



# STAFF REPORT

<b>PC Meeting Date:</b>	June 17, 2020
<b>Agenda Title:</b>	Rezoning #REZ2020-00003, Eco-Nize Commercial
<b>District Impact:</b>	Brentsville Magisterial District
<b>Requested Action:</b>	Recommend Approval of Rezoning #REZ2020-00003, Eco-Nize Commercial, subject to the Proffers dated January 17, 2020
<b>Department:</b>	Planning Office
<b>Case Planner:</b>	Keasha Hall

## EXECUTIVE SUMMARY

This Rezoning application was previously scheduled and dispatched for the April 1, 2020, Planning Commission public hearing. Due to guidance related to Covid-19, the April 1, 2020, public hearing was postponed and rescheduled to June 17, 2020. There have been no material changes to the application during the rescheduling period.

**Request:** This is a request to rezone approximately 1.10 acres from O(L), Low-Rise Office, to B-1, General Commercial, to allow the construction of a general commercial use with proffered use restrictions. The property is located at 14809 Lee Highway, approximately 0.10 miles west of the Route 29 and Baltusrol Boulevard intersection.

**Staff Recommendation:** It is the recommendation of staff, that the Planning Commission recommend approval of Rezoning #REZ2020-00003, Eco-Nize Commercial, subject to the proffers dated January 17, 2020.

**BACKGROUND**

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- A. Request: This is a request to rezone approximately 1.10 acres from O(L), Low-Rise Office to B-1, General Commercial, to allow the construction of a general commercial use with proffered use restrictions.

Uses/Features	Existing	Proposed
<b>Zoning</b>	O(L), Office Low	B-1, General Business
<b>Use(s)</b>	Proposed Two-Story Office Building	Limited General Commercial Uses
<b>Acreage</b>	±1.10	±1.10

- B. Site Location: The subject ±1.10-acre property is located approximately 0.10 miles west of the Route 29 and Baltusrol Boulevard intersection. The site is identified on County maps as GPIN 7397-01-2696 and is addressed as 14809 Lee Highway.
- C. Comprehensive Plan: The site is currently designated CEC, Community Employment Center, and is located within the I-66 / Route 29 Sector Plan, in the Comprehensive Plan.
- D. Zoning: The ±1.10-acre site is currently zoned (O)L, Office Low, and is located within the Lee Highway/Route 29, Highway Corridor Overlay District (HCOD).
- E. Surrounding Land Uses: To the north of the site, across Lee Highway, are single-family detached residential dwellings that are part of the Hopewell’s Landing subdivision; a parcel zoned O(M), Mid-Rise Office, occupied by Patient First; and several undeveloped parcels that are zoned O(L), Office Low-Rise. To the northeast, across Lee Highway, are several parcels zoned B-1, General Business, collectively known as the Somerset Crossing Shopping Center. Directly south of the property are three undeveloped parcels that are a part of the Lake Manassas RPC, Residential Planned Community. Approximately 0.27 miles south are single-family detached dwellings that are part of the Lake Manassas subdivision. Approximately 0.05 miles west of the subject site are undeveloped parcels and a site occupied by the Virginia Department of Transportation. Directly east of the property is one single-family residence, and undeveloped land/open space owned by the Lake Manassas Homeowners Association.
- F. Background and Context: The Applicant is requesting to rezone the subject property to allow for the development of a general commercial use, subject to proffered use restrictions. The Applicant has expressed the desire to quickly sell the property. Further, the Applicant anticipates that rezoning the subject property to B-1, General Business, will increase the marketability and sale of the parcel.

The property has the following approval history:

1. On February 7, 2017, the Board of County Supervisors approved rezoning #REZ2016-00023, Eco-Nize Office. This was a request to rezone the subject property from A-1, Agricultural, to O(L), Low-Rise Office, to allow for the development of an office building designed to resemble a rural barn. The barn structure was proffered to be

constructed for an office use, and the operation of the Applicant’s closet design business.

2. The subject site is located within the Route 29 Small Area Plan study area, which is an update to a portion of the existing I-66/Route 29 Sector Plan. On August 3, 2016, the Board approved the scope of work for the proposed Plan #CPA2017-00009, Route 29 Small Area Plan. As stated in the Route 29 Small Area Plan staff report, the Plan was prepared to be supportive of existing residential and commercial uses, while creating coordinated areas of nonresidential development and setting expectations for residential density and form in a manner sensitive to adjacent uses and historic resources. At the September 18, 2019 public hearing, the Planning Commission deferred the Route 29 Small Area Plan public hearing to a date uncertain.

**STAFF RECOMMENDATION**

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Staff recommends approval of Rezoning #REZ2020-00003, Eco-Nize Commercial, subject to the proffers dated January 17, 2020, for the following reasons:

- The Comprehensive Plans Land Use Policy 15 encourages development that infills undeveloped or underdeveloped portions of established areas in the Development Area. As proposed, the rezoning proposal is for infill development.
- The proposed proffers remove the most inconsistent land uses permitted for development. As proffered, auto-dependent uses such as a drive-through, motor vehicles sales or fueling are prohibited.
- Community Design Chapter encourages building design and architecture to incorporate high-quality finishes that are consistent with the surround area’s character. The Applicant’s proffer to incorporate a minimum of 50% masonry on the front façade facing Lee Highway is consistent with this goal.

**Comprehensive Plan Consistency Analysis**

Long-Range Land Use: The site is classified CEC, Community Employment Center. The proposed B-1, General Business, zoning designation is inconsistent with the long-range land use designation CEC. However, as proffered all of the auto-oriented primary uses are prohibited as development options, thus negating most of staff’s concerns related to inconsistent land use development on the subject site.

Level of Service (LOS): The level of service impacts for this proposed rezoning are being mitigated by the proffered monetary contributions, as follows:

<b>Water Quality</b>	\$75 per acre	± 1.1035 acres	\$82.76
<b>Fire &amp; Rescue</b>	\$0.61 per SF of building area	Up to 19,227.38 SF	Up to \$11,728.70
<b>TOTAL \$</b>			<b>Up to \$11,811.46</b>

### **Community Input**

Notice of the rezoning application has been transmitted to property owners within 500 feet of the site. As of the date of this staff report, the Planning Office has not received any verbal or written comments on this proposal and is not aware of any opposition.

### **Other Jurisdiction Comments**

The subject site is located within the required notification area of the Town of Haymarket, and a copy of the proposal was delivered for review. As of the date of this report, the Planning Office has not received any input from the Town of Haymarket.

### **Legal Issues**

If the rezoning is approved, the site could be developed as proffered and in accordance with the B-1, General Business, zoning district. Legal issues resulting from Planning Commission's action are appropriately addressed by the County Attorney's office.

### **Timing**

The Planning Commission has until September 15, 2020, which is 90 days from the first public hearing date, to take action on the rezoning proposal. A recommendation to approve the rezoning application would meet the 90-day requirement.

### **STAFF CONTACT INFORMATION**

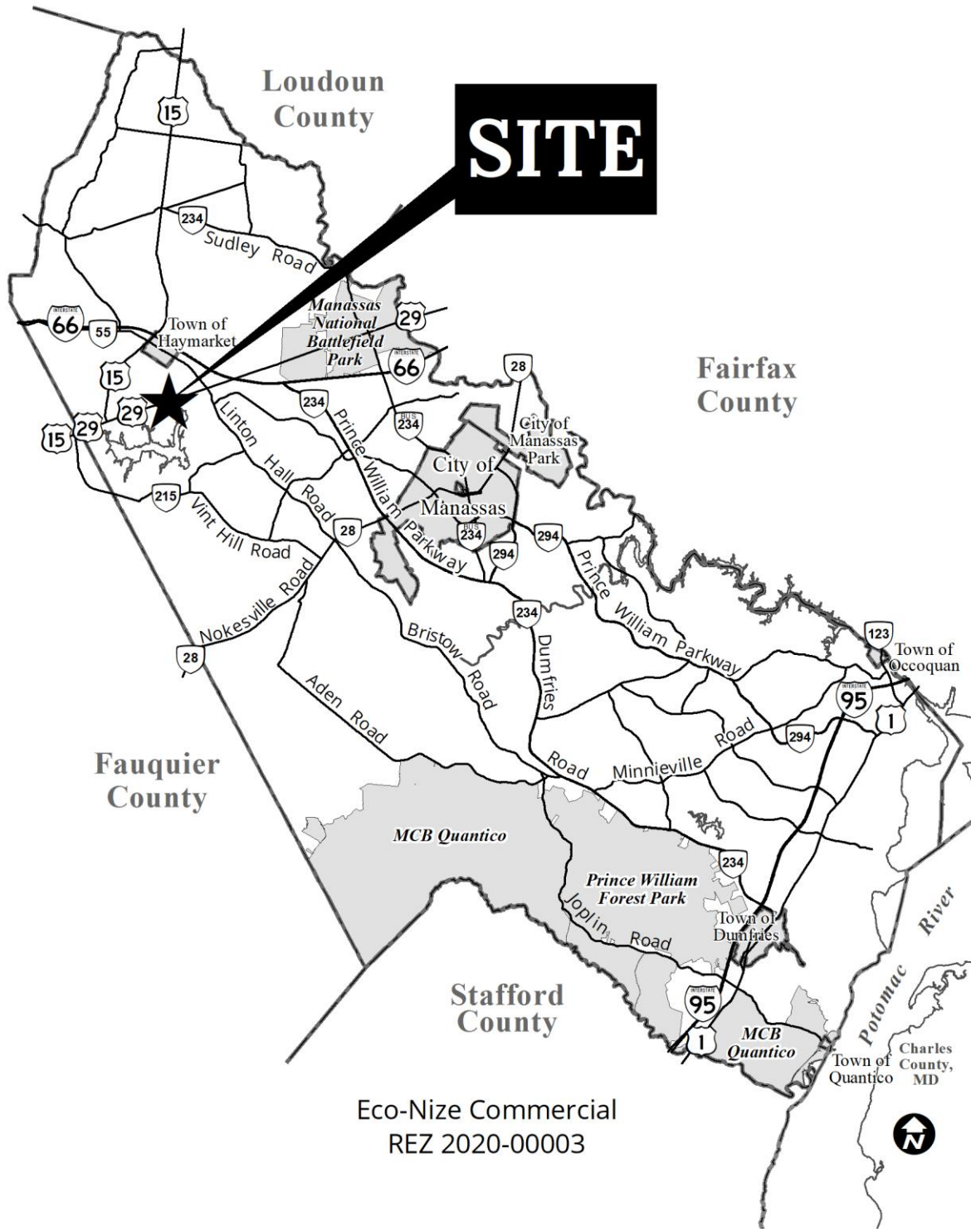
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### **ATTACHMENTS**

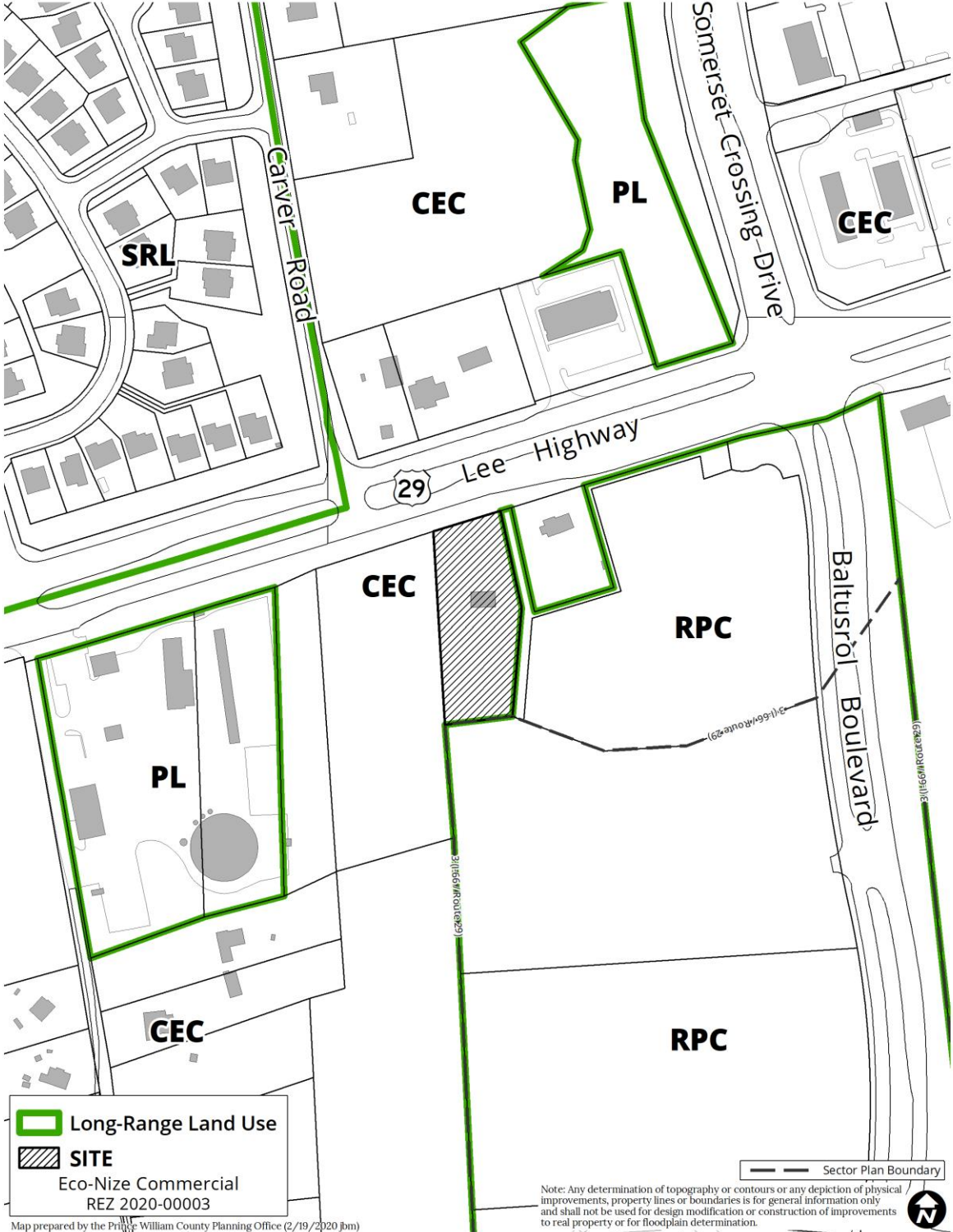
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Area Maps  
Staff Analysis  
Proffers  
Generalized Development Plan  
Environmental Constraints Analysis  
Historical Commission Resolution

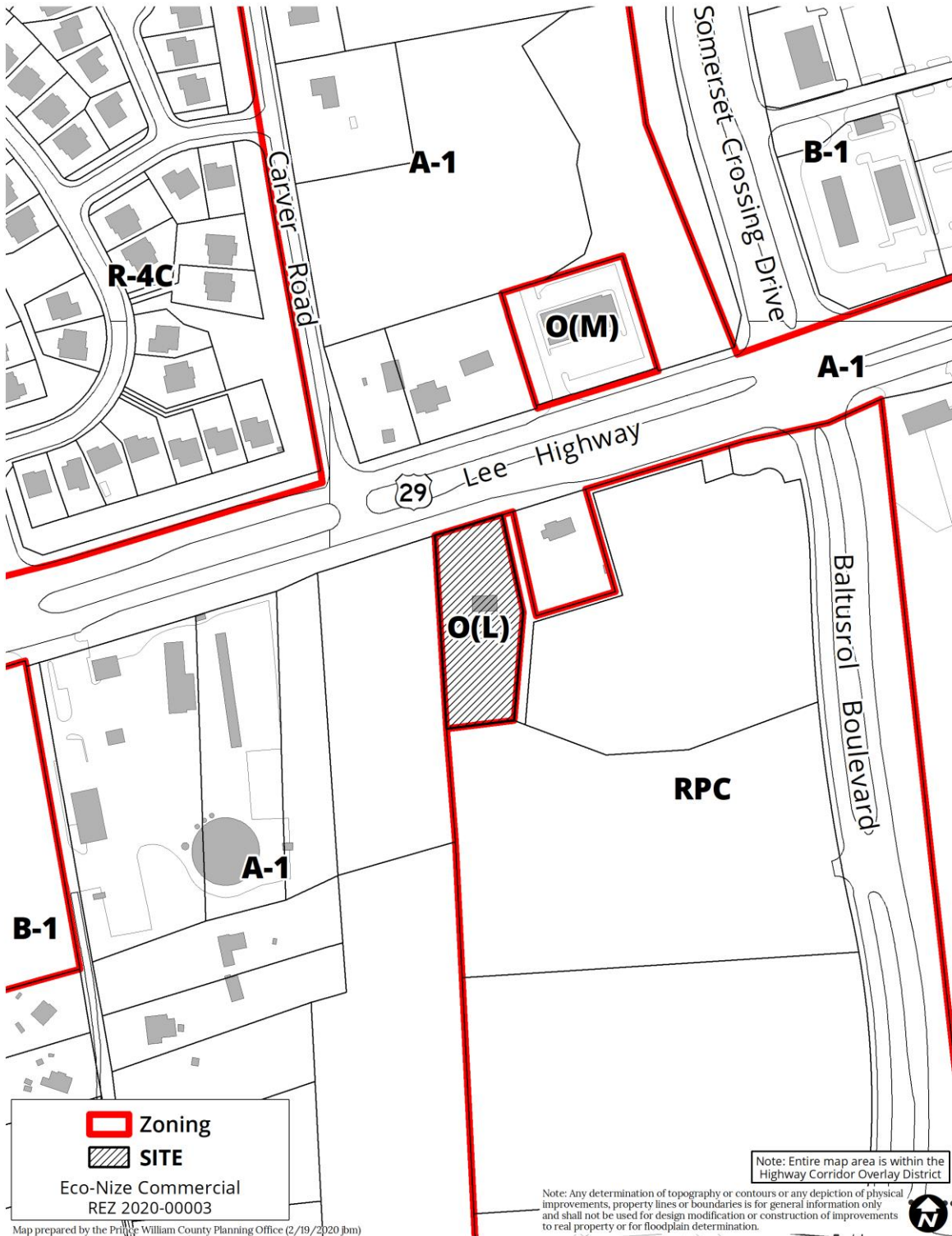


Eco-Nize Commercial  
REZ 2020-00003





Map prepared by the Prince William County Planning Office (2/19/2020 jbm)





**Part I. Summary of Comprehensive Plan Consistency**

**Staff Recommendation: APPROVAL**

This summary analysis is based on the relevant Comprehensive Plan action strategies, goals, and policies. A complete analysis is provided in Part II of this report.

Comprehensive Plan Sections	Plan Consistency
Long-Range Land Use	Yes
Community Design	Yes
Cultural Resources	Yes
Environment	Yes
Fire and Rescue	Yes
Police	Yes
Potable Water	Yes
Sanitary Sewer	Yes
Transportation	Yes

**Part II. Comprehensive Plan Consistency Analysis**

The following table summarizes the area characteristics (see maps in Attachment A):

Direction	Land Use	Long-Range Land Use Map Designation	Zoning
North	Across Lee Hwy: Single-family detached residential dwellings that are part of the Hopewell’s Landing subdivision; a parcel zoned O(M), Mid-Rise Office, occupied by Patient First; and several undeveloped parcels that are zoned O(L), Office Low-Rise. To the northeast, across Lee Highway, are several parcels zoned B-1, General Business, which are part of the Somerset Crossing Shopping Center.	SRL, CEC	R-4C, A-1, O(M), B-1
South	Directly south of the property are three undeveloped parcels that are a part of the Lake Manassas RPC, Residential Planned Community. Approximately 0.272 miles south are single-family detached	RPC	RPC

	dwellings that are part of the Lake Manassas subdivision.		
East	Directly east of the property is one single family residence, and undeveloped land/open space owned by the Lake Manassas Association	RPC, CEC	A-1, RPC
West	Approximately 0.052 miles west there is a mix of undeveloped parcels and a site occupied by the Virginia Department of Transportation.	CEC, PL	A-1, B-1

**Long-Range Land Use Plan Analysis**

Through wise land use planning, the County ensures that landowners are provided a reasonable use of their land while the County is able to judiciously use its resources to provide the services for residents and employers’ needs. The Long-Range Land Use Plan sets out policies and action strategies that further the County’s goal of concentrating on population, jobs, and infrastructure within vibrant, walkable, mixed-use centers serviced by transit. In addition to delineating land uses on the Long Range Land Use Map, the plan includes smart growth principles that promote a countywide pattern of land use that encourages fiscally sound development and achieves a high-quality living environment; promotes distinct centers of commerce and centers of community; complements and respects our cultural and natural resources, and preserves historic landscapes and site-specific cultural resources; provides adequate recreational, park, open space and trail amenities that contribute to a high quality of life for county residents; and revitalizes, protects, and preserves existing neighborhoods.

The Applicant is requesting a rezoning of the property from O(L), Office Low-Rise, to B-1, General Business, to allow for the development of a limited list of general commercial uses. This site is located within the Development Area of the County, and is classified CEC, Community Employment Center, on the Long-Range Land Use Map. The following table summarizes the uses and densities intended within the CEC designation:

<b>Long-Range Land Use Map Designation</b>	<b>Intended Uses and Densities</b>
<b>Community Employment Center (CEC)</b>	The purpose of the Community Employment Center classification is to provide for areas of low- to mid-rise offices (including government offices, particularly those for Prince William County agencies), research and development, lodging, and mixed-use projects planned and developed in a comprehensive, coordinated manner. CEC projects shall be located at or near the intersection of principal arterials and major collector roads, or at commuter rail stations. Residential uses shall be considered secondary uses and shall represent no greater than 25 percent of the total CEC gross floor

	<p>area of the project. Drive-in/drive-through uses are discouraged. Single-family attached or multifamily housing including elderly housing is permitted, at a density of 6-12 units per gross acre, less the ER designated portion of a property. Office development in CEC areas is encouraged to be in accordance with the Illustrative Guidelines for Office Development, provided as a supplement to the Community Design Plan chapter of the Comprehensive Plan and available from the Planning Office. A minimum office building height of 3-5 stories is preferred.</p>
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The subject site is also located within the I-66/Route 29 Sector Plan. The I-66/Route 29 Sector Plan incorporates the Long-Range Land Use Plan’s intent, goals, policies, and action strategies and states additional action strategies that apply specifically to the I-66/Route 29 Sector Plan area. The goals of the I-66/Route 29 Sector Plan include the encouragement of new development with a desirable commercial investment that is compatible with and supportive of a quality residential environment within the sector plan area and nearby portions of the County and the region.

**Proposal’s Strengths**

- Prohibited Uses: Although the proposed B-1, General Business, zoning classification is inconsistent with the CEC land use designation, the proposed proffers remove the most inconsistent B-1 uses. As proffered, auto-dependent uses such as a drive-through, motor vehicles sales, service, parts, towing, rental etc, motor vehicle fueling, car wash, truck stop, laundromat and financial institutions to name a few are prohibited. The entire list of prohibited uses is provided in the attachments section of this report.
- Surrounding Character: South of the subject site are undeveloped parcels zoned Residential Planned Community (RPC) – Commercial. The RPC – Commercial, zoning classification permits B-1, General Business, uses subject to the development parameters approved pursuant to the proffers approved for The Shoppes at Lake Manassas, #PLN2008-00324. As proffered the subject site shall develop with compatible uses to adjacent properties in the surrounding area.

**Proposal’s Weaknesses**

- Long-Range Land Use Inconsistency: The B-1, General Business, zoning classification is not intended to implement the CEC, Community Employment Center, land use designation.
- I-66/Route 29 Sector Plan: The Sector Plan encourages properties adjacent to Route 29 that are not being sought for a Town Center development, develop with land uses consistent with the CEC land use designation. As stated above, such uses include low to mid-rise office, research and development, and lodging. While these uses are not specifically prohibited, the property is currently zoned O(L), Office Low-Rise. The existing O(L) zoning of the property is more conducive to yielding development consistent with the CEC land use designation than the proposed B-1 zoning classification. However, staff acknowledges as proffered, auto-oriented uses are prohibited.

**On balance**, and with the proposed proffers to help mitigate the land use inconsistencies, this application is found to be consistent with the relevant components of the Long-Range Land Use Plan.

### **Community Design Plan Analysis**

An attractive, well-designed County will attract quality development, instill civic pride, improve the visual character of the community and create a strong, positive image of Prince William County. The Community Design Plan sets out policies and action strategies that further the County's goals of providing quality development and a quality living environment for residents, businesses and visitors, and creating livable and attractive communities. The plan includes recommendations relating to building design, site layout, circulation, signage, access to transit, landscaping and streetscaping, community open spaces, natural and cultural amenities, stormwater management, and the preservation of environmental features.

#### **Proposal's Strengths**

- **Landscape Buffer**: As proffered, the Applicant has provided a 20-foot landscape buffer along Lee Highway. This is consistent with the Sector Plan's goal to encourage attractive landscaping along gateway zones.
- **Quality Building Finishes**: As proffered, the building façade facing Lee Highway shall incorporate at least 50% masonry product. This proffer is consistent with the Community Design chapter goal to provide quality development utilizing high-quality finishes and building products.

#### **Proposal's Weaknesses**

- **Limited Development Details**: The Community Design chapter encourages the requirement of development plans and elevations. While the Applicant provided a General Development Plan (GDP) as proffered, development of the site shall be in substantial conformance with the General Development Plan (GDP) with regard to buffers, stormwater management, and the proposed entrance to the site. However, staff acknowledges the Applicant is actively marketing the site for sale, and the use and development details will be determined once a contract purchaser is confirmed.

**On balance**, this application is found to be consistent with the relevant components of the Community Design Chapter in the Comprehensive Plan.

### **Cultural Resources Plan Analysis**

Prince William County promotes the identification, evaluation, and protection of cultural resource sites throughout the County, as well as the tourism opportunities these sites present. The Cultural Resources Plan recommends identifying, preserving, and protecting Prince William County's significant historical, archaeological, architectural, and other cultural resources—including those significant to the County's minority communities—for the benefit of all of the County's citizens and visitors. To facilitate the identification and protection of known significant properties that have cultural resource values worthy of preservation, the land use classification County Registered Historic Site (CRHS) is used in the

Comprehensive Plan. The plan includes areas of potentially significant known but ill-defined or suspected pre-historic sites, Civil War sites, historic viewsheds, landscapes or areas of potential impact to important historic sites, and encourages the identification, preservation, protection, and maintenance of all cemeteries and/or gravesites located within the County.

The Historical Commission reviewed this proposal at its August 13, 2019, meeting, and determined that no further work was needed (see resolution in Attachments). The County Archaeologist concurs.

**Proposal's Strengths**

- Curation of Artifacts: As proffered, the applicant shall curate with the County, all artifacts and records recovered as a result of the excavations on-site.

**Proposal's Weaknesses**

- None identified.

**On balance**, this application is found to be consistent with the relevant components of the Cultural Resources Plan.

**Environment Plan Analysis**

Prince William County has a diverse natural environment, extending from sea level to mountain crest. Sound environmental protection strategies will allow the natural environment to co-exist with a vibrant, growing economy. The Environment Plan sets out policies and action strategies that further the County's goal of preserving, protecting and enhancing significant environmental resources and features. The plan includes recommendations relating to the incorporation of environmentally sensitive development techniques, improvement of air quality, identification of problematic soil issues, preservation of native vegetation, enhancement of surface and groundwater quality, limitations on impervious surfaces, and the protection of significant viewsheds.

There are no Resource Protection Area (RPA) features. However, there is an intermittent stream and jurisdictional wetland onsite that will be preserved and undisturbed.

SUBWATERSHED: Broad Run Sub-shed 238  
TOTAL SITE AREA/ ER AREA: 1.1 acres/ 0 acres  
RARE, THREATENED, ENDANGERED SPECIES: None

Soils:

No.	Soils Name	Slope	Soil Category	Erodibility
4B	Arcola silt loam	0-7%	II	Severe
35B	Manassas silt loam	2-7%	III	Moderate

### **Proposal's Strengths**

- **Water Quality:** A \$75 per acre monetary contribution for water quality monitoring, stream restoration, and/or drainage improvements has been proffered.
- **Defined Limits of Clearing:** As indicated on the GDP, approximate limits of clearing are delineated in order to control the extent of onsite disturbance, which results in preserving areas of intact vegetation onsite. This is especially true for the southern portion of the subject site.
- **Buffers:** The subject site is located in the Lee Highway Route 29 Highway Corridor Overlay District (HCOD) and is not subject to a specified buffer width or planting requirement. However, the Community Design and Environmental Chapters of the Comprehensive Plan call for the upgrading of the old HCOD requirements to meet current standards and improvement of the road frontages of major thoroughfares. As depicted on the proffered General Development Plan, the Applicant has committed to meeting the current HCOD standards.

### **Proposal's Weaknesses**

- None identified.

**On balance**, this application is found to be consistent with the relevant components of the Environment Plan.

## **Fire and Rescue Plan Analysis**

Quality fire and rescue services provide a measure of security and safety that both residents and businesses have come to expect from the County. The Fire and Rescue Plan sets out policies and action strategies that further the County's goal of protecting lives, property, and the environment through timely, professional, humanitarian services essential to the health, safety, and well-being of the community. The plan includes recommendations relating to siting criteria, appropriate levels of service, and land use compatibility for fire and rescue facilities. The plan also includes recommendations to supplement response time and reduce risk of injury or death to County residents, establishment of educational programs, such as cardio-pulmonary resuscitation (CPR) training, automatic external defibrillators (AED), and encourage installation of additional fire protection systems—such as sprinklers, smoke detectors, and other architectural modifications.

The nearest responding fire station is Gainesville Fire & Rescue Station #4. The site is located within the 4.0-minute response area for fire suppression and basic life support and is within the 8.0-minute response time for advanced life support services. The Gainesville station responded to 4,047 incidents in FY18. The workload capacity for Station #4 is 2,200 incidents.

### **FY2020-2025 Capital Improvement Program (CIP) – Planned Public Facilities:**

The County's CIP contains a planned project to construct a new Fire & Rescue Station. Station 22 is a Fire & Rescue station that will be located at 11600 Balls Ford Road in the west end of the County and is planned to be approximately 21,000 square feet. The station will house a pumper, rescue unit, collapse

unit, and an Advanced Life Support (ALS) ambulance. Career staffing will be provided for a 24-hour pumper unit, 24-hour rescue unit, and a 24-hour medic unit. The building will include sleeping quarters, a kitchen and dayroom, physical fitness room, training room, storage for heavy tactical rescue equipment, and offices. The station will include three to four apparatus bays, an area for personal protective equipment, and an exterior training tower.

Occupancy is scheduled for January 2021 and systemwide response times are expected to improve and ease the burden on existing stations.

### **Proposal's Strengths**

- **Response Times:** The site is located within the recommended 4.0-minute response time for fire suppression and basic life support, and within the 8.0-minute response time for advanced life support services.
- **Level of Service Mitigation:** As conditioned, the Applicant shall provide \$0.61 per square foot of new structure area to mitigate impacts to fire and rescue services.
- **Capital Improvement Plan (CIP):** Response time improvements are anticipated to positively impact the response area of the subject application once the new Fire & Rescue Station 22 is fully operational.

### **Proposal's Weaknesses**

- **Station Workload:** The most recent figures indicate that Fire & Rescue Station #4 is currently operating above capacity. Although the first-due station is operating above capacity, staff anticipates widespread improvements once the aforementioned CIP project is complete.

**On balance,** this application is found to be consistent with the relevant components of the Fire and Rescue Plan.

## **Police Plan Analysis**

Residents and businesses expect a high level of police service for their community. This service increases the sense of safety and protects community investments. The Police Plan is designed to promote Prince William County's public safety strategic goal to continue to be a safe community, reduce criminal activity, and prevent personal injury and loss of life and property, as well as to ensure effective and timely responses throughout the County. This plan encourages funding and locating future police facilities to maximize public accessibility and police visibility as well as to permit effective, timely response to citizen needs and concerns. The plan recommends educational initiatives, such as Neighborhood and Business Watch, and Crime Prevention through Environmental Design (CPTED), which encourages new development to be designed in a way that enhances crime prevention. The plan also encourages effective and reliable public safety communications linking emergency responders in the field with the Public Safety Communications Center.

The Prince William County Police CPTED Manual, *Crime Prevention Through Environmental Design: A guide to safe environments in Prince William County, Virginia*, can be found at <http://www.pwccgov.org/government/dept/police/Pages/CPTED.aspx>. The Applicant should also consider the use of no-trespassing signage within the community. The developer/applicant is encouraged to pay particular attention to the CPTED manual and apply design principles during the final site plan/design phase.

At this time, the Police Department does not believe this application will create significant impact on calls for service.

### **Proposal's Strengths**

- Impacts to Levels of Service: The Police Department does not believe this application will create significant impact on calls for service.

### **Proposal's Weaknesses**

- None identified.

**On balance**, this application is found to be consistent with the relevant components of the Police Plan.

## **Potable Water Plan Analysis**

A safe, dependable drinking water source is a reasonable expectation of County residents and businesses. The Potable Water Plan sets out policies and action strategies that further the County's goal of providing an economically and environmentally sound drinking water system. The plan includes recommendations relating to system expansion, required connections to public water in the development area, and the use of private wells or public water in the rural area.

The subject property is within the Development Area of the County and is thereby required to utilize public water to develop. Public water is available on-site from an existing 16-inch stub-out located approximately 500 feet east of the subject site at the southwest corner of the intersection of Baltusrol Boulevard and Lee Highway.

The Applicant shall plan, design and construct all on-site and off-site water utility improvements necessary to develop the subject property and the above-listed requirements in accordance with all applicable Service Authority, and County and State requirements, standards, and regulations.

### **Proposal's Strengths**

- Water Connection & Service: As proffered, the Applicant shall plan, design and construct all on-site and off-site water utility improvements necessary to develop the subject property.
- Existing Wells: As proffered, the Applicant shall vacate the two existing wells on the property in accordance with the requirements of the Virginia Health Department.



**Proposal's Weaknesses**

- None identified.

**On balance**, this application is found to be consistent with the relevant components of the Potable Water Plan.

**Sanitary Sewer Plan Analysis**

Appropriate wastewater and sanitary facilities provide needed public health and environmental protections. The Sanitary Sewer Plan sets out policies and action strategies that further the County's goal of providing an economically and environmentally sound sanitary and stormwater sewer system. The plan includes recommendations relating to system expansion, required connections to public sewer in the development area, and the use of either private or public sewer systems in locations classified as Semi-Rural Residential (SRR), as well as the rural area.

The subject property is within the Development Area of the County and is thereby required to utilize public sewer to develop. Public sewer is available on-site from an existing 8-inch gravity main located along Lee Highway north to the subject site.

The Applicant shall plan, design, and construct all on-site and off-site sanitary sewer utility improvements necessary to develop the property and satisfy all requirements in accordance with all applicable Service Authority, County, and State requirements, standards and regulations.

**Proposal's Strengths**

- **Sewer Connection & Service**: As proffered, the Applicant shall be responsible for all on-site and off-site improvements required to provide the sewer service demand generated by the development.

**Proposal's Weaknesses**

- None identified.

**On balance**, this application is found to be consistent with the relevant components of the Sanitary Sewer Plan.

**Transportation Plan Analysis**

By providing a multi-modal approach to traffic circulation Prince William County promotes the safe and efficient movement of goods and people throughout the County and surrounding jurisdictions. The Transportation Plan sets out policies and action strategies that further the County's goal of creating and sustaining an environmentally friendly, multi-modal transportation system that meets the demands for intra- and inter-county trips, is integrated with existing and planned development, and provides a network of safe, efficient, and accessible modes of travel. The plan includes recommendations addressing safety,

minimizing conflicts with environmental and cultural resources, maximizing cost effectiveness, increasing accessibility of all travel modes, minimizing projected trip demand, and providing sufficient network capacity. Projects should include strategies that result in a level of service (LOS) of “D” or better on all roadway corridors and intersections, reduce traffic demand through transportation demand management strategies, dedicate planned rights-of-way, provide and/or fund transit infrastructure, pedestrian and bicycle pathways, and improved and coordinated access to transit facilities.

The proposed development will directly access from the south side of Lee Highway approximately 150 feet east of Carver Road and approximately 600 feet west of the signalized Lee Highway/Baltusrol Boulevard signalized intersection. The site does not have direct access to a median break. Lee Highway is an existing four-lane divided principal arterial road with a 45-mph posted speed limit in the vicinity of the site. It is classified as an urban principal arterial by VDOT. Based on the latest available (2019) VDOT traffic counts, this segment of Lee Highway carries 49,000 annual average weekday daily vehicle (AAWDT) trips. The portion of Lee Highway in the vicinity of the site is included in the Comprehensive Plan for widening to six lanes within the 156’ PA-1 standard with a Class 1 trail on south side of Lee Highway. There are currently no pedestrian facilities along this segment of Lee Highway.

Roadway Name	Number of Lanes	2019 VDOT Count	2015 Daily LOS
Lee Highway, Route 29	4	49,000	LOS C

**Proposal’s Strengths**

- Site Access: As proffered, access to the site shall be limited a right-in/right-out configuration off of Lee Hwy, as shown in the site access configuration on the General Development Plan (GDP).
- Large Truck Accessibility: As proffered, large trucks such as a semi-truck with a wheelbase larger than 40 feet (WB-40) will not access the site for any reason.
- Accessibility: As proffered, the Applicant proposes to install a “No U-turn” sign at the median break immediately west of the subject area on Lee Hwy. This is subject to approval by VDOT.
- Inter-parcel Connectivity: As proffered, the applicant agrees to record two, 40’ easements on the property to allow for connectivity to the neighboring parcels in the event of non-residential development on either parcel.

**Proposal’s Weaknesses**

- Traffic Impact: As previously mentioned, the subject proposal did not specify what use will occupy the property. Therefore, staff can only make a limited assessment of impacts to existing levels of service. Staff acknowledges that the most impactful uses are prohibited pursuant to the proposed proffers. However, if other traffic intensive uses are proposed, a traffic study would be required during the site plan review, and recommended transportation improvements could be required at that time.

**On balance**, this application is found to be consistent with the relevant components of the Transportation Plan.

## **Strategic Plan**

This section of the report is intended to address the project's alignment with the outcomes provided within the County's Strategic Plan. The Strategic Plan posits that individuals, families and businesses prefer communities with a robust economy; easy access to jobs, services and activities; that support even the most vulnerable in the community; are safe and secure; and provide a quality education that assures lifelong learning and steady employment. From this analysis, the Strategic Plan Team developed five strategic goal areas to guide Board actions: "Robust Economy," "Mobility," "Wellbeing," "Safe and Secure Community," and "Quality Education and Workforce Development." It is important to note that no single area is viewed as more critical than another. Rather, each are interrelated and have direct impact on each other. Collectively, these goal areas impact the quality of life in all facets of the community issues raised during the review of the proposal, which are not directly related to the policies, goals, or action strategies of the Comprehensive Plan, but which are materially relevant to the County's responsibilities in considering land use issues. The aspects of the proposal relative to the Strategic Plan are as follows:

### **Increase commercial tax base**

- The proposed rezoning is favorably aligned with the County's goal to increase the commercial tax base as a percentage of overall tax revenue to 35%.

## **Materially Relevant Issues**

This section of the report is intended to identify issues raised during the review of the proposal, which are not directly related to the policies, goals, or action strategies of the Comprehensive Plan, but which are materially relevant to the County's responsibilities in considering land use issues. The materially relevant issues in this case are as follows:

- None identified.

## **Agency Comments**

The following agencies have reviewed the proposal and their comments have been summarized in relevant comprehensive plan chapters of this report. Individual comments are in the case file in the Planning Office:

- PWC Planning Office: Case Manager / Long Range Planning
- County Archaeologist
- PWC Building Official
- PWC Fire Marshal
- PWC Historical Commission
- PWC Police / Crime Prevention

## Staff Analysis

- PWC Public Works: Environmental Services
- PWC Service Authority
- PWC Transportation
- Town of Haymarket
- Virginia Department of Health
- Virginia Department of Transportation (VDOT)

Proffer Statement  
Lee Highway Rezoning  
Noel & Alannah Sweeney  
Page 1 of 5

**PROFFER STATEMENT**

Owner & Applicant: Noel & Alannah Sweeney  
Properties: GPINS 7397-01-2696 – Total 1.1044 Acres  
Zoning: O(L) Office Low-rise Office to B-1 General Business  
Magisterial District: Brentsville  
O(L) Rezoning Number: REZ # REZ 2016-00023  
B-1 Rezoning Number: REZ #  
Date: January 17, 2020

The undersigned hereby proffers that the use and development of the subject Property shall be in strict conformance with the following conditions and shall supersede all other proffers made prior hereto. In the event the referenced rezoning is not granted as applied for by the Applicant, these proffers shall be withdrawn and are null and void. The headings of the proffers set forth below have been prepared for convenience or reference only and shall not control or affect the meaning or be taken as an interpretation of any provision of the proffers. Any improvements proffered herein shall be provided at the time of development of that portion of the Property adjacent to the improvement, unless otherwise specified herein. The terms “Applicant” and “Developer” shall include all future owners and successors in interest.

When used in these proffers, the “Plan” shall refer to the “Generalized Development Plan (“GDP”) entitled “Lee Highway Rezoning”, prepared by Nokesville Design, PLC dated May 22, 2019, last revised November 11, 2019.

**1. LAND USE.**

A. The Property, consisting of 1.1044 acres shall be developed in substantial conformance with the proffers herein. Also, the property shall be developed in substantial conformance with the following elements of the general development plan: Buffers, Stormwater management pond in the rear of the site and the proposed entrance location, subject to minor alterations at final engineering.

B. All existing structures located on the Property are to be demolished in connection with the development of the Property and shall be disposed of in accordance with applicable County, state and federal regulations, and ordinances, codes and laws.

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Lee Highway Rezoning  
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C. The uses on the property shall be in accordance with the B-1 zoning ordinance except the following uses will not be permitted:

- Cafeteria/lunchroom/snack bar/ automat.
- College, university or seminary
- Commercial Bus Station
- Dry cleaning/garment processing facility, retail, less than 3,000 SF
- Dry cleaning pick-up facility
- Financial institution
- Hospital
- Laundromat
- Photographic processing laboratory
- Radio or TV broadcasting station
- Recording studio
- Recycling collection points
- Theater (drive in)
- Theater (indoor)

D. The following uses identified as being permitted in the B-1 District with a Special Use Permit will not be permitted:

- Ambulance Service, maintenance facility
- Car wash (manned or self-service)
- Mobile home or office sales, lease or service
- Motorcycle sales, rental or lease, service or repair
- Motor vehicle fuel station, retail
- Motor vehicle parts, with service
- Motor vehicle sales, rental or lease (limited)
- Motor vehicle sales, rental or lease (recreational)
- Motor vehicle service
- Motor vehicle towing
- Racetrack (motorized vehicles)
- Restaurant, drive-in/drive-up, or drive-through, except as provided in Sec. 32.400.07
- Truck stop with related facilities
- Water transportation facility

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**2. TRANSPORTATION.**

A. ACCESS. Provided all necessary approvals with the Rezoning Application are obtained, access to the Property shall be from Lee Highway. A 200 foot taper will be provided on the southbound and northbound sides of the entrance.

B. A “No-U-turn” sign will be placed at the Carver Road cross-over in accordance with VDOT requirements.

C. Trucks no larger than WB-40 will access the site for any reason.

**3. ENVIRONMENT.**

A. The Applicant shall contribute the sum of \$75.00 per acre for the 1.1035 acres subject to this rezoning to the Prince William Board of County Supervisors for monitoring water quality and/or stream restoration projects and/or drainage improvements. Said lump sum contribution shall be paid prior to issuance of a occupancy permit.

B. The applicant shall address all stormwater management quantity and quality requirements on-site in accordance with all applicable DCSM regulations at the time of final site plan. Low Impact Development techniques may be provided to the extent practical and possible.

C. The Site Plan shall provide for a 20 foot landscaped buffer across the front of the property as shown on the GDP. This buffer will be planted at a minimum of 130 plant units/100 linear feet and use drought-tolerant plants. The plantings shall incorporate the full range of credited plant types including perennials, ornamental grasses, shrubs and trees.

D. The applicant agrees to not disturb or request to fill any wetland areas as delineated on the GDP.

**4. COMMUNITY DESIGN:**

A. ARCHITECTURE: The building shall be constructed with a minimum of 50% masonry on the front exposure along Lee Highway.

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**5. PUBLIC SEWER and WATER:**

A. The Applicant is required to connect to public water and sewer. The Applicant shall be responsible for the cost, design and construction of those on-site and off-site improvements necessary to provide public sewer and water service to the Property.

B. The Applicant shall be responsible for vacating the two existing wells on the property in accordance with the requirements of the Virginia Health Department.

**6. CULTURAL RESOURCES:**

Curation – Within two (2) months of acceptance of approval of this rezoning, the Applicant shall curate with the County all artifacts, field records, laboratory records, photographic records, computerized data and other historical records recovered as a result of the excavations on archaeology site 44PW2010. All artifacts and records submitted for curation shall meet current professional standards and The Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation. A curation fee identical to VDHR's curation fee will be paid by the Applicant at the time of delivery of the artifacts to the County. Ownership of all records submitted for curation shall be transferred

to the County with a letter of gift. Compliance shall be demonstrated by a written confirmation from the County Archaeologist prior to the issuance of any land disturbance permit for the project area.

**7. FIRE AND RESCUE:**

Monetary Contribution – The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$0.61 per square foot of gross building floor area to be used for fire and rescue services. Said contribution shall be based on the size of the building(s) shown on the applicable site plan(s) (excluding any structured parking) and shall be paid prior to and as a condition of the issuance of a building permit for such building.



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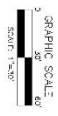
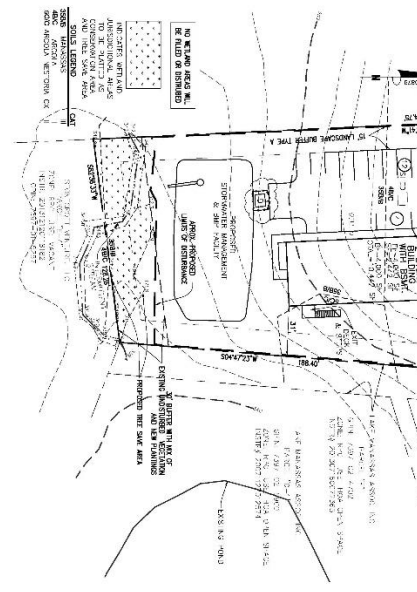
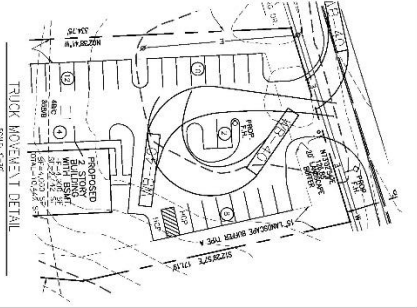
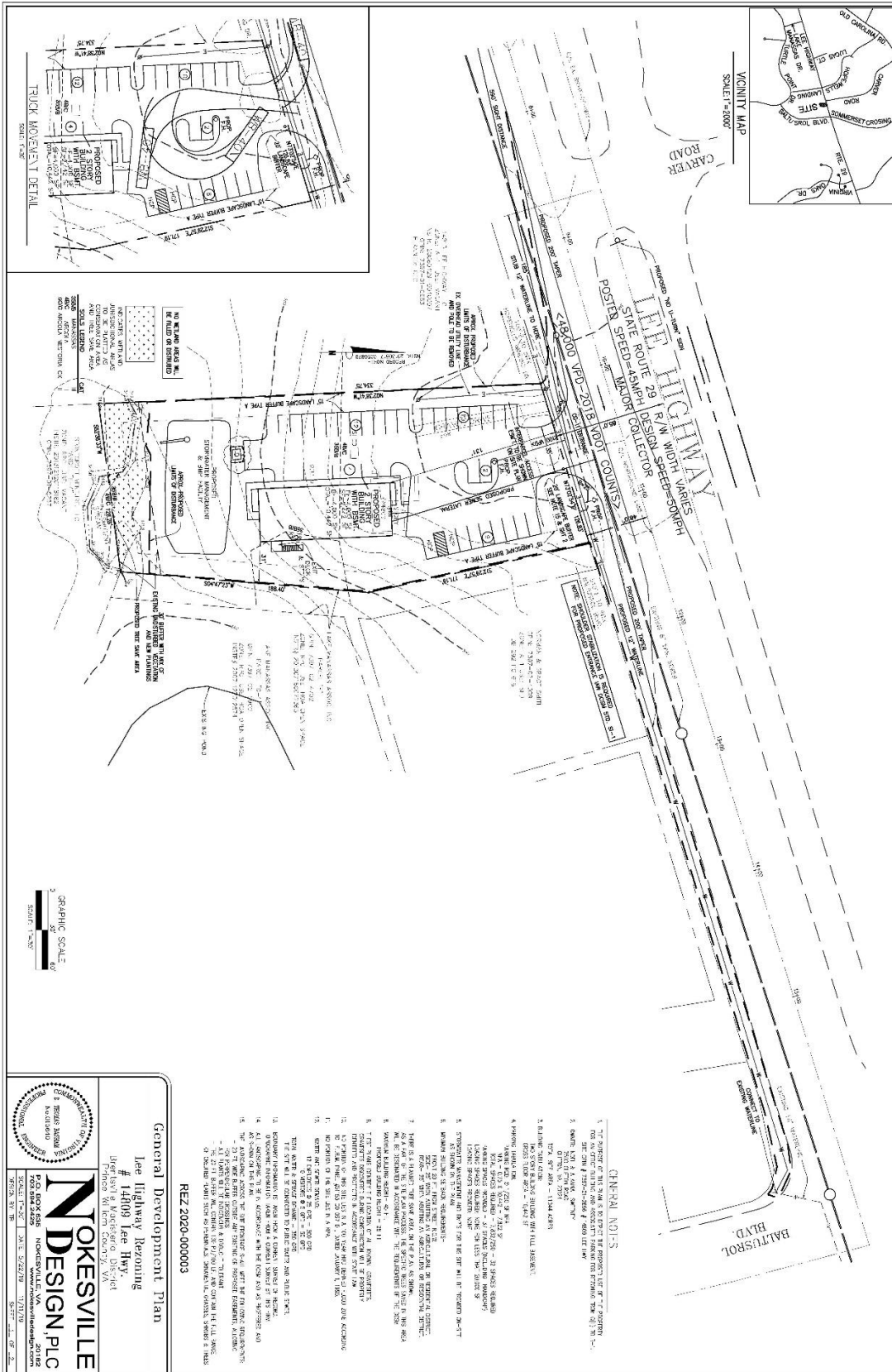
**8. ESCALATOR:**

In the event the monetary contributions set forth in this Proffer Statement are paid to the Prince William County Board of County Supervisors (“Board”) within eighteen (18) months after final approval of this rezoning, as applied for by the Applicant, said contributions shall be in the amounts as stated herein. Any monetary contributions set forth in this Proffer Statement which are paid to the Board after eighteen (18) months following final approval of this rezoning 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 contributions are paid they shall be adjusted by the percentage change in the CPI-U from that date eighteen (18) months after final approval of this rezoning to the most recently available CPI-U to the date the contributions are paid, subject to a cap of five percent (5%) per year, non-compounded.

\_\_\_\_\_  
Owner: Noel Sweeney    Date

\_\_\_\_\_  
Owner: Alannah Sweeney    Date

# Generalized Development Plan



**COMMISSIONED BY**  
REDAK HOLDING CORPORATION

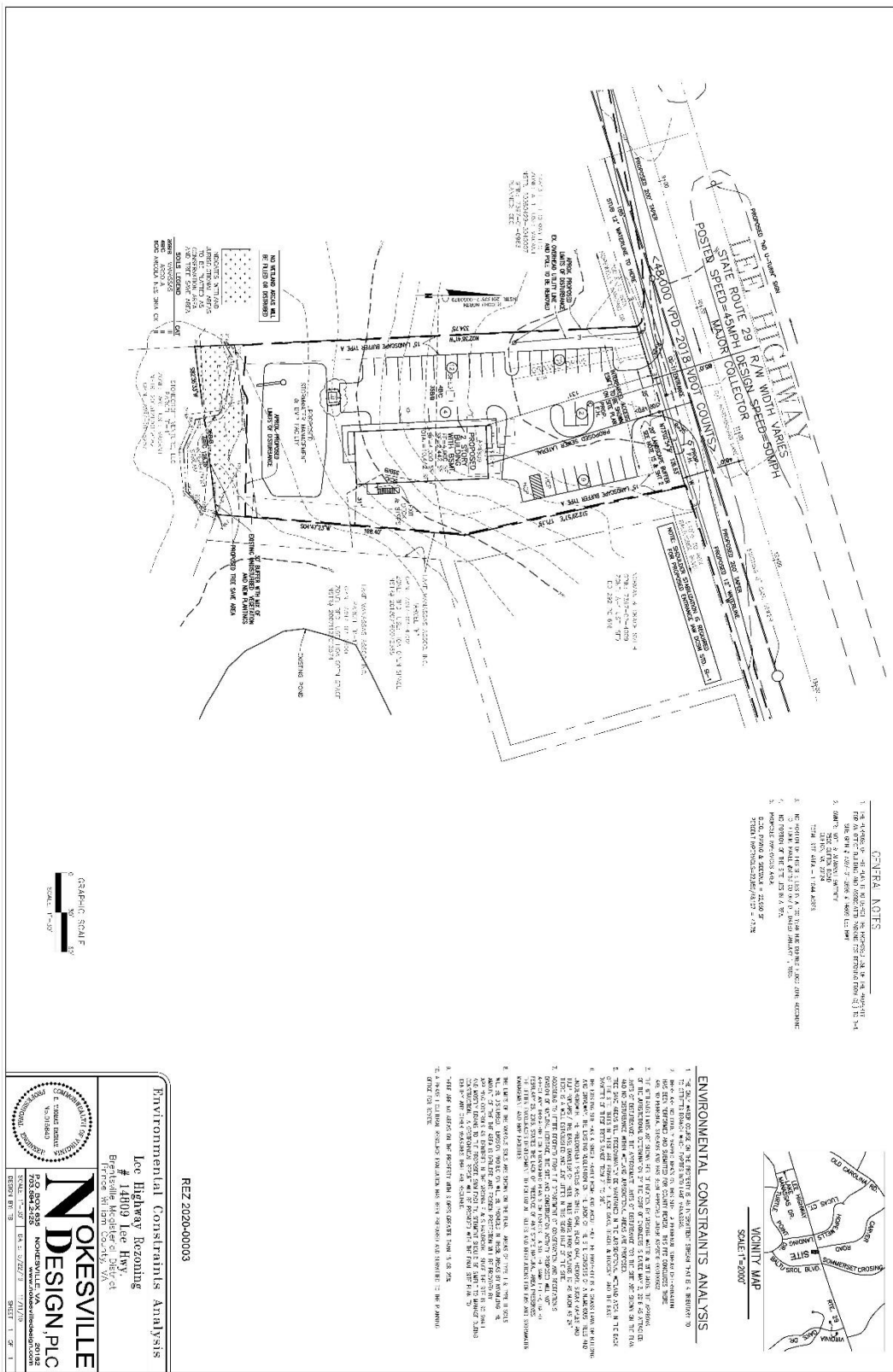
**GENERAL DEVELOPMENT PLAN**  
Lee Highway Rezoning  
# 14409 Lee Hwy  
Jefferson Park District  
Prince William County, VA

**NOKESVILLE DESIGN, P.C.**  
P.O. BOX 506  
NOKESVILLE, VA 20185  
SCALE: 1" = 50' DATE: 02/22/19 5:27 PM

- GENERAL NOTES**
1. THE PURPOSE OF THIS PLAN IS TO PREPARE THE PROPOSED LAYOUT OF THE PROPOSED DEVELOPMENT AND TO SHOW THE LOCATION OF THE PROPOSED DEVELOPMENT ON THE SITE.
  2. THE PROPOSED DEVELOPMENT IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE ZONING REGULATIONS OF THE COUNTY OF PRINCE WILLIAM, VIRGINIA.
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- REZ 2020-00003



# Environmental Constraints Analysis (ECA)



# Historical Commission Resolution

## HISTORICAL COMMISSION RESOLUTION

**MOTION:** VAN DERLASKE **August 13, 2019**  
**Regular Meeting**  
**SECOND:** CUNARD **Res. No. 19-042**  
**RE:** LAND DEVELOPMENT RECOMMENDATIONS  
**ACTION:** APPROVED

**WHEREAS**, the Prince William County Historical Commission seeks to identify, preserve and protect historic sites and structures in Prince William County; and

**WHEREAS**, the Prince William County Historical Commission's review of pending land development applications assists in determining the necessity for cultural resource surveys and other research and evaluations; and

**WHEREAS**, the Prince William County Historical Commission believes that the identification, preservation and protection of historic sites and structures throughout Prince William County is well served by this action;

**NOW, THEREFORE, BE IT RESOLVED**, that the Prince William County Historical Commission does hereby recommend to the Prince William County Planning Commission the action(s) noted for the following properties:

<b>Case Number</b>	<b>Name</b>	<b>Recommendation</b>
REZ2019-00039	Ashley Business Park	Perform balloon test visibility/viewshed study.
SUP2019-00044	Haymarket Motor Vehicle Fuel Station - Resubmission	Fabricate and install up to two interpretive markers, similar to Civil War Trails signs, with The Journey Through Hallowed Ground and Civil War Activity at Haymarket as their subjects, with specific content to be determined by the Historical Commission at a later date.
REZ2019-00034	Youth for Tomorrow 2nd Submission	Perform balloon test visibility/viewshed study. Interpretive kiosk containing multiple interpretive signs with content determined by the Historical Commission detailing Prehistoric, Civil War and Historic aspects of the property.

# Historical Commission Resolution

August 13, 2019  
Regular Meeting  
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<u>Case Number</u>	<u>Name</u>	<u>Recommendation</u>
SUP2019-00046	Dar Al Noor Mosque Expansion	No Further Work
SUP2020-00001	Ashland Square Parcel B - Motor Vehicle Repair	No Further Work
SUP2020-00002	Ashland Square Parcel B - Motor Vehicle Fuel Station	No Further Work
SUP2020-00003	Ashland Square Parcel B - Car Wash	No Further Work
REZ2020-00003	Eco-Nize Commercial	No Further Work
CPA2017-00008	Independent Hill Small Area Plan	Support implementation of the Cultural Resources Policies and Action Strategies as presented.
CPA2018-00015	Technology and Connectivity	See Attached Comments

**Votes:**

**Ayes:** by acclamation

**Nays:** none

**Absent from Vote:** Vayer

**Absent from Meeting:** Duley

**MOTION CARRIED**

ATTEST:



Secretary to the Commission