

**RZ 2022-SU-00019
SE 2022-SU-00038
PDCREF 2 Chantilly LLC**

COMMUNITY MEETING NOTES

- Development Review Process. Zoning applications generally go through the following process.
 - An optional pre-application consultation request may be filed for any application in order to get preliminary staff feedback.
 - This applicant submitted this request and received feedback from staff on June 3, 2022.
 - Next, the application is filed and accepted for review once conformance with minimum filing requirements is determined.
 - This proposed Rezoning/Special Exception application was accepted for review on December 19, 2022.
 - Next, the application is scheduled for a Planning Commission public hearing date and enters the development review process.
 - Rezoning applications are analyzed for conformance with all applicable requirements of the adopted Zoning Ordinance.
 - Rezoning applications are analyzed for conformance with the adopted Comprehensive Plan, which defines the planned land uses for the property, addresses compatibility with the surrounding area, as well as other policy guidance.
 - Applications are also reviewed by the subject matter experts of several agencies.
 - Department of Planning and Development (DPD), Zoning Evaluation Division (ZED)
 - DPD, Environment Development Review Branch (EDRB)
 - Fairfax County Department of Transportation (FCDOT)
 - Virginia Department of Transportation (VDOT)
 - Fairfax County Park Authority (FCPA)
 - Land Development Services (LDS), Site Development and Inspections Division (SDID)

- LDS, Forest Conservation Branch
 - Department of Public Works and Environmental Services (DPWES), Wastewater Planning and Management Division (WPMD)
 - Fairfax Water
- Based on agency comments and analysis of the Zoning Ordinance and Comprehensive Plan, staff typically makes a series of recommendations to the applicant and identifies any issues with the application that should be addressed.
 - The applicant typically responds with a resubmission and draft proffers to address anticipated impacts of its development. This review cycle may occur several times.
 - Two weeks prior to the scheduled Planning Commission hearing, staff issues a Staff Report containing analysis of the Zoning Ordinance, Comprehensive Plan, and Agency Memos. The Staff Report recommends approval or denial, and discusses any outstanding comments not yet addressed.
 - The staff report for this application was issued on June 14, 2023 (because the Planning Commission hearing had originally been scheduled for June 28, 2023 but was pushed back to September 20).
 - In preparation for the public hearing, the required notice letters are sent to adjacent properties to notify them of the upcoming public hearings.
 - A public hearing before the Planning Commission occurs with the opportunity for in person or virtual public testimony. Due to recent state law changes, the Planning Commission will sometimes hold an additional hearing, but the testimony given during the first hearing remains part of the record. Ultimately, the Commission provides a recommendation to the Board of Supervisors.
 - The Planning Commission hearing for this application is scheduled for September 20, 2023, at 7:30 PM, at the Board Auditorium of the Fairfax County Government Center.
 - Following this, the Board of Supervisors holds its own public hearing with the opportunity for in person or virtual testimony, and the application may be approved (typically subject to the adoption of signed proffers) or denied.

- If the application is approved, the project may move forward with the submission of the Site Plan, a plan detailing the final engineering. Final review is conducted by the applicable county agencies to determine conformance with all applicable requirements and proffers.
 - Proffers are voluntary conditions offered by the applicant; if accepted by the Board, they become binding conditions that govern the development and use of the property.
 - The Zoning Ordinance and proffers are enforced during review of the site plan and the non-Residential Use Permit. Once the use is established, the Department of Code Compliance enforces the zoning regulations and proffers.
- Current Approval for the Subject Property. The subject property is currently zoned to the C-8, I-3, and I-5 districts and approved only for the following uses: 40,000-square-feet of Vehicle Sales, Rental and Ancillary Service on the northern portion zoned C-8, and 20,000-square feet of New Vehicle Storage, Used Vehicle Storage, Vehicle Major Service, and Vehicle Light Service Uses on the southern portion zoned I-5.
- Proposed Rezoning/Special Exception. The applicant is now requesting approval of a rezoning of 12.1 acres of land from the I-3, I-5, and C-8 Zoning Districts to the I-5 Zoning District to permit the development of one of two options.
 - Option 1 is a Data Center development with 402,000 square feet, and a Floor Area Ratio (FAR) of 0.8. A Special Exception is also proposed for Option 1 to allow an increase in building height from 75 feet to 110 feet.
 - Option 2 is a Warehouse development with 150,000 square feet, and an FAR of 0.3.
- Key Issues. Some of the issues that were discussed in the staff report include:
 - Compatibility with Surrounding Area and Comprehensive Plan.
 - The property is located in Land Unit H of the Dulles Suburban Center. It is planned for “industrial, research and development, and industrial/flex uses at an intensity up to a maximum of .35 FAR.” The proposed uses are industrial uses, which are compatible with this base recommendation.
 - For the Data Center option, due to the higher proposed FAR of 0.8, it was reviewed using the Guidelines for Higher Intensity within Areas Planned for Industrial Use.

- Height and FAR. Based on evaluation of a sight line study, architectural elevations, site layout, and the extent of the vegetated buffering around the site, staff identified no adverse impacts from the proposed height/FAR.
 - Overall, considering 1) the Comprehensive Plan industrial designation, 2) the adjacent uses, which are industrial, commercial, and open space; 3) the significant setbacks and buffering around the property, as well as other items discussed in the staff report, staff considered the site an appropriate location for a data center or a warehouse, and either use compatible with the surrounding area.
- Noise. With regard to noise generated from the proposed data center, a noise study has been provided by the applicant and reviewed by staff. This study demonstrates that the Noise Ordinance will be met. The applicant's draft proffers include commitments to a pre-construction noise study to be completed at final engineering, and a post-construction noise study to ensure that the noise limits are enforced. Based on the conformance with the Noise Ordinance and these additional commitments, no adverse noise impacts were identified.
- However, in addition, staff continues to recommend that: since projected noise levels are below the regulatory limit, the applicant proffer to commit to the decibel levels that are predicted during the pre-construction acoustical analysis, such that those reduced levels would then be the established maximums for the use.
 - In addition, the applicant is recommended to clarify the number of generators and address how this impacts the results of the noise study.
- Resource Protection Area. Through the development review process, the applicant has revised their plan to reduce encroachment into the RPA on Parcel 6 to address staff recommendations. The Resource Protection Area will be preserved in conformance with the Chesapeake Bay Preservation Ordinance. The applicant has also provided graphics showing the proposal will have significantly less disturbance in the RPA, and impervious area, than the current approval.
- The applicant is also considering dedicating the portion of Parcel 6 not subject to this application to the Park Authority; the current draft proffers include a condition addressing this option.

- Per staff request, the applicant has provided information on the handling, storage, and spill containment of the fuel system, which I expect they will address in their presentation.

However, the following additional comments are provided:

- The applicant is recommended to make certain revisions to their proffers to require fencing along the RPA, and to clarify their invasive species proffer.
 - In addition, the Park Authority has commented that if dedication occurs, the applicant should provide removal of any running bamboo, trash, or hazardous materials prior to dedication and address this in the proffers.
- Traffic. The applicant has provided FCDOT a right turn lane analysis that includes trip generation information. The Route 50 entrance and turn lane, as well as the secondary access via the Auto Park, will provide adequate and safe access to the property. In both proposed development options, FCDOT and VDOT have determined that the trips generated will not negatively impact the road network. A circulation map showing the proposed truck route for the warehouse has been provided by the applicant and reviewed by FCDOT. No adverse impacts to traffic in the surrounding area have been identified.
 - Infrastructure. Water, wastewater, and stormwater infrastructure have undergone preliminary review by the appropriate county agencies and have been determined sufficient at this stage. Detailed review and approval of these facilities will occur during the site plan process.
 - Wastewater. With regard to wastewater, staff has consulted further with Wastewater Planning and Management Division. At the time of site plan, the Applicant will perform a final sanitary sewer capacity analysis which will provide water data quality on the concentrations of chemicals such as bromide, chloride, fluoride, and sodium in the wastewater from the proposed data center, in order to determine if pretreatment of wastewater will be required prior to discharging to the County sewer system. Should there be a need for pretreatment, the Applicant will provide the required pretreatment of the wastewater after approval by the Wastewater Planning and Monitoring Division. We are recommending a proffer to reinforce these requirements.
- Staff has determined conformance with the applicable Zoning Ordinance and Comprehensive Plan provisions subject to the applicant's proposed proffers and has recommended approval. However, staff continues to encourage the applicant

make additional changes, and is working with them to address outstanding issues.

- Prior to the Planning Commission meeting, a Staff Report Addendum will be issued summarizing any updates to the proposal.