

SE2024-00005, WESTDULLES PROPERTIES, INC.

Special Exception Report

Beaverdam Magisterial District

Board of Supervisors Meeting Date: December 11, 2024



Overview

| | |
|-------------------------|--|
| Request | Special Exception in accordance with Section 26-336 of the Hanover County Zoning Ordinance to allow buildings that are taller than permitted |
| Current Zoning | MX(c), Mixed Use District with conditions |
| Requested Zoning | M-1(c), Limited Industrial District with conditions |
| Acreage | 77.62 acres |
| Site Address | None Assigned |
| Location | South line of East Patrick Henry Road at its intersection with Woodside Lane |
| GPINs | 7880-70-4924 |
| General Land Use Plan | Employment Center |
| Major Thoroughfare Plan | East Patrick Henry Road: Minor Collector (Urban: 80' right-of-way) |
| Case Planner | Claudia Cheely |
| Associated Cases | REZ2022-00008 |

Executive Summary

This is a request for a Special Exception (SE) to allow buildings that exceed the maximum building height permitted within the M-1 zoning district. The applicant is requesting that buildings up to 110 feet in height be permitted within a master-planned technology park. The maximum height permitted within the M-1 zoning district is 35 feet. The applicant has requested M-1 zoning for 77.62 acres of the 131.02-acre project, which is part of REZ2022-00008, Harris and Douglas Properties, LLC.

The following are significant considerations regarding this request:

- The proposed development is on the edge of the Suburban Service Area (SSA) in a transitional area.
- The proposed development is along a major community gateway near existing residential uses.

Proffered conditions and recommended conditions associated with the Special Exception (SE) may mitigate negative visual impacts associated with increased building heights.

Motion

I move that the Board of Supervisors:

- Approve SE2024-00005.
- Approve SE2024-00005 with the following amendments: _____.
- Deny SE2024-00005.
- Defer SE2024-00005 until the Board of Supervisors' meeting in January 8, 2025.

Planning Analysis

Project Overview

The applicant is proposing development of a master-planned technology park that would accommodate multiple data center campuses. They have requested a Special Exception (SE) to allow buildings that exceed the maximum building height requirement within the M-1 zoning district:

- The maximum building height within the M-1 zoning district is 35 feet [Sec. 26-170(2)].
- In accordance with Section 26-336, the applicant is requesting an exception to allow buildings with a height of up to 110 feet.

Sketch Plan and Elevations

The applicant has submitted a sketch plan with this request, which shows a general layout of the project, including access locations, building areas, perimeter buffers, possible detention facilities, and open space. With the associated rezoning request, the applicant has proffered that development will be in accord with the conceptual plan.



The sketch plan does not show specific building footprints, only building areas. While building footprints are not shown, the conceptual plan and proffered conditions submitted with the associated rezoning provide perimeter buffers and building setbacks that significantly exceed ordinance requirements [Sec. 26-169].

No specific building elevations are provided, but proffered conditions identify materials and architectural elements that must be incorporated into street-facing facades. The applicant has also proffered that


neutral colors will be used on building facades (with accent colors permitted) to help buildings blend with the surrounding area.

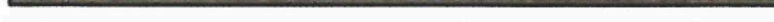
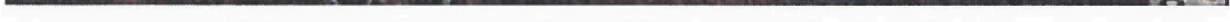


Building Height

The applicant is requesting a special exception to allow buildings up to 110 feet in height. The maximum building height permitted within the M-1 district is 35 feet [Sec. 26-170(2)]. If the special exception is approved, buildings up to 75 feet in height would be permitted at the proffered building setback of 200 feet. As building height increases above 75 feet, the minimum setback from the perimeter of the project would increase. The applicant conducted a balloon test and prepared visuals showing where buildings that are 75 feet and 110 feet in height may be visible from adjacent roadways (attached). The balloons represent the tops of future structures, and those photos begin on the following page.

Below is an example of an existing building in the region that has a predominate height of approximately 85 feet (with a penthouse up to 100 feet).

| Amazon Fulfillment Center (Henrico County: Richmond-Henrico Turnpike) | |
|--|---|
|  | |
| POD2020-00434 Main Building Height: 85'1" | Building Footprint: 1,004.5'x 660' Approximate Setback (Edge of Right-of-Way to Main Entrance): 375' |





- *Along the southeastern side of the property.* This balloon was not visible from the Wintercrest subdivision to the east.
- Yellow balloons were raised to 110 feet in height in two locations farther inside the property, with one location to the north and one to the south. The northernmost balloon was visible from a field along Mount Hermon Road and flew above the tree line. The southernmost balloon was not reported to be visible.



Standard Findings

A special exception may only be granted if the Board makes the following findings per Section 26-332:

1. *The proposed use or proposed modification of generally applicable regulations is compatible with the character of the surrounding area;*

The project area is in a transitional area on the edge of the Suburban Service Area (SSA), immediately east of I-95, and designated *Employment Center* on the General Land Use Plan. Areas east of this site are designated *Rural/Agricultural*. There are some large-lot residential subdivisions zoned A-1, Agricultural District, and RC, Rural Conservation District, along both sides of East Patrick Henry Road, including Hickory Hill and Wintercrest. North of East Patrick Henry Road and east of Woodside Lane are more conventional RS, RM and R-1 subdivisions with most lots ranging from 0.25 – 0.5 acres in size, including Providence, Woodside Farms, and what will be Hickory Grove.

Since this is a transitional area, design features should be used to minimize visual impacts to adjacent roadways and residential areas. Additionally, State Route 54 is a major gateway to eastern Hanover County and the Courthouse area; the Comprehensive Plan states that “new development along major thoroughfares should be designed to create attractive gateways to the community through the use of high-quality landscaping, architecture, and site design” (p. 20). Proffered conditions associated with the rezoning request (REZ2022-00008), particularly those related to perimeter buffers and setbacks, are intended to help the project blend with the existing character of the area. Recommended conditions associated with the Special Exception request will require additional perimeter setbacks for taller buildings. The Board of Supervisors should determine whether buildings up to 110 feet are appropriate at this location, and whether the proffered conditions and proposed Special Exception conditions mitigate negative visual impacts to the area.

Note that the Town of Ashland approved building heights up to 110 feet for the portion of the Iron Horse development within its jurisdiction.

2. *The proposed use or proposed modification will not produce noise, odor, vibration, or glare beyond that which is generally produced by uses that are permitted by right in the applicable zoning district;*

Recommended conditions associated with the Special Exception request, along with proffered conditions associated with the rezoning request (REZ2022-00008), will mitigate potential glare from taller buildings:

- *Increased Setbacks:* Buildings will have a minimum setback of 200 feet from the adjacent roadways in accordance with proffered conditions and recommended SE conditions. As building height increases over 75 feet, additional setbacks will be required.
- *Perimeter Buffers:* Natural buffers that will be supplemented in certain locations that are at least 150 feet wide will be provided along adjacent roadways. Existing vegetation will be retained, with supplemental plantings provided in certain instances. These buffer areas will help screen the development from view; however, buildings 110 feet in height in some locations may be taller than the tops of the existing trees and therefore impossible to screen from adjacent properties to the east.
- *Limited Height of Building-Mounted Lighting:* Wall-pack lighting is not permitted on exterior building walls facing and adjoining property currently used for residential purposes unless required by the Building Code or County Code.

- *Limiting Glare from Interior Lighting:* Proffered conditions require that glare from interior lighting be minimized using window coverings or other shading mechanisms, limiting light pollution that may be emitted from taller buildings.

Per proffered conditions associated with the rezoning request (REZ2022-00008), the applicant has agreed to conduct noise studies within 30 days of the date when the building becomes operational. The noise study will verify whether the completed project conforms with local noise ordinance requirements. Additionally, the applicant proffered that physical sound attenuation measures will be installed on mechanical equipment associated with buildings within 1,200 feet of any residential use, if the equipment is installed on a rooftop or on the side of the building facing residential uses.

The taller buildings are not anticipated to cause additional vibration or odors.

3. *The proposed use or proposed modification will not create traffic congestion and will not impair the safe and efficient travel along the county's road network;*

Increased building height is not anticipated to impact traffic. As part of the associated rezoning request (REZ2022-00008), the applicant completed a traffic study and provided proffered conditions to address potential impacts to the local transportation network.

4. *The proposed use or proposed modification will not diminish the view shed as seen from the public right-of-way, or unreasonably impact historic or natural resources;*

Recommended conditions associated with the Special Exception request, along with proffered conditions associated with the rezoning request (REZ2022-00008), will help reduce (although not eliminate) the visual impacts from taller buildings:

- *Increased Setbacks:* Buildings will have a minimum setback of 200 feet from adjacent roadways in accordance with proffered conditions and recommended SE conditions. As building height increases over 75 feet, additional setbacks will be required.
- *Perimeter Buffers:* Natural buffers at least 150 feet wide will be provided along adjacent roadways. Existing vegetation will be retained, with supplemental plantings provided in certain instances. These buffer areas will help screen the development from view.

5. *The proposed use or proposed modification will not impair the public health, safety, and general welfare;*

Permitting buildings up to 110 feet in height is not expected to impair public health, safety, and general safety. Hanover County Fire/EMS has not expressed any concerns with buildings of that height but will require at least two means of fire apparatus access for each structure during site plan review (which is a requirement of all buildings exceeding 30 feet in height per the Virginia Statewide Fire Prevention Code).

Representatives from Hanover County Airport indicated that the area is near the approach surface and inside the FAA 7460 notification area, so they recommended that the applicant seek an airspace determination. An aeronautical study may be required prior to construction to ensure the buildings will not interfere with aviation in the area. Note there are existing tall structures in the immediate area, including transmission lines and a telecommunications tower.

6. *The approval of the special exception is consistent with good zoning practices and the comprehensive plan; and,*

The proposed project is recommended for *Employment Center* in the Comprehensive Plan, which includes areas intended to support economic development.

Within areas designated *Employment Center*, it is recommended that buildings along the perimeter of a project limit height to 35 feet, unless larger setbacks are provided. The applicant has proffered that natural buffers at least 150 feet wide be provided along the project perimeter, with building setbacks of at least 200 feet. With the wider buffers and increased setbacks along the perimeter of the project, taller buildings could be appropriate and in accord with Comprehensive Plan recommendations.

7. *All other additional requirements for a proposed use or proposed modification that are set forth elsewhere in this chapter are satisfied.*

Should this request be approved, a site plan must be approved that demonstrates all Zoning Ordinance requirements and proffered conditions are met.

Findings under Sec. 26-336 (Special Exceptions for Height)

Exceptions to the maximum height within each zoning district may be permitted, subject to the requirements of Sec. 26-336:

- *An exception to the height limit shall be granted only where the Board finds that such exception will not impair the appropriate use and enjoyment of surrounding property nor derogate from the intent and purpose of this Ordinance.*

The applicant conducted a balloon test, with balloons flown at 75 feet and 110 feet in height to help stakeholders understand potential visual impacts to surrounding areas. Based upon staff's observation of the balloon test, buildings at 110 feet may be visible from one location on Mount Hermon Road, and buildings at 75 feet in height were visible from East Patrick Henry Road. None of the balloons were visible from the Wintercrest subdivision due to topography and/or existing vegetation.

Recommended conditions associated with the Special Exception request, along with proffered conditions associated with the rezoning request (REZ2022-00008), will mitigate visual impacts that taller buildings may have on surrounding properties:

- *Increased Setbacks:* Buildings will have a minimum setback of 200 feet from adjacent roadways in accordance with proffered conditions and recommended SE conditions. As building height increases over 75 feet, additional setbacks will be required.
- *Perimeter Buffers:* Natural buffers at least 150 feet wide will be provided along adjacent roadways. Existing vegetation will be retained, with supplemental plantings provided in certain instances. These buffer areas will help screen the development from view.
- *Limited Height of Building-Mounted Lighting:* Building-mounted lighting is not permitted on exterior building walls facing and adjoining property currently used for residential purposes unless required by the Building Code or County Code.
- *Limiting Glare from Interior Lighting:* Proffered conditions require that glare from interior lighting be minimized through the use of window coverings or other shading mechanisms, limiting light pollution that may be emitted from taller buildings.

- *No exception shall be granted which would allow encroachment into a "controlled airspace" (as defined). No exception shall be granted which allows a structure located within ten thousand (10,000) feet of any airport runway to exceed an elevation which is one hundred fifty (150) feet above the elevation of the lower end of the airport runway.*

The proposed buildings are located outside of the Airport Protection Overlay District (APO). The runway at Hanover County Municipal Airport is approximately 2.6 miles from the closest point within the proposed development. While outside of the APO, representatives from Hanover County Airport indicated that the area is near the approach surface and inside the FAA 7460 notification area, so they recommended that the applicant seek an airspace determination.

Agency Analysis

There were no significant comments from reviewing agencies. Note that:

- Per Virginia Statewide Fire Prevention Code and Fire/EMS requirements, buildings exceeding 30 feet in height must have at least two means of fire apparatus access. An aerial fire apparatus access road with at least 26 feet of unobstructed clear width must be provided, with at least one portion located parallel to one entire side of the building (15 – 30' from the building).
- In October, 2024, the Hanover County Airport Manager requested that a Form 7460 be submitted to the FAA because the height of the buildings encroached an instrument approach area by 94 feet. They also noted that the proposed structures were in proximity to a navigation facility and may impact the assurance of navigation signal reception.

Ordinance Required Conditions

In accordance with Article 6, Division 4, Section 26-333, the site shall be developed and maintained in substantial conformity with the sketch plan titled, "Iron Horse Data Center Concept Plan," dated September 19, 2024.

A site plan, prepared in accordance with the requirements of Chapter 26, Article 6, Division 2, of the Hanover County Zoning Ordinance, shall be submitted for review and approval prior to commencement of the requested use.

Staff's Recommended Conditions

Staff recommends the following conditions:

1. *Overall Maximum Building Height:* No building may exceed 110 feet in height within any building area shown on the sketch plan.
2. *Building Setbacks and Maximum Height:* Buildings must meet the setbacks established as follows:

| Location | Building Setbacks and Height Restrictions |
|---|---|
| Building Setback from Project's Perimeter Boundary Line | <ol style="list-style-type: none"> 1. Buildings at the proffered minimum setback of 200 feet may not exceed 75 feet. 2. For every one foot of height increase above 75 feet in building height, the building setback must increase by 3 feet. For example, a building with a height of 110 feet must have a minimum building setback of 305 feet. |

3. *Line of Sight Studies:* During the site plan review process, line of sight studies must be provided at the request of the Planning Director to verify that all requirements related to the screening of rooftop HVAC and mechanical equipment are met, with such studies including vantage points from adjacent public streets and any nearby residential dwellings that may be impacted (as determined by the Planning Director).
4. *Airport Requirements:* Prior to site plan approval, the applicant will submit Form 7460 to the FAA to confirm that buildings up to 110 feet in height will not interfere with the Hanover County Airport operations.
5. *Adherence to Development Regulations:* All development and use of the property shall comply with all applicable federal, state, and local statutes, ordinances, and regulations.
6. *Expiration:* The Special Exception is valid for four (4) years from the date of Board of Supervisors approval and thereafter will become null and void unless construction or use is substantially underway. An extension may be granted by the Planning Director prior to the four-year expiration date in accordance with procedures set forth in the Zoning Ordinance.

Note: The citizen correspondence and additional documentation regarding the overall project are included within the agenda packet for the associated rezoning request (REZ2022-00008).

Attachments

- ☒ Maps (land use, vicinity, zoning, aerial)
- ☒ Application Materials
- ☒ Elevations/Sketch Plan

Initials: CDC

Maps

Hanover County, Virginia

Land Use Map

Legend

- Rural/Agricultural
- Town of Ashland
- Business Flexible
- Parks and Conserved Lands
- Destination commerce
- Employment Center
- Multi-Family Residential
- Highway Commercial
- Industrial
- Limited Industrial
- Suburban Neighborhood Residential
- Suburban High Residential
- Suburban Center
- Neighborhood Commercial
- Natural Conservation
- Rural Crossroads
- Rural Village
- Suburban Transitional Residential

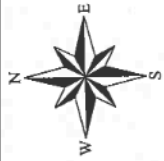
SE2024-00005

WestDulles Properties, Inc.

height exception

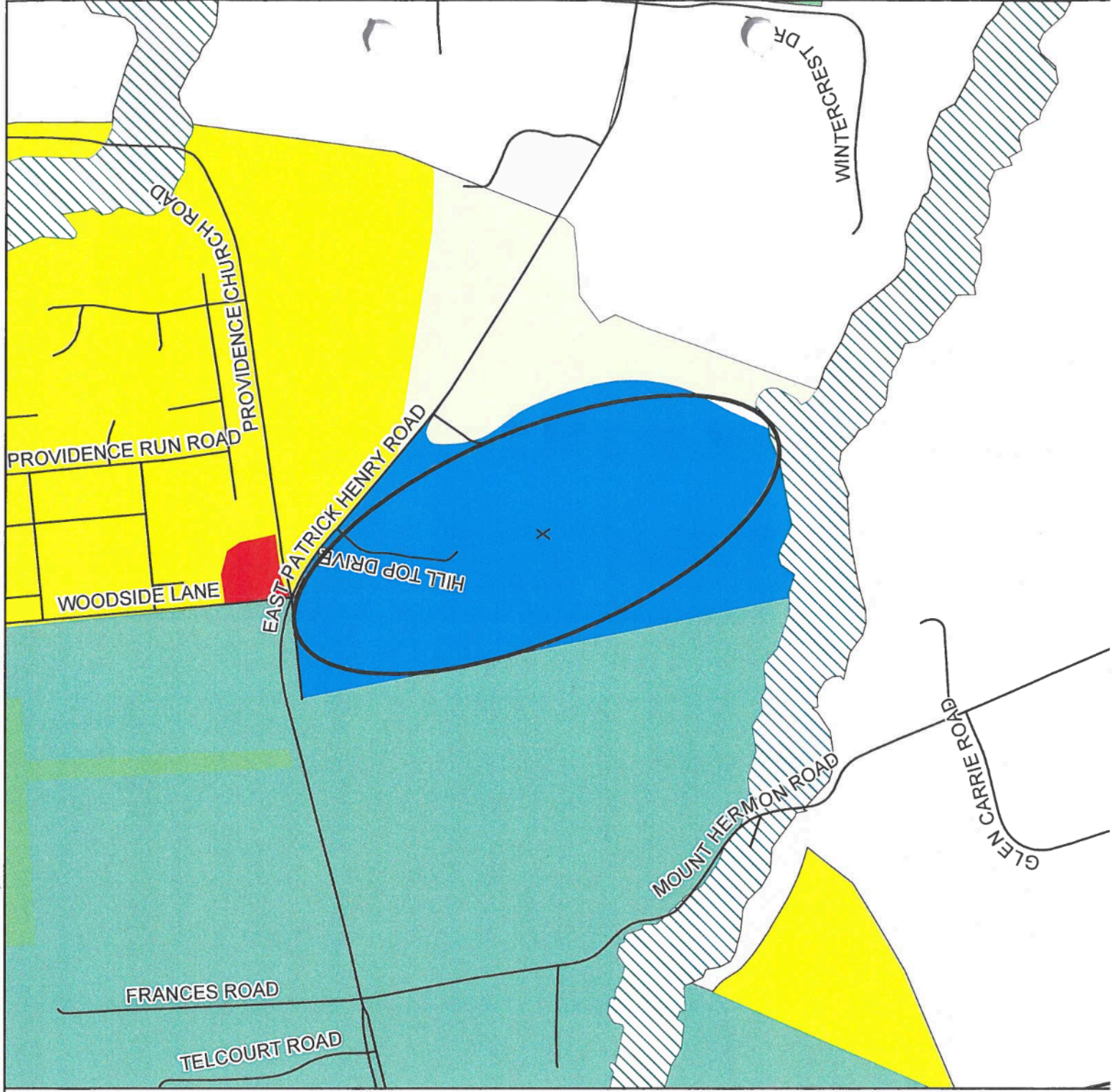
Employment Center Land Use

GPIN: 7880-70-4924
Beaverdam Magisterial District



1 inch = 800 feet

February 29, 2024



**Hanover County,
Virginia**

General Parcel Map

Legend

- Roads
- Water
- Structures
- Parcels
- Trees

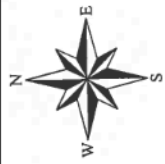
SE2024-00005

WestDulles Properties, Inc.

height exception

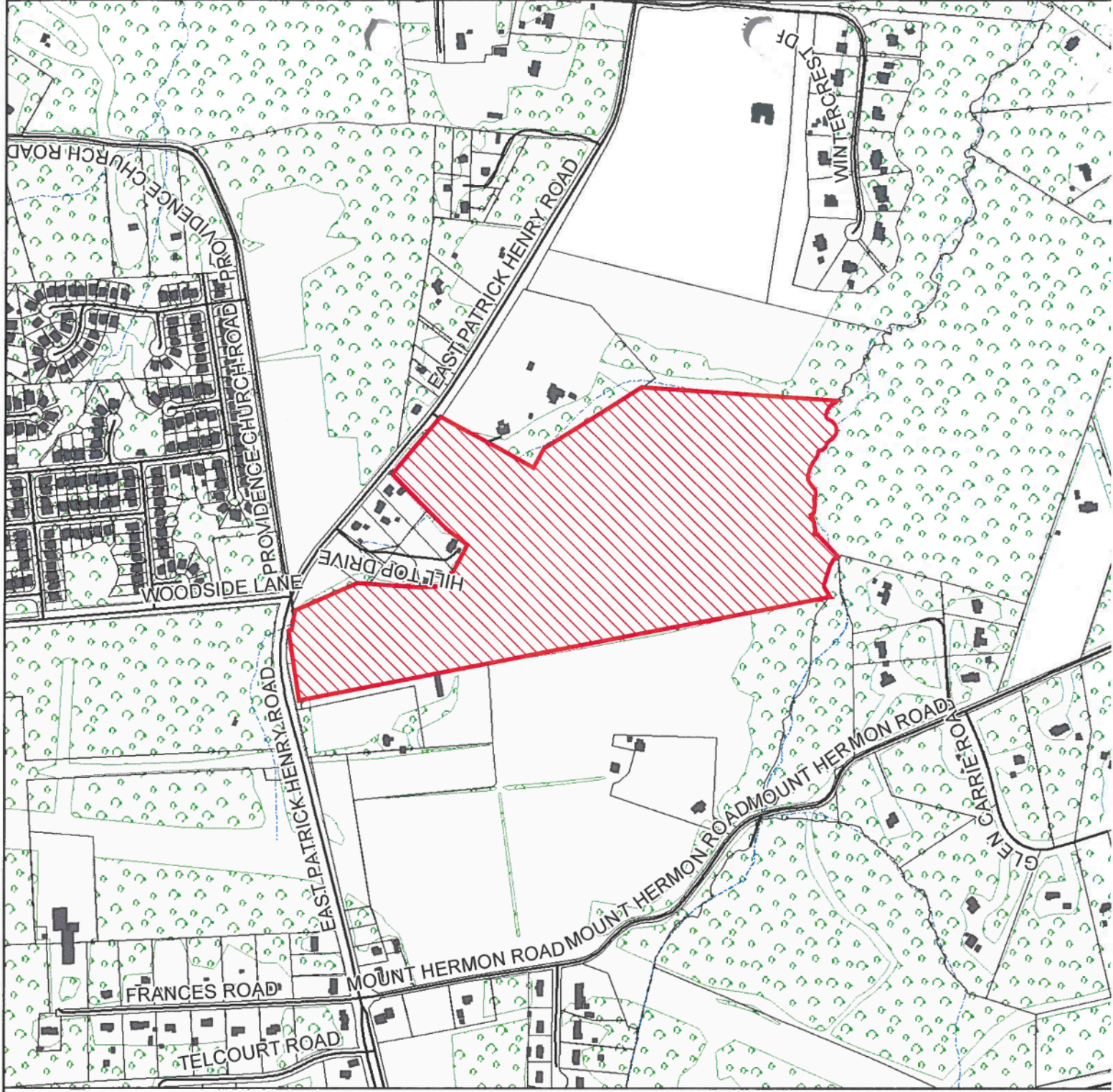
Zoned MX

GPIN: 7880-70-4924
Beaverdam Magisterial District



1 inch = 800 feet

February 29, 2024



Hanover County, Virginia

Zoning Map

Legend

| | | | |
|--|---------|--|-----|
| | Roads | | R-1 |
| | Water | | R-2 |
| | Parcels | | R-3 |
| | CUP | | R-4 |
| | A-1 | | R-5 |
| | PUD | | R-6 |
| | RRC | | RM |
| | RR-1 | | MX |
| | RO-1 | | B-1 |
| | PSC | | B-2 |
| | POB | | B-3 |
| | PMH | | B-4 |
| | HE | | O-S |
| | AR-1 | | B-O |
| | AR-2 | | M-1 |
| | AR-6 | | M-2 |
| | RC | | M-3 |
| | RS | | |

SE2024-00005

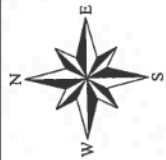
WestDulles Properties, Inc.

height exception

Zoned MX

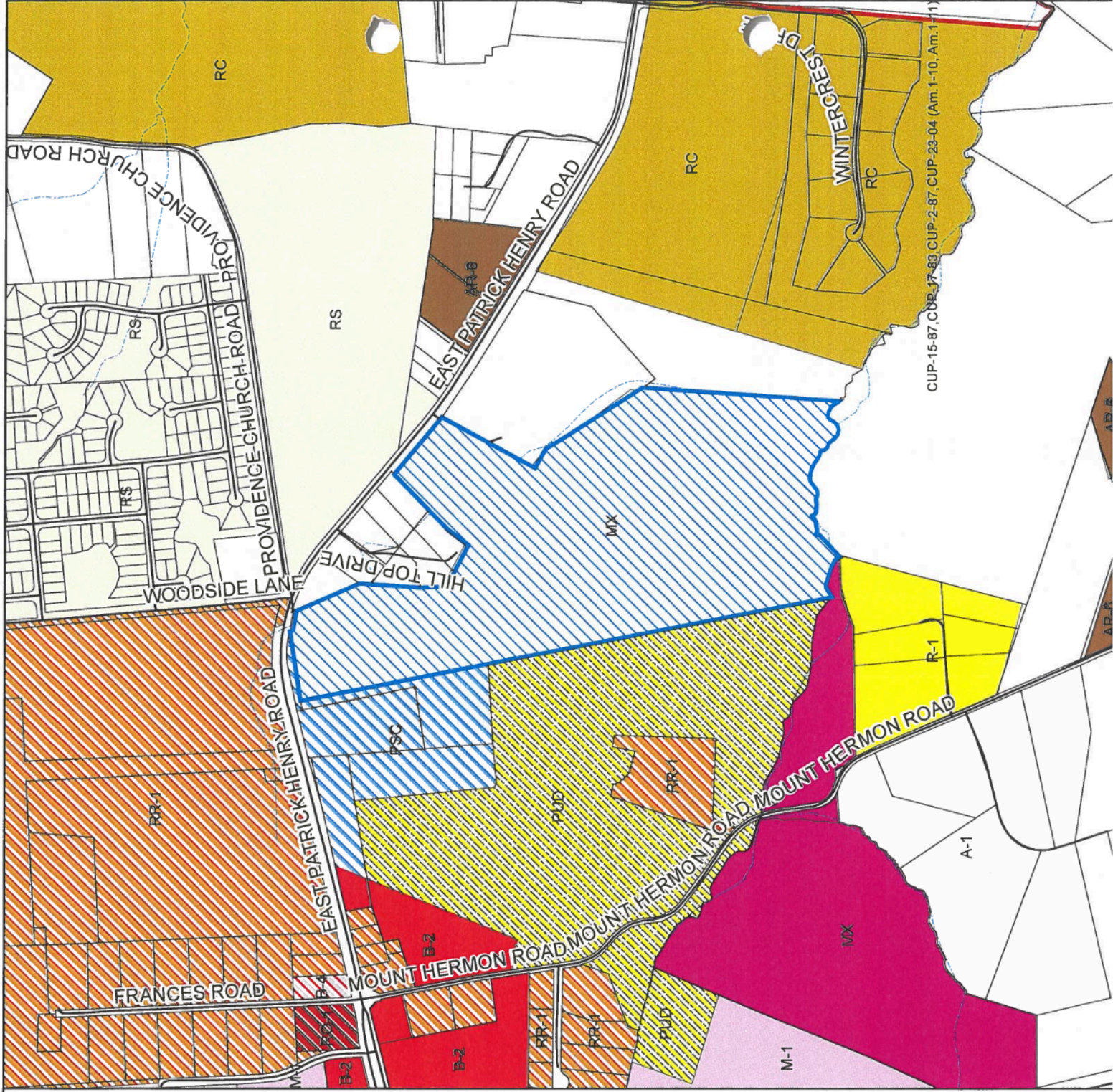
GPIN: 7880-70-4924

Beaverdam Magisterial District



1 inch = 800 feet

February 29, 2024



SE2024-00005



Application

Hanover County Planning Department Application

Request for a Special Exception

Case #: SE2024-00005

Please type or print in black ink.

APPLICANT INFORMATION

Owner/Applicant: WestDulles Properties, Inc.

Contact Name: Eric Wells

Address: 1984 Issac Newton Square W.
Reston, Virginia 20190

Telephone No. _____

Fax No. _____

Email Address _____

eric@westdulles.com

PARCEL INFORMATION

For multiple parcels, please also complete Page 4 ☒

GPIN(s)(Tax Parcel #'s) 7880-70-4924

Deed Book 3376 Page 778

Magisterial District Beaverdam

Location Description (Street Address, if applicable) ☐

10171 East Patrick Henry Road

Area (acres/square feet) Approximately 77.62 acres

Current Zoning MX

Requested Use/Exception Section 26-336.Height exception

to provide scaled height restriction that requires the extra

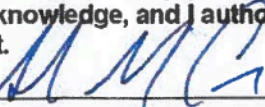
height to be set back from the perimeter and taller heights

located in the center of the project.

SIGNATURE OF OWNER ☐ POWER OF ATTORNEY ☒ CONTRACT PURCHASER ☐ (attach contract)

As owner or authorized agent of this property, I hereby certify that this application is complete and accurate to the best of my knowledge, and I authorize County representatives entry onto the property for purposes of reviewing this request.

Signature



Date

11/19/2024

Print Name Andrew M. Condlin

Signature _____

Date _____

Print Name _____

QUESTIONS/ LETTERS/ REPORTS SHOULD BE FORWARDED TO THE FOLLOWING**:

Name Andrew M. Condlin

Address: Roth Jackson Gibbons Condlin, PLC

1519 Summit Avenue, Suite 102

Richmond, Virginia 23230

Telephone No. 804-977-3373

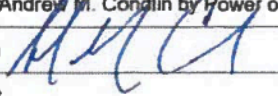
Fax No. _____

Email Address acondlin

@rothjackson.com

**It is the responsibility of the contact person to provide copies of all correspondence to other interested parties to the application.

FOR APPLICATIONS WITH MULTIPLE PARCELS, PLEASE LIST:

| GPIN | Property Owner(s) | Deed Book and Page Number | Area (acres/square feet) | Current Zoning | Requested Zoning |
|--------------|--|---------------------------|--------------------------|----------------|------------------|
| 7880-70-4924 | Tradepoint Hanover Land, LLC Print Andrew M. Conklin by Power of Attorney Sign  | 3376/778 | 77.62 | MX | M-1 |
| | Print | | | | |
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REQUIREMENTS/ ATTACHMENTS - For ALL REQUESTS you must submit the following:

- ☒ a. **Signature of Property Owner or Contract Purchaser** (Page 3) – If the contract purchaser signs the application, please provide a copy of the signed contract, with all sensitive information redacted.
- ☒ b. **Acknowledgement of Application Fee Payment Procedure** (Page 6)
- ☒ c. **Adjacent property owners and Board of Supervisors notification form** (Page 7) - please list all adjacent property owners including those across roadways, watercourses, and/or railroads as well as the member of the Board of Supervisors for the magisterial district in which the property is located. Adjacent property owners and Board members must be notified prior to submittal of this application. The form must include owners' names, address, and GPINs for all adjacent property owners. (This information is available from the County website or can be obtained from the Planning Department.) The form on Page 9 may be used to notify these property owners.
- ☒ d. **A plat of the subject property**, which accurately reflects the current property boundaries and the location of existing structures on the property. If the full-size plat is larger than 8 ½" x 11", the plat must be folded no larger than 9" x 12", and a reduction of the plat must be submitted which is 8 ½" x 11" in size. (Typically available from the County Clerk's Office in the Circuit Court building.)
- ☒ e. **Historic Impact Information** (Page 10) (This information is available on the County website or may be obtained from the Planning Department.)
- ☒ f. **Responses to questions** on Page 11
- ☒ g. **Community Meeting Guide** (Check the box if you have read and understand Pages 13 & 14. Please note that applicants that schedule community meetings without coordinating with the staff may be required to reschedule the meeting, which may cause the application process to be delayed.)
- ☒ h. **A sketch** of your proposal, showing the following:
 - 1) The proposed title of the project, the name of the developer, and the name of the preparer of the plan.
 - 2) The north point, scale, and date. The scale of the plan shall not exceed 1" = 200'.
 - 3) The boundaries of the property involved; county or town boundaries; property lines; existing streets, buildings, and waterways; areas affected by Chesapeake Bay preservation requirements; and major tree masses.
 - 4) The general location and character of construction of proposed parking lots, driveways, curb cuts, entrances, and exits.
 - 5) The locations of all proposed buildings and structures.
 - 6) The general locations, heights, and materials of all fences, walls, screen plantings, berms, and landscaping.

If the full-size sketch is larger than 8 ½" x 11", please provide **ten (10) copies of the sketch and elevations**, folded no larger than 9" x 12", and **one (1) a reduction of the sketch**, which is 8 ½" x 11". Sheets must be no larger than 24" x 36".
- ☐ i. For applications for manufactured/mobile home needed for **medical hardship** please provide a note from a medical doctor verifying that it is necessary for someone to live in close proximity to provide care.
- ☐ j. For SE applications for telecommunication facilities, a **Telecommunications application** must be completed and include all of the required attachments.

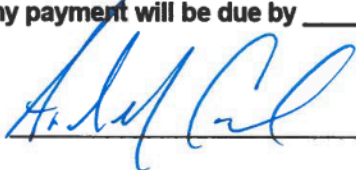
ACKNOWLEDGEMENT OF APPLICATION FEE PAYMENT PROCEDURE

Application fees are not accepted at the time of submittal. I hereby acknowledge that this application is not complete until the payment for all application fees has been received by the Hanover County Planning Department. The Hanover County Planning Department shall notify me by mail, email or fax (as selected below), of the applicable fee(s) at such time that they determine that the application is complete and acceptable. I acknowledge that I am responsible for ensuring that such fees are received by the Hanover County Planning Department by the Tuesday the week following the application deadline. I further acknowledge that any application fee submitted after this date shall result in the application being considered filed for the next Application Deadline.

Should the applicable fees not be submitted within forty-five (45) days of the date of the notification letter, it shall be my responsibility to arrange for the retrieval of all application materials. The application and any supplementary materials for incomplete applications that are not retrieved within forty-five (45) days of the date of the notification letter shall be destroyed by the Hanover County Planning Department.

Should my application be accepted, my payment will be due by _____. (To be filled in by a Planning Staff member.)

Signature of applicant/authorized agent



Date

2/26/24

Print Name Andrew M. Condlin

Signature of applicant/authorized agent

Date

Print Name

Address to which notification letter is to be sent:

Andrew M. Condlin - Roth Jackson Gibbons Condlin, PLC

1519 Summit Avenue, Suite 102

Richmond, Virginia 23230

If you would like your letter emailed and/or faxed, please make selections, and provide the information below:

☒ Email acondlin@rothjackson.com

☐ Fax

FEES

After application is accepted for review, make checks payable to Treasurer, Hanover County:

| | |
|--|-------|
| Special Exception | \$750 |
| Extension | \$20 |
| Special Exceptions for manufactured homes needed in a medical hardship case | \$200 |

Please note: Applicants which request tax-exempt status may have their application fee waived upon presentation of official documentation of such status.

FOR STAFF USE ONLY:

Fee:

Accepted by: _____

HTE #: _____

February 26, 2024

Andrew M. Condlin
Richmond Office
(804) 977-3373 (direct)
acondlin@rothjackson.com

VIA U. S. MAIL

Interested and Adjacent Neighbors

Re: Hanover County Rezoning and Conditional Use Permit Applications

Dear Interested and Adjacent Neighbors:

We represent WestDulles Properties, Inc. (the "Applicant"). I am writing to inform you of the filing of an amended rezoning application for the portion of property in Hanover County, formally known as East Ashland, and as shown on the attached. The Applicant originally filed the rezoning application approximately two (2) years ago. The Applicant has also refiled a related application for a conditional use permit and special exception. Ultimately, the proposed plan for a business park is generally the same with additional details related to specific uses, development standards and buffers.

The property subject to the request is shown on the attached map as colored in rust (labelled "COMMERCIAL"), grey (labelled "INDUSTRIAL BUSINESS PARK") and yellow (labelled "SUBURBAN GENERAL RESIDENTIAL"). The other properties shown are simply shown for reference and are **NOT** included in this request.

Once the applications are accepted, we are going to work with the County to review these applications and we will then notify you as to when a community meeting is scheduled.

In the meantime, if you have any questions, please contact me at 804-977-3373 or acondlin@rothjackson.com.

Sincerely,


Andrew M. Condlin

Enclosure

cc: The Honorable Jeff S. Stoneman, Board of Supervisor
Ms. Edmonia Iverson, Planning Commissioner

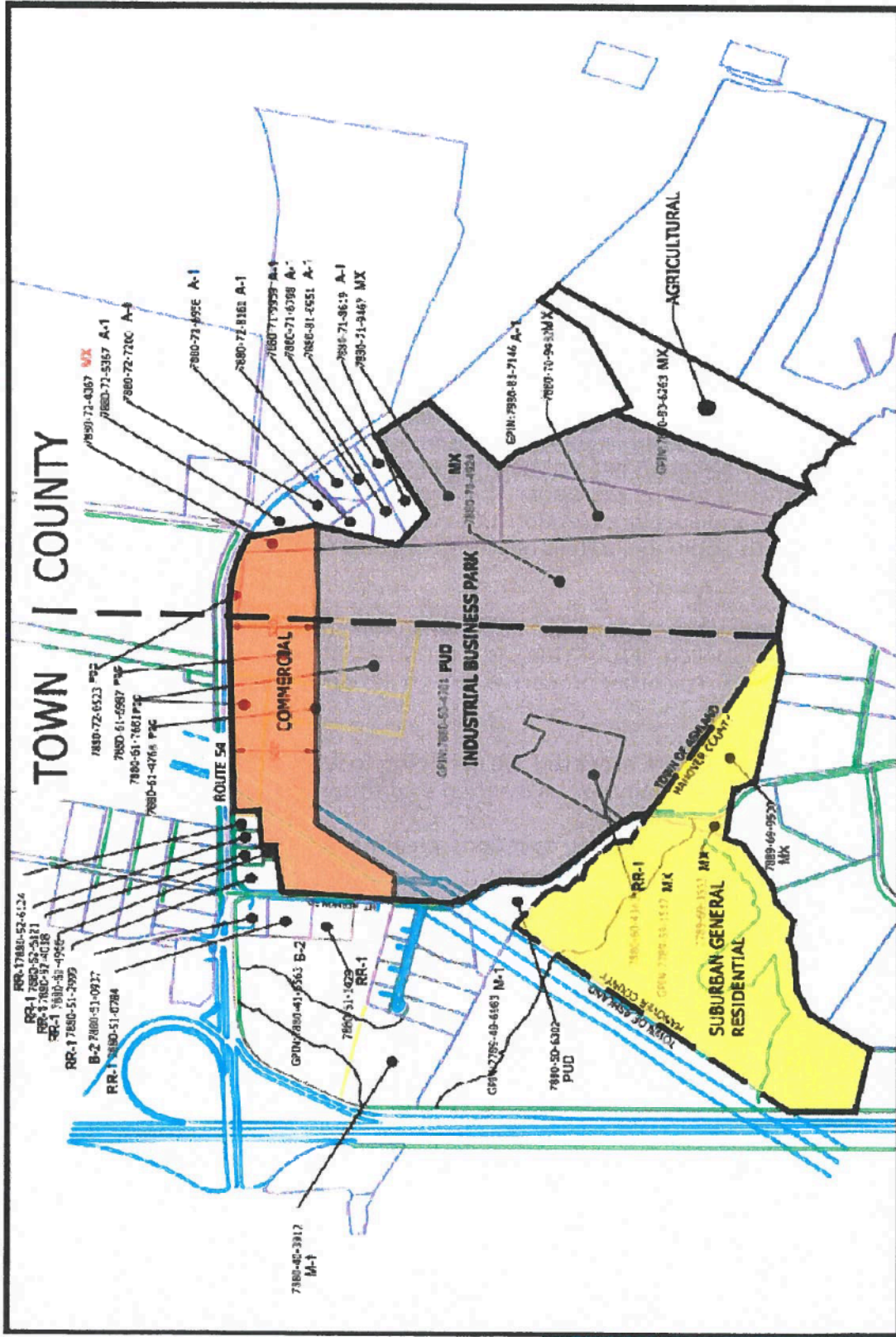
{01502748;v3}

RICHMOND

1519 Summit Avenue, Suite 102, Richmond, VA 23230
P: 804-441-8440 F: 804-441-8438

TYSONS CORNER

8200 Greensboro Drive, Suite 820, McLean, VA 22102
P: 703-485-3535 F: 703-485-3525



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WestDulles
Adjacent Neighbor List

| GPIN | Property Owner Name | STREET ADDRESS | CITY STATE AND ZIP CODE EMAIL |
|--------------|---------------------------------|---|---|
| 7890-01-0787 | AAA PLUMBING CO INC | PO BOX 438 | LIGHTFOOT, VA 23090 |
| | Alan Shaia | 403 East Grace Street | Richmond, VA 23219 |
| 7890-01-0411 | ANDERSON, GRACE | 28248 SIGNBOARD ROAD | RUTHER GLEN, VA 22546 |
| 7789-49-6983 | ASHCOURT LLC | PO BOX 1716 | ASHLAND, VA 23005 |
| 7880-50-6302 | ASHLAND PROPERTIES LLC | 6405-G Dickens Place | Richmond, Virginia 23230 |
| 7880-50-1881 | ATTKISSON, LINWOOD P TRUST | 101 MECHUMPS DRIVE | ASHLAND, VA 23005 |
| 7880-40-8708 | BROWN, MICHAEL E. & ROSE M. | 105 MECHUMPS DRIVE | ASHLAND, VA 23005 |
| 7880-91-8737 | BURLLEIGH, BETTY ROSE | PO BOX 944 | ASHLAND, VA 23005-0000 |
| 7880-91-8500 | CASH, MARY | 322 NEW STREET | ASHLAND, VA 23005-7405 |
| 7880-40-6768 | COBURN, PAUL J. | 107 MECHUMPS DRIVE | ASHLAND, VA 23005 |
| 7880-72-7200 | CORKER, JOYCE M REVOCABLE TRUST | 11101 WYCHWOOD DRIVE | MECHANICSVILLE, VA 23116 |
| 7880-71-6798 | CULLEY, CHRISTOPHER S | 13083 HILL TOP DRIVE | ASHLAND, VA 23005 cculley@rmc.edu |
| | Daniel Caskie | | |
| | The Bay Companies | 8500 Bell Creek Road | Mechanicsville VA 23116 |
| 7880-81-7757 | DAVIS, DANIEL PAUL | 10076 EAST PATRICK HENRY ROAD | ASHLAND, VA 23005 |
| 7789-58-7559 | DIETZ, AUGUST A IV | | |
| | DONNA H | 12417 GLEN CARRIE ROAD | ASHLAND, VA 23005 |
| | Douglas Godsey | | |
| | Godsey & Son, Inc. | 2461 Charles City Road | Richmond VA 23231 |
| | FLAGG, JOSEPH | | |
| 7880-71-8619 | FLAGG, LISA | 12452 FLADDSTEAD LANE | ASHLAND, VIRGINIA 23005 |
| 7880-71-8518 | FLAGG, JOSEPH | | |
| | FLAGG, LISA | 12452 FLADDSTEAD LANE | ASHLAND, VIRGINIA 23005 |
| 7880-60-4701 | TRADEPORT ASHLAND LAND LLC | 1984 ISACC NEWTON SQUARE W SUITE 102 | RESTON, VIRGINIA 20190 |
| 7880-61-7681 | TRADEPORT ASHLAND LAND LLC | 1984 ISACC NEWTON SQUARE W SUITE 102 | RESTON, VIRGINIA 20190 |
| 7880-61-6987 | TRADEPORT ASHLAND LAND LLC | 1984 ISACC NEWTON SQUARE W SUITE 102 | RESTON, VIRGINIA 20190 |

WestDulles
Adjacent Neighbor List

| | | | | | |
|--------------|----------------------------------|--|------------------------------------|--------------------------|--|
| | Edward Whitlock | | | | |
| | Lafayette, Ayers & Whitlock, PLC | | 10160 Staples Mill Road, Suite 105 | Glenn Allen, VA 23060 | |
| 7880-72-8161 | GONNER, JOLENE F | | 10125 EAST PATRICK HENRY ROAD | ASHLAND, VA 23005-0000 | |
| | GRAVES, MARY | | | | |
| 7890-01-0503 | TYLER, DOROTHY ET AL | | PO BOX 1431 | ASHLAND, VA 23005 | |
| 7880-72-5367 | HANOVER COUNTY | | PO BOX 470 | HANOVER, VA 23069 | |
| 7789-69-9500 | HARRIS & DOUGLAS PROPERTIES, LLC | | 7113 THREE CHOPT ROAD STE 209 | RICHMOND, VA 23226 | |
| 7880-92-1335 | HICKORY GROVE PARTNERS, LLC | | 9245 SHADY GROVE RD, SUITE 200 | MECHANICSVILLE, VA 23116 | |
| 7880-81-6802 | HICKORY GROVE PARTNERS, LLC | | 9245 SHADY GROVE RD, SUITE 200 | Mechanicsville VA 23116 | |
| | HOLBROOK, JEFFREY N | | | | |
| 7789-69-2026 | NICOLE L | | 12915 MOUNT HERMON ROAD | ASHLAND, VA 23005 | |
| | HOLMAN, KELVIN S | | | | |
| 7880-91-8617 | LINDA C | | P O BOX 119 | ASHLAND, VA 23005 | |
| 7880-81-0951 | HOPKINS, LEWIS O JR | | 10109 EAST PATRICK HENRY ROAD | ASHLAND, VA 23005 | |
| 7789-38-7975 | IRISH COFFEE LLC | | 7800 WILL ROGERS BLVD | FORT WORTH, TX 76140 | |
| | JASWAL, HARNEET KAUR | | | | |
| 7890-00-0204 | JASWAL, SARBIT KAUR R/S | | 9988 E PATRICK HENRY ROAD | ASHLAND, VA 23005 | |
| | John Montgomery | | 130 E. Wythe Street | Petersburg, VA 23803 | |
| | Traylor Montgomery & Elliott, PC | | | | |
| | FERGUSON, DAVID G. | | | | |
| 7890-00-5918 | FERGUSON, KATRINA M. | | 13047 CEDON ROAD | ASHLAND, VA 23005 | |
| | BABER, KIMBERLY | | | | |
| 7880-71-6956 | MATTHEWS, DONALD | | 13097 HILL TOP DRIVE | ASHLAND VIRGINIA 23005 | |
| | BABER, KIMBERLY | | | | |
| 7880-72-7041 | MATTHEWS, DONALD | | 13097 HILL TOP DRIVE | ASHLAND VIRGINIA 23005 | |
| | LOWE, RILEY B REVOCABLE TRUST | | | | |
| 7880-63-9486 | LOWE, HELEN F REVOCABLE TRUST | | PO BOX 175 | MECHANICSVILLE, VA 23111 | |
| | MAZIARZ, EDMUND PETER III | | | | |
| 7789-58-4183 | CARRIE R/S | | 12409 GLEN CARRIE ROAD | ASHLAND, VA 23005-0000 | |
| | MOORE, PAMELA | | | | |
| | BURNEY, ANGELA M & MOORE, | | | | |
| 7880-81-9731 | STEPHANIE L | | 10068 EAST PATRICK HENRY ROAD | ASHLAND, VA 23005 | |
| 7880-91-1671 | MOORE, ROSE | | 10052 EAST PATRICK HENRY ROAD | ASHLAND, VA 23005-0000 | |

Adjacent Neighbor List

[illegible]

Please identify any **known or suspected historic resources on both the subject property and adjacent properties**, to include both structural and non-structural resources, such as trenches, cemeteries, and archeological sites. Please include the GPIN (Tax Parcel Number) associated with the resource. Please attach additional sheets, if necessary. Should you need assistance completing this form, please contact the Planning Staff.

- If you have identified known or suspected historic resources on the subject property or adjacent property, please provide the following information on each site:

- [illegible]

- [illegible]

If there are no known or suspected historic resources on the subject property or immediately adjacent, including structural and non-structural resources, trenches, cemeteries, and archeological sites, please sign and date. / /

Andrew M. Condlin, by Power of Attorney

Date:

date. 2/26/24

EXPLANATION: (Attach additional sheets, if necessary)

1. This Special Exception is being requested in order to: Height exception to provide scaled height restriction that requires the extra height to be set back from the perimeter and taller heights located in the center of the project.

2. Briefly describe how you plan to develop the property for the proposed use and any associated uses. The rezoning of very dense East Ashland (as located in the County of Hanover) to allow for residential to the rear of the site, separated by a large environmental area, from the proposed data center project option in the remainder of the site as shown on the attached concept plans.

3. Describe why the proposed use or exception is desirable and appropriate for the area. What measures will be taken to assure that the proposed use or exception will not have a negative impact on the surrounding vicinity? (For example, this may include traffic or environmental impacts.) The current zoning of the site allows for a significantly dense mixed use with development of residential uses (including apartments) and retail uses. The proposed uses involve a much lower density than the current zoning and creates employment based uses. The project will be planned to include landscape buffers around the perimeter and taller buildings will be located in the center.

4. Are there any deed restrictions concerning the type of use proposed? If so, provide the date the said restrictions expire. (You may attach a copy of the restrictions.) N/A

5. Is the subject property located in a Dam Break Inundation Zone? ☐ Yes ☒ No (Please contact the Department of Planning or Public Works for assistance in addressing this question.) If yes, please contact the Department of Public Works for further information.

COMPLIANCE WITH VDOT & COUNTY TRAFFIC IMPACT ANALYSIS REQUIREMENTS

The following must be completed for all applications: The selection below is based on a projected daily trip generation of 2,475 vehicles per day and a site peak hour trip generation of 297 AM / 99 PM vehicles per hour, based on the stipulations of 24 VAC 30-155. The 11 edition (latest edition) of the ITE Trip Generation Manual was used in determining the trip generation (Code Number 160 and Page Number VDOT Data).

Choose one of the two options below:

- ☐ I certify that this proposal **DOES NOT EXCEED** 380 vehicle trips per day that would require submittal of a Traffic Impact Analysis.
- ☒ I certify that this proposal **DOES EXCEED** 380 vehicle trips per day that would require a Traffic Impact Analysis be submitted.

Choose one of the two options below:

- ☐ I certify that this proposal **DOES NOT MEET** any of the VDOT thresholds identified in the Traffic Impact Analysis Regulations Administrative Guidelines (24 VAC 30-155) that would require a Traffic Impact Analysis to be submitted in conjunction with this application.
- ☒ I certify that this proposal **MEETS** at least one of the VDOT thresholds identified in the Traffic Impact Analysis Regulations Administrative Guidelines (24 VAC 30-155) that would require a Traffic Impact Analysis to be submitted in conjunction with this application. A Traffic Impact Analysis, prepared in accordance with the Traffic Impact Analysis Regulations Administrative Guidelines (24 VAC 30-155), has been prepared and will be submitted to VDOT the same day.


(Signature of Applicant/Applicant's Representative)

Andrew M Condon
(Applicant/Applicant's Representative – Print Name)

2/26/24
(Date)

Agency Comments

Cheely, Claudia

From: Biernot, Gretchen W.
Sent: Monday, November 25, 2024 10:09 AM
To: Cheely, Claudia
Subject: FW: Ironhorse staff report

FYI

Gretchen W. Biernot, AICP

Current Planning Manager

Hanover County Planning Department

Direct Line: (804) 365-6369

Main Line: (804) 365-6171



From: Sobrito III, Charles J. <CJSobrito@hanovercounty.gov>
Sent: Friday, October 18, 2024 9:12 AM
To: Biernot, Gretchen W. <gwbiernot@hanovercounty.gov>
Subject: RE: Ironhorse staff report

Hello Gretchen,

This area is close to the approach surface and inside the FAA 7460 notification area. Probably best to ask for an airspace determination. I did a quick check and made some assumptions such as ground elevation and lat long and got this.

Please select structure type and complete location point information.

Latitude: Deg M S

Longitude: Deg M S

Horizontal Datum:

Site Elevation (SE): (nearest foot)

Structure Height : (nearest foot)

Is structure on airport: ☒ No
☐ Yes

Results

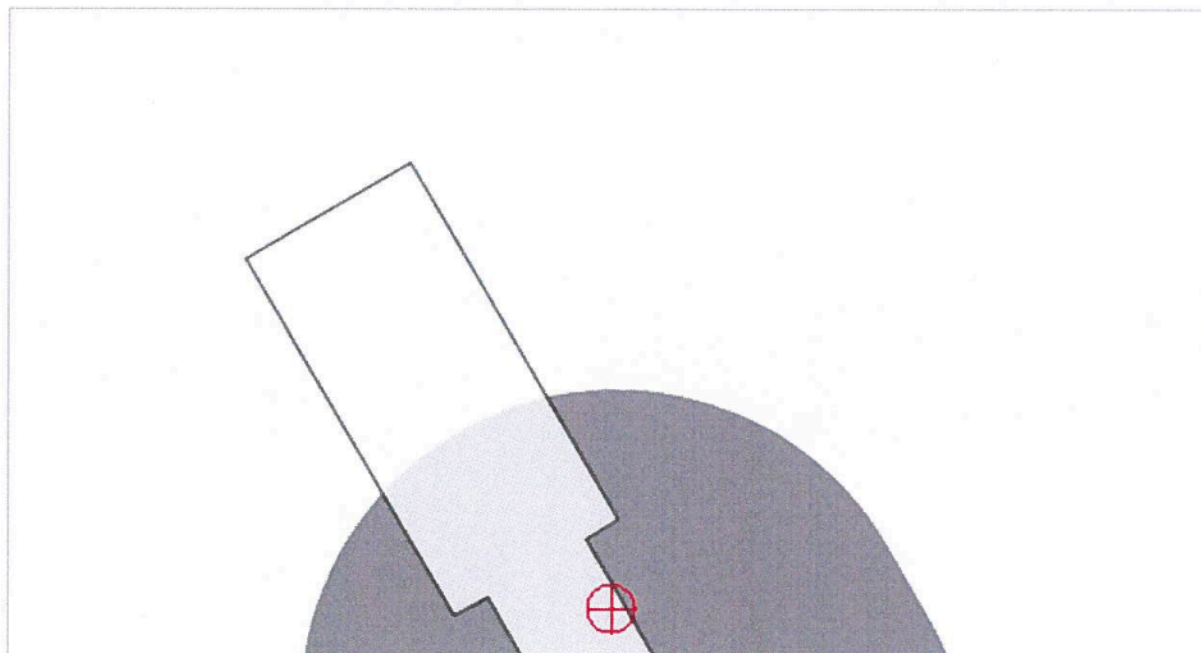
You exceed the following Notice Criteria:

Your proposed structure exceeds an instrument approach area by 94 feet and aeronautical study is needed to determine if it will exceed a standard of subpart C of 14CFR Part 77. The FAA, in accordance with 77.9, requests that you file.

Your proposed structure is in proximity to a navigation facility and may impact the assurance of navigation signal reception. The FAA, in accordance with 77.9, requests that you file.

77.9(b) by 35 ft. The nearest airport is OFF, and the nearest runway is 16/34.

The FAA requests that you file



Chuck

[Obstruction Evaluation / Airport Airspace Analysis \(OE/AAA\) \(faa.gov\)](#) (there is a tool at the bottom middle of the page)

From: Biernot, Gretchen W. <gwbiernot@hanovercounty.gov>

Sent: Tuesday, October 15, 2024 4:47 PM

To: Sobrito III, Charles J. <CJSobrito@hanovercounty.gov>

Subject: FW: Ironhorse staff report

Hi Chuck!

Are you aware of the Ironhorse project that is proposed at Route 54 and Mount Hermon Road? 110' tall buildings are proposed, and I wanted to make sure this was not an issue for the airport. Please let me know when you get a chance. Thanks!

Gretchen W. Biernot, AICP

Current Planning Manager

Hanover County Planning Department

Direct Line: (804) 365-6369

Main Line: (804) 365-6171



Sketch Plan

Elevations

Exhibit B



Building step-backs and projections
Changes in building material, pattern,
texture, & color
Neutral colors



Changes in building height
Changes in building material,
pattern, texture, & color
Neutral colors
Use of accent material
Variations in the roof line
Main entrance feature



Changes in building material,
pattern, texture, & color
Neutral colors
Fenestration
Variations in the roof line
Building step-backs, projections or
recesses