

MOTION:

**October 19, 2021
Regular Meeting
Ord. No. 21-**

SECOND:

**RE: ZONING TEXT AMENDMENT #DPA2021-00016, DATA CENTER OPPORTUNITY
ZONE OVERLAY DISTRICT – INNOVATION PARK – BRENTSVILLE MAGISTERIAL
DISTRICT**

ACTION:

WHEREAS, Section 15.2-2283 of the Code of Virginia states that zoning ordinances shall be for the general purpose of promoting the health, safety, or general welfare of the public; and

WHEREAS, this is a request for a zoning text amendment to modify the boundary of the Data Center Opportunity Zone Overlay District (DCOZOD) to address the adoption of, and support the implementation of, the Innovation Park Small Area Plan. This change effects over two dozen properties totaling approximately 174 acres and aligns the overlay with the long-range land use designation of the Small Area Plan; and

WHEREAS, by way of Resolution Number (Res. No.) 20-852 on December 15, 2020, the Prince William Board of County Supervisors (Board) Zoning Text Amendments to the Zoning Ordinance, including the Technology Overlay District and the Data Center Opportunity Overlay District, to address the adoption of, and support the implementation of the Innovation Park Small Area Plan; and

WHEREAS, the Prince William County Planning Commission duly ordered, advertised, and held a public hearing on September 15, 2021, at which time public testimony was received and the merits of the above-referenced case were considered; and

WHEREAS, the Prince William County Planning Commission recommends approval of Zoning Text Amendment #DPA2021-00016, Data Center Opportunity Zone Overlay District – Innovation Park and believes that public general welfare as well as good planning practices are served by the adoption of this Zoning Text Amendment; and

WHEREAS, County staff recommends adoption of Zoning Text Amendment #DPA2021-00016, Data Center Opportunity Zone Overlay District – Innovation Park, as stated in the staff report; and

WHEREAS, the Board duly ordered, advertised, and held a public hearing on October 19, 2021, at which time public testimony was received and the merits of the above-referenced case were considered; and

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

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NOW, THEREFORE, BE IT ORDAINED that the Prince William Board of County Supervisors hereby adopts Zoning Text Amendment #DPA2021-00016, Data Center Opportunity Zone Overlay District - Innovation Park.

ATTACHMENT: Proposed Map Amendment

Votes:

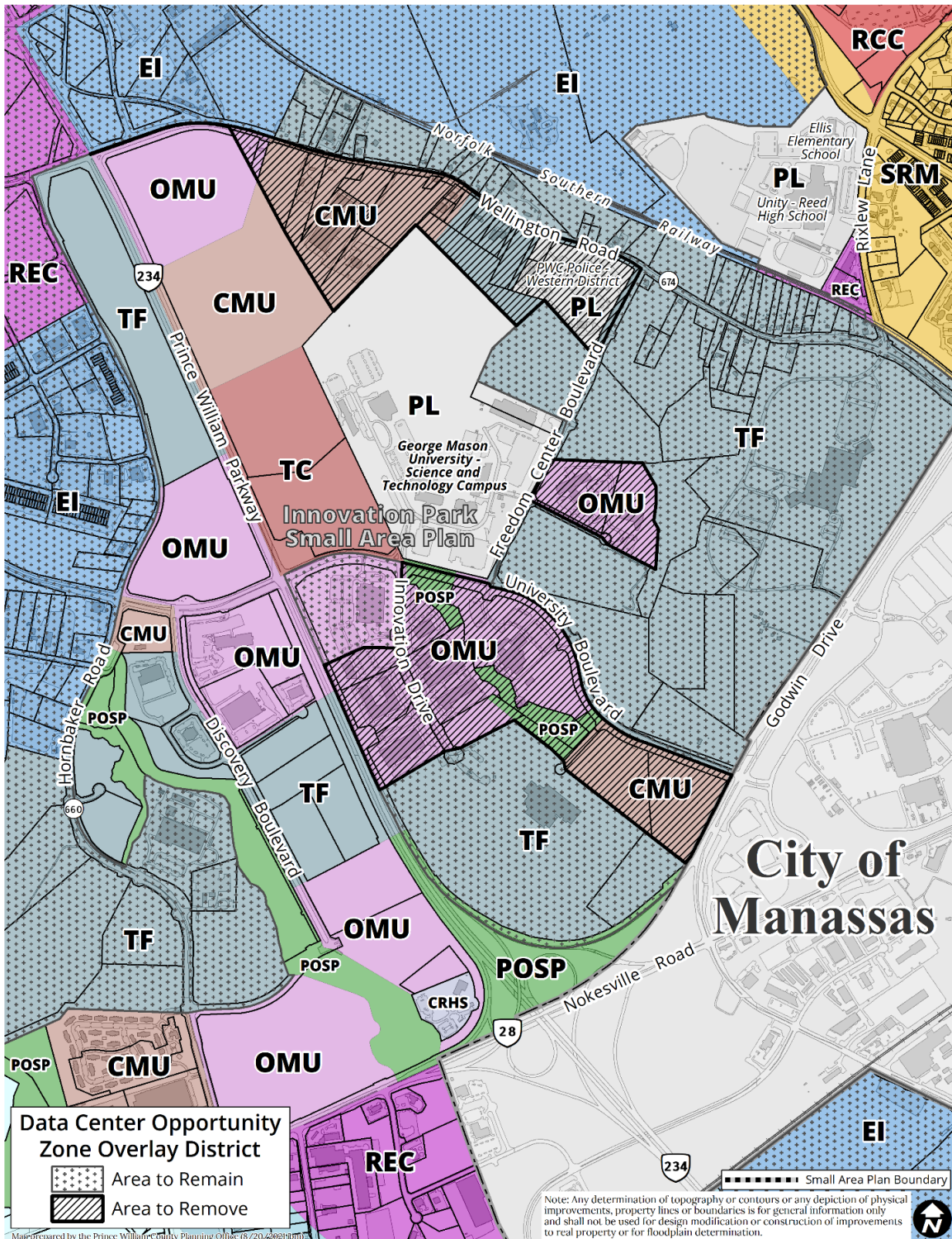
Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

ATTEST: _____
Clerk to the Board





STAFF REPORT

The Board of County Supervisors

Ann B. Wheeler, Chair
Andrea O. Bailey, Vice Chair
Victor S. Angry
Kenny A. Boddye
Pete Candland
Margaret Angela Franklin
Jeanine M. Lawson
Yesli Vega

BOCS Meeting Date:	October 19, 2021
Agenda Title:	Zoning Text Amendment #DPA2021-00016, Data Center Opportunity Zone Overlay District – Innovation Park
District Impact:	Brentsville Magisterial District
Requested Action:	Adopt Zoning Text Amendment #DPA2021-00016, Data Center Opportunity Zone Overlay District – Innovation Park.
Department:	Planning
Staff Lead:	Parag Agrawal

EXECUTIVE SUMMARY

This is a request for a zoning text amendment (ZTA) to modify the boundary of the Data Center Opportunity Zone Overlay District (DCOZOD) to address the adoption of, and support the implementation of, the Innovation Park Small Area Plan. This change affects over 30 properties totaling approximately 174 acres and aligns the overlay with the long-range land use designation of the Small Area Plan.

It is the recommendation of staff and the Planning Commission that the Prince William Board of County Supervisors (Board) adopts Zoning Text Amendment #DPA2021-00016, Data Center Opportunity Zone Overlay District – Innovation Park.

BACKGROUND

Purpose of the Zoning Ordinance – Section 15.2-2283 of the Code of Virginia states that zoning ordinances shall be for the general purpose of promoting the health, safety, or general welfare of the public.

Current Zoning Ordinance Language – The purpose and intent of County Code Sec. 32-509.01 et seq., DCOZOD, is to promote development of data centers within areas of the County where there is existing infrastructure that could adequately support the proposed use. This district continues the County's efforts to attract and advance high-tech industrial development while limiting negative impacts to communities.

Amendments to the DCOZOD – Zoning Text Amendment #DPA2019-00002, Data Center Opportunity Zone Overlay District, was approved on June 18, 2019 (Ord 19-24). The amendment removed areas that should be retained for high visibility employment uses, added areas ideal for data center development and adjusted boundaries based on mapping or use inconsistencies. Additionally, the amendment included design standard language to ensure high quality design and buffering, as appropriate, for data centers that are by-right uses. As part of the past amendment the overlay was amended to remove portions of the Innovation Sector Plan (superseded by the Innovation Park Small Area Plan) south of Route 234.

On September 7, 2021, the Board adopted an amendment to the Data Center Opportunity Zone Overlay District. This amendment, DPA2021-00014, Hunter Property, added property to the overlay in the Linton Hall corridor.

There is one additional ongoing amendment to the Data Center Opportunity Zone Overlay District, DPA2021-00020 Data Center Opportunity Zone Overlay District Comprehensive Review. Staff is still in the early stages of DPA2021-00020. Staff held a work session on September 1, 2021, to provide the Planning Commission with an update. This work session primarily focused on process and public engagement.

Proposed Remedy – The proposed zoning text amendment modifies the DCOZOD map to align with the long-range land use designation changes adopted as part of the Innovation Park Small Area Plan. This zoning text amendment effects over 30 properties and aligns the DCOZOD with the long-range land use designations of the Innovation Park Small Area Plan. Properties include County-owned land (Western District Police Station), State-owned land (Virginia forensic center), developed commercial land (ATCC, Berkley Net, Progeny) and partially developed industrial land. Areas being removed from the overlay are designated OMU, Office Mixed Use, CMU, Community Mixed Use, TF, Technology / Flex, PL, Public Land, and POSP, Parks and Open Space Passive. These designations do not recommend data center uses.

TF, Technology / Flex is appropriate for data centers; however, the specific area identified to be removed is surrounded by institutional areas including the George Mason University Campus and the Western District Police Station, and mid to high density CMU, Community Mixed Use, land with proposed average building heights of 4-6 stories.

Approximately 174 acres would be removed from the Data Center Overlay. Staff does not see this as an issue as the majority of the parcels being removed are already occupied or are not likely candidates for future data center development.

Innovation Park Small Area Plan Implementation – One of the implementation strategies of the Innovation Park Small Area Plan is to review / amend the Data Center Opportunity Zone Overlay District to ensure no future conflict with the adopted Small Area Plan.

On December 15, 2020, the Board adopted the Innovation Park Small Area Plan. As part of the Innovation Park Small Area Plan, the Board initiated Zoning Text Amendment #DPA2021-00016 to amend the Data Center Opportunity Zone Overlay District to address the adoption of, and support the implementation of, the Innovation Park Small Area Plan.

Planning Commission Deferral – A public hearing before the Planning Commission was properly advertised for June 2, 2021. Staff requested and the Planning Commission agree to defer this matter to a date certain of June 16, 2021. On June 16, 2021, the Planning Commission voted to defer the matter to a date uncertain, to allow for staff to engage in additional outreach to property owners affected by this amendment. The public hearing was never opened.

Staff modified the recommendation to reflect feedback staff received from affected landowners. The recommendation removes 35 properties from the Data Center Opportunity Zone Overlay District and leaves 11101 University Boulevard Manassas, Virginia, 20110, in the overlay.

11101 University Boulevard Manassas, Virginia, 20110, is approximately 17.7 acres and sits at the corner of University Boulevard and Prince William Parkway. It is designated OMU, Office Mixed Use and zoned PBD, Planned Business District, with an office / industrial land bay. This property presents a unique situation as it is proffered for a maximum gross floor area of 208,173 square feet. The existing structure is approximately 105,032 square feet and the landowner has informed staff that the facility contains existing data center uses. If this site was developed to its maximum capacity as proffered it would be limited to 0.27 FAR, well below what could be expected on a similar site with no proffers, and it is subject to Innovation Architectural Review Board (ARB) review. This will limit any potential adverse visual impacts a redevelopment of the site could impose.

Planning Commission Public Hearing – A public hearing before the Planning Commission was properly advertised for September 15, 2021, on which date the Planning Commission recommended approval of the proposed Zoning Text Amendment on the expedited agenda.

STAFF RECOMMENDATION

The Planning Office recommends approval of Zoning Text Amendment #DPA2021-00016, Data Center Opportunity Zone Overlay District – Innovation Park, for the following reason:

- The areas removed address the adoption of, and support the implementation of, the Innovation Park Small Area Plan.

Strategic Plan

Resilient Economy – If approved, the proposed Zoning Text Amendment would encourage development consistent with the Innovation Park Small Area Plan. This Plan estimates an increase in jobs ranging from 3,600 on the low end to 22,000 on the high end compared to the former Innovation Sector Plan. A portion of this increase can be attributed to the change in land uses the Innovation Park Small Area Plan envisions. The Innovation Park Small Area Plan helps to support key elements of the 2021-2024 Strategic Plan by increasing the commercial tax base, at-place employment, and delivering targeted industry uses. Data

Centers could be developed on the parcels removed from the DCOZOD with a Special Use Permit.

Community Input

The Planning Office has received input from one resident at the April 30, 2021, DCSM Zoning Ordinance Committee meeting. The resident expressed concerns with the proposed Zoning Text Amendment as it recommends removing areas from the overlay around George Mason University and nonresidential areas. The Planning Office has received input from two landowners. Their comments and concerns have been addressed in staff's recommendation.

Prior to the June 2, 2021 Public Hearing, the Planning Office received additional input from a landowner opposing the removal of their property from the existing overlay. The landowner's concerns have been addressed by staff.

The Planning Office mailed a post card and letter to property owners notifying them of this amendment and directing them to our project webpage for more information. Staff has received additional feedback from one property owner with an existing office use. This property owner had no opposition to this amendment.

Legal Issues

Legal issues, if any, are appropriately addressed by the County Attorney's Office.

Timing

There is no time requirement for the Board to take action on a zoning text amendment.

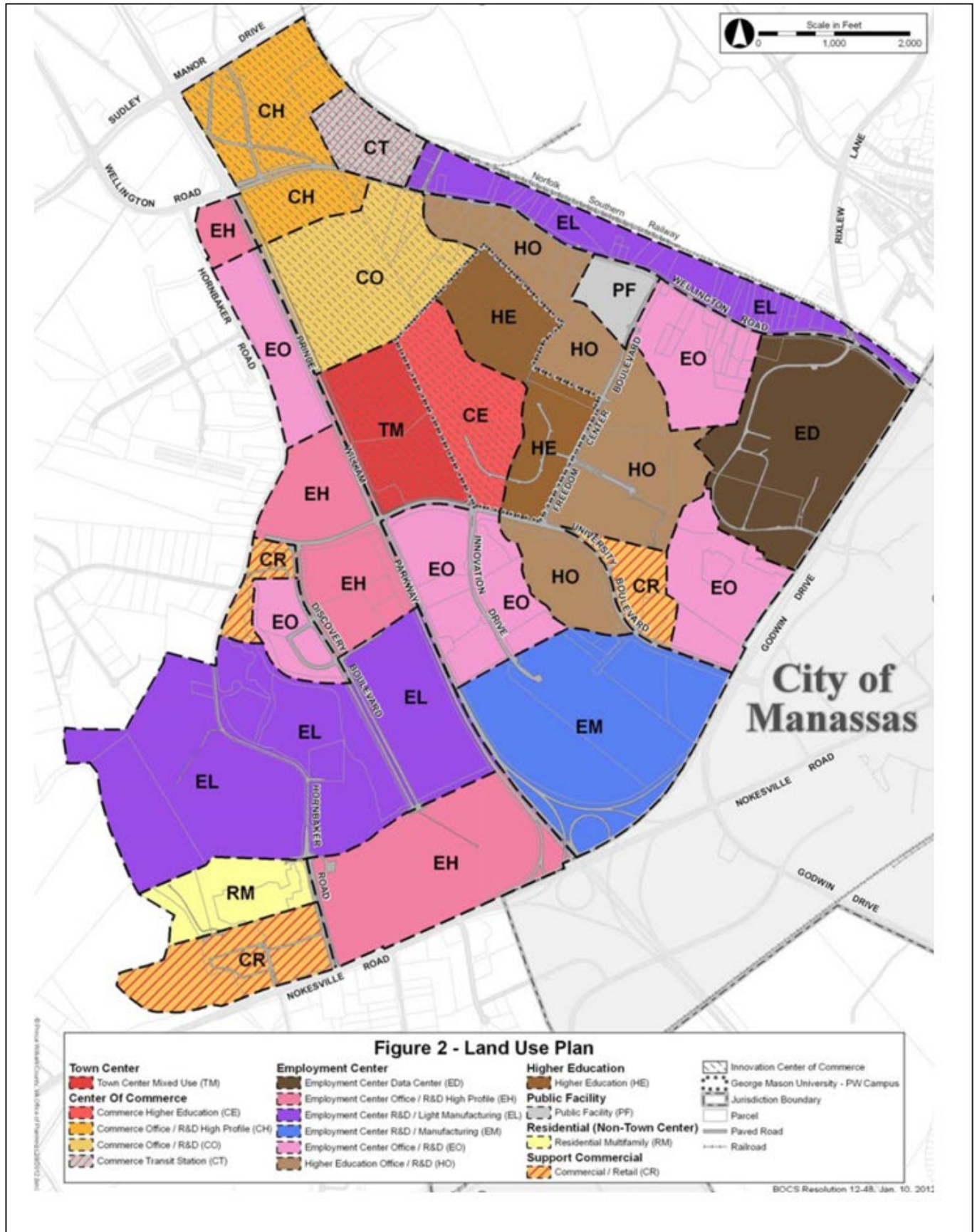
STAFF CONTACT INFORMATION

Alexander Stanley | (703) 792-7359
AStanley@pwcgov.org

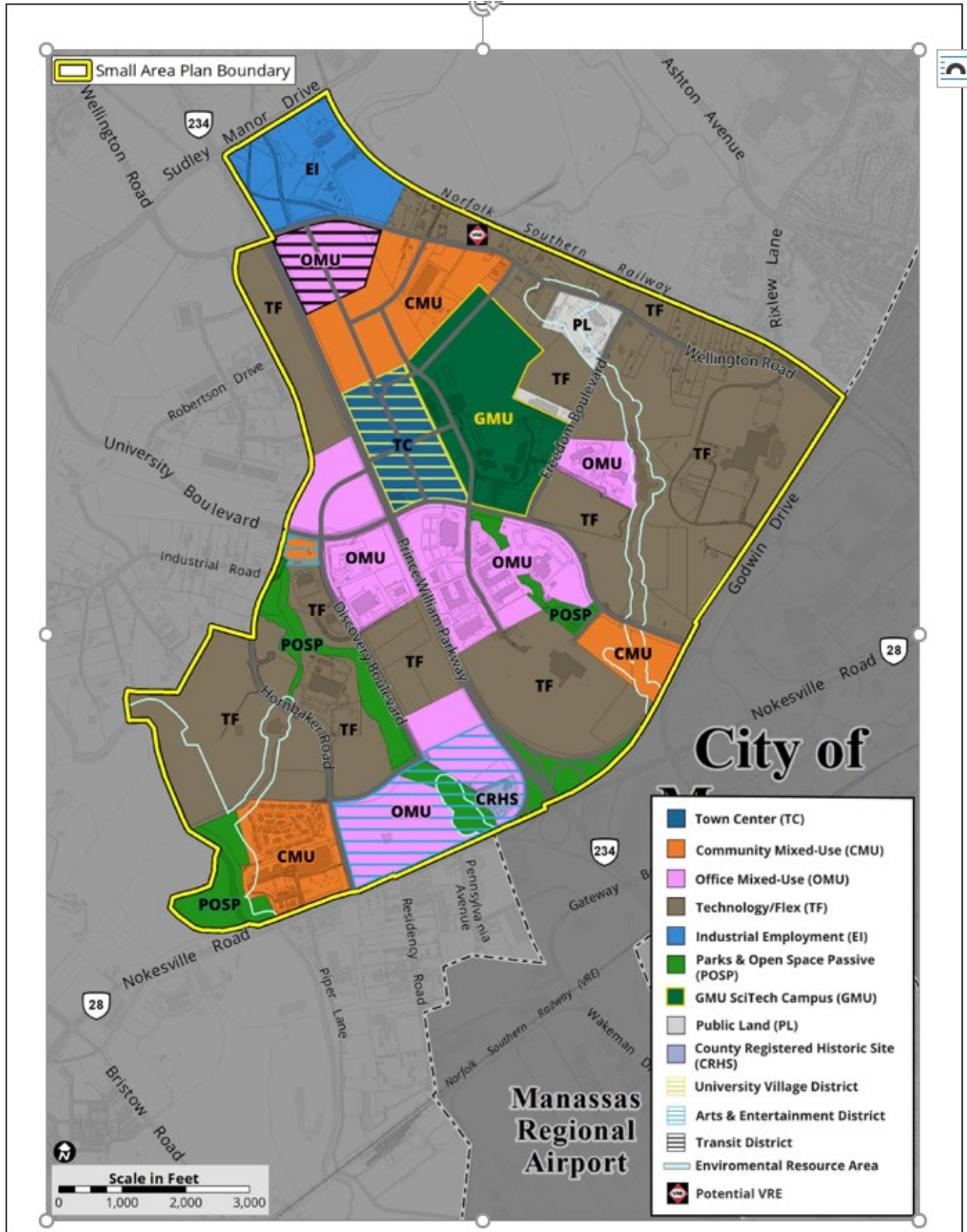
ATTACHMENTS

Innovation Sector Plan Map
Innovation Park Small Area Plan Land Use Map
Board of County Supervisors Initiating Resolution
Planning Commission Resolution

Innovation Sector Plan Map



Innovation Park Small Area Plan Land Use Map



BOCS Initiating Resolution

MOTION: LAWSON

**December 15, 2020
Regular Meeting
RES. No. 20-852**

SECOND: VEGA

RE: COMPREHENSIVE PLAN AMENDMENT #CPA2017-00005 INNOVATION PARK SMALL AREA PLAN – BRENTSVILLE MAGISTERAL DISTRICT, AND INITIATE ZONING TEXT AMENDMENTS TO THE ZONING ORDINANCE, INCLUDING THE TECHNOLOGY OVERLAY DISTRICT AND THE DATA CENTER OPPORTUNITY OVERLAY DISTRICT, TO ADDRESS THE ADOPTION OF, AND SUPPORT THE IMPLEMENTATION OF, THE INNOVATION PARK SMALL AREA PLAN

ACTION: APPROVED

WHEREAS, the Innovation @ Prince William Science and Technology Sector Plan was adopted by the Board of County Supervisors on January 10, 2012; and

WHEREAS, on August 3, 2016, the Board of County Supervisors (Board) approved Resolution Number (Res. No.) 16-647 which accepted the Proposed Scope of Work for the Comprehensive Plan Update, including the proposed Innovation Park Small Area Plan; and

WHEREAS, the Innovation Park Small Area Plan is intended to replace the existing Innovation @ Prince William Science and Technology Sector Plan; and

WHEREAS, the Innovation Park Small Area Plan capitalizes on the County's major investment in the Innovation Business Park in partnership with George Mason University to create a successful advanced technology business and academic environment core for Prince William County; and

WHEREAS, on March 10, 2018, a community charrette was conducted where participants focused on the design elements and discussed the major components of Land Use, Transportation, Parks/Open Space & Green Infrastructure, and Economic Development to incorporate into the Innovation Park Small Area Plan; and

WHEREAS, on June 24, 2020 and July 1, 2020, the Planning Office held a public information meeting and Planning Commission Work Session at which the Innovation Park Small Area Plan was available for public review and input; and

WHEREAS, the Prince William County Planning Commission held a public hearing on the Innovation Park Small Area Plan on July 22, 2020, recommending approval as stated in Res. No. 20-044; and

WHEREAS, County staff recommends adoption of the Innovation Park Small Area Plan; and

BOCS Initiating Resolution

December 15, 2020
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WHEREAS, the Prince William County Board of County Supervisors duly ordered, advertised, and held a public hearing on December 15, 2020, at which time public testimony was received and the merits of the above-referenced case were considered; and

WHEREAS, the Prince William County Board of County Supervisors believes that public general welfare as well as good planning practices are served by the approval of this request, and it guides and accomplishes a coordinated, adjusted, and harmonious development of the territory which will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity, and general welfare of the inhabitants, including the elderly and persons with disabilities; and

WHEREAS, the Prince William County Board of County Supervisors finds that the public necessity, convenience, general welfare, and good zoning practice requires amendments to the Zoning Ordinance, including the Technology Overlay District and the Data Center Opportunity Zone Overlay District, to address the adoption of, and support the implementation of, the Innovation Park Small Area Plan;

NOW, THEREFORE, BE IT RESOLVED that the Prince William County Board of County Supervisors hereby adopts Comprehensive Plan Amendment #CPA2017-00005, Innovation Park Small Area Plan with the following change in long range land use designation of the Land Use Map from CMU, Community Mixed Use to OMU, Office Mixed Use for the parcel identified in the Prince William County Mapper as GPIN:7695-04-7224;

BE FURTHER RESOLVED that the Prince William Board of County Supervisors hereby initiates amendments to the Zoning Ordinance, including the Technology Overlay District and the Data Center Opportunity Zone Overlay District, to address the adoption of, and support the implementation of, the Innovation Park Small Area Plan.

ATTACHMENT: Land Use Map

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

ATTEST:



Clerk to the Board



PLANNING COMMISSION RESOLUTION

MOTION: MCKAY **September 15, 2021**
SECOND: MCPHAIL **Regular Meeting**
RE: ZONING TEXT AMENDMENT #DPA2021-00016, **RES. No. 21-095**
DATA CENTER OPPORTUNITY ZONE OVERLAY DISTRICT - INNOVATION PARK
BRENTSVILLE MAGISTERIAL DISTRICT
ACTION: RECOMMEND ADOPTION

WHEREAS, under Section 15.2-2283 of the Code of Virginia, zoning ordinances shall be for the general purpose of promoting the health, safety, or general welfare of the public; and

WHEREAS, this is a request for a zoning text amendment to modify the boundary of the Data Center Opportunity Zone Overlay District (DCOZOD) to address the adoption of, and support the implementation of, the Innovation Park Small Area Plan. This change effects over two dozen properties totaling approximately 174 acres and align the overlay with the long-range land use designation of the small area plan; and

WHEREAS, by way of Resolution No. 20-852, the Board of County Supervisors initiated a zoning text amendment on December 15, 2020, to initiate Zoning Text Amendments to the Zoning Ordinance, including the Technology Overlay District and the Data Center Opportunity Overlay District, to address the adoption of, and support the implementation of the Innovation Park Small Area Plan; and

WHEREAS, the Prince William County Planning Commission duly ordered, advertised, and held a public hearing on June 2, 2021, at which time staff requested a deferral prior to the opening of the public hearing; and

WHEREAS, on June 2, 2021, the Prince William County Planning Commission deferred Zoning Text Amendment #DPA2021-00016, Data Center Opportunity Zone Overlay District - Innovation Park, to the date certain of June 16, 2021, on the Regular Agenda.

WHEREAS, the Prince William County Planning Commission duly ordered and advertised a public hearing on June 16, 2021, at which time staff requested a deferral prior to the opening of the public hearing; and

WHEREAS, the Prince William County Planning Commission duly ordered, advertised, and held a public hearing on September 15, 2021, at which time public testimony was received and the merits of the above-referenced case were considered; and

Planning Commission Resolution

September 15, 2021
Regular Meeting
RES. No. 21-095
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WHEREAS, the Prince William County Planning Commission believes that public general welfare as well as good planning practices are served by the adoption of this Zoning Text Amendment;

NOW, THEREFORE, BE IT RESOLVED that the Prince William County Planning Commission does hereby close the public hearing and recommend adoption of Zoning Text Amendment #DPA2021-00016, Data Center Opportunity Zone Overlay District - Innovation Park, on the expedited agenda.

Votes:

Ayes: Berry, Fontanella, McKay, McPhail, Milne, Moses-Nedd, Perry, Taylor

Nays: None

Abstain from Vote: None

Absent from Vote: None

Absent from Meeting: None

MOTION CARRIED

Attest:



Robbyn L. Smith
Clerk to the Planning Commission



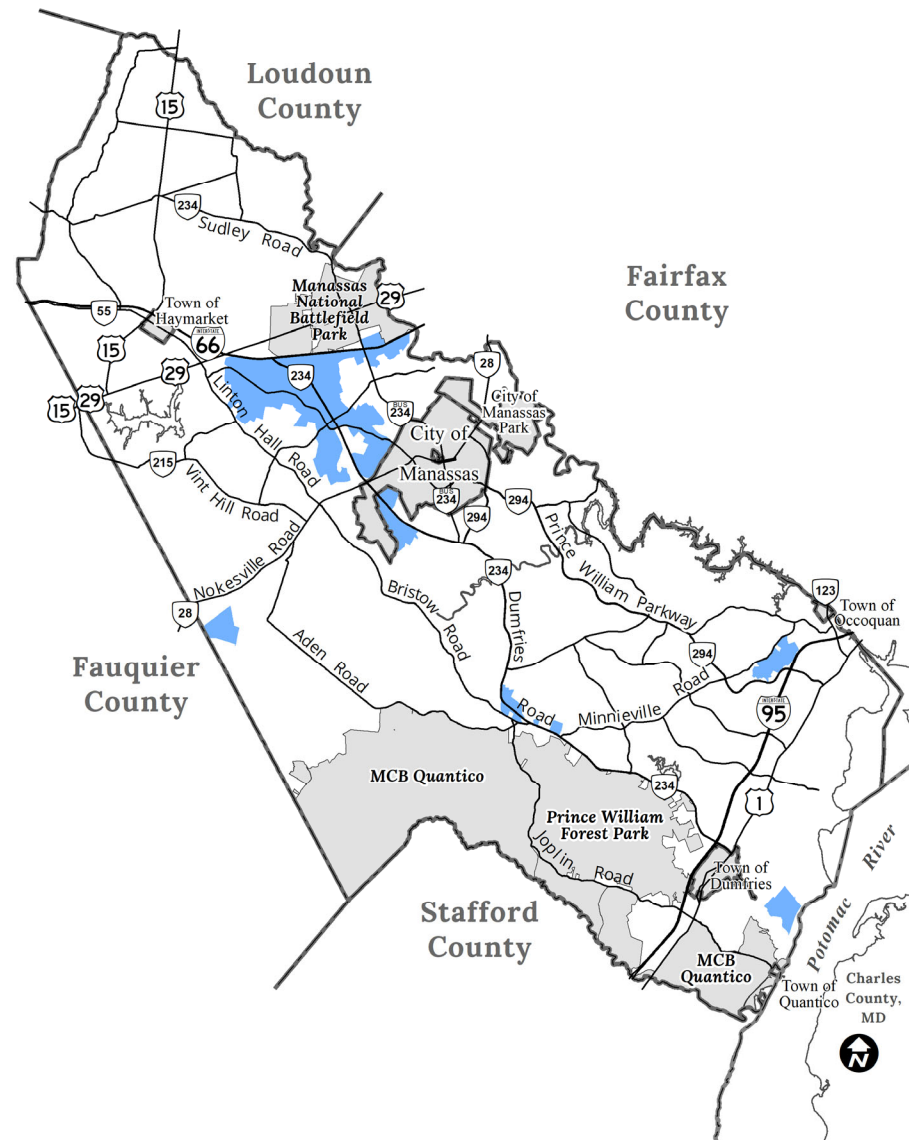
PRINCE WILLIAM
COUNTY

#DPA2021-00016 Data Center Opportunity Zone Overlay District – Innovation Park

Alexander Stanley
Planning Office

Background

- The Data Center Opportunity Zone Overlay District (DCOZOD) was adopted on May 17, 2016
- Last major modification on June 7, 2019



Board of County Supervisors Initiation



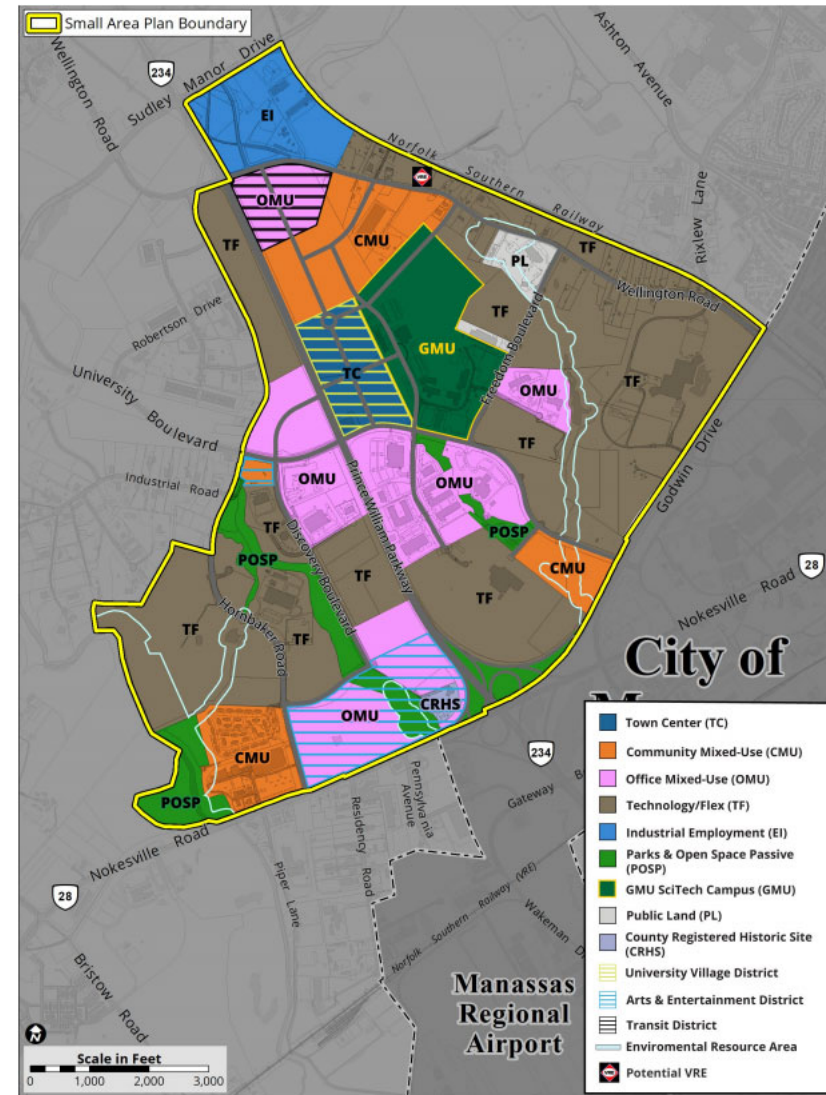
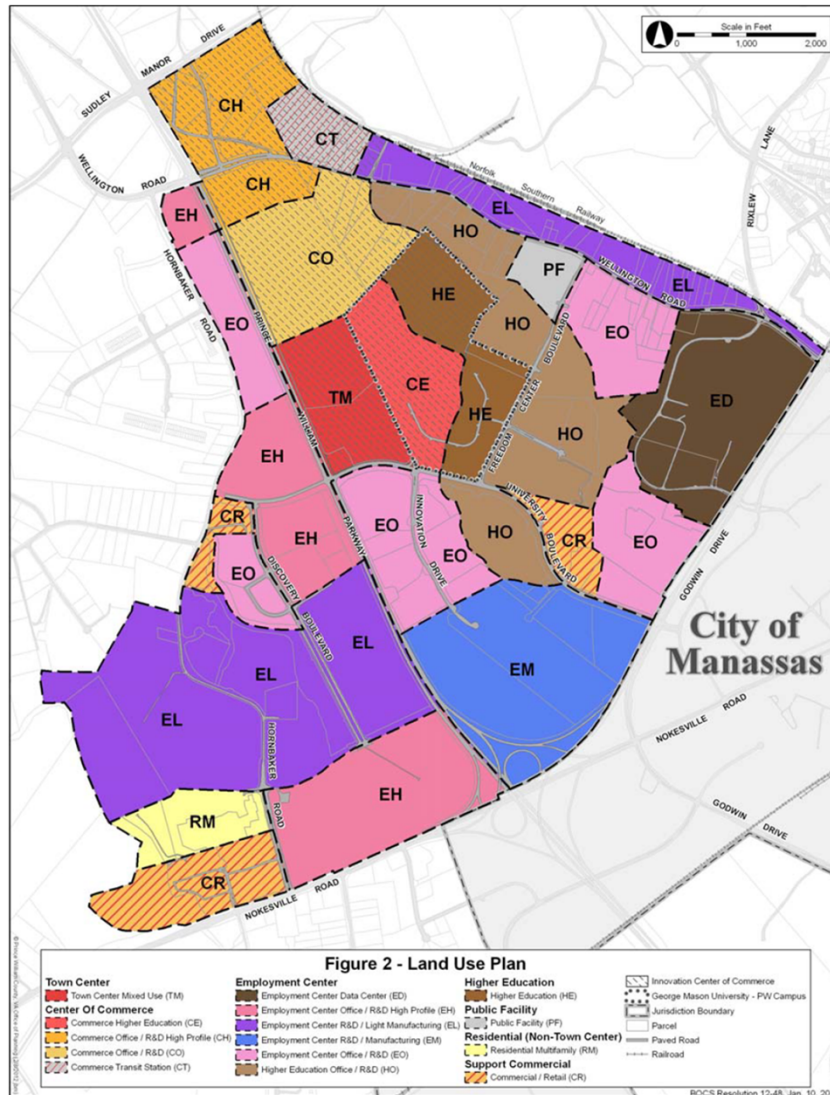
PRINCE WILLIAM
COUNTY

- Initiated with adoption of the Innovation Park Small Area Plan on December 15, 2020.
- The Board of County Supervisors initiated amendments to the Zoning Ordinance, including the Technology Overlay District and the **Data Center Opportunity Zone Overlay District**, to address the **adoption** of, and **support** the **implementation** of, the **Innovation Park Small Area Plan**.

#DPA2021-00016 - DCOZOD Innovation Park



PRINCE WILLIAM
COUNTY

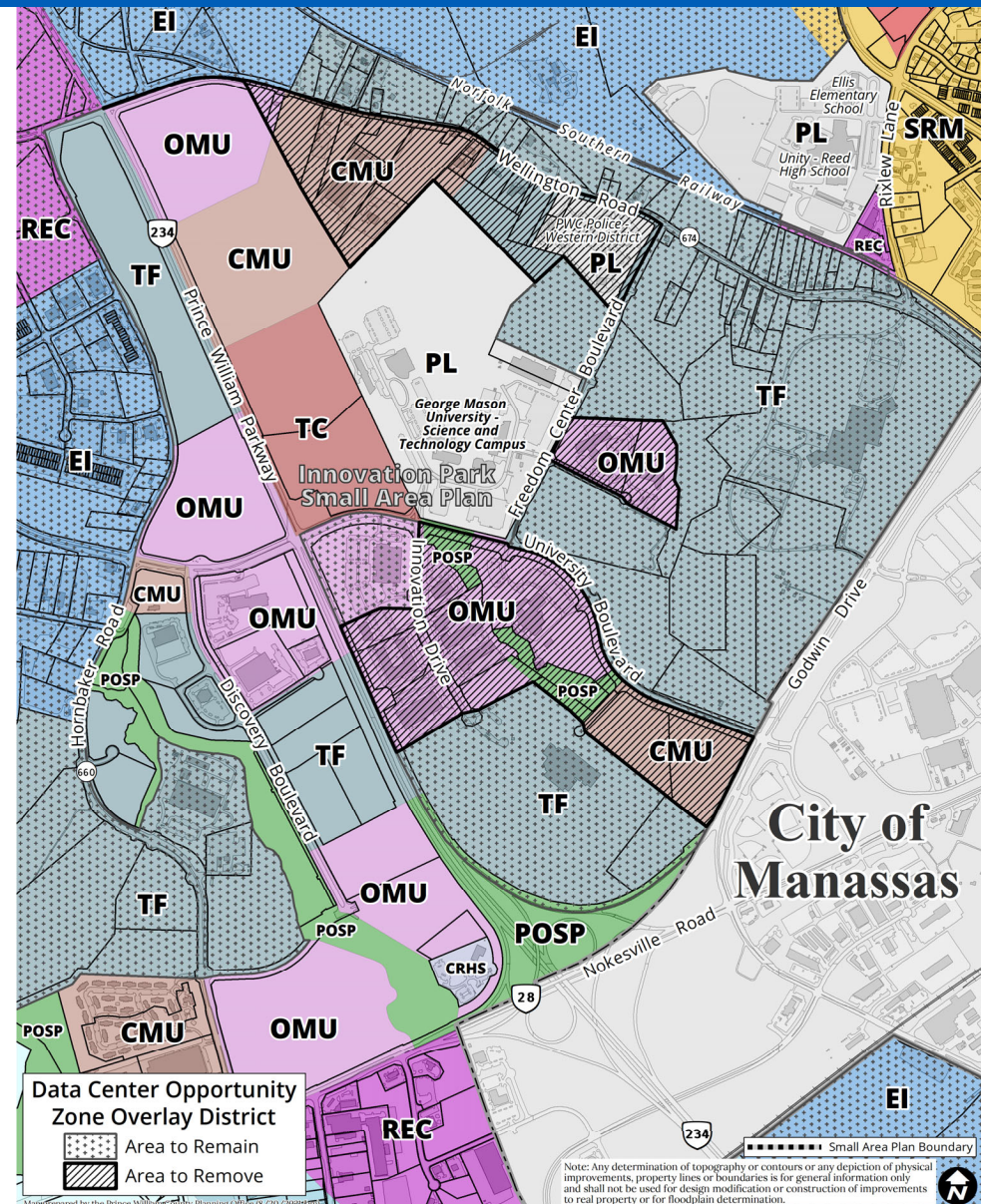


#DPA2021-00016 - DCOZOD Innovation Park



PRINCE WILLIAM
COUNTY

Community Mixed Use	Office Mixed Use	Technology/Flex
<ul style="list-style-type: none"> High-Density Townhouses Multi-Family Residential Retail & Service Commercial Healthcare Life Science Government Contracting 	<ul style="list-style-type: none"> Offices Business Schools, Colleges Computer and Network Services Hotel Medical or Dental Office Package or Courier Services Research & Development Government Contracting 	<ul style="list-style-type: none"> <u>Data Centers</u> Healthcare Life Sciences Federal Government Contracting Research & Development Flex Space Light Industrial Warehousing & Logistics Advanced Manufacturing
<ul style="list-style-type: none"> Active Adult Retirement Communities Office Hotel Institutional Parking 	<ul style="list-style-type: none"> Adult Daycare Recreational Facility Restaurant Parking 	<ul style="list-style-type: none"> Retail & Service Commercial Office Institutional Public Facilities/Utilities



The Planning Commission and Planning Office recommend approval of Zoning Text Amendment **#DPA2021-00016, Data Center Opportunity Zone Overlay District – Innovation Park**, for the following reason:

- The areas removed address the adoption of, and support the implementation of, the Innovation Park Small Area Plan.