

**BOARD OF SUPERVISORS
PUBLIC HEARING
STAFF REPORT**

SUBJECT: ZCPA-2020-0003, True North Data

ELECTION DISTRICT: Catoctin

CRITICAL ACTION DATE: April 17, 2021

STAFF CONTACTS: Jacqueline Marsh, AICP, Project Manager, Planning and Zoning
Alaina Ray, AICP, Director, Planning and Zoning

APPLICANT: Chris Curtis, Compass Datacenters IAD I LLC

PURPOSE: To consider a Zoning Concept Plan Amendment (ZCPA) of True North Data (ZMAP-2017-0003) in order to allow for the option to consolidate three previously approved buildings shown on the Concept Development Plan (CDP) into one building. Should the site develop with one building, the maximum height has been proposed by the applicant to increase from the proffered maximum of 35 feet to 56 feet.

RECOMMENDATIONS:

Planning Commission: At the Planning Commission (Commission) Work Session on December 10, 2021, the Commission forwarded (5-3-1: Barnes, Kirchner, and Vance opposed; Merrithew absent) the item to the Board of Supervisors (Board) with a recommendation of approval, subject to the Proffer Statement (Proffers) and based on the Findings for Approval.

Staff: Staff does not support Board approval of the application and recommends the Board forward the item to a future Transportation and Land Use Committee (TLUC) meeting for further discussion. Staff does not oppose the proposal to consolidate three buildings into one. However, staff does not support the request to increase building height from 35 feet to 56 feet as it does not meet the design guidelines of the *Loudoun County 2019 General Plan (2019 GP) Transition Light Industrial Place Type* – which recommends less obtrusive building heights to visually distinguish development within Transition Policy Area (TPA) from other policy areas within the County.

The County Attorney's Office has approved the Proffers to legal form. The item is ready for action.

APPLICATION INFORMATION:	
APPLICANT: Compass Datacenters IAD I LLC Chris Curtis 14555 Dallas Parkway, Suite 125 Dallas, TX 75254 (214) 452-0354 ccurtis@compassdatacenters.com	REPRESENTATIVE: Cooley LLP Colleen Gillis 11951 Freedom Drive, Suite 1400 Reston, VA 20190 703-456-8114 cgillis@cooley.com
PARCELS/ACREAGE:	
PIN	Acreage
194-10-2562	97.12
ACCEPTANCE DATE: April 17, 2020	LOCATION: Between Sycolin Road (Route 625) and the Dulles Greenway (Route 267) and on the west side of Goose Creek.
ZONING ORDINANCE: Revised 1993	EXISTING ZONING: Planned Development – Office Park (PD-OP), AI (Airport Impact) Overlay District, outside of but within one (1) mile of the Ldn 60 aircraft noise contour, FOD (Floodplain Overlay District), and QN (Quarry Notification) Overlay District – Luck Note Area
POLICY AREA: Transition Policy Area	PLACE TYPE: Transition Light Industrial Place Type, which recommends low-traffic industrial and employment uses, such as data centers, contractor establishments, and small-scale assembly production

CONTEXT:

Location/Site Access – The subject property is located between Sycolin Road and the Dulles Greenway and is situated on the west side of Goose Creek immediately northwest of Murray’s Ford Bridge. The site is accessed from Sycolin Road, approximately 0.75 miles west of its intersection with the Dulles Greenway.

Existing Conditions – The site has been partially graded/cleared and construction on a one-story data center building has been started. Some landscaping has been installed and a portion of a sidewalk has been constructed.

Surrounding Properties –

	<i>Land Use</i>	<i>Zoning District(s)</i>	<i>Place Type</i>
<i>North</i>	Water treatment facility, data center	MR-HI, PD-GI	Transition Industrial/Mineral Extraction
<i>South</i>	Undeveloped land	TR-10	Transition Large Lot Neighborhood
<i>West</i>	Undeveloped land, public school	TR-10	Transition Large Lot Neighborhood
<i>East</i>	Undeveloped land, Goose Creek, single-family residential dwelling	TR-10, R-1, PD-H4	Suburban Neighborhood

Directions – From Leesburg, take Route 7 East to Plaza Street and turn right. Plaza Street becomes Sycolin Road. After crossing over the Dulles Greenway, the subject property will be on the left.

Figure 1: Vicinity Map



PROPOSAL: The site is approved for the development of 750,000 square feet of data center uses to be located within nine separate buildings. The applicant is requesting to modify the CDP and Proffers to permit the development of three of the buildings (Buildings 7, 8, and 9 on the CDP) as either three separate buildings (Figure 2) or one single building (Figure 3). If the site is developed with the originally approved three-building layout, these buildings will continue to be limited to a 35-foot maximum building height. If the three buildings are consolidated into one building as requested in this application, the proposed maximum building height would be 56 feet.

The applicant has provided a Proffer Statement that retains previous commitments in association with the original rezoning application, including enhanced building design and landscaping/screening and transportation improvements. The Proffers also commit to “enhanced architecture” for the buildings that are subject to this ZCPA application.

Figure 2. CDP – Option 1 (Three Building Layout – 35 Feet Max. Height)

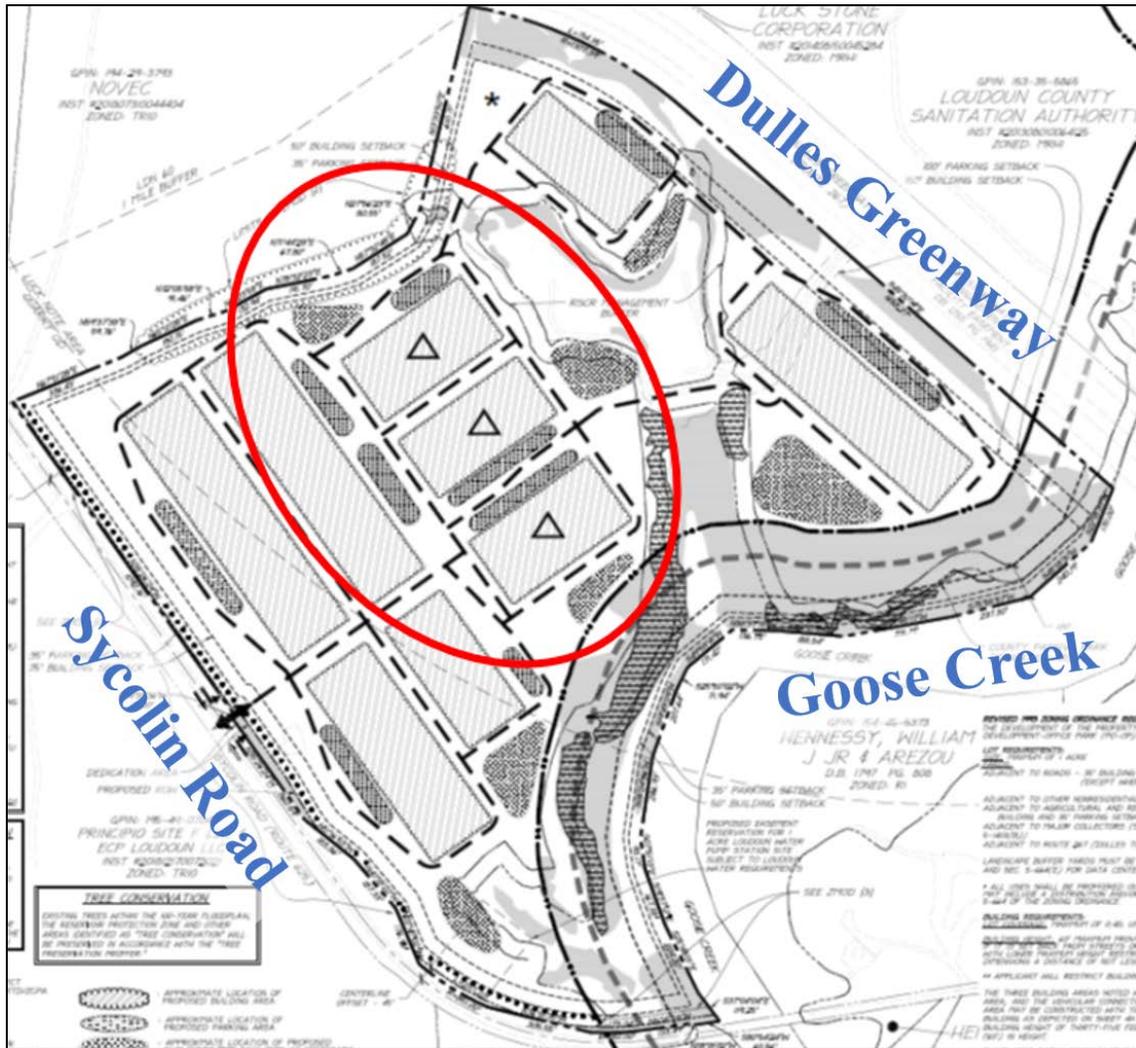
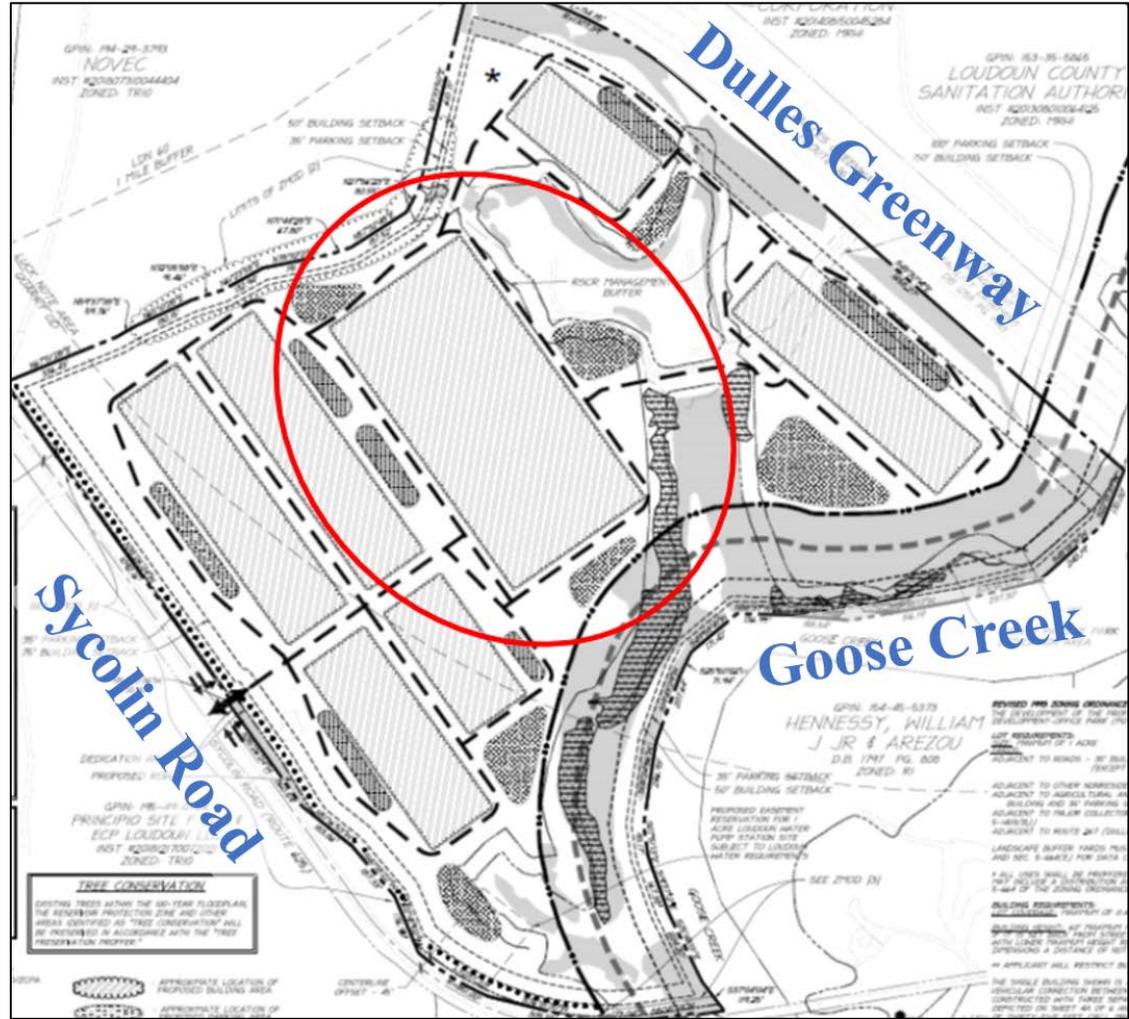


Figure 3. CDP – Option 2 (Consolidated Building – 56 Feet Max. Height)



BACKGROUND:

Related legislative applications include the following:

- ZMAP-2013-0004, Wildwood Farms – A rezoning application for 177 single-family detached units was withdrawn by an earlier applicant (Pulte Group) on April 1, 2015.
- ZMAP-2017-0003, ZMOD-2017-0011, & SPMI-2017-0020- True North Data, approved January 18, 2018 – The Board approved (5-4: Buffington, Buona, Higgins, and Randall opposed) an application to rezone approximately 106 acres from the TR-10 (Transitional Residential – 10) zoning district to the PD-OP (Planned Development – Office Park) zoning district in order to develop up to 750,000 square feet of data center uses and a

dedicated and/or distribution utility substation, 2) a Zoning Modification (ZMOD) to modify tree canopy requirements; and 3) Minor Special Exceptions (SPMI) to modify sidewalk requirements along Sycolin Road and to substitute fencing for a required berm.

Planning Commission: The Commission held a public hearing on October 27, 2020¹. There were four members of the public who spoke in opposition to this proposal, expressing concern regarding the proposed increased building height, the impact of existing construction conditions to Goose Creek, and the loss of open space.

The Commission discussed open space requirements for the property – specifically, the difference between the open space definitions found in the Loudoun County Revised 1993 Zoning Ordinance (Zoning Ordinance) versus the 2019 GP. Staff clarified the definitions vary between the two documents and stated the applicant continued to meet the open space definition per the Zoning Ordinance, but it was unclear whether the applicant was meeting the guidance per the 2019 GP.

The Commission also requested clarification from staff for the terms “stories” and “building height” as they relate to design guidance found in the 2019 GP. Staff noted there is no clear direction given in the 2019 GP as far as what number of feet would constitute a “story” as it relates to building height. The Commission inquired why the applicant did not explore the possibility of shifting building footprint locations further from the Goose Creek buffer line and questioned the overall impacts to the site that could result from increased data center activity.

The Commission requested staff provide additional information on surrounding building heights and work with Building and Development to perform a site inspection to ascertain any impacts to Goose Creek from runoff. The Commission requested the applicant provide further justification for the building height increase, provide more detail and specificity to demonstrate impacts that would result from the building height increase, submit cross sections that would show the proposed building height from Sycolin Road, and provide more information on possible tenants that would occupy the site. The Commission forwarded (7-2: Barnes and Hayes opposed) the application to a future Work Session for discussion.

The Commission held a Work Session on December 10, 2020². Staff highlighted staff responses to Commission questions posed at the public hearing and amendments to the application, which included the applicant reducing the proposed maximum building height from 60 feet to 56 feet and eliminating the request to reduce the amount of proffered open space. The Commission inquired about the surrounding zoning districts and place types, whether the applicant had a commitment from a data center user/tenant, how the applicant would be addressing impacts as a result of the increased building height, and whether the applicant could excavate in order to accommodate a taller building. The Commission also questioned building location proximity to Goose Creek, and requested the applicant commit to using northern Virginia native plantings for remaining landscaping to be planted and further requested the applicant provide a trail connection from its

¹ <https://lportal.loudoun.gov/LFPortalInternet/0/foi/419879/Row1.aspx>

² <https://lportal.loudoun.gov/LFPortalInternet/0/foi/419855/Row1.aspx>

property to Goose Creek that could ultimately connect to the proposed trail associated with the Goose Creek Overlook (ZMAP-2020-0005) legislative application.

Staff confirmed the surrounding place types located on the north side of the Greenway were in the Transition Policy Area. The applicant stated that there was no signed commitment from a tenant that would operate on the site and further explained that the building height increase was necessary in order to accommodate a more desirable model of data center operations. The applicant agreed to incorporate Virginia native species into the Proffers and agreed to provide a trail connection to Goose Creek. Members of the Commission supported approval of the requested change based on existing conditions of the site (the site has been cleared of vegetation and dormant for a year) and noted that approving the request would help achieve the ultimate commitments as originally approved with the 2017 applications. The Commission forwarded (5-3-1: Barnes, Kirchner and Vance opposed; Merrithew absent) the item to the Board with a recommendation of approval, subject to the Proffers and based on the following Findings for Approval:

1. The proposal is consistent with the Loudon County 2019 General Plan Light Industrial Place Type;
2. The proposal carries the same intensity as the approved with the original applications, ZMAP-2017-0003, ZMOD-2017-0011, & SPMI-2017-0020;
3. The proposal carries forward the transportation, environmental and design proffers committed with ZMAP-2017-0003, ZMOD-2017-0011, & SPMI-2017-0020;
4. The applicant is consistent with the County's economic development goals to support and grow the data center industry which is important to maximize the development potential of the existing data center footprints and provides flexibility for business attraction; and
5. The increase in building height is compatible with existing development patterns in the area because recent approvals for commercial buildings in the vicinity allow a range in height up to 100 feet.

Following the Commission Work Session, the applicant submitted a Proffer Statement that includes a commitment to using native plantings as requested by the Commission. There have been no further commitments to providing a trail connection. According to the applicant, they reviewed the information about the environmental conditions between the terminus of the sidewalk and the Goose Creek and noted that there is no way to access the Goose Creek from the sidewalk along Sycolin Road without impacting wetlands and traversing the floodplain. The applicant further stated that until a trail connection is a direct request from the Department of Parks, Recreation, and Community Service, they would be unwilling to providing a trail connection to the Goose Creek beyond what has been built already with the existing sidewalk.

The applicant has not held any community meetings. Staff has received no emails from the public regarding this application. There are seven public comments regarding the subject applications on

the Loudoun Online Land Application System (LOLA). The comments reflect concern with the proposed height increase and compatibility with adjacent properties. Staff also received a letter and petition that both opposed the proposal to increase building height. Documents associated with this application can be viewed online on LOLA at www.loudoun.gov/lola; search “ZCPA-2020-0003.”

OUTSTANDING ISSUES: Staff has identified the following issue:

Building Height – The applicant’s approved Proffers (ZMAP-2017-0003) provide a height limitation of 35 feet, which is more in keeping with the Transition Light Industrial Place Type, which envisions building heights up to three stories. During the original application review in 2017, staff and the Planning Commission recommended the applicant commit to a maximum height limit. Prior to the Board decision, the applicant committed to limit building heights to 35 feet, with the exception of buildings that had direct frontage on Sycolin Road, which were limited to 27 feet in height.

Per the 2019 GP, the Transition Policy Area should remain visually distinct from other policy areas through development patterns, scale, and the amount of open space. The 2019 GP also identifies the protection of the County’s Scenic River viewsheds to protect their natural and scenic beauty. While the proposed building is internal to the site and not directly adjacent to the Dulles Greenway and Sycolin Road, they may be visible to the Goose Creek, which is a State-designated Scenic River. As such, staff recommends the applicant retain the original commitment to building heights of no more than 35 feet.

POLICY ANALYSIS:

Zoning Map Amendment Petition (ZMAP) Criteria for Approval - Zoning Ordinance Section 6-1210(E) of the Revised 1993 Zoning Ordinance states that if an application is for a reclassification of property to a different zoning district classification on the Zoning Map, the Planning Commission shall give reasonable consideration to six (6) factors or criteria for approval. These criteria for approval are organized below by category, followed by Staff’s analysis.

A. Land Use:

ZO §6-1210(E)(1) Appropriateness of the proposed uses based on the Comprehensive Plan, trends in growth and development, the current and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies and the encouragement of the most appropriate use of land throughout the locality.

Analysis – Staff has identified no land use issues. The site is approved for the development of 750,000 square feet of data center uses. The property is located within the Transition Policy Area (TPA) and is designated as appropriate for the Transition Light Industrial Place Type.

The Transition Light Industrial Place Type designation was based on the previously approved rezoning application for data centers. At the time, the County's Revised General Plan designated the site for "Transition" land uses and placed the property in the Lower Sycolin Subarea of the TPA, which anticipated primarily low-density residential land uses at a base density of one dwelling unit per acre. The 2019 GP designated Sycolin Road and Dulles Greenway the southern extent of new light industrial uses in the TPA, which slightly expanded the light industrial area of the TPA.

The applicant is not proposing any changes to the land use onsite. The 2019 GP envisions low-traffic industrial and employment uses, such as data centers, within the Transition Light Industrial Place Type. This place type anticipates building heights of one to three stories, densities up to a 0.6 floor area ratio (FAR), and 50 percent of the site retained as open space. Industrial uses should be visually screened from adjacent roads and residential areas.

B. Compatibility:

ZO §6-1210(E)(2) The existing character and use of the subject property and suitability for various uses, compatibility with uses permitted and existing on other property in the immediate vicinity, and conservation of land values.

Analysis – Staff has identified compatibility issues, further discussed below:

Building Height – The applicant is requesting to modify the CDP and proffers to permit building heights to develop up to 56 feet in height. The applicant's approved Proffers provide a height limitation of 35-feet, which is more in keeping with the Transition Light Industrial Place Type, which envisions building heights up to three stories³. During the original application (ZMAP-2017-0003) review, staff and the prior Planning Commission had recommended the applicant commit to a maximum height limit. Prior to the Board decision, the applicant committed to limit building heights to 35 feet, with the exception of buildings that had direct frontage on Sycolin Road, which were limited to 27 feet in height.

The TPA should remain visually distinct from other policy areas through development patterns, scale, and the amount of open space. The 2019 GP identifies the protection of the County's Scenic River viewsheds to protect their natural and scenic beauty. While the proposed building is internal to the site and not directly adjacent to the Dulles Greenway and Sycolin Road it could likely be visible to the Goose Creek, which is a State-designated Scenic River.

The increase in building height further erodes the intent of the TPA by allowing more visual impact. The subject property would now visually appear more suburban in nature, which detracts from the objectives of the TPA. As such, staff recommends the applicant retain the original commitment to building heights of no more than 35 feet.

³ The 2019 GP references that the average height of a story is 12 feet.

The applicant has provided Elevations and Cross Sections (Attachment 3) which provides perspectives of what certain view sheds could look like with the proposed height increase. These documents provide varying views and perspectives of the proposed 56-foot-tall building from Sycolin Road, Dulles Greenway, and Goose Creek. Enlarged Elevations are also included that show building details, colors, materials, and fenestration. Conceptual building sections that would apply to the singular building option show two 17'6" building stories and the top of the roof parapet is 58-feet tall. These exhibits also show landscaping at full maturity, which could take up to approximately 25 years. Staff would also note these perspectives are not proffered and there are no assurances the drawings provide realistic conditions upon buildout.

Design – The original Proffers required that principal building facades with frontage on Sycolin Road and the Dulles Greenway include the following four design elements: change in building height, building step-backs or recesses, fenestration, and change in building material/texture/color. The remaining facades would include at least three of the following design elements: change in building height, building step-backs or recesses, fenestration, and change in building material, pattern, texture, color, or use of accent materials.

The Proffers require that all building facades for buildings greater than thirty-five feet (35') in height shall include the following design elements: change in building height, building step-backs or recesses, fenestration, and change in building material, pattern, texture, or color.

C. Environmental and Heritage Resources:

ZO §6-1210(E)(5) Potential impacts on the environment or natural features including but not limited to wildlife habitat, wetlands, vegetation, water quality (including groundwater), topographic features, air quality, scenic, archaeological, and historic features, and agricultural and forestal lands and any proposed mitigation of those impacts.

Analysis – Staff has identified no environmental or heritage resource issues associated with the applications.

D. Transportation:

ZO §6-1210(E)(3) Adequacy of sewer and water, transportation, and other infrastructure to serve the uses that would be permitted on the property if it were reclassified to a different zoning district [emphasis added].

Analysis – Staff has identified no transportation issues. The requested amendments have no impact on traffic generation.

E. Fiscal Impacts:

ZO §6-1210(E)(4) The requirements for airports, housing, schools, parks, playgrounds, recreational areas and other public services.

Analysis – As with most commercial projects, it is anticipated that revenues generated by non-residential development will exceed the cost of the limited public services necessary to support it.

F. Public Utilities/Public Safety:

ZO §6-1210(E)(3) *Adequacy of sewer and water, transportation, and other infrastructure to serve the uses that would be permitted on the property if it were reclassified to a different zoning district.*
(6) *The protection of life and property from impounding structure failures. [emphasis added].*

Analysis – Staff has identified no outstanding issues related to utilities or public safety.

Fire & Rescue Service – The Ashburn, Station 6 Fire and Rescue Station would serve the subject property with an approximate response time of seven minutes.

ZONING ANALYSIS – There are no outstanding zoning issues with this application. The applicant is not requesting any modifications of the Zoning Ordinance requirements applicable to the project.

DRAFT MOTIONS:

1. I move that the Board of Supervisors forward ZCPA-2020-0003, True North Data, to a future Transportation and Land Use Committee meeting for further discussion.

OR

2. I move an alternative motion.

ATTACHMENTS:

1. Proffer Statement (January 20, 2021)
2. Concept Development Plan (November 20, 2020)
3. Statement of Justification with Exhibits
4. Review Agency Comments
5. Applicant's Response to Referral Comments

TRUE NORTH DATA
ZCPA-2020-0003
PROFFER STATEMENT
(REVISION TO ZMAP-2017-0003)
April 13, 2020
Revised January 20, 2021

Compass Datacenters IAD I LLC, the sole owner (the “Owner”) of the property described as Loudoun County Tax Map /61//14/////A/ (PIN 194-10-2562) comprised of approximately 97.12 acres (the “Property”), has filed this zoning concept plan amendment application ZCPA-2020-0003. The Property is subject to proffered conditions dated April 14, 2017, and revised through January 3, 2018, accepted by the Board of Supervisors of Loudoun County, Virginia in conjunction with the approval of zoning map amendment application ZMAP-2017-0003 (the “Existing Proffers”). As used herein, the term “County” refers to the Board of Supervisors of Loudoun County, Virginia, or to the applicable Loudoun County government department, staff, or official enabled with authority to act on the County’s behalf, within the context of the particular proffer provision.

Pursuant to Section 15.2-2303, Code of Virginia (1950), as amended, and Section 6-1209 of the Revised 1993 Loudoun County Zoning Ordinance (the “Zoning Ordinance”), the Owner for itself and its successors and/or assigns, hereby voluntarily proffers that in the event ZCPA-2020-0003 is approved, along with (i) approval of the Concept Development Plan defined in Proffer I below and incorporated herein by reference as Exhibit A; and (ii) pursuant to Section 6-1217 of the Zoning Ordinance, approval of the Zoning Ordinance Modifications as described in Exhibit B attached hereto and incorporated herein by reference (collectively, the “Application”), that the development of the Property, such area being shown on the 7-sheet plan set entitled “TRUE NORTH DATA ZONING CONCEPT PLAN AMENDMENT ZCPA-2020-0003 (AMENDMENTS OF ZMAP-2017-0003, ZMOD-2017-0011, SPMI-2017-0020 PROFFERS AND CDP)” (the “Plans”), prepared by christopher consultants, ltd., dated March 24, 2020 and revised through November 20, 2020, shall be in substantial conformance with the Existing Proffers as modified by the additional proffered conditions set forth herein (collectively the “Proffers”). The term “Owner” as used in this Proffer Statement shall include the above-named Owner’s successors, assigns or agents.

In the event the County approves this Application, the Proffers identified below, if accepted, shall amend the Existing Proffers applicable to the Property as provided herein, with all other Existing

Proffers accepted in ZMAP-2017-0003 remaining in full force and effect. In the event this Application is denied by the County, these Proffers will immediately be null and void and all Existing Proffers accepted in ZMAP-2017-0003 will remain in full force and effect.

All references in these Proffers to subdivision, subdivision plat, or record plat shall be deemed to include condominium or condominium plat or any other document or mechanism that legally divides the Property into separately transferable units of ownership. Any obligation imposed herein that must be performed prior to, in conjunction with, or concurrently with first or other subdivision or record plat approval shall be deemed to be required to be performed prior to the recordation of any such condominium declaration or plat or other similar document that would have the legal effect of dividing the Property into separately transferable units of ownership.

Proffer I. of the Existing Proffers is superseded and replaced in its entirety, as follows:

I. CONCEPT DEVELOPMENT PLAN

The Property shall be developed in substantial conformance with the Concept Development Plan (the “CDP”), defined as Sheets 1, 4, 4A, 5, and 6 of the Plans. The CDP shall control the general development, layout, and configuration of the Property. Minor adjustments to the locations of the proposed roads and improvements shown on the CDP shall be permitted as reasonably necessary, in accordance with Zoning Ordinance Section 6-1209, to address grading, drainage, environmental, cultural and natural features, development ordinance requirements, and other final engineering considerations, and to accommodate the recommendations of archaeological studies.

Proffer III. of the Existing Proffers is superseded and replaced in its entirety, as follows:

III. BUILDING HEIGHTS

The maximum height of any building adjacent to Sycolin Road shall not exceed twenty-seven feet (27'). Except as provided in the last sentence of this paragraph, the maximum height of any buildings on the Property not located adjacent to Sycolin Road shall not exceed thirty-five feet (35'). Sheet 4 of the CDP depicts three building areas marked with the “Δ” symbol, including adjacent parking areas and vehicular connections between such building areas. Owner may consolidate those three separate building areas into a single building area, in which case the associated parking and vehicular connections may be eliminated, all as shown on Sheet 4A. If the

Property is developed in accordance with the configuration shown on Sheet 4, then the building areas marked with the “Δ” symbol may be developed with a total of three single-story buildings of no more than thirty-five feet (35’) tall. If the Property is developed in accordance with the configuration shown on Sheet 4A on the CDP, then the building area marked with the “Δ” symbol may be developed with a single two-story building of no more than fifty-six feet (56’) tall.

Proffer VI. of the Existing Proffers is superseded and replaced in its entirety, as follows:

VI. DESIGN

Principal building facades with frontage on Sycolin Road and the Dulles Greenway shall include the following four design elements: change in building height, building step-backs or recesses, fenestration, and change in building material/texture/color. All remaining building facades for buildings thirty-five feet (35’) in height or less shall include at least three of the following design elements: change in building height, building step-backs or recesses, fenestration, and change in building material, pattern, texture, color, or use of accent materials. All building facades for buildings greater than thirty-five feet (35’) in height shall include the following design elements: change in building height, building step-backs or recesses, fenestration, and change in building material, pattern, texture, or color.

A. Sycolin Road Elevations

The Owner shall cause the buildings with frontage along Sycolin Road to be constructed in substantial conformance with the elevations shown on the single sheet No. A-1, labeled as Exhibit C, with Issue Date of 12/22/17, entitled “IAD DATA CENTER CAMPUS LOUDOUN CO., VA” prepared by DLB Associates.

B. Building Elevations

The Owner shall submit building elevations/exterior design of the proposed building(s) for review by the Department of Planning and Zoning (“DPZ”) to confirm compliance with this Proffer VI. The Owner shall be permitted to obtain conditional approval of a site plan, including any site plan amendment, for built development on the Property prior to DPZ confirmation of compliance with this Proffer VI, but shall not be permitted to receive final approval of a site plan prior to DPZ confirmation

of compliance with the above-referenced design elements requirements in each building subject to the site plan or site plan amendment.

Proffer VII.I. has been added, as follows:

I. Native Species

As of the approval date of this Application, the Owner shall provide all remaining tree plantings to be of a species native to Northern Virginia on the Property. With the submission of each site plan or site plan amendment, a list of native tree plants to be planted shall be submitted to B&D for approval.

[SIGNATURE PAGE TO FOLLOW]

The undersigned hereby warrants that all owners with any legal interest in the Property have signed this Proffer Statement, that no signature from any additional party is necessary for these Proffers to be binding and enforceable in accordance with their terms, that the undersigned, together with any others signing this document, has full authority to bind the Property to these conditions, and that the Proffers are entered into voluntarily.

COMPASS DATACENTERS IAD I LLC a
Delaware limited liability company

By: _____

Name: _____

Title: _____

STATE OF _____)

COUNTY/CITY OF _____)

The foregoing Proffer Statement was acknowledged before me this _____ day of
_____, 2021, by _____, as _____ of

Notary Public

My Commission Expires: _____

EXHIBIT A

CONCEPT DEVELOPMENT PLAN

EXHIBIT B

ZONING ORDINANCE MODIFICATIONS

Zoning Ordinance Section	Proposed Modification
§5-1303(A)(1), Tree Planting and Replacement, Canopy Requirements, Site Planning.	Permit the minimum required percentage of tree canopy to be provided based on the entire combined application area rather than the area subject to an individual land development application.
Table 5-1414(B) of §5-1414, Buffering and Screening, Buffer Yard and Screening Matrix, Buffer Yard.	Replace all canopy trees required for the Type 3 Front Buffer Yard located along Sycolin Road with evergreen trees.

EXHIBIT C

SYCOLIN ROAD BUILDING ELEVATIONS

DATE	REVISION
06/25/2020	REVISED PER COUNTY COMMENTS.
09/16/2020	REVISED PER COUNTY COMMENTS.
01/20/2020	REVISED PER COUNTY COMMENTS.

GENERAL NOTES:

1. THE SUBJECT PROPERTY SHOWN HEREON IS COMPRISED OF THE PARCEL RECORDED IN THE LAND RECORDS OF LOUDOUN COUNTY, VIRGINIA AS FOLLOWS:

TAX MAP	PIN #	ACREAGE	OWNER
461/141/111/1A	194-10-2562	97.12	COMPASS DATACENTERS IAD I LLC

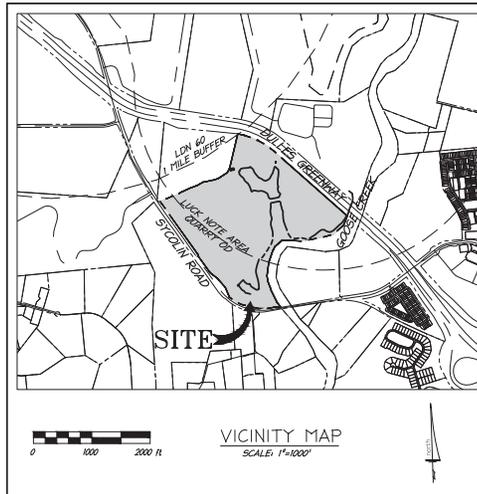
THE OPEN SPACE AND TREE CANOPY COVERAGE CALCULATIONS ARE BASED ON THE PFE DEDICATION PARCEL AREA OF 103.67 ACRES.

- THE SUBJECT PROPERTY IS CURRENTLY ZONED PD-OF OF THE REVISED 1993 LOUDOUN COUNTY ZONING ORDINANCE.
- THE SITE IS PARTIALLY WITHIN THE LD60 1 MILE BUFFER IN THE AIRPORT IMPACT OVERLAY DISTRICT AND THUS SUBJECT TO SEC. 4-100 OF THE ZONING ORDINANCE.
- THE SITE IS WITHIN THE FLOODPLAIN OVERLAY DISTRICT AND THUS SUBJECT TO SEC. 4-500 OF THE ZONING ORDINANCE. FLOODPLAIN LINES SHOWN HEREON ARE BASED ON AVAILABLE GIS DATA. THERE IS A FLOODPLAIN ON THE PROPERTY THAT IS THE SUBJECT OF THIS APPLICATION. THE CURRENT FLOOD INSURANCE RATE MAP (FIRM) OF LOUDOUN COUNTY COMMUNITY PANEL NUMBER FOR THE PROPERTY THAT IS SUBJECT OF THIS APPLICATION IS 5107C0245E, EFFECTIVE FEBRUARY 17, 2017. THE DEPICTED BOUNDARY OF THE PROPOSED FLOODPLAIN IS BASED ON THE FIRM AND FPAL-2019-0002, APPROVED APRIL 19, 2019. PORTIONS OF THE SUBJECT PROPERTY SHOWN HEREON ARE LOCATED IN 'ZONE AE' (AREAS SUBJECT TO INUNDATION BY THE 1-PERCENT-ANNUAL-CHANGE FLOOD EVENT) AS SHOWN ON LOUDOUN COUNTY FLOOD INSURANCE RATE MAP, MAP NUMBER 5107C0245 E, PANEL 245 OF 2983, EFFECTIVE DATE FEBRUARY 17, 2017.
- THE SITE IS WITHIN THE LUCK STONE AREA QUARRY NOTIFICATION OVERLAY DISTRICT AND THUS SUBJECT TO SEC. 4-1800 OF THE ZONING ORDINANCE.
- VERY STEEP AND MODERATELY STEEP SLOPES ARE FOUND ON THIS SITE AND THUS SUBJECT TO SEC. 5-1508 OF THE ZONING ORDINANCE. STEEP SLOPES SHOWN HEREON ARE BASED ON AVAILABLE GIS DATA. THERE ARE AREAS OF STEEP SLOPES THAT ARE 'MANAGED', AND THEREFORE NOT GOVERNED UNDER THE STANDARDS OF 5-1508.
- PLANNED LAND USE PER THE 2019 LOUDOUN COUNTY GENERAL PLAN IS TRANSITION LIGHT INDUSTRIAL PLACE TYPE.
- THE SUBJECT PROPERTY LIES WITHIN THE CATOCTIN DISTRICT.
- THE SUBJECT PROPERTY WILL REMAIN PD-OF UNDER THE REVISED 1993 LOUDOUN COUNTY ZONING ORDINANCE.
- THE BOUNDARY INFORMATION SHOWN ON THIS PLAN IS BASED ON AN ALTA SURVEY PREPARED BY christopher consultants, DATED 4/7/17.
- TOPOGRAPHIC INFORMATION SHOWN ON THIS PLAN IS BASED ON AVAILABLE GIS DATA.
- THERE ARE JURISDICTIONAL WETLANDS ON THE SUBJECT PROPERTY; PER A DELINEATION REPORT PREPARED BY WETLAND STUDIES AND SOLUTIONS, INC. DATED APRIL 2013.
- A TREE STAND EVALUATION WAS CONDUCTED BY WETLAND STUDIES AND SOLUTIONS, INC. DATED APRIL 2013.
- A HABITAT EVALUATION FOR ENDANGERED AND THREATENED SPECIES WAS CONDUCTED BY WETLAND STUDIES AND SOLUTIONS, INC. DATED APRIL 2013. NO ENDANGERED OR THREATENED SPECIES WERE OBSERVED WITHIN THE PROJECT SITE.
- A PHASE I ARCHEOLOGICAL INVESTIGATION WAS CONDUCTED BY THUNDERBIRD ARCHEOLOGICAL ASSOCIATES, INC. ON PORTIONS OF THE SUBJECT PROPERTY. THE REPORT TITLED 'PHASE I ARCHEOLOGICAL INVESTIGATIONS OF PREVIOUSLY UNSTUDIED PORTIONS (174 ACRES) WILLOWOOD FARM, LOUDOUN COUNTY, VIRGINIA', DATED APRIL 2013, EVALUATED THE HISTORICAL RESOURCES ON PORTIONS OF THE STUDY AREA AND RECOMMENDED A PHASE II ARCHEOLOGICAL INVESTIGATION FOR SITE #ALD036. THE PHASE II STUDY OF THIS SITE WAS COMPLETED BY DOVETAIL AND IS DATED AUGUST 2013. A COPY OF THE STUDY IS ON FILE WITH THE COUNTY UNDER ZMAP-2013-0004. A PHASE I ARCHEOLOGICAL INVESTIGATION WAS CONDUCTED FOR THE REMAINING 131 ACRES OF THE WILLOWOOD FARM PROPERTY IN 2011. NO ADDITIONAL PHASE II ARCHEOLOGICAL WORK WAS RECOMMENDED.
- THERE ARE NO KNOWN GRAVES, OBJECTS, OR STRUCTURES MARKING A PLACE OF BURIAL ON THE SUBJECT PROPERTY.
- ACCORDING TO LOUDOUN COUNTY GIS DATA, THERE ARE WELLS AND DRAINFIELDS ON THE SUBJECT PROPERTY. ALL EXISTING WELLS AND SEPTIC FIELDS WILL BE ABANDONED IN ACCORDANCE WITH HEALTH DEPARTMENT REQUIREMENTS. THE WELLS ARE IDENTIFIED WITH THE FOLLOWING NUMBERS:
 - WNTS-1993-0164
 - WNTS-1993-0165
 - WNTS-2002-0545
 - WNTS-2002-0546
 THE DRAINFIELDS ARE IDENTIFIED WITH THE FOLLOWING NUMBERS:
 - PSD-1993-0142
 - PSD-1993-0143
- THE SUBJECT PROPERTY CONTAINS CLASS III AND CLASS IV SOILS, PER THE LATEST COUNTY SOILS MAP AS IDENTIFIED BY THE WILLOWOOD PRELIMINARY SOILS REVIEW REPORT, DATED JANUARY 18, 2011, PREPARED BY LOUDOUN COUNTY.
- PUBLIC WATER AND SEWER ARE READILY AVAILABLE AND THE SITE WILL BE SERVED BY THE EXTENSION OF EXISTING FACILITIES OWNED AND OPERATED BY THE LOUDOUN COUNTY SANITATION AUTHORITY. ELECTRIC AND TELEPHONE UTILITY SERVICE IS PROVIDED TO THE PROPERTY AND AT NO COST TO LOUDOUN COUNTY.
- THERE ARE NO KNOWN HAZARDOUS OR TOXIC SUBSTANCES ON THE SITE.
- OTHER LAND DEVELOPMENT APPLICATIONS AFFECTING THIS PROPERTY:
 - SBWV-1993-0032
 - BLAD-2001-0013
 - SBPL-2008-0017
 - ZMAP-2017-0003
 - ZMOD-2017-0011
 - SPMI-2017-0020

TRUE NORTH DATA

ZONING CONCEPT PLAN AMENDMENT ZCPA-2020-0003 (AMENDMENTS OF ZMAP-2017-0003, ZMOD-2017-0011, SPMI-2017-0020 PROFFERS AND CDP)

CATOCTIN DISTRICT LOUDOUN COUNTY, VIRGINIA



SHEET INDEX	
1.	COVER SHEET
2.	EXISTING CONDITIONS PLAN
3.	VEGETATIVE SURVEY
4.	CONCEPT DEVELOPMENT PLAN
5.	SYCOLIN ROAD BUFFER
6.	DULLES GREENWAY BUFFER



COVER SHEET

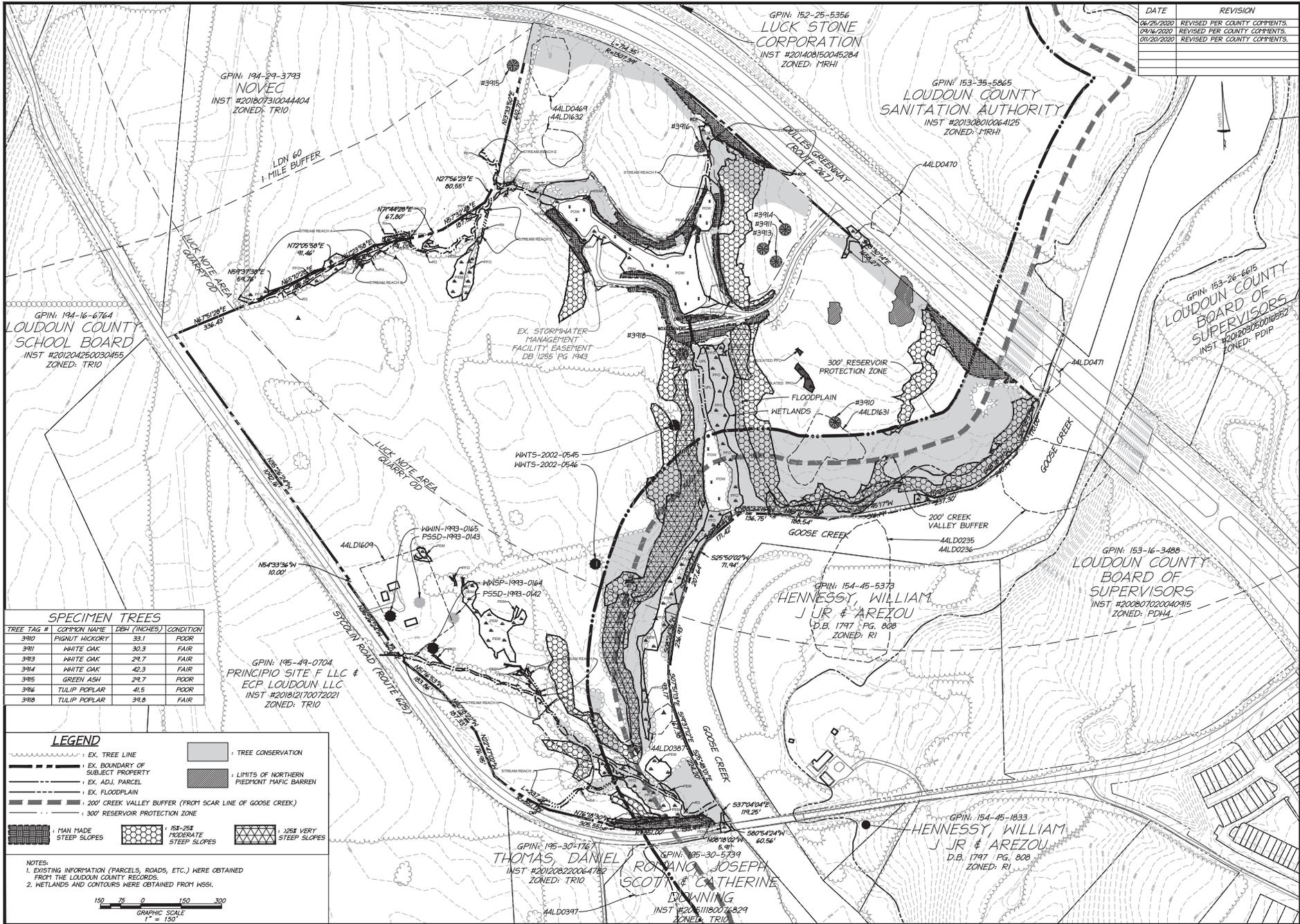
ZONING CONCEPT PLAN AMENDMENT
TRUE NORTH DATA
LOUDOUN COUNTY, VIRGINIA

APPLICANT/OWNER

COMPASS DATACENTERS IAD I LLC
14555 N. DALLAS FKNY, SUITE 125
DALLAS, TX 75254

PROJECT NO	17034.001.01
SCALE	AS NOTED
DATE	3/24/2020
DESIGN: DL	
DRAWING: DL	
CHECKED: LC	
SHEET No.	

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107546



DATE	REVISION
06/25/2020	REVISED PER COUNTY COMMENTS.
09/16/2020	REVISED PER COUNTY COMMENTS.
01/20/2021	REVISED PER COUNTY COMMENTS.

SPECIMEN TREES			
TREE TAG #	COMMON NAME	DBH (INCHES)	CONDITION
390	PIGNOT HICKORY	33.1	POOR
391	WHITE OAK	30.3	FAIR
393	WHITE OAK	29.7	FAIR
394	WHITE OAK	42.3	FAIR
395	GREEN ASH	29.7	POOR
396	TULIP POPLAR	41.5	POOR
398	TULIP POPLAR	39.8	FAIR

LEGEND	
	EX. TREE LINE
	EX. BOUNDARY OF SUBJECT PROPERTY
	EX. ADJ. PARCEL
	EX. FLOODPLAIN
	200' CREEK VALLEY BUFFER (FROM SCAR LINE OF GOOSE CREEK)
	300' RESERVOIR PROTECTION ZONE
	MAN MADE STEEP SLOPES
	15-25% MODERATE STEEP SLOPES
	25%+ VERY STEEP SLOPES
	TREE CONSERVATION
	LIMITS OF NORTHERN PIEDMONT MAFIC BARREN

NOTES:
 1. EXISTING INFORMATION (PARCELS, ROADS, ETC.) WERE OBTAINED FROM THE LOUDOUN COUNTY RECORDS.
 2. WETLANDS AND CONTOURS WERE OBTAINED FROM MSSL.

GRAPHIC SCALE
 1" = 150'

christopher consultants
 9900 main street (suite 400) · Fairfax, VA 22031
 phone 703.273.6820 · fax 703.273.6820

EXISTING CONDITIONS PLAN

ZONING CONCEPT PLAN AMENDMENT
TRUE NORTH DATA
 LOUDOUN COUNTY, VIRGINIA

PROJECT NO. 17034.001.01
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SHEET NO.

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107546

Tree Stand Evaluation field work was conducted on April 9, 10, and 15, 2013 (see "Tree Stand Evaluation: Millwood Farm" map, dated April 2013).

Ten major forest stand types are present within the study area. These stand types are as follows:

- A. Forest Stand A - Oak-Hickory Forest.**
This stand, part of a spaced pasture roadway accessed from the Dulles Greenway, comprises 410 acres and is located on the eastern and northern portions of the study area. This stand type has a low regeneration rate and is an uneven-aged stand with an approximate basal area of 60 ft²/acre and a diameter at breast height (d.b.h.) range from 6 to 33 inches. White oak (*Quercus alba*) and mockernut hickory (*Carya leucocarpa*) are the dominant canopy species. Additional canopy species include pignut hickory (*Carya glabra*), green ash (*Fraxinus pennsylvanica*), and red maple (*Acer rubrum*). The dominant understory species present include black haw (*Viburnum prunifolium*), mockernut hickory, pignut hickory, and eastern redbud (*Osagea cinnamomea*). Four invasive species are present in the understory of this stand and include Japanese honeysuckle (*Lonicera japonica*) and Japanese stiltgrass (*Microstegium vimineum*). This stand is in good health with moderate amounts of woody debris.
- B. Forest Stand B - Young Oak-Hickory Forest.**
This stand comprises 31.0 acre and is situated on the northeastern portion of the study area. This relatively young stand has a dbh range from 8 to 28 inches and basal area of approximately 60 ft²/acre. White oak and mockernut hickory are the dominant species. Codominant canopy species include eastern red cedar (*Juniperus virginiana*), and northern red oak (*Quercus rubra*). The understory consists of black haw, northern red oak, eastern redbud, eastern red cedar, and common persimmon (*Diostyris virginiana*). The only invasive species observed included Japanese honeysuckle. This stand is in good health with a moderate amount of coarse woody debris.
- C. Forest Stand C - Eastern Red Cedar Forest.**
This stand is present in several separate areas and comprises 326 acres and occupies northern and central portions of the study area with small stands in the southern and western portions of the study area. This is an uneven-aged stand with an approximate basal area of 60 ft²/acre and a dbh range of 3 to 10 inches. The dominant canopy species is eastern red cedar. The understory consists of eastern red cedar, flowering dogwood (*Cornus florida*), eastern redbud, and hickory (*Celtis occidentalis*). Invasive species are prevalent in the understory of this forest stand type and include whitebark (*Rubus phoenicolasia*), eastern olive (*Eleagnus umbellata*), and Japanese honeysuckle. This stand is in poor health with overcrowding and moderate woody debris.
- D. Forest Stand D - Mixed Eastern Red Cedar and Hickory Forest.**
This stand comprises 23.0 acres, and is located in the eastern portion of the study area. This stand is an uneven-aged stand with an approximate basal area of 80 ft²/acre and a dbh range from 9 to 15 inches. Eastern red cedar is the dominant canopy species, but also present are mockernut hickory, pignut hickory, northern red oak, and sweet cherry (*Prunus pennsylvanica*). Understory species include bowlder (*Acer negundo*), flowering dogwood, northern red oak, and black haw. Invasive species are prevalent in the understory of this forest stand type and include Japanese honeysuckle and whitebark. This stand is in fair health with a moderate amount of woody debris.
- E. Forest Stand E - Sycamore and Green Ash Floodplain Forest.**
This stand comprises 23.0 acres, and is located at the southern portion of the site. This stand is an uneven-aged stand with an approximate basal area of 60 ft²/acre and a dbh range from 8 to 24 inches. American sycamore (*Platanus occidentalis*) and green ash are the dominant canopy species. Other species present in the canopy include bowlder and american elm (*Ulmus americana*). Understory species include bowlder, american elm, green ash, persimmon, and pin oak (*Quercus palustris*). The single invasive species observed is Japanese honeysuckle. This stand contained moderate woody debris and was deemed to be in fair health.
- F. Forest Stand F - American Sycamore Floodplain Forest.**
This stand comprises 24.0 acres in the east-central portion of the study area. This stand is an uneven-aged stand with an approximate basal area of 100 ft²/acre and a dbh range from 10 to 27 inches. American sycamore is the dominant canopy species, with a few bowlder and river birch (*Betula nigra*) in the canopy as well. The understory of this stand is dominated by bowlder, but also present are persimmon, american elm, black walnut (*Juglans nigra*), pawpaw (*Asimina triloba*), and spicebush (*Lindera benzoin*). Invasive species are prevalent in the understory of this forest stand type, and include multiflora rose (*Rosa multiflora*), Japanese honeysuckle, and garlic mustard (*Alliaria petiolata*). This stand contains large amounts of woody debris and is in fair health.
- G. Forest Stand G - White Oak and Green Ash Forest.**
This stand comprises 22.0 acres, and is located along the northern border of the study area. This is an uneven-aged stand with an approximate basal area of 80 ft²/acre and a dbh range of 11 to 21 inches. The dominant canopy species are white oak and green ash. Understory species include eastern red cedar, northern red oak, and flowering dogwood. Two species of invasive plants are prevalent in the understory: whitebark and Japanese honeysuckle. This stand is in fair health and contains a moderate amount of woody debris.
- H. Forest Stand H - River Birch Forest.**
This stand comprises 22.0 acres, and is located at the northwestern boundary of the study area. This is an uneven-aged stand with an approximate basal area of 80 ft²/acre and a dbh range from 6 to 15 inches. The dominant canopy species are river birch and green ash, with american elm also present. Understory species include pin oak, red maple, pawpaw, spicebush, and eastern red cedar. Two invasive plant species are present in this stand: whitebark and honeysuckle. This stand is in fair health with a low amount of woody debris.
- I. Forest Stand I - Green Ash and Red Maple Forest.**
This stand comprises 2.05 acres, and is located in the eastern portion of the study area, within the Oak-Hickory Forest (Stand A). This stand has an approximate basal area of 40 ft²/acre and dbh range from 8 to 20 inches. The dominant canopy species are green ash and red maple with american elm and american sycamore also present. The understory consists of hickory, american elm, and american hornbeam (*Carpinus caroliniana*). Japanese honeysuckle is present as an invasive species. This stand is in good health with a low amount of woody debris.
- J. Forest Stand J - Mockernut Hickory Forest.**
This stand comprises 2.40 acres, and is located in the western portion of the study area. This stand has an approximate basal area of 80 ft²/acre and a dbh range from 3 to 9 inches. The dominant canopy species is mockernut hickory. The understory consists of mockernut hickory, eastern red cedar, and green brier (*Smilax rotundifolia*). Japanese honeysuckle is present as an invasive species. This stand is in good health with a low amount of woody debris.

Non-Forest Communities:

Early Successional Old-Field
This category comprises 25 acres located in the northern and eastern portions of the study area. The majority of both old-field areas consists of seedlings/saplings and very young eastern red cedar trees ranging in height of less than 5 feet to over 5 feet, with a DBH of less than 6 inches. The very young trees within the early successional old-field areas are spread out, and are comprised of other species including american sycamore and autumn olive. These areas do not form a forest canopy and therefore, were not included in any of the ten forest stand types. Given time these areas will likely develop into communities similar to Forest Stands C and D.

Tree-lined Fence Rows
Tree-lined fence rows are present in the central portion of portion of the study area, separating several managed fields. Eastern red cedars and northern red oak tree species dominate the majority of these linear features. The invasive species within this area include autumn olive and gallery pear (*Pyrus calleryana*).

Maintained Areas
Several areas erode consist of mowed or disturbed areas that do not facilitate tree growth. These areas comprise almost half (46.81 acres) of the 100-acre site, and are located in the central, western, and southern portions of the site. These areas contain a mix of eastern red cedar and one single patch of mockernut hickory and american elm hardwoods. It also includes gravel parking areas and paved roadways used to access the ponds in the central portion of the site.

100-Foot Off-Site Study Area
Portions of the eastern red cedar, white oak/green ash, and river birch forest stand types (Stand C, G, and H, respectively) described above extend into the northern boundary of the study area, as well as the early successional old-field community in the northern portion of the study area. The southeast buffer extends into Goose Creek and the remaining areas are developed and consist of roadways. The southern and western portions of the off-site study area (positioned on the southern and western sides of the South Road), contain portions of a managed right-of-way easement, and a stand of red pine (*Pinus resinosa*), neither being represented in the study area.

Specimen trees are trees with a diameter of 30" or more or a tree with a DBH approximately 75% of the state champion. Seven potential specimen trees were observed within the study area. Specific information can be found on the chart on Sheet 2 titled "Specimen trees within the Millwood Farm Study Area".

SPECIMEN TREES

TREE TAG #	COMMON NAME	DBH (INCHES)	CONDITION
3910	PIGNUT HICKORY	33.1	POOR
3911	WHITE OAK	30.3	FAIR
3913	WHITE OAK	24.7	FAIR
3914	WHITE OAK	42.3	FAIR
3915	GREEN ASH	24.7	POOR
3916	TULIP POPLAR	41.5	POOR
3918	TULIP POPLAR	39.8	FAIR



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06/25/2020	REVISED PER COUNTY COMMENTS.
09/16/2020	REVISED PER COUNTY COMMENTS.
01/20/2020	REVISED PER COUNTY COMMENTS.

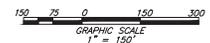
GIN: 152-25-5356
LUCKY STONE CORPORATION
 INST #201408150045284
 ZONED: MRH1

GIN: 153-35-5825
LOUDOUN COUNTY SANITATION AUTHORITY
 INST #20130810064125
 ZONED: 1MRH1

GIN: 154-45-5373
HENNESSY WILLIAM J JR & AREZOU
 D.B. 1797 PG. 808
 ZONED: R1

GIN: 154-45-1833
HENNESSY WILLIAM J JR & AREZOU
 D.B. 1797 PG. 808
 ZONED: R1

GIN: 195-30-1764
THOMAS DANIEL ROMANO JOSEPH SCOTT & CATHERINE DOWNING
 INST #201208220064782
 ZONED: TR10



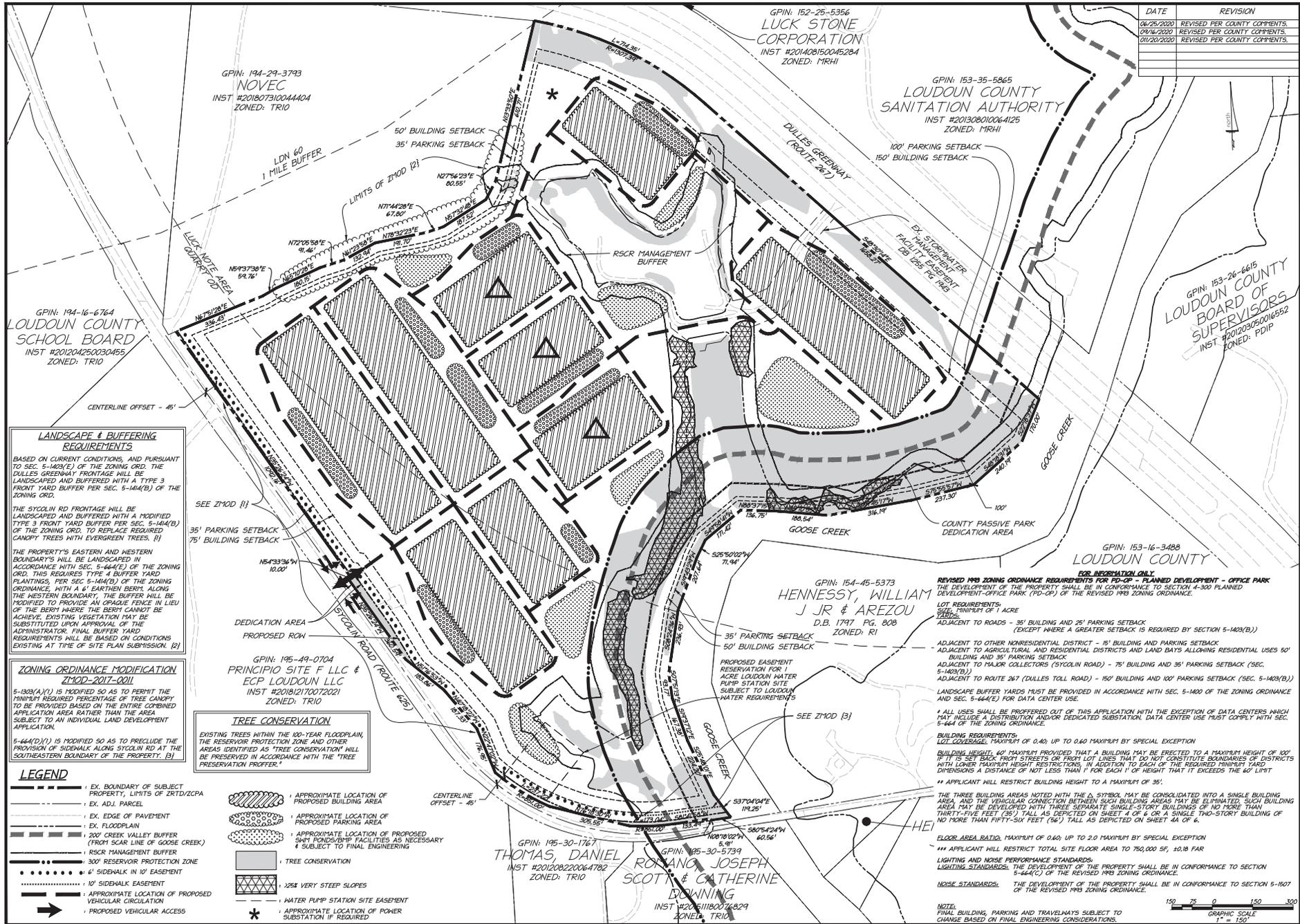
christopher consultants
 9900 main street (suite 400) • Fairfax, VA 22031
 phone 703.273.6820 • fax 703.273.6820



VEGETATIVE SURVEY

ZONING CONCEPT PLAN AMENDMENT
TRUE NORTH DATA
 LOUDOUN COUNTY, VIRGINIA

PROJECT NO: 17034.001.01
 SCALE: AS NOTED
 DATE: 3/24/2020
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CONCEPT DEVELOPMENT
PLAN, MINOR SPECIAL
EXCEPTION & ZONING
MODIFICATION

ZONING CONCEPT PLAN AMENDMENT
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LOUDOUN COUNTY, VIRGINIA

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LANDSCAPE & BUFFERING REQUIREMENTS
BASED ON CURRENT CONDITIONS, AND PURSUANT TO SEC. 5-1402(E) OF THE ZONING ORD. THE DULLES GREENWAY FRONTAGE WILL BE LANDSCAPED AND BUFFERED WITH A TYPE 3 FRONT YARD BUFFER PER SEC. 5-1441(B) OF THE ZONING ORD. TO REPLACE REQUIRED CANOPY TREES WITH EVERGREEN TREES. (I)

THE SYCOLIN RD FRONTAGE WILL BE LANDSCAPED AND BUFFERED WITH A MODIFIED TYPE 3 FRONT YARD BUFFER PER SEC. 5-1441(B) OF THE ZONING ORD. TO REPLACE REQUIRED CANOPY TREES WITH EVERGREEN TREES. (I)

THE PROPERTY'S EASTERN AND WESTERN BOUNDARIES WILL BE LANDSCAPED IN ACCORDANCE WITH SEC. 5-644(E) OF THE ZONING ORD. THIS REQUIRES TYPE 4 BUFFER YARD PLANTINGS, PER SEC. 5-1441(B) OF THE ZONING ORDINANCE, WITH A 6' GARDEN BERRY ALONG THE WESTERN BOUNDARY. THE BUFFER WILL BE MODIFIED TO PROVIDE AN OPACIDE FENCE IN LIEU OF THE BERRY WHERE THE BERRY CANNOT BE ACHIEVED. EXISTING VEGETATION MAY BE SUBSTITUTED UPON APPROVAL OF THE ADMINISTRATOR. FINAL BUFFER YARD REQUIREMENTS WILL BE BASED ON CONDITIONS EXISTING AT TIME OF SITE PLAN SUBMISSION. (2)

ZONING ORDINANCE MODIFICATION 2102-2017-001
5-1202(A)(1) IS MODIFIED SO AS TO PERMIT THE MINIMUM REQUIRED PERCENTAGE OF TREE CANOPY TO BE PROVIDED BASED ON THE ENTIRE COMBINED APPLICATION AREA RATHER THAN THE AREA SUBJECT TO AN INDIVIDUAL LAND DEVELOPMENT APPLICATION.

5-644(D)(1) IS MODIFIED SO AS TO PRECLUDE THE PROVISION OF SIDEWALK ALONG SYCOLIN RD AT THE SOUTHEASTERN BOUNDARY OF THE PROPERTY. (3)

TREE CONSERVATION
EXISTING TREES WITHIN THE 100-YEAR FLOODPLAIN, THE RESERVOIR PROTECTION ZONE AND OTHER AREAS IDENTIFIED AS "TREE CONSERVATION" WILL BE PRESERVED IN ACCORDANCE WITH THE "TREE PRESERVATION PROFFER".

- LEGEND**
- - - EX. BOUNDARY OF SUBJECT PROPERTY, LIMITS OF ZRTO/ZCPA
 - - - EX. ADJ. PARCEL
 - - - EX. EDGE OF PAVEMENT
 - - - EX. FLOODPLAIN
 - - - 200' CREEK VALLEY BUFFER (FROM SCAR LINE OF GOOSE CREEK)
 - - - 300' RESERVOIR PROTECTION ZONE
 - - - 6' SIDEWALK IN 10' EASEMENT
 - - - 10' SIDEWALK EASEMENT
 - - - APPROXIMATE LOCATION OF PROPOSED VEHICULAR CIRCULATION
 - - - PROPOSED VEHICULAR ACCESS
 - ▨ APPROXIMATE LOCATION OF PROPOSED BUILDING AREA
 - ▨ APPROXIMATE LOCATION OF PROPOSED PARKING AREA
 - ▨ APPROXIMATE LOCATION OF PROPOSED SWM PONDS/BIOP FACILITIES AS NECESSARY & SUBJECT TO FINAL ENGINEERING
 - ▨ TREE CONSERVATION
 - ▨ 25% VERY STEEP SLOPES
 - ★ WATER PUMP STATION SITE EASEMENT
 - ★ APPROXIMATE LOCATION OF POWER SUBSTATION IF REQUIRED

REVISED 1993 ZONING ORDINANCE REQUIREMENTS FOR PD-02 - PLANNED DEVELOPMENT - OFFICE PARK
THE DEVELOPMENT OF THE PROPERTY SHALL BE IN CONFORMANCE TO SECTION 4-300 PLANNED DEVELOPMENT-OFFICE PARK (PD-OP) OF THE REVISED 1993 ZONING ORDINANCE.

LOT REQUIREMENTS:
SIZES: MINIMUM OF 1 ACRE
YARDS:
ADJACENT TO ROADS - 35' BUILDING AND 25' PARKING SETBACK (EXCEPT WHERE A GREATER SETBACK IS REQUIRED BY SECTION 5-1402(B))
ADJACENT TO OTHER NONRESIDENTIAL DISTRICT - 15' BUILDING AND PARKING SETBACK
ADJACENT TO AGRICULTURAL AND RESIDENTIAL DISTRICTS AND LAND BAYS ALLOWING RESIDENTIAL USES 50' BUILDING AND 35' PARKING SETBACK
ADJACENT TO MAJOR COLLECTORS (SYCOLIN ROAD) - 75' BUILDING AND 35' PARKING SETBACK (SEC. 5-1402(B))
ADJACENT TO ROUTE 267 (DULLES TOLL ROAD) - 150' BUILDING AND 100' PARKING SETBACK (SEC. 5-1402(B))

LANDSCAPE BUFFER YARDS MUST BE PROVIDED IN ACCORDANCE WITH SEC. 5-1400 OF THE ZONING ORDINANCE AND SEC. 5-644(C) FOR DATA CENTER USE.

* ALL USES SHALL BE PROFFERED OUT OF THIS APPLICATION WITH THE EXCEPTION OF DATA CENTERS WHICH MAY INCLUDE A DISTRIBUTION AND/OR DEDICATED SUBSTATION. DATA CENTER USE MUST COMPLY WITH SEC. 5-644 OF THE ZONING ORDINANCE.

BUILDING REQUIREMENTS:
LOT COVERAGE: MAXIMUM OF 0.40; UP TO 0.60 MAXIMUM BY SPECIAL EXCEPTION
BUILDING HEIGHT: 60' MAXIMUM PROVIDED THAT A BUILDING MAY BE ERRECTED TO A MAXIMUM HEIGHT OF 100' IF IT IS SET BACK FROM STREETS OR FROM LOT LINES THAT DO NOT CONSTITUTE BOUNDARIES OF DISTRICTS WITH LOWER MAXIMUM HEIGHT RESTRICTIONS. IN ADDITION TO EACH OF THE REQUIRED MINIMUM YARD DIMENSIONS A DISTANCE OF NOT LESS THAN 11' FOR EACH 11' OF HEIGHT THAT IT EXCEEDS THE 60' LIMIT
** APPLICANT WILL RESTRICT BUILDING HEIGHT TO A MAXIMUM OF 35'.

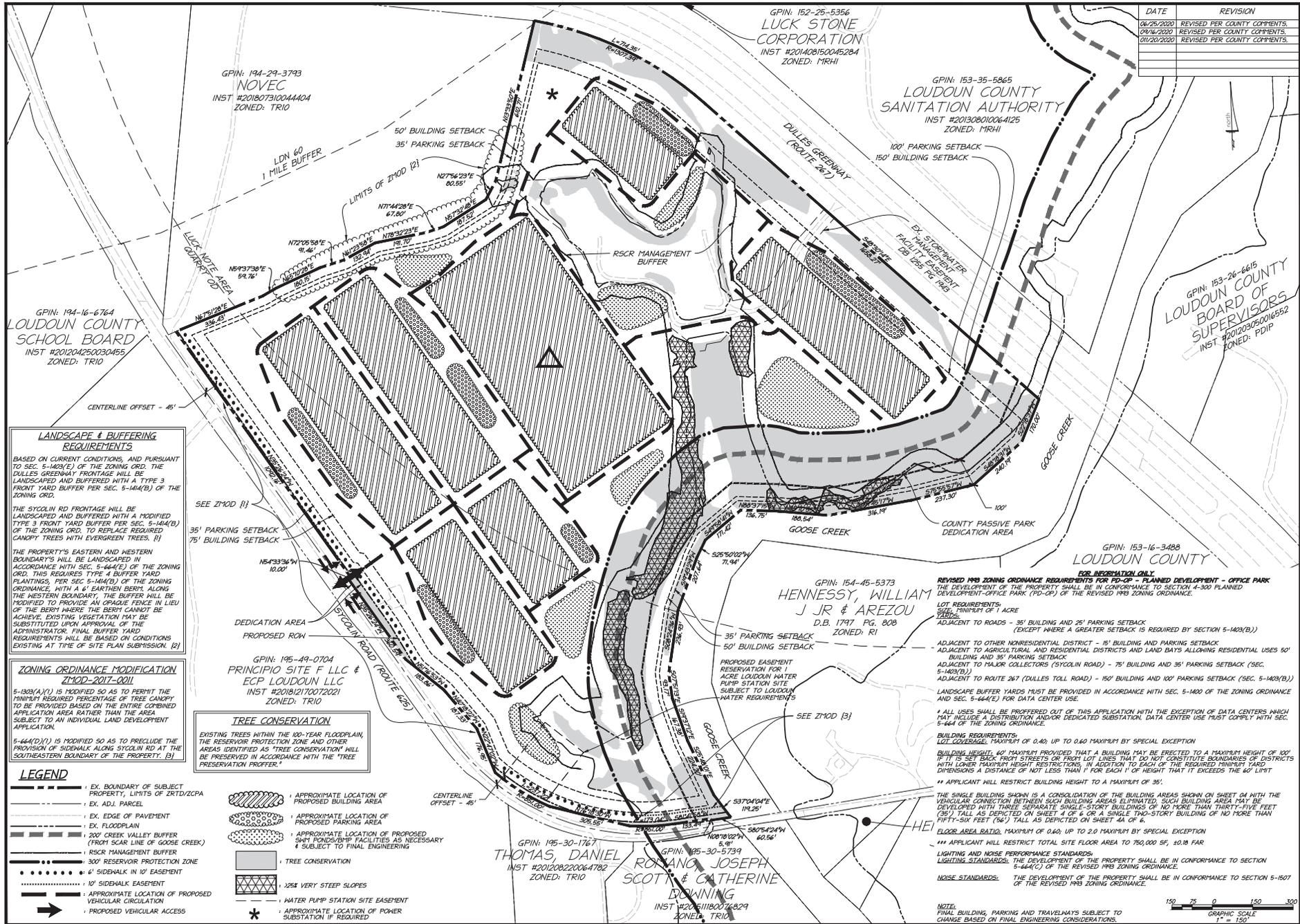
THE THREE BUILDING AREAS NOTED WITH THE Δ SYMBOL MAY BE CONSOLIDATED INTO A SINGLE BUILDING AREA AND THE VEHICULAR CONNECTION BETWEEN SUCH BUILDING AREAS MAY BE ELIMINATED. SUCH BUILDING AREA MAY BE DEVELOPED WITH THREE SEPARATE SINGLE-STORY BUILDINGS OF NO MORE THAN THIRTY-FIVE FEET (35') TALL AS DEPICTED ON SHEET 4 OR 6 OR A SINGLE TWO-STORY BUILDING OF 40' MORE THAN FIFTY-SIX FEET (56') TALL AS DEPICTED ON SHEET 4A OF 6.

FLOOR AREA RATIO: MAXIMUM OF 0.60; UP TO 2.0 MAXIMUM BY SPECIAL EXCEPTION
*** APPLICANT WILL RESTRICT TOTAL SITE FLOOR AREA TO 750,000 SF, ±0.18 FAR

LIGHTING AND NOISE PERFORMANCE STANDARDS:
LIGHTING STANDARDS: THE DEVELOPMENT OF THE PROPERTY SHALL BE IN CONFORMANCE TO SECTION 5-644(C) OF THE REVISED 1993 ZONING ORDINANCE.
NOISE STANDARDS: THE DEVELOPMENT OF THE PROPERTY SHALL BE IN CONFORMANCE TO SECTION 5-1507 OF THE REVISED 1993 ZONING ORDINANCE.

NOTE:
FINAL BUILDING, PARKING AND TRAVELWAYS SUBJECT TO CHANGE BASED ON FINAL ENGINEERING CONSIDERATIONS.





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CONCEPT DEVELOPMENT
 PLAN OPTION, MINOR
 SPECIAL EXCEPTION &
 ZONING MODIFICATION

ZONING CONCEPT PLAN AMENDMENT
TRUE NORTH DATA
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4A of 6
 107546

LANDSCAPE & BUFFERING REQUIREMENTS
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THE PROPERTY'S EASTERN AND WESTERN BOUNDARY'S WILL BE LANDSCAPED IN ACCORDANCE WITH SEC. 5-644(E) OF THE ZONING ORD. THIS REQUIRES TYPE 4 BUFFER YARD PLANTINGS. PER SEC. 5-1441(B) OF THE ZONING ORDINANCE, WITH A 6' EARTHEN BERRY ALONG THE WESTERN BOUNDARY, THE BUFFER WILL BE MODIFIED TO PROVIDE AN OPACIDE FENCE IN LIEU OF THE BERRY WHERE THE BERRY CANNOT BE ACHIEVED. EXISTING VEGETATION MAY BE SUBSTITUTED UPON APPROVAL OF THE ADMINISTRATOR. FINAL BUFFER YARD REQUIREMENTS WILL BE BASED ON CONDITIONS EXISTING AT TIME OF SITE PLAN SUBMISSION. (2)

ZONING ORDINANCE MODIFICATION Z102-2017-001
 5-1202(A)(1) IS MODIFIED SO AS TO PERMIT THE MINIMUM REQUIRED PERCENTAGE OF TREE CANOPY TO BE PROVIDED BASED ON THE ENTIRE COMBINED APPLICATION AREA RATHER THAN THE AREA SUBJECT TO AN INDIVIDUAL LAND DEVELOPMENT APPLICATION.

5-644(C)(1) IS MODIFIED SO AS TO PRECLUDE THE PROVISION OF SIDEWALK EASEMENT AT THE SOUTHEASTERN BOUNDARY OF THE PROPERTY. (3)

- LEGEND**
- - - - - EX. BOUNDARY OF SUBJECT PROPERTY, LIMITS OF ZR1D/ZCPA
 - - - - - EX. ADJ. PARCEL
 - - - - - EX. EDGE OF PAVEMENT
 - - - - - EX. FLOODPLAIN
 - - - - - 200' CREEK VALLEY BUFFER (FROM SCAR LINE OF GOOSE CREEK)
 - - - - - 300' RESERVOIR PROTECTION ZONE
 - - - - - 6' SIDEWALK IN 10' EASEMENT
 - - - - - 10' SIDEWALK EASEMENT
 - - - - - APPROXIMATE LOCATION OF PROPOSED VEHICULAR CIRCULATION
 - - - - - PROPOSED VEHICULAR ACCESS
 - ▨ APPROXIMATE LOCATION OF PROPOSED BUILDING AREA
 - ▨ APPROXIMATE LOCATION OF PROPOSED PARKING AREA
 - ▨ APPROXIMATE LOCATION OF PROPOSED SWM PONDS/BNP FACILITIES AS NECESSARY & SUBJECT TO FINAL ENGINEERING
 - ▨ TREE CONSERVATION
 - ▨ 25% VERY STEEP SLOPES
 - * WATER PUMP STATION SITE EASEMENT
 - * APPROXIMATE LOCATION OF POWER SUBSTATION IF REQUIRED

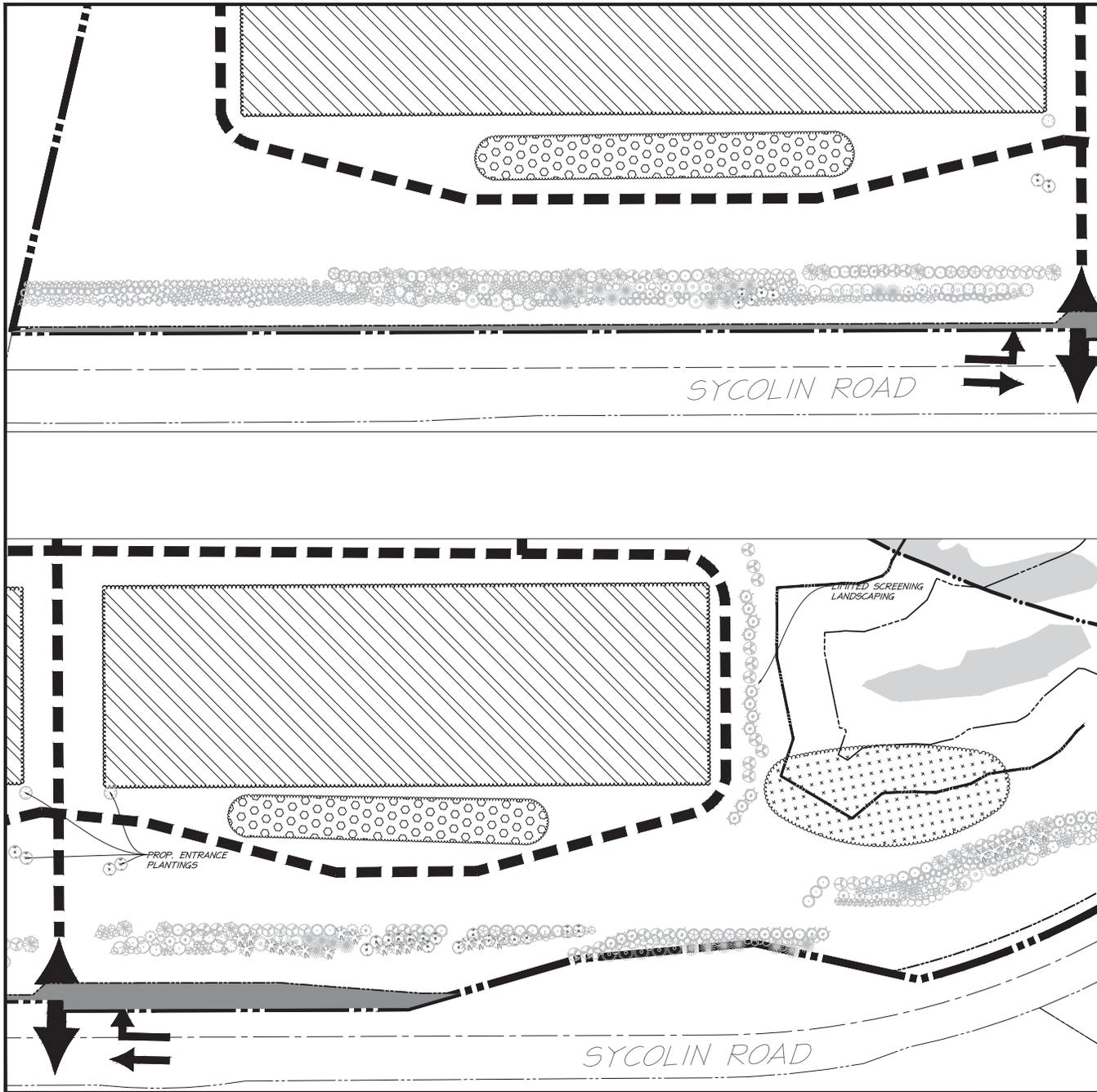
FOR INFORMATION ONLY
 REVISED 1993 ZONING ORDINANCE REQUIREMENTS FOR PD-OP - PLANNED DEVELOPMENT - OFFICE PARK THE DEVELOPMENT OF THE PROPERTY SHALL BE IN CONFORMANCE TO SECTION 4-300 PLANNED DEVELOPMENT-OFFICE PARK (PD-OP) OF THE REVISED 1993 ZONING ORDINANCE.

- LOT REQUIREMENTS:**
 5665. MINIMUM OF 1 ACRE
 YARDS:
- ** ADJACENT TO ROADS - 35' BUILDING AND 25' PARKING SETBACK (EXCEPT WHERE A GREATER SETBACK IS REQUIRED BY SECTION 5-1403(B))
 - ** ADJACENT TO OTHER NONRESIDENTIAL DISTRICT - 15' BUILDING AND PARKING SETBACK
 - ** ADJACENT TO AGRICULTURAL AND RESIDENTIAL DISTRICTS AND LAND BAYS ALLOWING RESIDENTIAL USES 50' BUILDING AND 35' PARKING SETBACK
 - ** ADJACENT TO MAJOR COLLECTORS (SYCOLIN ROAD) - 75' BUILDING AND 35' PARKING SETBACK (SEC. 5-1403(B))
 - ** ADJACENT TO ROUTE 267 (DULLES TOLL ROAD) - 150' BUILDING AND 100' PARKING SETBACK (SEC. 5-1403(B))
- LANDSCAPE BUFFER YARDS MUST BE PROVIDED IN ACCORDANCE WITH SEC. 5-1400 OF THE ZONING ORDINANCE AND SEC. 5-644(C) FOR DATA CENTER USE.
- * ALL USES SHALL BE PROFFERED OUT OF THIS APPLICATION WITH THE EXCEPTION OF DATA CENTERS WHICH MAY INCLUDE A DISTRIBUTION AND/OR DEDICATED SUBSTATION. DATA CENTER USE MUST COMPLY WITH SEC. 5-644 OF THE ZONING ORDINANCE.

- BUILDING REQUIREMENTS:**
 LOT COVERAGE: MAXIMUM OF 0.40; UP TO 0.60 MAXIMUM BY SPECIAL EXCEPTION
 BUILDING HEIGHT: 60' MAXIMUM PROVIDED THAT A BUILDING MAY BE ERRECTED TO A MAXIMUM HEIGHT OF 100' IF IT IS SET BACK FROM STREETS OR FROM LOT LINES THAT DO NOT CONSTITUTE BOUNDARIES OF DISTRICTS WITH LOWER MAXIMUM HEIGHT RESTRICTIONS. IN ADDITION TO EACH OF THE REQUIRED MINIMUM YARD DIMENSIONS A DISTANCE OF NOT LESS THAN 11' FOR EACH 11' OF HEIGHT THAT IT EXCEEDS THE 60' LIMIT
- ** APPLICANT WILL RESTRICT BUILDING HEIGHT TO A MAXIMUM OF 35'.
- THE SINGLE BUILDING SHOWN IS A CONSOLIDATION OF THE BUILDING AREAS SHOWN ON SHEET 04 WITH THE VEHICULAR CONNECTIONS BETWEEN SUCH BUILDING AREAS ESTIMATED. SUCH BUILDING AREA MAY BE DEVELOPED WITH THREE SEPARATE SINGLE-STORY BUILDINGS OF NO MORE THAN THIRTY-FIVE FEET (35') TALL AS DEPICTED ON SHEET 4 OF 6 OR A SINGLE TWO-STORY BUILDING OF NO MORE THAN FIFTY-SIX FEET (56') TALL AS DEPICTED ON SHEET 4A OF 6.
- FLOOR AREA RATIO: MAXIMUM OF 0.40; UP TO 2.0 MAXIMUM BY SPECIAL EXCEPTION
- ** APPLICANT WILL RESTRICT TOTAL SITE FLOOR AREA TO 750,000 SF, 10.18 FAR
- LIGHTING AND NOISE PERFORMANCE STANDARDS:
 LIGHTING STANDARDS: THE DEVELOPMENT OF THE PROPERTY SHALL BE IN CONFORMANCE TO SECTION 5-644(C) OF THE REVISED 1993 ZONING ORDINANCE.
 NOISE STANDARDS: THE DEVELOPMENT OF THE PROPERTY SHALL BE IN CONFORMANCE TO SECTION 5-1507 OF THE REVISED 1993 ZONING ORDINANCE.

NOTE:
 FINAL BUILDING, PARKING AND TRAVELWAYS SUBJECT TO CHANGE BASED ON FINAL ENGINEERING CONSIDERATIONS.

150 75 0 150 300
 GRAPHIC SCALE
 1" = 150'



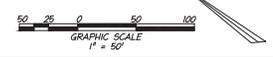
LEGEND

- - - - - EX. BOUNDARY OF SUBJECT PROPERTY, LIMITS OF ERTD/ZCPA
- - - - - EX. ADJ. PARCEL
- - - - - EX. EDGE OF PAVEMENT
- - - - - EX. FLOODPLAIN
- - - - - 200' CREEK VALLEY BUFFER (FROM SCAR LINE OF GOOSE CREEK)
- - - - - RSCR MANAGEMENT BUFFER
- - - - - 300' RESERVOIR PROTECTION ZONE
- - - - - 6" SIDEWALK IN 10' EASEMENT
- - - - - 10' SIDEWALK EASEMENT
- - - - - APPROXIMATE LOCATION OF PROPOSED VEHICULAR CIRCULATION
- - - - - PROPOSED VEHICULAR ACCESS
- - - - - APPROXIMATE LOCATION OF PROPOSED BUILDING AREA
- - - - - APPROXIMATE LOCATION OF PROPOSED PARKING AREA
- - - - - APPROXIMATE LOCATION OF PROPOSED SWIP FOND/SHIP FACILITIES AS NECESSARY & SUBJECT TO FINAL ENGINEERING
- TREE CONSERVATION

DATE	REVISION
06/25/2020	REVISED PER COUNTY COMMENTS.
09/16/2020	REVISED PER COUNTY COMMENTS.
01/20/2020	REVISED PER COUNTY COMMENTS.

PLANT LEGEND

- ☀ EVERGREEN TREES
- ☁ UNDERSTORY TREES
- SHRUBS



SYCOLIN ROAD BUFFER

LENGTH (LF): ± 2,934'

REQUIRED BUFFER PLANTINGS + ADDITIONAL EVERGREENS PROFFERED

PLANT TYPE	TOTAL NUMBER REQUIRED	*** PROPOSED PLANTS
CANOPY TREES	0	0
UNDERSTORY TREES	89	89
SHRUBS	587	587
EVERGREEN TREES	235	235

*** THE NUMBER OF PROPOSED PLANTS CAN BE REDUCED IF EXISTING TREES SATISFY THIS REQUIREMENT AS APPROVED BY THE COUNTY URBAN FORESTER.



SYCOLIN ROAD BUFFER

ZONING CONCEPT PLAN AMENDMENT
TRUE NORTH DATA
LOUDOUN COUNTY, VIRGINIA

PROJECT NO. 17034.001.01
SCALE: AS NOTED
DATE: 3/24/2020
DESIGN: DL
DRAWING: DL
CHECKED: LC
SHEET No.

DULLES GREENWAY BUFFER

DESCRIPTION: FRONTAGE ALONG DULLES GREENWAY, TYPE 3 FRONT YARD REQUIRED PER ZO 5-1406(E)(2)

WIDTH: 20-30' REQUIRED

LENGTH (LF): ± 2,375'

PLANT TYPE	NUMBER REQUIRED PER 100 LF	TOTAL NUMBER REQUIRED (SEE NOTE)
CANOPY TREES	3	72
UNDERSTORY TREES	3	72
SHRUBS	20	475
EVERGREEN TREES	0	0

NOTE: THE TOTAL NUMBER OF TREES AND SHRUBS REQUIRED IS BASED ON ZONING ORDINANCE REQUIREMENTS. AT THE TIME OF SITE PLAN, EXISTING VEGETATION WILL BE EVALUATED WITHIN THE BUFFER AND THE TOTAL NUMBER OF REQUIRED PLANTS WILL BE ADJUSTED, AS SECTION 5-1408(B) OF THE ZONING ORDINANCE ALLOWS FOR EXISTING VEGETATION TO BE USED TO MEET REQUIRED BUFFER PLANTINGS.

PLANT LEGEND



CANOPY TREES



UNDERSTORY TREES



SHRUBS

LEGEND

- : EX. BOUNDARY OF SUBJECT PROPERTY, LIMITS OF ZRTD/ZCPA
- - - : EX. ADJ. PARCEL
- — — : EX. EDGE OF PAVEMENT
- - - - - : EX. FLOODPLAIN
- — — — — : 200' CREEK VALLEY BUFFER (FROM SCAR LINE OF GOOSE CREEK)
- — — — — : RSCR MANAGEMENT BUFFER
- — — — — : 300' RESERVOIR PROTECTION ZONE
- : 6' SIDEWALK IN 10' EASEMENT
- : 10' SIDEWALK EASEMENT

- : APPROXIMATE LOCATION OF PROPOSED VEHICULAR CIRCULATION
- : PROPOSED VEHICULAR ACCESS
- ▨ : APPROXIMATE LOCATION OF PROPOSED BUILDING AREA
- ▨ : APPROXIMATE LOCATION OF PROPOSED PARKING AREA
- ▨ : APPROXIMATE LOCATION OF PROPOSED SWM POND/SWFP FACILITIES AS NECESSARY & SUBJECT TO FINAL ENGINEERING
- : TREE CONSERVATION

DATE	REVISION
06/25/2020	REVISED PER COUNTY COMMENTS.
09/16/2020	REVISED PER COUNTY COMMENTS.
01/20/2020	REVISED PER COUNTY COMMENTS.



DULLES GREENWAY
(ROUTE 267)

GOOSE CREEK

christopher consultants
9900 main street (suite 400) • Fairfax, VA 22031
phone 703.273.6820 • fax 703.273.6820



DULLES GREENWAY
BUFFER

ZONING CONCEPT PLAN AMENDMENT
TRUE NORTH DATA
LODDOWN COUNTY, VIRGINIA

PROJECT NO: 17034.001.01
SCALE: AS NOTED
DATE: 3/24/2020
DESIGN: DL
DRAWING: DL
CHECKED: LC
SHEET No.

True North Data
Statement of Justification
ZCPA-2020-0003

April 13, 2020
Revised September 16, 2020
Revised October 14, 2020

I. Introduction

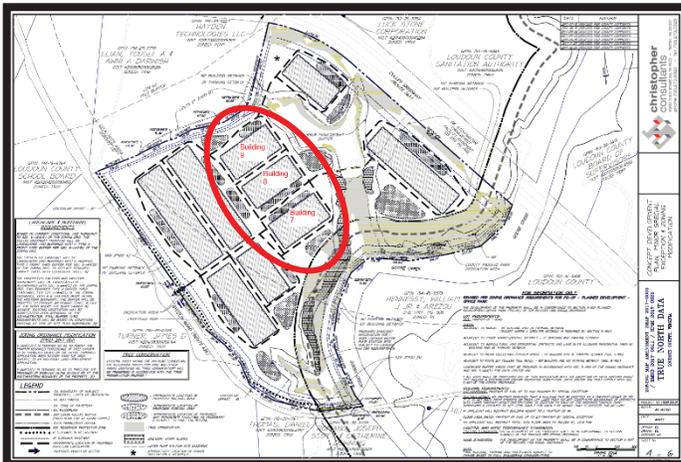
Compass Datacenters IAD I LLC (the “Applicant”) is seeking approval of a modest optional development pattern at the 97.12-acre True North Data campus in the Catoctin election district (identified as PIN 194-10-2562)(the “Property”). Specifically, the Applicant is requesting a zoning concept plan amendment (“ZCPA”) to provide options to develop Buildings 7, 8, and 9 as either a single two-story building or as three separate two-story data centers. While this additional flexibility will not increase the square footage permitted nor increase the traffic impacts at the Property, it will require the modification of Proffer III and clarification of a note on Sheet 4 of the Concept Development Plan (“CDP”).

II. Description of the Site

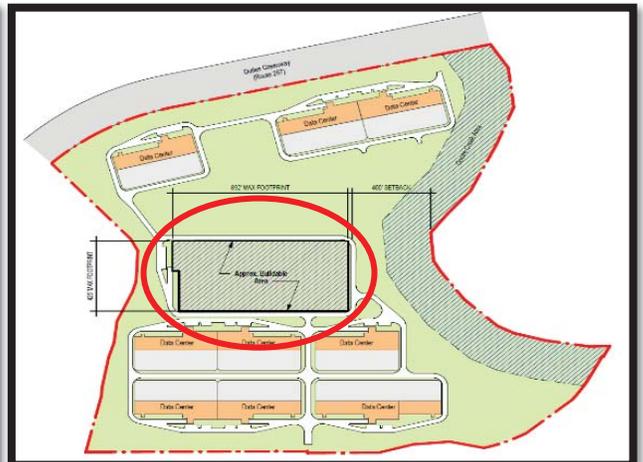
The Property is subject to the Proffers and CDP approved as part of ZMAP 2017-0003, ZMOD 2017-0011 and SPMI 2017-0020 (the “Rezoning”) and is governed by the Planned Development – Office Park (“PD-OP”) zoning district under the Revised 1993 Loudoun County Zoning Ordinance. The Property is located on the south side of the Dulles Greenway (Route 267), north of Sycolin Road (Route 625), and east of Goose Creek and is currently being developed in accordance with the Rezoning. The properties to the west and south are presently zoned TR-10 and the properties on the east side of Goose Creek are zoned R-1 and PDH-4.

III. Requested Application

As described above, the ZCPA would provide the Applicant with modest flexibility to either retain the current layout for Buildings 7, 8, and 9 as two-story data centers or choose to consolidate such buildings into a single two-story data center as depicted in the images below. Since the proposed two-story buildings would be located at the center of the site and importantly, 875 feet from Sycolin Road and 800 feet (at its closest point) from the Dulles Greenway, it would be appropriate to increase the height of buildings here. With more than a football field’s distance from the scar line of the Goose Creek, Exhibit A confirms that the modest building height increase within the center of the site will not visually impact the Goose Creek River stream valley corridor. To achieve this modest flexibility, the application would request the amendment of Proffer III and a note on Sheet 4 of the CDP to permit building heights of up to sixty feet. Notably, this is the only change necessary to secure the described flexibility. The Applicant is not seeking to (a) increase the permitted density, (b) increase the building height for any buildings adjacent to the Dulles Greenway or Sycolin Road, (c) encroach into any required setbacks, (d) decrease the required tree conservation areas or (e) increase the permitted lot coverage, or (f) increase the maximum impervious area. Quite simply, this application will only afford the Applicant the opportunity to provide building configurations that meet customer needs with taller buildings in the portion of the site least likely to create external impacts.



Approved CDP



Proposed Building Consolidation

IV. Compliance with the 2019 Loudoun County General Plan (the "Comprehensive Plan")

The Property is located within the Transition Policy Area and designated as Transition Light Industrial Place Type. This place type is planned for low-traffic industrial and employment uses, predominately data centers. The Comprehensive Plan guidance envisions up to a 0.60 FAR, one- to three- story building heights, and fifty percent open space. In fact, the Comprehensive Plan guidance envisions a significantly denser development with taller buildings, and meaningfully less open space than is permitted by the Rezoning. The Rezoning is much more restrictive than the Comprehensive Plan with far less density (0.18 FAR) and shorter buildings than recommended by the Comprehensive Plan. Although the Applicant is seeking a de minimis reduction in open space, the project will continue to exceed the amount of open space recommended by the General Plan. Specifically, the project will provide 60.25 acres of open space, which is 8% more than the 50% recommended. As noted above, the Applicant is not seeking to intensify the impacts of the permitted Rezoning and if approved, the proposed ZCPA would still be far less intense than is contemplated by the Transition Light Industrial Place Type.

V. Conclusion

The application proposes a single modest change to the True North Data approvals that will allow the Applicant to provide building configurations that meet customer needs and increase the probability of generating significant tax revenues sooner rather than later. We respectfully request the County's support and expeditious review of this minor modification of Proffer III and clarification of a note on Sheet 4 of the CDP.

Issues for Consideration for the Zoning Concept Plan Amendment (Section 6-1210 (E))

- (1) Appropriateness of the proposed uses based on the Comprehensive Plan, trends in growth and development, the current and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies and the encouragement of the most appropriate use of land throughout the locality.

The Property is located within the Transition Policy Area and designated as Transition Light Industrial Place Type. This place type is planned for low-traffic industrial and employment uses such as data centers. The Comprehensive Plan guidance envisions up to a 0.60 FAR, one to three story building heights, and fifty percent open space. In fact, the Comprehensive Plan guidance envisions a significantly denser development with taller buildings, and meaningfully less open space than is permitted by the Rezoning. The Rezoning is much more restrictive than the Comprehensive Plan with far less density (0.18 FAR), significantly more open space (64.25 acres or 62%), and only single-story data center buildings. The Applicant is not seeking to (a) increase the permitted density, (b) increase the building height for any buildings adjacent to the Dulles Greenway or Sycolin Road, (c) encroach into any required setbacks, (d) decrease the required tree conservation areas or (e) increase the permitted lot coverage, or (f) increase the maximum impervious area.

This application does not change the land uses previously approved with the Rezoning, which remain consistent with the uses recommended by the Comprehensive Plan.

- (2) The existing character and use of the subject property and suitability for various uses, compatibility with uses permitted and existing on other property in the immediate vicinity, and conservation of land values.

The Property borders the suburban policy area and is surrounded by incredibly varied land uses within a 7,500 LF mile radius; specifically, residential and institutional uses to the south of Sycolin Road and extraction and industrial uses to the north of the Dulles Greenway. This application proposes a single modest change to the True North Data approvals that will allow the Applicant to respond to meet customer needs without changing the permitted density or use.

- (3) Adequacy of sewer and water, transportation, and other infrastructure to serve the uses that would be permitted on the property if it were reclassified to a different zoning district.

The Applicant has and will continue to ensure the appropriate connections to public infrastructure. The Property's public water and sewer is provided by Loudoun Water.

The Property is served by an adequate source of electricity and an existing fiber optic network that connects to the Metropolitan Area Ethernet East ("MAE East") for the operation of the data center uses. MAE East is the eastern branch of the MCI/Worldcom Internet Exchange Point for connecting internet service providers and it spreads across the east coast of the United States, with locations in Vienna, Reston and Ashburn; New York City and Miami.

In accordance with the Rezoning, transportation improvements were made to the site's access to serve the employees of True North Data. Since this application does not seek to increase density or change uses, the improvements completed by the Applicant to date adequately serve the uses permitted on the Property.

- (4) The requirements for airports, housing, schools, parks, playgrounds, recreational areas and other public services.

This application will not generate an impact on the airports, housing, school, park, playground, recreational areas and other public services. In fact, it will continue to provide the County with a tremendous economic opportunity.

The Property is currently being developed in accordance with the Rezoning and this ZCPA to make a single modest change to the True North Data approvals will allow the Applicant to provide a building configuration that meets customer needs and increases the probability of generating significant tax revenues sooner rather than later.

- (5)** Potential impacts on the environment or natural features including but not limited to wildlife habitat, wetlands, vegetation, water quality (including groundwater), topographic features, air quality, scenic, archaeological, and historic features, and agricultural and forestall lands and any proposed mitigation of those impacts.

The Property is already approved for data center uses; thus, this ZCPA application will not impact the environmental features, particularly the 300-foot reservoir protection zone and floodplain area. In accordance with the Rezoning, wetland area disturbances will not be expanded and trees and vegetation within designated tree preservation areas will not be encroached upon as a part of this application. The Applicant's ZCPA remains respectful of the Goose Creek – a tremendous asset of Loudoun County.

- (6)** The protection of life and property from impounding structure failures.

The proposed ZCPA application will protect life and property.



IAD Two-Story Zoning Study

July 07, 2020

IAD Campus Plan – Consolidated Single Building and Parking Area



IAD Campus Plan – Consolidated Single Building and Parking Layout



Sycolin Rd at Campus Entry (Looking Northeast)



- ➔ Camera Position
- Two-Story Visible Elevation

Sycolin Rd at Campus Entry (Looking North)



- ➔ Camera Position
- Two-Story Visible Elevation

Sycolin Rd (Looking East)



●→ Camera Position
— Two-Story Visible Elevation

Sycolin Rd (Looking North)



-  Camera Position
-  Two-Story Visible Elevation

Sycolin Rd (Looking East)



●→ Camera Position
— Two-Story Visible Elevation

Sycolin Rd (Looking East)



● → Camera Position
— Two-Story Visible Elevation

Goose Creek (Looking Northwest)



 Camera Position
 Two-Story Visible Elevation

Dulles Greenway (Looking Southwest - Winter Trees)



●➔ Camera Position
— Two-Story
Visible Elevation

Dulles Greenway (Looking Southwest - Foliage)



➔ Camera Position
— Two-Story Visible Elevation

ENGAGE WITH US ONLINE

compassdatacenters.com



CONTACT US

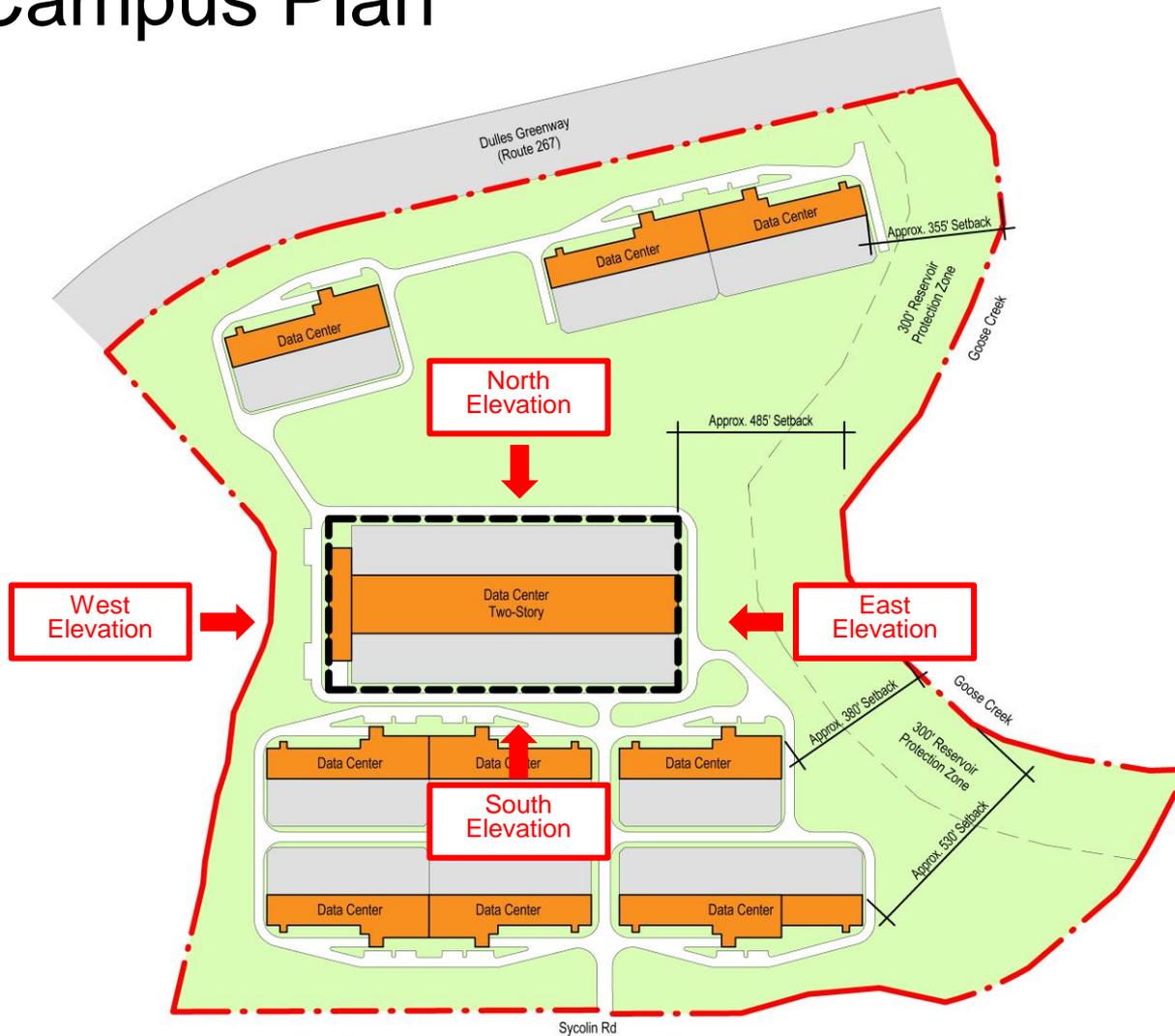
info@compassdatacenters.com



IAD Zoning Two-Story Building Elevations

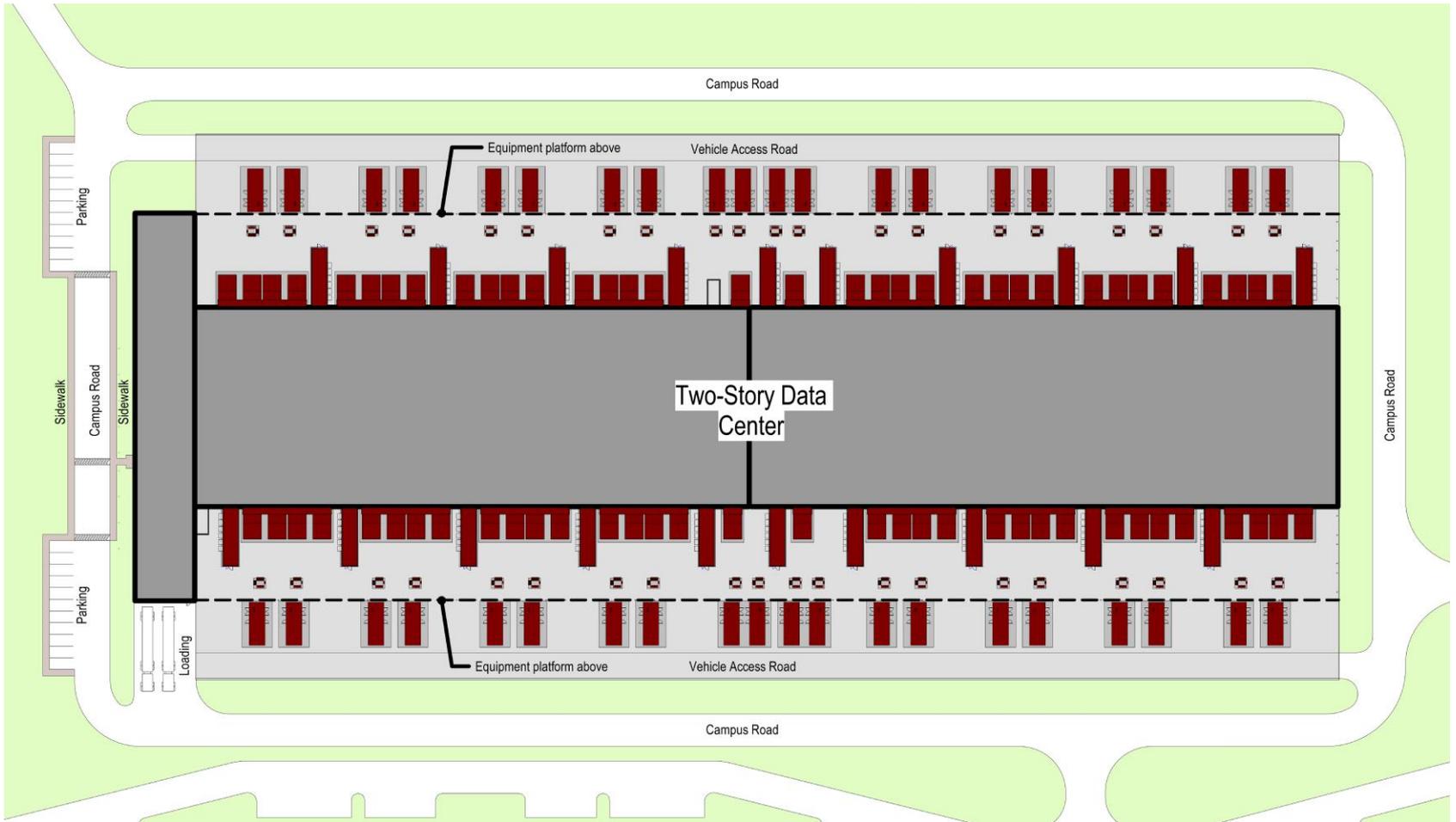
November 20, 2020

IAD Campus Plan



- | | |
|-----------------------|-------------------------------|
| Building (Impervious) | Equipment Yard (Impervious) |
| Pavement (Impervious) | Grass, Landscaping (Pervious) |

Two-Story Data Center Enlarged Site Plan

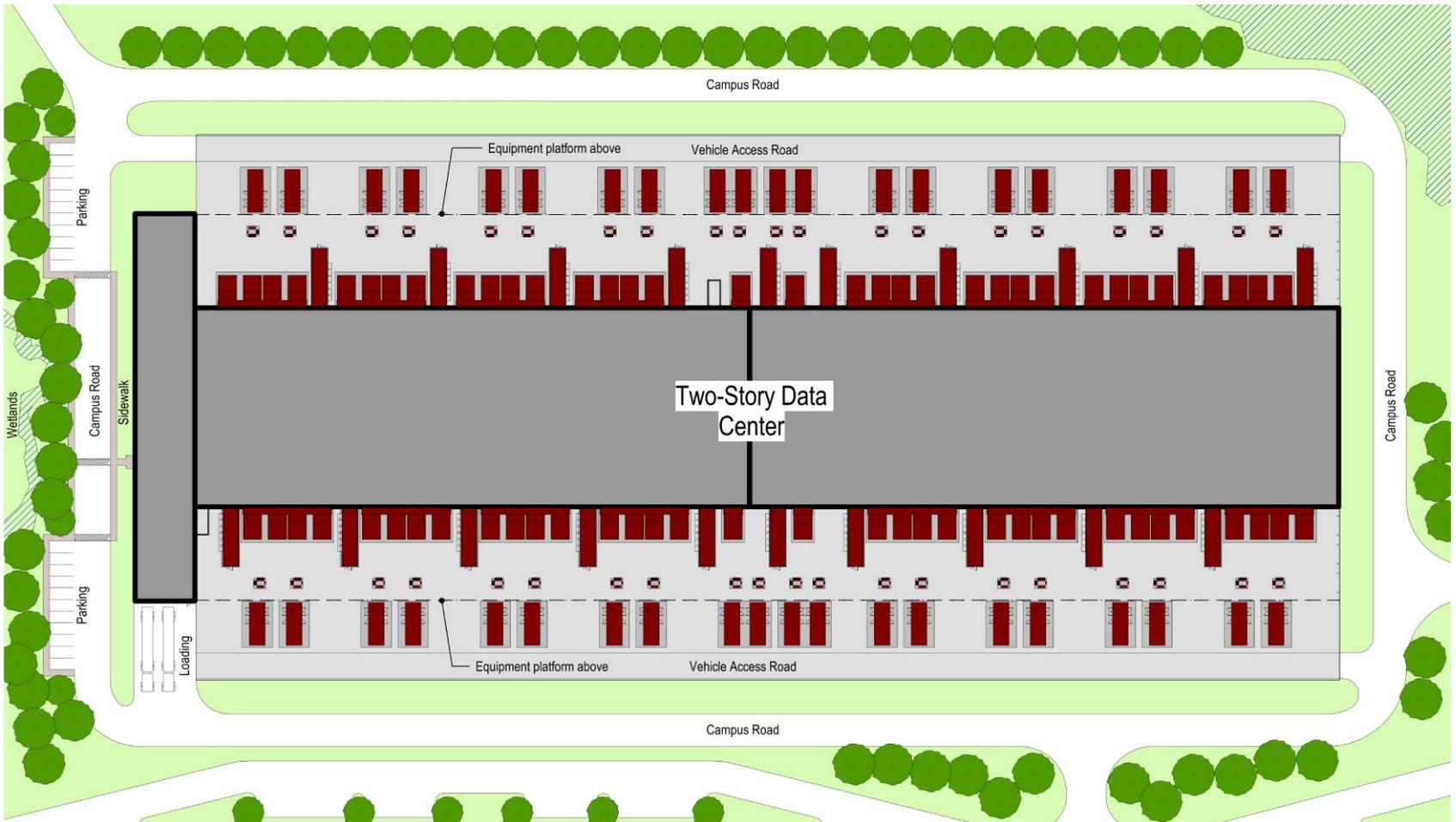


- | | | |
|---|--------------------------------------|------------------------|
| Building
(Approx. 150,000 SF Footprint) | Electrical & Mechanical
Equipment | Sidewalk |
| Equipment Yard Gravel
(Approx. 230,000 SF) | Pavement | Grass /
Landscaping |



Note: Actual equipment is grey, and is shown this color only to differentiate from yard and building

Two-Story Data Center Enlarged Site Plan

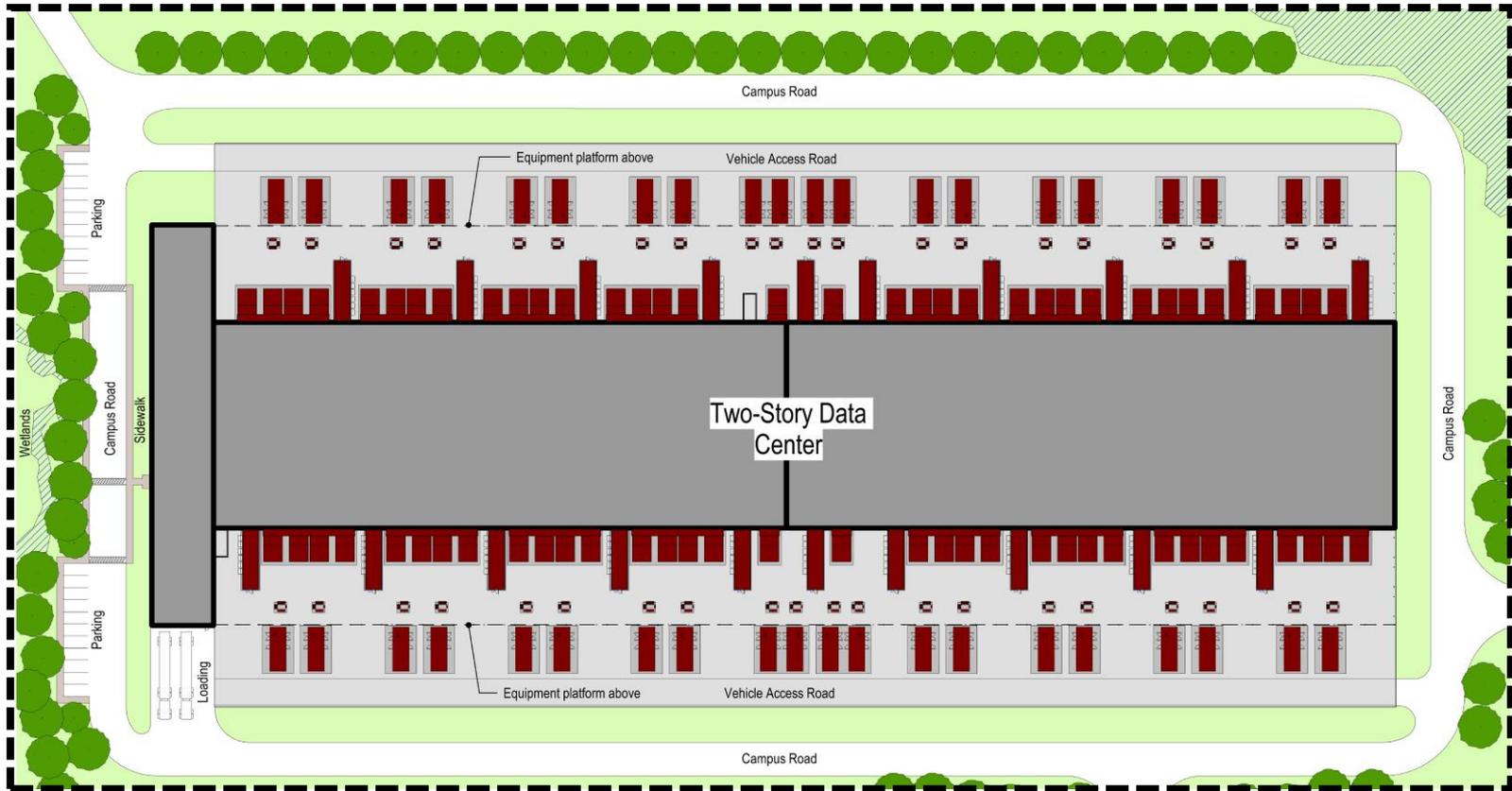


- | | | |
|---|-----------------------------------|---------------------|
| Building
(Approx. 150,000 SF Footprint) | Electrical & Mechanical Equipment | Sidewalk |
| Equipment Yard Gravel
(Approx. 230,000 SF) | Pavement | Grass / Landscaping |
| | Trees | |



Note: Actual equipment is grey, and is shown this color only to differentiate from yard and building

Pervious and Impervious Areas



 Extent of Two-Story Data Center
Development Area
(Approx. 637, 215 Sq. Ft.)

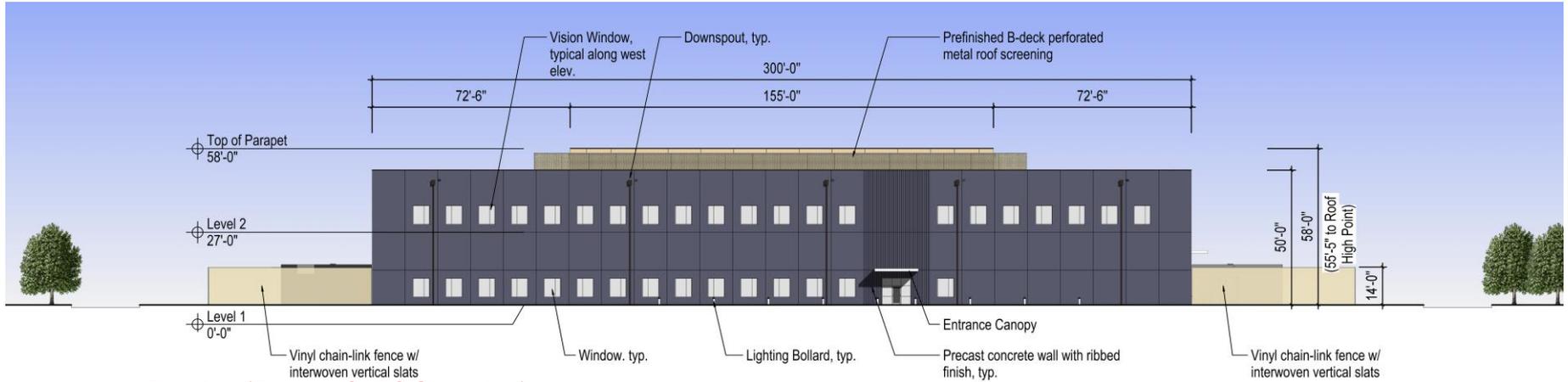
Impervious Area (Building Footprint, Equip. Yard Gravel, Pavement, Sidewalks)

Approx. 467,615 Sq. Ft.

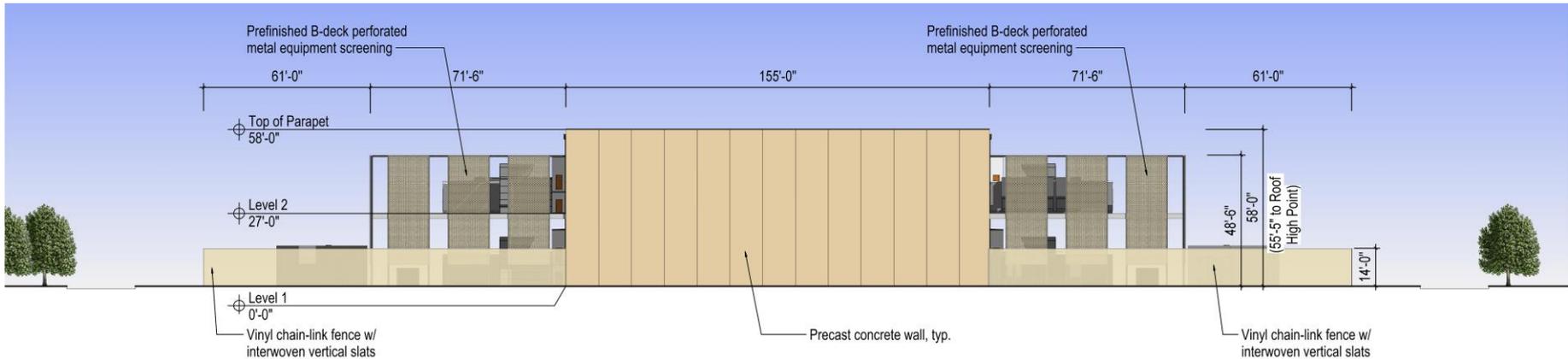
Pervious Area (Grass, Landscaping)

Approx. 169,600 Sq. Ft.

Elevations w/ Trees



West Elevation (Facing NOVEC Substation)



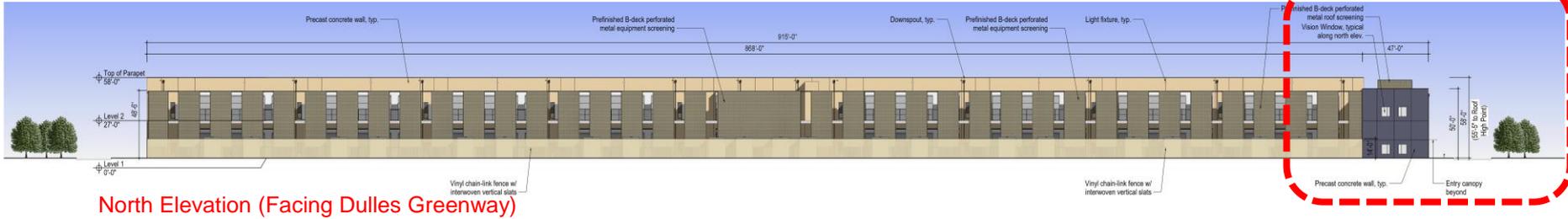
East Elevation (Facing Goose Creek)

Legend

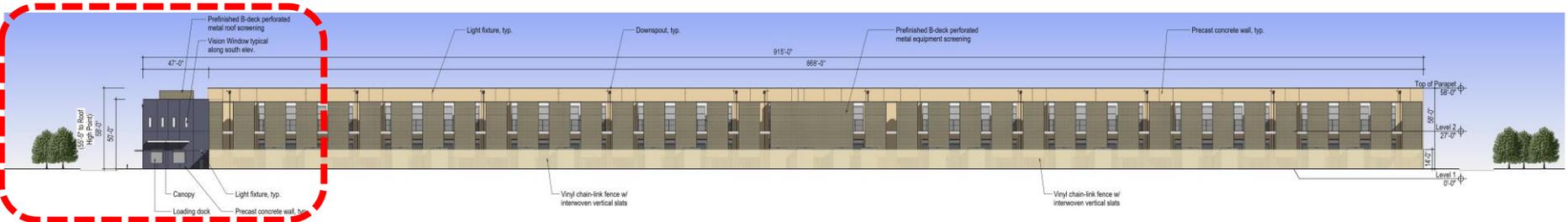
- Dark Buff
- Dark Walnut (Includes Ribbed Finish)



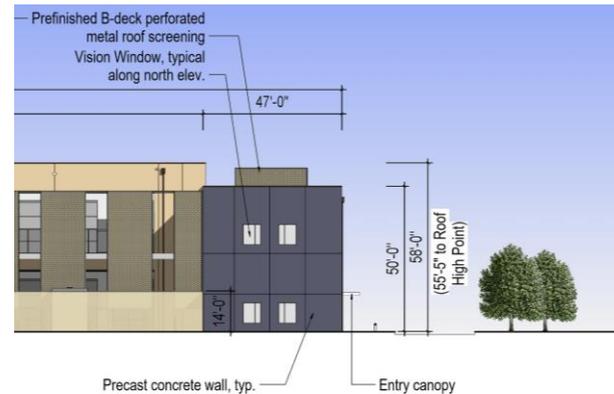
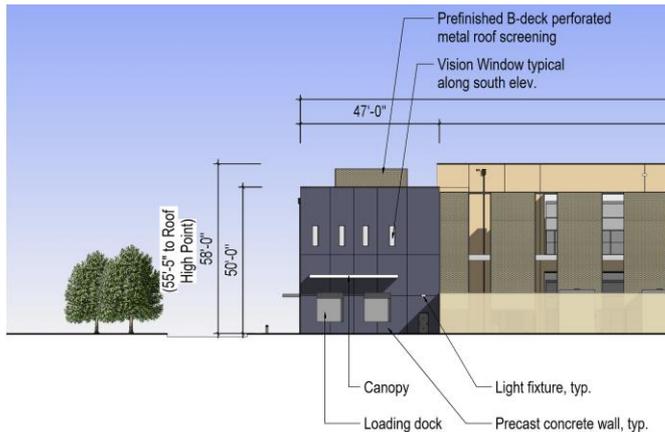
Elevations w/ Trees



North Elevation (Facing Dulles Greenway)



South Elevation (Facing Sycolin Road)

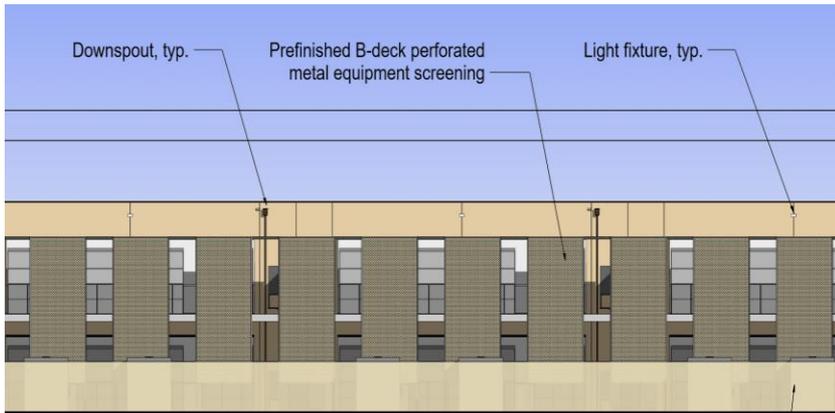


Legend

- Dark Buff
- Dark Walnut (Includes Ribbed Finish)



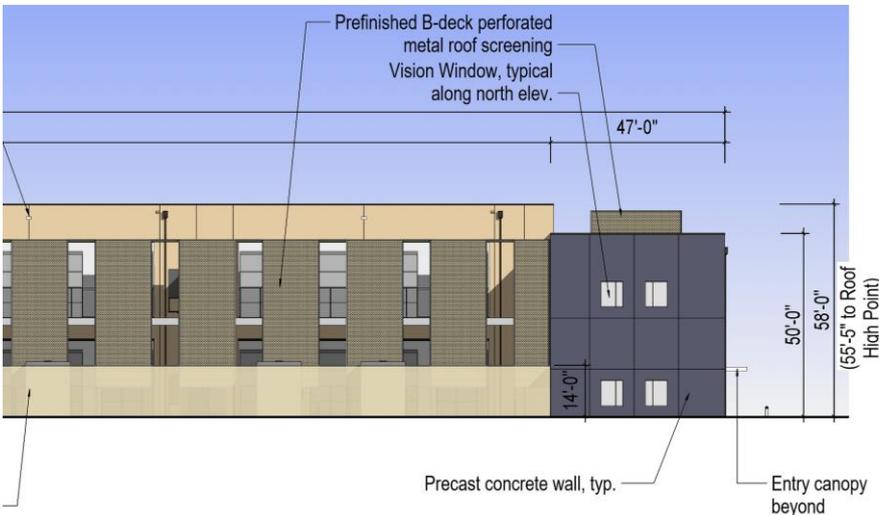
Enlarged Elevations



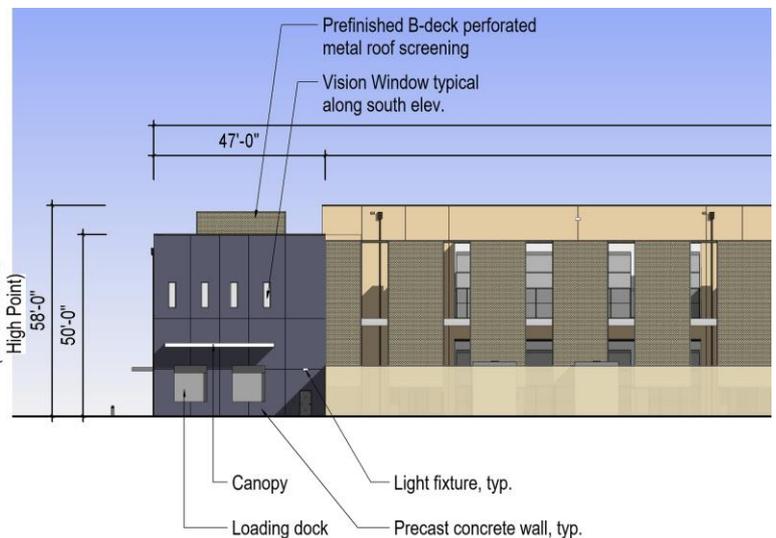
**North Elevation – Enlarged
Typ. Equipment Yard
(Facing Dulles Greenway)**



**South Elevation – Enlarged
Typ. Equipment Yard
(Facing Sycolin Road)**



**North Elevation – Enlarged at Office
(Facing Dulles Greenway)**

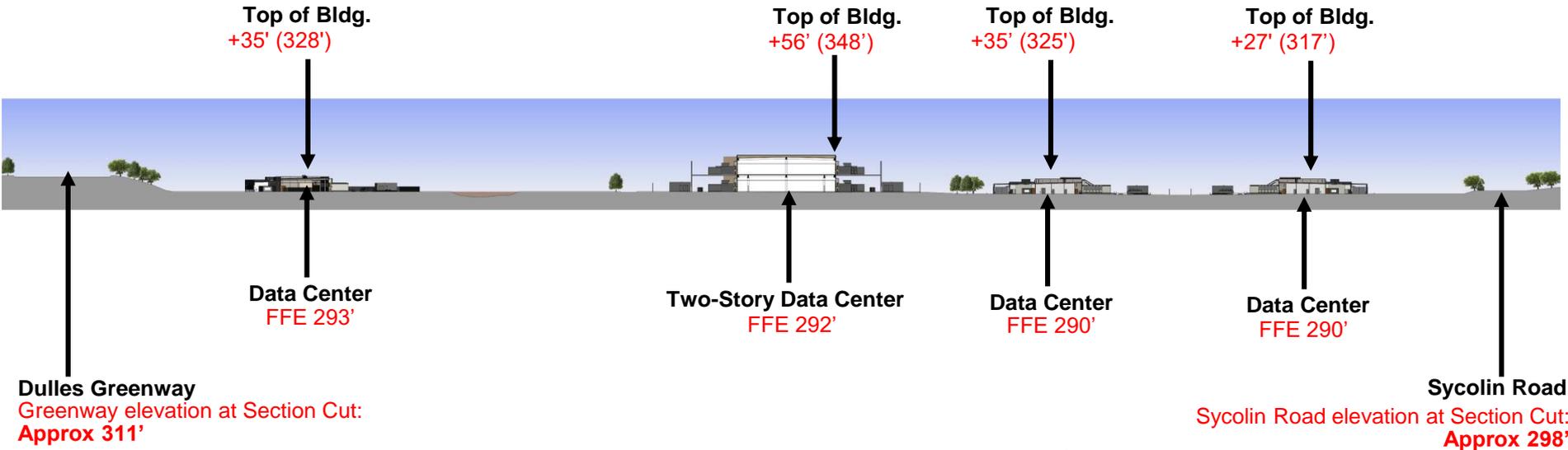


**South Elevation – Enlarged at Office
(Facing Sycolin Road)**

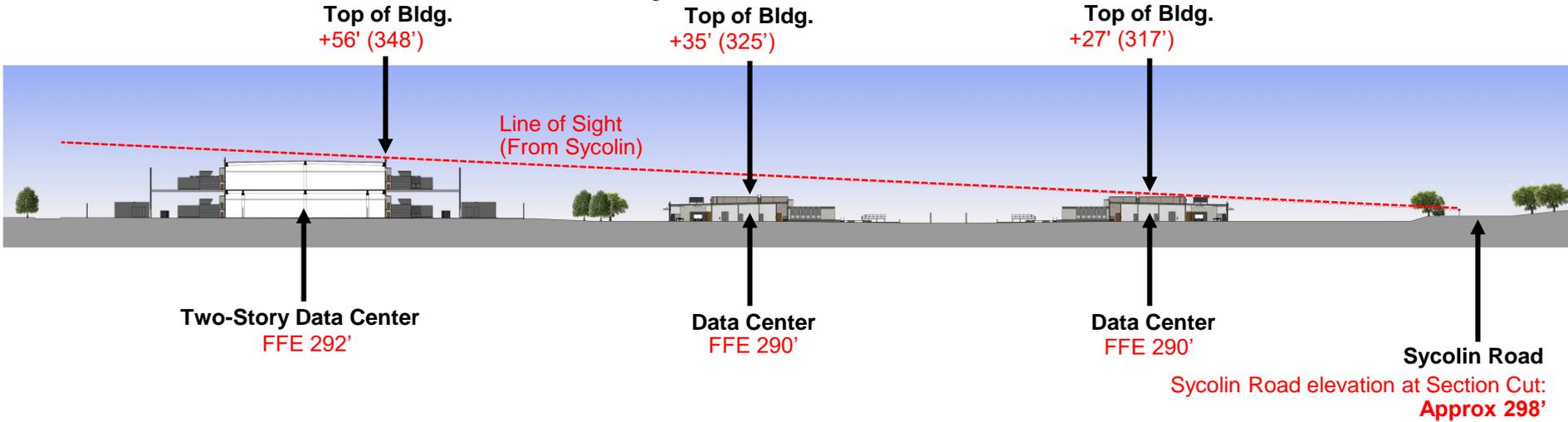
Legend

-
- Dark Buff
-
- Dark Walnut
(Includes Ribbed Finish)

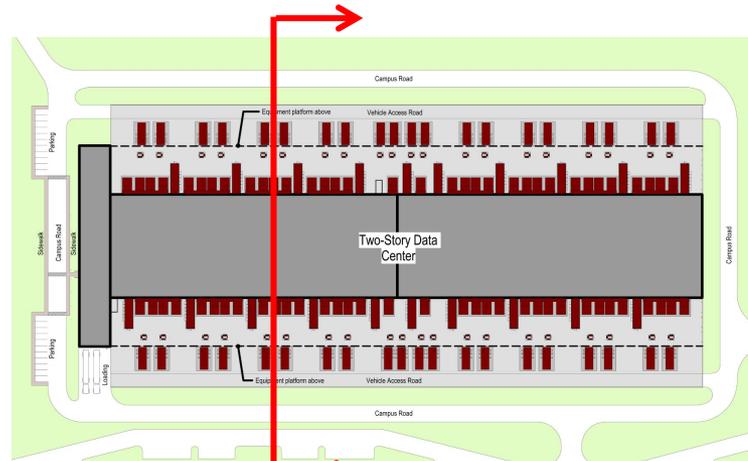
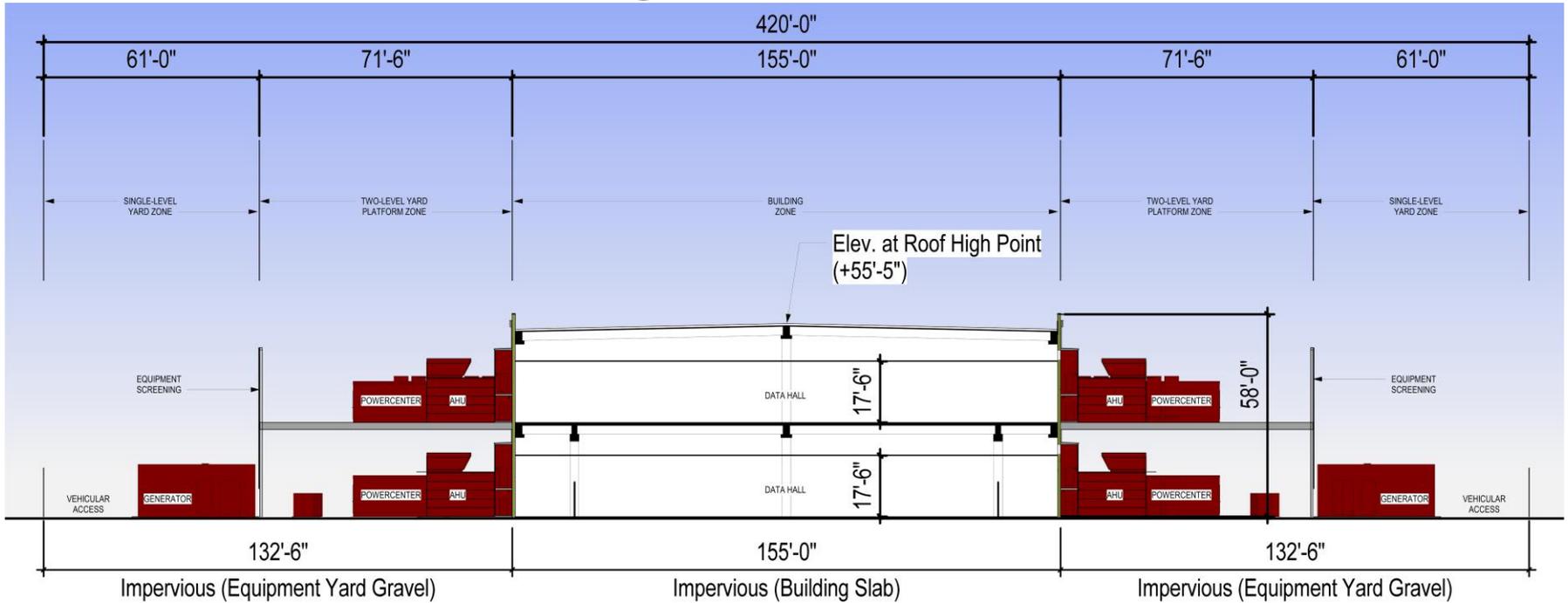
Site Section – Sycolin to Greenway



Site Section from Sycolin



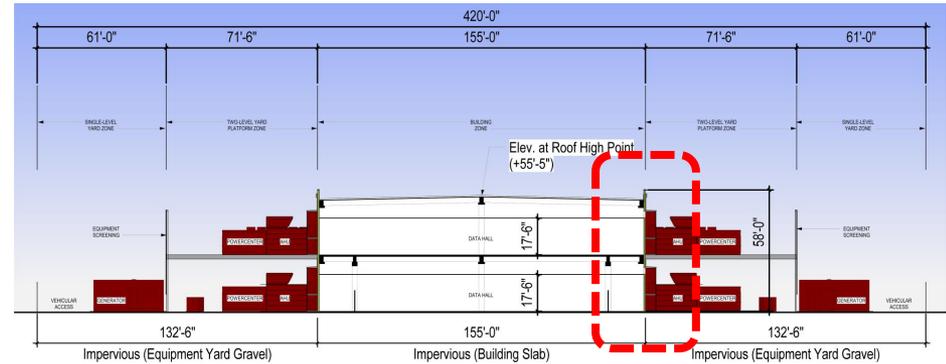
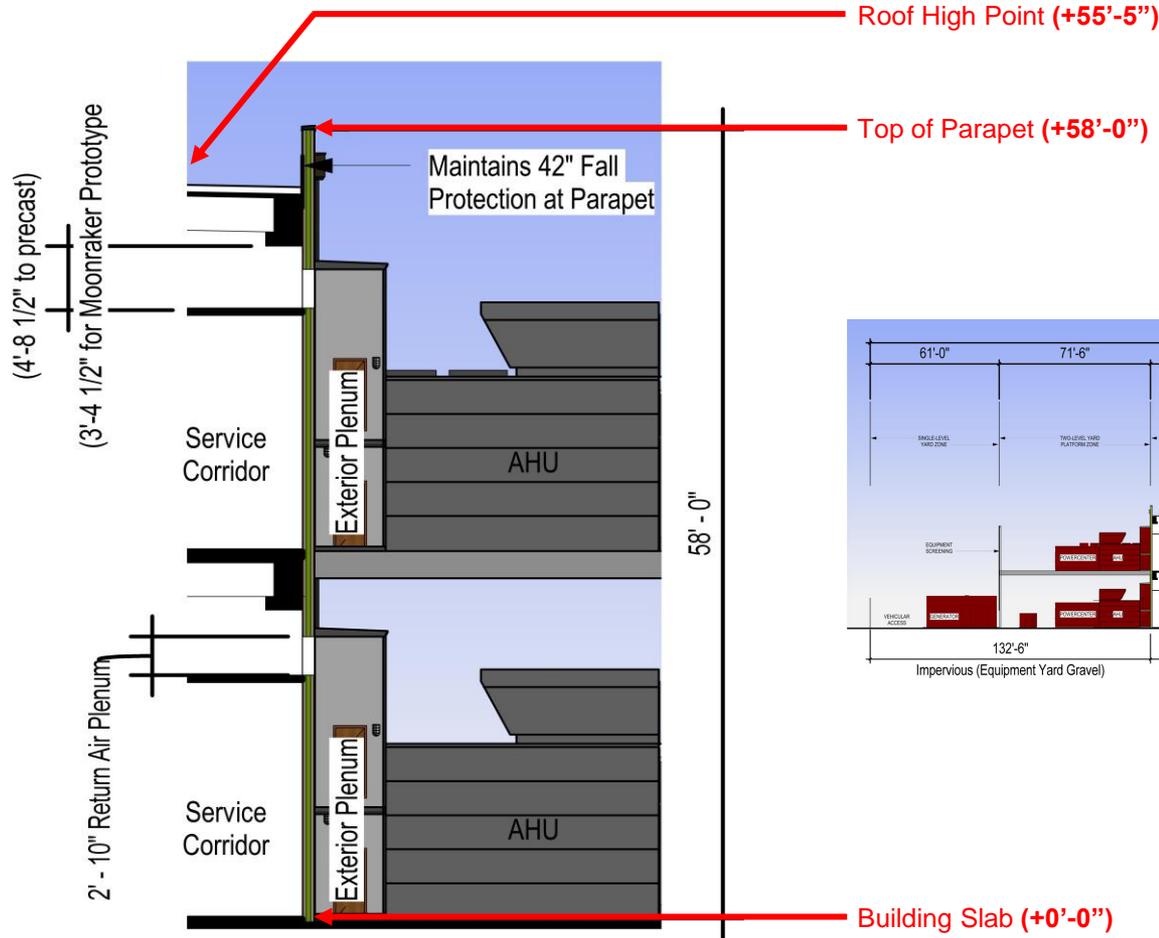
Conceptual Building Section



Building Section

Note: Actual equipment is grey, and is shown this color only to differentiate from yard and building

Conceptual Building Section



ENGAGE WITH US ONLINE

compassdatacenters.com



CONTACT US

info@compassdatacenters.com

Marsh, Jacqueline

From: Genovese, Marie A.
Sent: Wednesday, September 23, 2020 10:11 AM
To: Marsh, Jacqueline
Cc: Farren, Randall; Galindo, Daniel; Torrible, Christina
Subject: RE: True North

Jackie,

I have reviewed the third submission materials for True North Data (ZCPA 2020-0003) and find that the issues regarding building height and the reduction in open space as identified in the second referral memo dated August 18, 2020 remain. The following comments are in addition to those provided in the second referral memo.

Should the request regarding building height move forward, Community Planning Staff recommends updating Proffer VI to state that all building façades for buildings greater than 35' in height shall include the following for design elements: change in building height, building step-backs or recesses, fenestration, and change in building material, pattern, texture, or color. As currently written, Proffer VI requires all building façades for buildings greater than 35' in height to "include at least four of the following design elements: change in building height, building step-backs or recesses, fenestration, and change in building material, pattern, texture, color, or use of accent materials". As this proffer only includes four design elements it should be updated to state that all four design elements will be provided. Further, the proffer should be updated removing the use of accent materials as one of the acceptable design elements for buildings greater than 35' in height. While the use of accent materials are encouraged, they do not provide the same impactful design features as the other design elements and instead should be used in conjunction with the other design elements.

The applicant has provided an Open Space Exhibit with the third submission materials. It is still unclear where the removal of the four acres of open space is on the subject site. The 2019 GP envisions 50 percent of the site as open space consisting of recreational (trails); community (outdoor seating, plazas); and/or natural, environmental, and heritage. As several of the areas shown as open space on the Open Space Exhibit do not meet the intent of the 2019 GP, Community Planning Staff is unsure if the 50 percent open space as called for in the Transition Light Industrial Place Type is being met.

Thanks,
Marie

MEMORANDUM

To: Jacqueline Marsh, AICP, Project Manager, Land Use Review

From: Marie Genovese, AICP, Planner III, Community Planning

Date: 8/18/2020

Re: ZCPA 2020-0003, True North Data, Community Planning 2nd Referral

BACKGROUND

Compass Datacenters IAD I, LLC (the applicant) has responded to Community Planning's first referral dated May 19, 2020. The applicant is requesting a Zoning Concept Plan Amendment (ZCPA) to amend the concept plan and proffers associated with ZMAP 2017-0003, True North Data. The applicant seeks to modify the configuration of Buildings 7, 8, and 9 to either a single two-story data center or as three separate two-story data centers and increase the height of the building(s) from 35-feet to 60-feet. New with this submission, the applicant is requesting a reduction of four acres of previously committed to open space. With this submission the applicant has also included renderings of the increased height for the proposed data centers from Sycolin Road, the Dulles Greenway, and Goose Creek. The subject site is located within the Transition Policy Area south of the Dulles Greenway, north of Sycolin Road (Route 625), and west of Goose Creek.

As part of the second submission, Community Planning Staff has reviewed the following for consistency with *Loudoun County 2019 General Plan (2019 GP)* policy: the applicant's Proffer Statement dated June 25, 2020 and the ZCPA Plat dated June 25, 2020. This referral memo supplements Community Planning Staff's first referral memo dated May 19, 2020.

OUTSTANDING ISSUES

While the TPA is predominantly residential, limited areas proximate to the planned improvements to Sycolin Road and existing industrial land south of the Leesburg JLMA have been designated for industrial development (*2019 GP, Chapter 2, Transition Policy Area Background*). The 2019 GP envisions low-traffic industrial and employment uses, such as data centers, contractor establishments, and small-scale assembly production within the Transition Light Industrial Place Type. This place type anticipates building heights of 1 to 3 stories, densities up to a 0.6 floor area ratio (FAR), and 50 percent of the site retained as open space (*2019 GP, Chapter 2, Transition Light Industrial Place Type*). Industrial uses should be visually screened from adjacent roads and residential areas (*2019 GP, Chapter 2, TPA Action 4.1.A.ii*).

The development of these types of uses within the Transition Policy Area differ from those in the Suburban Policy Area by calling for more open space, lower building heights, and lower FAR.

The site is approved for the development of 750,000 square feet of data center uses to be located within 9 separate buildings. The applicant is requesting to modify the CDP and proffers to permit the development of three of the buildings (Buildings 7, 8, and 9) as either three separate buildings or one single building. The applicant is also requesting to modify the CDP and proffers to permit Buildings 7, 8, and 9 or the singular building in the same location to develop up to 60-feet in height. The existing approval limits building heights to 35-feet, which is more in keeping with the Transition Light Industrial Place Type heights of up to 3-stories.

Community Planning Staff understands the applicant intends to develop either three two-story buildings or one two-story building; however, the requested 60-foot building height is more equivalent to a 5-story building. In the applicant's response letter, the applicant asserts that the request for increased building height is in keeping with other approvals for data center uses in the vicinity. However, Community Planning Staff notes that several of these examples were reviewed under a previous Plan and are located within different Place Types than the subject property. For example, Luck/Hayden/Loudoun Water is located within the Transition Industrial/Mineral Extraction Place Type and the Twin Creeks development is located within the Leesburg JLMA Employment Place Type, both of which permit building heights up to 4-stories. While Loudoun West was approved shortly after the 2019 GP was adopted, both Loudoun West and Stonewall Secure Business Park were evaluated using the previous Plan.

The applicant has provided renderings of the proposed building(s) from Sycolin Road, the Dulles Greenway, and Goose Creek. However, no additional building design standards have been provided with the submission materials. Proffer VI requires the following four design elements for principal building façades with frontage on Sycolin Road and the Dulles Greenway: change in building height, building step-backs or recesses, fenestration, and change in building material/texture/color. All other buildings façades are required to use at least three of the above-referenced elements. Recognizing that the subject property is located at the boundary between the Transition Light Industrial Place Type and the Transition Large Lot Neighborhood Place Type, techniques should be used to appropriately transition to less intense residential uses and outdoor activities. Community Planning Staff also notes, the proposed data center development is the first of this type south of the Dulles Greenway and to mitigate the visual impacts of constructing taller buildings within the TPA, Community Planning Staff recommends this proffer be updated to require that buildings exceeding 35-feet in height use all four of the above-mentioned design elements.

Analysis

While Community Planning Staff has no issues with the option of developing Buildings 7, 8, and 9 as three separate buildings or as a single building, the increase in building height is not consistent with the Transition Light Industrial Place Type. Should this request move forward, the siting of the proposed buildings coupled with increased design commitments may help to mitigate visual impacts associated with the taller buildings. Community Planning Staff recommends the applicant update Proffer VI to state buildings greater than 35-feet shall include the following four façade treatments: change in building height, building step-backs or recesses, fenestration, and change in building material/texture/color.

The applicant is proposing to reduce the previously committed open space by four acres. No information has been provided regarding the reduction in the overall amount of open space. In addition, Community Planning Staff is unsure where the removal of the four acres of open space is on the subject site. Community Planning Staff is unsure how the potential consolidation of buildings 7, 8, and 9 and the ability to increase the height of these building(s) necessitates a reduction in the amount of open space provided.

Analysis

Community Planning Staff does not support a reduction in the amount of open space. The applicant is requesting to exceed the height requirements as envisioned within the Transition Light Industrial Place Type. A request to increase the height of the proposed building(s) should create additional open space rather than a reduction. If the applicant continues to request a reduction in the amount of open space, an open space exhibit should be provided demonstrating how the development is maintaining the 50% qualifying open space as called for in the 2019 GP.

RECOMMENDATIONS

Community Planning Staff cannot support the increase in height to 60-feet as this exceeds building heights anticipated in the Transition Light Industrial Place Type. Should this application move forward, Community Planning Staff recommends increased design commitments for the taller structures as described above. Community Planning Staff does not support a reduction in the amount of overall open space provided.

Staff is available to meet with the applicant to discuss this referral and answer any questions.

cc: Alaina Ray, AICP, Planning and Zoning Director (via e-mail)
Dan Galindo, AICP, Community Planning Program Manager (via e-mail)

MEMORANDUM

To: Jacqueline Marsh, AICP, Project Manager, Land Use Review

From: Marie Genovese, AICP, Planner III, Community Planning

Date: 5/19/2020

Re: ZCPA 2020-0003, True North Data

BACKGROUND

Compass Datacenters IAD I, LLC (the applicant) is requesting a Zoning Concept Plan Amendment (ZCPA) to amend the concept plan and proffers associated with ZMAP 2017-0003, True North Data. The applicant seeks to modify the configuration of Buildings 7, 8, and 9 to either a single two-story data center or as three separate two-story data centers and increase the height of the building(s) from 35-feet to 60-feet. The Board of Supervisors approved the rezoning (ZMAP 2017-0003) on January 18, 2018 from the TR-10 (Transitional Residential -10) zoning district to the PD-OP (Planned Development – Office Park) zoning district permitting a 750,000 square foot data center campus.

The subject site is located within the Transition Policy Area south of the Dulles Greenway, north of Sycolin Road (Route 625), and west of Goose Creek. Developments surrounding the subject property consist of Loudoun Water's water treatment facility, Luck Stone Quarry, and Stonewall Business Park to the north of the subject property north of the Dulles Greenway; the Goose Creek South and Goose Creek North developments to the east across Goose Creek within the Suburban Policy Area; and large lot residential development and vacant land to the south and west (see Site Map). The active Turner Property rezoning (ZMAP 2019-0004) is also located south of the subject property.

Site Map



COMPLIANCE WITH THE COMPREHENSIVE PLAN

The subject site is governed by the *Loudoun County 2019 Comprehensive Plan*, which comprises the *Loudoun County 2019 General Plan* (2019 GP) and the *Loudoun County 2019 Countywide Transportation Plan* (2019 CTP). The property is located within the Transition Policy Area (TPA) and is designated as appropriate for the Transition Light Industrial Place Type (2019 GP, Chapter 2, *Transition Policy Areas Place Types Map*). As part of this first submission, Community Planning Staff has reviewed the following for consistency with 2019 GP policy: the applicant's Statement of Justification (SOJ) dated April 13, 2020, the Proffer Statement dated April 13, 2020 and the ZCPA Plat dated March 24, 2020.

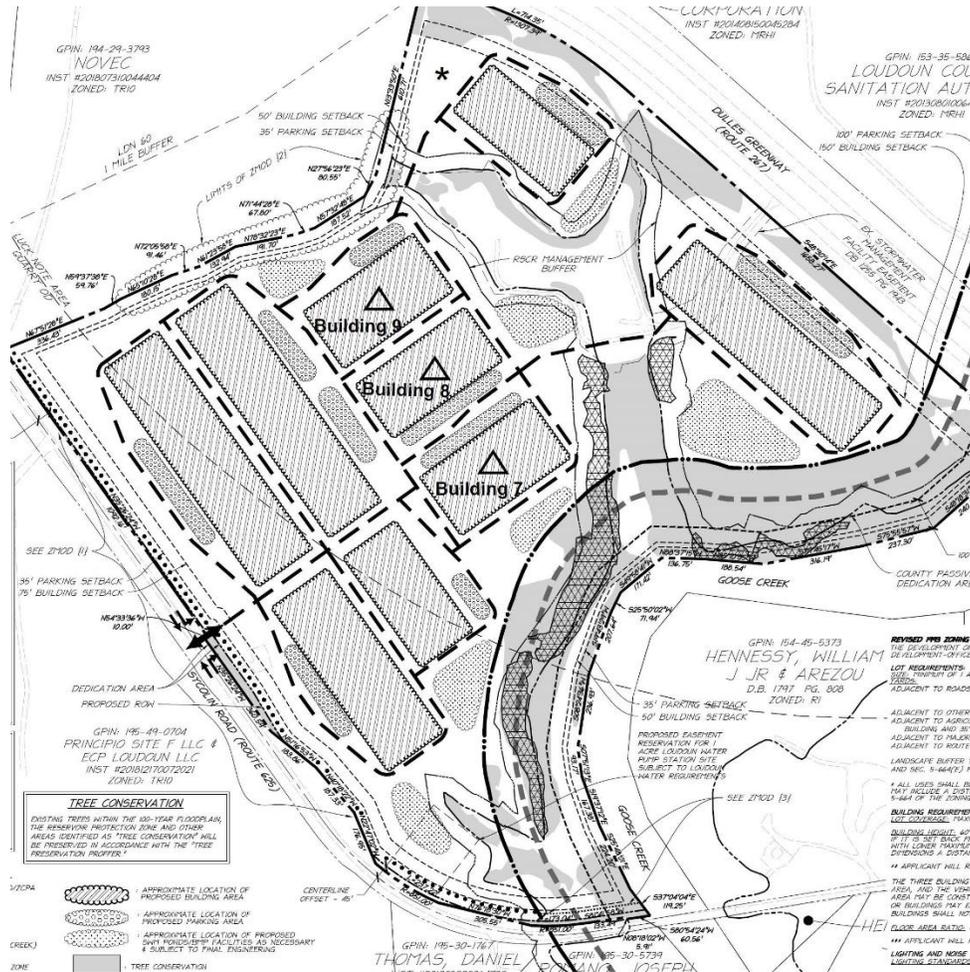
ANALYSIS

Land Use

While the TPA is predominantly residential, limited areas proximate to the planned improvements to Sycolin Road and existing industrial land south of the Leesburg JLMA have been designated for industrial development (2019 GP, Chapter 2, *Transition Policy Area Background*). The 2019 GP envisions low-traffic industrial and employment uses, such as data centers, contractor establishments, and small-scale assembly production within the Transition Light Industrial Place Type. This place type anticipates building heights of 1 to 3 stories, densities up to a 0.6 floor area ratio (FAR), and 50 percent of the site retained as open space (2019 GP, Chapter 2, *Transition Light Industrial Place Type*). Industrial uses should be visually screened from adjacent roads and residential areas (2019 GP, Chapter 2, *TPA Action 4.1.A.ii*).

The site is approved for the development of 750,000 square feet of data center uses to be located within 9 separate buildings. The applicant is requesting to modify the CDP and proffers to permit the development of three of the buildings (Buildings 7, 8, and 9) as either three separate buildings or one single building (see layout below). As currently proposed, the vehicular circulation surrounding Building 7 may encroach into the river and stream corridor resource (RSCR). The 50-foot management buffer helps to promote river and stream health (streambank/streambed stability, temperature moderation, nutrient removal, sediment removal, flood control, and aquatic food and habitat) (2019 GP, Chapter 3, *RSCR Strategy 2.2*). If the applicant chooses to develop one building it could be located farther away from the RSCR, which would reduce impacts, as vehicular circulation will no longer be needed between the three buildings.

Concept Development Plan



Analysis

While Community Planning Staff has no issues with the option of developing Buildings 7, 8, and 9 as three separate buildings or as a single building, Staff recommends the applicant commit to locating a single building farther away from the RSCR to eliminate any potential impacts to this resource.

The applicant is also requesting to modify the CDP and proffers to permit Buildings 7, 8, and 9 or the singular building in the same location to develop up to 60-feet in height. Community Planning Staff notes that the current height limitation of 35-feet is more in keeping with the Transition Light Industrial Place Type, which envisions building heights up to 3-stories. Community Planning Staff understands the applicant intends to develop either three two-story buildings or one two-story building; however, the requested 60-foot building height is more equivalent to a 5-story building. While the proposed building(s) are not proximate to the Dulles Greenway and Sycolin Road they are proximate to the Goose Creek, which is a State-designated Scenic River. The 2019 GP identifies the protection of the County's Scenic River

viewsheds to protect their natural and scenic beauty (2019 GP, Chapter 3, HASR Action 5.1.O). The TPA should remain visually distinct from other policy areas through development patterns, scale, and the amount of open space.

Analysis

Community Planning Staff cannot support the increase in building height for the internal buildings from 35-feet to 60-feet as the height is not in keeping with the vision for the place type or the TPA as these are the types of heights typically found in the Suburban Policy Area. Further, the increased height will have visual impacts as viewed from the Goose Creek Scenic River.

RECOMMENDATIONS

Community Planning Staff cannot support the proposed ZCPA application at this time. While Community Planning Staff can support the option to consolidate three buildings into one, the proposed increase in height to 60-feet is not in keeping with the height limitations of the Transition Light Industrial Place Type or the TPA non-residential development policies of the 2019 GP.

Staff is available to meet with the applicant to discuss this referral and answer any questions.

cc: Alaina Ray, AICP, Planning and Zoning Director (via e-mail)
Dan Galindo, AICP, Community Planning Program Manager (via e-mail)

County of Loudoun

Department of Planning & Zoning

MEMORANDUM

DATE: August 17, 2020

TO: Jacqueline Marsh, Project Manager – Land Use Review Division

FROM: Josh Elkins, Planner – Zoning Administration Division

CC: Chris Mohn, Deputy Zoning Administrator

SUBJECT: **ZCPA-2020-0003**
True North Data

Pin #:194-10-2562

The subject property listed above (Property) is zoned PD-OP (Planned Development-Office Park), under the Revised 1993 Loudoun County Zoning Ordinance (Zoning Ordinance). The Property is subject to the Zoning Map Amendment ZMAP-2017-0003, ZMOD-2017-0011, and SPMI-2017-0020, True North Data. A portion of the Property is located outside of but within 1- mile of the LDN 60 Airport Impact (AI) Overlay District. The Property is located within the Floodplain Overlay District (FOD), Major and the Quarry Notification (QN) Overlay Districts and is not part of a Planned Unit Development.

This application is for a Zoning Concept Plan Amendment (ZCPA) to amend the CDP and proffers to provide flexibility of building design and permit a maximum building height of 60 feet for the building/buildings on the interior of the site. Zoning staff has reviewed the application provided with the referral request dated July 20, 2020 and offers the following comments:

- 1. Previous Comment: Zoning Administration staff recommends providing an optional CDP to depict the building footprint, parking areas, and circulation for the alternative building configuration proposed with this plan.*

Amend the building height note on Sheet 4a as it currently references three buildings with a triangle symbol that are not shown on Sheet 4a. Amend the note to match what is depicted on the sheet.

2. The SOJ states that the application proposes 64.25 acres open space, however the latest version of the proffers reduces the open space to 60.25 acres. Revise the SOJ to explain why this application now reduces the open space and/or correct this discrepancy.

County of Loudoun

Department of Planning & Zoning

MEMORANDUM

DATE: May 27, 2020

TO: Jacqueline Marsh, Project Manager – Land Use Review Division

FROM: Josh Elkins, Planner – Zoning Administration Division

CC: Chris Mohn, Deputy Zoning Administrator

SUBJECT: **ZCPA-2020-0003**
True North Data

Pin #:194-10-2562

The subject property listed above (Property) is zoned PD-OP (Planned Development-Office Park), under the Revised 1993 Loudoun County Zoning Ordinance (Zoning Ordinance). The Property is subject to the Zoning Map Amendment ZMAP-2017-0003, ZMOD-2017-0011, and SPMI-2017-0020, True North Data. A portion of the Property is located outside of but within 1- mile of the LDN 60 Airport Impact (AI) Overlay District. The Property is located within the Floodplain Overlay District (FOD), Major and the Quarry Notification (QN) Overlay Districts and is not part of a Planned Unit Development.

This application is for a Zoning Concept Plan Amendment (ZCPA) to amend the CDP and proffers to provide flexibility of building design and permit a maximum building height of 60 feet for the building/buildings on the interior of the site. Zoning staff has reviewed the application provided with the referral request dated April 17, 2020 and offers the following comments:

1. The applicant is proposing an increase in the maximum building height permitted with ZMAP-2017-0011. The proposed building height is still within the limits permitted by the PD-OP Zoning District, however, zoning staff defers to the Community Planning Division in regard to the increased building height and conformance with the 2019 General Plan.
2. Revise Sheet 4 to show the approved Administrative Change to the circulation elements of the approved CDP as depicted on Exhibit D of ZCOR-2018-0252.
3. Zoning Administration staff recommends providing an optional CDP to depict the building footprint, parking areas, and circulation for the alternative building configuration proposed with this plan.

ZCPA-2020-0003 Matters for Consideration (Section 6-1210(E)):

4. *6-1210(E)(1): Appropriateness of the proposed uses based on the Comprehensive Plan, trends in growth and development, the current and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies and the encouragement of the most appropriate use of land throughout the locality.*

Zoning Administration staff defers to Community Planning regarding consistency with the Comprehensive Plan.

5. *6-1210(E)(2): The existing character and use of the subject property and suitability for various uses, compatibility with uses permitted and existing on other property in the immediate vicinity, and conservation of land values.*

Zoning Administration staff defers to Community Planning regarding whether the proposal is compatible with existing and permitted uses on property in the immediate vicinity, and the conservation of land values.

6. *6-1210(E)(3): Adequacy of sewer and water, transportation, and other infrastructure to serve the uses that would be permitted on the property if it were reclassified to a different zoning district.*

Zoning Administration staff defers to Loudoun Water and the Loudoun County Department of Environmental Health regarding the adequacy of sewer and water and to DTIC regarding the adequacy of transportation infrastructure to serve the uses that would be permitted on the property if the rezoning request is approved.

7. *6-1210(E)(4): The requirements for airports, housing, schools, parks, playgrounds, recreational areas and other public services.*

This criteria is typically more applicable to residential rezonings, however, Zoning Administration staff defers to MWAA in regard to airport requirements, to LCPS in regard to public school requirements, the Department of Parks and Recreation in regard to parks and recreational uses.

8. *6-1210(E)(5): Potential impacts on the environment or natural features including but not limited to wildlife habitat, wetlands, vegetation, water quality (including groundwater), topographic features, air quality, scenic, archaeological, and historic features, and agricultural and forestal lands and any proposed mitigation of those impacts.*

Zoning Administration staff defers to Community Planning Staff and the Natural Resources Team regarding mitigation of environmental impacts. Zoning Administration staff notes the 300-foot reservoir protection zones being maintained, and the applicant states that wetland disturbances will not be expanded and trees and vegetation within designated tree preservation areas will not be encroached upon as part of this application.

9. *6-1210(E)(6): The protection of life and property from impounding structure failures.*

There are no impounding structures on the property.

TRUE NORTH DATA
ZCPA-2020-0003
PROFFER STATEMENT
(REVISION TO ZMAP-2017-0003)

April 13, 2020
Revised June 25, 2020
Revised September 16, 2020

Compass Datacenters IAD I LLC, the sole owner (the “Owner”) of the property described as Loudoun County Tax Map /61//14/////A/ (PIN 194-10-2562 and hereinafter, the “Property”), as identified on the Concept Development Plan defined in Proffer I below, has filed this zoning concept plan amendment application ZCPA-2020-0003 (the “Application”). The Property is subject to proffered conditions dated April 14, 2017, and revised through January 3, 2018, accepted by the Board of Supervisors of Loudoun County, Virginia in conjunction with the approval of zoning map amendment application ZMAP-2017-0003 (the “Existing Proffers”). As used herein, the term “County” refers to the Board of Supervisors of Loudoun County, Virginia, or to the applicable Loudoun County government department, staff, or official enabled with authority to act on the County’s behalf, within the context of the particular proffer provision.

Pursuant to Section 15.2-2303, Code of Virginia (1950), as amended, and Section 6-1209 of the Revised 1993 Loudoun County Zoning Ordinance (the “Zoning Ordinance”), the Owner for itself and its successors and/or assigns, hereby voluntarily proffers that in the event the County approves this Application, the proffers identified below, if accepted, shall supersede and replace the Existing Proffers which are applicable to the Property as amended herein, with all other Existing Proffers accepted in ZMAP-2017-0003 remaining in full force and effect. In the event this Application is denied by the County, these proffers will immediately be null and void and all Existing Proffers accepted in ZMAP-2017-0003 will remain in full force and effect.

Preamble of the Existing Proffers is superseded and replaced in its entirety, as follows:

PREAMBLE

Compass Datacenters IAD I LLC, the owner (the “Owner”) of property described as Loudoun County Tax Map /61//14/////A/ (PIN 194-19-9296) comprised of approximately 97.12 acres (the “Property”), on behalf of itself and its successors in interest, hereby voluntarily proffer, pursuant to Section 15.2-

2303, Code of Virginia (1950), as amended, and Section 6-1209 of the Revised 1993 Loudoun County Zoning Ordinance (the “Zoning Ordinance”), that the development of the Property, such area being shown on the zoning concept plan amendment plan set entitled “TRUE NORTH DATA ZONING CONCEPT PLAN AMENDMENT ZCPA-2020-0003 (AMENDMENTS OF ZMAP-2017-0003, ZMOD-2017-0011, SPMI-2017-0020 PROFFERS AND CDP)” (the “Plans”), prepared by christopher consultants, ltd., dated March 24, 2020 and revised through September 16, 2020, including approval of the Concept Development Plan, defined below and incorporated herein by reference as Exhibit A, and, pursuant to Section 6-1217 of the Zoning Ordinance, approval of the Zoning Ordinance Modifications as described in Exhibit B attached hereto and incorporated herein by reference (“Zoning Ordinance Modifications”), the development of the Property subject to ZMAP-2017-0003 and ZMOD-2017-0011 shall be in substantial conformance with the Existing Proffers and the proffers as set forth herein (the “Proffers”). The term “Owner” as used in this Proffer Statement shall include the above-named Owner’s successors, assigns or agents.

All references in these Proffers to subdivision, subdivision plat, or record plat shall be deemed to include condominium or condominium plat or any other document or mechanism that legally divides the Property into separately transferable units of ownership. Any obligation imposed herein that must be performed prior to, in conjunction with, or concurrently with first or other subdivision or record plat approval shall be deemed to be required to be performed prior to the recordation of any such condominium declaration or plat or other similar document that would have the legal effect of dividing the Property into separately transferable units of ownership.

Proffer I. of the Existing Proffers is superseded and replaced in its entirety, as follows:

I. CONCEPT DEVELOPMENT PLAN

The Property shall be developed in substantial conformance with the Concept Development Plan (the “CDP”), defined as Sheets 4, 4A, 5, and 6 of the 7--sheet plan set. The CDP shall control the general development, layout, and configuration of the Property. Minor adjustments to the locations of the proposed roads and improvements shown on the CDP shall be permitted as reasonably necessary, in accordance with Zoning Ordinance Section 6-1209, to address grading, drainage, environmental, cultural and natural features, development ordinance requirements, and other final engineering considerations, and to accommodate the recommendations of archaeological studies.

Proffer III. of the Existing Proffers is superseded and replaced in its entirety, as follows:

III. BUILDING HEIGHTS

The maximum height of any building adjacent to Sycolin Road shall not exceed twenty-seven feet (27'). The maximum height of any buildings on the Property not located adjacent to Sycolin Road shall not exceed thirty-five feet (35'). The three building areas as shown on Sheet 4 of the CDP with the "Δ" symbol may be consolidated into a single building area, and the parking area and vehicular connections between such building areas may be eliminated from within the building areas as shown on Sheet 4A of the CDP. Such building area may be constructed with three separate buildings or a single building and such building or buildings may exceed the maximum building height of thirty-five feet (35'), provided such buildings shall not exceed sixty feet (60').

Proffer VI. of the Existing Proffers is superseded and replaced in its entirety, as follows:

VI. DESIGN

Principal building facades with frontage on Sycolin Road and the Dulles Greenway shall include the following four design elements:— change in building height, building step-backs or recesses, fenestration, and change in building material/texture/color. All remaining building facades for buildings thirty-five feet (35') in height or less shall include at least three of the following design elements: change in building height, building step-backs or recesses, fenestration, and change in building material, pattern, texture, color, or use of accent materials. All building facades for buildings greater than thirty-five feet (35') in height shall include at least four of the following design elements: change in building height, building step-backs or recesses, fenestration, and change in building material, pattern, texture, color, or use of accent materials.

A. Sycolin Road Elevations

The Owner shall cause the buildings with frontage along Sycolin Road to be constructed in substantial conformance with the elevations shown on the single sheet No. A-1, labeled as Exhibit C, with Issue Date of 12/22/27, entitled "IAD DATA CENTER CAMPUS LOUDOUN CO., VA" prepared by DLB Associates.

B. Building Elevations

Commented [PB1]: Since this Exhibit C is being referenced in these ZCPA Proffers it needs to be attached to the ZCPA Proffer Statement.

Commented [PB2]: This date is an error in the approved proffers for ZMAP-2017-0003.

Formatted: All caps

The Owner shall submit building elevations/exterior design of the proposed building(s) for review by the Department of Planning and Zoning (“DPZ”) to confirm compliance with this Proffer VI. The Owner shall be permitted to obtain conditional approval of a site plan, including any site plan amendment, for built development on the Property prior to DPZ confirmation of compliance with this Proffer VI, but shall not be permitted to receive final approval of a site plan prior to DPZ confirmation of compliance with the above-referenced design elements requirements in each building subject to the site plan or site plan amendment.

Proffer X. of the Existing Proffers is superseded and replaced in its entirety, as follows:

X. OPEN SPACE

The Owner shall provide a minimum of 60.25 acres on the pre-dedication parcel area of 103.67 acres permanently restricted to open space uses in accordance with the Zoning Ordinance definition of Open Space. The Owner shall depict the open space on the first site plan, including any site plan amendment, for the Property and on each subsequent site plan thereafter and shall provide an open space tabulation with each site plan submission demonstrating the initial amount of open space being established and the amount remaining to be established after development on the submitted site plan, including any site plan amendment.

[SIGNATURE PAGE TO FOLLOW]

The undersigned hereby warrants that all owners with any legal interest in the Property have signed this Proffer Statement, that no signature from any additional party is necessary for these Proffers to be binding and enforceable in accordance with their terms, that the undersigned, together with any others signing this document, has full authority to bind the Property to these conditions, and that the Proffers are entered into voluntarily.

COMPASS DATACENTERS IAD I LLC a
Delaware limited liability company

By: _____

Name: _____

Title: _____

STATE OF _____)

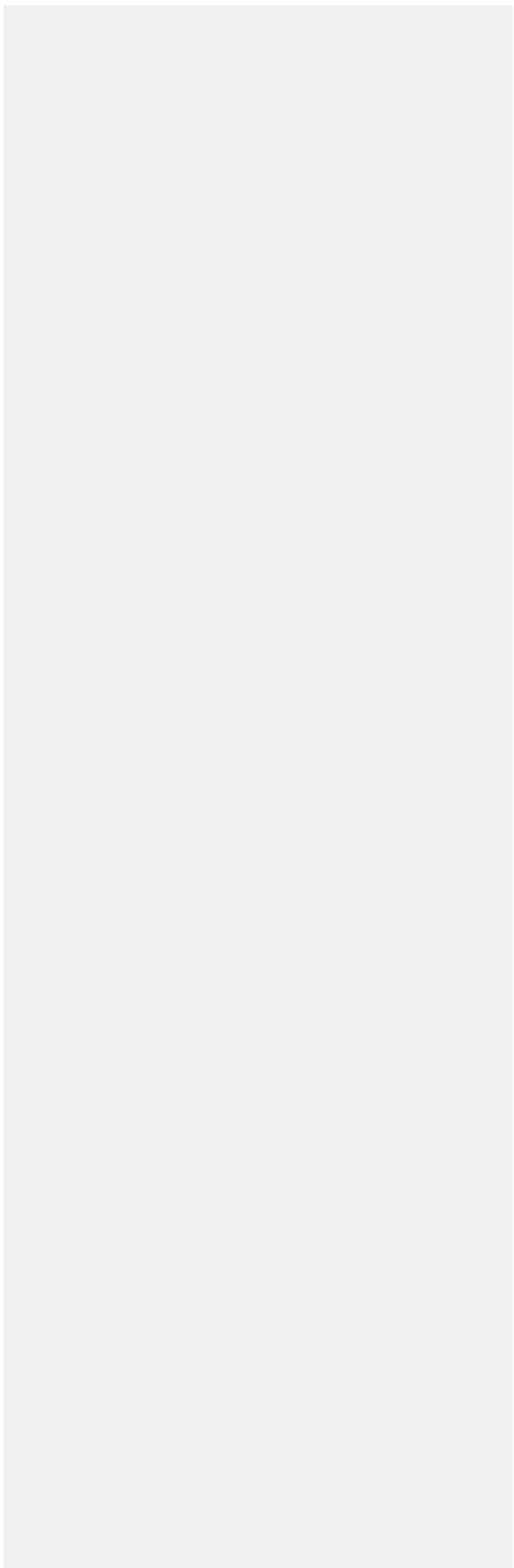
COUNTY/CITY OF _____)

The foregoing Proffer Statement was acknowledged before me this _____ day of _____, 2020, by _____, as _____ of _____

Notary Public

My Commission Expires: _____

EXHIBIT A
CONCEPT DEVELOPMENT PLAN



COUNTY OF LOUDOUN

DEPARTMENT OF PLANNING AND ZONING

MEMORANDUM

DATE: June 8, 2020

TO: Jacqueline Marsh, AICP, Project Manager
Land Use Review

FROM: Bradley R. Polk, CZA, Senior Planner 
Proffer Management

CC: Joseph Carter Jr., Manager
Proffer Management

CASE NUMBER AND NAME: ZCPA-2020-0003
True North Data

**PARCEL IDENTIFICATION
NUMBER (PIN):** 194-10-2562

PLAN SUBMISSION: **1st Submission**
Proffer Statement and Concept Development Plan

COMMENTS:

The Proffer Management Team (“Staff”) has reviewed the Statement of Justification (“SOJ”) dated April 13, 2020, the Proffer Statement dated April 13, 2020, and the Concept Development Plan dated March 24, 2020. Staff offers the following comments:

PROFFER STATEMENT

1. Please see suggestions to the draft Proffer Statement to aid in clarity of interpretation and performance of the Proffers. Staff requests the Applicant to address the comments contained in this memorandum and the comments included in the margin of the attachment of suggestions to the draft proffer statement. In addition, any suggestions that the Applicant does not agree to be addressed need to be noted in the re-submission response letter. Staff requests a subsequent review of the re-submission.
2. Please note that the word “will” is used throughout the Proffer Statement, which is interpreted to have the same meaning as the word “shall” per Section 1-202(B) of the Revised 1993

Loudoun County Zoning Ordinance and all proffered commitments shall be deemed a requirement on development of the property unless the term ‘may’ is used.

3. Staff suggests that the Applicant simplify the draft Proffer Statement to only make the necessary revisions to the Preamble, Proffer I, and Proffer III since those are the specific proffers proposed to be amended with this application, instead of superseding and restating the entire proffer statement approved with ZMAP-2017-0003, as these proffers are in various stages of fulfillment. This Staff’s preference for accounting for the proffers in the County’s and Management Information System; Staff can provide language to accomplish this approach if so desired.

CONCEPT DEVELOPMENT PLAN

4. Revise the CDP to add a sheet that depicts the “Proposed Building Consolidation” development option as depicted on page 1 of the SOJ.
5. Sheet 4. Revise the references to Section 5-900 in reference to the building and parking setbacks adjacent to Major Collectors (Sycolin Road) and adjacent to Route 267 to reference Section 5-1403(B).

OTHER COMMENTS

6. Provide a detailed Proffer Status Update for the proffers approved with ZMAP-2017-0003, True North Data.

Attachments: Suggestions for the April 13, 2020 Draft Proffer Statement

**TRUE NORTH DATA
ZCPA-2020-0003
PROFFER STATEMENT**

April 6, 2020

Compass Datacenters IAD I LLC, the sole owner (the "Owner") of the property described as Loudoun County Tax Map /61//14/////A/ (PIN 194-10-2562) comprised of approximately 97.12 acres (the "Property"), on behalf of itself and its successors in interest, hereby voluntarily proffer, pursuant to Section 15.2-2303, Code of Virginia (1950), as amended, and Section 6-1209 of the Revised 1993 Loudoun County Zoning Ordinance (the "Zoning Ordinance"), as may be amended from time to time, that the development of the Property, such area being shown on the zoning concept plan amendment plan set entitled "TRUE NORTH DATA ZONING CONCEPT PLAN AMENDMENT ZCPA-2020-0003 CATOCTIN DISTRICT LOUDOUN COUNTY, VIRGINIA" (the "Plans"), prepared by christopher consultants, ltd., dated March 24, 2020, including approval of the Concept Development Plan, defined below and incorporated herein by reference as Exhibit A, and pursuant to Section 6-1217 of the Zoning Ordinance, approval of the Zoning Ordinance Modifications as described in Exhibit B attached hereto and incorporated herein by reference ("Zoning Ordinance Modifications"), the development of the Property shall be in substantial conformance with the proffers as set forth below (the "Proffers") upon final approval of ZCPA-2020-0003, including the Zoning Ordinance Modifications (the "Application") by the Loudoun County Board of Supervisors (the "County"). If approved, this Proffers shall supersede and fully replace all previous proffers applicable to the Property, including specifically the proffers of ZMAP-2017-0003 True North Data approved on January 18, 2018, dated April 14, 2017 and revised through January 3, 2018, and signed January 11, 2018. The term "Owner" as used in this Proffer Statement shall include the above-named Owner and it's successors, assigns or agents.

Although these Proffers supersede the proffers of ZMAP-2017-0003, the effect and purpose of this ZCPA-2020-0003 is to amend the proffers of ZMAP-2017-0003. This Proffer Statement supersedes and fully replaces the proffer statement approved with ZMAP-2017-0003.

All references in these Proffers to subdivision, subdivision plat, or record plat shall be deemed to include condominium or condominium plat or any other document or mechanism that legally divides the Property into separately transferable units of ownership. Any obligation imposed herein that must be performed prior to, in conjunction with, or concurrently with first or other subdivision or record plat

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approval shall be deemed to be required to be performed prior to the recordation of any such condominium declaration or plat or other similar document that would have the legal effect of dividing the Property into separately transferable units of ownership.

I. CONCEPT DEVELOPMENT PLAN

The Property shall be developed in substantial conformance with the Concept Development Plan (the “CDP”), defined as Sheets 4, 5, and 6 of 6 of the Plans. [The CDP shall control the general development, layout, and configuration of the Property.](#) Minor adjustments to the locations of the proposed roads and improvements shown on the CDP shall be permitted as reasonably necessary, in accordance with Zoning Ordinance Section 6-1209, to address grading, drainage, environmental, cultural and natural features, development ordinance requirements, and other final engineering considerations, and to accommodate the recommendations of archaeological studies.

II. PROPOSED LAND USES

The Property may be developed with up to a maximum 750,000 square feet of development. Development shall be limited to data center uses and may also include a passive park and utility substation, distribution, and/or a utility substation, dedicated, and/or a sewer pumping station (the “Additional Uses”), provided that only buildings (as defined in the Zoning Ordinance) constructed as part of any data center use or Additional Use shall count against such 750,000 square foot limit. Such Additional Uses are not necessarily included as part of or accessory to the data center, all in accordance with the Zoning Ordinance.

Excluded Uses: Except for the uses identified in the preceding paragraph, all other Permitted and Special Exception Uses listed in the PD-OP zoning district regulations of the Zoning Ordinance shall be prohibited on the Property. All land development applications, [including zoning permit applications](#), for development of all or any portion of the Property shall identify said application or permits as being subject to Proffers of this [ZMAPZCPA-2020-0003](#), and shall conspicuously state that data center, park, utility substation, distribution, utility substation, dedicated, and sewer pumping station [uses](#) are the only uses permitted on the Property, and that all of the other Permitted and Special Exception Uses in the PD-OP zoning district (“Excluded Uses”) are, by virtue of this Proffer II, not permitted on the Property. Owner on behalf of itself and its successors in interest acknowledges and agrees that any Permit issued by County staff for any such Excluded Use where the

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foregoing statement was not submitted as part of the application for the Permit, shall be void and of no force and effect.

III. BUILDING HEIGHTS

The maximum height of any building adjacent to Sycolin Road shall not exceed twenty-seven feet (27'). The maximum height of any buildings on the Property not located adjacent to Sycolin Road shall not exceed thirty-five feet (35'). The three building areas noted on Sheet 4 of 6 of the CDP with the "A-symbol" may be consolidated into a single building area, and the vehicular connection between such building areas may be eliminated. Such building area may be constructed with three separate buildings or a single building and such building or buildings may exceed the maximum building height of thirty-five feet (35'), provided such buildings shall not exceed sixty feet (60').

IV. TRANSPORTATION

A. Sycolin Road (Route 625) Turn Lanes

The Owner shall construct right and left turn lanes on Sycolin Road (Route 625), including dedication of right-of-way to the County, at no public cost, at the Proposed Vehicular Access onto the Property as shown on the CDP. Such turn lanes shall be bonded or constructed prior to approval of the first subdivision plat or site plan on the Property, whichever occurs first, and shall be open and available for use prior to issuance of the occupancy permit for the first building on the Property. Said occupancy permit shall not be issued until the Owner has provided (i) written documentation from County Building and Development or Zoning Administration staff that the said turn lanes have been constructed and opened for use, or (ii) written documentation from Zoning Administration staff that the said turn lanes are no longer a prerequisite for issuance of such occupancy permit.

B. Sycolin Road (Route 625) ROW Dedication

Should any portion of the Property adjacent to Sycolin Road (Route 625) not provide forty-five feet (45') of dedicated right-of-way from the existing centerline of Sycolin Road (Route 625), to the boundary of the Property, the Owner shall dedicate to Loudoun County, at no public cost, all additional right-of-way necessary to provide 45 feet of dedicated right-of-way from the existing centerline of

Sycolin Road (Route 625) along the entire frontage of the Property prior to the approval of the first site plan for the Property.

C. Sycolin Road (Route 625) Sidewalk and Easement

1. Construction of Sidewalk. As shown on the CDP, the Owner shall, at no public cost, construct on the Property a six (6)-foot sidewalk within a ten (10)-foot wide public access easement granted to the County, along the Property’s Sycolin Road (Route 625) frontage outside of the Reservoir Protection Zone. Such public access easement shall be conveyed and the sidewalk shall be bonded or constructed prior to approval of the first subdivision plat or site plan on the Property, whichever occurs first, and shall be open and available for use prior to issuance of the occupancy permit for the first building on the Property. Said occupancy permit shall not be issued until the Owner has provided written documentation from County Building and Development or Zoning Administration staff that the said public access easement has been recorded and the sidewalk has been constructed and opened for use.

2. Sidewalk Easement within the Reservoir Protection Area. As shown on the CDP, the Owner shall dedicate a ten (10)-foot wide sidewalk easement to the County, at no public cost, along the Property’s Sycolin Road (Route 625) frontage within the Reservoir Protection Zone. The sidewalk easement shall be in place and recorded prior to the issuance of the occupancy permit for the first building on the Property. Said occupancy permit shall not be issued until the Owner has provided recordation documentation to County Building and Development or Zoning Administration staff that the said sidewalk easement has been recorded among Loudoun County Land Records.

V. PROPERTY OWNERS ASSOCIATION

A. POA General Responsibilities

If the Property remains under the ownership of the Owner or is conveyed in its entirety prior to first record plat or first site plan to another single entity (“Single Entity”) and no portion or parcel of the Property and/or condominium and/or condominium phase or unit is conveyed to any entity separate from the Owner or such other Single Entity, there shall be no requirement to create a

property owners association (“POA”), and in that event, the Owner or such other Single Entity shall be responsible for all POA obligations described below in this Proffer V.

If any portion or parcel of the Property and/or condominium and/or condominium phase or unit of the Property is conveyed to any entity or entities separate from the Owner or such other Single Entity, a POA shall be established and documents creating the POA shall be submitted in accordance with this Proffer V. All property owners within the Property shall be a member of such POA which shall be established to regulate use and provide standards for the construction, maintenance, landscaping and use of privately owned land and structures within the Property. The POA shall have the responsibility to provide landscaping and lawn maintenance for all common areas and open space, snow removal on all private streets, and trash removal and recycling services. The POA shall also be responsible for the maintenance of all common buildings, all storm drainage easements and stormwater management facilities not maintained by the County, all private streets and street lights, and all sidewalks and multi-use trails, if located outside of public road right-of-way and not otherwise maintained by Loudoun County or the Virginia Department of Transportation (VDOT). The POA shall retain responsibility for compliance with the provisions of this Proffer V except to the extent that it contractually assigns or delegates any such responsibilities to a sub-association or sub-associations approved by the County.

B. Establishment of the POA

If at any time any portion of the Property, by means of record plat or condominium plat or otherwise, is subdivided and conveyed to any entity or entities separate from the Owner or such other Single Entity such that separate, distinct portions of the Property become owned by separate owners, the said POA shall be established, and draft documents creating the POA and subjecting all of the Property to the imposition of the covenants required by these Proffers (the “POA Covenants”) shall be submitted to the County for review and approval within six (6) months of the recordation of the first deed of conveyance (the “Conveyance”) of any such portion, parcel, and/or condominium and/or condominium phase or unit. In addition to any other requirements set forth in these Proffers, the POA Covenants may vest the POA with the power, authority, and obligation to enforce the building design standards set forth in this Proffer Statement through an Architectural Review Committee established by the POA and, further, may provide for the Owner, or any successor developer/declarant to whom declarant rights have been assigned of record, to have the unilateral right

without approval or consent of any other land owner to record amendments to the POA Covenants as necessary provided that such amendments are approved by the Zoning Administrator as being consistent with these Proffers. If required pursuant to this Proffer V, the POA shall be established and the POA Covenants as approved by the County shall be recorded in the land books of the County prior to the approval of the first record plat or site plan for the Property, whichever is first in time, subsequent to the Conveyance. Sub-associations may be established as needed. If established, the Owner shall provide draft documents for the establishment of any and all sub-associations and the imposition of any additional covenants to the County for review and approval, which documents shall be recorded in the land records prior to approval of the first record plat or site plan for any portion of the Property to be subject to such sub-association.

C. Exclusions from the POA

Notwithstanding the foregoing, the public road right-of-way and the land for the Passive Park required by Proffers IV and VIII respectively to be conveyed to the County shall not be included in or subjected to any POA or POA Covenants created for the Property, and the conveyance and/or dedication of any such portion of the Property to the County shall not constitute a Conveyance that would trigger the requirement to establish the POA under Proffer V.B. above.

VI. DESIGN

Principal building facades with frontage on Sycolin Road and the Dulles Greenway shall include the following four design elements: change in building height, building step-backs or recesses, fenestration, and change in building material/texture/color. All remaining building facades shall include at least three of the following design elements: change in building height, building step-backs or recesses, fenestration, and change in building material, pattern, texture, color, or use of accent materials.

A. Sycolin Road Elevations

The Owner shall cause the buildings with frontage along Sycolin Road to be constructed in substantial conformance with the elevations shown on the single sheet No. A-1, labeled as Exhibit C, with Issue Date of 12/22/27, entitled "IAD Data Center Campus Loudoun Co., VA" prepared by DLB Associates.

B. Building Elevations

The Owner shall submit building elevations/exterior design of the proposed building(s) for review by the Department of Planning and Zoning (“DPZ”) to confirm compliance with this Proffer VI. The Owner shall be permitted to obtain conditional approval of a site plan for built development on the Property prior to DPZ confirmation of compliance with this Proffer VI, but shall not be permitted to receive final approval of a site plan prior to DPZ confirmation of compliance with the above-referenced design elements requirements in each building subject to the site plan.

VII. ENVIRONMENTAL

A. Low-Impact Development (LID)

The Owner shall provide a minimum of one (1) Low-Impact Development (“LID”) Best Management Practice to treat stormwater from the Property. Such LID practice may include, but shall not be limited to, water quality swales, bioretention facilities/rain gardens, sheet flow to vegetated buffers, permeable pavement for parking spaces, or any alternative LID practice proposed by the Owner and deemed by the Department of Building and Development to be acceptable. The location of the LID practice shall be shown on the first Site Plan or Construction Plans and Profiles, whichever is first in time, for built development on the Property. For purposes of these Proffers, site plan or construction plans and profiles for “built development” means a plan that includes construction of any facility other than public road(s).

B. Tree Conservation Areas

1. Within the areas identified on the CDP as “Tree Conservation” (“Tree Conservation Areas”), the Owner shall preserve healthy trees provided, however, that trees may be removed to the extent necessary for the construction of trails, passive recreational amenities, and stormwater management facilities that are required pursuant to the Proffers and/or shown on approved construction plans and profiles as lying within such Tree Conservation Areas and for the construction of utilities necessary for the development of the Property. Notwithstanding the previous sentence, a minimum of 80% of the canopy within the cumulative Tree Conservation Areas depicted on the CDP will be preserved, exclusive of stands of Virginia Pine over 25 years in age. In the event that the 80% canopy threshold cannot be achieved within the designated Tree Conservation Areas, such canopy deficit will be recaptured elsewhere on-site in locations to be designated at the discretion of the Owner in consultation with the County Urban Forester or Zoning Administrator. Boundaries of all Tree Conservation Areas shall be clearly marked in the field prior to land disturbing activities and delineated

on the site plan or record plat recorded for each section of the development. The Owner shall provide a Tree Conservation Area (TCA) tabulation demonstrating the initial amount of TCA and the remaining amount after development on the site to be submitted with each site plan submission.

2. If, during construction on the Property, it is determined by the Owner's certified arborist and/or the County Urban Forester or Zoning Administrator that any healthy tree located within the boundaries of any of the Tree Conservation Areas described in this Proffer has been damaged during construction and will not survive, then, prior to bond release on any section containing or immediately adjacent to such Tree Conservation Area, the Owner shall remove such tree and replace each such tree with two (2) 3-inch caliper native, non-invasive deciduous trees. The species and location of such replacement trees shall be determined by the Owner's certified arborist or landscape architect, in consultation with the County Urban Forester or Zoning Administrator. The placement of the replacement trees shall be proximate to the area of each such damaged tree so removed, or in another area as requested by the County.

3. The POA Covenants shall include a provision that prohibits removal of trees in Tree Conservation Areas, as shown on any record plat or site plan, after construction has been completed by the Owner without specific permission of the County Zoning Administrator except as necessary to accommodate Forest Management Techniques, performed by or recommended by a professional forester or certified arborist, that protect or enhance the viability of the canopy. Such Management Techniques may include such actions as pruning and the removal of vines, invasive species, trees uprooted or damaged by extreme weather conditions, and trees or limbs that are diseased, insect-infested, dead, or are considered a hazard to life or property. The POA Covenants shall clearly state that such provisions prohibiting tree removal shall not be amended by the Owner or the POA without written approval from the County Zoning Administrator. The record plat for each portion of the Property containing a Tree Conservation Area shall contain a note stating that the removal of trees within a Tree Conservation Area is prohibited except in accordance with the POA Covenants.

C. Data Center Cooling

The Owner shall not utilize groundwater, surface water withdrawals or surface water discharges for cooling purposes associated with data center uses. For purposes of this Proffer "surface water" includes, but is not limited to, any stream, creek, river, lake, or wetland.

D. Stream and Wetland Mitigation

Any impacts to streams and wetlands shall be subject to permits obtained from the U.S. Army Corps of Engineers (USACE), Virginia Department of Environmental Quality (DEQ) and the Virginia Marine Resources Commission (VMRC), as applicable. In the event that stream or wetland mitigation is required in conjunction with the issuance of the aforesaid permits, the Owner, although not legally obligated by this Proffer or otherwise to utilize or consider available Loudoun County mitigation sites, has nevertheless indicated, subject to the approval of USACE, DEQ, and VMRC, its willingness to give some consideration to utilizing available Loudoun County mitigation sites with equal or less costs than that of other available mitigation sites within the Potomac River Watershed. The Owner, if requested by the Zoning Administrator, has agreed to advise the Zoning Administrator as to the general results of its evaluation of mitigation sites and what it has learned with respect to the costs of mitigating in Loudoun County as compared to the costs of mitigating at the site selected by the Owner if located outside of Loudoun County.

E. River and Stream Corridor Resources (RSCR) Management Buffer

Within the areas identified on the CDP as “RSCR Management Buffer” only passive recreational uses shall be permitted; however, the Owner may encroach into the RSCR Management Buffer with necessary construction activities, such as, but not limited to, clearing, grading, or utility installation and maintenance. Such encroachments shall be limited to thirty-five percent (35%) of the total RSCR Management Buffer area, such that a minimum of sixty-five percent (65%) of the cumulative RSCR Management Buffer shall be preserved. In the event that the RSCR Management Buffer is encroached, within the allowable tolerance of 35%, the Owner will replant open areas within or adjacent to the Major and Minor Floodplain, in an amount equal to the area of the proposed development that encroaches into the RSCR Management Buffer, in locations and with species to be designated at the discretion of the Owner in consultation with the County Urban Forester or Zoning Administrator. Boundaries of all RSCR Management Buffers shall be clearly marked in the field prior to land disturbing activities and delineated on all applicable site plans and construction plans and profiles. The Owner shall provide a RSCR Management Buffer tabulation demonstrating the initial amount of RSCR Management Buffer and the remaining amount after development of the site to be submitted with each site plan and construction plans and profiles submission.

In the event of an encroachment into the RSCR Management Buffer and required replanting, in accordance with the paragraph above, the Owner shall submit for review and approval by the County

Urban Forester or Zoning Administrator, a reforestation plan, prepared by a Certified Arborist, Urban Forester, or Landscape Architect, to provide for such replanting areas at the time of submission of each site plan or construction plans and profiles proposing the development of any area that encroaches into the RSCR Management Buffer. The Owner shall be required to provide such replanting areas only in an amount equal to the amount of such encroachments as shown on the site plan or construction plans and profiles. Each such reforestation plan shall provide for 3 gallon, containerized, native, deciduous trees to be planted at a density of 300 trees (180 canopy trees and 120 understory trees) per acre on a 12-foot by 12-foot staggered grid. Each approved reforestation plan shall be implemented concurrently with the development of the areas subject to such site plans or construction plans and profiles prior to occupancy. A targeted stocking of 75 percent survival with uniform distribution shall be achieved within one (1) year of planting as determined by the County Urban Forester or Zoning Administrator. In the event that the targeted stocking is not achieved, the Owner shall, in consultation with the County Urban Forester or Zoning Administrator, provide a one-time supplemental planting within one (1) year to achieve the full, initial stocking. No occupancy permit shall be issued for any portion of the Property unless and until the Owner has provided (i) written documentation from County Building and Development or Zoning Administration staff that the said required reforestation plan has been implemented in accordance with this Proffer, or (ii) written documentation from Zoning Administration staff that implementation of a reforestation plan is not a prerequisite for issuance of such occupancy permit. Notwithstanding the foregoing, the Zoning Administrator may grant an extension to a date certain, secured by adequate bond, of the timing to fully implement the reforestation plan in the event the Zoning Administrator determines that weather or other circumstances beyond the control of the Owner temporarily prevents the fulfillment of the obligations under this Proffer.

F. Wood Turtle Relocation

Prior to clearing or grading and the commencement of construction on any portion of the Property, the Owner shall distribute information to all contractors and sub-contractors supervising any such work outlining relocation procedures associated with wood turtles (*Glyptemys insculpta*) and instructing such contractors and sub-contractors to contact the Virginia Department of Game and Inland Fisheries if any wood turtles are encountered. Said information shall also be distributed to all owners and tenants on the Property directly or, if a POA or sub-association has been formed, through the POA or any sub-association. The information distributed shall include multiple top, bottom and side pictures of both

the typical male and female wood turtle for ease and clarity of identification and language similar to the following:

"The wood turtle is a State Threatened species that may be found in or near the project area. Description: A medium sized semi-terrestrial turtle, adults are 6-8 inches long. The dull brown upper shell is very rough; each section of the shell is composed of growth rings that form an irregular pyramid. However, there can be great variation in appearance and especially in older turtles, the upper shell may appear smooth. The bottom shell is yellow with black blotches. It has a black head and dark brown extremities. The yellow to burnt orange skin on the neck and in the leg sockets is a distinguishing characteristic. If one of these turtles is found within the project/road area, it should be carefully removed to safety in suitable habitat (a run or deep pool with sandy or muddy bottom and submerged roots, branches, or logs) in the nearest perennial stream. **It is a violation of Virginia law to harm or keep for personal possession a wood turtle.** If you have any questions concerning this species, or should encounter a wood turtle, please call the Virginia Department of Game and Inland Fisheries at 804-367-6913."

G. Pollinating Plants

The Owner shall provide a minimum of two (2) acres of pollinating plants in various locations throughout the Property. Such pollinating plants may include, but shall not be limited to, Ernst Seed Mix ERNMX-179. All pollinating plant areas shall be installed and planted in phases in conjunction with the construction of uses located adjacent to such pollinating plant areas. The locations of the pollinating plants on the Property shall be shown on the site plans for uses located adjacent to such pollinating plant areas for the built development on the Property. For purposes of these Proffers, site plan for "built development" means a plan that includes construction of any facility other than public road(s).

H. BMP Methods and Testing

The Owner shall provide the following on-site BMP measures, or equivalent facilities approved by the Director of the Department of Building and Development, for all Phase I buildings on the Property (that is, the four buildings shown on the CDP closest to Sycolin Road): a bio-retention facility, sheet flow to vegetated buffers, underground vault(s), with isolator row(s) as necessary, and BayFilter(s). For the Phase II buildings (that is, all those buildings shown on the CDP that are

not part of Phase I, as described above), the Owner shall select and provide on-site BMP measures to be shown on the site plan(s) for the Phase II buildings that shall meet or exceed the applicable performance standards as set forth in the Facilities Standards Manual (FSM) (the “BMP Performance Standards”) in effect as of the date of the applicable site plan approval.

Within three (3) years of the installation and placement into operation of the first such BMP measure, the Owner shall test each of the BMP measures installed on the Property at that time to ensure that such BMP measures are meeting or exceeding the BMP Performance Standards. If all of the buildings shown on the CDP have not received issuance of occupancy permit at the time of such testing, then Owner shall perform additional testing of all of such BMP measures as set forth herein within six (6) months of the issuance of the occupancy permit for the final building on the Property. All testing shall occur in accordance with a testing plan and procedure submitted to and approved by the Zoning Administrator. All testing shall occur at the point or area of discharge of each BMP measure and at the point or points of discharge of site generated runoff, prior to the combination of such flows with offsite runoff flows and, once the testing is complete, the results of such test(s) shall be provided to the Zoning Administrator. Should the Zoning Administrator determine that the testing results demonstrate that any BMP measure does not meet or exceed the BMP Performance Standards, Owner shall take all steps necessary to promptly upgrade, repair or remediate the BMP measures and thereafter provide proof of such remediation satisfactory to the Zoning Administrator.

VIII. GOOSE CREEK TRAIL

A. Dedication of Passive Park Land

The Owner shall create by subdivision and dedicate and convey to the County, at no public cost, a 100-foot wide corridor along and within the “200’ Creek Valley Buffer” containing approximately 5.5+/- acres, immediately adjacent to the Goose Creek as shown on the CDP (the “Passive Park”). This area to be dedicated is more particularly shown and designated as “County Passive Park Dedication Area” on the CDP. This Passive Park shall be dedicated to be used for open space/conservation/passive recreation purposes only, and shall not be programmed by the County for uses such as, but not limited to, picnic tables, ball fields, multipurpose sport courts or fields, etc., that would typically attract large numbers of persons or otherwise facilitate the gathering of groups of people. The proposed plat and deed of subdivision and dedication will be prepared and submitted by the Owner to the County for

review and approval and shall be recorded prior to approval of the first zoning permit on the Property. This dedication area, after the dedication is recorded, shall continue to be credited toward any open space, tree canopy, Best Management Practices (the "BMP"), or other similar requirements of the Zoning Ordinance or these Proffers during the development plan approval process for the Property.

IX. EMERGENCY SERVICES

A. Fire and Rescue Contribution

Prior to the approval of each zoning permit on the Property, the Owner shall make a one-time contribution for the benefit of the servicing fire and rescue companies in the amount of \$0.20 per gross square foot of floor area which shall be payable to the County for distribution by the County to the volunteer fire and rescue companies providing service to the Property. The amount of said contribution shall be adjusted on a yearly basis from the base year of 1988 and change effective each January 1 thereafter, in accordance with changes in the Consumer Price Index, for all urban consumers (CPI-U), 1982-1984=100 (not seasonally adjusted) as published by the Bureau of Labor Statistics, U.S. Department of Labor, for the Washington-BaltimoreArlington-Alexandria, DC-MD-VA-WV Consolidated Metropolitan Statistical Area (the "CPI"). Contributions pursuant to this paragraph shall be divided equally between the servicing fire and rescue companies providing service to the Property. Notwithstanding the foregoing, if at the time of the application for any such zoning permit, the primary servicing fire and rescue companies do not utilize, to any significant extent, either volunteer staff or apparatus owned by a volunteer organization, then the Owner may elect to make no contribution. The intent of this Proffer is to support volunteer fire and rescue staffing and operations so long as any significant element of the primary provider of fire and rescue services to the Property is volunteer-owned or operated. If only one of these services has ceased to utilize volunteer staff and apparatus as described above in this Proffer, then the contribution may be halved and shall be provided to the remaining company.

X. OPEN SPACE

The Owner shall provide a minimum of 64.25 acres on the Property permanently restricted to open space uses in accordance with the Zoning Ordinance definition of Open Space. The Owner shall depict the open space on the first site plan for the Property and on each subsequent site plan and shall provide

an open space tabulation with each site plan submission demonstrating the initial amount of open space and the amount remaining to be established after development on the submitted site plan.

XI. ENHANCED LANDSCAPING AND BERMING

A. Sycolin Road Landscaping

In addition to the Type 3 Front Buffer Yard landscaping required by the Zoning Ordinance, as modified by the Zoning Ordinance Modifications attached hereto as Exhibit B, the Owner will plant a mix of evergreen trees that may consist of, but not limited to, species such as eastern red cedar, Arborvitae, and Nelly R. Stevens Holly at a rate of five (5) trees per 100 linear feet along the Property's frontage on Sycolin Road as depicted on Sheet 5 of 6. Location may be adjusted or modified as reasonably necessary to address grading, drainage, other final engineering considerations, and where utility easements or utility facilities preclude planting of trees. All of such Buffer Yard landscaping and enhanced landscaping shall be planted prior to issuance of the first occupancy permit on the Property. The said occupancy permit shall not be issued until the Owner has provided (i) written documentation from County Building and Development or Zoning Administration staff that the said Buffer Yard landscaping and enhanced landscaping have been installed, or (ii) written documentation from Zoning Administration staff that said Buffer Yard landscaping and enhanced landscaping are no longer a prerequisite for issuance of such occupancy permit. Notwithstanding the foregoing, the Zoning Administrator may grant an extension to a date certain, secured by adequate bond, of the timing to install the said Buffer Yard landscaping and enhanced landscaping in the event the Zoning Administrator determines that weather or other circumstances beyond the control of the Owner temporarily prevents the fulfillment of the obligations under this Proffer.

B. Limited Screening Landscaping

In addition to the landscaping discussed in the preceding paragraph, the Owner shall plant a mix of evergreen trees that may consist of, but not limited to, species such as eastern red cedar, Arborvitae, and Nelly R. Stevens Holly at a rate of seven (7) trees per 100 linear feet along the side of the building facade that is closest to the Reservoir Protection Zone for the building that is located adjacent to Sycolin Road between the Site Entrance, defined below, and the Reservoir Protection Zone (the "Screened Building") as depicted on Sheet 5 of 6. The location of such landscaping may be adjusted or modified as reasonably necessary to address grading, drainage, other final engineering

considerations, and where utility easements or utility facilities preclude planting of trees. All of such screening landscaping described in this paragraph shall be planted prior to issuance of the occupancy permit for the Screened Building. The said occupancy permit shall not be issued until the Owner has provided (i) written documentation from County Building and Development or Zoning Administration staff that the landscaping referenced in this paragraph has been installed, or (ii) written documentation from Zoning Administration staff that said landscaping is no longer a prerequisite for issuance of such occupancy permit. Notwithstanding the foregoing, the Zoning Administrator may grant an extension to a date certain, secured by adequate bond, of the timing to install the landscaping described in this paragraph in the event the Zoning Administrator determines that weather or other circumstances beyond the control of the Owner temporarily prevents the fulfillment of the obligations under this Proffer.

C. Western Berm/ Slope

In addition to the landscaping discussed in the preceding paragraphs, the Owner shall provide a berm/slope at least 550 feet in length along and across a portion of the Property's Sycolin Road frontage located between the site entrance along Sycolin Road (such entrance as depicted on the CDP) (the "Site Entrance") and the western Property boundary. The berm/slope shall be installed between the right-of-way of Sycolin Road and the drive aisle closest to Sycolin Road and shall be at least two (2) feet above the existing grade of the eastern edge of the Sycolin Road right-of-way and further that when measured at the northwest corner of the western most building closest to Sycolin Road, the top of such berm/slope shall be at least twenty-eight (28) feet above the finished floor elevation (FFE) of such building. The location may be adjusted or modified as reasonably necessary to address grading, drainage, other final engineering considerations, and where utility easements or utility facilities preclude a berm/slope. All of such berm/slope shall be installed prior to issuance of the first occupancy permit on the Property. The said occupancy permit shall not be issued until the Owner has provided (i) written documentation from County Building and Development or Zoning Administration staff that the said berm/slope has been installed, or (ii) written documentation from Zoning Administration staff that said berm/slope is no longer a prerequisite for issuance of such occupancy permit.

Notwithstanding the foregoing, the Zoning Administrator may grant an extension to a date certain, secured by adequate bond, of the timing to install the said berm/slope in the event the Zoning Administrator determines that weather or other circumstances beyond the control of the Owner temporarily prevents the fulfillment of the obligations under this Proffer.

D. Entrance Plantings

In addition to the landscaping discussed in the preceding paragraphs, the Owner shall provide at least one (1) accent tree at each of the corners of the buildings closest to both the entrance off Sycolin Road and Sycolin Road itself (as depicted on Sheet 5 of 6). The Owner shall also provide four (4) additional entrance trees immediately adjacent to the entrance off of Sycolin Road, such trees to be planted as depicted on Sheet 5 of 6. The location may be adjusted or modified as reasonably necessary to address grading, drainage, other final engineering considerations, and where utility easements or utility facilities preclude the entrance plantings. All of such entrance plantings shall be installed prior to issuance of the first occupancy permit on the Property. The said occupancy permit shall not be issued until the Owner has provided (i) written documentation from County Building and Development or Zoning Administration staff that the said entrance planting has been installed, or (ii) written documentation from Zoning Administration staff that said entrance planting is no longer a prerequisite for issuance of such occupancy permit.

Notwithstanding the foregoing, the Zoning Administrator may grant an extension to a date certain, secured by adequate bond, of the timing to install the said entrance plantings in the event the Zoning Administrator determines that weather or other circumstances beyond the control of the Owner temporarily prevents the fulfillment of the obligations under this Proffer.

XII. SCHOLARSHIP

The Owner shall make a one-time contribution in the amount of \$81,500.00 to the County to fund a scholarship for students in Loudoun County interested in studying science, technology, engineering and mathematics (“STEM”). The Owner voluntarily offers this proffer as a work force training initiative to promote its technology business in Loudoun County. The proffer payment shall be made prior to the issuance of the first occupancy permit for the first building on the Property. The County, in its discretion, shall appropriate these funds over a period of up to five years from the date of receipt of such payment to entities such as the Loudoun Education Foundation, the Academies of Loudoun or other similar educational organization to provide STEM scholarships to students.

XIII. MISCELLANEOUS PROFFERS

A. Severability

Any portion of the Property may be the subject of a Zoning Concept Plan Amendment/Proffer Amendment, Rezoning, Special Exception, Commission Permit, Zoning Modification, Variance or other zoning application without the joinder and/or consent of the owners of other land areas within the Property, provided (1) that such application is compatible with these Proffers, (2) that the approval of such application would have no material, adverse impact upon any other land within the Property or the performance of any of these Proffers by the owners of the other land within the Property, (3) that such application complies with the relevant Zoning Ordinance and Virginia Code provisions, (4) that such application includes a proffer audit outlining the status of each commitment in these Proffers, and (5) that such application shall not be approved by the Board of Supervisors unless the application has been presented and considered at such public meetings or hearings as required by law. Previously approved proffered conditions or development conditions applicable to a particular portion of the Property which are not the subject of such an application shall remain in full force and effect.

B. Annual Adjustment

Unless otherwise specified in these Proffers, all cash contributions required by this Proffer Statement, other than the fire and rescue contributions of Proffer IX.A which are subject to a separate adjustment provision, shall be subject to an annual adjustment in accordance with the CPI with a base year of 2020. The first such adjustment shall occur on January 1, 2021 and shall be applied each January 1 thereafter.

[Signature Page Follows]

The undersigned hereby warrants that all owners with any legal interest in the Property have signed this Proffer Statement, that no signature from any additional party is necessary for these Proffers to be binding and enforceable in accordance with their terms, that the undersigned, together with any others signing this document, has full authority to bind the Property to these conditions, and that the Proffers are entered into voluntarily.

COMPASS DATACENTERS IAD I LLC

a Delaware limited liability company

By: _____

Name: _____

Title: _____

STATE OF _____)

COUNTY/CITY OF _____)

The foregoing Proffer Statement was acknowledged before me this _____ day of _____, 2020, by _____, as _____ of _____

Notary Public

My Commission Expires: _____

EXHIBIT A
CONCEPT DEVELOPMENT PLAN

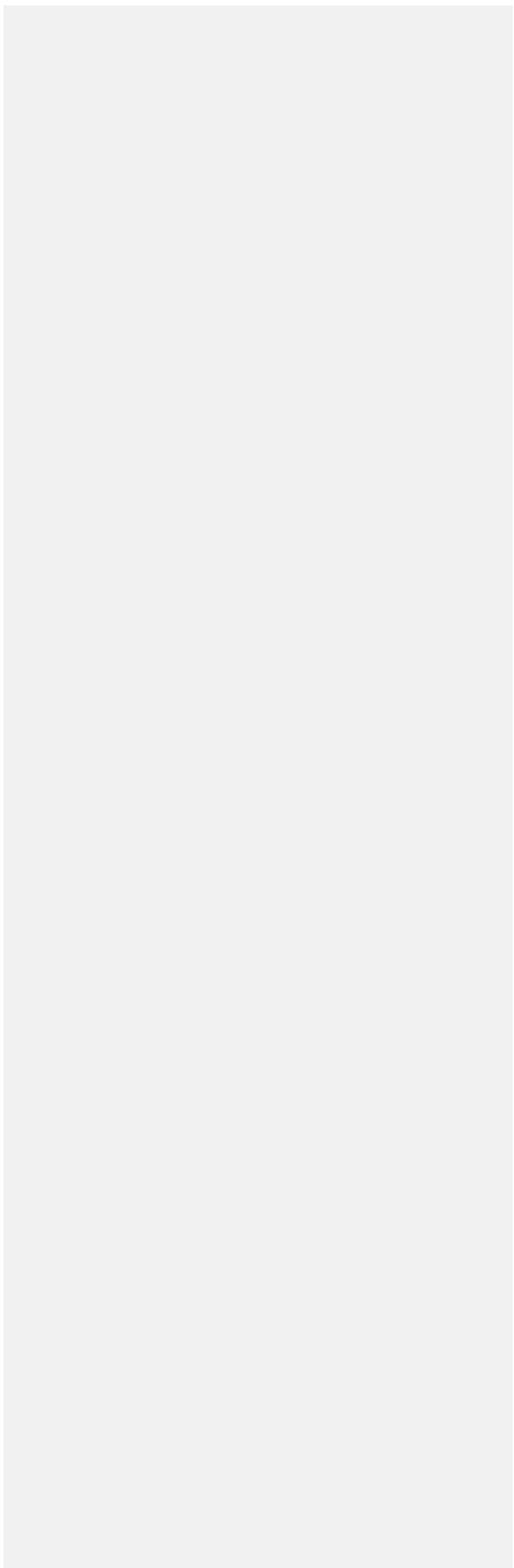


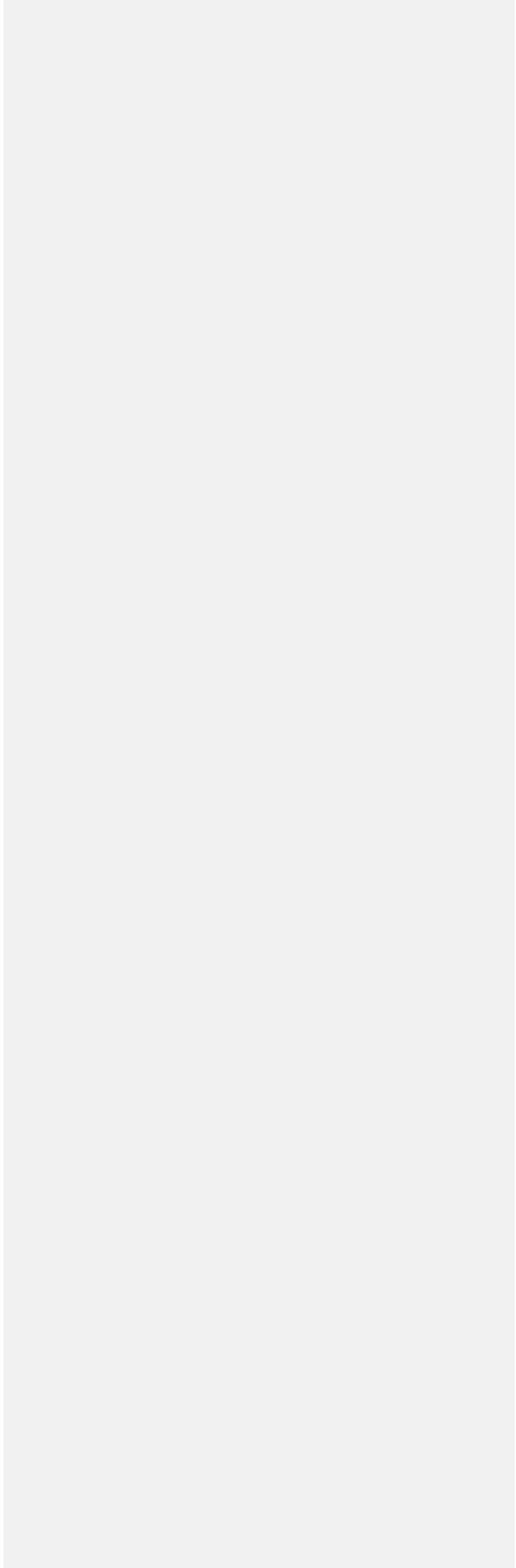
EXHIBIT B

ZONING ORDINANCE MODIFICATIONS

Zoning Ordinance Section	Proposed Modification
§5-1303(A)(1), Tree Planting and Replacement, Canopy Requirements, Site Planning.	Permit the minimum required percentage of tree canopy to be provided based on the entire combined application area rather than the area subject to an individual land development application.
Table 5-1414(B) of §5-1414, Buffering and Screening, Buffer Yard and Screening Matrix, Buffer Yard.	Replace all canopy trees required for the Type 3 Front Buffer Yard located along Sycolin Road with evergreen trees.

EXHIBIT C

SYCOLIN ROAD BUILDING ELEVATIONS



County of Loudoun

Department of Transportation and Capital Infrastructure

MEMORANDUM

DATE: May 28, 2020

TO: Jacqueline Marsh, AICP, Project Manager
Department of Planning and Zoning

FROM: Juliane Dixon-Crump, Senior Transportation Planner ^{JDC}
DTCI, Transportation Planning & Traffic Engineering Division

SUBJECT: ZCPA 2020-0003 – True North Data
First Referral

Background

This Zoning Concept Map Amendment (ZCPA) proposes to amend the proffers and clarify a note on Sheet 4 of the Concept Development Plan (CDP) associated with ZMAP 2017-0003, ZMOD 2017-0011 and SPMI 2017-0020 to allow building heights up to 60 feet. The subject property (PIN # 194-10-2562) is a 97.12-acre site located along the north/east side of Sycolin Road (VA Route 625), west of Goose Creek and south of Dulles Greenway (VA Route 267) and is within the Transition Policy Area (Lower Sycolin Subarea). The subject property is zoned Planned Development – Office Park (PD-OP). The site is proposed to be accessed via one full movement access point from Sycolin Road. A Vicinity Map is provided as **Attachment 1**.

Department of Transportation and Capital Infrastructure (DTCI) review of this application is based on materials received from the Department of Planning and Zoning on April 17, 2020, including (1) an Information Sheet, dated April 17, 2020; (2) a Statement of Justification prepared by the Applicant, dated April 13, 2020; (3) a Draft Proffer Statement (clean and redlined) prepared by the Applicant, dated April 13, 2020; (4) a Traffic Memorandum prepared by Cooley LLP, dated March 27, 2020; and (5) a Concept Development Plan (CDP) prepared by Christopher Consultants Ltd, dated March 24, 2020.

Executive Summary

DTCI can support the approval of this application as proposed with this submission.

Countywide Transportation Plan Arterial and Collector Roadways

The existing and planned transportation network is subject to the policies of the Loudoun County 2019 Countywide Transportation Plan (2019 CTP). Arterial and collector roadways in the vicinity of the proposed development are described below.

Sycolin Road – VA Route 625
 Town of Leesburg to Belmont Ridge Road

	Existing Condition	Ultimate Condition
<i>Functional Classification (CTP)</i>	Major Collector	Major Collector
<i>Section/Lanes</i>	R2/U2/U4M / 2-4 Lanes	U4M / 4 Lanes
<i>Bicycle and Pedestrian Facilities</i>	Sidewalks and shared use paths along various portions of the roadway, including sidewalk along site frontage.	10-foot wide shared use path along both sides of the roadway.
<i>Speed Limit</i>	25-50 MPH	TBD
<i>VDOT Traffic Counts</i>	13,000 AADT (2019)	–
<i>Ultimate Improvements</i>	<i>Widen roadway to U4M section. The roadway will be realigned north of Crosstrail Boulevard to accommodate a future runway extension at Leesburg Airport. Left-and-right-turn lanes are required at all intersections.</i>	
<i>Programmed Improvements</i>	The fourth and final phase of the project to widen Sycolin Road in the Town of Leesburg is currently in progress. This portion of the project will widen the road to four lanes from Tolbert Lane south to the southern Leesburg corporate limits. Also proffered improvements for limited widening of Sycolin Road in Goose Creek Village between the (eastern) Dulles Greenway bridge and Belmont Ridge Road.	

Summary of Traffic Memorandum

DTCl’s assessment of the Applicant’s traffic analysis and transportation impacts deriving from the proposed development is based on review the Applicant’s submission materials, existing and planned transportation facilities, and applicable County policies.

Currently, the site is approved for up to 750,000 SF of PD-OP Data Center uses. As noted in the Applicant’s Statement of Justification, the Applicant is proposing to either retain the current layout for the three buildings located at the innermost center portion of the site, (depicted on Sheet 4 of the CDP), or to consolidate such buildings into a single two story Data Center building, not to exceed 60 feet in height. No increase to the total approved PD-OP square footage (maximum 750,000 SF) or change to the external road network (Sycolin Road) are proposed as part of this ZCPA.

The Applicant submitted a Traffic Memorandum dated March 27, 2020. A Traffic Impact Study was previously completed as part of the now-approved True North Data applications in 2018. The ZCPA proposes no changes to the approved PD-OP square footage or change to the external road network. As such, the current ZCPA application would not result in any change to the trip generation as compared to the existing approvals on the site.

Transportation Comments and Recommendations

Based upon review of the Applicant’s submission materials, DTCl has the following comments:

Traffic Memorandum

1. DTCI has reviewed the Applicant's Traffic Memorandum and finds it to be an acceptable evaluation of the proposal. No changes to the approved PD-OP square footage (maximum 750,000 SF) or change to the external road network are proposed from the approved rezoning, zoning modification and minor special exception applications on site (ZMAP 2017-0003, ZMOD 2017-0011 and SPMI 2017-0020). As such, no change to the trip generation would result from approval of the subject ZCPA application.

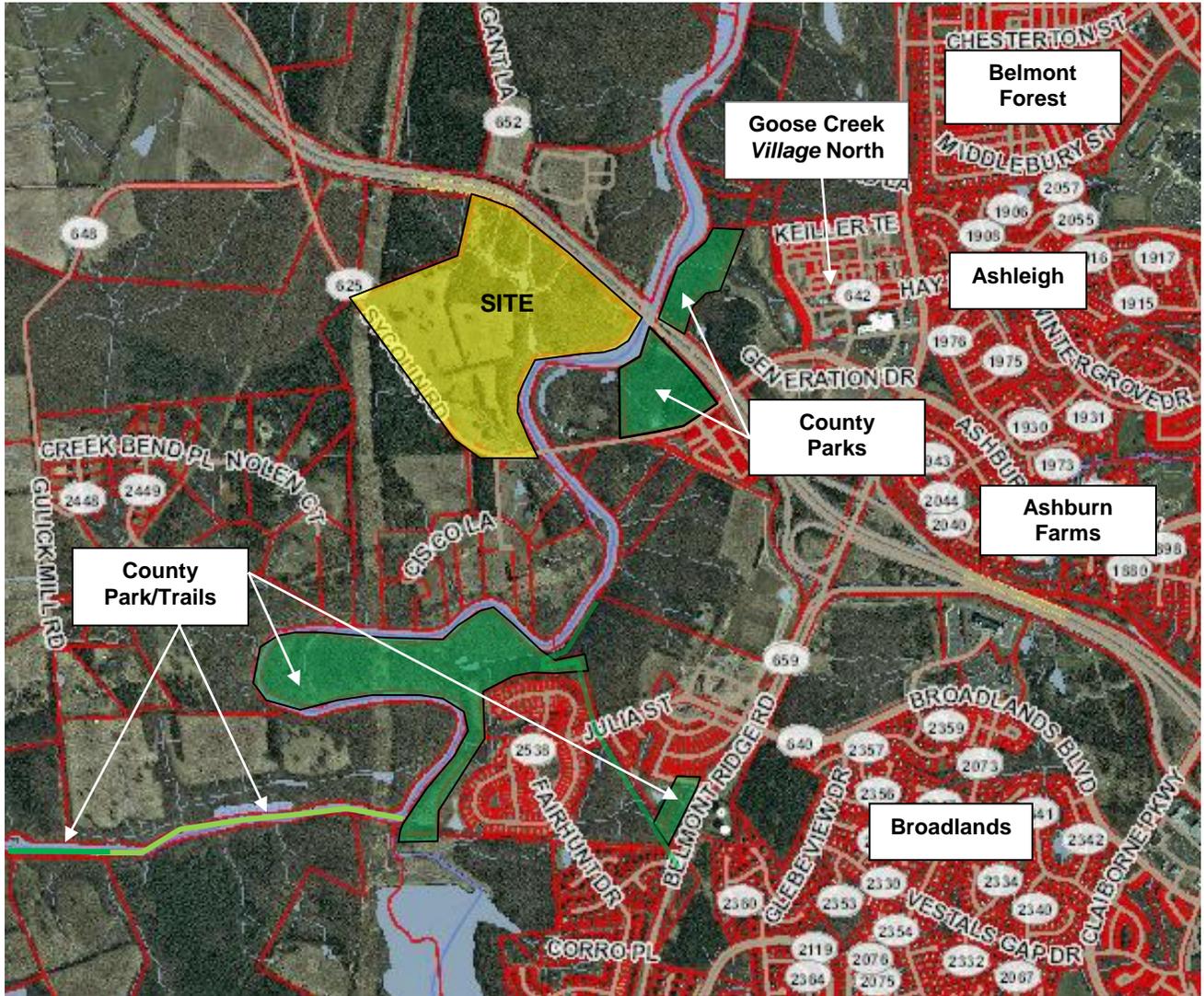
Roadway Network and Site Access

2. The proposal does not conflict with any existing or planned roadways shown on the Loudoun County 2019 Countywide Transportation Plan (2019 CTP). The approved applications for the subject property accommodate the ultimate condition of Sycolin Road, including proffered left- and right-turn lanes, dedication of right-of-way and bike/ped facilities (6-foot sidewalk). No changes to the public roadway network are necessary or proposed with this application.

ATTACHMENT

1. Site Vicinity Map

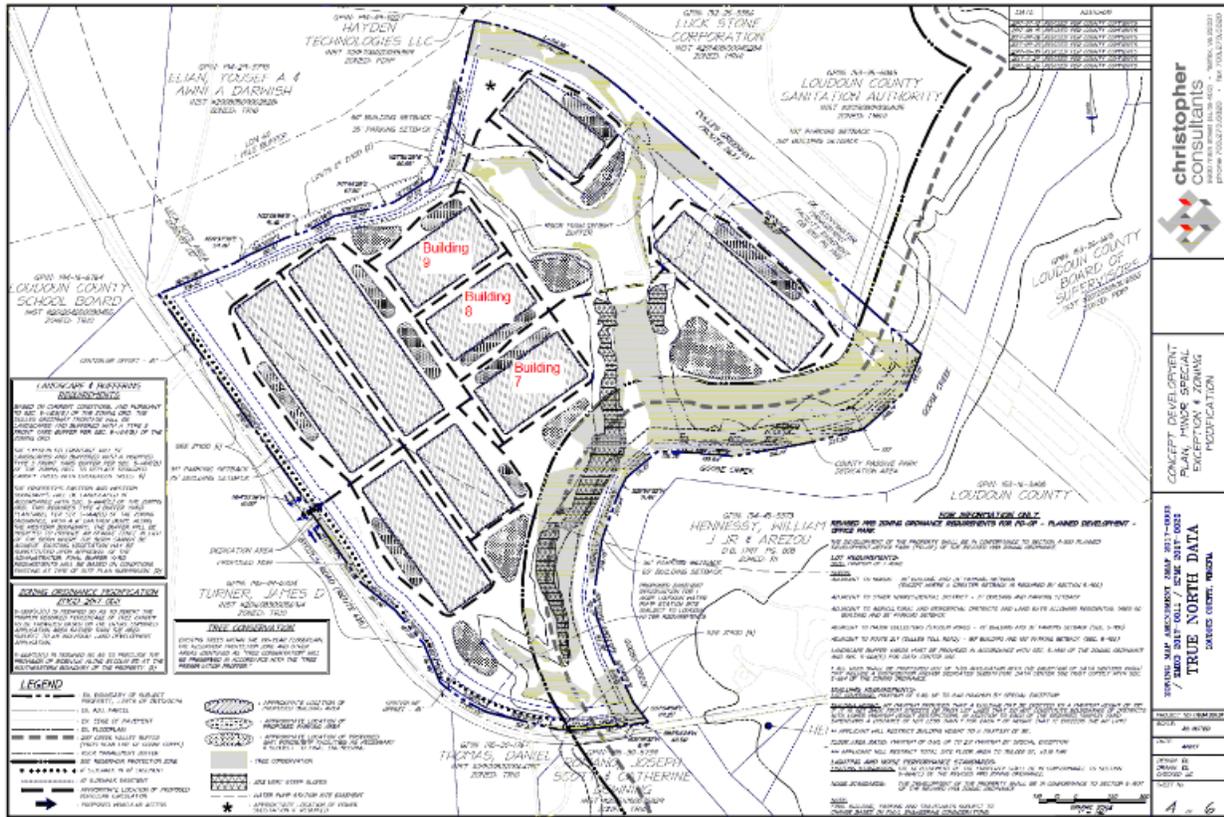
cc: John Thomas, PTP, Assistant Director, DTCI
Lou Mosurak, AICP, Senior Coordinator, DTCI



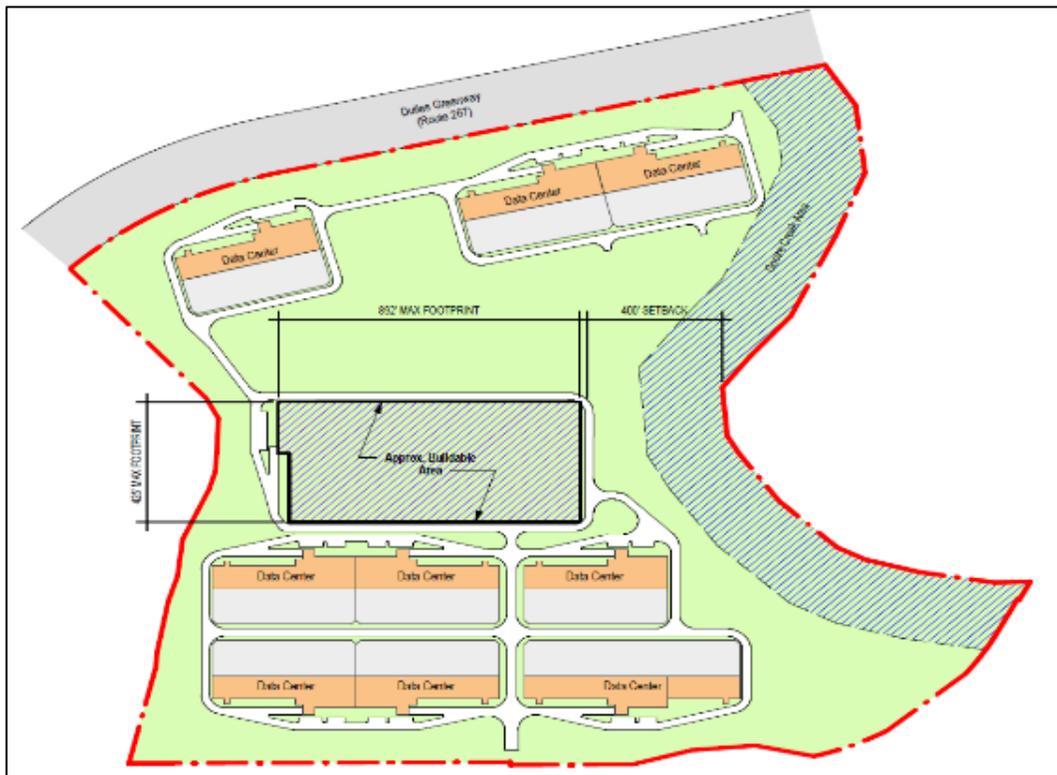
VICINITY MAP

PROJECT PROPOSAL:

The applicant is requesting the flexibility to either retain the current layout for Buildings 7, 8, and 9 as two-story data centers or choose to consolidate such buildings into a single two-story data center as depicted in the images below. The Applicant is not seeking to increase the permitted density.



APPROVED ZONING MAP AMENDMENT



PROPOSED BUILDING

COMMENTS:

The Department of Parks, Recreation and Community Services (PRCS) has reviewed the Applicant's responses dated July 13, 2020 to referral comments dated May 11, 2020, revised proffer statement dated June 25, 2020 and revised ZMAP Concept Development Plan dated June 25, 2020. The following is the current issue status of the initial comments:

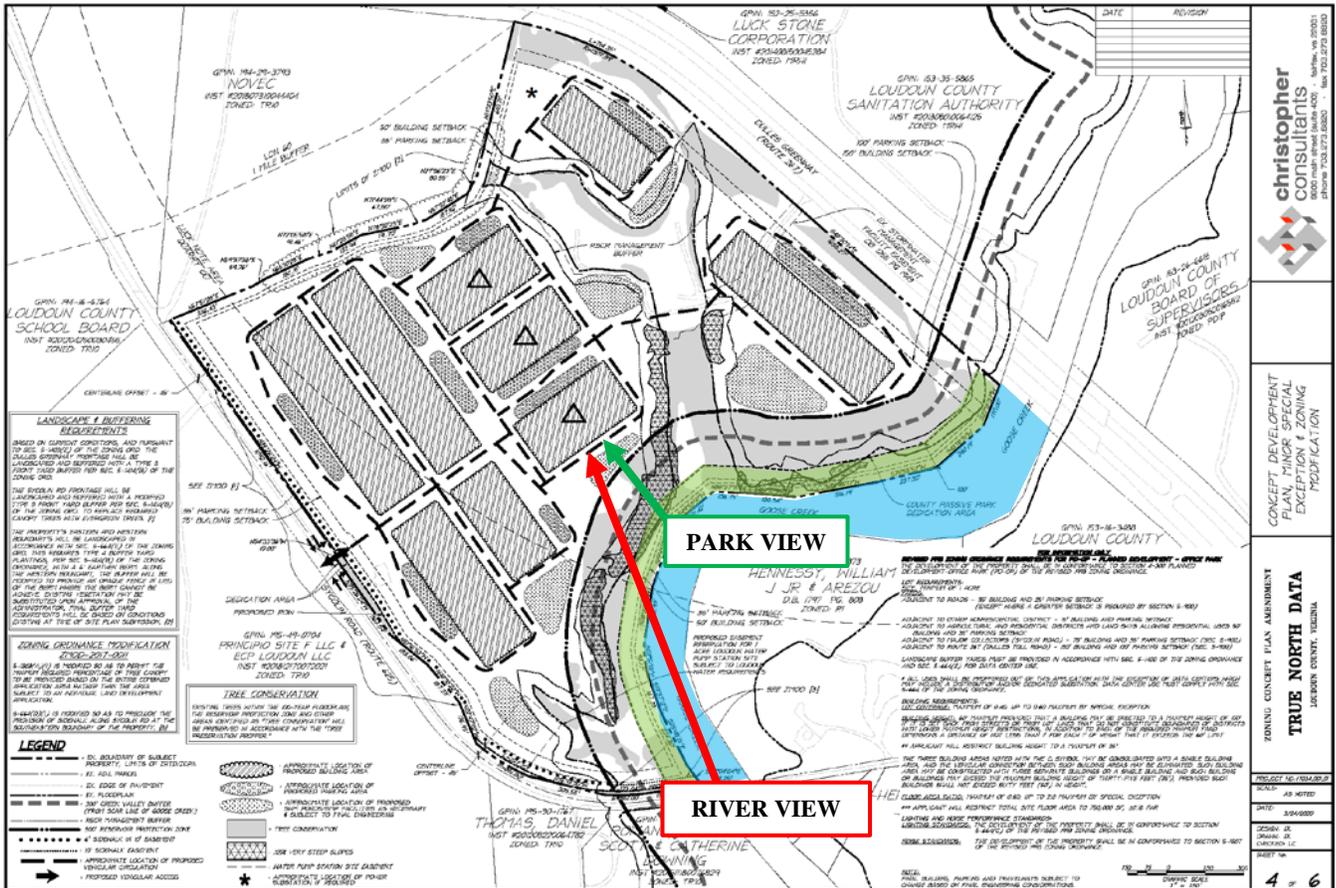
COMMENT #1: Under the approved proffers for ZMAP 2017-0003 & ZMOD 2017-0011.

VIII. GOOSE CREEK TRAIL. A. Dedication of Passive Park Land.

The Owner shall create by subdivision and dedicate and convey to the County, at no public cost, a 100-foot wide corridor along and within the "200' Creek Valley Buffer" containing approximately 5.5+/-acres, immediately adjacent to the Goose Creek as shown on the CDP (the "Passive Park"). This area to be dedicated is more particularly shown and designated as "County Passive Park Dedication Area" on the CDP. This Passive Park shall be dedicated to be used for open space/conservation/passive recreation purposes only, and shall not be programmed by the County for uses such as, but not limited to, picnic tables, ball fields, multipurpose sport courts or fields, etc., that would typically attract large numbers of persons or otherwise facilitate the gathering of groups of people. The proposed plat and deed of subdivision and dedication will be prepared and submitted by the Owner to the County for review and approval and shall be recorded prior to approval of the first zoning permit on the Property. This dedication area, after the dedication is recorded, shall continue to be credited toward any open space, tree canopy, Best Management Practices (the "BMP"), or other similar requirements of the Zoning Ordinance or these Proffers during the development plan approval process for the Property.

The referenced dedication of parkland has since conveyed to the County. In the Statement of Justification the applicant request "*with modest flexibility to either retain the current layout for Buildings 7, 8, and 9 as two-story data centers or choose to consolidate such buildings into a single two-story data center as depicted in the images below. Since the proposed two-story buildings would be located at the center of the site and importantly, 875 feet from Sycolin Road and 800 feet (at its closest point) from the Dulles Greenway, it would be appropriate to increase the height of buildings here. To achieve this modest flexibility, the application would request the amendment of Proffer III and a note on Sheet 4 of the CDP to permit building heights of up to sixty feet*".

Based on this, the referenced buildings (7, 8 &9) under the revised proffers could be constructed to a height of 60' (sixty feet). Should the building height be increased to 60' (sixty feet) PRCS has concerns on the visual impact from the park and Goose Creek river stream valley corridor which is a designated state scenic river. The applicant should demonstrate with an elevation section exhibit, showing potential visual impact to the park and Goose Creek river stream valley corridor, if any (see below).



VIEW SHED CROSS SECTION

APPLICANT RESPONSE: As requested, the Applicant has included with this submission as Exhibit A an elevation section from the Goose Creek. With more than a football fields distance from the scar line of the Goose Creek, Exhibit A confirms that the modest building height increase within the center of the site will not visually impact the passive parkland immediately adjacent the Goose Creek which was dedicated to the County by the Applicant as a part of ZMAP-2017-0003 or the Goose Creek River stream valley corridor.

christopher consultants
 1000 NORTH STREET SUITE 400
 MARTINSBURG, VA 22077
 PHONE 703.873.6500 FAX 703.873.6502

CONCEPT DEVELOPMENT
 PLANNING
 EXCEPTION & ZONING
 MODIFICATION

ZONING CONCEPT PLAN AMENDMENT
 TRUE NORTH DATA
 JACKSON COUNTY, VIRGINIA

PROJECT NO. 1704.00.03
 SCALE AS NOTED
 DATE 10/14/2019
 SHEET NO. 4 OF 6
 10/15/19



Goose Creek (Looking Northwest)



IAD TWO-STORY ZONING STUDY - EXHIBIT A

ISSUE STATUS: Acknowledged.

RECOMMENDATIONS:

PRCS reviewed the applicant's responses and has no further comments or objections to the applications as presented.

If you have any questions or concerns regarding these comments, please do not hesitate to contact me at 703-737-8992 or mark.novak@loudoun.gov.



**COUNTY OF LOUDOUN
PARKS, RECREATION AND COMMUNITY SERVICES
REFERRAL MEMORANDUM**

To: Jacqueline Marsh, Project Manager, Planning and Zoning **(MSC #62)**
From: Mark A. Novak, Chief Park Planner, Facilities Planning and Development **(MSC #78)**
CC: Steve Torpy, Director
Karen Sheets, Deputy Director
Jeremy Payne, Deputy Director
Kristen Blaylock-Reed, Chairman, PROS Board, Dulles District
Robert Wright, PROS Board, Catoclin District
Tom Bellanca, PROS Board, Chair At-Large
Carrie-Anne Mosley, Open Space Member At-Large
Erik Scudder, Open Space Member At-Large

Date: May 11, 2020

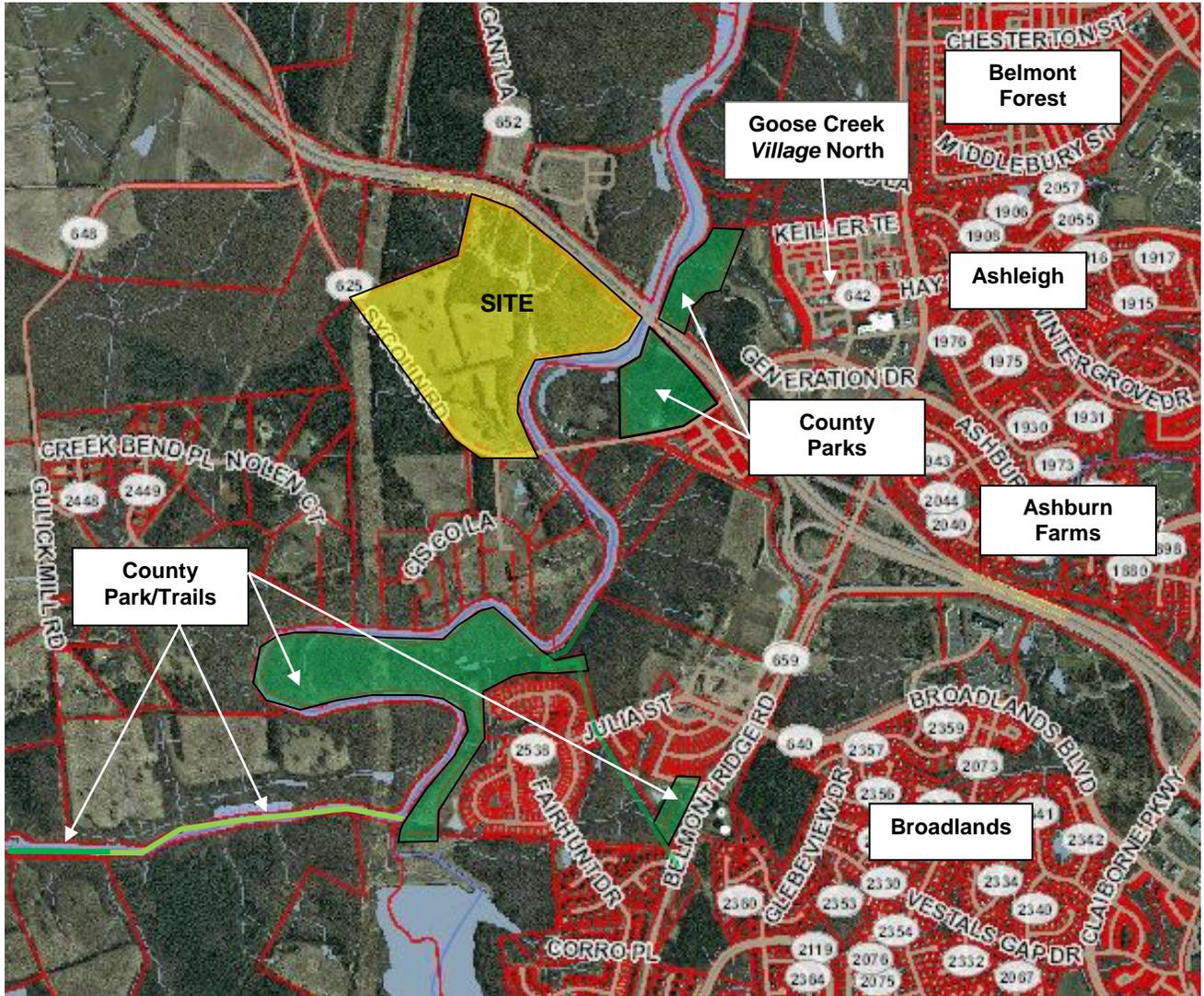
Subject: True North Data – ZCPA 2010-0003

Election District: Catoclin **Sub Planning Area:** Leesburg

MCPI # 194-19-9296

APPLICATION OVERVIEW:

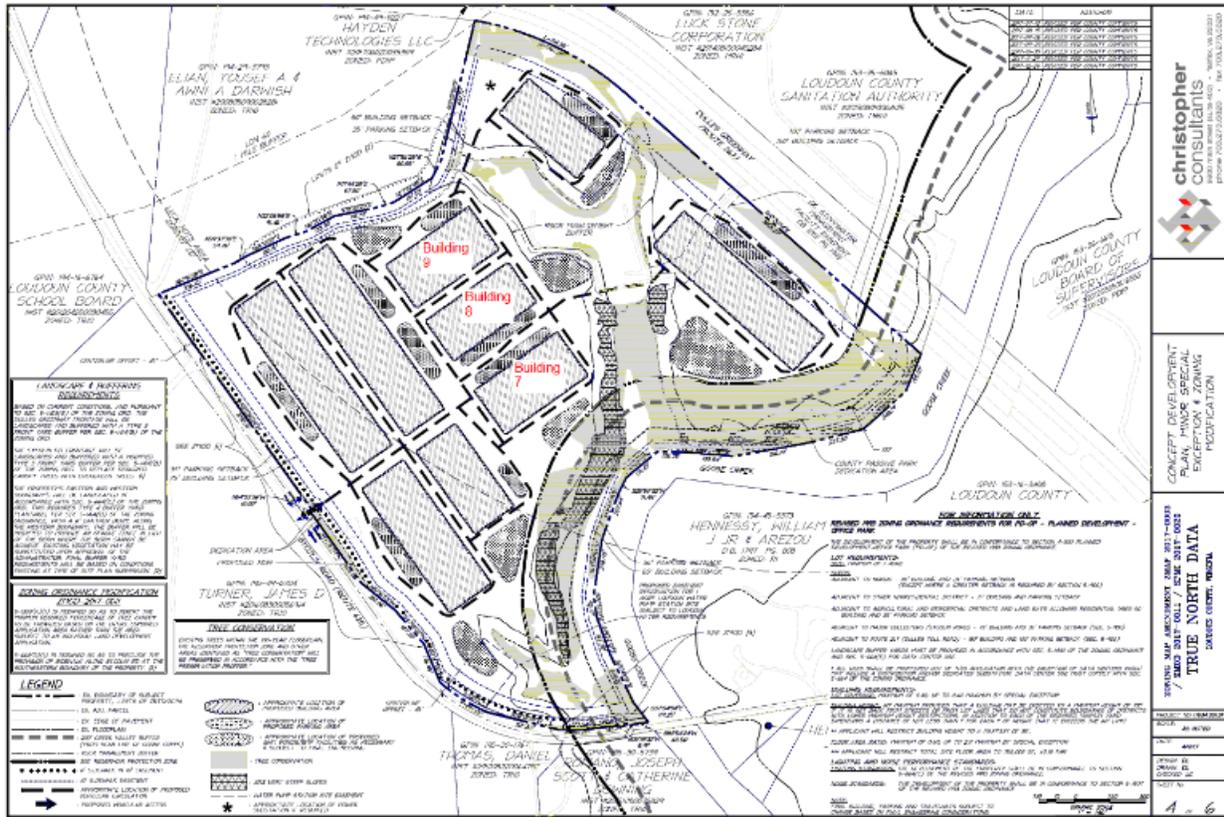
The subject Property is located on the north side of Sycolin Road (Route 625), south of the Dulles Greenway (Route 267), and west of the Goose Creek. The Property is within the Catoclin Election District and Leesburg sub-planning area. The property is subject to the proffers and CDP approved as part of ZMAP 2017-0003, ZMOD 2017-0011 and SPMI 2017-0020 and is zoned PD-OP (Planned Development – Office Park) under the Revised 1993 Loudoun County Zoning Ordinance. The applicant is requesting a zoning concept plan amendment to provide options to develop Buildings 7, 8, and 9 as either a single two-story building or as three separate two-story data centers. The proposed change will not increase the square footage permitted nor increase the traffic impacts at the Property, it will require the modification of Proffer III and clarification of a note on Sheet 4 of the Concept Development Plan.



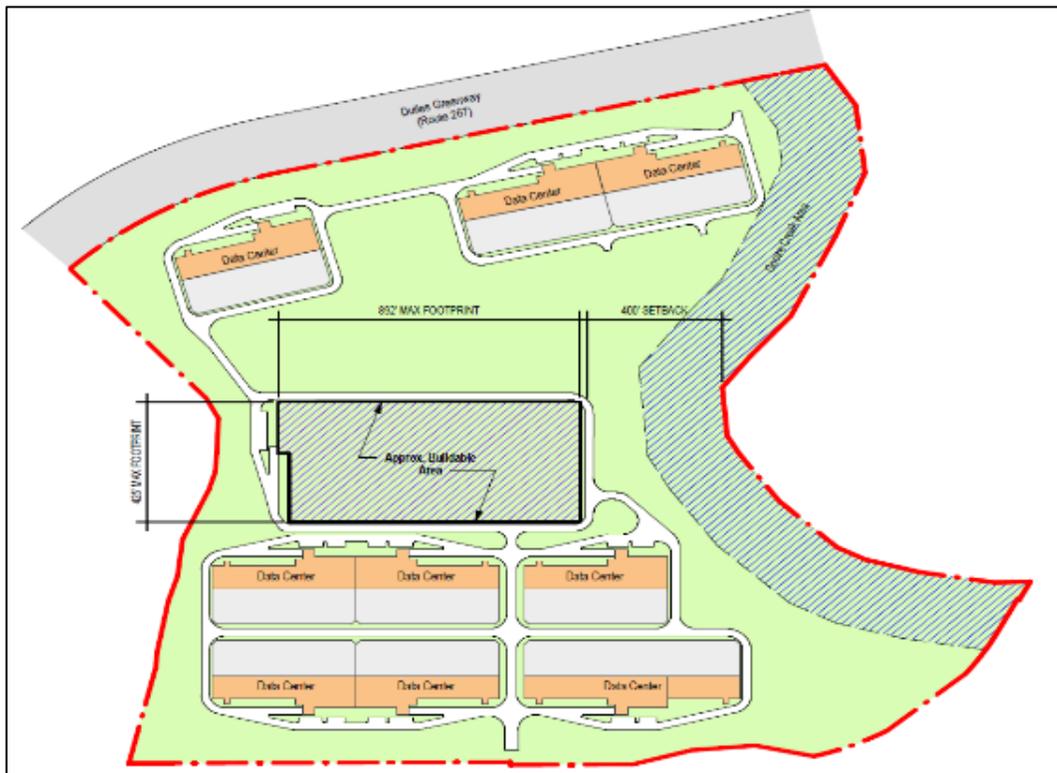
VICINITY MAP

PROJECT PROPOSAL:

The applicant is requesting the flexibility to either retain the current layout for Buildings 7, 8, and 9 as two-story data centers or choose to consolidate such buildings into a single two-story data center as depicted in the images below. The Applicant is not seeking to increase the permitted density.



APPROVED ZONING MAP AMENDMENT



PROPOSED BUILDING

COMMENTS:

The Department of Parks, Recreation and Community Services (PRCS) has reviewed the applicant's proposal and offers the following comments:

1. Under the approved proffers for ZMAP 2017-0003 & ZMOD 2017-0011.

VIII. GOOSE CREEK TRAIL. A. Dedication of Passive Park Land.

The Owner shall create by subdivision and dedicate and convey to the County, at no public cost, a 100-foot wide corridor along and within the "200' Creek Valley Buffer" containing approximately 5.5+/-acres, immediately adjacent to the Goose Creek as shown on the CDP (the "Passive Park"). This area to be dedicated is more particularly shown and designated as "County Passive Park Dedication Area" on the CDP. This Passive Park shall be dedicated to be used for open space/conservation/passive recreation purposes only, and shall not be programmed by the County for uses such as, but not limited to, picnic tables, ball fields, multipurpose sport courts or fields, etc., that would typically attract large numbers of persons or otherwise facilitate the gathering of groups of people. The proposed plat and deed of subdivision and dedication will be prepared and submitted by the Owner to the County for review and approval and shall be recorded prior to approval of the first zoning permit on the Property. This dedication area, after the dedication is recorded, shall continue to be credited toward any open space, tree canopy, Best Management Practices (the "BMP"), or other similar requirements of the Zoning Ordinance or these Proffers during the development plan approval process for the Property.

The referenced dedication of parkland has since conveyed to the County. In the Statement of Justification the applicant request *"with modest flexibility to either retain the current layout for Buildings 7, 8, and 9 as two-story data centers or choose to consolidate such buildings into a single two-story data center as depicted in the images below. Since the proposed two-story buildings would be located at the center of the site and importantly, 875 feet from Sycolin Road and 800 feet (at its closest point) from the Dulles Greenway, it would be appropriate to increase the height of buildings here. To achieve this modest flexibility, the application would request the amendment of Proffer III and a note on Sheet 4 of the CDP to permit building heights of up to sixty feet"*.

Based on this, the referenced buildings (7, 8 &9) under the revised proffers could be constructed to a height of 60' (sixty feet). Should the building height be increased to 60' (sixty feet) PRCS has concerns on the visual impact from the park and Goose Creek river stream valley corridor which is a designated state scenic river. The applicant should demonstrate with an elevation section exhibit, showing potential visual impact to the park and Goose Creek river stream valley corridor, if any (see below).

DEPARTMENT OF BUILDING AND DEVELOPMENT

COUNTY OF LOUDOUN

MEMORANDUM

DATE: August 19, 2020

TO: Jackie Marsh, Project Manager, Department of Planning and Zoning

FROM: Anna Dougherty, Natural Resources Engineer

THROUGH: Ryan Reed, Natural Resources Engineer

CC: Maggie Auer, Floodplain Administrator
Kyle Dingus, County Urban Forester
Marie Genovese, Community Planner, Department of Planning and Zoning

SUBJECT: ZCPA-2020-0003 True North Data (2nd Submission)

The Natural Resources Team (NRT) reviewed the Zoning Concept Map Amendment plat, received on July 20, 2020, on the cover sheet, and offers the following comments:

Recommendations:

Natural Resources:

- 1) Consistent with the River and Stream Corridor Resources Strategy 2.2 Action B Policies of the 2019 General Plan, staff notes that the 50-foot River and Stream Corridor Resource (RSCR) Management Buffer is depicted on the plat sheets and was adjusted based on the changes to the floodplain. However, staff notes that when the RSCR Management Buffer was adjusted, the Very Steep Slopes in some locations were not included and the previous protection that was provided to the Very Steep Slopes has been removed. Per the 2019 General Plan Strategy 2.2. Action A, the RSCR Management Buffer should extend 50-feet beyond the floodplain but also include the Very Steep Slopes. Please update the buffer to include those Very Steep Slopes and provide the buffer to these steep slopes that was previously provided.
 - a) Staff also notes that per Sheet 4A, the footprint of the single building on this sheet is bigger than the building footprint of the 3 buildings on Sheet 4. Staff also notes that when the RSCR Management Buffer is expanded to include the protection of the Very Steep Slopes as it was previously depicted, it will result in more impacts to the Management Buffer. Staff has concerns regarding these impacts and recommends using a building footprint similar to that on Sheet 4 in order to provide the best protection to the natural resource features on this site.

County Urban Forester:

- 2) Sheet 4A- Show reforestation areas proposed for encroachments into the RSCR so staff know they are appropriate.

Floodplain Management:

There are no floodplain management comments at this time

Please ensure that any future submissions are referred to the Natural Resources Team and contact me if you have any questions or need additional information.

DEPARTMENT OF BUILDING AND DEVELOPMENT

COUNTY OF LOUDOUN

MEMORANDUM

DATE: June 1, 2020

TO: Jackie Marsh, Project Manager, Department of Planning and Zoning

FROM: Anna Dougherty, Natural Resources Engineer

THROUGH: Ryan Reed, Natural Resources Engineer

CC: Maggie Auer, Floodplain Administrator
Marie Genovese, Community Planner, Department of Planning and Zoning
Josh Elkins, Zoning Planner, Department of Planning and Zoning

SUBJECT: ZCPA-2020-0003 True North Data

The Natural Resources Team (NRT) reviewed the Zoning Concept Map Amendment plat, received on April 20, 2020, on the cover sheet, and offers the following comments:

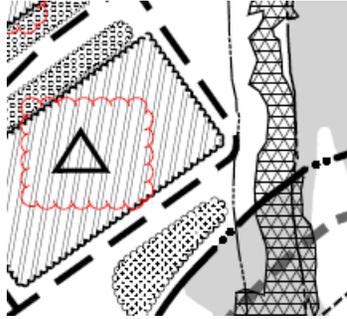
Recommendations:

Floodplain Management:

- 1) Please update the Source of Floodplain Note (#4) to reference the correct source of the floodplain boundary, FPAL-2019-0002 instead of FPAL-1994-0010. FPAL-2019-0002 was approved April 19, 2019. (FSM 8.101.A.20)
- 2) Please update the Floodplain Overlay District boundary to reflect the boundary approved in FPAL-2019-0002. (FSM 8.101.A.10)

Natural Resources:

- 3) Consistent with the River and Stream Corridor Resources Strategy 2.2 Action B Policies of the 2019 General Plan, staff notes that the 50-foot River and Stream Corridor Resource (RSCR) Management Buffer is depicted on the plat sheets. As the applicant is proposing to consolidate buildings and/or make the buildings taller, staff recommends that the development located near the RSCR buffer be pulled back from the buffer to avoid encroachments that might not be necessary as a result of the changes proposed with this application (see image below).



- a) In follow up to Comment #2 from the floodplain team, staff notes that the floodplain has changed on the site. Please ensure the RSCR buffer is updated accordingly.

County Urban Forester:

There are no County Urban Forester comments at this time.

Please ensure that any future submissions are referred to the Natural Resources Team and contact me if you have any questions or need additional information.

Marsh, Jacqueline

From: phildaley40@gmail.com
Sent: Friday, August 21, 2020 2:03 PM
To: Marsh, Jacqueline
Subject: [EXTERNAL] ZCPA-2020-003 True North Data

Goose Creek Scenic River Advisory Committee has reviewed the applicant's responses and they appear to adequately address our earlier concerns. The committee has no additional comments.

Phil Daley
Chair, GCSRAC

Marsh, Jacqueline

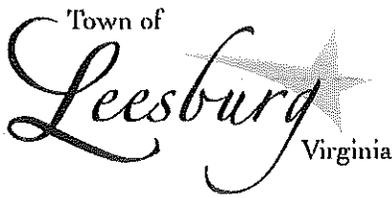
From: phildaley40@gmail.com
Sent: Monday, June 1, 2020 8:56 PM
To: Marsh, Jacqueline
Cc: Andrews, Avril
Subject: [EXTERNAL] FW: ZCPA-2020-0003

Importance: High

The Goose Creek Scenic River Advisory Committee appreciates the opportunity to comment regarding subject amendment. We are especially appreciative of the applicants recognition, noted in para (5) , Issues for Consideration, 'that this application will not impact the environmental features, **particularly the 300-footreservoir protection zone**' and recognition of the **value of Goose Creek to Loudoun County** and its residents. However, we do have concerns with some aspects/inferences contained in the proffer statement and CDP:

1. Section III Building Heights. We have no objection to increasing the building height of the three buildings (or making them one) identified on sheet 4 of the CDP **provided** that these buildings do not interfere with, or negatively impact, the viewshed as seen from Goose Creek.
2. Section VII B. Tree Conservation Area; Section VII E. River and Stream Corridor Resources (RSCR) Management Buffer, and, sheets 2 and 3 of the CDP: It appears that a great portion (majority) of the Tree Conservation Area lies within the 300 foot RSCR Buffer and therefore are concerned with encroachments into the area. Although we recognize that some encroachment might be necessary during construction activities, allowing up to 35% seems imprudent and unnecessary. If allowed, over one third of the buffer could be destroyed and there is no mandate in this proposal which would restore the entire buffer to 300 feet.
3. VIII. Goose Creek Trail: Applicant refers to the 200-foot Creek Valley Buffer. For information purposes, it should be noted that both the revised 1993 and the new, 2019 Comprehensive plan, refer to a **300-foot Scenic River buffer**, which we believe will be adopted in revised zoning.
4. Tree conservation/replacements and Landscaping: We highly recommend using only tree and shrub species that are native to this (local) area and not using cultivars unless approved by the County Forester.

Phil Daley
GCSRAC, Chair



Department of Planning & Zoning

25 West Market Street, 20176, 703-771-2765, www.leesburgva.gov

May 1, 2020

County of Loudoun
Department of Planning & Zoning
Attn. Ms. Jacqueline Marsh
1 Harrison Street
MSC #62
Leesburg, VA. 20177-7000

RE: True North Data, ZCPA 2020-0003

Dear Ms. Marsh:

Thank you for the opportunity to comment on the referenced application. Within the Town of Leesburg, these applications were referred to the Departments of Utility, Public Works and Capital Projects (Transportation), and Economic Development. The purpose of this concept plan amendment is to amend the existing approval by adding another data center building configuration. The current approval allows for three 2-story buildings and this application would add another site development option which is a single 2-story building up to 60 feet in height. This building location is interior to the site and does not front on the Greenway. The location of this land development proposal is outside of the Leesburg Joint Land Management Area and is not contiguous to the Town of Leesburg corporate limits. The Town of Leesburg does not anticipate negative impacts to the Town resulting from the development of this proposal.

Staff has no further comments for this application.

Sincerely,

A handwritten signature in cursive script that reads "Susan Berry Hill".

Susan Berry Hill, AICP
Director, Department of Planning & Zoning

Cc: Leesburg Town Council
Leesburg Planning Commission
Kaj Dentler, Town Manager
Keith Markel, Deputy Town Manager
Amy Wyks, Director, Utilities
Russell Seymour, Director, Economic Development
Calvin Grow, Transportation Engineer



Loudoun County, Virginia

www.loudoun.gov

Department of Building and Development

1 Harrison Street, SE, P.O. Box 7000, Mailstop #60A, Leesburg, VA 20177-7000

Telephone: 703/777-0220

Fax: Permits, Zoning, and Administration 703/771-5215 • Engineering 703/737-8993

DATE: June 1, 2020
TO: Jacqueline Marsh, Project Manager, Department of Planning and Zoning, MSC #62
FROM: Eric Blankenship, Planner, Land Development Division MSC #60A
THROUGH: Scott Berger, Division Manager
APPLICATION NUMBER: ZCPA-2020-0003
APPLICATION NAME: True North Data
PLAN SUBMISSION NUMBER: 1st Submission (1st submission B&D Review)
PLANNER REQUESTS TO REVIEW SUBSEQUENT SUBMISSIONS

The Department of Building and Development, Land Development Division has completed the review of this application and provides the following comments:

1. Staff has no comments.

Thank you for the opportunity to review and comment on this application. Please feel free to contact me at (703)771-5753 or via email at eric.blankenship@loudoun.gov if you have any questions.

If substantial revisions are made to this application after review Building and Development requests further review of the application.



**Loudoun County, Virginia
Department of Fire and Rescue
Fire Marshal's Office**



23675 Belmont Ridge Road, Suite 150
Ashburn Virginia 20148
Phone 703-737-8600 Fax 703-737-8595

Memorandum

DATE: August 19, 2020
TO: Jacqueline Marsh, AICP, Project Manager, Engineering Division
FROM: Kevin Federline, Fire Inspector
THRU: Linda Hale, Chief Fire Marshal
SUBJECT: ZCPA-2020-0003 True North Data, Second Submission

The Loudoun County Fire Marshal's Office has no objections to the zoning concept plan amendment for the project. However, the Loudoun County Fire Marshal's Office reserves the right to ensure Fire Code compliance when more detailed information is made available on the construction drawings. For example, but not limited to, the FMO will be looking for more information on the following: approved fire apparatus access roads located within an emergency access easement, fire lane identification for fire apparatus access roads, hydrant location, hydrant coverage measured by 300 foot hose lay "as the hose lies" between and around obstructions from the hydrant to all portions of the building exterior, and if the building height, when measured from the average finished grade at the face of the building located adjacent to a fire apparatus access road to the highest eave of a pitched roof, intersection of the roof to an exterior wall, or top of a parapet wall, whichever is greater, exceeds 50 feet in height, an "Aerial Fire Apparatus Access Road" at least 26' in width along one side of the building will be required, with fire lane identification along both sides of the travelway.

Prior to the issuance of an occupancy permit for any facility, building, or portion of a building hereafter constructed, Fire Lane Identification shall be provided, permitted, and an approved inspection along any Fire Apparatus Access Road serving such facility, building, or portion of a building.

If there are any changes to the plans include the Fire Marshal's Office in review to ensure fire code compliance.

- I. Requirements: From the current Loudoun County Facilities Standards Manual (FSM) and the current Loudoun County Fire Prevention Code (LCFPC)**
 1. None.
- II. Concern:**
 1. None.
- III. Recommendations:**
 1. None.

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IV. Questions:

1. None.

Information for requesting modifications to the LCFPC:

1. 106.5 Modifications. The fire official may grant modifications to any provision of the SFPC upon application by the owner or the owner's agent provided the spirit and intent of the SFPC are observed and public health, welfare, and safety are assured. Note: The current editions of many nationally recognized model codes and standards are referenced by the SFPC. Future amendments to such codes and standards do not automatically become part of the SFPC; however, the fire official should consider such amendments in deciding whether a modification request should be granted.
2. 106.5.1 Supporting data. The fire official shall require that sufficient technical data be submitted to substantiate the proposed use of any alternative. If it is determined that the evidence presented is satisfactory proof of performance for the use intended, the fire official shall approve the use of such alternative subject to the requirements of this code. The fire official may require and consider a statement from a professional engineer, architect or other competent person as to the equivalency of the proposed modification.

Pursuant to section 112.1 of the Fire Prevention Code:

If you have concerns about the application of the Fire Prevention Code (FPC) or to request a modification to the provisions of the FPC pursuant to section 106.5, please contact Chief Fire Marshal Linda Hale at 703/737-8600. The owner of a structure, the owner's agent or any other person involved in the design, construction or maintenance of the structure may appeal a decision of the fire official concerning the application of FPC or the fire official's refusal to grant modification. Persons wishing to file an appeal shall submit a written request for appeal to the Board of Building Code Appeals (BBCA), within 14 calendar days of receipt of the decision being appealed. Person's wishing to file an appeal shall address it to Deputy Fire Marshal at DutyFm@Loudoun.gov, or send by certified mail to the Loudoun Fire Marshal's Office at the above address. The appeal shall contain the name and address of the owner of the structure and the person appealing if not the owner. A copy of the written decision of the fire official shall be submitted along with the appeal. Failure to submit an appeal within the time limit established shall constitute acceptance of the fire official's decision.



**Loudoun County, Virginia
Department of Fire and Rescue
Fire Marshal's Office**



23675 Belmont Ridge Road, Suite 150
Ashburn Virginia 20148
Phone 703-737-8600 Fax 703-737-8595

Memorandum

DATE: May 29, 2020

TO: Jacqueline Marsh, Project Manager, Engineering Division

FROM: Christopher Richardson, Fire Inspector

THRU: Linda Hale, Chief Fire Marshal

SUBJECT: ZCPA-2020-0003 True North Data First Submission

The Loudoun County Fire Marshal's Office (FMO) has the following comments, which are required to be addressed prior to approval, resulting from the review of the project ZCPA-2020-0003 True North Data First Submission with version date of 03/24/2020.

Prior to the issuance of an occupancy permit for any facility, building, or portion of a building hereafter constructed, Fire Lane Identification shall be provided, permitted, and an approved inspection along any Fire Apparatus Access Road serving such facility, building, or portion of a building.

If there are any changes to the plans include the Fire Marshal's Office in review to ensure fire code compliance.

I. Requirements: From the current Loudoun County Facilities Standards Manual (FSM) and the current Loudoun County Fire Prevention Code (LCFPC)

1. The FMO reserves the right to guarantee Fire Code compliance when more detailed information is made available on the site plan and or construction plan and profiles submissions. For example but not limited to the FMO will be looking for more information on the following: approved fire apparatus access roads located within an emergency access easement, fire lane identification for fire apparatus access roads, more than one point of access to site if any building exceeds thirty feet (30') in height and or gross building area is greater than 62,000 square feet (if any building is not sprinklered) or 124,000 square feet (all buildings shall be sprinklered), hydrant location, hydrant coverage measured by 300 foot hose lay "as the hose lies" between and around obstructions from the hydrant to all portions of the building exterior, dead-end fire apparatus access roads in excess of 150 feet with an approved fire apparatus turn around (see attached FSM Figure 18 for approved turnarounds), fire apparatus access roads to within 150 feet of the exterior of buildings first floor, turning radii/turning analysis using AASHTO - SU-40 on fire apparatus access roads, immediate unobstructed access to fire department connections,

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and if the building height, when measured from the average finished grade at the face of the building located adjacent to a fire apparatus access road to the highest eave of a pitched roof, intersection of the roof to an exterior wall, or top of a parapet wall, whichever is greater, exceeds 50 feet in height, an “Aerial Fire Apparatus Access Road” at least 26’ in width along one side of the building determined by the FMO will be required.

2. The proposed building consolidation plan shows the removal of the additional access road to the proposed data center buildings to the north along the Dulles Greenway. This additional access is required for these buildings.

II. Recommendations:

1. None.

III. Questions:

1. None.

Requirements for fire apparatus access roads:

1. Fire Apparatus Access Road is designed and maintained to a minimum of 20 feet of unobstructed width, 13.5 feet of unobstructed vertical clearance, support H-20 loading, be surfaced so as to provide all-weather driving capabilities, located within an “Emergency Access” easement, and identified as a fire lane in accordance with the FSM Chapter 4.

Information for requesting a modifications to the LCFPC:

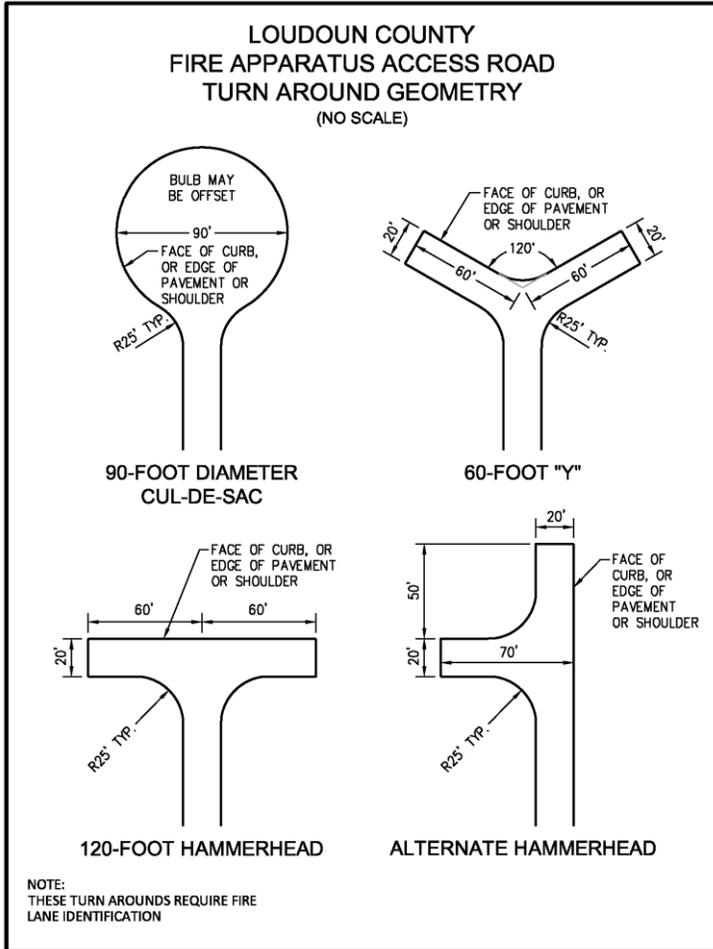
1. 106.5 Modifications. The fire official may grant modifications to any provision of the SFPC upon application by the owner or the owner’s agent provided the spirit and intent of the SFPC are observed and public health, welfare, and safety are assured. Note: The current editions of many nationally recognized model codes and standards are referenced by the SFPC. Future amendments to such codes and standards do not automatically become part of the SFPC; however, the fire official should consider such amendments in deciding whether a modification request should be granted.
2. 106.5.1 Supporting data. The fire official shall require that sufficient technical data be submitted to substantiate the proposed use of any alternative. If it is determined that the evidence presented is satisfactory proof of performance for the use intended, the fire official shall approve the use of such alternative subject to the requirements of this code. The fire official may require and consider a statement from a professional engineer, architect or other competent person as to the equivalency of the proposed modification.

Pursuant to section 112.1 of the Fire Prevention Code:

If you have concerns about the application of the Fire Prevention Code (FPC) or to request a modification to the provisions of the FPC pursuant to section 106.5, please contact Chief Fire Marshal Linda Hale at 703/737-8600. The owner of a structure, the owner’s agent or any other person involved in the design, construction or maintenance of the structure may appeal a decision of the fire official concerning the application of FPC or the fire official’s refusal to grant modification. Persons wishing to file an appeal shall submit a written request for appeal to the Board of Building Code Appeals (BBCA), within 14 calendar days of receipt of the decision being appealed. Person’s wishing to file an appeal shall address it to Deputy Fire Marshal at DutyFm@Loudoun.gov, or send by certified mail to the Loudoun Fire Marshal’s Office at the above address. The appeal shall contain the name and address of the owner of the structure and the person appealing if not the owner. A copy of the written decision of the

fire official shall be submitted along with the appeal. Failure to submit an appeal within the time limit established shall constitute acceptance of the fire official's decision.

FSM Figure 18 Approved Fire Apparatus Turn Arouds





Loudoun County Fire and Rescue

PO Box 7100
801 Sycolin Road SE, Suite 200
Leesburg, VA 20177-7100
Phone 703-777-0333 Fax 703-771-5359



Memorandum

To: Jacqueline Marsh, Project Manager
From: Maria Figueroa Taylor, Fire-Rescue Planner *JK*
Date: June 18, 2020
Subject: True North Data
ZCPA-2020-0003

Thank you for the opportunity to review the above captioned application. The Fire and Rescue Planning Staff has no comments.

The Fire-Rescue GIS and Mapping coordinator offered the following information regarding estimated response times:

PIN	Ashburn, Station 6 Travel Time
194-10-2562	7 minutes

Travel times are determined using ESRI GIS network analyst along the county's street centerline with distance and speed limit being the criteria. Travel time is reported in minutes and seconds. For the approximate response time two minutes is added for turnout time.

Approximate Response Time for Ashburn, Station 6
9 minutes

If you have any questions or need additional information, please contact me at 703-777-0333.

c: project file



Environmental Health
Phone: 703 / 777-0234
Fax: 703/771-5023

Loudoun County Health Department

P.O. Box 7000
Leesburg VA 20177-7000



Community Health
Phone: 703/777-0236
Fax: 703/ 771-5393

April 30, 2020

MEMORANDUM TO: Jacqueline Marsh, AICP MSC #62
Planning & Zoning

FROM: Emily Kyle  MSC #68
Environmental Health Specialist
Division of Environmental Health

SUBJECT: **TRUE NORTH DATA**
Application ZCPA-2020-0003
PIN #: 194102562

This department has reviewed the package for the request approval of a Zoning Concept Plan Amendment (ZCPA) to amend the Proffers and clarify a note on Sheet 4 of the Concept Development Plan to allow building height up to 60 feet, associated with ZMAP-2017-0003, ZMOD-2017-0011, and SPMI-2017-0020. The department has also reviewed the plat prepared by Christopher Consultants, dated March 24, 2020. Staff supports the approval of the application with the following reservations:

- The proposed data center will be served by public water and sewer provided by Loudoun Water. Currently, the employee trailer is connected to a pump and haul tank. The temporary pump and haul permit will expire December 2020. The Loudoun County Health Department is missing documentation concerning two septic tank abandonments. One tank is related to the original 1993 drainfield system and the second septic tank concerns the pump and haul tank that served the employee trailer prior to its relocation, see Health Department Permit T90282410001. Please provide documentation, such as photos and pump receipts of the septic tank abandonments.

If further information or clarification on the above project is required, please contact Emily Kyle at 571-233-6415.

April 23, 2020

Jacqueline Marsh
Building and Development
1 Harrison Street, S.E.
P. O. Box 7000
Leesburg, Virginia 20177-7000

Re: True North Data; ZCPA-2020-0003

Dear Ms. Marsh:

Loudoun Water has reviewed the referenced application and offers no objection to its approval.

Should offsite easements be required to extend public water and/or sanitary sewer to this site, the owner shall be responsible for acquiring such easements and dedicating them to the Authority at no cost to the County or the Authority. Public water and sanitary sewer service is contingent upon the developer's compliance with the Authority's Statement of Policy; Rates, Rules and Regulations; and Engineering Design Manual.

Should you have any questions, please do not hesitate to contact me.

Sincerely,



Julie Atwell
Engineering Administrative Specialist



Marsh, Jacqueline

From: Rutyna, Mark <Mark.Rutyna@MWAA.com>
Sent: Monday, June 1, 2020 3:51 PM
To: Marsh, Jacqueline
Cc: Wollard, Gregg
Subject: [EXTERNAL] ZCPA-2020-0003 - TRUE NORTH DATA

Jackie,

Thank you for another opportunity to comment on TRUE NORTH DATA, located at the approximate intersection of the Dulles Greenway and State Route 643 (Sycolin Road), and the request to amend a proffer and a drawing note to allow up to 60 foot tall Above Ground Level buildings to be constructed on the property. Because the site is beyond Loudoun County's Airport Noise Impact Overlay District's 60 DNL – 1 Mile Buffer contour and the future Ultimate Conditions 60 DNL – 1 Mile Buffer contour (final but not yet adopted by the County), the Airports Authority has no comment to offer regarding this matter.

If you have any questions, please let me know. Thank you.

Mark Rutyna, CAPM, C.M.
Airport Planner



1 Aviation Circle, MA-32D
Washington, DC 20001-6000

T: 703-572-0262
F: 703-572-0299
Mark.Rutyna@mwaa.com

mwaa.com

<p align="center">VIRGINIA DEPARTMENT OF TRANSPORTATION</p> <p align="center">LOUDOUN LAND USE</p> <p align="center">PROJECT REVIEW</p> <p align="center">COMMENT AND RESOLUTION SHEET</p>				<p>TIA - NOT REQUIRED</p>	<p>COMMENT CATEGORIES:</p> <p>1. REQUIREMENT</p> <p>2. RECOMMENDATION</p>
<p>COUNTY PROJECT NUMBER: ZCPA-2020-0003</p>		<p>DEVELOPER/ENGINEER: CHRISTOPHER CONSULTANTS</p>		<p>REVIEWER(S): KENNETH KEKESSIE, P.E. KENNETH.KEKESSIE@VDOT.VIRGINIA.GOV</p>	<p>DATE: 6/17/2020</p>
<p>PROJECT NAME: TRUE NORTH DATA</p>		<p>REVIEW PHASE & TYPE: 1ST SUBMISSION</p>		<p>DISCIPLINE: ZONING CONCEPT PLAN AMENDMENT</p>	
ITEM No.	DWG. No. ⁽¹⁾	COMMENTS	COMMENT CATEGORY	RESPONSE ⁽²⁾ DATE:	FINAL DISPOSITION ⁽³⁾
<p>LAND USE</p>					
1.01	G	The review of the above referenced project is complete. VDOT has no objections to the approval of the application.	1		

<p>(1) Indicate drawing no./page no. or use "G" for general comment. (2) To be filled out by Applicant/Engineer. Date of Response is required. (3) The VDOT reviewer is responsible for the final disposition of all comments.</p>	<p>Note: This form is to be used by the VDOT land use team to provide comments or concerns associated with the rezoning applications, site plans or any other plans when requested by the county or the applicants.</p>
--	---



Samantha Steketee
+1 703 456 8675
ssteketee@cooley.com

July 13, 2020

Jackie Marsh
Loudoun County
Department of Planning and Zoning
1 Harrison Street, SE
Leesburg, Virginia 20175

**Re: Response 1st Submission Referral Comments
True North Data
ZCPA-2020-0003**

Dear Jackie:

On behalf of Compass Datacenters IAD I, LLC (the "Applicant"), I write to respond to the referral comments we have received to date on the above-referenced applications. Each referral comment is repeated below in italics, followed immediately by our responses.

Department of Building and Development (June 1, 2020)

Comment 1. The Department of Building and Development has no comments.

Response: Comment appreciated and acknowledged.

Loudoun Water (April 23, 2020)

Comment 1. Loudoun Water has reviewed the referenced application and offers no objection to its approval.

Response: Comment appreciated and acknowledged.

Comment 2. Should offsite easements be required to extend public water and/or sanitary sewer to this site, the owner shall be responsible for acquiring such easements and dedicating them to the Authority at no cost to the County or the Authority. Public water and sanitary sewer service is contingent upon the developer's compliance with the Authority's Statement of Policy; Rates, Rules and Regulations; and Engineering Design Manual.

Response: Note that the site is currently served by public water and sanitary sewer which are being constructed in conformance with STMP-2017-0009.



Jackie Marsh
July 13, 2020
Page Two

Parks, Recreation and Community Services (May 11, 2020)

Comment 1. The referenced buildings (7, 8 & 9) under the revised proffers could be constructed to a height of 60' (sixty feet). Should the building height be increased to 60' (sixty feet) PRCS has concerns on the visual impact from the park and Goose Creek river stream valley corridor which is a designated state scenic river. The applicant should demonstrate with an elevation section exhibit, showing potential visual impact to the park and Goose Creek river stream valley corridor, if any (see below).

Response: As requested, the Applicant has included with this submission as Exhibit A an elevation section from the Goose Creek. With more than a football fields distance from the scar line of the Goose Creek, Exhibit A confirms that the modest building height increase within the center of the site will not visually impact the passive parkland immediately adjacent the Goose Creek which was dedicated to the County by the Applicant as a part of ZMAP-2017-0003 or the Goose Creek River stream valley corridor.

Department of Building and Development – Natural Resources (June 1, 2020)

Comment 1. Floodplain Management. Please update the Source of Floodplain Note (#4) to reference the correct source of the floodplain boundary, FPAL-2019-0002 instead of FPAL-1994-0010. FPAL-2019-0002 was approved April 19, 2019.

Response: As requested, the Source of Floodplain Note (#4) has been updated to reflect FPAL-2019-0002 which was approved on April 19, 2019.

Comment 2. Floodplain Management. Please update the Floodplain Overlay District boundary to reflect the boundary approved in FPAL-2019-0002.

Response: The Floodplain Overlay District boundary has been updated to reflect the boundary approved in FPAL-2019-0002.

Comment 3. Natural Resources. Consistent with the River and Stream Corridor Resources 2.2 Action B Policies of the 2019 General Plan, staff notes that the 50-foot River and Stream Corridor Resource (RSCR) Management Buffer is depicted on the plat sheets. As the applicant is proposing to consolidate buildings and/or make the buildings taller, staff recommends that the development located near the RSCR buffer be pulled back from the buffer to avoid encroachments that might not be necessary as a result of the changes proposed with this application.

Response: In accordance with the General Plan and as noted above, the 50-foot River and Stream Corridor Resource Management Buffer is depicted on the Concept Development Plan. Note that Phase 2A (which encompasses Buildings 7, 8, and 9 that the Applicant seeks to develop as three individual buildings or as one single consolidated building) has since been cleared and graded in adherence with STMP-2018-0017. In conformance with Proffer VII.E, STMP-2018-0017 includes a reforestation plan which captures the encroachments into the RSCR



Jackie Marsh
July 13, 2020
Page Three

Management Buffer and depicts the required replantings necessary to offset such encroachments.

Comment 4. Natural Resources. In follow up to Comment #2 from the floodplain team, staff notes that the floodplain has changed on the site. Please ensure the RSCR buffer is updated accordingly.

Response: In response to the updated floodplain boundary (FPAL-2019-0002), the RSCR buffer has been updated accordingly.

Comment 5. County Urban Forester. There are not County Urban Forester comments at this time.

Response: Comment acknowledged and appreciated.

Department of Transportation and Capital Infrastructure (May 13, 2020)

Comment 1. DTCl can support the approval of this application as proposed with this submission.

Response: The Applicant appreciates DTCl's support of this application.

Department of Planning and Zoning – Community Planning (May 19, 2020)

Comment 1. While Community Planning Staff has no issues with the option of developing Buildings 7, 8, and 9 as three separate buildings or as a single building, Staff recommends the applicant commit to locating a single building farther away from the RSCR to eliminate any potential impacts to this resource.

Response: As noted above, Phase 2A which encompasses Buildings 7, 8, and 9 that the Applicant seeks to develop as three individual buildings or as one single consolidated building has since been cleared and graded in conformance with STMP-2018-0017. In conformance with Proffer VII.E, STMP-2018-0017 includes a reforestation plan which captures the encroachments into the RSCR Management Buffer and depicts the required replantings necessary to offset such encroachments.

Comment 2. Community Planning Staff cannot support the increase in building height for the internal buildings from 35-feet to 60-feet as the height is not in keeping with the vision for the place type or the TPA as these are the types of heights typically found in the Suburban Policy Area. Further, the increased height will have visual impacts as viewed from the Goose Creek Scenic River.

Response: As envisioned in the Loudoun County 2019 General Plan (the "Plan"), the Transition Light Industrial Place Type envisions 100% non-residential development with specific uses such as light production and data centers called out as recommended "core uses." Such uses require taller heights in order to accommodate the equipment and spacing for these core uses such as



Jackie Marsh
July 13, 2020
Page Four

data centers, small-scale assembly and production uses. The plan-recommended uses simply are not located within buildings with an average story height of 10 feet, as suggested. Average story heights of 10 feet are standard for residential uses but not non-residential uses, especially data centers.

Furthermore, unlike any other data center development in Loudoun County, the buildings within the True North campus cannot utilize groundwater, surface water withdrawals, or surface water discharges for cooling purposes per Proffer VII.C. As a result, the data center buildings within True North require additional average story heights in order to effectively circulate airflow in order to maintain acceptable temperatures and humidity levels. As noted during the legislative approval of ZMAP-2017-0003, the buildings designed for True North were all single-story buildings with an average story height between 27-35 feet, as reflected in Proffer III. Putting an additional level of development on top of the single-story development that was approved with the original entitlement necessitates additional height.

Over the last few years legislative approvals within the Transition Policy Area, and most notably along the Goose Creek, have provided for developments with taller buildings. Many of those legislative approvals, particularly within 7,500 linear feet of the Property, permit building heights in excess of the 60 feet and do not commit to building or parking locations, enhanced environmental commitments, prohibitions against the use of groundwater or detailed architectural standards. In contrast to those approvals, the County knows exactly what will be built and where at True North. Because of this level of detail, we are able to vet and confirm with certainty that the Goose Creek will not be visually impacted by the modest height increase for the most interior buildings on the site.

Below is a list of the legislative approvals within the Transition Policy Area, many of which are immediately adjacent to the Goose Creek, that provide significantly taller buildings.

1. Loudoun West (ZCPA-2018-0003): Building heights up to 100 feet.
2. Stonewall Secure Business Park (ZMAP-2008-0017): Building heights up to 75 feet.
3. Luck/Hayden/Loudoun Water (ZMAP-2019-0003): Building heights up to 65 feet except within 300 feet of the Dulles Greenway where buildings are limited to 45 feet in height – 10 feet taller than the building heights permitted at True North adjacent to the Dulles Greenway (and are not requested to be modified with this application, as the modified buildings are 800 feet away from the Greenway).

As recently as June 2, 2020, the Board of Supervisors supported the Twin Creeks rezoning with building heights of up to 100 feet and immediately adjacent to the Goose Creek – 40 feet taller than our request. This approval did not limit the use, provide proffered elevations, or proffered building or parking locations. In fact, the non-binding illustrative provided in the Concept Development Plan suggests that one entire building elevation, which could be up to 100 feet in height, will face the Goose Creek.

It is interesting to note that while the three zoning approvals mentioned above allow taller buildings, they provide far less open space than is proposed with this application. In fact, only one (Loudoun West) meets the Transition Light Industrial Place Type recommendation of 50% open space. The Twin Creeks project, which has the same setbacks from the Goose Creek as the True North property, was approved with substantially less open space.

While the Applicant is seeking a de minimis reduction in open space, the project will continue to exceed the amount of open space recommended by the General Plan. Specifically, and unlike the similar approvals noted above, it will provide 8.4 acres of open space, which is 8% more than recommended.

The demand for developable data center land within Loudoun County is not dissipating and the demand is expected to grow since “data centers have certainly been put to the test during this pandemic and demonstrated that they put “essential” in essential services by successfully delivering the capacity to make working, learning, exercising, grocery shopping, socializing, having doctor’s appointments, attending church, and being entertained – all from home – a reality”¹. Permitting this modest change in height will allow the additional demand in the market place to be absorbed within an existing Loudoun County campus.

The Applicant is not seeking to intensify the impacts of the existing approvals and if approved, the proposed ZCPA would still be far less intense than is contemplated by the Transition Light Industrial Place Type. The rezoning is much more restrictive than the Plan with far less density (0.18 FAR), significantly more open space, and shorter buildings than recommended by the Plan. With more than a football field’s distance from the scar line of the Goose Creek, Exhibit A confirms that the modest building height increase within the center of the site will not visually impact the Goose Creek River stream valley corridor and is consistent with other developments within the Transition Policy Area.

Town of Leesburg – Department of Planning and Zoning (May 1, 2020)

Comment 1. This building location is interior to the site and does not front on the Greenway. The location of this land development proposal is outside of the Leesburg Joint Management Area and is not contiguous to the Town of Leesburg corporate limits. The Town of Leesburg does not anticipate negative impacts to the Town resulting from the development of this proposal.

Response: Comment acknowledged and appreciated.

Metropolitan Washington Airports Authority (June 1, 2020)

Comment 1. Because the site is beyond the Loudoun County’s Airport Noise Impact Overlay District’s 60 DNL – 1 Mile Buffer contour and the future Ultimate Conditions 60 DNL – 1 Mile Buffer contour (final but not yet adopted by the County), the Airports Authority has not comment to offer regarding this matter.

¹ DataCenter Knowledge “Data Centers in a Post-Pandemic World”



Jackie Marsh
July 13, 2020
Page Six

Response: Comment acknowledged and appreciated.

Department of Planning and Zoning – Zoning Administration Referral (May 27, 2020)

Comment 1. The applicant is proposing an increase in the maximum building height permitted with ZMAP-2017-0011. The proposed building height is still within the limits permitted by the PD-OP Zoning District, however, zoning staff defers to the Community Planning Division in regard to the increased building height and conformance with the 2019 General Plan.

Response: Comment acknowledged.

Comment 2. Revise Sheet 4 to show the approved Administrative Change to the circulation elements of the approved CDP as depicted on Exhibit D of ZCOR-2018-0252.

Response: Sheet 4 of the CDP has been updated to depict changes to the internal circulation of the development as approved with the Administrative Change (ZCOR-2018-0252) .

Comment 3. Zoning Administration staff recommends providing an optional CDP to depict the building footprint, parking areas, and circulation for the alternative building configuration proposed with this plan.

Response: As requested, the Applicant has added Sheet 4A to the CDP which depicts the building footprint, parking areas, and circulation for the alternative building configuration proposed with this application.

Department of Planning and Zoning – Proffer Management (May 15, 2020)

Comment 1. Proffer Statement. Please see suggestions to the draft Proffer Statement to aid in clarity of interpretation and performance of the Proffers. Staff requests the Applicant to address the comments contained in this memorandum and the comments included in the margin of the attachment of suggestions to the draft proffer statement. In addition, any suggestions that the Applicant does not agree to be addressed need to be noted in the re-submission response letter. Staff requests a subsequent review of the re-submission.

Response: As requested, the Applicant has addressed the comments contained in the memorandum dated May 15, 2020, and the comments included in the margin of the attachment of suggestions to the Proffer Statement.

Comment 2. Please note that that word “will” is used throughout the Proffer Statement, which is interpreted to have the same meaning as the word “shall” per Section 1-202(B) of the Revised 1993 Loudoun County Zoning Ordinance and all proffered commitments shall be deemed a requirement of the development of the property unless the term ‘may’ is used.

Response: The Applicant acknowledges that the use of the word “will” throughout the Proffer Statement is interpreted to have the same meaning as the word “shall” per Section 1-202(B) of the Revised 1993 Loudoun County Zoning Ordinance.



Jackie Marsh
July 13, 2020
Page Seven

Comment 3. Staff suggests that the Applicant simplify the draft Proffer Statement to only make the necessary revisions to the Preamble, Proffer I, and Proffer III since those are the specific proffers proposed to be amended with this application, instead of superseding and restating the entire proffer statement approved with ZMAP-2017-0003, as these proffers are in various stages of fulfillment. This Staff's preference for accounting for the proffers in the County's and Management Information System; Staff can provide language to accomplish this approach if so desired.

Response: At Staff's request, the Applicant has simplified the Proffer Statement to capture only the necessary revisions to the Preamble, Proffer I, and Proffer III, instead of superseding and restating the entire proffer statement approved with ZMAP-2017-0003 since these proffers are in various stages of fulfillment.

Comment 4. Concept Development Plan. Revise the CDP to add a sheet that depicts the "Proposed Building Consolidation" development option as depicted on Page 1 of the SOJ.

Response: Sheet 4A has been added to the CDP which depicts the "Proposed Building Consolidation" development option as noted in the Statement of Justification.

Comment 5. Concept Development Plan. Sheet 4. Revise the references to Section 5-900 in reference to the building and parking setbacks adjacent to Major Collectors (Sycolin Road) and adjacent to Route 267 to reference Section 5-1403(B).

Response: Sheet 4 of the CDP has been updated to reference the updated Zoning Ordinance section.

Comment 6. Other Comments. Provide a detailed Proffer Status Update for the proffers approved with ZMAP-2017-0003, True North Data.

Response: Attached as Exhibit B, is a detailed Proffer Status Update for the proffers approved with ZMAP-2017-0003, True North Data.

Health Department (April 30, 2020)

Comment 1. Staff supports the approval of this application with the following reservations:

The proposed data center will be served by public water and sewer provided by Loudoun Water. Currently, the employee trailer is connected to a pump and haul tank. The temporary pump and haul permit will expire December 2020. The Loudoun County Health Department is missing documentation concerning two septic tank abandonments. One tank is related to the original 1993 drainfield system and the second septic tank concerns the pump and haul tank that served the employee trailer prior to its relocation, see Health Department



Jackie Marsh
July 13, 2020
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Permit T90282410001. Please provide documentation, such as photos and pump receipts of the septic tank abandonments.

Response: The Applicant is actively working with the general contractor to address the abandonment permits noted above and will provide documentation to the Health Department as soon as possible.

Department of Fire and Rescue Fire Marshal's Office (May 29, 2020)

Comment 1. Prior to the issuance of an occupancy permit for any facility, building, or portion of a building hereafter constructed, Fire Lane Identification shall be provided, permitted, and an approved inspection along any Fire Apparatus Access Road serving such facility, building, or portion of a building.

Response: Comment acknowledged.

Goose Creek Scenic River Advisory Committee (June 1, 2020)

Comment 1. Section III Building Heights. We have no objection to increasing the building height of the three buildings (or making them one) identified on Sheet 4 of the CDP provided that these buildings do not interfere with, or negatively impact, the viewshed as seen from Goose Creek.

Response: As noted above, with more than a football fields distance from the scar line of the Goose Creek, Exhibit A confirms that the modest building height increase within the center of the site will not visually impact the Goose Creek River stream valley corridor or the passive parkland immediately adjacent the Goose Creek which was dedicated to the County by the Applicant as a part of ZMAP-2017-0003.

Comment 2. Section VII B. Tree Conservation Area; Section VII E. River and Stream Corridor Resources (RSCR) Management Buffer, and Sheets 2 and 3 of the CDP: It appears that a great portion (majority) of the Tree Conservation Area lies within the 300-foot RSCR Buffer and therefore are concerned with encroachments into the area. Although we recognize that some encroachment might be necessary during construction activities, allowing up to 35% seems imprudent and unnecessary. If allowed, over one third of the buffer could be destroyed and there is no mandate in this proposal which would restore the entire buffer to 300 feet.

Response: The 300-foot Reservoir Protection Zone immediately adjacent to the Goose Creek does include some RSCR Management Buffer areas however, those specific areas will not be encroached upon since they are located within the no-build zone established by the 300-foot Reservoir Protection Zone. The encroachment language contained within the RSCR Management Buffer language is applicable to the areas of RSCR Management Buffer's throughout the development which are located outside of the 300-foot Reservoir Protection Zone.

Comment 3. VIII. Goose Creek Trail: Applicant refers to the 200-foot Creek Valley Buffer. For information purposes, it should be noted that both the revised 1993 and the new, 2019



Jackie Marsh
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Comprehensive plan, refer to a 300-foot Scenic River buffer, which we believe will be adopted in revised zoning.

Response: As noted on Sheet 4 of the CDP, the Applicant has provided a 300-foot Reservoir Protection Zone immediately adjacent to the Goose Creek establishing the 300-foot no-build buffer envisioned in the Loudoun County 2019 General Plan. Within the 300-foot Reservoir Protection Zone, the Applicant has provided a 200' Creek Valley Buffer from the scar line of the Goose Creek.

Comment 4. Tree conservation/replacements and Landscaping: We highly recommend using only tree and shrub species that are native to this (local) area and not using cultivars unless approved by the County Forester.

Response: It is important to note that the Zoning Ordinance, Facilities Standards Manual, and Proffer Statement require the use of tree and shrub plantings that are native and have multiple values such as biomass, nuts, fruits, brose, nesting, and aesthetics. Additionally, each of the above-referenced documents require that the Applicant work in consultation with the County Urban Forester or Zoning Administer allowing County oversight.

Virginia Department of Transportation – Land Use Review (June 17, 2020)

Comment 1. The review of the above-referenced project is complete VDOT has no objections to the approval of the application.

Response: Comment acknowledged and appreciated.

We trust that these responses appropriately address Staff's comments. Let us know if you require any additional information.

Sincerely,

Samantha Steketee

Samantha Steketee
Senior Land Use Planner



IAD Two-Story Zoning Study

July 07, 2020

IAD Campus Plan – Consolidated Single Building and Parking Area



IAD Campus Plan – Consolidated Single Building and Parking Layout



Sycolin Rd at Campus Entry (Looking Northeast)



-  Camera Position
-  Two-Story Visible Elevation

Sycolin Rd at Campus Entry (Looking North)



-  Camera Position
-  Two-Story Visible Elevation

Sycolin Rd (Looking East)



-  Camera Position
-  Two-Story Visible Elevation

Sycolin Rd (Looking North)



-  Camera Position
-  Two-Story Visible Elevation

Sycolin Rd (Looking East)



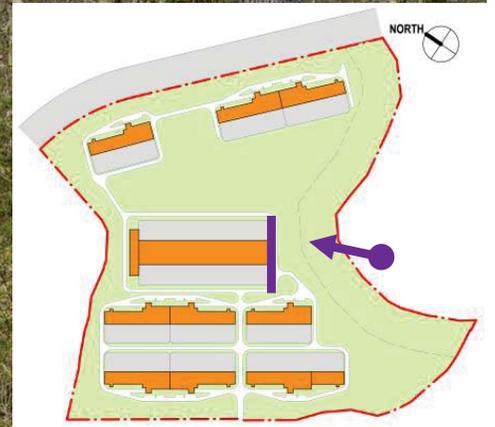
- → Camera Position
- Two-Story Visible Elevation

Sycolin Rd (Looking East)



- → Camera Position
- Two-Story Visible Elevation

Goose Creek (Looking Northwest)



-  Camera Position
-  Two-Story Visible Elevation

Dulles Greenway (Looking Southwest - Winter Trees)



-  Camera Position
-  Two-Story Visible Elevation

Dulles Greenway (Looking Southwest - Foliage)



-  Camera Position
-  Two-Story Visible Elevation

ENGAGE WITH US ONLINE

compassdatacenters.com



CONTACT US

info@compassdatacenters.com



Loudoun County, Virginia
Proffer and/or Special Exception Conditions Release Certification

Mr. Alan Brewer, Director
Loudoun County Building & Development
1 Harrison Street, S.E.
P.O. Box 7000 MSC #60
Leesburg, VA 20177-7000
703-777-0220

Name of Applicant(s): Compass Data Centers- IAD, LLC

Address: 14555 N. Dallas PWKY, Suite 125
Dallas, TX 75254

Contact: _____

Phone Number/Email Address: _____

Owner/Lessee: Compass IAD I LLC

Project Name: True North Data

Bond Number: _____

Application Number: ZCPA-2020-0003

Application Approval Date: _____

Is this application subject to proffers or special exception conditions? Yes No
If yes, please complete page 2.

All proffer/special exception release certifications must complete page 3 and submit all applicable pages of this certification document.

PROFFER/CONDITION STATUS UPDATE

Project/Application Information

Applicant/Representative: Compass Data Centers – IAD, LLC	Date: 6/23/2020
Project # (ZMAP/ZCPA/SPEX): ZMAP-2017II-0003	Application # (CPAP/STPL): ZCPA-2020-0003
Project Name: True North Data	Application Name: True North Data
County Project Manager: Jackie Marsh	

This portion to be completed at CPAP/STPL:	This portion to be completed at Bond Release:
Proffer # and Paragraph Heading: I. CONCEPT DEVELOPMENT PLAN.	Subject proffer/condition is clearly depicted and correct as shown on record drawings? <input type="checkbox"/> Yes <input type="checkbox"/> No
Describe how proffer/condition was addressed and provide the sheet number where it can be found on the CPAP/STPL: The property shall be developed in conformance with the Concept Development Plan as shown on sheet 04 OR 04A of ZMAP-2017-0003 and Exhibit "D" of ZCOR 2018-0252.	Subject proffer/condition has been confirmed in the field by owner/owner's representative? <input type="checkbox"/> Yes <input type="checkbox"/> No
County Staff Use: LMIS Proffer Sequence #:	Describe how proffer/condition was fulfilled and provide specific evidence that demonstrates compliance: Click here to enter text.
Status: <input type="checkbox"/> Fulfilled <input type="checkbox"/> Partially Fulfilled <input type="checkbox"/> No longer applicable	
County Project Manager Verification (Initial): Click here to enter text.	

This portion to be completed at CPAP/STPL:	This portion to be completed at Bond Release:
Proffer # and Paragraph Heading: II. PROPOSED LAND USES.	Subject proffer/condition is clearly depicted and correct as shown on record drawings? <input type="checkbox"/> Yes <input type="checkbox"/> No
Describe how proffer/condition was addressed and provide the sheet number where it can be found on the CPAP/STPL: The site shall be developed with up to 750,000 square feet of data center uses which may include a distribution and/or dedicated substation in accordance with the PD-OP zoning regulations. Submitted site plans shall indicate the total square footage of the proposed buildings.	Subject proffer/condition has been confirmed in the field by owner/owner's representative? <input type="checkbox"/> Yes <input type="checkbox"/> No
County Staff Use: LMIS Proffer Sequence #:	Describe how proffer/condition was fulfilled and provide specific evidence that demonstrates compliance: Click here to enter text.
Status: <input type="checkbox"/> Fulfilled <input type="checkbox"/> Partially Fulfilled <input type="checkbox"/> No longer applicable	
County Project Manager Verification (Initial): Click here to enter text.	

This portion to be completed at CPAP/STPL:	This portion to be completed at Bond Release:
Proffer # and Paragraph Heading: III. BUILDING HEIGHTS.	Subject proffer/condition is clearly depicted and correct as shown on record drawings? <input type="checkbox"/> Yes <input type="checkbox"/> No
Describe how proffer/condition was addressed and provide the sheet number where it can be found on the CPAP/STPL: The maximum building height of any building on the Property shall not exceed 35' and 27' for buildings immediately adjacent to Sycolin Rd. See STMP-2019-0002 sheets 5-7 as well as sheet 2 under zoning tabulations.	Subject proffer/condition has been confirmed in the field by owner/owner's representative? <input type="checkbox"/> Yes <input type="checkbox"/> No
County Staff Use: LMIS Proffer Sequence #:	Describe how proffer/condition was fulfilled and provide specific evidence that demonstrates compliance: Click here to enter text.
Status: <input type="checkbox"/> Fulfilled <input type="checkbox"/> Partially Fulfilled <input type="checkbox"/> No longer applicable	
County Project Manager Verification (Initial): Click here to enter text.	

This portion to be completed at CPAP/STPL:	This portion to be completed at Bond Release:
Proffer # and Paragraph Heading: IV. TRANSPORTATION. A. Sycolin Road (Route 625) Turn Lanes.	Subject proffer/condition is clearly depicted and correct as shown on record drawings? <input type="checkbox"/> Yes <input type="checkbox"/> No
Describe how proffer/condition was addressed and provide the sheet number where it can be found on the CPAP/STPL: Right and left turn lanes on Sycolin Road (Route 625), including dedication of right-of-way to the County, at no public cost, at the Proposed Vehicular Access on to the Property as shown on the CDP shall be bonded or constructed prior to approval of STMP-2017-0009, as shown in CPAP-2017-0021. The ROW is being dedicated directly to VDOT and was recorded with Instrument #20180216-0008921 as shown in ESMT-2018-0001.	Subject proffer/condition has been confirmed in the field by owner/owner's representative? <input type="checkbox"/> Yes <input type="checkbox"/> No
County Staff Use: LMIS Proffer Sequence #:	Describe how proffer/condition was fulfilled and provide specific evidence that demonstrates compliance: Click here to enter text.
Status: <input type="checkbox"/> Fulfilled <input type="checkbox"/> Partially Fulfilled <input type="checkbox"/> No longer applicable	
County Project Manager Verification (Initial): Click here to enter text.	

This portion to be completed at CPAP/STPL:	This portion to be completed at Bond Release:
Proffer # and Paragraph Heading: IV. TRANSPORTATION. B. Sycolin Road (Route 625) ROW Dedication.	Subject proffer/condition is clearly depicted and correct as shown on record drawings? <input type="checkbox"/> Yes <input type="checkbox"/> No
Describe how proffer/condition was addressed and provide the sheet number where it can be found on the CPAP/STPL: 45 feet of ROW Dedication to Loudoun County from the existing centerline of Sycolin Road (Route 625) along the entire frontage of the Property, at no public cost is proposed with CPAP-2017-0021. Sycolin Road ROW was dedicated prior to approval of this site plan. The ROW is being dedicated directly to VDOT and was recorded with Instrument #20180216-0008921 as shown in ESMT-2018-0001.	Subject proffer/condition has been confirmed in the field by owner/owner's representative? <input type="checkbox"/> Yes <input type="checkbox"/> No
County Staff Use: LMIS Proffer Sequence #:	Describe how proffer/condition was fulfilled and provide specific evidence that demonstrates compliance: Click here to enter text.

Status: <input type="checkbox"/> Fulfilled <input type="checkbox"/> Partially Fulfilled <input type="checkbox"/> No longer applicable	
County Project Manager Verification (Initial): Click here to enter text.	

This portion to be completed at CPAP/STPL:	This portion to be completed at Bond Release:
Proffer # and Paragraph Heading: IV. TRANSPORTATION. C. Sycolin Road (Route 625) Sidewalk and Easement.	Subject proffer/condition is clearly depicted and correct as shown on record drawings? <input type="checkbox"/> Yes <input type="checkbox"/> No
Describe how proffer/condition was addressed and provide the sheet number where it can be found on the CPAP/STPL: As shown in CPAP-2017-0021 & ESMT-2018-0001, the Owner shall, at no public cost, construct on the Property a six-foot sidewalk within a ten-foot wide public access easement granted to the County, along the Property's Sycolin Road (Route 625) frontage outside of the Reservoir Protection Zone. The ten-foot public access easement outside and inside of the Reservoir Protection Zone was recorded with Instrument # 20180424-0022425.	Subject proffer/condition has been confirmed in the field by owner/owner's representative? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Describe how proffer/condition was fulfilled and provide specific evidence that demonstrates compliance: Click here to enter text.
County Staff Use: LMIS Proffer Sequence #:	
Status: <input type="checkbox"/> Fulfilled <input type="checkbox"/> Partially Fulfilled <input type="checkbox"/> No longer applicable	
County Project Manager Verification (Initial): Click here to enter text.	

This portion to be completed at CPAP/STPL:	This portion to be completed at Bond Release:
Proffer # and Paragraph Heading: V. PROPERTY OWNERS ASSOCIATION. B. Establishment of the POA.	Subject proffer/condition is clearly depicted and correct as shown on record drawings? <input type="checkbox"/> Yes <input type="checkbox"/> No
Describe how proffer/condition was addressed and provide the sheet number where it can be found on the CPAP/STPL: At this time the property is owned by a single entity and POA is not required.	Subject proffer/condition has been confirmed in the field by owner/owner's representative? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Describe how proffer/condition was fulfilled and provide specific evidence that demonstrates compliance: Click here to enter text.
County Staff Use: LMIS Proffer Sequence #:	
Status: <input type="checkbox"/> Fulfilled <input type="checkbox"/> Partially Fulfilled <input type="checkbox"/> No longer applicable	
County Project Manager Verification (Initial): Click here to enter text.	

This portion to be completed at CPAP/STPL:	This portion to be completed at Bond Release:
Proffer # and Paragraph Heading: VI. DESIGN.	Subject proffer/condition is clearly depicted and correct as shown on record drawings? <input type="checkbox"/> Yes <input type="checkbox"/> No
Describe how proffer/condition was addressed and provide the sheet number where it can be found on the CPAP/STPL: All buildings with frontage on Dulles Greenway are designed	Subject proffer/condition has been confirmed in the field by owner/owner's representative? <input type="checkbox"/> Yes <input type="checkbox"/> No

with the same elevation and include 4 design elements: change in building height, building step-backs or recesses, fenestration, and change in building material/texture/color. A PDF of the elevations have been included with this submission.	Describe how proffer/condition was fulfilled and provide specific evidence that demonstrates compliance: Click here to enter text.
County Staff Use: LMIS Proffer Sequence #:	
Status: <input type="checkbox"/> Fulfilled <input type="checkbox"/> Partially Fulfilled <input type="checkbox"/> No longer applicable	
County Project Manager Verification (Initial): Click here to enter text.	

This portion to be completed at CPAP/STPL:	This portion to be completed at Bond Release:
Proffer # and Paragraph Heading: VI. DESIGN. A. Sycolin Road Elevations.	Subject proffer/condition is clearly depicted and correct as shown on record drawings? <input type="checkbox"/> Yes <input type="checkbox"/> No
Describe how proffer/condition was addressed and provide the sheet number where it can be found on the CPAP/STPL: Buildings with frontage along Sycolin Road shall be constructed in substantial conformance with the elevations shown on the single sheet No. A-1, labeled as Exhibit C with issue date of 12/22/27, entitled "IAD Data Center Campus Loudoun Co., VA prepared by DLB Associates.	Subject proffer/condition has been confirmed in the field by owner/owner's representative? <input type="checkbox"/> Yes <input type="checkbox"/> No
County Staff Use: LMIS Proffer Sequence #:	Describe how proffer/condition was fulfilled and provide specific evidence that demonstrates compliance: Click here to enter text.
Status: <input type="checkbox"/> Fulfilled <input type="checkbox"/> Partially Fulfilled <input type="checkbox"/> No longer applicable	
County Project Manager Verification (Initial): Click here to enter text.	

This portion to be completed at CPAP/STPL:	This portion to be completed at Bond Release:
Proffer # and Paragraph Heading: VI. DESIGN. B. Building Elevations.	Subject proffer/condition is clearly depicted and correct as shown on record drawings? <input type="checkbox"/> Yes <input type="checkbox"/> No
Describe how proffer/condition was addressed and provide the sheet number where it can be found on the CPAP/STPL: The Owner shall submit building elevations/exterior design of the proposed buildings for review.	Subject proffer/condition has been confirmed in the field by owner/owner's representative? <input type="checkbox"/> Yes <input type="checkbox"/> No
County Staff Use: LMIS Proffer Sequence #:	Describe how proffer/condition was fulfilled and provide specific evidence that demonstrates compliance: Click here to enter text.
Status: <input type="checkbox"/> Fulfilled <input type="checkbox"/> Partially Fulfilled <input type="checkbox"/> No longer applicable	
County Project Manager Verification (Initial): Click here to enter text.	

This portion to be completed at CPAP/STPL:	This portion to be completed at Bond Release:
Proffer # and Paragraph Heading: VII. ENVIRONMENTAL A. Low-Impact Development (LID).	Subject proffer/condition is clearly depicted and correct as shown on record drawings? <input type="checkbox"/> Yes <input type="checkbox"/> No

<p>Describe how proffer/condition was addressed and provide the sheet number where it can be found on the CPAP/STPL: Low Impact Development Best Management Practice to treat stormwater from the Property are provided with a bioretention facility proposed with STMP-2017-0009 shown on sheet 8, underground stormwater facility B shown on sheet 9 of STMP-2017-0009 and underground stormwater facility A proposed in CPAP-2017-0021 on sheet 6. The Low Impact Development Best Management Practice stated is deemed to be acceptable to the Department of Building and Development.</p>	<p>Subject proffer/condition has been confirmed in the field by owner/owner's representative? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>County Staff Use: LMIS Proffer Sequence #:</p>	<p>Describe how proffer/condition was fulfilled and provide specific evidence that demonstrates compliance: Click here to enter text.</p>
<p>Status: <input type="checkbox"/> Fulfilled <input type="checkbox"/> Partially Fulfilled <input type="checkbox"/> No longer applicable</p>	
<p>County Project Manager Verification (Initial): Click here to enter text.</p>	

This portion to be completed at CPAP/STPL:	This portion to be completed at Bond Release:
<p>Proffer # and Paragraph Heading: VII. ENVIRONMENTAL B. Tree Conservation Areas 1.</p>	<p>Subject proffer/condition is clearly depicted and correct as shown on record drawings? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Describe how proffer/condition was addressed and provide the sheet number where it can be found on the CPAP/STPL: A Conservation Area is proposed with this plan. A tree conservation area tabulation shall be shown on submitted site plans.</p>	<p>Subject proffer/condition has been confirmed in the field by owner/owner's representative? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>County Staff Use: LMIS Proffer Sequence #:</p>	<p>Describe how proffer/condition was fulfilled and provide specific evidence that demonstrates compliance: Click here to enter text.</p>
<p>Status: <input type="checkbox"/> Fulfilled <input type="checkbox"/> Partially Fulfilled <input type="checkbox"/> No longer applicable</p>	
<p>County Project Manager Verification (Initial): Click here to enter text.</p>	

This portion to be completed at CPAP/STPL:	This portion to be completed at Bond Release:
<p>Proffer # and Paragraph Heading: VII. ENVIRONMENTAL C. Data Center Cooling.</p>	<p>Subject proffer/condition is clearly depicted and correct as shown on record drawings? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Describe how proffer/condition was addressed and provide the sheet number where it can be found on the CPAP/STPL: The buildings shall not utilize groundwater, surface water withdrawals or surface water discharges for cooling purposes associated with data center uses. Surface water includes, but is not limited to, any stream, creek, river, lake, or wetland.</p>	<p>Subject proffer/condition has been confirmed in the field by owner/owner's representative? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>County Staff Use: LMIS Proffer Sequence #:</p>	<p>Describe how proffer/condition was fulfilled and provide specific evidence that demonstrates compliance: Click here to enter text.</p>
<p>Status: <input type="checkbox"/> Fulfilled <input type="checkbox"/> Partially Fulfilled <input type="checkbox"/> No longer applicable</p>	
<p>County Project Manager Verification (Initial): Click here to enter text.</p>	

This portion to be completed at CPAP/STPL:	This portion to be completed at Bond Release:
Proffer # and Paragraph Heading: VII. ENVIRONMENTAL. D. Stream and Wetland Mitigation.	Subject proffer/condition is clearly depicted and correct as shown on record drawings? <input type="checkbox"/> Yes <input type="checkbox"/> No
Describe how proffer/condition was addressed and provide the sheet number where it can be found on the CPAP/STPL: Any wetland impacts shall be subject to permits obtained from the U.S. Army Corps of Engineers, which have been obtained for disturbance in Phase I, Virginia Department of Environmental Quality and the Virginia Marine Resources Commission. (Permit # WP4-17-0933). A letter was submitted to the Zoning Administrator as to the results of mitigation credits selected outside of Loudoun County on January 31, 2018. The same letter has been enclosed with this application as well for reference.	Subject proffer/condition has been confirmed in the field by owner/owner's representative? <input type="checkbox"/> Yes <input type="checkbox"/> No Describe how proffer/condition was fulfilled and provide specific evidence that demonstrates compliance: Click here to enter text.
County Staff Use: LMIS Proffer Sequence #:	
Status: <input type="checkbox"/> Fulfilled <input type="checkbox"/> Partially Fulfilled <input type="checkbox"/> No longer applicable	
County Project Manager Verification (Initial): Click here to enter text.	

This portion to be completed at CPAP/STPL:	This portion to be completed at Bond Release:
Proffer # and Paragraph Heading: VII. ENVIRONMENTAL. E. River and Stream Corridor Resources Management Buffer.	Subject proffer/condition is clearly depicted and correct as shown on record drawings? <input type="checkbox"/> Yes <input type="checkbox"/> No
Describe how proffer/condition was addressed and provide the sheet number where it can be found on the CPAP/STPL: Within the areas noted on Sheet 4 of the CDP as "RSCR Management Buffer" the Owner may encroach into the RSCR management buffer with necessary construction activities. An RSCR management buffer tabulation shall be shown on each on submitted site plans.	Subject proffer/condition has been confirmed in the field by owner/owner's representative? <input type="checkbox"/> Yes <input type="checkbox"/> No Describe how proffer/condition was fulfilled and provide specific evidence that demonstrates compliance: Click here to enter text.
County Staff Use: LMIS Proffer Sequence #:	
Status: <input type="checkbox"/> Fulfilled <input type="checkbox"/> Partially Fulfilled <input type="checkbox"/> No longer applicable	
County Project Manager Verification (Initial): Click here to enter text.	

This portion to be completed at CPAP/STPL:	This portion to be completed at Bond Release:
Proffer # and Paragraph Heading: VII. ENVIRONMENTAL F. Wood Turtle Relocation.	Subject proffer/condition is clearly depicted and correct as shown on record drawings? <input type="checkbox"/> Yes <input type="checkbox"/> No
Describe how proffer/condition was addressed and provide the sheet number where it can be found on the CPAP/STPL: The owner shall distribute information to the contractor outlining relocation procedures and to contact the Virginia Department of Game and Inland fisheries if any wood turtles are encountered. A submitted site plan shall indicate the Wood Turtle relocation strategies. The information given to the contractors will be provided to the County with the submission package of a site plan.	Subject proffer/condition has been confirmed in the field by owner/owner's representative? <input type="checkbox"/> Yes <input type="checkbox"/> No Describe how proffer/condition was fulfilled and provide specific evidence that demonstrates compliance: Click here to enter text.
County Staff Use: LMIS Proffer Sequence #:	

Status: <input type="checkbox"/> Fulfilled <input type="checkbox"/> Partially Fulfilled <input type="checkbox"/> No longer applicable	
County Project Manager Verification (Initial): Click here to enter text.	

This portion to be completed at CPAP/STPL:	This portion to be completed at Bond Release:
Proffer # and Paragraph Heading: VII. ENVIRONMENTAL G. Pollinating Plants.	Subject proffer/condition is clearly depicted and correct as shown on record drawings? <input type="checkbox"/> Yes <input type="checkbox"/> No
Describe how proffer/condition was addressed and provide the sheet number where it can be found on the CPAP/STPL: A pollinating plant schedule shall be included in submitted site plans.	Subject proffer/condition has been confirmed in the field by owner/owner's representative? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Describe how proffer/condition was fulfilled and provide specific evidence that demonstrates compliance: Click here to enter text.
County Staff Use: LMIS Proffer Sequence #:	
Status: <input type="checkbox"/> Fulfilled <input type="checkbox"/> Partially Fulfilled <input type="checkbox"/> No longer applicable	
County Project Manager Verification (Initial): Click here to enter text.	

This portion to be completed at CPAP/STPL:	This portion to be completed at Bond Release:
Proffer # and Paragraph Heading: VII. ENVIRONMENTAL H. BMP Methods and Testing.	Subject proffer/condition is clearly depicted and correct as shown on record drawings? <input type="checkbox"/> Yes <input type="checkbox"/> No
Describe how proffer/condition was addressed and provide the sheet number where it can be found on the CPAP/STPL: On-site BMP measures for all Phase I buildings on the Property that entail a bio-retention facility, sheet flow to vegetated buffers, an underground vault with isolator rows and a BayFilter, as shown in sheets 7-13 of STMP-2017-0009. Once the facilities are activated the Zoning Administrator will be notified.	Subject proffer/condition has been confirmed in the field by owner/owner's representative? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Describe how proffer/condition was fulfilled and provide specific evidence that demonstrates compliance: Click here to enter text.
County Staff Use: LMIS Proffer Sequence #:	
Status: <input type="checkbox"/> Fulfilled <input type="checkbox"/> Partially Fulfilled <input type="checkbox"/> No longer applicable	
County Project Manager Verification (Initial): Click here to enter text.	

This portion to be completed at CPAP/STPL:	This portion to be completed at Bond Release:
Proffer # and Paragraph Heading: VIII. GOOS CREEK TRAIL A. Dedication of Passive Park Land.	Subject proffer/condition is clearly depicted and correct as shown on record drawings? <input type="checkbox"/> Yes <input type="checkbox"/> No
Describe how proffer/condition was addressed and provide the sheet number where it can be found on the CPAP/STPL: A 100-foot wide corridor within the 200' Scenic Creek Valley	Subject proffer/condition has been confirmed in the field by owner/owner's representative? <input type="checkbox"/> Yes <input type="checkbox"/> No

Buffer (approximately 5.5+/- acres) shown on sheet 6 of STMP-2017-0009 immediately adjacent to the Goose Creek shall be dedicated and conveyed to the County, at no cost to the County. This land shall be dedicated prior to zoning permit approval. This land was dedicated with Instrument #20181101-0064016 totaling 5.94 acres located on parcel identified as PIN 194-10-8325.	Describe how proffer/condition was fulfilled and provide specific evidence that demonstrates compliance: Click here to enter text.
County Staff Use: LMIS Proffer Sequence #:	
Status: <input type="checkbox"/> Fulfilled <input type="checkbox"/> Partially Fulfilled <input type="checkbox"/> No longer applicable	
County Project Manager Verification (Initial): Click here to enter text.	
This portion to be completed at CPAP/STPL:	This portion to be completed at Bond Release:
Proffer # and Paragraph Heading: X. OPEN SPACE A.	Subject proffer/condition is clearly depicted and correct as shown on record drawings? <input type="checkbox"/> Yes <input type="checkbox"/> No
Describe how proffer/condition was addressed and provide the sheet number where it can be found on the CPAP/STPL: Tabulations of Open Space shall be provided with each submitted site plan.	Subject proffer/condition has been confirmed in the field by owner/owner's representative? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Describe how proffer/condition was fulfilled and provide specific evidence that demonstrates compliance: Click here to enter text.
County Staff Use: LMIS Proffer Sequence #:	
Status: <input type="checkbox"/> Fulfilled <input type="checkbox"/> Partially Fulfilled <input type="checkbox"/> No longer applicable	
County Project Manager Verification (Initial): Click here to enter text.	

This portion to be completed at CPAP/STPL:	This portion to be completed at Bond Release:
Proffer # and Paragraph Heading: XI. ENHANCED LANDSCAPING A. Sycolin Road Landscaping.	Subject proffer/condition is clearly depicted and correct as shown on record drawings? <input type="checkbox"/> Yes <input type="checkbox"/> No
Describe how proffer/condition was addressed and provide the sheet number where it can be found on the CPAP/STPL: Enhanced landscaping along Sycolin Road is shown on sheets 56-59A of STMP-2017-0009.	Subject proffer/condition has been confirmed in the field by owner/owner's representative? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Describe how proffer/condition was fulfilled and provide specific evidence that demonstrates compliance: Click here to enter text.
County Staff Use: LMIS Proffer Sequence #:	
Status: <input type="checkbox"/> Fulfilled <input type="checkbox"/> Partially Fulfilled <input type="checkbox"/> No longer applicable	
County Project Manager Verification (Initial): Click here to enter text.	

This portion to be completed at CPAP/STPL:	This portion to be completed at Bond Release:
Proffer # and Paragraph Heading: XI. ENHANCED LANDSCAPING B. Limited Screening Landscaping.	Subject proffer/condition is clearly depicted and correct as shown on record drawings? <input type="checkbox"/> Yes <input type="checkbox"/> No

Describe how proffer/condition was addressed and provide the sheet number where it can be found on the CPAP/STPL: A Limited Screening Landscaping along the Reservoir Protection Zone is shown on sheets 56-59A of STMP-2017-0009.	Subject proffer/condition has been confirmed in the field by owner/owner's representative? <input type="checkbox"/> Yes <input type="checkbox"/> No
County Staff Use: LMIS Proffer Sequence #:	Describe how proffer/condition was fulfilled and provide specific evidence that demonstrates compliance: Click here to enter text.
Status: <input type="checkbox"/> Fulfilled <input type="checkbox"/> Partially Fulfilled <input type="checkbox"/> No longer applicable	
County Project Manager Verification (Initial): Click here to enter text.	

This portion to be completed at CPAP/STPL:	This portion to be completed at Bond Release:
Proffer # and Paragraph Heading: XI. ENHANCED LANDSCAPING C. Western Berm/Slope.	Subject proffer/condition is clearly depicted and correct as shown on record drawings? <input type="checkbox"/> Yes <input type="checkbox"/> No
Describe how proffer/condition was addressed and provide the sheet number where it can be found on the CPAP/STPL: A western berm is shown on sheets 14-16 of STMP-2017-0009.	Subject proffer/condition has been confirmed in the field by owner/owner's representative? <input type="checkbox"/> Yes <input type="checkbox"/> No
County Staff Use: LMIS Proffer Sequence #:	Describe how proffer/condition was fulfilled and provide specific evidence that demonstrates compliance: Click here to enter text.
Status: <input type="checkbox"/> Fulfilled <input type="checkbox"/> Partially Fulfilled <input type="checkbox"/> No longer applicable	
County Project Manager Verification (Initial): Click here to enter text.	

This portion to be completed at CPAP/STPL:	This portion to be completed at Bond Release:
Proffer # and Paragraph Heading: XI. ENHANCED LANDSCAPING D. Entrance Plantings.	Subject proffer/condition is clearly depicted and correct as shown on record drawings? <input type="checkbox"/> Yes <input type="checkbox"/> No
Describe how proffer/condition was addressed and provide the sheet number where it can be found on the CPAP/STPL: Entrance plantings are shown on sheets 56-59A of STMP-2017-0009.	Subject proffer/condition has been confirmed in the field by owner/owner's representative? <input type="checkbox"/> Yes <input type="checkbox"/> No
County Staff Use: LMIS Proffer Sequence #:	Describe how proffer/condition was fulfilled and provide specific evidence that demonstrates compliance: Click here to enter text.
Status: <input type="checkbox"/> Fulfilled <input type="checkbox"/> Partially Fulfilled <input type="checkbox"/> No longer applicable	
County Project Manager Verification (Initial): Click here to enter text.	

This portion to be completed at CPAP/STPL:	This portion to be completed at Bond Release:
Proffer # and Paragraph Heading: XII. SCHOLARSHIP.	Subject proffer/condition is clearly depicted and correct as shown on record drawings? <input type="checkbox"/> Yes <input type="checkbox"/> No

Describe how proffer/condition was addressed and provide the sheet number where it can be found on the CPAP/STPL: A one-time contribution in the amount of \$81,500.00 has been made to the County prior to the issuance of the first occupancy permit.	Subject proffer/condition has been confirmed in the field by owner/owner's representative? <input type="checkbox"/> Yes <input type="checkbox"/> No
County Staff Use: LMIS Proffer Sequence #:	Describe how proffer/condition was fulfilled and provide specific evidence that demonstrates compliance: Click here to enter text.
Status: <input type="checkbox"/> Fulfilled <input type="checkbox"/> Partially Fulfilled <input type="checkbox"/> No longer applicable	
County Project Manager Verification (Initial): Click here to enter text.	

This portion to be completed at CPAP/STPL:	This portion to be completed at Bond Release:
Proffer # and Paragraph Heading: SPMI-2017-0020.	Subject proffer/condition is clearly depicted and correct as shown on record drawings? <input type="checkbox"/> Yes <input type="checkbox"/> No
Describe how proffer/condition was addressed and provide the sheet number where it can be found on the CPAP/STPL: Modify Section 5-664 (D) to not build the sidewalk within the reservoir protection zone. A ten-foot wide public access easement granted to the County with ESMT-2018-0001, along the Property's Sycolin Road (Route 625) frontage will be conveyed prior to approval of the site plan, STMP-2017-0009. Recorded with Instrument # 20180424-0022425.	Subject proffer/condition has been confirmed in the field by owner/owner's representative? <input type="checkbox"/> Yes <input type="checkbox"/> No
County Staff Use: LMIS Proffer Sequence #:	Describe how proffer/condition was fulfilled and provide specific evidence that demonstrates compliance: Click here to enter text.
Status: <input type="checkbox"/> Fulfilled <input type="checkbox"/> Partially Fulfilled <input type="checkbox"/> No longer applicable	
County Project Manager Verification (Initial): Click here to enter text.	

This portion to be completed at CPAP/STPL:	This portion to be completed at Bond Release:
Proffer # and Paragraph Heading: SPMI-2017-0020, 5-664 (E) and Section 5-1414.	Subject proffer/condition is clearly depicted and correct as shown on record drawings? <input type="checkbox"/> Yes <input type="checkbox"/> No
Describe how proffer/condition was addressed and provide the sheet number where it can be found on the CPAP/STPL: Along the western boundary in lieu of earthen berm a 6' opaque fence shall be provided.	Subject proffer/condition has been confirmed in the field by owner/owner's representative? <input type="checkbox"/> Yes <input type="checkbox"/> No
County Staff Use: LMIS Proffer Sequence #:	Describe how proffer/condition was fulfilled and provide specific evidence that demonstrates compliance: Click here to enter text.
Status: <input type="checkbox"/> Fulfilled <input type="checkbox"/> Partially Fulfilled <input type="checkbox"/> No longer applicable	
County Project Manager Verification (Initial): Click here to enter text.	

This portion to be completed at CPAP/STPL:	This portion to be completed at Bond Release:
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Proffer # and Paragraph Heading: ZMOD-2017-0011.	Subject proffer/condition is clearly depicted and correct as shown on record drawings? <input type="checkbox"/> Yes <input type="checkbox"/> No
Describe how proffer/condition was addressed and provide the sheet number where it can be found on the CPAP/STPL: Modify section 5-1303(A)(1) to permit the tree canopy coverage to be provided on the entire combined application area. Canopy coverage shall be demonstrated on submitted site plans.	Subject proffer/condition has been confirmed in the field by owner/owner's representative? <input type="checkbox"/> Yes <input type="checkbox"/> No
County Staff Use: LMIS Proffer Sequence #:	Describe how proffer/condition was fulfilled and provide specific evidence that demonstrates compliance: Click here to enter text.
Status: <input type="checkbox"/> Fulfilled <input type="checkbox"/> Partially Fulfilled <input type="checkbox"/> No longer applicable	
County Project Manager Verification (Initial): Click here to enter text.	

STATE OF VIRGINIA
COUNTY OF LOUDOUN, TO WIT:

I, _____, being duly sworn, depose and say that I am Owner/Lessee of the property involved in this Proffer and/or Special Exception Condition Release Certification. Furthermore, I do hereby certify, to the best of my knowledge, that all proffers and/or special exception conditions for this project are satisfied and complete, as per Loudoun County FSM 8.102.A.10.

If subject proffers and/or special exception conditions are found in the future to be incomplete, then said proffers and/or special exception conditions shall be deemed unsatisfied at that time. In this case, I hereby agree to perform any necessary work to satisfy these obligations as directed by Loudoun County.

Signature of Owner / Date:

Mailing Address:

Phone #:

STATE OF VIRGINIA
COUNTY OF LOUDOUN, TO WIT:

I, the undersigned, a Notary Public of and for the County and State aforesaid, whose commission expires the ___ day of _____, 20___, do hereby certify that _____, whose name is signed to the foregoing Proffer and/or Special Exception Conditions Release Certification, this day acknowledged the same before me in my County aforesaid.

Given under my hand and seal this ___ day of _____, 20___.

Notary Public

My Commission Expires: _____

REVIEWED/APPROVED BY: _____
Loudoun County Zoning Administrator Date



Samantha Steketee
+1 703 456 8675
ssteketee@cooley.com

September 16, 2020

Jackie Marsh
Loudoun County
Department of Planning and Zoning
1 Harrison Street, SE
Leesburg, Virginia 20175

**Re: Response 2nd Submission Referral Comments
True North Data
ZCPA-2020-0003**

Dear Jackie:

On behalf of Compass Datacenters IAD I, LLC (the “Applicant”), I write to respond to the referral comments we have received to date on the above-referenced applications. Each referral comment is repeated below in italics, followed immediately by our responses.

We trust that these responses appropriately address the referral comments and believe this application is ready for public hearing. As such, we respectfully request that it be placed on the October 27, 2020, Planning Commission agenda and the December 9, 2020, Board of Supervisors agenda.

Parks, Recreation and Community Services (August 1, 2020)

Comment 1. PRCS reviewed the applicant’s responses and has no further comments or objections to the applications as presented.

Response: Comment acknowledged and appreciated.

Department of Building and Development – Natural Resources (August 19, 2020)

Comment 1. Natural Resources. Consistent with the River and Stream Corridor Resources Strategy 2.2. Action B Policies of the 2019 General Plan, staff notes that the 50-foot River and Stream Corridor Resource (RSCR) Management Buffer is depicted on the plat sheets and was adjusted based on the changes to the floodplain. However, staff notes that when the RSCR Management Buffer was adjusted, the Very Steep Slopes in some locations were not included and the previous protection that was provided to the Very Steep Slopes has been removed. Per the 2019 General Plan Strategy 2.2. Action A, the RSCR Management Buffer should extend 50-feet beyond the floodplain but also include the Very Steep Slopes. Please update the buffer to include those Very Steep Slopes and provide the buffer to these steep slopes that was previously provided.



Jackie Marsh
September 16, 2020
Page Two

Response: Note that the RSCR buffer line has been revised to include the Very Steep Slopes.

Comment 2. County Urban Forester. Sheet 4A – Show reforestation areas proposed for encroachments into the RSCR so staff know they are appropriate.

Response: Please note that the above-referenced reforestation areas and any associated encroachments into the RSCR management buffer were depicted on and approved with STMP-2017-0009, STMP-2018-0017, and STMP-2019-0002.

Comment 3. Floodplain Management. There are no floodplain management comments at this time.

Response: Comment acknowledged.

Department of Planning and Zoning – Community Planning (August 18, 2020)

Comment 1. While Community Planning Staff has no issues with the option of developing Buildings 7, 8, and 9 as three separate buildings or as a single building, the increase in building height is not consistent with the Transition Light Industrial Place Type. Should this request move forward, the siting of the proposed buildings coupled with increased design commitments may help to mitigate visual impacts associated with the taller buildings. Community Planning Staff recommends the applicant update Proffer VI to state buildings greater than 35-feet shall include the following four façade treatments: change in building height, building step-backs or recesses, fenestration, and change in building material/texture/color.

Response: As requested, the Applicant has committed by Proffer VI to provide four façade treatments for buildings greater than 35-feet in height. Such façade treatments shall include (i) change in building height, (ii) building step-backs or recesses, (iii) fenestration, and (iv) changes in building material/texture/color, or use of accent materials.

Comment 2. Community Planning Staff does not support a reduction in the amount of open space. The applicant is requesting to exceed the height requirements as envisioned within the Transition Light Industrial Place Type. A request to increase the height of the proposed building(s) should create additional open space rather than a reduction. If the applicant continues to request a reduction in the amount of open space, an open space exhibit should be provided demonstrating how the development is maintaining the 50% qualifying open space as called for in the 2019 GP.

Response: As requested, the Applicant has prepared an open space exhibit to demonstrate how the development is maintaining the 50% qualifying open space as called for in the 2019 General Plan. The open space exhibit is attached herein as Exhibit A.

Department of Planning and Zoning – Zoning Administration Referral (August 17, 2020)



Jackie Marsh
September 16, 2020
Page Three

Comment 1. Amend the building height note on Sheet 4a as it currently references three buildings with a triangle symbol that are not shown on Sheet 4a. Amend the note to match what is depicted on the sheet.

Response: As requested, the building height note has been revised on Sheet 4A.

Comment 2. The SOJ states that the application proposes 64.25 acres of open space, however the latest version of the proffers reduces the open space to 60.25 acres. Revise the SOJ to explain why this application now reduces the open space and/or correct the discrepancy.

Response: As requested, the Statement of Justification has been updated to reflect the correct open space acreage.

Department of Planning and Zoning – Proffer Management

As requested, the Applicant has addressed the comments included in the margin of the Proffer Statement.

Department of Fire and Rescue Fire Marshal's Office (August 19, 2020)

Comment 1. The Loudoun County Fire Marshal's Office has not objections to the zoning concept plan amendment for the project.

Response: Comment acknowledged and appreciated.

Goose Creek Scenic River Advisory Committee (August 21, 2020)

Comment 1. Goose Creek Scenic River Advisory Committee has reviewed the applicant's responses and they appear to adequately address our earlier concerns. The committee has no additional comments.

Response: Comment acknowledged and appreciated.

As noted above, we respectfully request that this application be placed on the October 27, 2020, Planning Commission Public Hearing agenda and the December 9, 2020, Board of Supervisors Public Hearing agenda. Let us know if you require any additional information.

Sincerely,

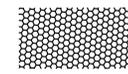
Samantha Steketee

Samantha Steketee
Senior Land Use Planner

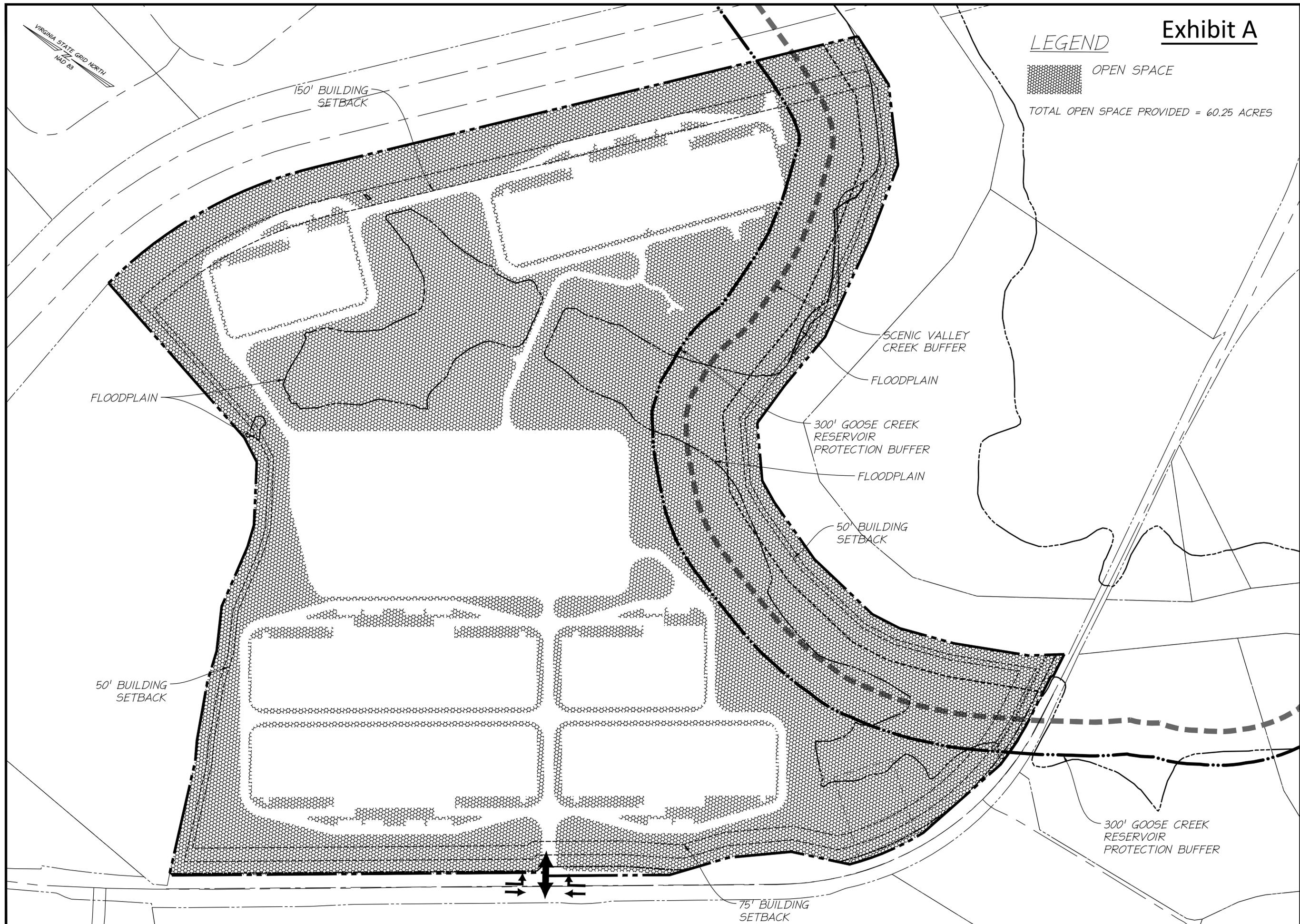
VIRGINIA STATE GRID NORTH
MAD 89

Exhibit A

LEGEND

 OPEN SPACE

TOTAL OPEN SPACE PROVIDED = 60.25 ACRES



christopher
consultants



9301 Innovation Drive, Suite 150 Manassas, VA 20110
phone 703.393.9887 fax 703.393.9076

OPEN SPACE EXHIBIT

TRUE NORTH

LOUDOUN COUNTY, VIRGINIA

PROJECT NO:
SCALE: 1"=120'

DATE: 09/10/2020

DESIGN: MNH
DRAWN: MNH
CHECKED: CHL

SHEET No.

1 OF 1

P:\PA\Projects\17094\001\01\EXHIBIT3\Open Space Exhibit\01 - OPEN SPACE EXHIBIT.dwg, 9/11/2020 12:45:56 PM, namhuggins, 1:1, christopher consultants, ltd