



COUNTY OF PRINCE WILLIAM

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PLANNING
OFFICE

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Director of Planning

March 8, 2013

TO: Planning Commission

FROM: Stephen L. Donohoe, Planner

SUBJECT: Madera Farm (SUP #PLN2012-00334)
Brentsville Magisterial District

The Planning Commission opened the public hearing at their February 6, 2013 meeting and moved to continue the public hearing to date certain March 20, 2013. The motion included a request that staff continue to work with the applicant to address the concerns expressed at the hearing and to further address impacts with regard to transportation safety and environmental protection. Attached is the revised set of conditions dated March 7, 2013.

Staff has revised the conditions to address the concerns raised at the February 6, 2013 Planning Commission hearing. Staff continues to recommend approval.

Conditions (revised):

2.c – Removed “not including by-right agricultural uses” because the hours of operation pertain to all uses within the SUP area.

2.c.ii & iii – Reduced truck operating hours & weight from 52,000 lbs. to 26,000 lbs. Also, removed seasonal variations of truck hours.

6.a – Requires on-site stormwater management facility by eliminating potential for site plan waivers.

6.c – Requires fueling facility to be shown on site plan, if requested.

8.b – Requires the construction of a left turn lane along Route 28 within one year from the date of issuance of occupancy permit.

8.c – Minimum railroad crossing improvement – armbar/gate and warning lights.

8.f – Truck traffic limitations shall comply with railroad crossing agreement parameters or the parameters outlined in the conditions, whichever is more restrictive.

8.f.i – Added a maximum number of trucks allowed per day. Also, established peak hour truck limits for all trucks until such time as the construction of a left turn lane. Notwithstanding the construction of a turn lane, large trucks (26,000 lbs.) or greater, are not permitted to enter or leave the site during establish peak hours.

Attachment:

A. Conditions dated December 19, 2012 and revised through March 7, 2013.

PROPOSED CONDITIONS

Owner/Applicant: Madera Farm, LLC

Special Use Permit: SUP #PLN2012-00334, Madera Farm

Prince William County GPINs 7493-16-9464 & 7493-24-4694 (part of)

Special Use Permit Area: +/-65.05 acres

Zoning: A-1, Agricultural

Magisterial District: Brentsville

Date: March 7, 2013

The following conditions are intended to offset the impacts of the proposal and to render the application consistent with the applicable chapters of the Comprehensive Plan and the surrounding areas. If the conditions of this special use permit or the special use permit plan (the "SUP plan") are in conflict with the Zoning Ordinance, and/or the Design and Construction Standards Manual (DCSM), the more restrictive standards shall apply, except as specifically allowed by this special use permit.

The applicant shall file a site plan within one (1) year of approval of this special use permit by the Board of County Supervisors and shall have up to five (5) years from the date of final site plan approval to commence the proposed use. Issuance of an occupancy permit constitutes commencement of the use. The term "Applicant" as referenced herein shall include within its meaning the lessee and/or all current/future owners and successors in interest.

1. Site Development – The property shall be developed in substantial conformance with the following plans and the conditions herein:
 - a. Special Use Permit Plan, prepared by The Land Planning & Design Group, Inc., dated November 12, 2012. "The Property" shall reference the SUP area as defined by the SUP limits depicted on the Plan.

2. Use Parameters
 - a. Landscaping Service - The proposed special use is for a landscaping service providing yard and garden maintenance including but not limited to the installation of plantings and landscaping materials, sculpting of land forms, mulch, wood chips, green roof, bio-retention and light weight soil mixes, hardscape including pavers for outdoor patios, and driveways, wall stones, retaining walls, drainage, irrigation, soil amendment, installation of sod, top dressing, pruning, leaf removal, plant removal, installation of vegetated growing media as a natural alternative for filtering and controlling sediment run-off (such as rain gardens), and similar landscaping and landscape maintenance activities.

- b. Use Limitations - The use of the SUP site shall be limited to activities supportive of a landscaping service including an office or other buildings and structures to house inventory, equipment, and vehicles, but shall not include activities meeting the zoning ordinance definitions of "dump heap" or "landfill." Inventory, equipment, and vehicles used on-site, or used to convey inventory to, or from the property, shall be owned or contracted directly by the landscaping service and shall be for the purposes described in condition 2.a. above including accessory processing and mixing of mulch and/or topsoil, and wood chip production. All materials processed, mixed, composted, or produced on-site shall be brought to the SUP site, or delivered from the SUP site to the customer by the applicant's landscaping service. The site shall not be used for a landfill (debris) and/or dump heap use.
- i. Processing - The processing of mulch, wood chips and medium for green roof, bio-retention and similar special light weight soil mixes and mulches shall be permitted on-site as an accessory use to the landscape service use. The area where the processing equipment is located shall be limited to a maximum two (2) acre area within the 12.5 acre processing area depicted on the SUP plan. Only materials brought to the site by the applicant and/or subcontractors performing services associated with the landscape service business shall be permitted for processing, mixing, and chip production on-site. All processed and/or mixed materials on-site shall be utilized as part of the primary landscaping service business use. Processed/mixed material piles shall not exceed twenty-five (25) feet in height.
- ii. Composting - Composting shall be permitted on-site and shall occur in no more than the 3.8 acres as depicted on the SUP plan. Composting shall be performed in accordance with DEQ guidelines. Composting piles will be placed in windrows no higher than twenty-five (25) feet, separated by a minimum of eighteen (18) feet.
- c. Hours of Operation - The hours of operation shall be no earlier than 5:30 AM and no later than 8:30 PM during Eastern Standard Time and shall be no earlier than 5:30 AM and no later than 9:30 PM during Daylight Savings Time, with the following additional limitations on specific activities.
- i. Processing Hours of Operation - Processing and mixing of mulch, top soil, compost, and production of woodchips and similar material processing shall be limited to between 7:00 AM and 6:00 PM.
- ii. Transportation Hours of Operation - Trucks having a GVW of 26,000 pounds or greater, shall be limited to enter and exit the site between 8:00

AM and no later than 8:00 PM during Eastern Standard Time and shall be limited to enter and exit the site between 8:00 AM and 9:00 PM during Daylight Savings Time. Additional restrictions apply during peak hours of traffic along Nokesville Rd. as defined in Condition 8.f.

- d. Number of Employees – The total maximum number of on-site employees permitted shall not exceed ten (10). The total number of employees permitted on-site at any one time shall not exceed fifteen (15).
- e. Sales – There shall be no customers permitted on-site.

3. Community Design

- a. Architecture - The design of the buildings on-site shall generally conform to the elevations that appear on the “Madera Farm Office/Shop Exhibit A & Madera Farm Equipment Shed Exhibit B”, dated May 14, 2012. The combined building area shall not exceed 9,500 square feet of gross floor area as shown on the SUP plan.
- b. Gated Entrance - As a condition of final site plan approval, the applicant shall provide security gate at the entrance to the site near Farmview Rd. as shown on the SUP plan. The applicant shall maintain, repair and/or replace the gate as necessary to ensure that it remain in a good and safe state of repair.
- c. Buffers - As evidenced on the final site plan, buffers shall be provided by the applicant as shown on the SUP plan, and shall meet minimum requirements of the DCSM and the following standards at the time of commencement of the use:
 - i. Railroad Buffer - A minimum 100-foot wide buffer shall be provided using existing vegetation and supplemented as needed, per DCSM Sec. 800, along the railroad right-of-way as shown on the SUP plan except where such buffering would conflict with sight lines and the driveway for the railroad crossing.
 - ii. Eastern Property Line – A 50-foot wide buffer plus an additional 50-foot wide area with berm shall be provided as follows:
 - a) Existing and Supplemental Vegetation - A 50-foot wide buffer area along the eastern property line (abutting GPIN 7493-45-0260) shall be provided using existing vegetation and supplemented as needed, per DCSM Sec. 800, except where such vegetation would conflict with sight lines and the driveway for the railroad crossing. Unless provided according to the DCSM, this planting area shall

be located outside of any existing or proposed parallel utility easements.

- b) Berm - The applicant shall provide an eight (8) foot high berm within an area fifty (50) feet wide adjacent to the buffer area as shown on the SUP plan. The berm shall extend from the northeast corner of the site to the southeast corner of the SUP area except where the berm would conflict with the sight lines and the driveway for the railroad crossing.
- iii. All plantings shall be drought-resistant and indigenous, or other species approved with the final site plan.
- d. Signage - All signage shall comply with the standards set forth in the Zoning Ordinance and Design and Construction Standards Manual (DCSM). In addition, the following shall apply to signage and advertising on the site:
 - i. The site shall have a single freestanding sign, as permitted by the zoning ordinance, and shall not exceed eight (8) feet in height and have a maximum sign area of 10 square feet. The applicant shall provide landscaping, consisting of ground cover, and dwarf shrubs, at the base of any sign. The proposed landscaping shall be made part of the sign permit approval process and shall be installed as a condition of a sign permit issuance. The sign shall not be illuminated and shall be in substantial conformance with the sign elevation entitled, "Exhibit C Entry Sign".

4. Lighting

- a. Building mounted security lighting, which is full cut-off directed toward the building and in compliance with the Zoning Ordinance, shall be permitted. No ground mounted lighting of buildings shall be permitted. Compliance with this condition shall be demonstrated on the approved final site plans.
- b. The height of freestanding lighting fixtures shall not exceed twenty-two (22) feet, compliance with which shall be demonstrated on the final site plans. All freestanding lighting, not associated with the office/shop building and parking area, shall be located no closer than one hundred (100) feet from the property line. All such lighting shall be downward facing and full cut-off.
- c. Entrance Lighting – If required at the time of site plan review, the applicant shall provide a downward facing freestanding light fixture at the entrance to the site along Farmview Rd.

- d. The freestanding lighting shall only be illuminated during hours of operation per Condition 2c.
- e. No neon or spot lighting shall be permitted.

5. Maintenance of Property

- a. Site Maintenance - The owner/applicant shall maintain the site and shall pick up trash, litter and debris on a daily basis.
- b. Graffiti Removal - The applicant agrees to remove any graffiti from the property. Graffiti shall be deemed any inscription or marking on walls, buildings or structures not permitted by the sign regulations in Section 32- 250.20 *et. seq.* of the zoning ordinance. Any graffiti is to be reported to the Prince William County Police Department before removal. The applicant shall prevent scaling of walls by keeping dumpsters away from walls, and covering or enclosing drainpipes, amongst other measures.

6. Environment

- a. Stormwater Management –The Applicant shall provide stormwater management/best management practices on-site in the location shown on the SUP plan or in a location as determined during final site plan approval. The required SWM/BMP facility shall be a wetpond and shall include piping for dry hydrants for use by the Nokesville Fire and Rescue Station and for on-site fire suppression.
- b. Hazardous Materials – Any misuse or misapplication of fertilizers, herbicides, solvents, hazardous materials, or flammable substances is strictly prohibited. These materials shall be properly stored, maintained, applied, and disposed of in accordance with all federal, state and county ordinances.
- c. On-site Fueling – If a noncommercial on-site fueling facility is added at a future date, the applicant shall be subject to all applicable federal, state or local regulations for such facilities. If constructed, said on-site fueling facility, shall be located on a concrete pad in the area designated for equipment storage in the SUP plan and shall require a revision to the approved site plan. Containment features shall be sufficient to capture all fuel spilled so that groundwater contamination will not occur.
- d. Vehicles On-site – Vehicle maintenance and/or repair and vehicle washing shall not be permitted on-site.

- e. Water Quality - The applicant shall contribute to the Board of County Supervisors \$75 per acre (+/-65.05 acres) prior to final site plan approval for water quality monitoring, stream restoration projects, and/or drainage improvements.
 - f. Refuse Storage – The applicant shall provide an enclosed refuse storage area within the SUP area. No refuse of any kinds shall be disposed of by burning or burial. Compliance shall be demonstrated on the approved site plan.
7. Fire and Rescue
- a. Monetary Contribution - The owner/applicant shall make a \$0.61 per square foot of building area (\pm 9,500 SF) monetary contribution for fire and rescue services to the Board of County Supervisors prior to, and as a condition of issuance of the final site plan approval.
8. Transportation
- a. Access - The site is limited to single entrance from Farmview Rd. as shown on the SUP plan. The applicant shall construct a commercial entrance in accordance with DCSM standards. The entrance road shall be paved with tar and chip from the edge of pavement of Farmview Rd. to the railroad right-of-way.
 - b. Intersection Improvement - As a condition of final site plan approval, the applicant shall construct improvements at the intersection of Farmview Rd. and Nokesville Rd. The improvements shall be provided in accordance with the Prince William County DCSM Detail SI-1. The applicant shall have one year from the date of issuance of an occupancy permit, to construct a left turn lane along Route 28 in accordance with County and VDOT standards.
 - c. Railroad Crossing – The applicant shall provide standard traffic control, markings, and warning equipment at the on-site railroad crossing, in consultation with the applicable railroad company and the Prince William County Department of Transportation. At a minimum, the applicant shall install a crossing gate/armbar and flashing warning lights on both sides of the railroad crossing. These traffic control system improvements will be done per the standards in the Manual for Uniform Traffic Control Devices (MUTCD) and completed before the commencement of operations of the use addressed in this SUP. The cost associated with the railroad crossing safety measures shall be provided solely by the applicant.
 - d. Internal Ring Road – The applicant shall construct an internal ring road that has a gravel surface and a minimum travelway width of 22 feet. The road surface shall be capable of supporting emergency equipment and fire apparatus.

- e. Obstruction of Travelways – The applicant shall ensure that any vehicles associated with the use do not obstruct the travel way, site entrance, adjoining road network or encroach upon buffer and landscaped areas as shown on the SUP plan.
- f. Transportation – The total number of truck trips permitted per day shall comply with the conditions provided herein and with the conditions or parameters set forth in the railroad crossing agreement approved by the Norfolk Southern Railroad Corporation, whichever is more restrictive.
 - i. The maximum number of trucks having a GVW of 26,000 pounds or greater permitted to enter and exit the site on a per day basis shall not exceed an average of 3 per hour during the Transportation Hours of Operation, and shall not exceed a maximum of 5 per hour. At no time shall the maximum number trucks having a GVW of 26,000 pounds or greater permitted to enter and exit the site exceed 36 per day during Eastern Standard Time and no more than 39 per day during Daylight Savings Time.
 - a) Peak Hour Traffic – No trucks, of any size, associated with the landscape service business shall enter or exit the SUP site during the AM peak hours of 6:00 to 8:00 or PM peak hours of 5:00 to 7:00 until such time when the applicant has constructed a left turn lane on Nokesville Rd. at the intersection with Farmview Rd.
 - b) Large Trucks – Notwithstanding the construction of a left turn lane on Route 28, trucks having a GVW of 26,000 pounds or greater shall not enter or exit the site during the AM peak hours of 6:00 to 8:00 or PM peak hours of 5:00 to 7:00.
 - ii. Loading & Unloading - All loading and unloading of materials shall be conducted on-site in the location as shown on the SUP plan. The Applicant shall not load materials on any trucks which do not have operational tailgates in proper working order. All trucks shall be loaded by the Applicant in accordance with the Commonwealth of Virginia’s legal load limits. All loaded trucks leaving the site shall utilize covers, if applicable in accordance with Virginia law, to control dust and prevent materials from escaping.
 - iii. The Applicant, in cooperation with County staff, will petition VDOT to post “Caution – Trucks Turning Ahead” signage along Nokesville Road at points north and south of the intersections with Farmview Road. The Applicant shall file this petition prior to the final site plan submission and will fund any necessary administrative costs associated with the petition filing.

- iv. The Applicant shall establish procedures ensuring that truck drivers associated with the business are advised that Fitzwater Drive, Aden Road, and Kettle Run Road are not to be used as through roads by any trucks for non-local deliveries of materials to and from the site south of Rt. 234.
 - v. The applicant shall establish procedures assuring that all commercial vehicle drivers are trained in the railroad crossing safety.
9. Potable Water – Unless connected to public water, the applicant shall provide adequate potable well water on-site to the proposed office/shop building as determined by the Health Department associated with site plan approval and prior to issuance of an occupancy permit.
10. Septic –The applicant shall have a valid permit from the Health Department for a septic system to serve the site. The drainfield location and size shall be approved by the Health Department associated with site plan approval and prior to issuance of an occupancy permit.
11. The Applicant shall provide a courtesy review to the Brentsville Magisterial District Planning Commissioner with regard to the final site plan and railroad crossing agreement prior to the submission to Prince William County for issuance of an occupancy permit.
12. Monetary Escalator - In the event the monetary contributions set forth in the development conditions are paid to the Prince William Board of County Supervisors within eighteen (18) months of the approval of this special use permit, as applied for by the Applicant, said contributions shall be in the amounts stated herein. Any monetary contributions set forth in the development conditions which are paid after eighteen (18) months following the approval of this special use permit shall be adjusted in accordance with the Urban Consumer Price Index (CPI-U) published by the United States Department of Labor, such that at the time the contributions are paid they shall be adjusted by the percentage change in the CPI-U from the date eighteen (18) months after the approval of this special use permit to the most recently available CPI-U to the date the contributions are paid, subject to a cap of six (6%) percent per year, non-compounded.