

**ZONING MAP AMENDMENT**  
**GENERALIZED DEVELOPMENT PLAN NARRATIVE**  
**(“NARRATIVE”)**

Applicant: Hunters Ridge LLC  
Attn: Robert S. Gollahon  
2340 Kings Highway  
King George, Va. 22485  
Phone: (540) 840-8845  
Email: [rsg8845@aol.com](mailto:rsg8845@aol.com) (the **“Applicant”**)

Owners: Douglas G. Jett, and James Brandon Jett and Codie Aaron Jett owners of Tax Map Parcel 36-A-41C and Kent Brothers, LLC owner of Tax Map Parcel 36-A-45 (collectively the **“Owner”**).

Agent: Anthony J. Sala (Tony)  
835 Cipriana Drive  
Myrtle Beach, SC 29572  
Phone: 540-429-4818  
Email: [tsala@sccoast.net](mailto:tsala@sccoast.net)

Property Name: Hunters Ridge (**“Hunters Ridge”**)

Property: Spotsylvania County Tax Map Parcels 36-A-41C (partial) and 36-A-45 (partial) consisting of approximately 127.196 acres (collectively, the **“Property”**) as specifically illustrated on pages 3 and 4 of the GDP.

GDP: Generalized Development Plan titled “Zoning Map Amendment Generalized Development Plan Hunters Ridge Office Park”, dated December 16, 2022, last revised May 12, 2023, and prepared by Bagby, Foroughi and Goodpasture (**“BFG”**), which plan is attached hereto as **Exhibit A** and incorporated herein by this reference (**“GDP”**).

Zoning Request: CONDITIONAL REZONING FROM RU TO I-2

Date: May 15, 2023

File No.: R22-0016

## 1. PROJECT OVERVIEW

The Applicant and Owner (hereinafter collectively referred to as “**Applicant**”) are submitting a Conditional Rezoning Application (the “**Application**”) which requests a conditional rezoning of the Property from Rural District (RU) to Industrial-2 (**I-2**) in order to create a commercial employment and industrial center in this area of Spotsylvania County (“**County**”). The proposed project will include data centers, together with the possibility of other uses included in the I-2 District that are not precluded by the Applicant’s proffers (the “**Project**”).

As a part of the Application the Applicant has submitted a Voluntary Proffer Statement (the “**Proffer Statement**”) incorporating numerous proffers (the “**Proffers**”), some of which are detailed below; it is understood that the Proffers will run with the Property and be binding upon the Applicant, its successors and assigns.

The Property is an assemblage of portions of Parcels 36-A-41C and 36-A-45.

The Property is located within the Primary Development Boundary as established by the Comprehensive Plan approved on December 14, 2021, as last amended on July 12, 2022 (the “**Comp Plan**”). In addition, the Property is located in the Technology Zone. Of significant importance to the Application is the change in the Property’s land use category that occurred as a part of the Comp Plan. Prior to the Comp Plan the designated land use for the Property was Mixed-Use; subsequent to the Comp Plan the Future Land Use designation for the Property is Employment Center Light. This change, coupled with the County’s *Guiding Principles and Policies* found in *Chapter 1, Introduction and Vision* of the Comp Plan (page 8, #3) which state, in part, that the expressed desire of the Comp Plan is to “encourage the rezoning of land to industrial/office uses in areas designated for Employment Center uses...”, is the fundamental basis for the Application and the accompanying GDP and Proffer Statement. As the Applicant has proffered that the first phase of construction will be a data center use, it is noteworthy that County Staff has indicated a preference for data centers to be located within the Primary Development Boundary (February 15<sup>th</sup> Board of County Supervisors’ meeting and June 7<sup>th</sup> Planning Commission meeting).

While the requested I-2 District allows for medium to heavy industrial uses, the Applicant’s Proffer Statement eliminates sixteen (16) medium and heavy industrial uses, including *Industry, type II* uses, to be more consistent with the light industrial activity permitted in the I-1 District. In addition, the Applicant’s Proffer Statement eliminates the unlimited height

restriction provided for in the I-2 District; the Applicant has further proffered to limit heights at 110' for any building constructed on the Property. Moreover, the Applicant has proffered a significant reduction in the allowable 1.5 floor area ratio (FAR) of the I-2 District to a .8 FAR, which is below that of the I-1 District's 1.0 FAR.

In addition to the Proffer Statement precluding numerous I-2 District by-right uses and the height and FAR reductions, the Applicant has proffered that the Project will be built-out in phases. Further, the Applicant has proffered that the initial phase will consist of one or more buildings designed and used as a data center(s) which will not generate more than 750 vehicle trips per day (VPD) as calculated utilizing an employee base of 30 individuals per 250,000 sq ft, with the total number of employees thereafter multiplied by 6 VPD. The methodology for establishing this formula for calculating trip generation is detailed in the Traffic Impact Study by Pennoni Associates, Inc ("TIS") made part of the Application, as well as by generally accepted trip generation data from existing data centers.

Expanding on the data center concept for the Property, and in response to questions raised by staff and thereafter by the Board of Supervisors in their February 14<sup>th</sup> meeting and subsequently endorsed by the Planning Commission's June 7<sup>th</sup> vote to recommend that the Comprehensive Plan be amended to include the County Staff's recommendations for the development of data centers, the Applicant has further proffered that heat island reducing concepts will be incorporated into the roofing designs of the data center buildings.

In addition, while conformance with the County's Noise Ordinance is a given, the Applicant's Proffers include the submission of applicable permitting plans and a sound study to the County prior to the issuance of a certificate of occupancy permit (temporary or final) to ensure compliance with the Noise Ordinance.

Furthermore, the Applicant has proffered that any roof-top utilities and mechanical equipment will be completely screened from view from public streets via the use of various screening measures, including without limitation the use of parapet walls, architectural screen walls, mansard roofing designs or similar architectural features. Moreover, Applicant has proffered that ground-based mechanical equipment will be screened from view from public streets utilizing berms, grading, landscaping and/or screen walls complimenting the architecture of buildings constructed on the Property.

In addition, it is important to note that the overall location of the Property contributes significantly to the Property's conformance with the Noise Ordinance. To this end the Applicant notes that the existing Vepco easement along the Property's eastern boundary, together with the required 50' transitional screening buffer, creates an undevelopable area approximately 250' deep along the entirety of this side of the Property. This is augmented by a 30' deep perimeter area designated for parking. In addition to this, the closest property line of the Timberlake

community to the east of the Property is approximately 1000' from the Property. Along Overview Drive, the closest home not owned by Owner is approximately 600' from our building line; moreover, this home is also approximately 100' from the Rappahannock Electric Coop substation.

These distances are pointed out in light of the recognized acoustic principle that the decibel level of sound will decrease by a factor of 6dB every time the distance from the source is doubled (Acoustical Control Engineers & Consultants; article titled "*Distance Attenuation*" by Richard Collman, February 23, 2015). Simply put, if the measured decibel level 10' away from the source is 80 dB, at 20' the level will be 74 dB, at 40' it will be 68 dB, at 80' it will be 62 dB, at 160' it will be 56 dB, at 320' it will be 50 dB and at 640' it will be 44 dB. And this level of decibel drop is without consideration of any plantings or improvements that may be between the source and the listener.

With regard to off-site traffic, the Pennoni Traffic Impact Study ("**TIS**") followed VDOT guidelines pursuant to a scoping outline of work approved by both VDOT and the County. The TIS summarized its findings by noting that while the immediate surrounding regional roadway network (specifically Mills Drive, Route 17) supports the traffic generated by the Property in both the short term and long term, improvements are necessary at the Mills Drive junction at the Cosner Drive signal when the anticipated regional growth rate, as established by the scoping criteria, is applied. Accordingly, the Applicant has proffered to complete construction of the Mills Drive/Cosner Drive improvements detailed in the TIS and illustrated on page 13 in the GDP at the earlier of the: i) the issuance of a certificate of occupancy permit (temporary or final) for any data center use generating more than 750 vehicles per day or ii) prior to the issuance of a certificate of occupancy permit for the fourth building constructed on the Property during Phase 2 of the development of the Property. In addition to the above work, as suggested by the TIS and VDOT comments and illustrated on page 13 of the GDP, the presently separated raised median in Cosner Drive will, subject to the Proffers, be connected to preclude left-turn movements from Overview Drive onto Cosner Drive. Finally, in the same timeframe as the above work and again subject to the Proffers, the presently unpaved section of Davenport Road west of Cosner Drive will be paved, if not already completed by others.

The Applicant has also proffered to provide the engineering for the Route 17 improvements as depicted on Sheet 13 of the GDP, to include the scope of work shown on the GDP illustration provided by the County titled "Route 17 & Cosner Drive Intersection Improvements Roll Plot 06-29-2023"; this engineering is proffered to be completed and ready for submission for review within 18 months of the unappealable rezoning of the Property.

Construction at the Property is expected to begin within 12-15 months of the approval of the requested rezoning.

## 2. PROPERTY LOCATION

The Property is located immediately south of Overview Drive and Mills Drive (Route 17) and just east of Cosners Drive. The Property will be primarily accessed by the extension of Turner Court and will have an emergency access only roadway off Overview Drive. The Property will consist of approximately 127 acres and is located in the Lee Hill Voting District and Lee Hill Magisterial District.

The Property is topographically gently rolling with large portions of the northern portion having been previously timbered and remain as open fields. The southern portion of the Property has second growth woods. An off-site stormwater management pond feeds a small creek traversing the Property and there are minimal wetlands on the Property whose locations have been field identified and surveyed and have been jurisdictionally approved by the Corps of Engineers. Moreover, the County has approved the RPA delineation (the PRA is shown on the GDP). There are several old dirt roadways running through the Property and a single old barn structure which is in a state of disrepair. The Property is adjacent and contiguous to existing I-1 properties to the west, Overview Drive to the North, an existing Virginia Electric Power Company (“Vepco”) Transmission Easement to the east and vacant properties zoned RU and MU-3 to the south.

The Property’s lowest elevation is approximately 195 feet and rises to approximately 255 feet. The Property’s predominate drainage is to the east; the Property is in the Massaponax Creek drainage shed.

The Property is primarily located within the Zone X Flood Zone as noted on the County’s Panel Number 51030802250. This means that these areas are in an “area of minimal flood hazard” as usually noted on Flood Insurance Rate Maps (“FIRMs”) as being above the 500-year flood level. Zone X is property that is determined to be outside of the 500-year flood area. The wetland areas of the Property are located in Zone X. Our engineer’s request to FEMA confirming that the Zone X classification for the Property as presently noted is applicable has been acknowledged and verified.

The Property is not located in the County’s Historic Overlay District nor is it located in the Highway Corridor Overlay District. The Property is located within the Primary Development Boundary. A *Phase I Environmental Site Assessment and Cultural Study* has demonstrated that there are no areas of historic cultural significance and, per the County’s search of the National Park Service’s Civil War Related database and related state and local data bases, there are no documented historic resources on the Property

A habitat study for the small whorled pogonia indicates that the Property is not conducive to supporting this plant.

The *Phase I Environmental Site Assessment and Cultural Study* prepared by ECS has been provided earlier.

### 3. PLANNING AND ZONING

As noted above, the adjacent and contiguous properties to the west of the Property are zoned I-1 and, with the exception of the former mattress factory, all of the other 5 parcels zoned I-1 along the western property line are vacant. Two residential parcels zoned RU, owned by the Owner but not part of the requested rezoning, are on the northern border of the Property, as is Overview Drive. The eastern boundary of the Property is partially within the Vepco easement; beyond the easement are two vacant parcels zoned RU. At the northern end of the Vepco easement is the Rappahannock Electric Co-Op substation and to the east of the substation (across from the Vepco easement) is a residential home. The southern boundary of the Property abuts two (2) vacant properties owned by separate entities; one is zoned RU and the other MU-3.

As noted on the GDP, a fifty foot (50') transitional buffer is provided on the Property's northern, eastern and southern boundaries. An additional buffer along the western boundary of the Property bordering the I-1 parcels will be provided as required by the Spotsylvania County Design Standards Manual ("DSM") at the time of site plan submittal.

To enhance the buffer area in the northern portion of the Property, Applicant has additionally proffered that no building greater than two (2) stories in height shall be built within 600 feet of the centerline of the right-of-way of Route 17, Mills Drive.

As noted above, a wetland delineation and survey were completed and forwarded to the Corps of Engineers; following the Corps' review a Preliminary Jurisdictional Determination was issued. In addition, the County has approved the RPA boundaries as depicted on the wetland survey; the RPA is detailed on the GDP.

The Property is readily served by water and sewer. An offsite 8" water line is adjacent to the Property along Cosner Drive, together with an 8" water line in Turner Court. Additionally, a 12" water line is along Overview Drive. The Applicant has met with the County Utilities Department and has learned that the Phase 1 improvements can be served with the specific improvements and timeline as explained in the County's Will Serve letter dated April 21<sup>st</sup>, 2013. The Applicant has further agreed to work with the Utilities Department to develop an acceptable equitable funding format for any future infrastructure improvements necessary to support the Property's expansion beyond Phase 1. And, to eliminate any possible confusion, while fencing is planned around the entirety of the Property, Applicant acknowledges that Spotsylvania County

Utilities Department staff and equipment will have unrestricted access and maintenance rights to any public utility lines within the Property.

Based upon the Comp Plan, the requested rezoning is consistent with its *Guiding Principles and Policies*, specifically as relates to the County's desires for locating industrial/office uses within properties designated for Employment Center uses on the Future Land Use Map. Further, the *Guidelines* "encourage innovative land uses...leveraging technology in fields such as information technology... , etc." which the Applicant seeks to attract to the Project. And, as noted above, County Staff recommended in the Board of County Supervisors' meeting on February 14<sup>th</sup> , and in the Planning Commission's meeting of June 7th, that data centers be located in the Primary Development Area and close to electric line corridors; note that the Vepco easement on the Property is identified in the Comp Plan as a Spotsylvania County Electric Transmission Corridor (150kV and higher).

Accordingly, the planned development of Hunters Ridge will enhance the County's goal to "encourage business investment in the County..." and expand the local employment base.

#### 4. ECONOMIC BENEFITS TO SPOTSYLVANIA COUNTY

Expanding on the County Staff's recommendation to the Board of Supervisors on February 14<sup>th</sup> that the Comp Plan be amended to recognize "...data centers as a targeted industry with fiscal benefits and low impact on public facilities..." (article by Scott Shenk, Feb 17, 2023 "*Spotsylvania planning for data center growth*") , a 2020 study by the Northern Virginia Technology Council ("**Council**") on the impact of the data center industry on the Commonwealth of Virginia makes a very strong statement regarding the economic benefits of data center uses consistent with the "...data processing centers and other industries leveraging technology in fields such as information technology, etc. ..." (*Comp Plan*, page 8, #4) which the Applicant desires to attract to this Property. In its Executive Summary (page 2) the Council noted that, at the local county level, the data center components of these industrial development centers provide demonstratively "...more in county or city tax revenue than they and their employees demand in local government services..." such as schools, parks and recreation and the like. In fact, the Council's study revealed that, based upon their findings, they could "...estimate that for every dollar in county expenditures that the data center industry caused in 2018, it generated:

- \$8.60 in local tax revenue in Henrico County, and property taxes there would have had to rise by 1percent without the additional induced tax revenue from these data center office developments.
- \$15.10 in local tax revenue in Loudoun County, and property taxes there would have had to rise by 21 percent without the additional induced tax revenue from these data center office developments.

- \$17.80 in tax revenue in Prince William County, and property taxes there would have had to rise by 7 percent without the additional induced tax revenue from these data center office developments.

Moreover, and of perhaps greater significance to this Application, is the finding of the County's Economic Development office that "...a 1 million square foot data center is estimated to generate tax revenues of \$15 million annually (much of it machinery and tool tax generated)" (Spotsylvania County Planning Commission Agenda, Executive Summary, June 7, 2023).

Thus, a data center industrial use as noted above and as desired by the Applicant for the Hunter Ridge property will add significant revenue to the County without a parallel burden on current and/or future public facilities. The impacts on schools and libraries are virtually non-existent, as are demands on fire and rescue and public safety officials, as well as parks and recreation facilities. On a square foot basis, the numbers of employees and the corresponding traffic impacts generated by these types of data center office uses are significantly less than any other use category.

Further support for the data center type of office development encouraged by the Comp Plan can be found in a nation-wide comprehensive report on the local economic impacts of office center environment development programs. Commissioned by the United States Chamber of Commerce in 2017, this report ("**Report**") focuses on a typical environment of data centers and traces the economic impacts of such an environment by studying numerous aspects of its start-up and operation to include land acquisition, construction, and the multitude of electronic equipment (collectively referred to in the Report as initial capital expenditures) as well as costs of power, staffing, real estate taxes and insurance and maintenance/administration (collectively referred to as annual operating expenditures).

The Report defines a facility with 165,141 net rentable square feet as a "...typical..." data center building with land acquisition and construction costs of \$58,400,000 and electronic and other electrical component costs of \$157,100,000.

Calculating this typical data center's equipment purchases of \$157,100,000 on a square foot basis, we see that this equates to an expenditure of \$950/square foot ( $\$157,100,000/165,141\text{sqft} = \$950$ ). And, while the application of this expenditure/square foot is not necessarily applicable in all instances, it is certainly reasonable to project that the initial equipment costs for a similar Hunters Ridge data center complex building of 250,000 square feet (as an example) would be in the neighborhood of \$200,000,000+ ( $250,000\text{sqft} \times \$950 = \$237,500,000$ ). Of equal or greater interest to the County is that a good deal of this equipment is replaced on a rotating basis every 3-5 years, if not sooner.

Thus, it appears that one can comfortably state that the positive fiscal benefits of the Comp Plan's encouraged data center industries as noted above and as being planned for by the Applicant for Hunters Ridge will be a significant value-add to the County. Additionally, the other uses which might be built in Hunters Ridge beyond the data center component will also be, as



detailed in a study most recently provided to the County by the SpotsyTech Campus, revenue positive for the County. Considering that these uses will not burden the schools, nor will they impact other public services to near the extent of a residential community, the construction and subsequent operation of these facilities will significantly enhance the County's flexibility in planning for enhanced operations in other facets of County life. The County will recognize increased revenues in real estate taxes, personal property taxes and sales taxes, all of which will contribute to a stronger financial foundation for the County's services to its citizens. And, as noted in the above cited June 7<sup>th</sup> Planning Commission's Executive Summary, "Growth of such non-residential uses [referring to data centers] complements Comprehensive Plan land use diversification goals established in Guiding Principles and Policies B.1.c. Growth of data centers also complements the 70/30 mix of residential to commercial/industrial development and expansion of the commercial tax base consistent with Guiding Principles and Policy B.1".

## **5. SITE CONCEPTS**

Recognizing that sound is a by-product of industrial operations, the Applicant has noted its commitment to fully comply with the County's noise ordinance and will incorporate the appropriate sound attenuation measures to do so.

As previously noted, the roof-top utilities and mechanical equipment will be completely screened from view from the public streets. And, to further buttress Applicant's commitment to comply with the Noise Ordinance, Applicant will provide the County with a sound study prior to the issuance of an occupancy permit for a data center use.

The design of the Property will be such that it is effectively a semi-private environment in that there is not a dedicated public thoroughfare that would encourage through traffic. Additionally, controlled access points will be incorporated into one or more of the site plans. Public access into the site will not be provided from Overview Drive; this access point is for emergency vehicle access only.

## **6. PUBLIC FACILITIES**

The Project will have no direct impact on schools.

The Project will additionally have no impact on County Parks or Recreation. The on-site requirements of the I-2 District for open space will be enhanced by the Applicant's Proffer Statement which provides outdoor seating and eating areas for the buildings' employees, together with a network of walking paths internal to the Property.

The Property will be fenced and will have controlled access points, thus significantly reducing the needs for police/sheriff involvement on-site. All structures will be fully sprinkled and hydrants will be located per code. The Lee Hill Fire and Rescue Station 11 is located approximately 3.0 miles from the Property. All privately maintained internal roadways and building setbacks will allow for emergency access and equipment set-up; police and fire and rescue vehicles will have unimpeded access through the control points.

Water for the Project will be provided via the existing 12" water line adjacent to Overview Drive and 8" water lines in Turner Court and Cosner Drive. Sanitary sewer will be provided in conjunction with the County Utility Department's recommendations with regard to the existing Turner Court and/or Davenport Road sewer.

## **7. SUMMARY**

The Hunters Ridge rezoning application presents a concept that has been structured to meet the County's long-term planning efforts as embodied in the Comprehensive Plan. In response to the change in the land use designations, Applicant has worked to bring a significantly revenue positive industrial concept to the Board for its consideration, proffering a data center industrial program for its initial construction. Applicant has moreover proffered to reduce the otherwise permitted FAR that can be developed. In response to noise concerns, Applicant will submit a sound study prior to the issuance of an occupancy permit to acknowledge its conformance with the County Noise Ordinance. The immediately adjacent and contiguous electrical distribution system will serve the desired improvements. The Applicant's proffer to limit its Phase1 construction of a data center building(s) such that not more than 750 VPD will be generated will significantly mitigate traffic impacts in the immediate area. Moreover, the Applicant's timing of the completion of construction of its proffered roadway improvements on Mills Dr (Route 17) and Cosner Drive will predate the actual traffic impacts associated with its development and construction subsequent to the initial phase of construction. And, as noted throughout this Narrative, Applicant has incorporated as proffers numerous of the Planning Commission's June 7<sup>th</sup> recommendations for amendments to the Comp Plan regarding data centers.