

**BOARD OF SUPERVISORS
PUBLIC HEARING
STAFF REPORT**

SUBJECT: LEGI-2023-0059, Greenlin Park: ZMAP-2022-0024

ELECTION DISTRICT(S): Leesburg

STAFF CONTACT(S): Marchant Schneider, Planning and Zoning
Daniel Galindo, Planning and Zoning

APPLICANT: JK Land Holdings II LLC

PURPOSE: To consider a Zoning Map Amendment (ZMAP) to rezone an approximately 81.17-acre property from the Transitional Residential – 10 (TR-10) and Joint Land Management Area – 20 (JMLA-20) Zoning Districts to the Industrial Park (IP) Zoning District to develop 2,121,661 square feet (SF) of data center and utility substation uses.

RECOMMENDATION(S):

Planning Commission: At the Planning Commission (Commission) Work Session on [July 30, 2024](#), the Commission forwarded (6-2-1: Jasper and Madireddy opposed; Combs absent) the application to the Board of Supervisors (Board) with a recommendation of approval, subject to amendments agreed to by the applicant regarding additional building fenestration and commitments to continue to research and apply renewable energy options.

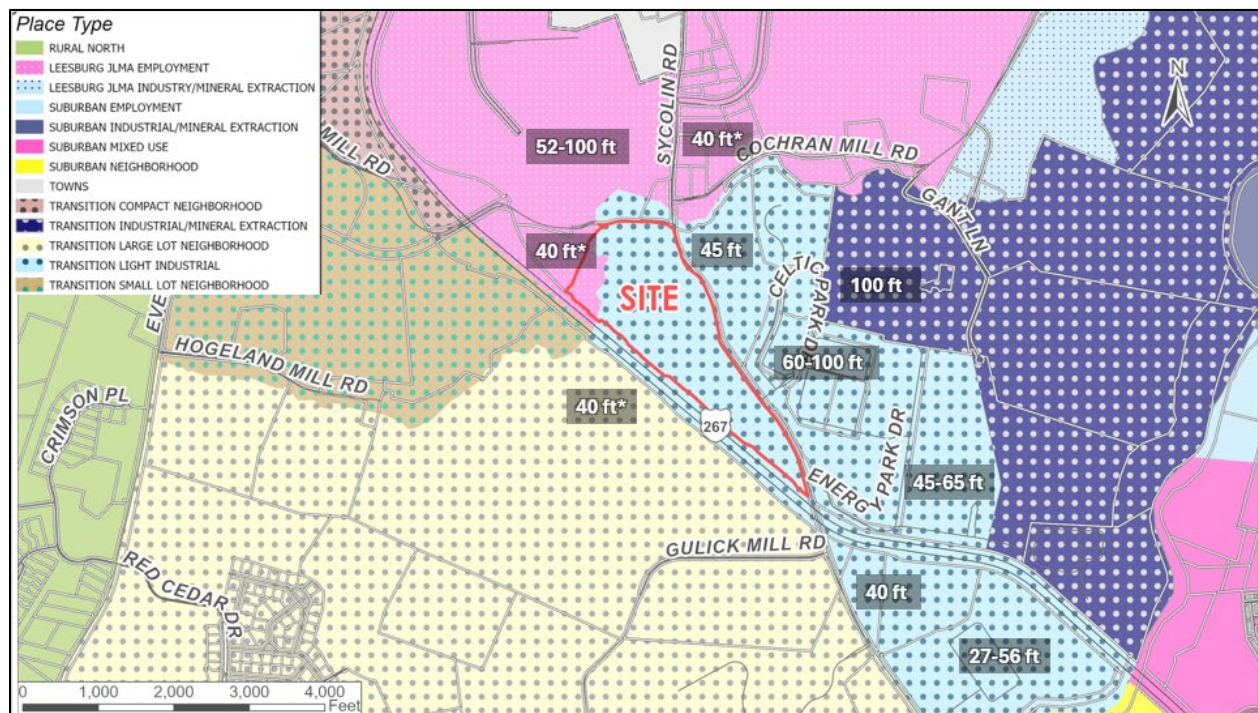
Staff: Staff does not support Board approval of the application. As proffered, the proposal is inconsistent with the design recommendations envisioned for the Transition Light Industrial (TLI) Place Type of the *Loudoun County 2019 General Plan* (2019 GP). Without specificity of site layout and/or building elevations, staff cannot determine that the intended transitional nature of uses within the TLI Place Type are consistent with the 2019 GP. Additionally, the proposed building heights exceed the height limit anticipated in the TLI Place Type.

The Office of the County Attorney has not approved the Proffer Statement (Proffers) (Attachment 2) to legal form. The application is not ready for action.

ZMAP-2022-0008	Aligned Energy Data Center	SIME	Up to 4	99.5 feet
ZMAP-2022-0014	Defender West	SMU (Suburban Mixed Use)	2-8	70 feet
ZRTD-2021-0008	1501 Moran Road	SE (Suburban Employment)	2-8	74 feet
LEGI-2023-0070	Hiddenwood (active)	SN (Suburban Neighborhood)	Up to 4	N/A

The proposed IP Zoning District allows buildings up to 60 feet in height, which is 24 feet taller than what is anticipated in the TLI Place Type. Staff notes the proposed building height is also 15 feet taller than the 45-foot height permitted for development of a distribution facility on the opposite side of Sycolin Road.⁵ Building heights of surrounding developments are included in Figure 3.

Figure 3. Surrounding Building Heights by 2019 GP Place Type.



*Indicates active legislative applications

⁵ ZMAP-2019-0010 & SPEX-2019-0022, Sycolin Road Distribution Facility, approved on [November 16, 2021](#).

square footage permitted for the Data Center and Data Center Mechanical Equipment uses on the Property shall be limited to 2,121,661 square feet of gross floor area square feet, subject to any increase in square footage permitted by Special Exception and Zoning Concept Plan Amendment for which the requisite approval is granted by the County.

II. BUILDING AND SITE DESIGN

A. Building Design. The below requirements shall apply to the building design of data center buildings constructed on the Property. For purposes of this proffer, principal building facades shall be defined as all building elevations facing Sycolin Road and the Dulles Greenway abutting the Property as shown on Sheet 03 of the CDP (the “Principal Building Facades”).

a. Building Façade. Unless otherwise specified in this Proffer II, each Principal Building Façade shall incorporate the following design elements:

- i. A minimum of two distinct exterior surface materials and/or patterns as the primary façade material(s), which may be accomplished using changes in textures, indentations, and/or etching of pre-cast concrete panels, or using a minimum of two different materials listed in Proffer II.A.c.
- ii. A minimum of one step-back or recessed plane of at least four feet in depth that extends from the ground level to the top of the building. The step-back or recessed plane shall extend horizontally across the Principal Building Façade at a minimum of 25% of the Principal Building Façade.
- iii. A variation of a minimum of two feet in the parapet and/or wall height of the building. The varied parapet and/or wall height shall extend horizontally across the Principal Building Façade a minimum of 25% of the Principal Building Façade.
- iv. A minimum of two of the following features shall be included: windows, wall articulation, material and/or color changes, and changes, awnings, and/or canopies.
- v. All Principal Building Facades shall be consistent with each other in terms of design, materials, details, and treatment when a building has more than one Principal Building Façade.

b. Building Entrance. When the primary entrance of a building is located on a Principal Building Façade, the primary entrance shall be highlighted with an entry feature such as an awning, roof feature, trellis, or other decorative

- i. Fenestration must comprise at least 30% of the total surface coverage area of the Principal Building Façade and located in separate, individual placement or clustered bays. Each placement or bay may count toward no more than 7.5% of such total surface coverage area.
 - ii. The placement pattern of individual or clustered bays of fenestration must be distributed horizontally and vertically across the Principal Building Façade; and
 - iii. The Fenestration must be compatible with the other design, materials, details, and treatment used on the same Principal Building Facade.
- e. Principal Building Façade Consistency. Building elevations and/or architectural drawings shall be submitted to the Zoning Administrator with the first site plan application for each new building on the Property for review and approval to confirm substantial conformance with this Proffer II.A. The Owner shall obtain the Zoning Administrator's approval of the elevations and/or drawings prior to the approval of the applicable site plan application.

B. Mechanical Equipment.

- a. Ground Level and Roof Top Mechanical Equipment. To minimize the visibility of ground level and roof top mechanical equipment from adjacent public roads, the Dulles Greenway, and adjacent properties, all mechanical equipment, with the exception of generators which are referenced separately in Proffer II.B.b., shall be screened on all four sides by an opaque fence, screen wall or panel, parapet wall, or other screening compatible with those materials used in the exterior construction of the building. The effectiveness of this screening shall be evaluated when viewing the Property from the existing grade of adjacent public roads and the existing grade of adjacent properties. The use of chain link fencing for the purpose of mechanical equipment screening shall be prohibited. Screening of ground level and roof top mechanical equipment shall be shown on each site plan, bonded for installation prior to the approval of said site plan, and installed prior to the issuance of the certificate of occupancy for the building.
- b. Generators. All generators shall be located at the ground level, or possibly stacked on top of each other, but shall be prohibited from being located on the roof of the building. All generators shall be screened by an opaque screening treatment that shall be installed with materials consistent with the building

design standards in Proffer II.A. above. Screening for generators shall be shown on each site plan, bonded for installation prior to the approval of said site plan, and installed prior to the issuance of the certificate of occupancy for the building.

- c. Notwithstanding the requirements of this Proffer II.B, ground level and roof top mechanical equipment and generators located in a manner that has no adverse impact on adjacent roads and adjacent properties, as determined by the Zoning Administrator prior to installation of the mechanical equipment, shall not be required to be screened.

- C. Enhanced Sycolin Road Buffer. The Owner shall install a 20-foot-wide Enhanced Type 3 Road Corridor Buffer (the “Enhanced Sycolin Road Buffer”) along the Sycolin Road frontage of the Property as shown on Sheet 05A of the CDP as “20’ ENHANCED TYPE 3 ROAD CORRIDOR BUFFER”. The Enhanced Sycolin Road Buffer shall be shown on the first site plan for the Property, bonded for installation prior to the approval of said site plan, and installed prior to the issuance of the first certificate of occupancy for the Property.

III. TRANSPORTATION

- A. Traffic Signal at Sycolin Road Site Entrance. The Owner shall contact DTCT to prepare a first traffic signal warrant study (signal justification report) (the “First Warrant Study”) at the intersection of Sycolin Road and the site entrance to the Property and pay to the County the applicable fee for preparing the First Warrant Study prior to or concurrent with the first site plan for data center uses on the Property exceeding 900,000 square feet. If the First Warrant Study determines that the signal is warranted and the First Warrant Study is approved by VDOT, the Owner shall design and install the traffic signal in accordance with VDOT standards, including crosswalks with pedestrian-activated crossings, prior to the issuance of the first certificate of occupancy on the Property. The traffic signal, including crosswalks with pedestrian-activated crossings, shall be bonded prior to the approval of the site plan or CPAP showing said traffic signal and installed prior to the issuance of a certificate of occupancy for data center uses on the Property exceeding 900,000 square feet.

If VDOT recommends an innovative intersection control at the intersection, the Owner shall bond the innovative intersection control prior to the approval of the site plan or CPAP showing said innovative intersection control. The Owner shall either (i) agree to design and install the VDOT recommended innovative intersection control in lieu of the traffic signal improvements required by this

In the event the signal is not warranted and VDOT does not recommend innovative intersection control as a result of the Second Warrant Study as provided above, the Owner shall contribute \$500,000 to the County prior to the issuance of the zoning permit for data center uses on the Property exceeding 1,600,000 square feet. If a cash contribution is made to the County pursuant to this proffer, the Owner shall no longer be required to install intersection improvements, and said contribution shall be used for regional road, transportation, or transit projects in the vicinity of the Property.

- B. Sycolin Road Shared Use Path Contribution. The Owner shall provide a one-time payment in the amount of \$342,000.00 to the County prior to the issuance of the first certificate of occupancy for the Property. This contribution is being provided for the primary purpose of contributing to the cost of the construction of the Sycolin Road shared use path along the Property frontage as a part of the future widening of Sycolin Road or to be used at the County's discretion for construction of public roadway or transportation improvements within the vicinity of the Property.
- C. Sycolin Road Right-of-Way Dedication. The Owner shall dedicate to the County, subject to VDOT approval and at no public cost, approximately 102,305 square feet along the Property's Sycolin Road frontage, to provide for right-of-way as shown on Sheet 03 of the CDP as "R.O.W. DEDICATION."
- D. Sycolin Road Right-of-Way Vacation. The Owner shall initiate the application to vacate the approximately 7,077 square foot portion of right-of-way along Sycolin Road as shown on Sheet 03 of the CDP as "R.O.W. VACATION" and shall pay the cost of such vacation of right-of-way. The application, required plats, and legal documents shall be submitted to the County prior to the approval of the first site plan or CPAP application for the Property.
- E. Sycolin Road Entrance Improvements. The Owner shall, subject to the approval of the County and VDOT, design and construct improvements, at no public cost, to Sycolin Road from the Property's frontage to the parking setback along Sycolin Road as shown on Sheet 03 of the CDP to meet minimum VDOT lane width and shoulder requirements and design and install the southbound right turn lane and taper for the Property's entrance on Sycolin Road (the "Property Entrance") as shown in Inset #1 on Sheet 03 of the CDP as "200' RIGHT TURN LANE W/200' TAPER". The Owner shall restripe Sycolin Road to create a northbound left turn lane at the Property Entrance as shown in Inset #1 on Sheet 03 of the CDP as "RE-STRIPING FOR LEFT-TURN LANE". These improvements for the Property Entrance (the "Property Entrance Improvements"), subject to approval of all necessary site plans or CPAPs by the County and VDOT, and any other reviewing

authority, and the granting of any other necessary approvals, shall be shown on and bonded prior to approval of the first site plan or CPAP, whichever is first, for the Property. The Property Entrance Improvements shall be completed prior to the issuance of the first certificate of occupancy for the Property.

- F. Sycolin Road Interim Improvements. The Owner shall, subject to the approval of the County and VDOT, design and construct improvements, at no public cost, to the approximate extent of Sycolin Road as shown in Inset #2 on Sheet 03 of the CDP to bring the variable width southbound lane and shoulder up to VDOT standards to provide a consistent 12-foot-wide travel way and six-foot-wide shoulder. Notwithstanding the foregoing, the Owner shall not make any improvements to Sycolin Road that would impact the Dulles Greenway bridge or guardrail.
- G. Shreve Mill Road Right-of-Way Dedication. The Owner shall dedicate to the County, subject to VDOT approval and at no public cost, approximately 15,428 square feet along the Property's Shreve Mill Road frontage, to provide for right-of-way as shown on Sheet 03 of the CDP as "PROP. ROW." Such dedication shall be made prior to or concurrent with the approval of the first site plan or CPAP, whichever is first, for the Property.
- H. Shreve Mill Road Treatment. Upon the future closure and abandonment of the Shreve Mill Road connection east of the Dulles Greenway by VDOT, the Owner shall, subject to the approval of the County and VDOT, and at no public cost, construct an entrance apron and taper down the curb radius on Shreve Mill Road at its intersection with Sycolin Road as shown on Sheet 03 of the CDP as "SHREVE MILL ROAD TREATMENT" to reduce the entrance width and discourage use (the "Shreve Mill Road Improvements"); provided, however, that the Owner shall not be required to complete the Shreve Mill Road Improvements if the future closure and abandonment of the Shreve Mill Road connection east of the Dulles Greenway occurs later than the first site plan approved for the Property.
- I. Electric Vehicle ("EV") Charging Stations. The Owner shall provide a minimum of two EV charging stations on the Property. Such charging stations shall be fully wired and functional, and a fee associated with providing the EV charging service may be charged. The two EV charging stations shall be shown on and bonded prior to approval of the first site plan for the Property. The charging stations shall be installed and available for use prior to the issuance of the certificate of occupancy on the Property.

- J. Vehicle Turnaround Lanes. The Owner shall show the Property Entrance and associated turnaround areas and security checkpoint/gate locations on the first site plan for the Property. The vehicle turnaround areas located between any security checkpoint/gate and Sycolin Road shall be bonded prior to approval of said site plan and open to use prior to the issuance of the first certificate of occupancy on the Property.

IV. ENVIRONMENTAL AND DESIGN

- A. Optimized Performance Strategies for Data Center Building. The Owner shall utilize the below performance strategies to reduce energy and water usage associated for any Data Center uses on the Property. Information detailing compliance with this Proffer shall be submitted prior to the approval of each site plan for a data center building on the Property. The Optimized Performance Strategies shall consist of the following:
- a. Low Water Usage Cooling Systems, defined as use of an air-cooled or adiabatic chiller plant to reduce cooling water usage.
 - b. Low Flow Plumbing Fixtures, defined as use of low-flow or ultra-low-flow plumbing fixtures, limited to no more than 0.5 gallons per minute (“gpm”) for faucets, 1.28 gallons per flush (“gpf”) for water closets, 0.5 gpf for urinals for all restrooms.
 - c. LED light fixtures including advanced zoned lighting controls with occupancy sensors.
 - d. Building Management System, consisting of a computer system that monitors and controls the building's physical environment, including temperature, humidity levels, and air quality sensors.
 - e. A minimum of two strategies developed for Leadership in Energy and Environmental Design (LEED) by the US Green Building Council, or equivalent environmental strategies, proposed by the Owner and deemed acceptable by the Zoning Administrator.
- B. Low-Impact Development (LID). The Owner shall provide a minimum of five volume reducing Low Impact Development (“LID”) Best Management Practices to treat stormwater from the project as specified by the VA BMP Clearinghouse and may include, but shall not be limited to, water quality swales, bioretention facilities/rain gardens, sheet flow to vegetated buffers, permeable pavement for

and DWR on the review of the Habitat Study. If DCR or DWR finds that a species-specific survey is warranted due to the land disturbing activities on the Property that may affect wood turtle habitats, the Owner shall provide this finding to the B&D and shall perform this species-specific survey and submit it to DCR or DWR, as applicable, with a copy to B&D. If found applicable by DCR or DWR, the Owner shall implement any recommended protective measures prior to the approval of the first grading permit on the Property. If the limits of clearing and grading change on the Property, the Owner shall provide a copy of the Notice of Planned Change (“NOPC”) that has been submitted to the Virginia Department of Environmental Quality (“DEQ”) and/or the U.S. Army Corps of Engineers (“USACE”), as applicable, to B&D. Upon approval by DEQ/USACE of the NOPC, a copy of the updated Virginia Water Protection Permit issued by DEQ shall be provided to B&D.

- O. Solar Tree and Solar/Wind Light Poles. The Owner shall install a solar tree and at least five solar/wind light pole(s) (the “Solar Facilities”) per building on the Property. The exact number and location of the Solar Facilities shall be shown on the first site plan for the Property, bonded with said site plan, and installed prior to the first certificate of occupancy on the Property.
- P. Pollinator Meadow Plantings Within Utility Easement. Subject to approval by the utility provider, the Owner shall seed the easement area shown on Sheet 05A of the CDP as “APPROXIMATE AREA OF ELECTRIC EASEMENT POLLINATOR PLANTINGS” (“Pollinator Planting Areas”) with a native, locally appropriate meadow seed mix, and provide interspersed pollinator garden plantings utilizing a mix of native, transmission line appropriate shrubs, containerized perennials, and meadow seed mix. At time of first site plan or CPAP, whichever is first, the Owner shall submit a Native Pollinator Planting Management Plan for review and approval by the Natural Resources Team that addresses site preparation, species selection, planting/establishment, maintenance, and invasive species control. The Pollinator Planting Areas shall be shown, and plant species within the Pollinator Planting Areas listed, on the first site plan or CPAP for the Property, bonded for installation with the County prior to approval of said site plan or CPAP, and installed during a planting season between March through May or September through November that occurs prior to the issuance of the first certificate of occupancy on the Property. The Pollinator Planting Areas shall be maintained by the Owner.

V. PROPERTY AMENITIES

- A. Bicycle Racks. The Owner shall provide a minimum of two inverted U style bicycle racks at the entrance of each building located on the Property, each of which shall

encroachments within the easement shall be limited to the location of utilities and road crossings. The Sycolin Creek Trail Easement shall not conflict with any areas subject to existing or proposed easements, reservations, or dedications. The location of the Sycolin Creek Trail Easement shall be field located in coordination with County staff and said easement shall be shown on the first site plan or CPAP, whichever is first, for the Property and granted to the County within 90 days of the County's request, or prior to the approval of the first site plan or CPAP for the Property, whichever is later.

VI. FIRE, RESCUE AND EMERGENCY SERVICES

- A. One-Time Contribution. The Owner shall make a one-time cash contribution prior to approval of each zoning permit on the Property in the amount of Twenty-Six Cents (\$0.26) per square foot of non-residential floor area which shall be paid to the County for distribution by the County to the volunteer fire and rescue companies providing service to the Property. The amount of the contribution will be adjusted on a yearly basis from the base year of 2024 and change effective each January 1 thereafter, in accordance with changes to the Consumer Price Index, for all urban consumers (CPI-U), 1982-1984=100 (not seasonally adjusted), as published by the Bureau of Labor Statistics, U.S. Department of Labor, for the Washington-Arlington-Alexandria, DC-VA-MD-WV Consolidated Metropolitan Statistical Area (the "CPI"). The contributions will be used for capital improvements and apparatus acquisition necessary for fire and rescue operations by volunteer companies. Contributions pursuant to this paragraph shall be divided equally between the fire and rescue companies providing service to the Property. Notwithstanding the foregoing, if at the time of the application for a zoning permit, the primary servicing fire and rescue companies do not utilize, to any significant extent, either volunteer staff or apparatus owned by a volunteer organization, then the Owner may elect to make no contribution. If only one of these services has ceased to utilize significant volunteer staff and apparatus, then the contribution shall be halved and shall be provided to the remaining company.

VII. ANNUAL ADJUSTMENT

- A. With the exception of the fire and rescue contribution, which is subject to a separate annual adjustment provision as specified in Proffer VI. of these Proffers, all other monetary contributions set forth in these Proffers shall be adjusted on a yearly basis from the base year of 2024 and change effective each January 1 thereafter, in accordance with changes in the CPI.

VIII. PUBLIC UTILITIES