

The following sample letter can be emailed to the Planning Commissioners (plancom@fairfaxcounty.gov) and to the Board of Supervisors (clerktothebos@fairfaxcounty.gov), **subject** "Oppose RZ 2022-SU-00019 / SE 2022-SU-00038". Be sure to address the first line to the appropriate recipients and add your name and address at the bottom.

Dear [indicate to whom you are sending, either Planning Commissioners or Board of Supervisors]

As a resident of the Pleasant Valley neighborhood in Chantilly, I am **requesting that the RZ 2022-SU-00019 / SE 2022-SU-00038 application be denied** as the specified uses – 110-foot tall data center or high-volume truck trafficked parcel hub warehouse – **conflict with the Comprehensive Plan, Land Unit H, and are incompatible with, and will negatively impact, the surrounding areas.** Additionally, some information requested as part of this entitlement phase by County departments has either been ignored, pushed off to site plan or only partially provided.

Special Exception SE 2022-SU-00038, Option 1 Data Center opposition:

There are **no other data centers within Fairfax County that are currently approved or operational at 110-feet, storing 148,000 gallons of flammable diesel fuel and toxic diesel exhaust fluid, adjacent to a Resource Protection Area (RPA) and tributary to our drinking water,** therefore there is insufficient information regarding the impacts of such a data center on the residents' quality of life, home values, animals, and the environment. **The Board of Supervisors directed staff to supply a year-end report on the environmental impacts of data centers and their proper siting, yet the County is not waiting on that report for this unprecedented data center.** The Resource Protection Area (RPA) / Cub Run Stream Valley Park will become a test ground and the residents of Pleasant Valley will be test subjects without recourse.

Size / Noise / Electricity

1. The proposed 110-foot high data center would be the tallest data center in all of Fairfax County, in fact, the tallest building in Land Unit H, would **tower over the adjacent buildings (Ourisman Toyota 26 feet, Sheehy Infinity 28.7 feet, Rosenthal Jaguar / Landrover 27.4 feet) by 80 feet** and is therefore incompatible with the character of the area. The adjacent buildings Per the Comprehensive Plan,

the **data center exceeds the maximum intensity of 0.35 FAR for Land Unit H** of the "Guidelines for Higher Intensity within Areas Planned for Industrial Use" in Appendix 12 of the Land Use section of the Policy Plan. If approved, then where does it end? **Land Unit H is a suburban area and attempts to change it into an urban area are inappropriate.**

2. Citing that the tenant is unknown, the applicant is unable to specify the electrical requirements. However, the data center would require so much electricity, that additional land development near the applicant property is required to build **a new substation to supply it, violating the criteria that new uses "be supported by existing infrastructure"** of the "Guidelines for Higher Intensity within Areas Planned for Industrial Use" in Appendix 12 of the Land Use section of the Policy Plan.
3. At 110 feet, the **data center would rise fifty (50) feet or more above the tree line** of the RPA buffer. Given that most homes in the Pleasant Valley neighborhood sit on land that is thirty (30) to over sixty (60) feet (USGS) above the elevation of the applicant property, **the RPA tree "buffer" is insufficient in height to shield homes** in the Pleasant Valley neighborhood from the data center and the noise of the rooftop cooling systems. As such, the data center **does not meet the criteria "to ensure that surrounding uses are not negatively impacted by this higher intensity" and "to minimize visual impacts on adjacent properties related to height and building mass"** of Appendix 12 of the Policy Plan of the Comprehensive Plan.
4. Although the data center may meet the continuous noise ordinance as specified in Fairfax County Code 108.1-4-1, **the \$1000 (thousand dollar) fine and the fact that the "civil penalties provision shall not apply to noise generation in connection with business being performed on industrially zoned property" and that the code exempts back-up generator maintenance, make it insufficient, leaving no real recourse for residents subjected to constant noise** which, by its continuous nature, can be annoying even when below the noise ordinance threshold. Data center HVAC systems produce a 24/7 low-frequency hum, which passes through barriers and travels further than higher frequencies, that the brain has difficulty filtering out. The applicant has not been asked to provide a frequency level (Hz) analysis regarding the constant and continuous noise.

Water / Air / Environment

5. The quantity of water required by the data center has not been provided as the applicant does not know the final build and there is no on-site mitigation of the elevated levels of saline that are created by evaporative cooling which leaves higher salt wastewater behind causing problems for publicly funded wastewater treatment facilities. In a letter to Prince William County regarding their Digital Gateway, dated October 24, 2022, **Rachel Flynn, the Deputy County Executive of Fairfax County, stated "We concur with the comments of Fairfax Water, dated March 21, 2022, and May 4, 2022, i.e., reducing sodium and bromide concentrations in industrial wastewater before they enter the public sanitary sewer system.", yet there is no requirement for this applicant to reduce either of these concentrations.**
6. The subject property is located within the Water Supply Protection Overlay District (WSPOD), and is adjacent to the Cub Run watershed (which the USDA has classified as "impaired"), Cub Run Stream Valley Park and a Resource Protection Area. The impact of the additional water pollution from the runoff, noise and air pollution from the cooling and power generators on the wildlife and the environment is incompatible with the area.
7. With over 4,000 data center diesel generators in the tri-county area as of early 2023, air quality will continue to degrade, violating the Comprehensive Plan's **criteria "to ensure that surrounding uses are not negatively impacted by this higher intensity"**
8. The data center requires 27 diesel generators, storing 135,000 gallons of flammable diesel fuel and 13,500 gallons of toxic diesel exhaust fluid on-site. A spill (from the generators or diesel trucks hooking up to fill the generators), leak, fire or other **accident can shut down the area** and contaminate the adjacent Resource Protection Area and Cub Run stream (a tributary to Occoquan Reservoir drinking water). Fairfax County Park Authority (FCPA) has raised concerns: *"a diesel spill could contaminate FCPA's adjacent and downstream properties and the Cub Run watercourse. FCPA continues to request details on the handling, storage, and spill containment of the fuel system, as well as construction and operational safeguards and redundancies to be provided by the contractor and owner."* Yet the Staff Report concluded only that "A proffer is *recommended* to provide this information at site plan." Rezoning is an entitlement; by **putting this off until site**

plan, the county is not following its own recommendation “*to undertake those studies prior to the approval of any entitlements.*”

9. **Development Review Branch “continues to request that a noise study be performed as part of this entitlement phase to identify the anticipated transportation noise levels” yet this has been ignored.** Given that the only truck access will be on eastbound Route 50, trucks will be required to traverse the 2-lane Lafayette Center Drive, with an on-road bike path, bringing heavy truck traffic within 300 yards of homes in the Pleasant Valley neighborhood.

Special Exception SE 2022-SU-00038, Option 2 High Cube Parcel Hub Warehouse opposition:

The warehouse and associated **increase in truck traffic noise and diesel emissions** (nitrogen oxides and particulate matter), **conflict with the Comprehensive Plan’s objective** "to protect existing residential areas from the encroachment of commercial development" and "to ensure that surrounding uses are not negatively impacted by this higher intensity". **Diesel emissions pose a health hazard to those living near a highway or warehouse, and if the proposed warehouse is built, the residents of Pleasant Valley would be within a half mile of both.**

Air / Noise / Environmental Impacts

1. The Federal Highway Administration (FHWA) has thirteen (13) classes of vehicles ranging from motorcycles to "Seven or More Axle Multi-Trailer Trucks". The applicant has not provided any details as to the expected type of vehicles to be used for the facility, making it difficult if not impossible to estimate the air and noise pollution impacts. However, Fairfax Zoning Administration indicated the facility would be classified as a Freight Distribution Hub which uses semi-trailer trucks and is only allowed in the I-4, I-5, and I-6 Districts (not in the I-3 district which the land was originally zoned).
2. Given the topographical elevations of the Pleasant Valley neighborhood, most homes sit on land that is thirty (30) to over sixty (60) feet (USGS) above the elevation of the applicant property. **Most can hear the traffic on Route 50 clearly because there is no berm or wall and even if there were, homes would be outside the noise shadow created by the berm or wall due to the neighborhood elevation.** The

elevation also makes the RPA tree “buffer” insufficient to shield homes in the Pleasant Valley neighborhood from increased truck traffic and other noises associated with a distribution warehouse.

3. The subject property is located within the Water Supply Protection Overlay District (WSPOD), and is adjacent to the Cub Run watershed (which the USDA has classified as “impaired”), Cub Run Stream Valley Park and a Resource Protection Area. Therefore, the air and noise pollution from the increase in diesel trucks on the wildlife and environment is incompatible with the area.
4. **The warehouse and associated increase in truck traffic noise and diesel emissions (nitrogen oxides and particulate matter), conflict with the Comprehensive Plan’s objective “to protect existing residential areas from the encroachment of commercial development” and “to ensure that surrounding uses are not negatively impacted by this higher intensity”.**

Traffic / Health / Safety

5. **Development Review Branch (DRB) “continues to request that a noise study be performed as part of this entitlement phase to identify the anticipated transportation noise levels” yet this has been ignored.** Given that the only truck access will be on eastbound Route 50, **trucks will be required to traverse the 2-lane Lafayette Center Drive, with an on-road bike path, bringing heavy truck traffic within 300 yards of homes in the Pleasant Valley neighborhood.** In addition to the noise, the increased truck traffic, poses a safety hazard to people driving or biking along these roads, especially students going to/from Westfield High School, and brings Rt 50 to the doorsteps of residents.
6. The California South Coast Air Quality Management District adopted a regulation requiring that warehouses of 100,000 square feet or more must take measures to reduce the **health impact of trucks as well as other diesel-gasoline powered vehicles.** The Socioeconomic Impact Assessment for this regulation noted that **emissions from a warehouse of 100,000 square feet or more can affect the health of those living up to 2.0-miles distant.**

Rezoning RZ 2022-SU-00019 Opposition:

1. The entire parcel was originally zoned I-3 light industrial which is more compatible with the Land Unit H designation the parcels are in. In July 2020 the BOS granted a rezoning of 6.68 acres to I-5 with strict proffer provisions. Owners and developers have learned to take advantage of permissive zoning rules in the I-5 for warehouses and data centers because it permits by-right construction up to 75 feet in height without any requirements to mitigate noise (e.g. no need to enclose cooling, ventilating or power generators) or other environmental impacts and pollutants, as they would in I-3. **Rezoning to I-5 conflicts with the Comprehensive Plan's Land Unit H guidelines** and the "Guidelines for Higher Intensity within Areas Planned for Industrial Use" in Appendix 12 of the Land Use section of the Policy Plan **"to ensure that surrounding uses are not negatively impacted by this higher intensity"**. **If anything, the I-5 parcel should be down-zoned back to I-3 to mitigate impacts on the adjacent Cub Run Stream Valley Park, the RPA, the Pleasant Valley neighborhood, the Westfield High School and surrounding areas rather than compounding potential problems by rezoning.**
2. On May 15, 2023 the applicant indicated their unwillingness to remove any bamboo on the 67-acres zoned I-3, therefore the "dedication" of the site for conservation should not be considered a bargaining chip with the county.

Although the Comprehensive Plan provides guidelines, they are all too often ignored when it is convenient or profitable to do so. The county should not always be expected to approve whatever a developer wants; in doing so, the county opens the area up to more of the same development. The county should take into account an I-5 district's distance from homes, schools, churches, wildlife and natural resources, and not rezone an area to I-5 simply because an applicant wants them to.

I strongly oppose this application and request that you deny RZ 2022-SU-00019 / SE 2022-SU-00038.

Respectfully,

[Your Name]

[Your Address]