

PLANNING COMMISSION RESOLUTION

MOTION: April 27, 2022
Regular Meeting

SECOND: RES. No. 22-xxx

RE: PROFFER AMENDMENT #REZ2022-00006, DBBD Associates, LLC-BALLS FORD

ROAD

GAINESVILLE MAGISTERIAL DISTRICT

ACTION: RECOMMEND APPROVAL

WHEREAS, this is a request to amend proffers associated with proffer amendment PLN2007-00492 to permit proffer modifications, including allowing trailer parking/service and landscaping/transportation modifications; and

WHEREAS, the site is located on the north side of Balls Ford Road, northwest of the intersection of Balls Ford Road and Gary Road. The property is identified on County maps as GPIN 7697-56-9572, 7697-56-8986.01, 7697-56-9180.01, 7697-56-9481.01, 7697-56-9588.01, 7697-56-9287.01, 7697-56-9782.01, 7697-56-9983.01, 7697-56-9789.01, 7697-66-0090.01, 7697-66-0284.01, 7697-66-0585.01 and 7697-66-0391.01., and is addressed as 10320 Balls Ford Road; and

WHEREAS, the site is designated FEC, Flexible Employment Center, in the Comprehensive Plan; and

WHEREAS, the site is zoned M-1, Heavy Industrial; and

WHEREAS, the Prince William County Planning Commission duly ordered, advertised, and held a public hearing on April 27, 2022, at which time public testimony was received and the merits of the above-referenced case were considered; and

WHEREAS, the Prince William County Planning Commission finds that public necessity, convenience, general welfare, and good zoning practices, as well as good planning practices are served by the approval of this request;

NOW, THEREFORE, BE IT RESOLVED that the Prince William County Planning Commission does hereby close the public hearing and recommend approval of Proffer Amendment #REZ2022-00006, DBBD Associates LLC Balls Ford Road, subject to the proffers dated April 12, 2022.

ATTACHMENT: Proffer Statement, dated April 12, 2022.

Votes:
Ayes:
Nays:
Abstain from Vote:
Absent from Vote:
Absent from Meeting:

MOTION CARRIED

Attest:

Robbyn L. Smith

Clerk to the Planning Commission

April 27, 2022 Regular Meeting RES. No. 22-xxx Page 2

PROFFER STATEMENT

RE: Proffer Amendment #REZ2022-00006, DBBD Associates LLC – Balls Ford Road

Owner/Applicant: Ballsford Commercial Condominium Association, Inc. and

DBBD Associates LLC

Property: GPINs 7697-56-9572, 7697-56-8986.01, 7697-56-9180.01,

7697-56-9481.01, 7697-56-9588.01, 7697-56-9287.01, 7697-56-9782.01, 7697-56-9983.01, 7697-56-9789.01, 7697-66-0090.01, 7697-66-0284.01, 7697-66-0585.01 and

7697-66-0391.01 (the "Property") Gainesville Magisterial District

Date: April 12, 2022

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, including proffers associated with Proffer Amendment #PLN2007-00492. In the event the above-referenced proffer amendment is not granted as applied for by the Applicant, these proffers shall be withdrawn and are null and void. In the event the referenced rezoning is not granted as applied for by the Applicant, the below-described proffers shall be withdrawn and shall become null and void and proffers associated with Proffer Amendment #PLN2007-00492 shall remain in full force and effect on the applicable portion of the Property.

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 below shall be provided at the time of development of the portion of the site served by the improvement, unless otherwise specified. The terms "Applicant" and "Developer" shall include all future owners and successors in interest.

USES:

The Applicant hereby proffers that the use of the Property shall be restricted to the following principal uses:

- 1) Alarm systems operations.
- 2) Ambulance service, commercial.
- 3) Assembly (non-HAZMAT).
- 4) Bakery, industrial.
- 5) Catalog sales, contractor; tradesman, and industrial equipment (with or without showroom).
- 6) Catering, commercial (off premises).
- 7) Cold storage.

- 8) Company vehicle service facility.
- 9) Contractor or tradesman's shop (limited), no trash or refuse removal service.
- 10) Contractor or tradesman's shop, no trash or refuse removal service.
- 11) Data and computer services.
- Dry cleaning/garment processing facility, retail, greater than three (3,000) square feet.
- 13) Electronic equipment and component manufacturing, assembly, processing, and distribution.
- 14) Food service, institutional.
- 15) Furniture repair, dipping and stripping, upholstery.
- 16) Greenhouse or nursery, wholesale (not more than twenty (20) percent of lot area may be devoted to garden center uses).
- 17) Gunsmith shop.
- 18) Janitorial service.
- 19) Kennel, commercial.
- 20) Laundry, industrial.
- 21) Manufacture and fabrication of signs.
- 22) Manufacture, electronic components.
- 23) Manufacturing, musical instruments and toys.
- 24) Manufacturing, pharmaceuticals (non-HAZMAT) process).
- 25) Manufacturing, pottery, ceramics, less than four thousand (4,000) square feet.
- 26) Marble/tile, processing, cutting and polishing.
- 27) Medical or dental laboratory.
- 28) Office.
- 29) Package, telecommunication, and courier service (unlimited storage of equipment, supplies and vehicles).
- 30) Photographic processing laboratory.
- 31) Publishing and printing.
- 32) Radio or TV broadcasting station.
- 33) Recording studio.
- Recycling collection points, subject to the standards in section 32-250-84.
- 35) Research and development (non-HAZMAT)
- 36) Self-storage center, in accordance with the provisions of section 32-400.14.
- 37) Trade, technical or vocation school.
- 38) Veterinary hospital.
- 39) Warehouse (non-HAZMAT).
- 40) Wholesaling (non-HAZMAT).

The following uses shall be permitted by right, but only in conjunction with, and secondary to, a permitted principal use, either preexisting or proposed for concurrent construction, in accordance with the provisions of county code section 32-400.13:

41) Locksmith.

- 42) Quick service food store.
- 43) Restaurant.
- 44) Retail store.

The following uses shall be permitted with a Special Use Permit:

45) Range, shooting, indoor only.

2. LANDSCAPING/SCREENING:

Landscaping shall be in substantial accordance with the plan entitled "DBBD Associates, LLC Balls Ford Road Proffer Amendment Landscape Plan" prepared by christopher consultants, dated November 23, 2021, and sealed February 9, 2022, subject to modifications in connection with site plan review and final engineering. Any new landscaping shall be shown on an administrative plan or minor site plan and shall be installed within 6 months from the day of administrative plan or minor site plan approval. Existing vegetation that is of good quality may be used to satisfy this requirement.

3. SIGNAGE:

One monument style freestanding entrance sign shall be provided for the Property. Building mounted signs shall be as permitted by the zoning ordinance. The maximum height of the freestanding sign shall be ten feet or such lesser height as may be permitted by the applicable regulations. No signs shall be erected on the roof of any building. All signs on the building shall be of a uniform color scheme and lettering.

4. MAXIMUM HEIGHT OF IMPROVEMENTS:

The maximum height of all improvements shall not exceed forty-five (45) feet. Further, all improvements shall be one-story and shall not include a mezzanine.

5. LIGHTING:

All freestanding on-site lighting shall be directional and directed so as not to create unreasonable glare off the boundaries of the Property, but sufficient for security and safety.

6. COMPLIANCE WITH HEALTH AND ENVIRONMENTAL REGULATIONS:

All material stored on-site shall be stored and maintained in complete compliance with all state and county health regulations and in complete compliance with all County, State and Federal environmental regulations.

7. EMERGENCY SPILL NOTIFICATION CONTINGENCY PLAN:

The Owner of the Property shall prepare an emergency spill notification contingency plan and keep the same posted on the premises, before issuance of any occupancy permits. Owner shall

be responsible for notifying the Fire Marshall's office in a timely manner in the event of a spill of any hazardous chemical wastes or petroleum products on the Property. The Owner shall assume full responsibility for all public expenses incurred in clean-up of a product spill on the site. If the subject warehouse use should be converted to a condominium, the owners of the individual units within the site shall be responsible for any product spills from their sites.

The Owner of the Property shall not knowingly allow the storage on the Property of those substances identified in Federal Rule 1337b (40 C.F.R. 355) as amended by Federal Rule 5574 (Federal Register, February 25, 1988) issued pursuant to Section 302 of the Emergency Planning and Community Right to Know Act (42 U.S.C. Section 11002) in quantities exceeding each substance's "Threshold Planning Quantity" as defined in Federal Rule 5574 without the permission of the Prince William County Fire Marshall.

No petroleum truck or trucks carrying Class A or B explosives shall be serviced, loaded, unloaded or stored on the Property. Underground storage tanks shall not be placed on the Property.

8. BEST MANAGEMENT PRACTICES:

If the Property is developed as a single parcel, Applicant shall construct a stormwater management pond during the initial stages of construction. If the Property is subdivided, the Owner of each parcel shall provide stormwater management during the initial stages of construction on each lot.

9. HANDICAP PARKING:

Handicap parking shall be provided as required in the Prince William County Design and Construction Standards Manual.

10. BIKE RACK:

The Applicant shall provide one bike rack on the Property. The location and design of the bike rack shall be determined in connection with an administrative or minor site plan review.

11. <u>ARCHITECTURAL TREATMENT:</u>

The façade of the buildings shall be brick and the roofs shall be flat. The brick shall be tan or earth tone in color. Screening shall be provided to screen mechanical equipment located on the roofs of any building from Balls Ford Road. All doors shall be of the same color and all window frames shall be of the same color.

12. OUTSIDE STORAGE:

There shall be no outside storage on the Property.

13. WATER AND SANITARY SEWER:

The existing well on the Property will be abandoned in accordance with applicable Health Department regulations at the time of site development. The Property shall be connected to public water and sewer.

14. GENERALIZED DEVELOPMENT PLAN:

Development of the Property shall be in substantial conformance with the plan entitled "DBBD Associates, LLC Balls Ford Road Proffer Amendment – Generalized Development Plan" prepared by christopher consultants, dated November 23, 2021, and sealed February 9, 2022, subject to modifications in connection with site plan review and final engineering.

15. WATER QUALITY CONTRIBUTIONS:

The Owner/Applicant shall contribute \$2,000.00 to the Board of County Supervisors for the County to conduct water quality monitoring and/or stream restoration projects in the Bull Run watershed. Said contribution shall be paid no later than one hundred eighty (180) days after approval of the proffer amendment by the Board of County Supervisors. ¹

16. FIRE AND RESCUE CONTRIBUTION:

The Owner/Applicant shall make a \$0.61 per square foot of warehouse building area (19,000 SF), for a total monetary contribution of \$11,590.00, for fire and rescue services to the Board of County Supervisors. Said contribution shall be paid no later than one hundred eighty (180) days after approval of the proffer amendment by the Board of County Supervisors.²

17. MONETARY ESCALATOR:

In the event the monetary contributions set forth in the development conditions are paid to the Prince William County Board of Supervisors within eighteen (18) months of the approval of this proffer amendment, 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 proffer amendment 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 amendment 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.

¹ This proffer has been satisfied

² This proffer has been satisfied



STAFF REPORT

PC Meeting Date: April 27, 2022

Agenda Title: Proffer Amendment #REZ2022-00006, DBBD Associates, LLC – Balls Ford

Road

District Impact: Gainesville Magisterial District

Requested Action: Recommend Approval Proffer Amendment #REZ2022-00006, DBBD

Associates, LLC - Balls Ford Road, subject to the proffers dated April 12,

2022.

Department: Planning

Case Planner: Emilie Wolfson

EXECUTIVE SUMMARY

This is a request for a Proffer Amendment to PLN2007-00492 to permit proffer modifications, including the removal of a restriction prohibiting trailer parking and service, upgrading landscaping to current standards, and eliminating transportation proffers previously satisfied.

It is the recommendation of staff that the Planning Commission recommend approval of Proffer Amendment #REZ2022-00006, DBBD Associates, LLC – Balls Ford Road, subject to the proffers dated April 12, 2022.

BACKGROUND

- A. Request: This is a request for a Proffer Amendment to PLN2007-00492 to permit proffer modifications. These modifications include the removal of a restriction on trailer parking and service, updating landscaping to current standards, and eliminating transportation proffers which have been previously satisfied.
- B. <u>Site Location</u>: The site is located on the north side of Balls Ford Road, northwest of the intersection of Balls Ford Road and Gary Road. The property is identified on County maps as GPIN 7697-56-9572 GPIN 7697-56-9572, 7697-56-8986.01, 7697-56-9180.01, 7697-56-9481.01, 7697-56-9588.01, 7697-56-9287.01, 7697-56-9782.01, 7697-56-9983.01, 7697-56-9789.01, 7697-66-0090.01, 7697-66-0284.01, 7697-66-0585.01 and 7697-66-0391.01., and is addressed as 10320 Balls Ford Road.
- C. <u>Comprehensive Plan</u>: The site is designated FEC, Flexible Employment Center, in the Comprehensive Plan.
- D. <u>Zoning</u>: The site is zoned M-1, Heavy Industrial, and is located within the Data Center Opportunity Overlay District.
- E. <u>Surrounding Land Uses</u>: The surrounding land uses are primarily industrial to the south, offices to the west, and open space that includes the Manassas National Battlefield Park to the north on the opposite side of I-66, and to the east vacant land in what appears to be a storm water management pond.
- F. <u>Background and Context</u>: There is an existing building on the Property that includes 16 individual units. There are certain units on the Property that are not included as part of the proffer amendment (4 out of the 16) and that will continue to be governed by the existing zoning and proffers, and are not part of this proffer amendment. These units are noted on the GDP (Unit A, B, I and J). The Applicant has a Zoning Approval for Occupancy and is operating on the Property. Their use is Warehouse with accessory mounting, changing and repairing of tires (ZNA2021-05687). The proffer amendment will allow the Applicant to offer additional services to their existing customers, which includes allowing trailer trucks to be stored or serviced on the property.

STAFF RECOMMENDATION

Staff recommends approval of Proffer Amendment #REZ2022-00006, DBBD Associates, LLC – Balls Ford Road, subject to the proffers dated April 12, 2022, for the following reasons:

- These modifications do not fundamentally alter the approved uses of the property or the existing zoning.
- Any trailer truck parking/services is consistent with uses anticipated within M-1.
- The uses are compatible with similar industrial uses located to the south.
- The scope of the trailer truck parking is limited to the rear northeast corner of the property.

• The scope of the service will be mounting, changing, and repairing of tires and it will be interior to the building.

Comprehensive Plan Consistency Analysis

<u>Long-Range Land Use</u>: The proffer amendment is in the development area of the County. The site is designated FEC, Flexible Use Employment Center, and is located in the Data Center Opportunity Overlay District.

Community Input

Notice of the proffer amendment 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 outside of the required notification area of any jurisdiction.

Legal Issues

If the proffer amendment is approved, trailer truck parking and servicing will be allowed on the Property, subject to the approved proffer amendment. Legal issues resulting from the Planning Commission's action are appropriately addressed by the County Attorney's office.

Timing

The Planning Commission has until July 26, 2022, which is 90 days from the first public hearing date, to take action on the rezoning proposal. A recommendation to approve the proffer amendment would meet the 90-day requirement.

STAFF CONTACT INFORMATION

Emilie Wolfson | (703) 792-7128 ewolfson@pwcgov.org

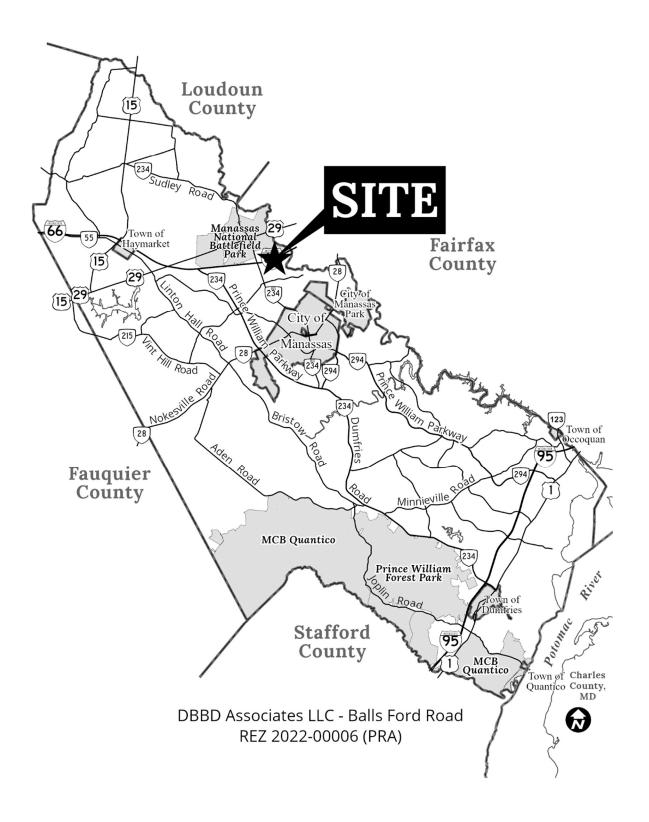
ATTACHMENTS

Attachment A: Red-Lined Proffers

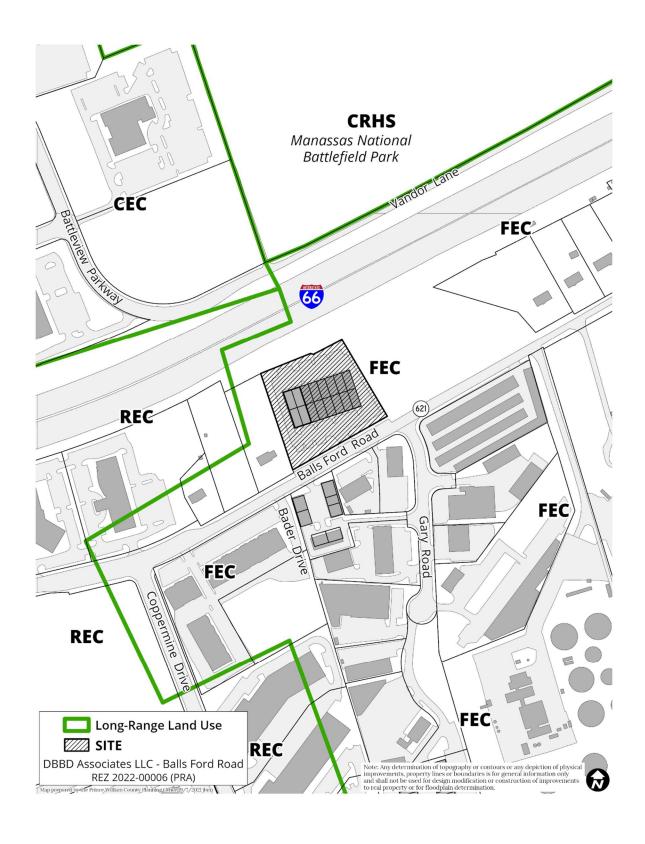
Attachment B: GDP Plan Attachment C: Landscape Plan

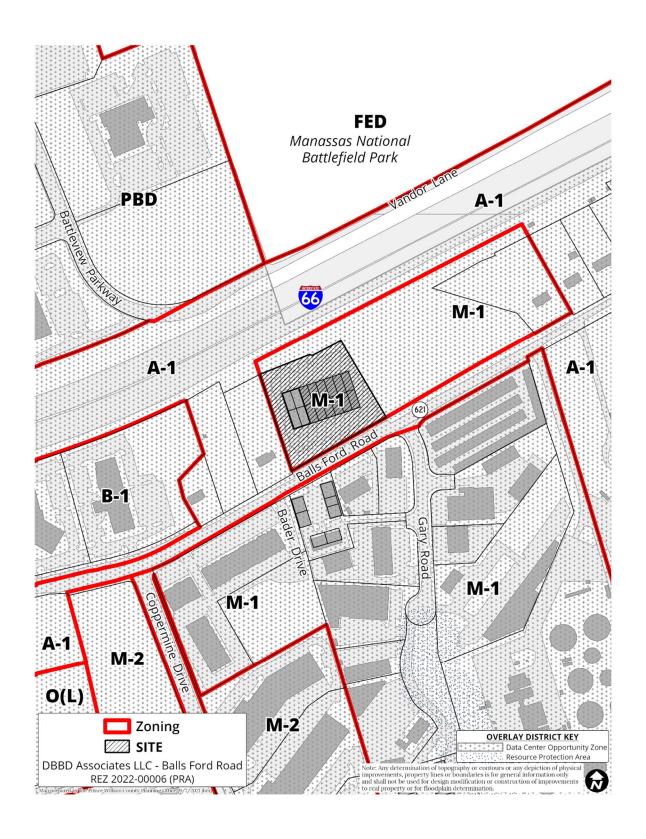
Attachment D: Existing Conditions Plan

Attachment E: Historical Commission Resolution









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	I-66/Manassas National Battlefield Park	FEC/CRHS/CEC	M-1/PBD, FED
South	Industrial Uses	FEC	M-1
East	Vacant Parcel	FEC	M-1
West	Single-Family, and Office	FEC, REC	A-1

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
Environment	Yes
Fire and Rescue	Yes
Police	Yes
Transportation	Yes

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 site is designated FEC, Flexible Employment Center, in the Comprehensive Plan and is located within the Development Area of the County. The following table summarizes the land use patterns/densities intended within the FEC designation:

Long-Range Land Use Map Designation	Intended Uses and Densities
Flexible Employment Center (FEC)	The purpose of the Flexible Use Employment Center classification is to provide for areas of employment uses situated on individual sites or in campus-style "parks." Primary uses in the FEC classification are light manufacturing, "start-up" businesses, small assembly businesses, and office uses (including government offices, particularly those for Prince William County agencies). Retail and/or retail service uses shall be considered secondary uses and shall represent no greater than 25 percent of the total FEC gross floor area of the project. These retail/retail service uses shall be so located on a site that their primary purpose is to support the needs of those employed within that FEC project. Warehousing, wholesale, storage and/or distribution uses shall also be considered secondary uses within any FEC project. Outdoor storage shall also be considered a secondary use and shall be limited to no more than 25 percent of the land area of the FEC project. Within an FEC designated project, the more intense uses shall be located in the core of the area and the less intense uses (excluding outdoor storage) at the periphery, to act as a transition between the FEC project and adjacent areas designated or developed for different uses. Office development in FEC areas is encouraged to be in accordance with the <i>Illustrative Guidelines for Office Development</i> , provided as a supplement to the Community Design Plan chapter of the Comprehensive Plan and available from the Planning Office.

Proposal's Strengths

• No Change to Permitted Principal Uses: The subject site is currently designated as FEC, Flexible Employment Center. The proposed proffer amendment does not change the permitted principal uses. The proffer amendment removes a restriction on uses that are already permitted in the M-1 district (allowing trailer trucks to be stored or serviced on the property). M-1 is not an implementing zoning district for FEC, as discussed in weaknesses. However, the use was previously permitted before this amendment, and will be permitted afterwards.

• <u>Zoning Consistency</u>: The subject site is currently zoned M-1, Heavy Industrial. The proposed proffer amendment to allow for trailer trucks to be stored or serviced on the property, is compatible with the M-1, Heavy Industrial zoning district.

Proposal's Weaknesses

• Zoning and Comprehensive Plan Designation Compatibility: The existing M-1 zoning is not an implementing zoning district for FEC. However, this application will not change the existing zoning or permitted uses on the property.

On balance, this application is found to be consistent with the relevant components of the Long-Range Land Use Plan.

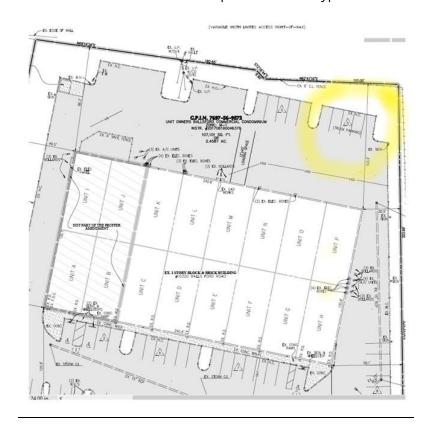
Community Design Plan Analysis

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

- <u>Limited Changes to Community Design Proffers</u>: There will be limited changes to the community design proffers with the proffer amendment. No changes have been made to signage, height, lighting, architectural treatment, or restricted uses. In addition, the proffer pertaining to the prohibition of outdoor storage remains unchanged. No other modifications to the building or site layout are anticipated.
- Enhanced Landscaping Plantings Along Buffer of Western Property Line: The site is currently non-conforming with regard to the fifty (50) foot required buffer along the western property line that borders GPIN 7697-56-7577. A twenty-five (25) foot wide buffer has been provided. As part of this application, additional landscaping was proffered to meet the planting standard for a twenty-five (25) foot wide buffer of 150 plant units per one hundred (100) linear feet, as required by the DCSM. Existing vegetation that is of good quality may be used to satisfy this requirement.
- <u>Landscaping Along Balls Ford Road Frontage</u>: A ten (10) foot wide landscape strip shall be maintained along the frontage of Balls Ford Road. Said landscape strip shall be planted with a minimum of 80 plant units per one hundred (100) linear feet in accordance with Section 802.42 of the DSCM.

- <u>Bicycle Access/Storage</u>: As proffered, the Applicant shall provide one (1) bike rack on the Property. The location and design of the bike rack shall be determined in connection with an administrative or minor site plan review.
- <u>Turning Radius for Trucks:</u> The Applicant has demonstrated that the turning radius for trucks is adequate for on-site maneuvers.
- <u>Trailer Truck Parking Location:</u> The trailer trucks to be stored on the property will use the five existing spaces located at the northeast corner of the property within the existing parking area, see below for the location of the trailer truck parking. The northwest corner of the property is adjacent to a stormwater management facility to the east and I-66 to the north and would not create uncharacteristic visual impacts that are atypical for a M-1 use.



Proposal's Weaknesses

• North and Eastern Boundary Landscaping: The existing proffer language from the previous 2007 proffer amendment included what is now substandard planting requirements. Existing Proffer #2 regarding landscaping does not meet current standards for the northern property landscaped with two staggered rows of black bines". Black pine, as referenced in Proffer #2 is no longer an accepted plant in the County. While the DBBD Associates LLC Balls Ford Road Proffer Amendment Landscape Plan does update landscaping standards for the western boundary, and on Balls Ford Road, based on prior standards in the original proffer statement, it does not address landscaping on the northern boundary now that the two staggering rows of six-foot-tall black pines reference was removed from the proffer

statement. The existing vegetation will remain, but the proffer language does not specifically address additional landscaping on the northern boundary, nor is there any assurance that additional landscaping will be included if anything should happen to the existing vegetation on the eastern boundary.

On balance, this application is found to be consistent with the relevant components of the Community Design 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 County Archeologist has indicated that there are no archaeological and historic sites or graves are recorded on the project area. The project area exhibits a low potential for finding cultural resources, and no further studies are recommended (see Attachments for the Historical Commission Resolution).

Proposal's Strengths

No Further Studies Required: The Historical Commission reviewed this proposal at its
October 12, 2021, meeting and determined that no further work was needed. The County
Archaeologist concurs with the Commission's findings.

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.

The site has no known environmental resources located on site. The site has been graded and developed, and stormwater management facilities are already constructed on site. Proffer #15 pertaining to water quality contributions has already been satisfied.

Proposal's Strengths

- Enhanced Landscaping Plantings Along Buffer of Western Property Line: The site is currently non-conforming with regard to the fifty (50) foot required buffer along the western property line that borders GPIN 7697-56-7577. A twenty-five (25) foot wide buffer has been provided. As part of this application, additional landscaping was proffered to meet the planting standard for a twenty-five (25) foot wide buffer of 150 plant units per one hundred (100) linear feet, as required by the DCSM. Existing vegetation that is of good quality may be used to satisfy this requirement.
- <u>Landscaping Along Balls Ford Road Frontage</u>: A ten (10) foot wide landscape strip shall be maintained along the frontage of Balls Ford Road. Said landscape strip shall be planted with a minimum of 80 plant units per one hundred (100) linear feet in accordance with Section 802.42 of the DSCM.

Proposal's Weaknesses

• North and Eastern Boundary Landscaping: The existing proffer language from the previous 2007 proffer amendment included what is now substandard planting requirements. Existing Proffer #2 regarding landscaping does not meet current standards for the northern property landscaped with two staggered rows of black bines". Black pine, as referenced in Proffer #2 is no longer an accepted plant in the County. While the DBBD Associates LLC Balls Ford Road Proffer Amendment Landscape Plan does update landscaping standards for the western boundary, and on Balls Ford Road, based on prior standards in the original proffer statement, it does not address landscaping on the northern boundary now that the two staggering rows of six-foot-tall black pines reference was removed from the proffer statement. The existing vegetation will remain, but the proffer language does not specifically address additional landscaping on the northern boundary, nor is there any assurance that additional landscaping will be included if anything should happen to the existing vegetation on the eastern boundary.

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 first due Fire & Rescue station is the Balls Ford Road Station #22. The property is located within the 4.0-minute travel time radius for fire and basic life support, and within the 8.0-minute travel time radius for advanced life support services. The most recent figures indicate that Fire & Rescue Station #22 responded to approximately 1,480 incidents. Station #22 has a workload capacity of 4,000 incidents, and as such, it is operating within capacity. Proffer #16 pertaining to fire and rescue contributions has already been satisfied.

Proposal's Strengths

- <u>Inside 4.0 Minute Travel Time</u>: The site is located inside the recommended 4.0-minute travel time for fire suppression and basic life support.
- <u>Inside 8.0-Minute Travel Time</u>: The site is located within the 8.0-minute travel time for advanced life support services.
- <u>Station Workload:</u> The most recent figures indicate that Fire/Rescue Station #22 is currently operating below capacity.

Proposal's Weaknesses

None identified.

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

<u>Police Plan Analysis</u>

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.

At this time, the Police Department does not believe this application will create a significant impact on calls for service. The Applicant should coordinate with the Police Department as the site develops, and apply the various Crime Prevention Through Environmental Design (CPTED) strategies during site development, which can be found at http://www.pwcgov.org/government/dept/police/Pages/CPTED.aspx.

Proposal's Strengths

• <u>No Significant Impact</u>: The Police Department has reviewed the proposal and does not believe it will result in a significant impact on calls for Police service.

Proposal's Weaknesses

• None identified.

On balance, this application is found to be consistent with the relevant components of the Police 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 following table provides information concerning the most current Virginia Department of Transportation (VDOT) annual average daily traffic (AADT) and levels of service on roadways from the County travel demand model relevant to this development:

Roadway Name	Lanes	2020 VDOT AADT	Travel Demand
		Volume	Model 2019 Daily
			LOS

Balls Ford Road	2	3,200	В
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The removal of the existing proffer restricting trailer truck parking will not significantly impact the existing trip generation. Therefore, a traffic impact analysis (TIA) was not required, and the Applicant was granted a deferral of a traffic impact analysis (TIA) by the Department of Transportation on July 28, 2021.

The applicant provided a warrant analysis to determine if a left turn lane was required into the site entrance on eastbound Balls Ford Road. A right turn lane already exists on Balls Ford Road. The Turn Lane Assessment prepared by Gorove Slade on October 25, 2021concluded that the "entrance to the site would not warrant a dedicated left turn lane and is expected to operate at acceptable levels of service during the peak hours with the current lane configuration." Given this application will not result in additional trip generation, a dedicated left turn lane at the site entrance would not be warranted.

Road improvements along the Balls Ford Road site frontage listed under the original proffers 11 a. b. and c. have already been fulfilled and are shown under the Existing Conditions Plan and GDP. These improvements include right-of-way dedication along the Balls Ford Road frontage of an area sufficient to include 34 feet from the centerline, and frontage improvements so that the face of curb is constructed 25 feet from the current centerline.

Proposal's Strengths

- <u>Site Access</u>: As shown on the GDP, vehicular access to the site will be provided on Balls Ford Road at one entrance with a dedicated right turn lane.
- <u>Bicycle Access/Storage</u>: As indicated in the proffers, the Applicant commits to provide one bicycle rack.

Proposal's Weaknesses

None identified.

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 2021-2024 Strategic Plan was developed through extensive community input, research of county policies and services and interviews with the Board to collect input on strategic priorities for the County over the next 4 years. The Plan envisions Prince William County as a diverse community striving to be healthy, safe, and caring with a thriving economy and a protected natural environment. In an effort to implement this vision, the Strategic Plan Team developed seven strategic focus areas to guide Board actions: "Health, Wellbeing & Human Services," "Safe and Secure Community," "Resilient Economy," "Quality Education & Workforce Development," "Environmental Conservation," "Sustainable Growth," and "Transportation and Mobility." It is important to note that no single area is viewed as more critical than another. Rather,

each are interrelated and have a 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 applicable to the Strategic Plan are as follows:

- <u>Resilient Economy</u>: The proposed proffer amendment is favorably aligned with the County's Resilient Economy objective to continue efforts to preserve and expand the commercial tax revenue base.
- <u>Transportation & Mobility</u>: The proposed proffer amendment is favorably aligned with the County's Transportation & Mobility objective TM-2 to improve multi-modal options by proffering a bike rack.
- Environment and Conservation: The proposed proffer amendment is favorably aligned with the County's Environmental Conservation objective EC-1 to encourage the preservation and expansion of protected tree cover for carbon uptake and for general human welfare benefits by proffering that existing vegetation that is of good quality may be used to satisfy the 150 plant units per one hundred (100) linear feet in the twenty-five (25) foot wide buffer.

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:

• The extent of the service is unknown. Additional service (mounting, changing and repairing of tires) may change the use from one that is accessory to one that is primary. The current warehouse use states that the entire area of the mounting, changing and repairing of tires shall not exceed 25% as is permitted for an accessory use.

Modifications / Waivers

The following waivers and/or modifications to the requirements of the Zoning Ordinance and the DCSM have been identified below:

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 Planner
- PWC Fire Marshal's Office
- PWC Police / Crime Prevention
- PWC Public Works Watershed Management/Environmental/Arborist
- PWC Transportation
- Service Authority
- Virginia Department of Transportation (VDOT)

PROFFERS

NOVACON COMMERCE CENTER

PROFFER AMENDMENT #PLN2007-00492STATEMENT

RE: Proffer Amendment #REZ2022-00006, DBBD Associates LLC – Balls Ford Road

Owner/Applicant:	Ballsford Commercial Condominium Association, Inc. and DBBD
	Associates LLC
Property:	GPINs 7697-56-9572, 7697-56-8986.01, 7697-56-9180.01, 7697-56-
	9481.01, 7697-56-9588.01, 7697-56-9287.01, 7697-56-9782.01, 7697-
	56-9983.01, 7697-56-9789.01, 7697-66-0090.01, 7697-66-0284.01,
	7697-66-0585.01 and 7697-66-0391.01 (the "Property")
	Gainesville Magisterial District

Date: April 12, 2022

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, including proffers associated with Proffer Amendment #PLN2007-00492. In the event the above-referenced proffer amendment is not granted as applied for by the Applicant, these proffers shall be withdrawn and are null and void. In the event the referenced rezoning is not granted as applied for by the Applicant, the below-described proffers shall be withdrawn and shall become null and void and proffers associated with Proffer Amendment #PLN2007-00492 shall remain in full force and effect on the applicable portion of the Property.

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 below shall be provided at the time of development of the portion of the site served by the improvement, unless otherwise specified. The terms "Applicant" and "Developer" shall include all future owners and successors in interest.

GAINESVILLE MAGISTERIAL DISTRICT

DATE: July 16, 2007 Revised: September 4, 2007

We, Balls Ford, LLC, a Virginia limited liability company (the "Applicant") hereby request the amendment of the proffers, dated November 7,1989, as they apply to the property described as GPIN #7697-56-9681 (the "Property"), and agree that the development of the subject Property of this application shall be in strict accordance with the conditions set forth in this submission.

USES:

The Applicant hereby proffers that the use of the Property shall be restricted to the

following principal uses:

- 1) Alarm systems operations.
- 2) Ambulance service, commercial.
- 3) Assembly (non-HAZMAT).
- 4) Bakery, industrial.
- 5) Catalog sales, contractor; tradesman, and industrial equipment (with or without showroom).
- 6) Catering, commercial (off premises).
- 7) Cold storage.
- 8) Company vehicle service facility.
- 9) Contractor or tradesman's shop (limited), no trash or refuse removal service.
- 10) Contractor or tradesman's shop, no trash or refuse removal service.
- 11) Data and computer services.
- 12) Dry cleaning/garment processing facility, retail, greater than three (3,000) square feet.
- 13) Electronic equipment and component manufacturing, assembly, processing, and distribution.
- 14) Food service, institutional.
- 15) Furniture repair, dipping and stripping, upholstery.
- 16) Greenhouse or nursery, wholesale (not more than twenty (20) percent of lot area may be devoted to garden center uses).
- 17) Gunsmith shop.
- 18) Janitorial service.
- 19) Kennel, commercial.
- 20) Laundry, industrial.
- 21) Manufacture and fabrication of signs.
- 22) Manufacture, electronic components.
- 23) Manufacturing, musical instruments and toys.
- 24) Manufacturing, pharmaceuticals (non-HAZMAT) process).
- 25) Manufacturing, pottery, ceramics, less than four thousand (4,000) square feet.
- 26) Marble/tile, processing, cutting and polishing.
- 27) Medical or dental laboratory.
- 28) Office.
- 29) Package, telecommunication, and courier service (unlimited storage of equipment, supplies and vehicles).
- 30) Photographic processing laboratory.
- 31) Publishing and printing.
- 32) Radio or TV broadcasting station.
- 33) Recording studio.
- 34) Recycling collection points, subject to the standards in section 32-250-84.
- 35) Research and development (non-HAZMAT)
- 36) Self-storage center, in accordance with the provisions of section 32-400.14.
- 37) Trade, technical or vocation school.
- 38) Veterinary hospital.
- 39) Warehouse (non-HAZMAT).

40) Wholesaling (non-HAZMAT).

The following uses shall be permitted by right, but only in conjunction with, and secondary to, a permitted principal use, either preexisting or proposed for concurrent construction, in accordance with the provisions of <u>county code</u> section 32-400.13:

- 41) Locksmith.
- 42) Quick service food store.
- 43) Restaurant.
- 44) Retail store.

The following uses shall be permitted with a Special Use Permit:

45) Range, shooting, indoor only.

2. LANDSCAPING/SCREENING:

Unless waived by adjacent property owners, screening will be provided along adjacent property lines in conformance with the standards set forth in the Prince William County Design and Construction Standards Manual. The area between the northern end of the building and Interstate 66 will be landscaped with two staggered rows of six foot tall black pines.

Landscaping shall be in substantial accordance with the plan entitled "DBBD Associates, LLC Balls Ford Road Proffer Amendment Landscape Plan" prepared by christopher consultants, dated November 23, 2021, and sealed February 9, 2022, subject to modifications in connection with site plan review and final engineering. Any new landscaping shall be shown on an administrative plan or minor site plan and shall be installed within 6 months from the day of administrative plan or minor site plan approval. Existing vegetation that is of good quality may be used to satisfy this requirement.

3. SIGNAGE:

One monument style freestanding entrance sign shall be provided for the Property. Building mounted signs shall be as permitted by the zoning ordinance. The maximum height of the freestanding sign shall be ten feet or such lesser height as may be permitted by the applicable regulations. No signs shall be erected on the roof of any building. All signs on the building shall be of a uniform color scheme and lettering.

4. MAXIMUM HEIGHT OF IMPROVEMENTS:

The maximum height of all improvements shall not exceed forty-five (45) feet. Further, all improvements shall be one-story and shall not include a mezzanine.

5. LIGHTING:

All freestanding on-site lighting shall be directional and directed so as not to create unreasonable glare off the boundaries of the property, but sufficient for security and safety.

6. COMPLIANCE WITH HEALTH AND ENVIRONMENTAL REGULATIONS:

All material stored on-site shall be stored and maintained in complete compliance with all state and county health regulations and in complete compliance with all County, State and Federal environmental regulations.

7. EMERGENCY SPILL NOTIFICATION CONTINGENCY PLAN:

The <u>owner Owner</u> of the <u>property Property</u> shall prepare an emergency spill notification contingency plan and keep the same posted on the premises, before issuance of any occupancy permits. Owner shall be responsible for notifying the Fire Marshall's office in a timely manner in the event of a spill of any hazardous chemical wastes or petroleum products on the <u>property Property</u>. The Owner shall assume full responsibility for all public expenses incurred in clean-up of a product spill on the site. If the subject warehouse use should be converted to a condominium, the owners of the individual units within the site shall be responsible for any product spills from their sites.

The Owner of the property will Property shall not knowingly allow the storage on the property of those substances identified in Federal Rule 1337b (40 C.F.R. 355) as amended by Federal Rule 5574 (Federal Register, February 25, 1988) issued pursuant to Section 302 of the Emergency Planning and Community Right to Know Act (42 U.S.C. Section 11002) in quantities exceeding each substance's "Threshold Planning Quantity" as defined in Federal Rule 5574 without the permission of the Prince William County Fire Marshall.

No petroleum truck or trucks carrying Class A or B explosives shall be serviced, loaded, unloaded or stored on the property Property. Underground storage tanks shall not be placed on the property Property.

8. BEST MANAGEMENT PRACTICES:

If the <u>parcel_Property</u> is developed as a single parcel, <u>applicant_Applicant_shall</u> construct a stormwater management pond during the initial stages of construction. If the <u>parcel_Property_is</u> subdivided, the <u>owner_Owner_of</u> each parcel shall provide stormwater management during the initial stages of construction on each lot.

9. PARKING:

No trailer trucks shall be stored or serviced on the property.

109. HANDICAP PARKING:

Handicap parking shall be provided as required in the Prince William County Design and Construction Standards Manual.

11. ROAD IMPROVEMENTS

a) The Owner shall dedicate a strip of property along the Balls Ford Road frontage so that the total right of way width from the current centerline of Balls Ford Road shall be thirty-four (34) feet.

10. BIKE RACK:

The Applicant shall provide one bike rack on the Property. The location and design of the bike rack shall be determined in connection with an administrative or minor site plan review.

- b) The Owner shall construct along the frontage of its property roadway improvements so that the face of curb is twenty-five (25) feet from the current centerline. The improvements set forth in this proffer shall be completed prior to the issuance of any occupancy permits for the structures on the property. If the Virginia Department of Transportation allows, and the County requests the same, the Owner will stripe the frontage improvements so as to provide a temporary left-hand turn lane into the site.
- c) The applicant acknowledges that the need for the construction of proffered public improvements may exist in advance of the applicant's development schedule. Accordingly, the applicant agrees that, in the event any or all of the proffered public road improvements are completed by either the County or VDOT using public funds, it or its assigns shall reimburse the appropriate public body the cost of such construction. Payment of the agreed sum shall be a precondition to the issuance of the first occupancy permit on the subject property.

1211. ARCHITECTURAL TREATMENT:

The façade of the buildings shall be brick and the roofs shall be flat. The brick will shall be tan or earth tone in color. Screening shall be provided to screen mechanical equipment located on the roofs of any building from Balls Ford Road. All doors shall be of the same color and all window frames shall be of the same color.

1312. OUTSIDE STORAGE:

There shall be no outside storage on the property.

1413. WATER AND SANITARY SEWER:

The existing well on the subject property will be abandoned in accordance with applicable Health Department regulations at the time of site development. The project Property shall be connected to public water and sewer.

1514. GENERALIZED DEVELOPMENT PLAN:

Development of the subject property shall be in general accordance with the generalized development plan dated September 22, 1989, subject to adjustments required to meet applicable development standards.

<u>Development of the Property shall be in substantial conformance with the plan entitled "DBBD Associates, LLC Balls Ford Road Proffer Amendment – Generalized Development Plan" prepared by christopher consultants, dated November 23, 2021, and sealed February 9, 2022, subject to modifications in connection with site plan review and final engineering.</u>

1615. WATER QUALITY CONTRIBUTIONS:

The <u>owner/applicant_Owner/Applicant_shall</u> contribute \$2,000.00 to the Board of County Supervisors for the County to conduct water quality monitoring and/or stream restoration projects in the Bull Run watershed. Said contribution shall be paid no later than one hundred eighty (180) days after approval of the proffer amendment by the Board of County Supervisors. ¹

1716. FIRE AND RESCUE CONTRIBUTION:

The owner/applicant Owner/Applicant shall make a \$0.61 per square foot of warehouse building area (19,000 SF), for a total monetary contribution of \$11,590.00, for fire and rescue services to the Board of County Supervisors. Said contribution shall be paid no later than one hundred eighty (180) days after approval of the proffer amendment by the Board of County Supervisors.²

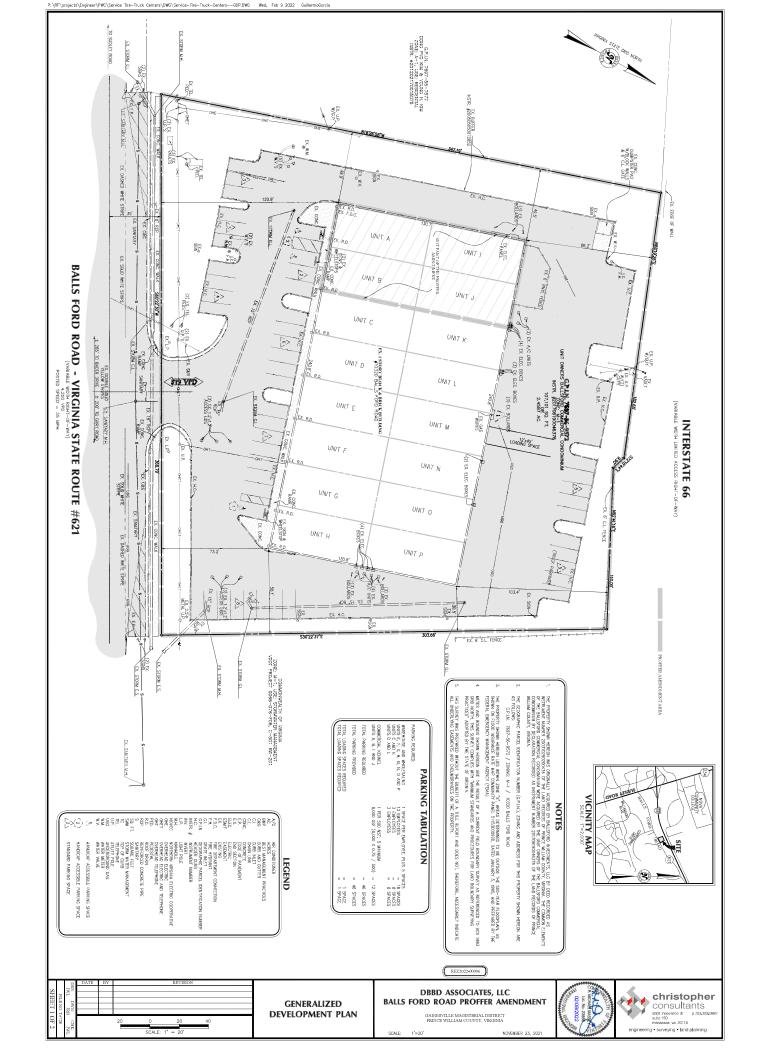
1817. MONETARY ESCALATOR:

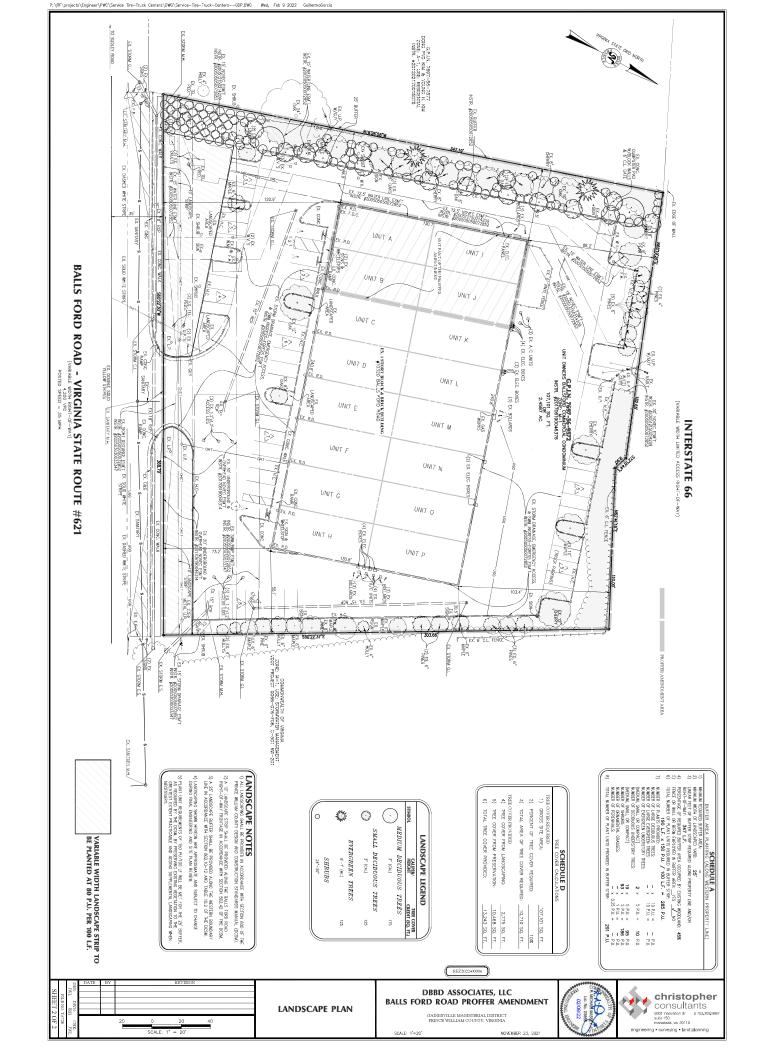
In the event the monetary contributions set forth in the development conditions are paid to the Prince William County Board of Supervisors within eighteen (18) months of the approval of this proffer amendment, as applied for by the Applicant, said contributions shall be in the amounts stated herein. Any monetary contributions set forth in the development conditions which are paid after eighteen (18) months following the approval of this proffer amendment 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 amendment 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.

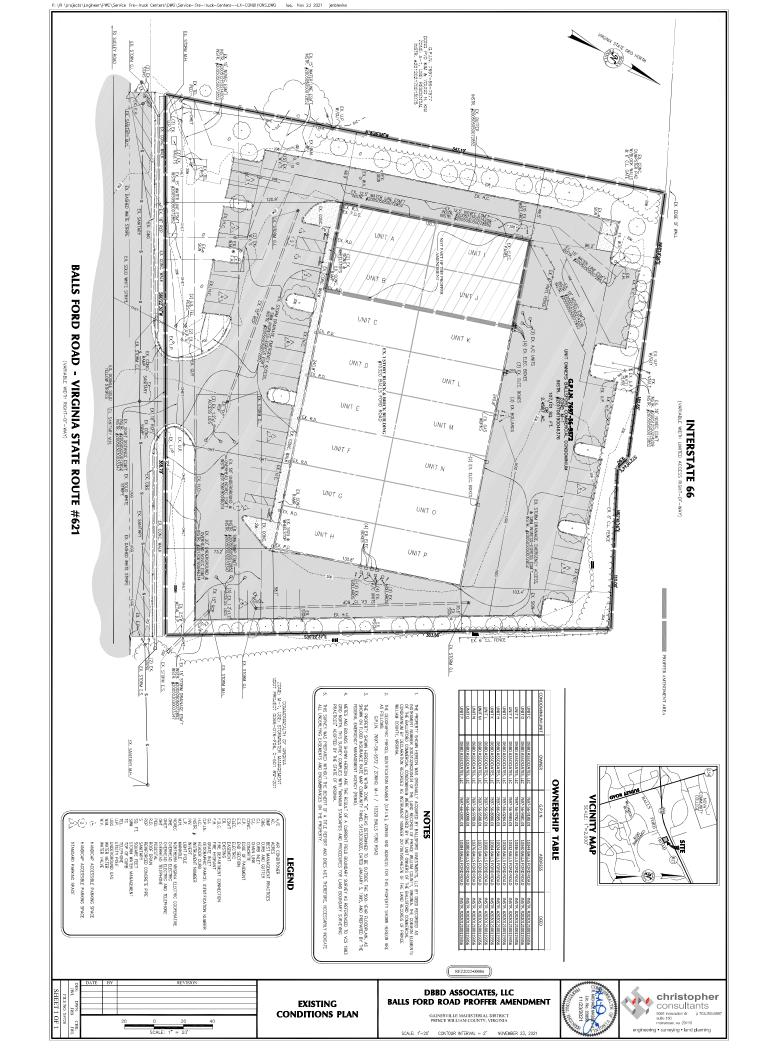
These proffers shall superso	ede all prior proffers affecting the subject Property.
	OWNER:
	BALLSFORD INVESTMENTS, LLC

¹ This proffer has been satisfied

² This proffer has been satisfied







HISTORICAL COMMISSION RESOLUTION

MOTION: PORTA October 12, 2021

Regular Meeting

SECOND: HENSON Res. No. 21-049

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:

<u>Name</u>	<u>Recommendation</u>
Freddy's Steakburgers at Sudley Manor	No Further Work
DBBD Associates LLC – Balls Ford Road Proffer Amendment	No Further Work
Haymarket Junction Top Shine Car Wash	Request applicant fabricate and install an interpretive marker at the property, on either the Town of Haymarket and/or the subject farmstead, with text provided by the Historical Commission.
Haymarket Junction Top Shine Car Wash	No Further Work
	Freddy's Steakburgers at Sudley Manor DBBD Associates LLC – Balls Ford Road Proffer Amendment Haymarket Junction Top Shine Car Wash Haymarket Junction Top Shine Car

October 12, 2021 Regular Meeting Res. No. 21-049 Page 2

Case Number	Name	<u>Recommendation</u>
REZ2022-00007	Riverside Station Land Bay A	No Further Work
REZ2022-00008	Riverside Station Land Bay B	No Further Work
REZ2022-00009	Balls Ford Road Proffer Amendment	No Further Work

Votes:

Ayes: by acclamation

Nays: None

Absent from Vote: None

Absent from Meeting: Brace, Carter, Duley

MOTION CARRIED

ATTEST:__

Secretary to the Commission