PRTC.
- Monetary Contribution: In lieu of designing and constructing frontage improvements along Devlin Road south, the Applicant proffers a monetary contribution in the amount of \$2.50 per square foot of building area constructed on the Property, which would equate to be up to \$8,816,000.00 if the maximum potential buildable area is constructed.

Proposal's Weaknesses

- Interparcel Connection: The previous residential rezoning provided for an interparcel connection to the Bristow Commons Shopping Center property to the south. This connection was very important to the shopping center to increase access for potential users of the center and adjacent properties. The proposed rezoning is now for data centers on a secure gated campus, with access limited for security purposes. Interparcel access is a requirement of the DCSM. However, this requirement can be waived if the adjoining uses are not compatible.

- Staff encourages the Applicant to provide this access so that employees of the site will be able to access the shopping center without utilizing Devlin Road.

On balance, this application is found to be consistent with the relevant components of the Transportation Plan.

Strategic Plan

This section of the report is intended to address the project's alignment with the outcomes provided within the County's Strategic Plan. The Strategic Plan posits that individuals, families and businesses prefer communities with a robust economy; easy access to jobs, services, and activities; that support even the most vulnerable in the community; are safe and secure; and provide a quality education that assures lifelong learning and steady employment. Based on community input from the online survey and the community conversations, seven focus or goal areas were identified for the 2021-2024 Strategic Plan: Health, Wellbeing, and Human Services; Safe and Secure Community; Resilient Economy; Quality Education and Workforce Development; Environmental Conservation; Sustainable Growth; and Transportation and Mobility. It is important to note that no single area is viewed as more critical than another. Rather, each are interrelated and have direct impact on each other. Collectively, these goal areas impact the quality of life in all facets of the community issues raised during the review of the proposal, which are not directly related to the policies, goals, or action strategies of the Comprehensive Plan, but which are materially relevant to the County's responsibilities in considering land use issues. The aspects of this proposal relative to the Strategic Plan are as follows:

- **Resilient Economy (Objective RE-1)**: Create and support programs, policies and strategies that encourage profit-generating business expansion, new business development, and redevelopment that enhances or complements targeted industries.
- **Resilient Economy (Objective RE-2)**: Continue efforts to preserve and expand the commercial tax revenue base.
- **Resilient Economy (Objective RE-3)**: Create a positive brand/image of Prince William County that reflects the diversity of the community including its history, places, and people.

Materially Relevant Issues

This section of the report is intended to identify issues raised during the review of the proposal, which are not directly related to the policies, goals, or action strategies of the Comprehensive Plan, but which are materially relevant to the County's responsibilities in considering land use issues. The materially relevant issues in this case are as follows:

- As previously discussed, staff has also received several requests from residents in the vicinity to urge the Board to remand this request back to the Planning Commission for reconsideration. Although there have been several deferrals in the timing for Board consideration, based on the extent of recent changes made to the proposal, it has resulted in less intensity and reduced overall impacts. However, it is important to note that the Board of County Supervisors can decide to remand the current proposal back to the Planning Commission.

Proffer Issues / Deficiencies

- As per Proffer #35, the Applicant is dedicating Landbay A (±85 acres) to the Board of County Supervisors for future passive and active parks and recreational purposes, in which the County may build an indoor recreational facility. Also, the Applicant shall make a monetary contribution to the Prince William County Board of County Supervisors in the amount of \$5,000,000 to be used for the development of the public park / recreation facilities.
 - Although the additional funding is favorable in supporting such services, staff has remaining/unresolved concerns on the relationship/nexus of this monetary contribution to mitigate the impacts of a data center facility. At this time, staff is hesitant to accept this proffer and has concerns about the legal enforceability of a \$5,000,000 monetary contribution to the County for parks and recreation facilities as a mitigation measure for data centers. Furthermore, the overall timing and unknown details of how the site will be utilized remains a concern.

Additionally, Planning staff noticed that there appears to be some type of random/ancillary structure and/or storage containers on Landbay A, which is the land to be dedicated to the County. Since this land is being dedicating for park land to the County, staff suggests that the following phrase be added to the end of Proffer #35: *All existing ancillary buildings, structures, storage containers, or paved surfaces associated with previous activities and uses on the site shall be removed prior to dedication of said land to the County.* Due to time constraints the Applicant was unable to make this change. Even though the Applicant had stated that all structures will be removed, staff believes that it would be beneficial to include it in Proffer #35 since it provides specific language and a defined timeline.

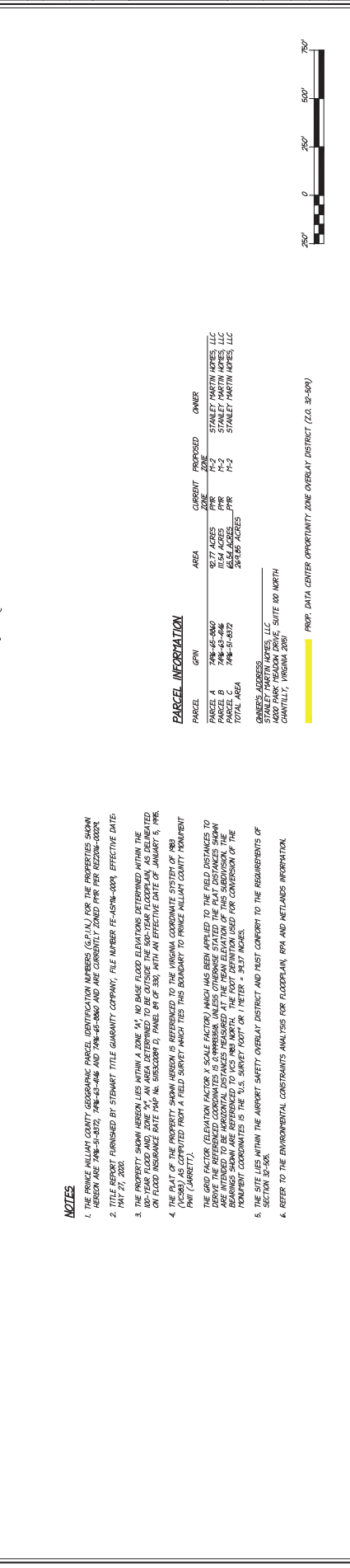
Modifications / Waivers

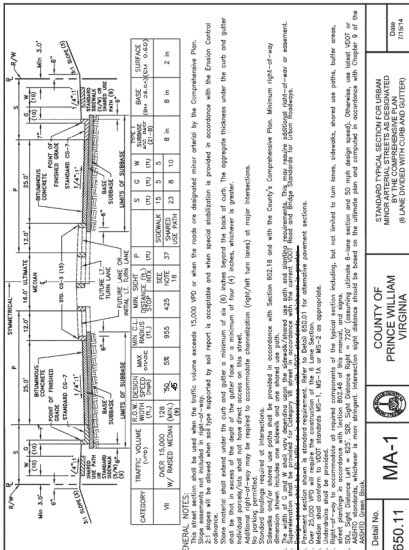
- As requested with Proffer #5, pursuant to Section 32-400.03.2 of the Zoning Ordinance, the maximum height of any data center building (including any rooftop mechanical equipment and rooftop screening walls) on Landbay B shall be limited to a finished height eighty-one (81) feet. More details are included in the Community Design section of this report.

Agency Comments

The following agencies have reviewed the proposal and their comments have been summarized in relevant comprehensive plan chapters of this report. Individual comments are in the case file in the Planning Office:

- PWC Archaeologist
- PWC Building Official
- PWC Economic Development
- PWC Fire Marshal Office
- PWC Historical Commission
- PWC Parks & Recreation
- PWC Planning Office – Case Manager / Long-Range Planning / Zoning Administration
- PWC Police / Crime Prevention
- PWC Public Works – Environmental Services / Watershed Management
- PWC Schools
- PWC Service Authority
- PWC Transportation
- Potomac and Rappahannock Transportation Commission (PRTC)
- Virginia Department of Transportation (VDOT)







Attachment D

Map Unit	Map Unit Name	Highly Erodible?
4B	Arcella silt loam	Yes
5C	Arcella-Nettoma complex	Yes
13K	Calkett-Syboline complex	Yes
30B	Jack-laid silt loam	No
31B	Jack-and-Hampstead complex	No
31C	Jack-and-Hampstead complex	Yes
35B	Mohawk silt loam	No
36	Spragueland silt loam	No
38C	Spragueland silt loam	Yes
38E	Syboline-kelly complex	Yes
36A	Weygold silt loam	No

Proposed Impacts to Wetlands and Waters	Total Impact
Polustrine Emergent Wetland (PEM)	20,446 SF (0.47 acres)
Palustrine forested Wetlands (PFO)	530 SF (0.01 acres)
Intermittent Stream (I4)	12,907 SF (0.30 acres)

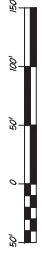
Tree Tag	Tree Common Name	DBH (inches)	Girth (ft)	Condition	Off to S. or W.?	Off to E. or S. or W.?	Notes
275	Trumpet-Ash	40.5	40.5	Poor	No	No	Double-trunk, stands out on trail, several large, dead limbs, considerable damage
582	Trumpet-Ash	37.5	37.5	Poor	No	No	De-severed cut limb, several large dead limbs
866	White Oak	33.0	33.0	Fair	No	No	Some dead limbs
824	White Oak	31.0	31.0	Good	Yes	Yes	Some dead limbs
825	White Oak	30.5	30.5	Good	Yes	Yes	Off to S. Some dead limbs
1070	White Oak	30.5	30.5	Fair	Yes	Yes	Some dead limbs
1122	White Oak	33.0	33.0	Fair	Yes	Yes	Some dead limbs, 1 large cavity (stage 1 of 66)

	Impervious Acreage	Pervious Acreage
Existing Conditions	±0.10 Acres	±269.75 Acres
Proposed Conditions	±135 Acres	±134.5 Acres

Floodplain	N/A
Average of Steep Slopes (>25% or >15% and highly erodible)	5.22 Acres (227,477 SF)
Other Environmental Resource Calculations	Total
Approx. Acreage of Tree Sap Area Proposed	30.06 Acres (1,300,388 SF)
Acreage of Land to be Removed/Undisturbed	35.13 Acres (1,530,294 SF)
Acreage of Land to be Disturbed	238.80 Acres (10,401,317 SF)
Total Acreage of ER	15.46 Acres (673,663 SF)
Total Acreage of Proposed ER to be Disturbed	6.76 Acres (294,653 SF)

[illegible]

Attachment E

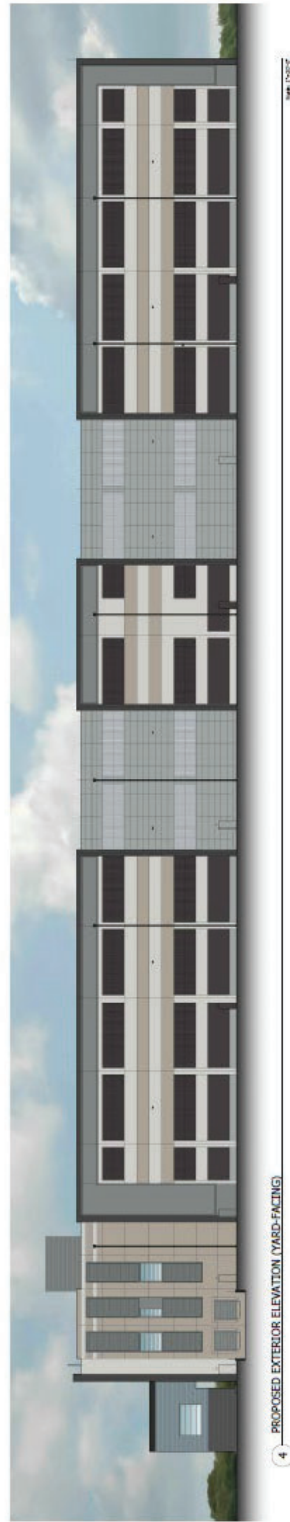
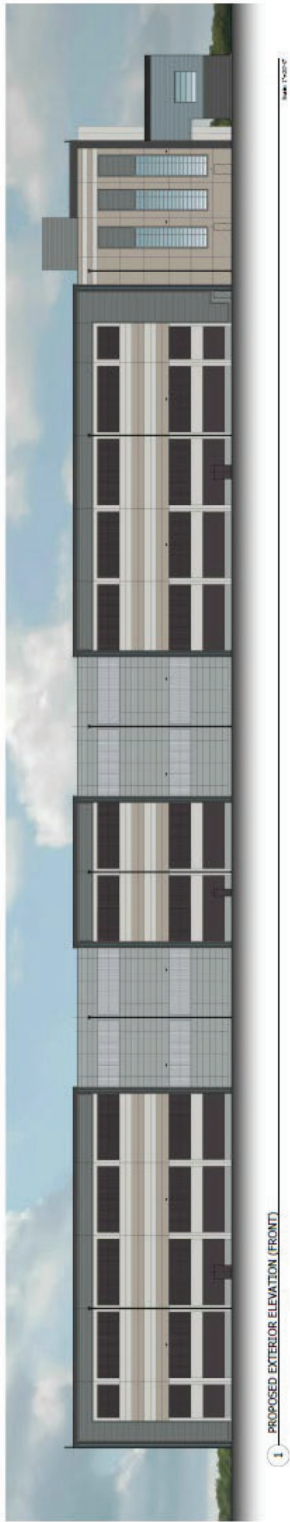


Attachment F

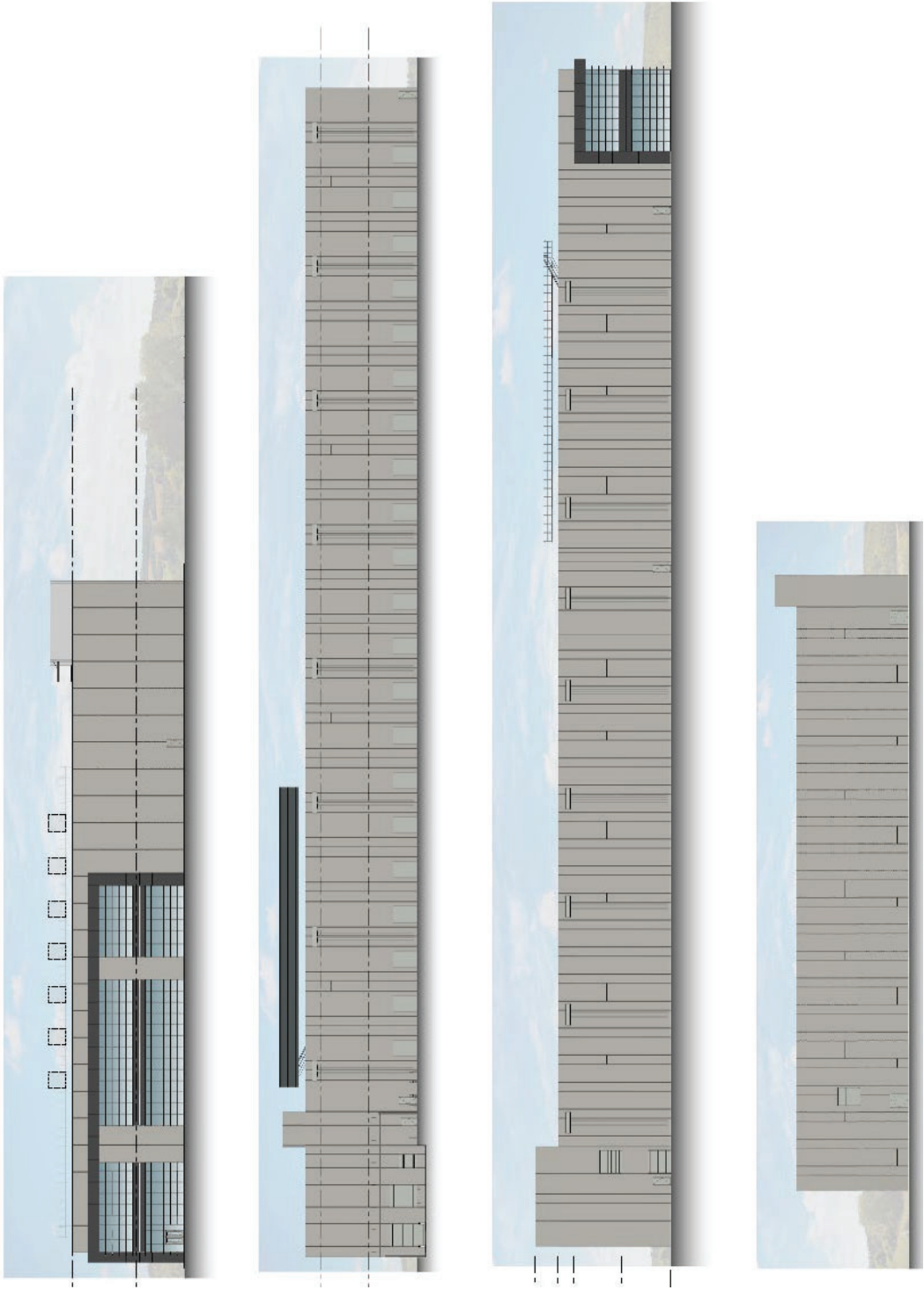
Building Elevations

August 24, 2022

Example of two-story building



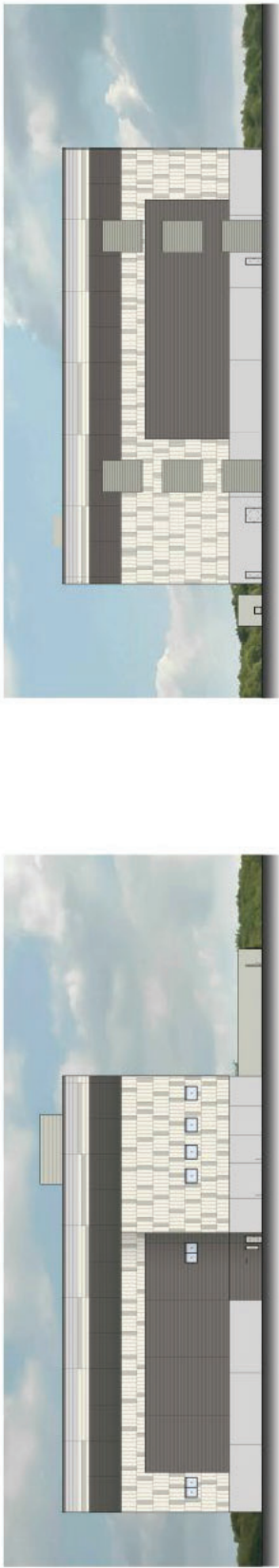
Example of two-story building



Examples of three-story building



1 PROPOSED EXTERIOR ELEVATION (FRONT)



2 PROPOSED EXTERIOR ELEVATION (OFFICE / ENTRY)



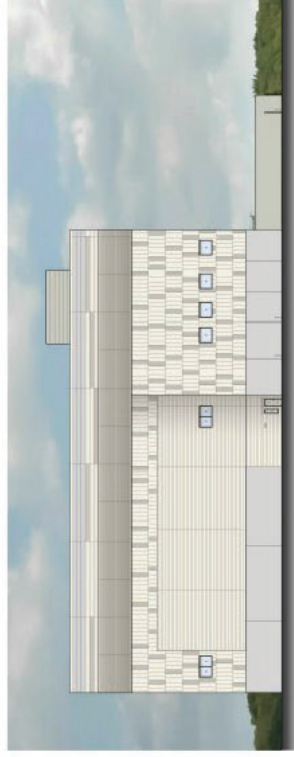
4 PROPOSED EXTERIOR ELEVATION (YARD-FACING)

Example of three-story building



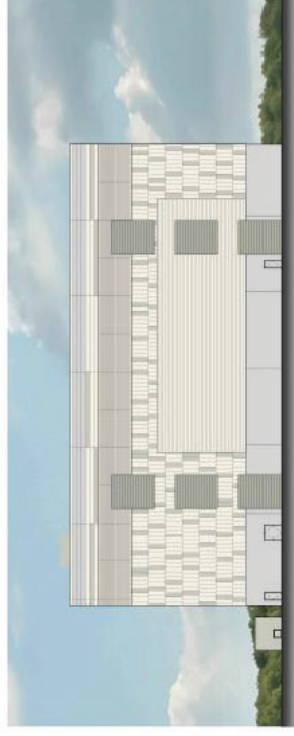
1 PROPOSED EXTERIOR ELEVATION (FRONT)

Scale: 1/8"=1'-0"



2 PROPOSED EXTERIOR ELEVATION (OFFICE / ENTRY)

Scale: 1/8"=1'-0"



3 PROPOSED EXTERIOR ELEVATION

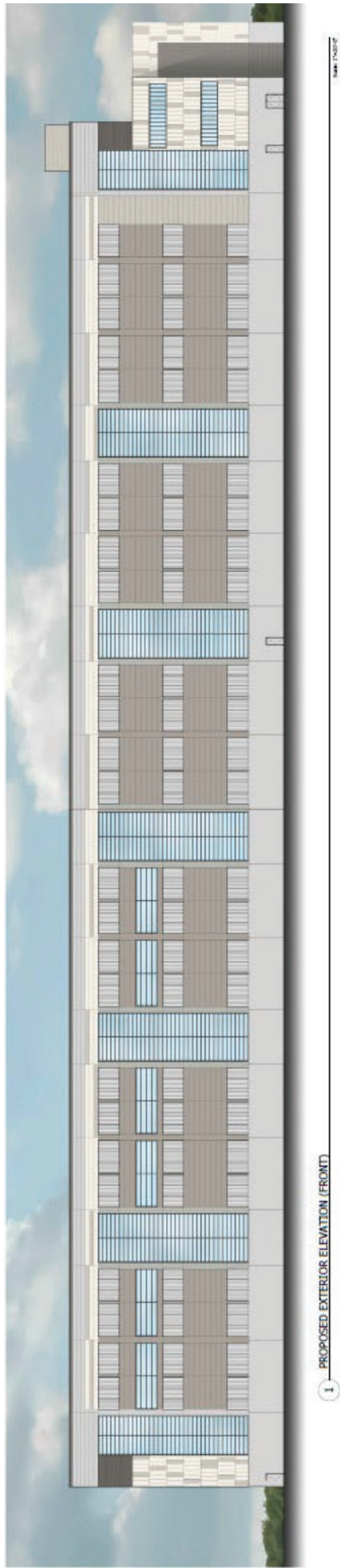
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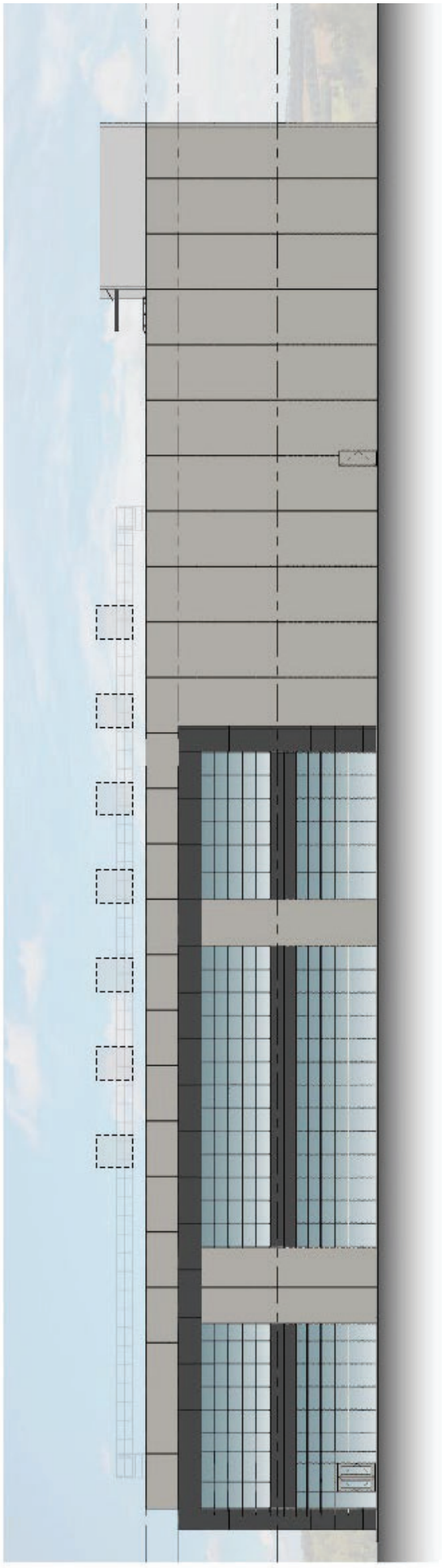
4 PROPOSED EXTERIOR ELEVATION (YARD-FACING)

Scale: 1/8"=1'-0"

Examples of facades facing and visible from Amberleigh Station, Silver Leaf, or University Boulevard



Examples of facades facing and visible from Amberleigh Station, Silver Leaf, or University Boulevard





PLANNING COMMISSION RESOLUTION

MOTION: GORDY

SECOND: MCPHAIL

**RE: REZONING #REZ2022-00022, DEVLIN TECHNOLOGY PARK
BRENTSVILLE MAGISTERIAL DISTRICT**

ACTION: RECOMMEND APPROVAL

**July 27, 2022
Regular Meeting
RES. No. 22-078**

WHEREAS, this is a request to rezone approximately 270 acres from PMR, Planned Mixed Residential, to M-2, Light Industrial, to allow for development of up to 4.25 million square feet of data center space, to modify the building height for data center buildings from 60 feet to 105 feet. Maximum height does not include the rooftop mechanical equipment, which is permitted to be a maximum of 15-feet in height; and

WHEREAS, this is also a request to amend the map of the Data Center Opportunity Zone Overlay District (DCOZOD) to incorporate these parcels into the DCOZOD; and

WHEREAS, this proposal is being concurrently processed with #CPA2022-00015, which is a request to change the Comprehensive Plan long-range land use designation for approximately 270 acres from SRL, Suburban Residential Low, and ER, Environmental Resource, to FEC, Flexible Use Employment Center; and

WHEREAS, the site is located at the northwest corner of Devlin Road and Linton Hall Road; is addressed as 9000 Devlin Road, 8900 Devlin Road, and 12615 Fog Light Way; and is identified on County maps as GPINs 7496-51-8372, 7496-63-4146, and 7496-65-8860; and

WHEREAS, the site is currently designated SRL, Suburban Residential Low, and ER, Environmental Resource, in the Comprehensive Plan; and the draft 2040 Comprehensive Plan has been released and proposes the site as RN, Residential Neighborhood. On May 20, 2022, the Board requested staff to consider designating this site as industrial, IT-3, which would be implemented by M-2, Industrial; and

WHEREAS, the site is currently zoned PMR, Planned Mixed Residential, and is partially located within the Airport Safety Overlay District; and

WHEREAS, the Prince William County Planning Commission duly ordered, advertised, and held a public hearing on July 27, 2022, at which time public testimony was received and the merits of the above-referenced case were considered; and

WHEREAS, the Prince William County Planning Commission finds that public necessity, convenience, general welfare, and good zoning practice are served by recommending approval of this request;

NOW, THEREFORE, BE IT RESOLVED that the Prince William County Planning Commission does hereby close the public hearing and recommend approval of Rezoning #REZ2022-00022, Devlin Technology Park, subject to the proffers dated July 1, 2022, finding it in substantial conformance with the location, character, extent of the Comprehensive Plan, and with the following below recommendations.

The Applicant shall:

- Provide building elevations and meet with Supervisor Lawson and Commissioner Gordy prior to the Board of County Supervisors public hearing.
- Provide a proffer to ensure that no buildings exceeding 80 feet are constructed within the Amberleigh Station Community viewshed.
- Provide a proffer requiring an interparcel connection to Bristow Commons Shopping Center if the Property is not developed for data center or secured-campus use.
- Prior to the approval of the site plan for the Property, the Applicant shall commission a Sound Study that is specific to the proposed site layout and building type. This Sound Study shall include recommendations for any necessary mitigation measures.
- The Applicant will provide a proffer stating any data center and all noise emanating equipment, including heating and cooling equipment on the Property, shall comply with Chapter 14 of the Prince William County, Virginia Code of Ordinance.
- Provide a proffer pertaining to pre-blast procedures and notifications to abutting neighborhoods and residences within 500 feet of the project site.
- Address with staff the environment and community design weaknesses listed in the staff report.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Prince William County Planning Commission does hereby recommend approval of amending the Data Center Opportunity Zone Overlay District to include property addressed as 9000 Devlin Road, 8900 Devlin Road, and 12615 Fog Light Way; and identified on County maps as GPINs 7496-51-8372, 7496-63-4146, and 7496-65-8860.

ATTACHMENT: Proffer Statement, dated July 1, 2022

Votes:

Ayes: Brown, Gordy, Kuntz, McPhail, Moses-Nedd

Nays: Berry

Abstain from Vote: None

Absent from Vote: None

Absent from Meeting: Fontanella, Perry

MOTION CARRIED

Attest:



Antoinette Brzyski
Acting Clerk to the Planning Commission



PRINCE WILLIAM
COUNTY

Devlin Technology Park Rezoning #REZ2022-00022

Brentsville Magisterial District

Scott F. Meyer
Planning Office



Devlin Technology Park, #REZ2022-00022



❑ **Request:** 2-part Rezoning

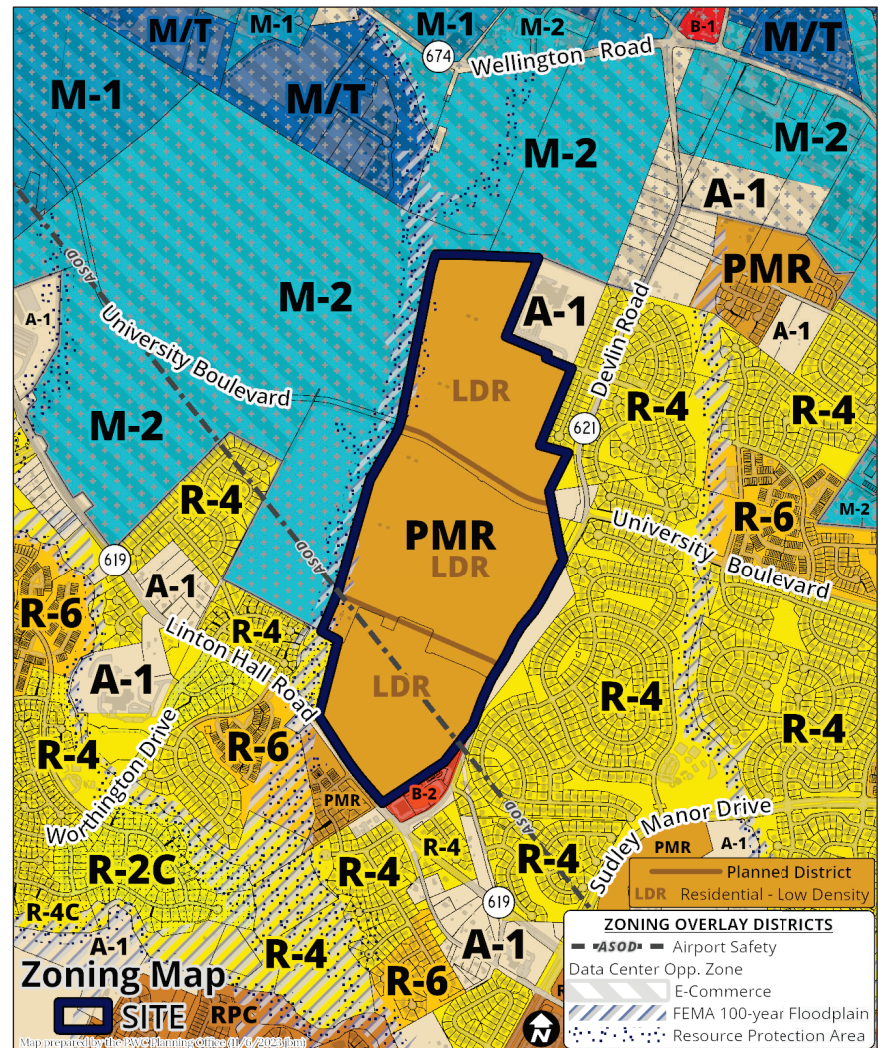
1. To rezone ±270 acres from PMR, Planned Mixed Residential, to M-2, Light Industrial, to allow for the development of up to a 0.30 floor area ratio (FAR) of data center space/use, including electric substations, a provision for the dedication of a new public park site, and to modify the building height for data center buildings from 60 feet to 81 feet (including rooftop mechanical equipment and screening walls).
2. To amend the map of the Data Center Opportunity Zone Overlay District (DCOZOD) to incorporate parcels associated with the subject application into the DCOZOD.

❑ **Location:** ±370 feet northwest of the corner of Devlin Road and Linton Hall Road; and is currently addressed as 9000 Devlin Road, 8900 Devlin Road, and 12615 Fog Light Way.

❑ **Recommendation:** Approval



PRINCE WILLIAM
COUNTY

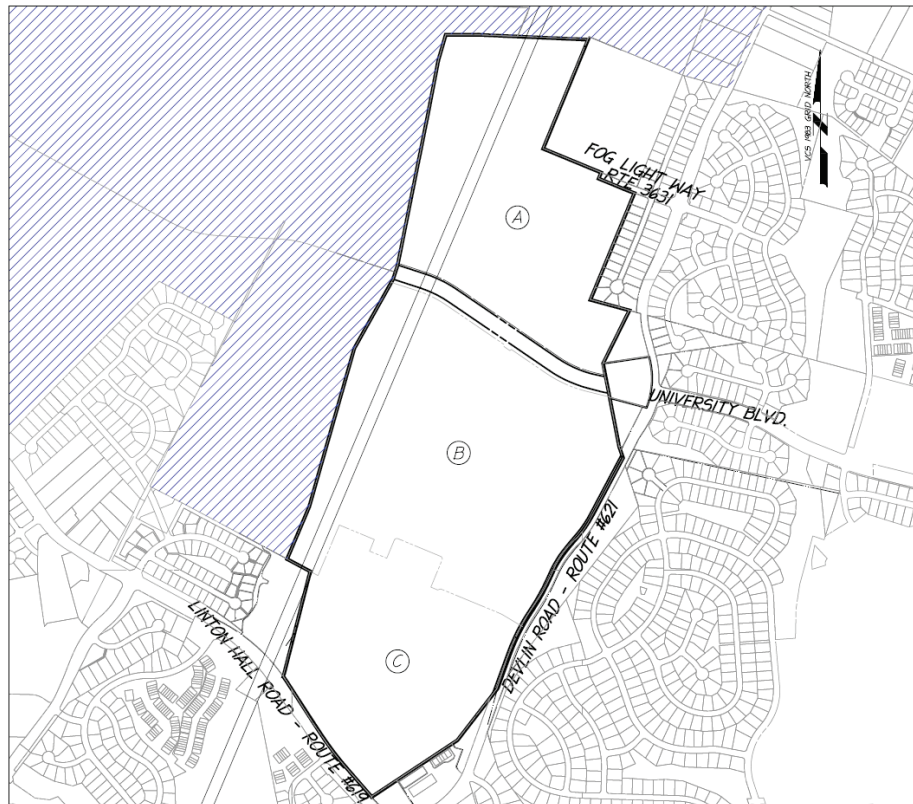


Devlin Technology Park, #REZ2022-00022



PRINCE WILLIAM
COUNTY

CURRENT DATA CENTER OPPORTUNITY ZONE OVERLAY DISTRICT



PROPOSED DATA CENTER OPPORTUNITY ZONE OVERLAY DISTRICT



PARCEL INFORMATION

PARCEL	G/P/N	AREA	CURRENT ZONE	PROPOSED ZONE	OWNER
PARCEL A	TAP-45-0660	12.77 ACRES	PPR	P1-2	STANLEY MARTIN HOPES, LLC
PARCEL B	TAP-45-0468	11.14 ACRES	PPR	P1-2	STANLEY MARTIN HOPES, LLC
PARCEL C	TAP-51-0372	65.54 ACRES	PPR	P1-2	STANLEY MARTIN HOPES, LLC
TOTAL AREA		89.45 ACRES			

OWNER'S ADDRESS:
STANLEY MARTIN HOPES, LLC
1420 PARK MEADOW DRIVE, SUITE 100 NORTH
CHATELAIN, VIRGINIA 20151

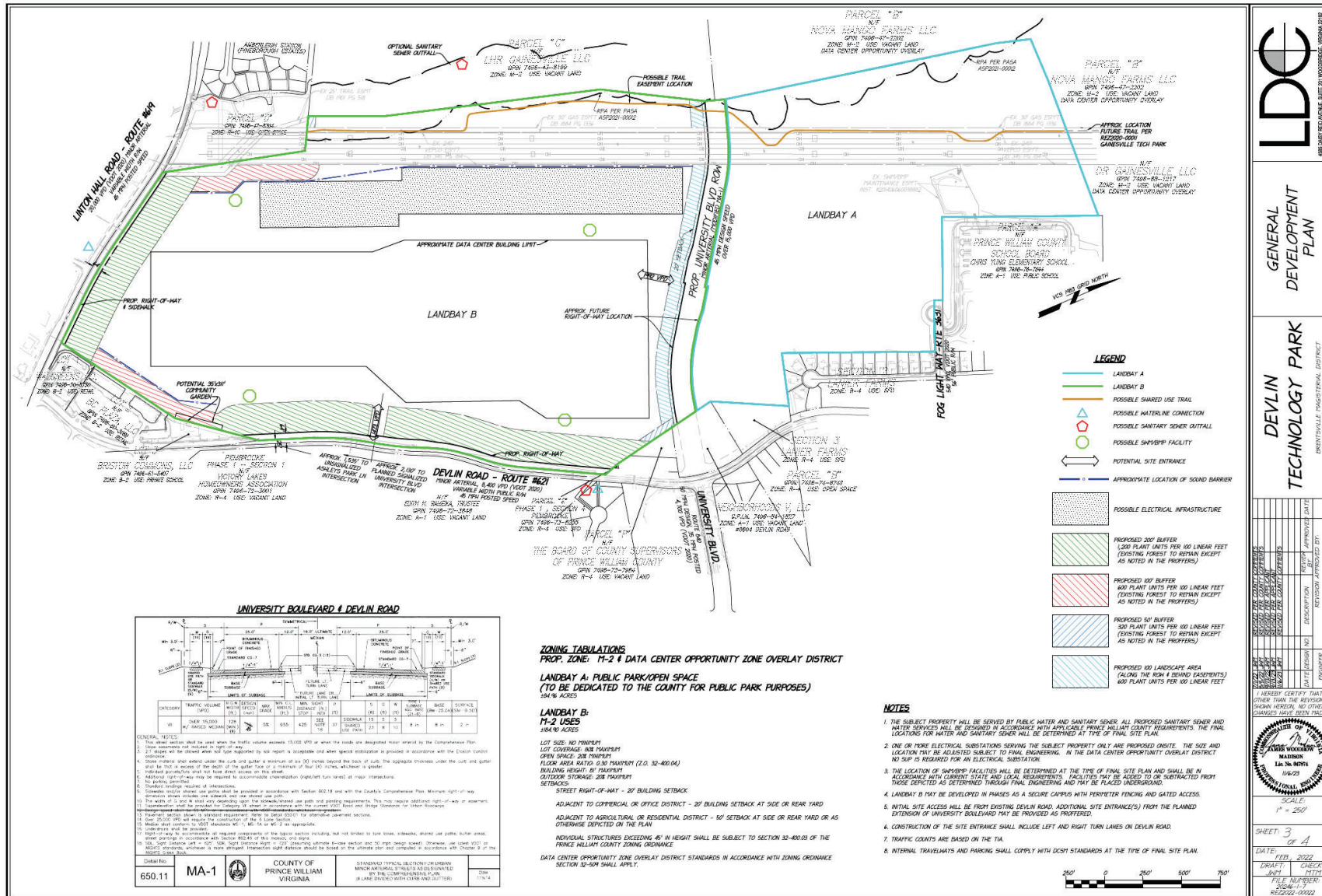
NOTES:

- THE PRINCE WILLIAM COUNTY GEOGRAPHIC PARCEL IDENTIFICATION NUMBERS (G.P.I.N.) FOR THE PROPERTIES SHOWN HEREON ARE TAP-51-0372, TAP-45-0468 AND TAP-45-0660 AND ARE CURRENTLY ZONED PPR PER RES2004-0000A.
- TITLE REPORT FURNISHED BY STEWART TITLE GUARANTY COMPANY, FILE NUMBER FE-AS76-0004, EFFECTIVE DATE: MAY 27, 2020.
- THE PROPERTY SHOWN HEREON LIES WITHIN A ZONE "M", NO BASE FLOOD ELEVATIONS DETERMINED WITHIN THE 100-YEAR FLOOD AND ZONE "M", AN AREA DETERMINED TO BE OUTSIDE THE 100-YEAR FLOODPLAIN, AS DELINEATED ON FLOOD INSURANCE RATE MAP NO. 130500001-0, PANEL #1 OF 300, WITH AN EFFECTIVE DATE OF JANUARY 5, 1995.
- THE PLAT OF THE PROPERTY SHOWN HEREON IS REFERENCED TO THE VIRGINIA COORDINATE SYSTEM OF 1983 (VCS83) AS CORRELATED FROM A FIELD SURVEY WHICH TIES THIS BOUNDARY TO PRINCE WILLIAM COUNTY MONUMENT PIN# (488377).
- THE GRID FACTOR (ELEVATION FACTOR X SCALE FACTOR) WHICH HAS BEEN APPLIED TO THE FIELD DISTANCES TO DERIVE THE REFERENCED COORDINATES IS 0.9999999999 UNLESS OTHERWISE STATED THE PLAT DISTANCES SHOWN ARE INTENDED TO BE HORIZONTAL DISTANCES MEASURED AT THE MEAN ELEVATION OF THIS SUBDIVISION. THE BEARINGS SHOWN ARE REFERENCED TO VCS 1983 NORTH. THE FOOT DEFINITION USED FOR CONVERSION OF THE PERMANENT COORDINATES IS THE U.S. SURVEY FOOT OR 1 METER = 39.37 INCHES.
- THE SITE LIES WITHIN THE AIRPORT SAFETY OVERLAY DISTRICT AND MUST CONFORM TO THE REQUIREMENTS OF SECTION 32-505.
- REFER TO THE ENVIRONMENTAL CONSTRAINTS ANALYSIS FOR FLOODPLAIN, RPA AND WETLANDS INFORMATION.

Devlin Technology Park, #REZ2022-00022



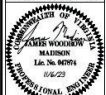
PRINCE WILLIAM
COUNTY



OPEN SPACE
& BUFFER
PLAN

DEVLIN
TECHNOLOGY PARK[illegible]

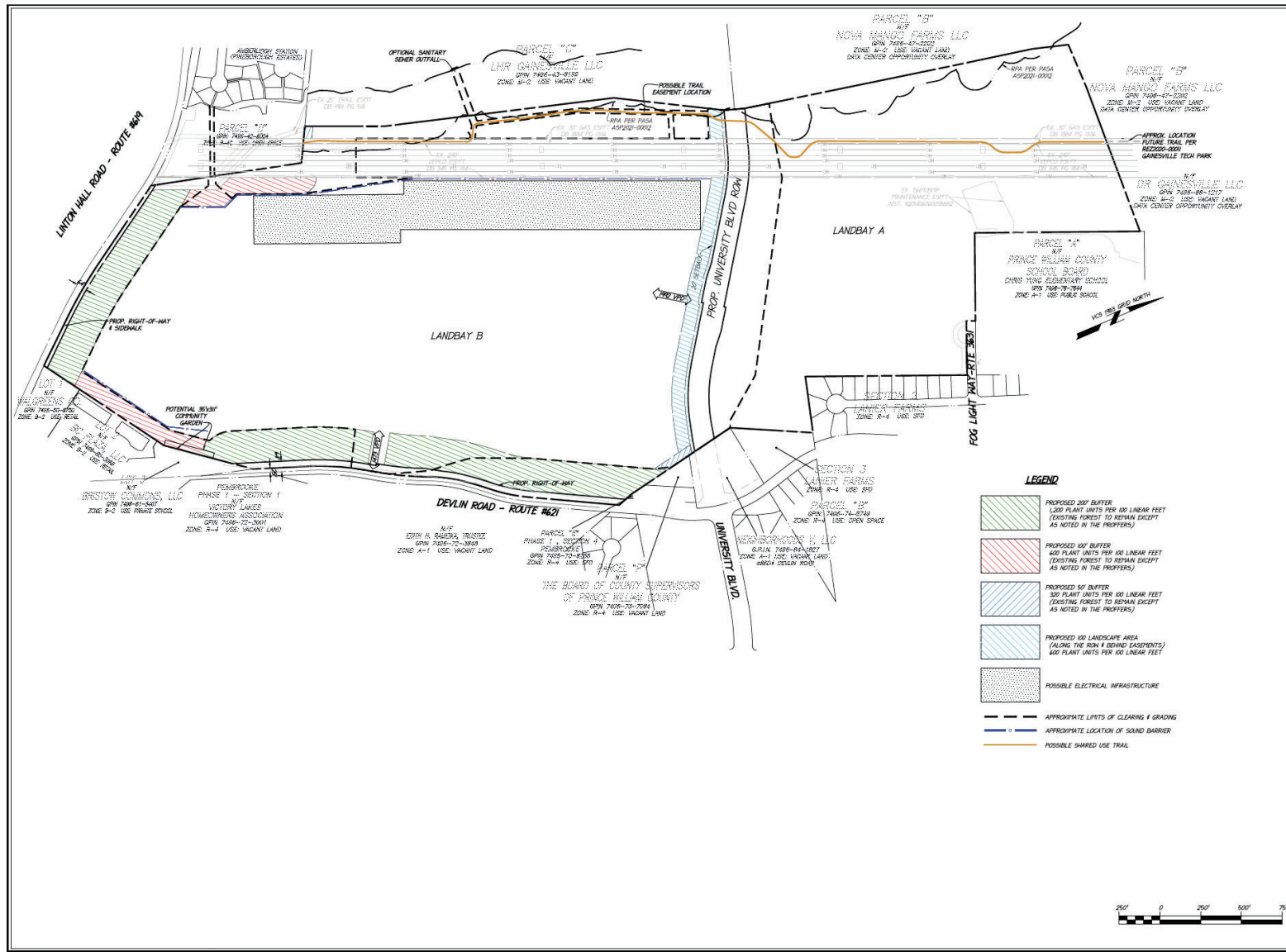
I HEREBY CERTIFY THAT OTHER THAN THE REVISIONS SHOWN HEREON, NO OTHER CHANGES HAVE BEEN MADE



SCALE:
1" = 250'

SHEET: 4
OF 4

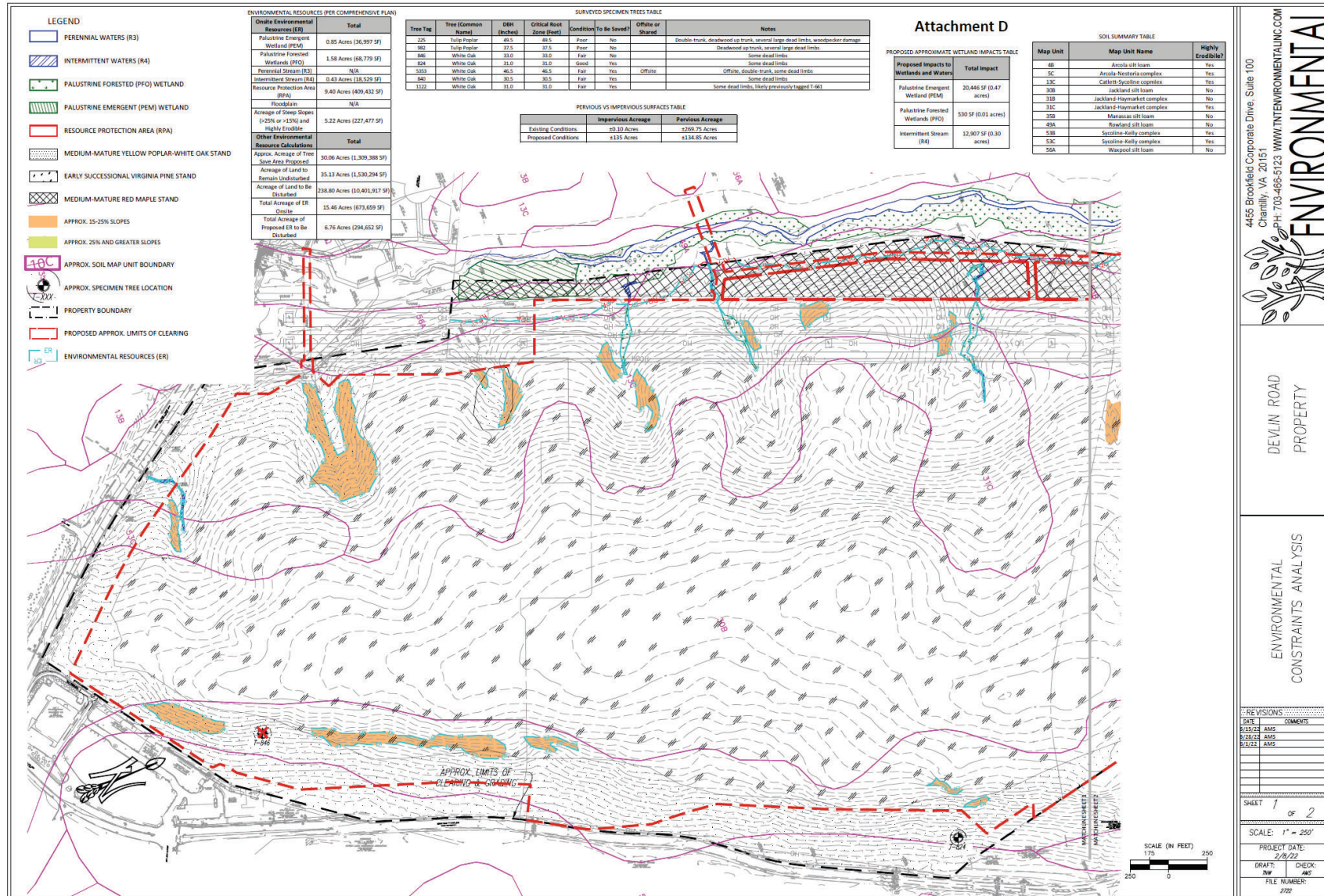
DATE: FEB, 2022	
DRAFT: JWM	CHECK: MTM
FILE NUMBER: 2024-1-7 REZ2022-00022	



Devlin Technology Park, #REZ2022-00022



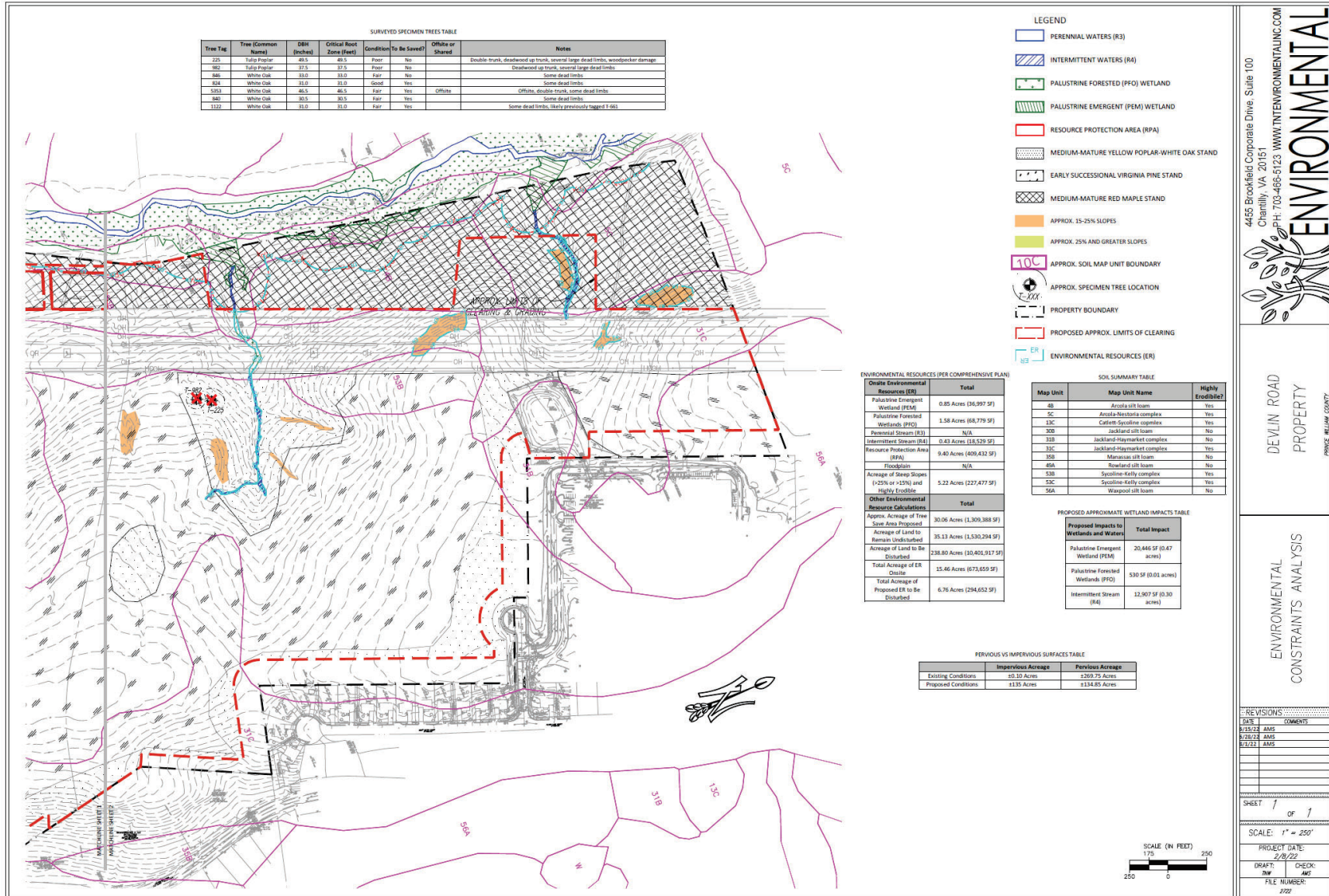
PRINCE WILLIAM
COUNTY



Devlin Technology Park, #REZ2022-00022



PRINCE WILLIAM
COUNTY

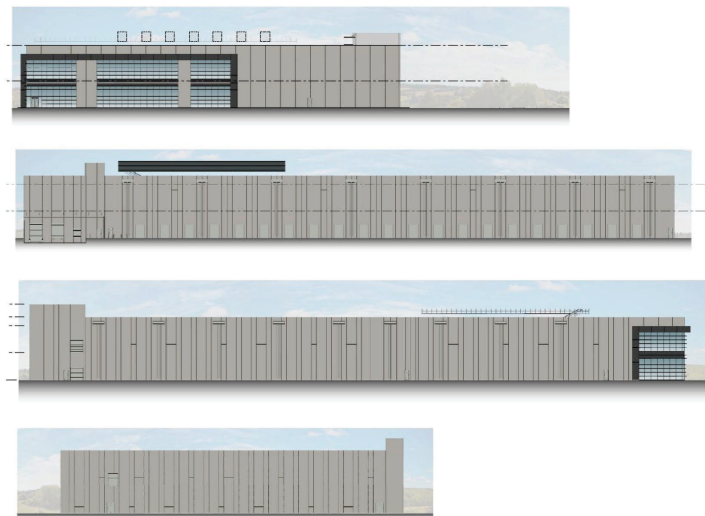


Devlin Technology Park, #REZ2022-00022

Example of two-story building



Example of two-story building



Devlin Technology Park, #REZ2022-00022

Examples of three-story building



Example of three-story building



Devlin Technology Park, #REZ2022-00022

Examples of facades facing and visible from Amberleigh Station, Silver Leaf, or University Boulevard



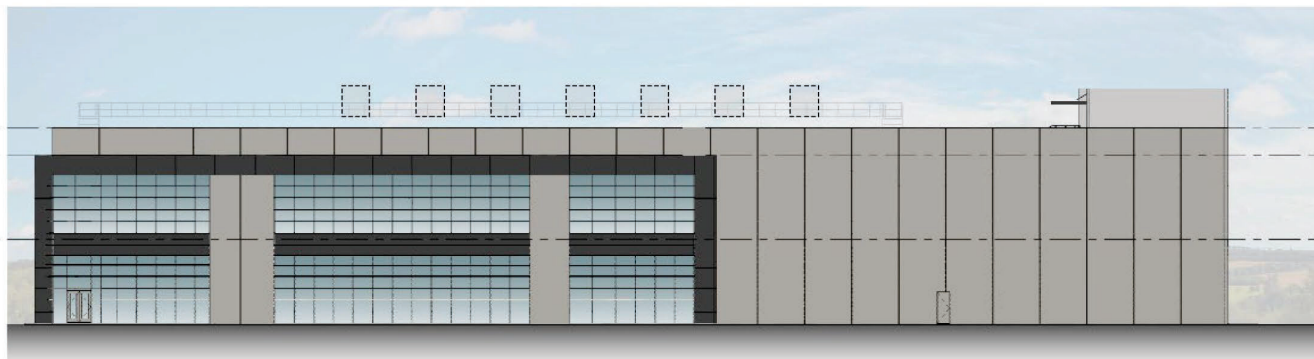
1 PROPOSED EXTERIOR ELEVATION (FRONT)



2 PROPOSED EXTERIOR ELEVATION (OFFICE / ENTRY)

3 PROPOSED EXTERIOR ELEVATION

Examples of facades facing and visible from Amberleigh Station, Silver Leaf, or University Boulevard



Devlin Technology Park, #REZ2022-00022



Recommendations:

- ❖ **Planning Commission: Approval** of #REZ2022-00022, Devlin Technology Park, subject to the proffers dated July 1, 2022, and #CPA2022-00015, Devlin Technology Park; and with recommendations to address. *(CPA is no longer relevant with updated Comprehensive Plan.)*
- ❖ **Staff: Approval** of #REZ2022-00022, Devlin Technology Park, subject to the proffers dated November 6, 2023, for the following reasons:
 - The proposed zoning request directly implements long-range land use of I-3, Technology/Flex Industrial.
 - The site abuts existing M-2, Light Industrial, zoning that is proffered to contain a data center campus.
 - The proposal will deliver a data center campus, which is identified as a “targeted industry” that favorably aligns with strategic goals for economic development and the adopted Strategic Plan goal non-residential tax base for the County.
 - The proposed extension of the DCOZOD boundary is consistent with the goals of the overlay district to minimize impacts on abutting residential uses.
 - The proposed rezoning, as proffered, appropriately mitigates impacts to abutting uses.
 - The site abuts the existing Data Center Opportunity Zone Overlay District (DCOZOD) and an approved data center use, which is under development. As such, it is among similar uses in the area context.
 - The site abuts existing power infrastructure that would allow minimal impacts to abutting residential land uses.