



PRINCE WILLIAM COUNTY

Planning Office

Tanya M. Washington, AICP
Director of Planning

July 29, 2024

TO: Ms. Jonelle Cameron
Ms. Marian Harders
Walsh, Colucci, Lubeley & Walsh, P.C.
4310 Prince William Parkway, Suite 300
Prince William, VA 22192
jcameron@thelandlawyers.com
mharders@thelandlawyers.com

FROM: Vanessa Watson, Principal Planner
Email: vwatson@pwcgov.org;

SUBJECT: **Gardner Property Rezoning #REZ2023-00018 (2nd Submission)**
(Brentsville Magisterial District)

The 1st submission for the above-referenced case has been reviewed with comments.

I. Background & Overall Proposal

- A. Requests: To rezone ±81.9112 acres from A-1, Agricultural and B-1, General Business to PBD, Planned Business District with an M-2, Light Industrial Land Bay to allow up to 1.0 FAR and modify the building height for the data center buildings from sixty (60) feet to sixty-six (66') feet, with associated waivers & modifications.
- B. Site Location: The property is located at the intersection of Nolan Drive and Gardner Manor Place and McGraws Corner Drive. The subject site is identified on County maps as GPINs 7397-34-3968, 7397-24-9409, 7397-24-7793, 7397-24-2642, 7397-24-5358, 7397-25-6482, 7397-35-2804, 7397-34-7736, 7397-34-9413, 7397-33-5378, 7397-44-2126, 7397-44-0054, 7397-34-9643, & ROW.
- C. Comprehensive Plan: The site is designated I-3, Technology/Flex, OMU-3, Office Mixed Use, and RN-4, Residential Neighborhood in the Comprehensive Plan and is partially located within the Lee Highway Corridor Overlay District and a Historic Sensitivity Area.
- D. Zoning: The site is zoned A-1, Agricultural and B-1, General Business. Portions of the site contains proffers associated with REZ1994-0016, Hillwood Mobile Home Sales, Inc.
- E. Data Center Opportunity Overlay District: The subject site is not located within the Data Center Opportunity Overlay District.
- F. Surrounding Land Use: The site is adjacent to a mix of uses consisting of residential, commercial, and industrial.

II. Long Range Land Use Plan

- The site contains land designated I-3, Technology/Flex, OMU-3, Office Mixed Use, and RN-4, Residential Neighborhood, in the Comprehensive Plan. The I-3, Technology Flex designation is implemented by the proposed M-2, Light Industrial Zoning District, which supports data center uses as a primary use. The OMU-3, designation is not implemented by the proposed M-2, Zoning District, nor does this designation support data center uses as a primary or secondary use. RN-4, designation is not implemented by the proposed M-2, Zoning District, nor does this designation support data center uses as a primary or secondary use.
- The I-3, Technology/Flex, designation and the OMU-3, Office Mixed Use, designation target non-residential Floor Area Ratio (FAR) between 0.23 - 0.57 FAR. The proposal does not coincide with the target FARs in the Comprehensive Plan.
- The I-3, Technology/Flex, designation and the OMU-3, Office Mixed Use, designation target building heights between 3 - 5 stories. The current proposal does not coincide with the target building heights in the Comprehensive Plan.

The following table summarizes the uses and densities that are intended, in these designations:

Current Long-Range Designation	Purpose of the classification
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.
OMU-3, Office Mixed Use	The purpose of this classification is to provide for areas of low- to high-rise offices or research and development activity areas mixed with other uses such as retail and retail services and workforce housing supporting such use. This designation can be found throughout the County. The projects developed in this classification should be for office use with any retail and/or retail service uses. Retail and retail service uses are discouraged as a stand-alone structure in the T-4 transect. The preferred percentage of mix of uses is calculated within the entire contiguous district.
RN-4, Residential Neighborhood	This classification is an opportunity to develop higher density residential close to transit (VRE), within Activity Centers or the periphery of Town Centers. This classification also provides opportunities to develop compact neighborhoods that can act as transitions between mixed use centers and lower density residential areas. These are high-density, walkable neighborhoods focusing on connections to mixed use centers and transit.

III. Pertinent Zoning Issues

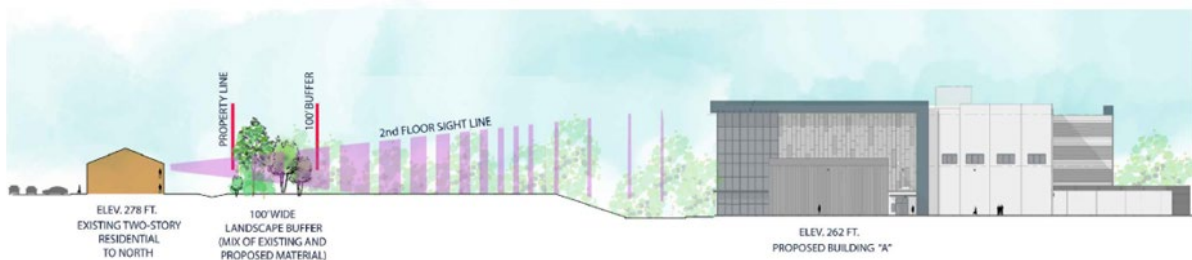
- Right-of-way as Part of the Rezoning - The Applicant proposes to vacate the right-of-way and rezone the land associated with public roads; McGraws Corner Drive, Gardner Manor Place, and Hillcrest Farm Lane. However, the Applicant does not own this land and cannot make an application to rezone it without the owner's consent. Additionally, VDOT has requested the Applicant seek to abandon a portion of Noland Road. On the GDP label the ownership of each of these right-of-ways. Prior to this project moving forward, consent to rezone each of these right-of-ways shall be granted by the owners or these properties shall be removed from the rezoning.
 - McGraws Corner Drive and Noland Road: These right-of-ways are owned by the County per Deed and Plat Instruments #200704180046913 and 4; Instruments #200910020096310 and 11. Prior to a rezoning application of this land moving forward, the Board of County Supervisors (BOCS) consent to rezone their property shall be obtained. Staff seeks an initiation by the Board to consent to rezone these County owned right-of-ways. This request is being brought to the BOCS on June 6th for initiation.
 - Gardner Manor Place, Route 845 and Hillcrest Farm Lane, Route 839: These right-of-ways are owned by VDOT per Instrument #200905010041500 and Circuit Court Order, Instrument #201202170014972. The Applicant shall remove these right-of-ways from the rezoning request, as they do not own the land, nor have they gained consent to rezone the land. To facilitate the request, the Planning Department seeks an initiation by the BOCS to rezone these right-of-ways. This request is being brought to the BOCS on June 6th for initiation. *Notably, the vacation and abandonment of these right-of-ways should be sought by the Applicant once the existing uses served by these roads are abandoned/discontinued and there is no longer a public need for the roads. The vacation and abandonment is anticipated to occur prior to final site plan approval.*
- ~~Amending the Overlay - As part of this request the Applicant proposes to amend the map of the Data Center Opportunity Zone Overlay District (DCOZOD) to incorporate these parcels into the DCOZOD. Such a request shall be processed through a BOCS initiated Zoning Text Amendment (ZTA). This request is being brought to the BOCS on June 6th for initiation. **This is no longer part of the application.**~~
- CPA2023-00002, McGraws Corner - An application for an amendment to the Comprehensive Plan was received to amend the Mobility Chapter the Comprehensive Plan to remove a portion of McGraws Corner Road from the 2022 Comprehensive Plan Roadway Plan Map, removal of a portion of a shared use path along McGraws Corner Road from the Countywide Trails Map, and an amendment to the text of the Mobility Chapter to delete reference to McGraws Corner Drive. The total ROW requested to be removed is approximately ±5.584 acres. **This request was brought to the BOCS on July 16th 2024, for initiation and was not was not approved. If the plan intends on going forward, please provide a re-design for the next submission.**

IV. Community Design

- Site Layout - The Comprehensive Plan recommends that Generalized Development Plans (GDP) submitted with rezoning applications for all non-residential projects should depict site layouts. The subject application does not include building location or use location information for the site. Additionally, within an I, T-3, Technology Flex, 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. To aid in the review of the project the Applicant is encouraged to revise the GDP to depict detailed site layouts and list proposed uses. **The Applicant shall provide all the elements outlined in the County's Reference Manual and Zoning Ordinance to allow opportunity for appropriate land use analysis, include building layouts, street hierarchy, etc., with the next submission.**

- FAR – Pursuant to Proffer 4, the proposal requests a 1.0 FAR for any datacenter/data center associated use based on the cumulative total of the property and not the percentage of each subdivided parcel. Staff is concerned with what this means for the property. As it reads, the development would be able to build a 1.0 FAR sized datacenter associated with the entire 81 acre site, and then subdivide out portions of land not built on and then locate other M-2 uses on these parcels. The FAR of these other subdivided M-2 uses are not listed. If this is what you are proposing, this seems problematic and requests a much higher FAR for the datacenter use than a 1.0 FAR. Please elaborate on your request and explain it in more detail. **This issue will best be served by providing the information as stated above. The supplemental information form shows a max square footage of 3,601,222. The square footage of the “proposed” data center buildings has more than doubled since the 1st submission.**
- Line of Sight – Provide line of sight exhibits from all abutting residentially zoned properties and from Route 29. Below is an example of the type of visual aids being requested.



- Substation Location - The Applicant is encouraged to relocate the electric substation more central to the site, currently it is proposed in the northern most portion of the property within close proximity to existing residential townhome units in the Townes at Village Place, which are located on the other side of the Norfolk Southern railroad tracks. **Staff appreciated the separation by creating buffer and open space by moving the substation from the residential properties across from the railroad tracks. Provide details on the landscape buffer and additional screening with the next submission.**
- Perimeter Buffering & Screening – The land use designation for the southern area of the site is OMU-3, Office Mixed Use, which encourages new uses abutting the existing retail uses to the south be of similar nature to office and/or mixed-uses (including residential), not the industrial use being proposed. Considering the proposed uses, height modification, and FAR modifications the Applicant is encouraged to provide a 50-foot wide, Type C Buffer, meeting 320 plant units/100 linear feet, along the entirety of the southern boundary of the site. **As discussed, the existing daycare facility must be buffered and screened significantly, over and above what is required. This will be a significant weakness in the staff report and highlighted. In essence, over buffer this area. Best case would be using the whole area**

on the southwest portion of the property as part of your open space requirements and staying approximately 150' or more off the daycare property line.

- Perimeter Buffering & Screening - Pursuant to Section 32-201.18(a), public facilities (the substation) require buffering from other uses onsite. On the GDP depict and label a 15 foot wide planted buffer between the substation and the data center which meets the Type A buffer standards of the DCSM. If the Applicant requests a waiver to this provision, with the resubmittal provide a written justification for the waiver, explaining why it is appropriate in this circumstance. Also, in the "modifications" section of the proffers list the waiver.
- Access – **This issue will be contingent on a re-design of the application.**
- Architecture - The Applicant is encouraged to provide proffered architectural elevations for all building facades. This guidance is being driven by the height modification request and its effect on the surrounding existing and planned residential uses and commercial uses. The architecture for these buildings should resemble office buildings. Staff also requests that the front building designs incorporate large glass windows (be they faux/false windows or true windows), and consist of variable materials (metal panels, and brick or stone façade treatments). **While you state that you do not have an end-user for the justification for not providing this information, staff cannot support this application nor the height modification without this information. The absence of an end-user is not a factor in evaluating the land use application.**
- Power Needs - Other than potential substation location, no information was provided on the proposed location of the electrical infrastructure on the property that will serve the facility, such as transmission lines. The Applicant is encouraged to work with NOVEC and Dominion Power to depict, label, and provide dimensions on the GDP for the proposed electrical infrastructure on the property, which will serve the development. This information will help staff to fully analyze the projects' impacts on the surrounding community, to include but not limited to impacts on viewsheds, proposed open space, proposed tree preservation areas, buffering, and site layout. **Staff encourages the Applicant to revise the GDP to account for and provide this information. The Applicant is encouraged to proffer the direction of the proposed route. This remains an outstanding issue.**
- Utilities - Additionally, the use will require major water and fiber optic utilities. The Applicant is encouraged to show, on the GDP, how these will be brought to the site without compromising the integrity of the proposed buffers and preservation areas. **Utilities are supposed to be shown on the ECA.**
- Monument Sign & Entrance Feature: Will there be an entrance sign feature for this development? If so, please provide a detail showing how signs will be integrated into the landscaping design for the road frontage. Staff encourages a proffered commitment that the freestanding sign on the property be monument style, with stone/brick-like base with low-growth landscaping, and not exceed 10 feet in height with a minimum setback of 10 feet from the public right-of-way.

V. **Noise**

- The Applicant is encouraged to provide a proffer associated with noise attenuation. Staff offers the following suggested language, which includes a definition of noise, parameters for noise levels, provisions for emergency operations, and provisions on sound studies.

Noise: Any noise which emanates from any operation, activity, or source on the Property, 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.

Any noise which emanates from any operation, activity, or source on the Property, 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 legal holidays observed by the County government, shall be subject to the following maximum permissible sound levels: 55 dBA.

Such levels shall be measured at the Property boundary and/or at any point within any other property affected by the noise. 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 7:00 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.

Emergency Operations: Emergency operations shall not be subject to the limitations outlined in Proffer ___ 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. The timeline for the emergency operations shall be ... *(The Applicant is encouraged to provide a provision for this section.)*

Sound Studies: For data center buildings, prior to the approval of each building permit that includes heating and cooling systems for the Property, the Applicant shall provide a Sound Study (the “Sound Study”) that is specific to the proposed site layout and building type to ensure compliance with the maximum permissible sound levels as outlined in Proffer _____. This Sound Study shall include recommendations for any necessary mitigation measures and the Applicant shall implement the mitigation measures. Said measures shall be implemented prior to the issuance of an occupancy permit. In addition, the Applicant shall conduct subsequent Sound Studies one (1) month after issuance of

each occupancy permit to ensure compliance with Proffer ____ above. Prior to conducting a sound study, the acoustical consultant performing the sound study shall be subject to County approval and the Applicant shall be responsible for the cost and expenses for said acoustical consultant to perform the work outlined in these proffers. In the event the County disapproves of an acoustical consultant, the Applicant shall then provide the County three (3) alternate acoustical consultants for the County to choose from.

- The Applicant is encouraged to depict and label the height and material of the sound mitigation walls adjacent to the generator pads. **This remains an outstanding issue. The residential properties that are west and north of the property are existing and should be considered in development of this property. Data Center uses are well known to emit significant levels of noise so a sound study should be conducted before land use approvals to assure developed adjacent properties are respected. Once the location of the buildings are also known, the locations of the generators will also be provided and an appropriate analysis can occur.**

VI. Proffer Comments & Other Material Relevant Issues

- A proffer analysis is required to determine the status of the proffers associated with REZ1994-0016, Hillwood Mobile Home Sales, Inc. With the next submittal ensure such documentation is submitted.
- Proffers 2(n), 2(O), 2(p), 2(q) and 2(r) are not permitted in the M-2 Zoning District and should be removed from the proffers prohibiting uses. Uses listed in the proffers need to match uses in the Zoning Ordinance. This includes uses permitted and prohibited.

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.

- ~~Proffer 3 should be removed, as the amendment to the DCOZOD is being taken through the ZTA process.~~
- Mechanical Rooftop Equipment - The Applicant is encouraged to revise Proffer 5 and Proffer 22 to include mechanical rooftop equipment in the total maximum building height. This is of particular concern for data center developments because of the extensive heating and cooling needs of the buildings. Depending on the height of the mechanical rooftop equipment, this could add 20 to 30 feet of height to the building. If these items are not included in building maximums, then the true heights of the buildings are unknown. In lieu of the above, staff encourages the rooftop equipment be limited by proffer to a maximum of 15-feet in height. Proffer 4 – HEIGHT – **A clear understanding of the additional height that would be required for the rooftop equipment and the elevator overrides before staff can agree to consideration of the height modification request.**

- On sheet 2 of the GDP there appears to be a layer turned off regarding adjacent uses, specifically the apartments located on GPIN 7397-15-8603 and GPIN 7397-13-4875. Ensure all sheets throughout the GDP accurately show the abutting uses.

Waivers/Modifications

At this stage, staff is not agreeable to any of the modification/waiver requests. Further research and detail for the height, FAR, and by-right uses is needed, which will occur with a more detailed submission before providing an appropriate recommendation.

The “draft” DCOZOD, is not a justification for allowing the use.

The M-2 zoning requires a SUP for a Data Center when outside the DCOD.

ZO 32-404.05 does allow waiver/modification of a use restriction by the BOCS; however, the justification is not entirely correct. A Data Center is across the railroad tracks, but the rest of the surrounding properties are not Data.

The perimeter buffer modification in part would be appropriate. Discussion regarding what areas will need to be determined.

FAR – ZO 32-509.32E does permit an increase in the FAR when outside the DCOD via the SUP process. Sec 32-400.04 3 - The Board of County Supervisors may approve a FAR higher than that permitted by right by specifically proffered rezoning or Special Use Permit.

Resubmission Guidance

Please resubmit your responses to address staff/agency comments within 45 days of this review letter.



CURRENT PLANNING CASE INFORMATION

Plan/Case Information:

Print Date: August 06, 2024

Case Type :	Rezoning
Plan/Case#:	REZ2023-00018
Plan/Case Name:	GARDNER PROPERTY
Plan/Case Address:	14260 GARDNER MANOR PL GAINESVILLE VA 20155
Location:	The property is located at the intersection of Nolan Drive and Gardner Manor Place and McGraws Corner Drive. The subject site is identified on County maps as GPINs 7397-34-3968, 7397-24-9409, 7397-24-7793, 7397-24-2642, 7397-24-5358, 7397-25-6482, 7397-35-2804, 7397-34-7736, 7397-34-9413, 7397-33-5378, 7397-44-2126, 7397-44-0054, 7397-34-9643, & ROW. The site is designated I-3, Technology/Flex in the Comprehensive Plan and is in the E-Commerce Overlay, Environmental Resource Protection Overlay, Resource Protection Area Overlay, 100-year Flood Hazard Overlay, Highway Corridor Overlay, and the Agricultural & Arts Overlay Districts, including a portion in the Historic Sensitivity Area. Brentsville Magisterial District.
Request:	This is a request to rezone ±82.67 acres from A-1, Agricultural and B-1, General Business to PBD, Planned Business District with an M-2, Light Industrial Land Bay, to allow development of data centers & electric substations with associated waivers & modifications requesting up to 1.0 Floor Area Ratio (FAR) and to modify the building height for data center buildings from sixty (60') feet to sixty-six (66') feet.
Submission #:	2
Submission Acceptance Date:	June 05, 2024

Applicant Information:

Applicant/Agent:	JK LAND HOLDINGS II LLC 44112 MERCURE CIR STERLING, VA 20166
Phone:	
E-mail:	

Case Planner Information:

Case Planner: WATSON, VANESSA

Phone:

E-mail: VWatson@pwcgov.org

Plan Comments Report

Building Official

Review Completed

Plan/Case #:	REZ2023-00018	Date: 06/20/2024
Plan/Case Name:	GARDNER PROPERTY	
Plan Case Address:	14414 MCGRAWS CORNER DR GAINESVILLE VA 20155	
Reviewer:	Wells, Kenneth	
	703-792-6571	kwells@pwcgov.org

The following items/issues were noted on your case. Please review and provide a letter responding to these comments, along with revised plans and proffers. Please be advised that staff might not identify all of the issues that arise during the case review and public hearing process. In addition, the solutions to the issues identified in this correction report might not be the only solutions, but are thought to be the most desirable solutions as determined by staff. Please note that any modifications will result in further review by pertinent agencies and staff, and could result in changes to the analysis and/or any recommendations.

Section I - Comments that Require Applicant's Response:

NO COMMENTS

Section II - Questions/General Information:

NO RECOMMENDATIONS DOCUMENTED.



Plan Comments Report

County Archaeologist

Pending

Plan/Case #:	REZ2023-00018	Date:
Plan/Case Name:	GARDNER PROPERTY	
Plan Case Address:	14414 MCGRAWS CORNER DR GAINESVILLE VA 20155	
Reviewer:	Patton, Justin	
	703-792-5729	jspatton@pwcgov.org

The following items/issues were noted on your case. Please review and provide a letter responding to these comments, along with revised plans and proffers. Please be advised that staff might not identify all of the issues that arise during the case review and public hearing process. In addition, the solutions to the issues identified in this correction report might not be the only solutions, but are thought to be the most desirable solutions as determined by staff. Please note that any modifications will result in further review by pertinent agencies and staff, and could result in changes to the analysis and/or any recommendations.

Section I - Comments that Require Applicant's Response:

COMMENTS PENDING

Section II - Questions/General Information:

NO RECOMMENDATIONS DOCUMENTED.



Plan Comments Report

Crime Prevention Police

Reviewed w/Comments

Plan/Case #:	REZ2023-00018	Date: 07/02/2024
Plan/Case Name:	GARDNER PROPERTY	
Plan Case Address:	14414 MCGRAWS CORNER DR GAINESVILLE VA 20155	
Reviewer:	Nicholson, Holly	
	703-792-4428	hnicholson@pwcgov.org

The following items/issues were noted on your case. Please review and provide a letter responding to these comments, along with revised plans and proffers. Please be advised that staff might not identify all of the issues that arise during the case review and public hearing process. In addition, the solutions to the issues identified in this correction report might not be the only solutions, but are thought to be the most desirable solutions as determined by staff. Please note that any modifications will result in further review by pertinent agencies and staff, and could result in changes to the analysis and/or any recommendations.

Section I - Comments that Require Applicant's Response:

SEE SECTION II

Section II - Questions/General Information:

The Crime Prevention Unit has reviewed REZ2023-00018, identified as GPINs 7397-34-3968, 7397-24-9409, 7397-24-7793, 7397-24-2642, 7397-24-5358, 7397-25-6482, 7397-35-2804, 7397-34-7736, 7397-34-9413, 7397-33-5378, 7397-44-2126, 7397-44-0054, 7397-34-9643 & ROW (collectively the "Property"). The property is located at the intersection of Nolan Drive and Gardner Manor Place and McGraws Corner Drive and consists of approximately 81.9112 acres. The Applicant is seeking to rezone +82 acres from A-1, agricultural and B-1, General Business to M-2, Light Industrial to allow for the development of 1,787,266 square feet of data center space, with associated waivers and modifications to increase the building height for data center buildings from sixty feet (60') to eighty feet (80') and to and to increase Floor Area Ratio (FAR). They are also seeking to amend the map of the Date Center Opportunity Zone Overlay District (DCOZOD) to incorporate these parcels into the DCOZOD.

The applicant does not refer to how they plan to incorporate Crime Prevention Through Environmental Design (CPTED) principals such as territoriality, natural surveillance, access

control, and maintenance, but stated they "can address the CPTED strategies and techniques in connection with site plan review when further engineering and design has been completed". The applicant is encouraged to contact and work with the Crime Prevention Office within the Police Department for crime prevention techniques and CPTED concepts and strategies as this site progresses to the final stages.

A copy of this memo will remain on file for future reference. If there are any questions or comments, please contact the Prince William County Police Crime Prevention Unit at 703-792-7270.

HJN/hjn

The Crime Prevention Unit has reviewed REZ2023-00018, identified as GPINs 7397-34-3968, 7397-24-9409, 7397-24-7793, 7397-24-2642, 7397-24-5358, 7397-25-6482, 7397-35-2804, 7397-34-7736, 7397-34-9413, 7397-33-5378, 7397-44-2126, 7397-44-0054, 7397-34-9643 & ROW (collectively the "Property"). The property is located at the intersection of Nolan Drive and Gardner Manor Place and McGraws Corner Drive and consists of approximately 81.9112 acres. The Applicant is seeking to rezone +82 acres from A-1, agricultural and B-1, General Business to M-2, Light Industrial to allow for the development of 1,787,266 square feet of data center space, with associated waivers and modifications to increase the building height for data center buildings from sixty feet (60') to eighty feet (80') and to and to increase Floor Area Ratio (FAR). They are also seeking to amend the map of the Data Center Opportunity Zone Overlay District (DCOZOD) to incorporate these parcels into the DCOZOD.

The applicant does not refer to how they plan to incorporate Crime Prevention Through Environmental Design (CPTED) principals such as territoriality, natural surveillance, access control, and maintenance, but stated they "can address the CPTED strategies and techniques in connection with site plan review when further engineering and design has been completed". The applicant is encouraged to contact and work with the Crime Prevention Office within the Police Department for crime prevention techniques and CPTED concepts and strategies as this site progresses to the final stages.

A copy of this memo will remain on file for future reference. If there are any questions or comments, please contact the Prince William County Police Crime Prevention Unit at 703-792-7270.



Plan Comments Report

Fire Marshal's Office

Reviewed w/Comments

Plan/Case #:	REZ2023-00018	Date: 06/10/2024
Plan/Case Name:	GARDNER PROPERTY	
Plan Case Address:	14414 MCGRAWS CORNER DR GAINESVILLE VA 20155	
Reviewer:	Little, Ernest	
	703-792-6883	elittle@pwcgov.org

The following items/issues were noted on your case. Please review and provide a letter responding to these comments, along with revised plans and proffers. Please be advised that staff might not identify all of the issues that arise during the case review and public hearing process. In addition, the solutions to the issues identified in this correction report might not be the only solutions, but are thought to be the most desirable solutions as determined by staff. Please note that any modifications will result in further review by pertinent agencies and staff, and could result in changes to the analysis and/or any recommendations.

Section I - Comments that Require Applicant's Response:

SEE SECTION II

Section II - Questions/General Information:

- 1.01- Fire/Rescue station 4 is the first due fire/rescue resource.
 - 1.02- The facility is within the required 4 minute travel time for Basic Life Support and Fire.
 - 1.03- The facility is within the required 8 minute travel time for Advance Life Support.
 - 1.04- Fire/Rescue Station 2 responded to 4,605 incidents in FY22.
 - 1.05- The workload capacity for Fire/Rescue Station 2 is 4,000 incidents per year.
 - 1.06- Data Centers have several requirements that will be addressed at the time of site plan.
- The following is a list of some of the requirements.

DATA CENTER CONSIDERATIONS

I. Fire hydrant and fire department connection locations.

- a. A fire flow of a minimum of 2,500 gallons a minute must be available for fire protection. This requirement is on top of the sprinkler and domestic flow demands for the structure.
- b. A maximum of 300 feet from a fire hydrant to any point on the exterior wall

measured as a fire hose would be laid and not by arc.

c. Fire hydrants must be a minimum of 50 feet from the structure protected. In some cases, where two data centers are constructed parallel to each other fire hydrants may need to be provided on both sides of the separating access way.

d. A fire hydrant must be provided within 100 feet of the sprinkler fire department connection and there be a clear and unobstructed line of sight between the fire hydrant and the fire department connection.

e. Fire hydrants and fire department connections cannot be located inside fences enclosures such as generator and equipment yards.

f. A fire department connection is required to be located on the front of the building.

g. Free standing fire department connections have additional requirements which must be met. The Fire Marshal's Office prefers wall mounted fire department connections versus remote connections.

II. Fire Department access.

a. Electric security gates must be provided with approved "click to enter" connection to the County Radio system.

i. If the gate is staffed 24/7/365 a DCSM technical waiver can be applied for to waive the "click to enter" equipment.

b. A 9-foot wide space must be provided in front of the main entrance where vehicle parking is adjacent to the building and not separated by a fire lane.

c. All portions of the exterior wall must be within 150 feet of a fire department access point.

d. Regarding generator and equipment yards a plan of how the requirement in item a is met must be provided and it show:

i. Details on any fencing and gates surrounding the area prohibiting direct and free access.

ii. Provision for access to the area in the form of a knox box containing keys to gates in fencing.

Any obstruction that would delay access to the wall(s) and provisions of how the obstruction would be resolved permitting free access to the blocked area.

Non-vehicular Fire department access needs to be free and clear for a width of 10 feet and height of 10 feet.

e. If a structure is to be constructed in phases, a temporary fire department access road may be required if an exterior wall fails to comply with the requirements of item c above.

f. Fire Department access roads must be able to accommodate 80,000-pound, three axle, 45 foot long fire apparatus. Such access must be a minimum of 20 feet in width, 13 foot 6 inches in height, and a maximum 8 inches vertical projection.

g. If the length of a fire department access road exceeds 150 feet, from the point of entry, an approved turn-a-round must be provided at the end of the road.

h. Fire Department access roads must have provisions to maintain access in any adverse weather conditions.

i. Fire lanes are NOT required on streets or roads 36 feet or wider in width.

ii. Fire lanes must be provided on streets less than 36 feet in width to allow fire department access to entry points or other critical fire protection equipment.

k. A fire lane plan must be submitted for review and approval for fire lanes in item j above.

l. Underground storm water management facilities located within 100 feet of the building perimeter must be marked with signage indicating the presence of the facility and its load carrying capability.

III. Fire Protection.

a. A standpipe system must be provided in accordance with the USBC in structures where the building is four stories in height above or below grade plane, the floor level of the highest story is greater than 30 feet above the lowest level of Fire Department access, or where the floor level of the lowest story of the is more than 30 feet below the highest level of Fire Department access.

b. If a structure has an occupied floor located more than 75 feet above the lowest level of Fire Department vehicle access it is considered a high rise building by the USBC.

c. Fire pumps must be sized to provide adequate pressure at the required flows.

d. Fire pumps serving more than one structure have additional requirements that need to be met to assure adequate redundancy is provided.

e. Underground fire lines must have profiles provided, with the site plan, where they cross other open air utility lines such as storm or rainwater drain lines if the distance between the affected lines is 36 inches or less. If an insulation package is involved, details of the package to include r value calculations, materials to be used as part of the package, and other construction information.

f. Generators using flammable or combustible liquids must have an emergency spill control plan submitted for review and approval by the Fire Marshal's Office.

g. Emergency power supplies using Lithium-Ion and similar technologies have maximum allowable quantities that will require a hazard mitigation analysis be submitted for review and approval by the Fire Official.

2.01 - Fire/Rescue station 4 is the first due fire/rescue resource.

2.02 - The facility is inside the required 4 minute travel time for Basic Life Support and Fire.

2.03 - The facility is within the required 8 minute travel time for Advance Life Support.

2.04 - Fire/Rescue Station 4 responded to 4,972 incidents in FY23.

2.05 - The workload capacity for Fire/Rescue Station 4 is 4,000 incidents per year.



Plan Comments Report

Historical Commission

Reviewed w/Comments

Plan/Case #:	REZ2023-00018	Date: 08/06/2024
Plan/Case Name:	GARDNER PROPERTY	
Plan Case Address:	14414 MCGRAWS CORNER DR GAINESVILLE VA 20155	
Reviewer:	Brzyski, Toni	
	703-792-6832	abrzyski@pwcgov.org

The following items/issues were noted on your case. Please review and provide a letter responding to these comments, along with revised plans and proffers. Please be advised that staff might not identify all of the issues that arise during the case review and public hearing process. In addition, the solutions to the issues identified in this correction report might not be the only solutions, but are thought to be the most desirable solutions as determined by staff. Please note that any modifications will result in further review by pertinent agencies and staff, and could result in changes to the analysis and/or any recommendations.

Section I - Comments that Require Applicant's Response:

SEE ATTACHED

Section II - Questions/General Information:

NO RECOMMENDATIONS DOCUMENTED.

HISTORICAL COMMISSION RESOLUTION

MOTION: PORTA

**July 9, 2024
Regular Meeting
Res. No. 24-043**

SECOND: DODGE

RE: LAND DEVELOPMENT RECOMMENDATIONS

ACTION: APPROVED

WHEREAS, the Prince William County Historical Commission seeks to identify, preserve and protect historic sites and structures in Prince William County; and

WHEREAS, the Prince William County Historical Commission's review of pending land development applications assists in determining the necessity for cultural resource surveys and other research and evaluations; and

WHEREAS, the Prince William County Historical Commission believes that the identification, preservation and protection of historic sites and structures throughout Prince William County is well served by this action;

NOW, THEREFORE, BE IT RESOLVED, that the Prince William County Historical Commission does hereby recommend to the Prince William County Planning Commission the action(s) noted for the following properties:

<u>Case Number</u>	<u>Name</u>	<u>Recommendation</u>
REZ2024-00036	Longleaf at Kettle Run	No Further Work
REZ2024-00002	Balls Ford Road Crossing 2 nd Submission	Table, but requested the following: Copy of Phase I to review and Phase II evaluation and Phase III data recovery study. Artifacts to be donated to and curated with the County. Research past ownership. Interpretation of Wellington Station and Army Maneuvers.
REZ2023-00031	Thomas Farm at Bristow Station 3 rd Submission	Proffers to include:

<u>Case Number</u>	<u>Name</u>	<u>Recommendation</u>
		Artifacts to be donated to and curated with the County. Follow guidelines as stated by Emma Dietrich, Cemetery Preservation Coordinator for Thomas Family Cemetery. Follow request of the Office of Historic Preservation about a Land Swap. Follow request by the Department of Parks and Recreation. Interpretive signs for the Battle of Kette Run and Bristoe Station. Interpretive signs for Thomas Family Cemetery. Also provide additional research on the Thomas Family and farm and 1900 Farmhouse. Provide Oral Histories and digital presence on the Historic Preservation website.
REZ2023-00018	Gardner Property 2 nd Submission	Research past ownership. Research The Settlement, Camp 3 and 1904 Bur Map, Buckland Mills Battlefield. Phase I study and, if warranted, Phase II evaluation and Phase III data recovery study. Artifacts

<u>Case Number</u>	<u>Name</u>	<u>Recommendation</u>
		to be donated to and curated with the County.
REZ2024-00005	Smith Crossing 4 th Submission	See attached comments
REZ2024-00046	Mary's Landing	Table
REZ2024-00041	VA 8/9 Rezoning	No Further Work
SUP2024-00039	Tractor Supply Company – Woodbridge	No Further Work
REZ2024-00047	Purcell Road	No Further Work
REZ2024-00045	Mapledale Residential Rezoning	Table

Votes:

Ayes: by acclamation

Nays: None

Absent from Vote: None

Absent from Meeting: Kastens

MOTION CARRIED

ATTEST:



Secretary to the Commission

**Prince William County Historical Commission
Review of Pending Development Application (11/2/2021)**

File Name: REZ2024-00005, Smith Crossing 4th Submission
Assigned to: Kathryn Kulick
HC Agenda: July 9, 2024
Return to: Juana Lozano by July 5, 2024

1. Visual Inspection Findings: *(Describe what is on the property now, the date the inspection was performed, and the method used):* None yet _____

2. County Records Check: *(Verify whether any reference is contained on this site on the following sources):*

1. Prince William County Cultural Resources Map (GIS)	Yes _____	No _____
2. 1820 Prince William County Map (Wood)	Yes _____	No _____
3. 1901 Prince William County Map (Brown)	Yes _____	No _____
4. 1904 Army Maneuvers Map	Yes _____	No _____
5. 1915-1927 USGS 15 Minute Quad Maps	Yes _____	No _____
6. 1933 Virginia Highway Map	Yes _____	No _____
7. Eugene Scheel's Historic Prince William Map	Yes _____	No _____
8. Eugene Scheel's African American Heritage Map	Yes _____	No _____
9. County Registered Historic Site (CRHS)	Yes _____	No _____
10. High Sensitivity Areas – Historic Sites Map	Yes _____	No _____
11. High Sensitivity Areas – Prehistoric Sites Map	Yes _____	No _____
12. The Official Military Atlas of the Civil War	Yes _____	No _____
13. Civil War Map from the Library of Congress	Yes _____	No _____
14. American Battlefield Protection Program Maps	Yes _____	No _____
15. Map of Fairfax, Loudoun, & Prince William Counties	Yes _____	No _____
16. USGS Topographic Maps	Yes _____	No _____
17. Cemetery (PWC GIS)	Yes _____	No _____
Other: County Mapper Layers: Aerial 2008 – Present	_____	_____

3. Discussion: *(Discuss specifics wherever a "yes" box has been checked)* _____

4. Recommendation: *(Check all that apply)*

☐ Research past ownership
☐ Evaluate standing structures for historic significance (Architectural Survey)
☐ Determine extent of cemetery
☐ Advise Historical Commission and obtain its authorization to take a position at BOCS and Planning Commission hearings
☐ Recommend Military Sites Survey
☐ Recommend Phase I archaeological survey and, if warranted,
☐ Recommend Phase II evaluation and, if warranted, Phase III data recovery study
☐ Artifacts to be donated to and curated with the County
☐ Recommend Interpretation
☐ No additional work needed
☒ Other

Overall Comment: the updated Phase 1 delivered with Submission #4 reflects a minimalist approach and needs to be revised yet again, as follows:

1. Inadequate report documentation (e.g., no revision date, no explanation/tracking of what content changes/additions/deletions were made, missing figure, missing citation, etc. ...)
2. Failed to address or explain required adjustments to Phase I survey techniques in order to mitigate massive fill dirt presence, thereby ensuring field work in the fill areas is performed in the historical soil horizon and reaches into culturally sterile soils
3. Infers 20th Century origin to artifacts that could easily have had earlier origins
4. Interpretative findings frequently date artifacts to more recent time periods, without little or no evidence/explanation, when date ranges for artifacts would be more appropriate given dating uncertainty
5. Downplayed the potential presence of Civil War burials without providing compelling evidence. Lacking supporting sources, opinions and conjecture were presented as the logical explanation for wartime activity locations
6. Techniques used in Phase I survey were insufficiently robust to fulfill Phase I discovery, identification and documentation goals. The following need to be accomplished:
 - a. Determine and employ an approach to appropriately survey fill locations in project area
 - b. Be more exhaustive in the application of remote sensing archeological tools
 - c. Use additional remote sensing for subsurface testing to determine if evidence of campsites and/or burials exists (e.g., use magnetic gradiometer and ground penetrating radar)
 - d. As stated by County Archeologist: Based on cited previous findings of County Preservation Coordinator, the Applicant is encouraged to hire a professional Civil War Historian to research this topic and provide recommendations on where to search for burials within the project area, with the next submittal of this Phase I Archeology Survey. Research should focus on finding and interpreting primary materials to better guide fieldwork.

Detailed substantiation for the above in the form of additional comments and questions (appropriately referenced) provided by At-Large Commissioner, David Petersen, Ph.D. who performed previous detailed research on Civil War military burials for adjacent parcels. His report is attached.

Recommendations:

1. Major revision to Phase I is needed.
2. Major Land Use Impact Committee should be reinstated to review this revision and subsequent rezoning submission when delivered and offer further comments/recommendations.

Name: Kathryn Kulick

Date: 07/09/24

Please return the completed form to staff liaison on or before the specified due date.

Comments and Questions on Matthew Palus, Zachary Andrews and Lyle Torp, "Phase I Archeological Survey for the Smith Crossing Project, Prince William County, Virginia", The Ottery Group (June 2023) - David Petersen, Ph.D.

1. If this June 2023 document is a revision of a previous document, having now incorporated some of the PW County Cemetery Preservation Coordinator's comments (e.g., references to (Dietrich, 2023), then this should be specifically noted at the beginning of the document and a revision number and date added to the cover page of this document. (Note - Dietrich's Aug 2023

"Preliminary Case Study: 15th Alabama on Pageland 1861" is also missing from the report's Section 7.0, References Cited.)

2. Last paragraph, p. 3. Some of the fill soil areas are within the project area's Limits of Disturbance. How was the field survey, shovel pit testing and metal detecting conducted in these areas? (The 12 acres of fill area cited account for approximately 10% of the 117.4 acres in the development area).
3. Figure 2.2, p. 5. Is Land Bay D a designated Resource Protection Area and therefore not under consideration for development? Or is this Land Bay still subject to future development?
4. 3rd paragraph, p. 20. Where is the citation entry for (Bedell, et al., 2023) in Section 7.0, References Cited?
5. 4th paragraph, p. 20. What is the source for these comments about Pageland and Mann Page?
6. 5th paragraph, p. 20. Last sentence refers to the 1820 John Wood map of Prince William County and refers readers to Figure 3.1. However, Figure 3.1 on p. 23 is a detail from a map of the Battle of Second Manassas from the Library of Congress. Is the 1820 John Wood map illustration missing from this document?
7. 2nd paragraph, p. 22. Note (Dietrich, 2023) is a case study of the 15th Alabama Infantry Regiment during the Fall of 1861. "A total of 15 soldiers died at Pageland ...".

Given the uncertainty of location naming conventions and the presence of four Confederate regiments at Pageland, "Total" is not an appropriate word choice. A more accurate phrase would be "at least", "approximately", etc. Also, (Dietrich, 2023), does not examine deaths from the other three Confederate regiments that were also encamped at Pageland in the Fall of 1861. However, the PWC Historical Commission's Major Land Use Impacts Advisory Subcommittee did research this aspect and concluded:

"Just on the Pageland parcel, it is very likely that:

- between 14 to 73 15th Alabama
- around 30 21st North Carolina, and
- between 4 to 44 21st Georgia

soldiers lie in unmarked and unknown graves"¹

8. 2nd paragraph, p. 22. The following quote by The Ottery Group, interpreting (Dietrich, 2023) and inferring soldier burials at the Marsteller Cemetery is conjecture and unlikely. "Dietrich (2023) speculates that the soldiers would have been buried by military order in an established cemetery. The location of the burials is not known but could conceivably be the Marsteller family cemetery at the adjacent Melbourne Farm."

According to the "Cemeteries in Prince William County" website², the "known gravesites [in the Marsteller Cemetery] are those for **Cyrus C. Marsteller, Elise Harrison Marsteller, Cyrus C.**

¹ Pearsall, Blaine, Kathryn Kulick, David Peterson. "Research into the Confederate Non-Combat Fatalities at Pageland Farm (Fall 1861)," PWC Historical Commission Major Land Use Impacts Advisory Subcommittee, Working Draft Presentation, 3 August 2023.

² Turner, Ron. "Melbourne/Marsteller" in Cemeteries in Prince William County, accessed at <https://historicprincewilliam.org/cemeteries/cemeteries-in-pwc/#m> on 30 June 2024.

Marsteller Jr., William V. Mason, and Anna D. Marsteller.” Per the Cemetery Registration Form, these “remains were moved to Little Georgetown Cemetery in Fauquier County.” Although the exact date this move occurred was not provided but likely prior to U.S. Homes purchasing the Melbourne and Marsh tracks for developing Heritage Hunt in July 1997.³ No other graves at the Marsteller Cemetery were noted.

9. The 3rd paragraph, p. 32 of The Ottery Group’s report again under-reports the likely number of Confederate soldier deaths at Pageland during Fall 1861 (as explained above) and repeats the same unlikely event about these Confederate fatalities being buried “within a previously existing cemetery” (also discussed above).
10. 1st paragraph, p. 35. “It is possible, though unlikely that there are Civil War era burials on the property associated with Camp Hardee/Camp Beauregard. Historic records place the Camp and associated hospital on Pageland/Dr. C.C. Marsteller’s property. While the project area falls within land that was part of Pageland Farm, the camp is more likely situated on the south side of Little Bull Run.”

First, looking at the map attached to (Dietrich, 2023), note that most of the Pageland parcel is above the Little Bull Run. Accounts of the Confederate regimental encampments during the Fall of 1861 only refer to “Pageland”, but do not locate where on the Pageland parcel the regiments were encamped., or how spread out these camps were. Until a more definitive primary source is found specifying the camps’ locations vis-à-vis Catharpin Creek, Little Bull Run, etc., it is premature to conjecture whether the camps were situated north or south of the Little Bull Run (or even if the camps did or did not extend into the project area as it was also part of the Pageland parcel at that time). See Figure 1 below.

Second, just as frame of reference – Lackey notes that an “idealized” Federal Civil War infantry regiment encampment “was about 1,000 feet wide ... and 1,227.5 feet ... deep, or about 28 1/4th acres for 1,000 men.”⁴ Also, it’s likely Federal and Confederate encampments were similar to each other given shared pre-war military training and experiences.

The 2nd paragraph on p. 21 of The Ottery Group’s report notes that Pageland was a 762-acre parcel. Given the four regiments each required ~30-acres for a camp, these regiments definitely had room to spread out, as needed, to better control camp illnesses.

³ “Heritage Hunt History”, (December 2002), accessed at <https://www.heritagehunt.net/about/hh-history> on 30 June 2024.

⁴ Lackey, Rodney C., “Notes on Civil War Logistics: Facts & Stories,” (undated). Downloaded from https://transportation.army.mil/history/pdf/Peninsula_Campaign/Rodney%20Lackey%20Article_1.pdf on 30 June 2024. (p. 26)

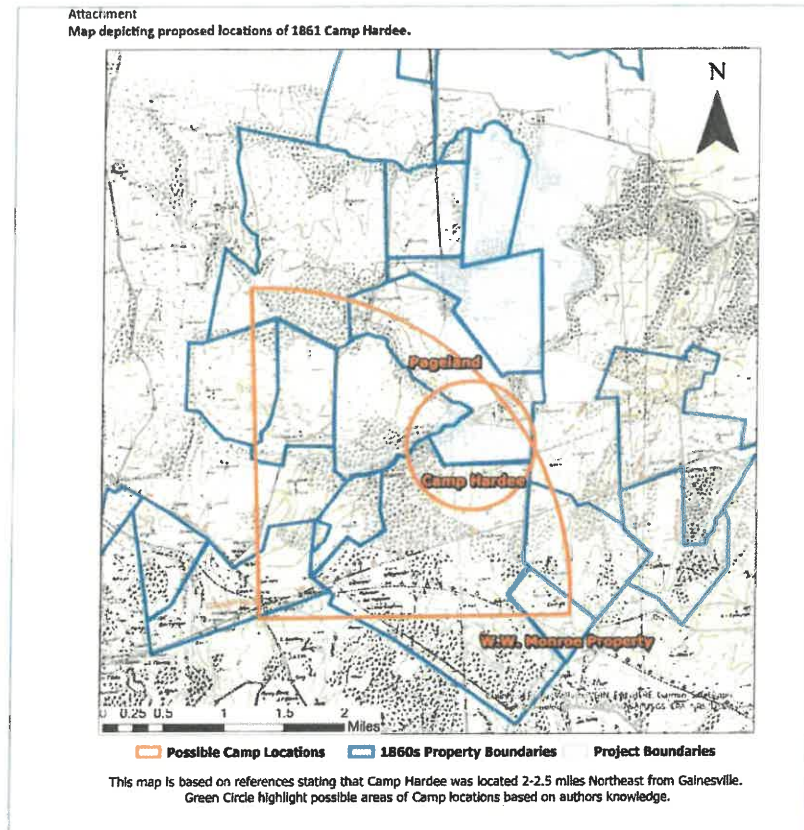


Figure 1 Map of Project Area (Dietrich, 2023)

11. 4th paragraph, p. 37. This describes research into existing archeological archival sources. Please describe what Civil War archival materials, unit histories, soldier rosters/casualty lists databases were researched by The Ottery Group to better establish the presence and location of Confederate forces on Pageland during the Fall of 1861.
12. 5th paragraph, p. 37. How were shovel test pits performed in the portions of the project area where fill dirt deposition had occurred? Were the shovel test pits dug through the layer(s) of fill dirt, and then continued even deeper past the historical soil surface until extending "10 centimeters into sterile soil"?
13. 5th paragraph, p. 37. Was the depth below soil surface recorded for items discovered during shovel pit testing? In Appendix A, the Shovel Test Pit table, there is a column called "Strat" but no explanation on how to interpret the column.
14. 1st full paragraph, p. 38. The metal detectors were able to "detect metal artifacts within approximately one foot from ground surface." Supposing that there were burials within the project area, how deep do you believe the remains would have been interred and would this metal detection equipment have had a reasonable chance of detecting metallic grave goods?

15. 1st full paragraph, p. 38. Was the depth below soil surface recorded for items located via metal detecting? The "Metal Detecting Target Inventory" table in Appendix A does not contain a column for artifact depth.
16. 1st full paragraph, p. 38. Given that the open pasture landscape provided "near optimal testing conditions" for the metal detecting survey, how accommodating would this landscape be for other types of remote sensing survey techniques?
17. 6th paragraph, p. 38. The "Utilities category" is used to catalog any findings of coal and charcoal. However, I cannot find any further references to Utilities, coal or charcoal in this document. Did the shovel test pits uncover any locations where coal or charcoal was present, and if so, where are these findings recorded?
18. Figure 5.3. First, please confirm that the left-hand scale on these soil profiles is in cm.

Second, the Fill Area profile indicates typical fill levels totaling 58 cm (~ 23") deep. However, the STPs were supposed to extend into a culturally sterile soil horizon.

So, by necessity, wouldn't there have been a second soil profile - more like the other 5 soil profiles in this figure - that would have been beneath the fill? Did your shovel test pits, as shown in Figure 5.1, actually penetrate through the fill and into the historical soil levels? Do you think the shovel test pit results were compromised in the areas where fill dirt had been deposited?
19. 3rd paragraph, p. 50. This quote "there is no indication that the project area has been previously collected." Did you corroborate this conclusion with the Century Farm property owners? Did you reach out to the local relic collector community and verify this conclusion? See recommendation B of (Espenshade, et al., 2002).⁵
20. 5th paragraph, p. 50. This quote "Several identifiable hand-forged iron artifacts were recovered during metal detection at the Smith Crossing development site, including two horseshoes with one very large horseshoe that is sized for a draft horse, a forged iron pin with an eye loop, and a narrow, tapering, mushroomed iron wedge inferred to be used for tree felling, or possibly as a splitter for processing firewood. These forged artifacts are consistent with the early-20th century occupation of the Smith family farm...."

Couldn't "hand-forged" artifacts also be indicative of 18th or 19th century activity at this location? Why do you so specifically attribute these hand-forged artifacts to "early-20th century occupation" of the site?
21. 3rd paragraph, p. 59. Claims again that the majority of the Pageland parcel is located "on the south side of Little Bull Run from the project area." Please see previous comments regarding this statement and provide a map that supports this claim, or revise the wording here appropriately.
22. 3rd paragraph, p. 59. Again, inaccurate claims are repeated here regarding the number of soldier fatalities and their likely burial in the Marsteller Family Cemetery. Please note previous comments/questions regarding these claims and conduct further research to uncover definitive evidence that supports the claims – or edit these comments so they comply with the archival evidence discovered to-date regarding Civil War soldier fatalities at Pageland in the Fall of 1861.

⁵ Espenshade, C. T., R. L. Jolley and J. B. Legg, (2002). "The Value and Treatment of Civil War Military Sites," *North American Archaeologist*, Vol. 23, No. 1, pp. 39-67.

23. Appendix 1, Metal Detecting Target Inventory, Target ID 19 (forged iron pin). Couldn't this be "Dual Use"?
24. Appendix 1, Metal Detecting Target Inventory, Target ID 87 (forged iron wedge). Couldn't this be "Dual Use"?
25. Appendix 1, Metal Detecting Target Inventory, Target ID 102 (bridle buckle). Couldn't this be "Dual Use"?
26. Appendix 1, Metal Detecting Target Inventory, Target ID 117 (horseshoe). Couldn't this be "Dual Use"?
27. Appendix 1, Metal Detecting Target Inventory, Target ID 144 (cast iron pot fragment). Couldn't this be "Dual Use"?
28. Appendix 1, Metal Detecting Target Inventory, Target ID 148 (large horseshoe). Couldn't this be "Dual Use"?
29. Additional Recommendations – The Ottery Group should augment and better support their findings/results/conclusions with remote sensing techniques:
 - a. **Magnetic gradiometer.** Kalos (2015) used a magnetic gradiometer as it was able to discern where the Paoli Battlefield soil profile had been disturbed – such as where trash pits or post holes had been dug. As he notes "a magnetic gradiometer offers a more practical tool because it can detect small soil differences, as well as camp hearths and other burn features."⁶
 - b. **Ground penetrating radar.** In an effort to "renovate and restore Lincoln Cemetery, as well as research the stories of the African Americans laid to rest there ... the Lincoln Cemetery Project Association (LCPA) and the Gettysburg Black History Museum ... hopes to identify the individuals buried in the cemetery's unmarked graves and erect headstones for each one."

In October 2023, the LCPA contracted for a GPR survey "which detects disruptions in soil, to identify 136 unmarked graves in Lincoln Cemetery." LCPA members are now combing through "death certificates, obituaries and other public records ... to see if they can match the unmarked graves to people named in the texts. They will then use metal detectors to try to locate original markers [possibly buried] in the ground."⁷

GPR also proved its worth at locating "a minimum of 134 intact graves" in a two-acre section of the Shockoe Hill African Burial ground in Richmond, VA.⁸

⁶ Kalos, M. A., (2015). "Methodology for Surveying an Ephemeral Military Encampment and Battlefield," Chapter 2 in *The Archaeology of Engagement: Conflict and Revolution in the United States*, edited by D. L. Pertermann and H. K. Norton, Texas A&M University Press, College Station, TX.

⁷ Gormly, K. B., (2024, February 21). "Near the site of the Gettysburg Address, These Black Civil War Veterans Remain Segregated, Even in Death," *Smithsonian Magazine*, downloaded from <https://www.smithsonianmag.com/history/near-the-site-of-the-gettysburg-address-these-black-civil-war-veterans-remain-segregated-even-in-death-180983790/> on 11 May 2024.

⁸ Schneider, G. S., (2024, July 5). "Richmond makes surprising find at desecrated Black cemetery: intact graves." *Washington Post*, downloaded from https://www.washingtonpost.com/dc-md-va/2024/07/05/richmond-virginia-shockoe-african-cemetery/?utm_campaign=wp_post_local&utm_medium=email&utm_source=newsletter&wpisrc=nl_post_local on 5 July 2024.



Plan Comments Report

Land Dev Case Manager

Reviewed w/Comments

Plan/Case #:	REZ2023-00018	Date: 07/22/2024
Plan/Case Name:	GARDNER PROPERTY	
Plan Case Address:	14414 MCGRAWS CORNER DR GAINESVILLE VA 20155	
Reviewer:	Westerman, William	
	703-792-6861	wwesterman@pwcgov.org

The following items/issues were noted on your case. Please review and provide a letter responding to these comments, along with revised plans and proffers. Please be advised that staff might not identify all of the issues that arise during the case review and public hearing process. In addition, the solutions to the issues identified in this correction report might not be the only solutions, but are thought to be the most desirable solutions as determined by staff. Please note that any modifications will result in further review by pertinent agencies and staff, and could result in changes to the analysis and/or any recommendations.

Section I - Comments that Require Applicant's Response:

SEE ATTACHED

Section II - Questions/General Information:

NO RECOMMENDATIONS DOCUMENTED.



SUMMARY LETTER

July 22, 2024

Prince William County Planning Office
Vanessa Watson
5 County Complex Court, Suite 210
Prince William, VA 22192

RE: Case Number: REZ2023-00018
Case Name: Gardner Property

Dear Ms. Watson:

I have completed review and have the following comments regarding the above referenced project:

1) NON-ENGINEERING COMMENTS:

a) Development Services – Land Planning Division, 703-792-6861

Section I – Requirements/Deficiencies:

	Code/Code Section/Detail	Comment:
1.		Recommend modifying Proffer 4 to include a restriction to the height of rooftop mechanical equipment and elevator over-rides on the building. The modified proffer excluded rooftop equipment and elevator over-rides from a maximum height. It is recommended that a maximum height for rooftop equipment and elevator over-rides also be listed in the proffer conditions.
2.		Proffer 6, revise: "Prior to requesting a building permit release letter..." to "Two weeks prior to requesting a building permit release letter..."
3.		Revise Proffer 9: Provide clarity on who the Sustainability Officer is. Is this a county employee, or a developer's rep? Revise the proffer to generally state that "confirmation by the Sustainability Officer of suitable sustainability measures should be provided to Land Development prior to final site plan approval."
4.		Proffer 11: If substations are not subject to the levels enumerated in this proffer as stated in the last sentence, provide sound level requirements for the substation.

If you have any further questions about the comments, please feel free to contact me at (703) 792-6861.

To check the status of your project, please log on to:

<https://egeportal.pwcgov.org/CAPSite/Public/Main>

Sincerely,

Bill Westerman

Development Services

Land Division

W: 703-792-6861

C: 202-494-5436

WWesterman@pwcgov.org



Plan Comments Report

Long Range Planning

Reviewed w/Comments

Plan/Case #:	REZ2023-00018	Date:
Plan/Case Name:	GARDNER PROPERTY	
Plan Case Address:	14414 MCGRAWS CORNER DR GAINESVILLE VA 20155	
Reviewer:	Mccaskill, Mark	
	703-792-6856	MMcCaskill@pwcgov.org

The following items/issues were noted on your case. Please review and provide a letter responding to these comments, along with revised plans and proffers. Please be advised that staff might not identify all of the issues that arise during the case review and public hearing process. In addition, the solutions to the issues identified in this correction report might not be the only solutions, but are thought to be the most desirable solutions as determined by staff. Please note that any modifications will result in further review by pertinent agencies and staff, and could result in changes to the analysis and/or any recommendations.

Section I - Comments that Require Applicant's Response:

General Comment - General Comment/Correction

REZ2023-00018 – Gardner Property - Long Range Comments – Mark McCaskill, AICP
04-27-2023

The parcel identified by GPIN 7397-35-2804 has a verification for a Nonconforming Use for 14 Mobile Homes (NCU1995-0023). In addition, neighboring parcels identified by GPINs 7397-25-6428, 7379-34-3968, 7397-34-7736, 737-34-9643, and 7397-44-0054 appear to operate as a year-round campground with mobile housing units of various configurations as indicated by aerial imagery.

Mobile homes often represent “naturally occurring” or unsubsidized affordable housing. The guiding principles of the Housing Chapter of the Comprehensive Plan (Adopted December 13, 2022) are as follows:

- Quality, price-appropriate housing - housing that costs 30% of the household’s annual gross income or less, that meets the needs of all current and future residents.
- Implicit in this idea of attainability is the idea that a range of housing options (type, size, tenure, cost) should exist in the local market for a range of household income bands and preferences to support existing and new residents regardless of income.
- Housing is directly tied to public policy priorities such as economic development, education, transportation, environment, and health. (Page 1).

In addition, the following Action Strategies in the Housing Chapter of the Comprehensive Plan are relevant:

- H1.2: “Identify and quantify aging housing stock, to support the conservation of stabilization of neighborhoods and encourage rehabilitation and other initiatives that will

spur new investment, revitalize, and promote the preservation of these communities. These initiatives facilitate the preservation of “naturally-occurring” or unsubsidized affordable housing and discourages gentrification which would result in the involuntary relocation of residents.” (Page 5)

- H3.6: “Research options to encourage the preservation of naturally occurring affordable housing (i.e., programs that allow tenants or non-profit organizations to purchase these homes using a subsidy and, in exchange, regulate the rents to make them permanently affordable to lower-income residents.” (Page 12)
- H3.7: “Consider rezoning existing non-conforming mobile home parks to the RMH, Residential Mobile Home zoning district to eliminate the burden of maintaining non-conforming lot status for the property owner and to encourage preservation of mobile home parks.” (Page 12)

The applicant should indicate whether the “naturally occurring” affordable housing will be preserved in some manner, or if there is a different plan to provide affordable housing to replace the displacement of naturally occurring affordable housing resulting from the proposed redevelopment.

A portion of the parcel identified by GPIN 7397-24-2642 is in the Residential Neighborhood T-4 (RN-4) long-range land use designation. And Portions of the parcels identified as GPINs: 7397-34-9413 and 7397-24-9409 are in the Office Mixed Use T-3 (OMU-3) long range land use designation. Data Centers are not listed as a primary or secondary use in either RN-4 or OMU-3.

Section II - Questions/General Information:

NO RECOMMENDATIONS DOCUMENTED.



Plan Comments Report

Planning GIS Specialist

Review Completed

Plan/Case #:	REZ2023-00018	Date: 06/14/2024
Plan/Case Name:	GARDNER PROPERTY	
Plan Case Address:	14414 MCGRAWS CORNER DR GAINESVILLE VA 20155	
Reviewer:	Mccleary, John	
		jmmcleary@pwcgov.org

The following items/issues were noted on your case. Please review and provide a letter responding to these comments, along with revised plans and proffers. Please be advised that staff might not identify all of the issues that arise during the case review and public hearing process. In addition, the solutions to the issues identified in this correction report might not be the only solutions, but are thought to be the most desirable solutions as determined by staff. Please note that any modifications will result in further review by pertinent agencies and staff, and could result in changes to the analysis and/or any recommendations.

Section I - Comments that Require Applicant's Response:

NO COMMENTS

Section II - Questions/General Information:

NO RECOMMENDATIONS DOCUMENTED.



Plan Comments Report Prince William Water (PLN) Reviewed w/Comments

Plan/Case #:	REZ2023-00018	Date: 07/31/2024
Plan/Case Name:	GARDNER PROPERTY	
Plan Case Address:	14414 MCGRAWS CORNER DR GAINESVILLE VA 20155	
Reviewer:	Watson, Vanessa	
		VWatson@pwcgov.org

The following items/issues were noted on your case. Please review and provide a letter responding to these comments, along with revised plans and proffers. Please be advised that staff might not identify all of the issues that arise during the case review and public hearing process. In addition, the solutions to the issues identified in this correction report might not be the only solutions, but are thought to be the most desirable solutions as determined by staff. Please note that any modifications will result in further review by pertinent agencies and staff, and could result in changes to the analysis and/or any recommendations.

Section I - Comments that Require Applicant's Response:

SEE ATTACHED

Section II - Questions/General Information:

NO RECOMMENDATIONS DOCUMENTED.

April 20, 2023

MEMORANDUM

To: Juana Lozano
PWC Planning Office

From: David L. Guerra, P.E.

Re: **REZ2023-00018, Gardner Property**

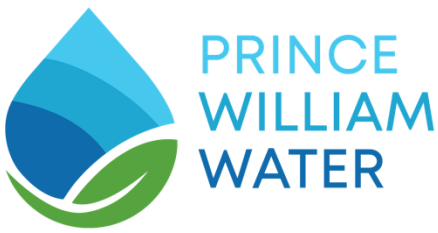
GPIN (s): 7897-24-2642, 7397-25-6482, 7397-24-7793, 7397-24-9409, 7397-33-5378
7397-44-2126, 7397-34-9413, 7397-34-9643, 7397-44-0054, 7397-35-2804
7397-24-5358, 7397-34-7736, 7397-34-3968

The connection to public water and sewer shall be in accordance with the County's land use policies and regulations.

The Service Authority's comments regarding this application are as follows:

1. No oils, fuels, anti-freeze, solvents or other pollutants or flammable substances shall be discharged into the public sewer system.
2. Applicant shall size, design and install a Service Authority (or PWC) approved grease trap on-site and submit an Industrial Users Survey, if required by the Service Authority. The applicant shall properly maintain the grease trap to prevent grease build-up in the force main or gravity sewer.
3. Fire sprinkler systems shall incorporate a county approved backflow prevention device and be designed to eliminate water hammer.
4. Grinder pumps in the sanitary sewer system may be required.
5. The applicant shall install a county approved, adequately sized backflow prevention device on the water service line. This device shall be on the customer side of the water meter and before any point of use fixture of the on-site plumbing system.
6. For any proposed landscape irrigation system, the applicant shall demonstrate to the Service Authority that there is no detrimental effect on the Service Authority's water distribution system and service pressure to the community. Irrigation systems shall be represented as a collective maximum hour demand for the hydraulic modeling of the proposed water system, both with and without a simultaneous fire flow event.

7. All on-site and off-site water system improvements necessary to mitigate the impact of the proposed irrigation system demands shall be the responsibility of the applicant.
8. The Service Authority has an existing onsite 12-inch water main near the southwest corner of the site and existing 12-inch water mains in Noland Road and Hillwood Drive, with availability of capacity determined in conjunction with plan submission. The developer will be required to provide a looped onsite configuration connecting to multiple supply sources for redundancy and reliability. All connections to the public water system shall be in accordance with the Service Authority's USM requirements and restrictions.
9. The Service Authority has an existing onsite 24-inch gravity sewer main routed through the western portion of the site, with availability of capacity determined in conjunction with plan submission. All connections to the public sewer system shall be in accordance with the Service Authority's USM requirements and restrictions.
10. Depending on the final configuration of any proposed on-site water mains, additional water main extensions may be required by the Service Authority to provide adequate fire protection or satisfy water quality requirements.
11. The applicant shall design and construct all new on-site and off-site water and sanitary sewer utility improvements necessary to develop the subject property and the above listed requirements in accordance with the Service Authority's USM, and County and State requirements, standards, and regulations. The sizing and configuration of on-site and off-site utility system improvements will be determined during the preliminary and final plan review process, based on existing and proposed zonings of surrounding properties and the policies of the County Comprehensive Plan and Service Authority planning documents. The design shall be supported by appropriate engineering analysis/modeling of affected existing utility systems and the proposed new facilities.
12. Approval of a Special Use Permit or the rezoning of a property does not guarantee or assure water and sanitary sewer capacity availability for development of said property. Available utility system capacities are allocated on a first-come-first-served basis to zoned properties having approved final site/subdivision plans upon filing the required application and full payment of all associated utility fees/charges.



July 16, 2024

MEMORANDUM

To: Monica Farmer
PWC Planning Office

From: David Pereira, P.E.

Re: **REZ2023-00018, Gardner Property 2nd Submission**

GPIN (s): 7897-24-2642, 7397-25-6482, 7397-24-7793, 7397-24-9409, 7397-33-5378
7397-44-2126, 7397-34-9413, 7397-34-9643, 7397-44-0054, 7397-35-2804
7397-24-5358, 7397-34-7736, 7397-34-3968

Prince William Water's previous comments regarding the referenced rezoning application dated April 20, 2023 (copy enclosed) are still valid and shall be applied to the proposed development.



Plan Comments Report

Transportation Dept

Reviewed w/Comments

Plan/Case #:	REZ2023-00018	Date: 07/22/2024
Plan/Case Name:	GARDNER PROPERTY	
Plan Case Address:	14414 MCGRAWS CORNER DR GAINESVILLE VA 20155	
Reviewer:	Barrett, Bryce	
	703-792-6824	BBarrett@pwcgov.org

The following items/issues were noted on your case. Please review and provide a letter responding to these comments, along with revised plans and proffers. Please be advised that staff might not identify all of the issues that arise during the case review and public hearing process. In addition, the solutions to the issues identified in this correction report might not be the only solutions, but are thought to be the most desirable solutions as determined by staff. Please note that any modifications will result in further review by pertinent agencies and staff, and could result in changes to the analysis and/or any recommendations.

Section I - Comments that Require Applicant's Response:

SEE ATTACHED

Section II - Questions/General Information:

NO RECOMMENDATIONS DOCUMENTED.

PRINCE WILLIAM COUNTY DRAFT DEPARTMENT OF TRANSPORTATION PROJECT REVIEW COMMENT AND RESOLUTION SHEET					COMMENT CATEGORIES: 1. CORRECTIONS 2. RECOMMENDATIONS 3. CLARIFICATIONS
COUNTY PROJECT NUMBER: REZ2023-00018		DEVELOPER/ENGINEER: URBAN, LTD 4200 D TECHNOLOGY COURT CHANTILLY, VA 20151		REVIEWER(S): BRYCE BARRETT BBARRETT@PWCGOV.ORG	DATE: 7/22/2024
TYPE & SUBMITTAL # REZONING SECOND SUBMISSION		PROJECT NAME: GARDNER PROPERTY			
ITEM NO.	DWG. No. ⁽¹⁾	COMMENTS	COMMENT CATEGORY	RESPONSE: MAY 17, 2024	FINAL DISPOSITION
1.01	General	Staff have received an initiation request for a Comprehensive Plan Amendment to remove McGraws Corner Drive from the Comprehensive Plan. Staff's review of the Rezoning application will be contingent upon initiation and concurrent review of the CPA.	3	Comment acknowledged.	No further action is required.
1.02	General	The Applicant identifies the vacation of right of way for McGraws Corner Drive, Gardner Manor Place and Hillcrest Farm Lane. McGraws Corner Drive is currently owned by the County and Gardner Manor Place and Hillcrest Farm Lane are owned by VDOT. The Ownership of these properties should be noted on the GDP.	1	Road labels have been revised accordingly for these three roads to identify ownership, see the revised MZP, which is provided with this resubmission.	This issue has been adequately addressed.
1.03	General	The Applicant has proposed to pursue the abandonment of McGraws Corner Drive, Gardner Manor Place and Hillcrest Farm	1	The unbuilt segment of Noland Road ROW is now proposed to be abandoned and added as part of the subject property. A 50 ft. ROW	Staff recommend additional language be added to Proffer 26 in the event off-

(1) To be completed by Applicant/Engineer. Date of Response is required.
 (2) The PWC reviewer is responsible for the final disposition of all comments.

		Lane. Should these abandonments be approved, there will be no need for the extension of Nolan Road. Therefore, staff recommends the unconstructed portion of Nolan Road be included in the abandonment request with the exception of land required to construct a cul-de-sac at the terminus of the existing segment. Additionally, the Applicant should proffer to construct this cul-de-sac following successful abandonment of the identified portion of Nolan Road.		cul-de-sac reservation has been located at the intersection of the existing Nolan Road and Gardner Park Drive centerlines which requires some ROW dedication from the subject property, show on the MZP sheets 02 and 04. Note that a 50' ROW reservation for a cul-de-sac at this location appears to encroach into offsite parcel identified as GPIN 7397-33-5862 south of the subject property, and will require off-site negotiation for the needed right-of-way.	site ROW is not acquired, alternative compliance shall be provided as approved VDOT and PWCDOT.
1.04	General	Hillwood Drive has an existing sidewalk along portions of the site's frontage. The Applicant should provide a sidewalk along the entire site frontage on Hillwood Drive.	1	Curb and gutter and sidewalk along Hillwood Drive frontage has been provided with a 4 ft. landscaping strip between the curb and the 5 ft. sidewalk. See Sheets 02 and 04 of the GDP.	This issue has been adequately addressed.
1.05	TIA	The development adds considerable traffic to the right turn movement at intersection #2. Since this is a drop lane condition from the SB Route 55 ramp, a weaving analysis should be performed for this movement.	1	Comment acknowledged. A weaving analysis is included in the revised submission of the TIA. The weaving analysis results show weaving conditions are acceptable, with LOS A for the AM peak hour and LOS B for the PM peak hour based on HCS results. Additionally, the queuing observed for the westbound right movement onto McGraws Corner Drive is minimal in 2027 Future with Development conditions. 95 th percentile queues of 38 feet in the AM peak hour and 27 feet in the PM peak hour were observed based on Synchro results for this westbound right movement.	This issue has been adequately addressed.

(1) To be completed by Applicant/Engineer. Date of Response is required.
(2) The PWC reviewer is responsible for the final disposition of all comments.



Plan Comments Report

VDOT Fairfax

Pending

Plan/Case #:	REZ2023-00018	Date:
Plan/Case Name:	GARDNER PROPERTY	
Plan Case Address:	14414 MCGRAWS CORNER DR GAINESVILLE VA 20155	
Reviewer:	Barrett, Bryce	
	703-792-6824	BBarrett@pwcgov.org

The following items/issues were noted on your case. Please review and provide a letter responding to these comments, along with revised plans and proffers. Please be advised that staff might not identify all of the issues that arise during the case review and public hearing process. In addition, the solutions to the issues identified in this correction report might not be the only solutions, but are thought to be the most desirable solutions as determined by staff. Please note that any modifications will result in further review by pertinent agencies and staff, and could result in changes to the analysis and/or any recommendations.

Section I - Comments that Require Applicant's Response:

COMMENTS PENDING

Section II - Questions/General Information:

NO RECOMMENDATIONS DOCUMENTED.



Plan Comments Report

Watershed Management

Reviewed w/Comments

Plan/Case #:	REZ2023-00018	Date: 07/24/2024
Plan/Case Name:	GARDNER PROPERTY	
Plan Case Address:	14414 MCGRAWS CORNER DR GAINESVILLE VA 20155	
Reviewer:	Flanagan, Julia	
	703-792-7208	jflanagan@pwcgov.org

The following items/issues were noted on your case. Please review and provide a letter responding to these comments, along with revised plans and proffers. Please be advised that staff might not identify all of the issues that arise during the case review and public hearing process. In addition, the solutions to the issues identified in this correction report might not be the only solutions, but are thought to be the most desirable solutions as determined by staff. Please note that any modifications will result in further review by pertinent agencies and staff, and could result in changes to the analysis and/or any recommendations.

Section I - Comments that Require Applicant's Response:

SEE ATTACHED

Section II - Questions/General Information:

NO RECOMMENDATIONS DOCUMENTED.

ENVIRONMENTAL MANAGEMENT COMMENTS

PROJECT: Gardner Property

PROJECT#: REZ2023-00018

FROM: Benjamin Eib, Assistant Chief of Watershed Management Branch

REVIEWERS: Julia Flanagan (Arborist), Clay Morris (Environmental Engineer)

DATE: July 22, 2024 (2nd submission)

REQUEST: Rezone 82.67 acres from A-1 and B-1 to PBD (Planned Business District) with an M-2 Light Industrial Land Bay for data center uses and an electric substation. Currently the site is planned for Office/Mixed Use (OMU-3) at the southern end and Industrial uses (I-3) at the northern end.

SITE: Subject property has some existing mobile home and RV park development with the remainder being forest, RPA, wetlands, and floodplains. Steep slopes with highly erodible soils border and lie within the RPA. There are 35 specimen trees. One pad site has been cleared at the southeastern side of the site. This site is not within the Data Center Opportunity Overlay District.

COMMENTS:

I. Anticipated Impacts on Goals, Policies and Action Strategies of the Comprehensive Plan Natural Resources

2.1 (Updated Comment) This site contains substantial area of Environmental Resources (ER). Numerous Comprehensive Plan Policies and Action Strategies speak to protecting and preserving natural resources (See DES-12.1, 12.2, 12.3 and 12.5; EN-1.3 and 1.7; EN-4.8; EN-5.1, 5.3, , 5.17, 5.19; EN-6.10; EN-9.10; EN-10; DES-9.4; EN-3.7 and 3.13). Minimization of forest fragmentation, designing to preserve areas that connect to adjacent preserved areas and preservation of sensitive environmental features are key to good quality land development.

One intent of rezonings is for the Applicant to show how their proposal goes above and beyond the minimum requirements of the Zoning Ordinance and DCSM to meet the intent and policies of the Comprehensive Plan. With this submission the Limit of Disturbance (LOD) has been revised to add 2 areas of undisturbed forest cover to the proposal. The RPA onsite is approximately 26.36 acres. This represents about 32% of the Gross Site Area (GSA) and 82% of all undisturbed area proposed. There are 29.19 acres of ER onsite of which 1.94 acres is proposed to be disturbed. To meet the policies of the Comprehensive Plan, staff recommends the Applicant:

- a. (Updated Comment) Create an area of Natural Open Space at the northern end of the site, starting north of the existing pond, between the RPA and the railroad, where the substation is shown. This would provide additional buffering for the residences to the north, preserve native hardwood forest contiguous to the existing

preserved forest to the west, and preserve 5 more specimen trees. With this submission a change has been made, but not close to the full extend recommended by staff.

- b. (Repeat Comment) Preserve the 2 areas of steep slopes with highly erodible soils along 2 intermittent stream channels connecting to the RPA. (EN-5.1)
- c. (Repeat Comment) Preserve the existing trees in the 50' perimeter buffer along the railroad.
- d. Proffer to the above preservation areas.

2.2 On the ECA (ZO 32-700.21.6; EN-1.2, Reference Manual):

- a. Revise the LOD line in accordance with comments below.
- b. (Updated Comment) Show and label the areas of suitable/preferred habitat for the Wood Turtle and Brook Floater. Since habitat for these two species apparently occurs onsite showing them on the ECA and GDP is appropriate based on EN-5.17 and 5.15. See below.
- c. (Repeat Comment) Please show the ER boundary large and easily visible.
- d. The table labeled "Environmental Resources" states that 22 acres of tree cover are proposed to be saved and 32 acres of land is proposed to remain undisturbed. Since all but about 3 acres of the area outside the proposed LOD is forested, how do you arrive at these numbers?

2.3 (Repeat Comment) Should suitable habitat for the Wood turtle occur onsite, preservation of this habitat is called for by EN-5.15 and 5.17 which calls for the identification, management and protection of wildlife and especially critical habitats where these species could occur. To know where their habitat is it needs to be shown in the rezoning documents, such as the ECA and GDP Open Space Plan (See also EN-5.15). Also, EN-1.3 speaks to preserving open space for habitat of special concern. Staff recommends the Applicant provide the survey for suitable habitat for the Wood Turtle with this application. If suitable habitat is determined to occur onsite, then staff recommends the Applicant set aside that habitat as conservation area.

Landscaping

2.4 The Land Use Plan anticipates any new use abutting the existing retail uses to the south be of similar nature (OM-3, office and mixed-uses) not the industrial use proposed. Further, the proposed data center is outside the existing Data Center Opportunity Overlay District. Given this, staff recommends the Applicant provide the 50' wide, Type C buffer meeting 320 pu/100lf which is required in the PBD along the entirety of the southern boundary of the site. (DES-1.1)

II. Site Specific Concerns:

2.5 On the GDP, please provide the following:

- a. Show site layout to include how the interior parking lot landscaping requirement will be met. (DCSM 802.44)
- b. Show the PBD required 50' perimeter buffer along all perimeter boundaries.
- c. The application states one land bay may be rezoned to M-2. Show where this is.
- d. Under Note #4 on Sheet 2 of 5 the note states "Total Area to Be Rezoned M-2: 82.67 AC" Please revise this to reflect the intent to rezone to PBD.

2.6 Staff has not had the opportunity to walk this site. Additional comments may result from a site visit.

III. Conflicts with Minimum Development Standards:

2.7 The Planned Business District requires the Applicant to provide a minimum 50' wide buffer around the entire perimeter of the site. Since the prior (1st) submission was to rezone to M-2 this was not required. But it is with this PBD zoning request. Please show this buffer provided throughout. ZO 32-405.4.5 also calls for this buffer to be provided by preserving the existing forest cover. Please revise the proposed LOD to preserve the existing forest cover within the buffer where it occurs and supplemental planting where it does not occur.