

CATLETT DATA CENTER PARK
Statement of Justification
REZN-20-014258
December 18, 2020
Revised: February 8, 2021

Catlett Station II LLC (the “Applicant”) is the owner of 60 acres of vacant land more particularly described as PIN # 7932-05-8458 (the “Property”). The Property, located in Catlett along Route 28, is poised to play an important role advancing Fauquier County’s land use and economic objectives.

The Applicant respectfully requests a rezoning of the Property from the Industrial (“I-1”) District to the Business Park (“BP”) District to accommodate up to 450,000 square feet of data center development. The Applicant is currently under contract to sell the Property to a national, well-regarded data center developer who plans to develop the site for a very desirable tenant. The proposed development represents a significant, long-term investment in Fauquier County that will generate jobs and tax revenue for decades with little pressure on public facilities and infrastructure.

The Applicant submits, for the reasons memorialized herein, that the proposed rezoning advances the Fauquier County Comprehensive Plan (the “Comprehensive Plan”) policies, supports the priorities of the Board of Supervisors and will increase enhance the commercial tax base of the County.

Proposed Development & Background

Catlett has long served as a civic gathering point for members of the surrounding farming community. The railroad was a hub of commercial activity and (even though the railroad no longer serves that purpose) Catlett’s commercial and industrial land use patterns are evident. The Property itself, situated at the boundary of Catlett next to the railroad right-of-way, is zoned I-1 pursuant to Article 3 of the Fauquier County Zoning Ordinance (the “Zoning Ordinance”). It is bounded to the northwest by Catlett Road (Va. Route 28), to the northeast by vacant land zoned Rural Agriculture (“RA”), to the south by the Norfolk Southern Railroad Right-of-Way, and to the southeast by Gaskins Lane (Va. Route 796) and land zoned I-1 and Commercial (“C-1”).

The Applicant proposes to rezone the Property from the I-1 district to the BP district to accommodate development of data centers up to 450,000 square feet. As depicted on the Concept Development Plan prepared by christopher consultants, ltd. (the “CDP”), the proposed development is responsive to on-site wetlands, with buildings carefully situated to maintain the environmental integrity of the Property. By implementing significant setbacks from adjacent properties and Route 28, the Applicant will sustain and support the bucolic viewsheds of Catlett Village.

Data center tenants require significant investment in security equipment. The proposed development will be fenced and gated. The Applicant proposes substantial setbacks from all property lines to ensure sufficient distance (approximately 100 meters) between data halls and publicly accessible areas - an important security requirement for some data center tenants. Primary access is consolidated on Route 28, with a network of internal roadways leading south to a secondary emergency exit on Gaskins Lane.

Development of the site will occur in phases. The first and most immediate phase will include the northern building, construction for which is scheduled to begin in summer of 2021. The second building will be constructed after occupancy of the first building. Both buildings will be air cooled using technology that relies on very little water (and which is recycled in a closed loop), and therefore potable water needs are minimal. Water will be required to serve bathrooms and, potentially, a kitchenette for employees. For fire suppression, the Applicant will install a below-ground water storage tank to serve the Property.

No new transmission lines, substations or substation feed lines are required to power the proposed buildings. The Property's power needs will be served by distribution lines (the Applicant is continuing discussions with Dominion Energy and plans to have additional information to share prior to public hearings for the application). To that end, the proposed development will comport with the Zoning Ordinance, including required use restrictions and BP District regulations. As noted in the Proffer Statement, the Applicant does request a waiver of § 2-410 of the Zoning Ordinance, which requires vehicular access to the lower standard street (in this case, Gaskins Lane), as discussed below.

Comprehensive Plan

The proposed development fits squarely within the Comprehensive Plan recommendations for the Property. Fauquier County established the Catlett Service District Village Plan to protect the historic and environmental qualities of Catlett, while promoting economic development diversity. The Property is planned for Commercial/Industrial uses, which are "necessary for a sustainable community, adding employment opportunities and tax base to the County." *Catlett Service District*, pg. 11. Along Route 28, the "intent of this land use is for cleaner, lower impact modern industrial and commercial uses and practices." *Id.* The Catlett Service District Village Plan identifies key areas of concern, including commuter traffic on Route 28, environmental and water quality, public water and sewer and strengthening the local tax base.

Data centers are exactly the type of use anticipated by the Comprehensive Plan. Data centers offer cutting edge technology with little impact on water or air quality. The use generates minimal impact on the surrounding road network and negligible impact on public facilities including water, sewer, schools, parks and recreation fields, mental health facilities or libraries. At the same time, data centers generate significant revenue to Fauquier County through real estate and business personal property taxes. The Applicant is also committed to contributing its fair share (through the required tap fees) to connect to the anticipated wastewater treatment facility. The Applicant will not develop on-site drainfields; if sewer has not arrived at

the Property before the Applicant's planned development, the Applicant will provide temporary pump-and-haul. Regardless, the Property will produce very little wastewater given the relatively few employees on-site at any one time.

The Comprehensive Plan recommends industrial uses be "effectively screened", particularly from Route 28. As discussed above, the Applicant has carefully situated the proposed data center buildings to limit the development's impact on adjacent parcels. The Applicant will implement landscaped buffers to screen the buildings, which is detailed on Sheet C005 of the CDP. To the extent that the data centers are visible to an approaching vehicle or neighboring parcel, the (currently confidential) contract purchaser is known for the high-quality architectural design of its data center buildings. The Applicant has included the anticipated architectural elevation of the buildings with the revised CDP.

Fauquier County implemented the Catlett Service District in part to "maintain a clean and healthy natural environment" in Catlett, in particular water and air quality. The proposed development will have little impact on the environment, particularly when compared to uses that are entitled by-right on the Property today. As noted above, modern data centers do not require significant amounts of water and are designed to minimize any impact on air quality. The data centers also generate little noise compared to typical industrial uses (including uses permitted by-right on the Property). In addition, the Applicant has sensitively placed its proposed buildings to minimize intrusions on wetlands while maximizing open space. The proposed development will also implement stormwater management facilities to address water quality.

Transportation

The Catlett Service District Village Plan notes the deleterious impact of commuter traffic on Route 28. With this resubmission, the Applicant has included a Traffic Assessment (TA) prepared by Kittelson & Associates, Inc. to document the few trips generated by the proposed development. The analyses were prepared in accordance with Virginia Department of Transportation (VDOT) and Fauquier County requirements for traffic operation analyses. The traffic assessment confirms the transportation system can easily support the proposed development: data centers, as opposed to other, far more intense and truck-generating industrial uses that are already permitted by-right on the Property, have a *de minimis* impact on the surrounding road network.

The proposed development will therefore meet the County's important economic objectives while generating little traffic on Route 28. By rezoning the Property and committing to data center development, the Applicant respectfully submits that the proposed development will address and support specifically the County's goal to limit traffic on Route 28 by eliminating potential development of other, much more intense traffic-generating uses.

Finally, as noted above, the Applicant requests a waiver of § 2-410 of the Zoning Ordinance. The TA's safety and operational analysis supports the proposed access on Route 28. The logically placed entrance to the Property - across from and aligned with an existing entrance - will easily support the few trips generated by the Property. Moreover, from a land use perspective, Route 28 provides the most intuitive access to the site, and aesthetically, the planned building orientation is an important consideration: the high-quality architectural facades reflected on the revised CDP ought to face Route 28, the entrance to Catlett.

In addition to its minimal impact on the road network, the Applicant is willing to work with the District Supervisor, local landowners and Fauquier County Staff to address traffic needs in the area, including a review of the proposed Gaskins Lane - Route 28 roundabout. That traffic calming measure (assuming approval by the Virginia Department of Transportation ("VDOT")), in conjunction with the proposed development's low trip generation, may enhance the Route 28 corridor through Catlett and the Cedar Run District. With this resubmission, the Applicant has proffered a contribution to Fauquier County of \$50,000 to fund the design and construction of a new roundabout at this important intersection.

Economic Development

The Fauquier County Board of Supervisors introduced a strong endorsement of economic growth with its third guiding principle in the Fauquier County Comprehensive Plan (the "Comprehensive Plan"): "A strong and diverse local economy is necessary for the sustained vitality of the County." To that end, the Board established a series of policies, among them to:

- Encourage and support . . . investment of new businesses in the County and promote opportunities for Fauquier County residents to work in the County.
- Promote the rezoning of land to non-residential uses as designated by the Plan when proposed by developers willing to provide the necessary infrastructure.
- Facilitate infrastructure to support business growth in areas of the County designated for development.

These policies are evident throughout the Comprehensive Plan. The Land Use Chapter notes that commercial/industrial development is "necessary for a sustainable community, adding employment opportunities and tax base to the County."

The Economic Base Chapter stresses the need to increase the County's tax base; specifically, "new businesses and industries with low labor requirements that provide well-paying jobs, and high capital investment could strengthen the tax base." Action 2.1.6 of the Catlett Village Service District Plan

specifically recommends permitting “only clean industrial development that is low intensity to provide employment opportunities within the village.”

Data centers fulfill these policy goals. Data centers produce tax revenue with little impact on public facilities. For example, the Fauquier County business personal tax rate is set at \$2.30 per \$100 of assessed value. Assuming (by way of example only) \$150,000,000 of data center equipment, a data center would produce \$3,450,000 in revenue annually from business personal tax alone.

Data centers have low labor requirements, although the development will support an estimated 350 desirable and well-paying construction and trade jobs. In addition, the Applicant anticipates employing between 20-40 highly compensated and highly skilled, long-term data center operators. Notably, the Applicant often hires military veterans (from virtually all branches of service), due to their unique, honed technical skills and work ethic.

Conclusion

The proposed development fulfills the objectives of the Fauquier County Comprehensive Plan and advances the policies of the Board of Supervisors. The Applicant respectfully requests a rezoning of the Property from I-1 to BP to accommodate data center development, in accordance with the Comprehensive Plan and the Zoning Ordinance.

This proposal will lead to long-term and sustained investment in Fauquier County. The Applicant looks forward to working with the Fauquier County Board of Supervisors, Planning Commission and Staff to realize the significant benefits associated with this application.

Respectfully submitted – Kevin MacWhorter, DLA Piper, on behalf of Catlett Station II LLC