

#### PLANNING COMMISSION RESOLUTION

MOTION:

SECOND:

July 27, 2022 Regular Meeting RES. No. 22-

RE: REZONING #REZ2022-00012, CORNER PROPERTIES EQUIPMENT AND MATERIAL STORAGE YARD BRENTSVILLE MAGISTERIAL DISTRICT

#### ACTION: RECOMMEND APPROVAL

**WHEREAS**, this is a request to rezone ±1.9907 acres from M-2, Light Industrial, to M/T Industrial/Transportation in order to permit an equipment and material storage yard; and

**WHEREAS,** the site is addressed as 9502 Hornbaker Road, is identified on County maps as GPIN 7595-78-9620; and is also located at the intersection of Industrial Road and Hornbaker Road; and

**WHEREAS,** the site is designated EI, Industrial Employment, in the Comprehensive Plan; and

**WHEREAS**, the site is zoned M-2, Light Industrial, and is located within the Data Center Opportunity Overlay District and the Airport Safety Overlay District; and

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

**WHEREAS**, the Prince William County Planning Commission believes that the public necessity, convenience, general welfare and good zoning 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 Rezoning # REZ2022-00012, Corner Properties Equipment and Material Storage Yard, subject to the proffers dated June 17, 2021, on the Expedited Agenda. July 27, 2022 Regular Meeting RES. No. 22-Page 2

<u>Votes</u>: Ayes: Nays: Abstain from Vote: Absent from Vote: Absent from Meeting:

**MOTION CARRIED** 

Attest:

Antoinette Brzyski Acting Clerk to the Planning Commission

#### **PROFFER STATEMENT**

Owner/Applicant:Corner Properties, LLCProperty:G.P.I.N: 7595-78-9620 (the "Property")Approximately 1.9907 acresBrentsville Magisterial DistrictM-2, Light Industrial to M/T, Industrial/Transportation

Date: June 17, 2022

The undersigned hereby proffers that the use and development of the subject Property shall be in strict conformance with the following conditions. In the event the above-referenced rezoning is not granted as applied for by the Applicant, these proffers shall be withdrawn and are null and void.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 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.

For purposes of reference in this Proffer Statement, the "GDP" shall be that plan prepared by christopher consultants entitled "Corner Properties Equipment and Material Storage Yard" dated September 13, 2021.

#### **USES & SITE DEVELOPMENT**

- 1. The Property, consisting of approximately 1.9907 acres, shall be developed in accordance with the M/T Zoning District and in substantial conformance with the GDP, subject to minor changes approved by the County in connection with final site plan review. The foregoing shall not preclude the future construction buildings in compliance with Zoning Ordinance and DCSM requirements.
- 2. The following uses shall be prohibited.
  - a. Asphalt/concrete plant
  - b. Blacksmith, welding or machine shop
  - c. Coal yard
  - d. Commercial bus terminal
  - e. Extraction of Mineral Resources
  - f. Farmer's Market

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- g. Kennel, commercial
- h. Motor vehicle graveyard
- i. Racetrack (motorized vehicles)
- j. Range shooting (indoor or outdoor)
- k. Waterfront and Maritime uses
- I. Ambulance service maintenance facility
- m. Ambulance service, commercial
- n. Animal Shelter
- o. Boat building and repair yard
- p. Boat sales, rental, or lease, storage
- q. Brewery and bottling facility
- r. Commercial Parking
- s. Feed and grain storage and distribution center
- t. Furniture repair, dipping and stripping, upholstery
- u. Motor vehicle auction (wholesale)
- v. Motor vehicle sales, rental or lease (recreational)
- w. Railroad Freight depot
- x. Railroad yard
- y. Recyclable materials separation facility
- z. Truck Wash

#### **COMMUNITY DESIGN**

- 3. Front façades of buildings facing Hornbaker or Industrial Road shall incorporate at least 50% brick, stone and/or split faced block, and/or such other material as approved by the Planning Director and 20% of the façade of any building facing Hornbaker Road shall incorporate fenestration or other features such as wall plan projections or recesses.
- 4. The Applicant shall remove any graffiti from any building(s). Graffiti shall be deemed any inscription or marking on walls, buildings or structures not permitted by the sign regulations in Section 32-250.21 et. seq. of the Zoning Ordinance. Any graffiti is to be reported to the Prince William County Police Department before removal.
- 5. 5. Any freestanding sign for the Property shall be monument style, with a masonry base. The sign shall be a maximum of ten feet (10') in height, with ground level landscaping at the base, and the location shall be in accordance with the Zoning Ordinance.

- 6. The height of any building or equipment stored on the Property shall not exceed sixty-five feet (65'). This shall not apply to any equipment used during construction on the Property.
- 7. A minimum 6-foot opaque vinal fence shall be installed and maintained around the storage yard area, as shown on the GDP.
- 8. Any freestanding signage shall be monument style and limited to 10 feet in height.
- 9. If cranes are stored on the Property, they shall be stored in a lowered position. This shall not apply to any cranes used during construction on the Property.

#### TRANSPORTATION

- 10. Access to the Property shall be provided from Industrial Road as shown on the GDP.
- 11. Handicapped parking and associated signage shall be provided in accordance with the DCSM and other applicable requirements.

#### FIRE AND RESCUE

- 12. The Applicant shall contribute to the Board of County Supervisors the sum of \$0.61 per square foot of gross building floor area (excluding any structured parking facilities) for fire and rescue purposes. Said contribution shall be paid prior to and as a condition of the approval of each building permit for a building, excluding any structured parking facilities, on the Property.
- 13. In connection with the submission of a site plan for any use on the Property which involves the storage of hazardous materials, a "Spill Contingency Plan", in accordance with Prince William County requirements, shall be submitted to the Fire Marshal for approval.

#### **ENVIRONMENT**

- 14. 12. Stormwater Management and/or Best Management Practices shall be satisfied offsite through a pro-rata contribution to the Sowder Regional Facility.
- 15. 13. The Applicant shall contribute to the Board of County Supervisors the sum of \$75.00 per acre for the County to conduct water quality monitoring, stream

restoration projects, and/or drainage improvements. Said contribution shall be paid prior to and as a condition of the approval of the site plan.

- 16. The Applicant shall limit clearing and grading on the Property to within those areas depicted on the GDP, subject to minor revisions in accordance with final engineering considerations at the time of site plan review and approval. No clearing or improvements shall be made outside of the limits of clearing and grading without County approval, with the exception of: (a) the removal of noxious vegetation, such as poison ivy, poison oak, etc., as well as dead, dying or hazardous trees; and (b) the installation and maintenance of any existing or required utilities. The limits of clearing and grading may be modified if existing easements are vacated and/or in connection with Proffer #15 below.
- 17. The Applicant shall provide landscaping as depicted on the GDP that commits to evergreens and shrubs. The Applicant will exclusively use species native to Virginia.
- 18. The Applicant will commission a survey of Purple Milkweed on site during the July blooming season with results and conservation recommendations from the survey being included in the site plan submission in consultation with the Virginia Department of Conservation Resources.

#### WATER AND SEWER

19. The Property shall be served by the public sanitary sewer and water. The Applicant shall be responsible for those on-site and off-site improvements required in order to provide such service for the demand generated by the development of the Property.

#### **MISCELLANEOUS**

20. In the event the monetary contributions set forth in the Proffer Statement are paid to the Prince William County Board of County Supervisors ("Board") within eighteen (18) months of the 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 the 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 the approval of this rezoning to the most recently available CPI-U to the date the contributions are paid subject to a cap of 6 percent (6%) per year, noncompounded.

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[SIGNATURES APPEAR ON FOLLOWING PAGES]

## SIGNATURE PAGE

Corner Properties, J.LC/ inle anager



# **STAFF REPORT**

PC Meeting Date:	July 27, 2022
Agenda Title:	Rezoning #REZ2022-00012, Corner Properties Equipment and Material Storage Yard
District Impact:	Brentsville Magisterial District
Requested Action:	Recommend Approval of Rezoning #REZ2022-00012, Corner Properties Equipment and Material Storage Yard, subject to proffers dated June 17, 2022
Department:	Planning Office
Case Planner:	Christopher Perez

## **EXECUTIVE SUMMARY**

This is a request to rezone ±1.9907 acres from M-2, Light Industrial, to M/T, Industrial/ Transportation. The rezoning proposes an equipment and material storage yard, which is permitted in the M/T Zoning District. The site is located at the southwest quadrant of the Hornbaker Road/Industrial Road intersection. The subject property is identified on County maps as GPIN 7595-78-9620.

It is the recommendation of staff that the Planning Commission recommend approval of Rezoning #REZ2022-00012, Corner Properties Equipment and Material Storage Yard, subject to the proffers dated June 17, 2022.

## BACKGROUND

A. <u>Request</u>: This is a request to rezone ±1.9907 acres from M-2, Light Industrial, to M/T, Industrial/Transportation. The rezoning proposes and equipment and material storage yard, which is permitted in the M/T District.

Feature/Standard	ExistingStandards M-2, Light Industrial	Proposed Standards M/T, Industrial/Transportation
Building Area	Vacant	No specific buildings are proposed at this time
Maximum Height	60 feet	Permitted 75 feet, but limited by proffer to 65 feet
Minimum Open Space	20 percent	15 percent required 21 percent provided
FAR	0.50	Permitted 0.75
Landscaping/Buffers	10-foot wide landscape strip along Industrial Road and Hornbaker Road	<ul> <li>10-foot wide landscape strip, 10-foot wide tree save area, and 6-foot tall vinyl fence along Industrial Road frontage</li> <li>20-foot wide landscape strip, 20 -foot wide setback, and 6-foot tall vinyl fence along Hornbaker Road frontage</li> <li>6-foot tall vinyl fence along southern and western property lines</li> </ul>
Site Entrance	Vacant	1 full movement access off Industrial Road and a potential interparcel connection with the adjoining industrial site located to the south

- B. <u>Site Location</u>: The subject property is located on the southwestern side of Industrial Road., at its intersection with Hornbaker Road. The site is currently addressed as 9502 Hornbaker Road, is identified on County maps as GPIN 7595-78-9620, and is also located within the northern portion of Broad Run Industrial Park.
- C. <u>Comprehensive Plan</u>: The site is designated EI, Industrial Employment, in the Comprehensive Plan and is located within the Data Center Opportunity Overlay

District and the Airport Safety Overlay District.

- D. <u>Zoning</u>: The site is zoned M-2, Light Industrial, and is located within the Data Center Opportunity Overlay District and Airport Safety Overlay District. The property is subject to ZMA1971-29. There are no proffers associated with it.
- E. <u>Surrounding Land Uses</u>: The subject site is located in the Broad Run Industrial Park. The site is bordered on the west and the south by M/T, Industrial/Transportation zoned properties, and to the north by a M-2 zoned parcel. Across Hornbaker Road is Innovation Park, which is zoned PBD, Planning Business District.

# STAFF RECOMMENDATION

Staff recommends approval of Rezoning #REZ2022-00012, Corner Properties Equipment and Material Storage Yard, subject to the proffers dated June 17, 2022, for the following reasons:

- The requested M/T, Industrial/Transportation, zoning district is intended to implement the EI, Industrial Employment, land use designation.
- The proposal is within the Broad Run Industrial Park, the surrounding character of the area is primarily industrial, and the proposed rezoning to the M/T zoning district will be consistent with the nearby existing industrial uses.
- Hornbaker Road and Industrial Road are provided adequate screening and buffering opportunities, which go beyond the minimum requirements of the DCSM, which are comprised of both landscaped buffers and a 6-foot tall high quality vinyl fence.
- All front façades of buildings facing Hornbaker or Industrial Road shall incorporate at least 50 percent brick, stone and/or split faced block, and 20 percent of the façade of any building facing Hornbaker Road shall incorporate fenestration or other features such as wall plan projections or recesses.
- The Applicant has proffered out 26 uses permitted in the M/T Zoning District based on their intensity and surrounding uses.
- The maximum height of any building on the property shall be limited to 65 feet.
- As proposed, the proffers sufficiently mitigate the anticipated impacts.

## **Comprehensive Plan Consistency Analysis**

<u>Long-Range Land Use</u>: The proposed zoning district of M/T, Industrial/Transportation, as proffered, directly implements the current EI, Industrial Employment, land use designation, and is consistent with the area context.

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

Water Quality	\$75 per acre	±1.9907 acres	\$149.3
Fire & Rescue	\$0.61 per square foot of gross building floor area	No specific building additions proposed at this time	N/Aat this time
TOTAL			\$149.3

# Strategic Plan

<u>Resilient Economy</u>: The proposed rezoning is favorably aligned with the County's Resilient Economy objective to continue efforts to preserve and expand the commercial tax revenue base. The rezoning will result in an increased assessed tax value and commercial tax base, and more direct implementation of the El designation.

<u>Transportation & Mobility</u>: The proposed rezoning is favorably aligned with the County's Transportation & Mobility objective by providing an interparcel connection with an abutting parcel.

# <u>Community Input</u>

Notice of the rezoning application has been transmitted to property owners within 500 feet of the subject property. As of the date of this staff report, the Planning Office has not received any feedback from the community, and staff is not aware of any opposition.

# **Other Jurisdiction Comments**

The subject site is located outside of the required notification area for adjacent jurisdictions.

## Legal Issues

If the rezoning is approved, the site could be developed with industrial uses, as proffered, through the M/T Industrial/Transportation, zoning district. The site is currently zoned M-2, Light Industrial, without proffers, and could continue to be utilized with current and by-right M-2 uses if the rezoning is not approved. Legal issues resulting from the Planning Commission's action are appropriately addressed by the County Attorney's Office.

# <u>Timing</u>

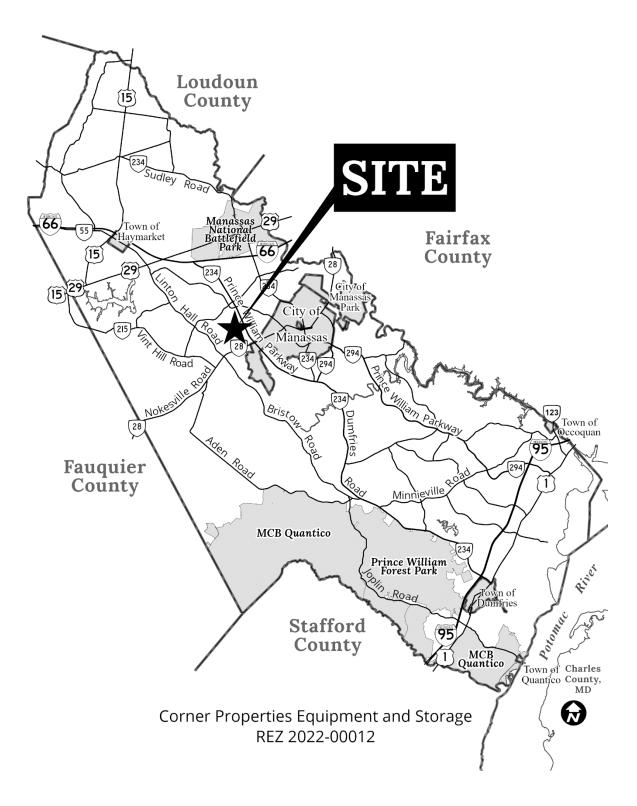
The Planning Commission has until October 25, 2022, which is 90 days from the first public hearing date, to take action on the rezoning proposal. A recommendation to approve the rezoning request would meet the 90-day requirement.

# STAFF CONTACT INFORMATION

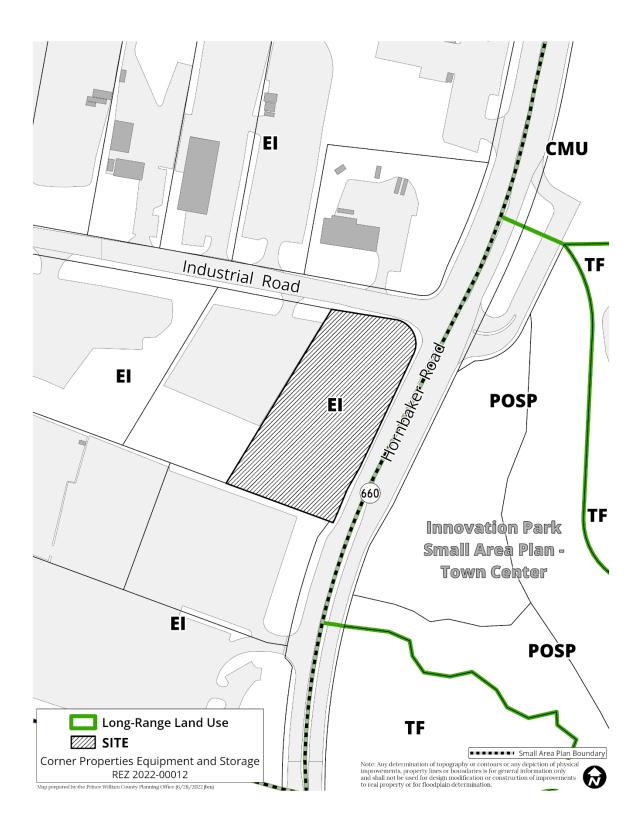
Christopher Perez | (703) 792-8050 | cperez@pwcgov.org

## **ATTACHMENTS**

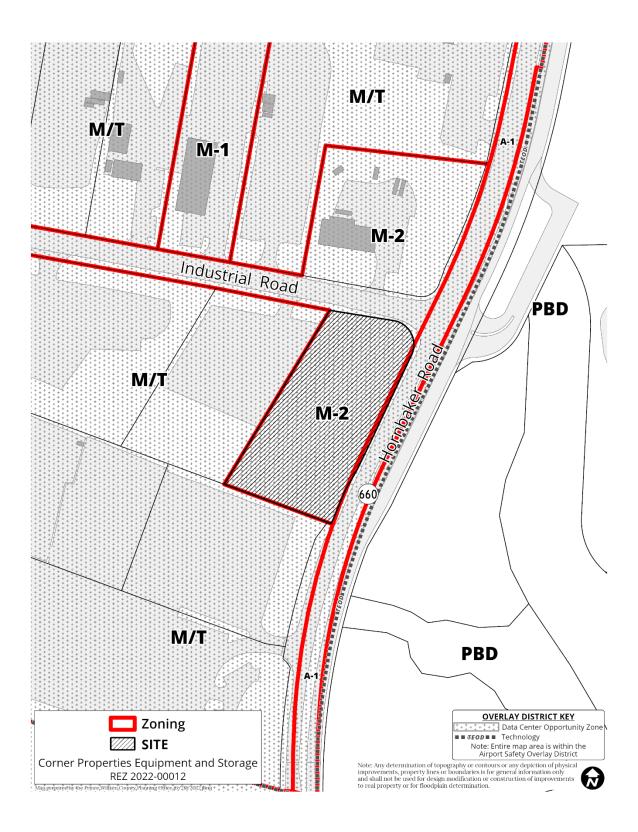
Attachment A - Proffers Attachment B - Generalized Development Plan (GDP) Attachment C – Fence Exhibit Attachment D - Historical Commission Resolution







## **Zoning Map**



## 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
Economic Development	Yes
Environment	Yes
Fire and Rescue	Yes
Police	Yes
Sanitary Sewer	Yes
Potable Water	Yes
Transportation	Yes

## Part II. Comprehensive Plan Consistency Analysis

The following table summarizes the area characteristics (see attached maps):

Direction	Land Use	Long Range Land Use Designation	Zoning
North	Industrial use/building	El	M-2
South	Industrial use/ contractor	EI	M/T
	storageyard		
East	Vacant	POSP	PBD
West	Contractor storage yard	EI	M/T

## 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 to rezone the subject property from M-2, Light Industrial, to M/T Industrial/Transportation, to allow storage of vehicles, equipment, and construction materials, which is permitted in the M/T district. This site is located within the Development Area of the County and is designated as EI, Industrial Employment. The M/T zoning district implements the EI designation. The following table summarizes the uses and densities intended within the EI land use designation:

Long-Range Land Use Map Designation	Intended Uses and Densities
Industrial Employment (El)	The purpose of the Industrial Employment classification is to provide for areas of economic base industries that must be screened and buffered from major transportation corridors and adjacent land uses. These screening and buffering requirements shall be as contained in the Zoning Ordinance and DCSM. Primary uses in the El classification are manufacturing, industrial parks, truck and auto repair, wholesale/distribution facilities, warehouses, certain public facilities and utilities, and other industrial uses. Retail and/or retail service uses shall be considered secondary uses and shall represent no greater than 25 percent of the total El 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 El project. Within an El designated area, the more intense uses shall be located in the core of the area and the less intense uses shall be located in the core of the area and the less intense uses shall be located or developed for different uses. Performance standards for off-site impacts- such as dust, particulates, and emissions-are to be applied. Stand-alone office and office-like facilities that are primary uses within an El designated area should be discouraged in any El area.

## Proposal's Strengths

• <u>Land Use & Zoning Compatibility:</u> The proposed rezoning of the subject property from M-2, Light Industrial, to M/T, Industrial/Transportation, directly implements the current El, Industrial Employment, land use designation within the Comprehensive Plan. The proposed M/T zoning is consistent with and compatible to the existing zoning of adjacent properties, particularly along the frontage of Industrial Road.

- <u>Consistency with Surrounding Area</u>: Since the site is within Broad Run Industrial Park, it is already among existing industrial uses and in an area where these types of uses are preferred.
- <u>Prohibited Uses:</u> As proffered, the Applicant has prohibited the following uses on the property based on their intensity and surrounding uses:
  - a. Asphalt/concrete plant
  - b. Blacksmith, welding or machine shop
  - c. Coal yard
  - d. Commercial bus terminal
  - e. Extraction of Mineral Resources
  - f. Farmer's Market
  - g. Kennel, commercial
  - h. Motor vehicle graveyard
  - i. Racetrack (motorized vehicles)
  - j. Range shooting (indoor or outdoor)
  - k. Waterfront and Maritime uses
  - I. Ambulance service maintenance facility
  - m. Ambulance service, commercial
  - n. Animal Shelter
  - o. Boat building and repair yard
  - p. Boat sales, rental, or lease, storage
  - q. Brewery and bottling facility
  - r. Commercial Parking
  - s. Feed and grain storage and distribution center
  - t. Furniture repair, dipping and stripping, upholstery
  - u. Motor vehicle auction (wholesale)
  - v. Motor vehicle sales, rental or lease (recreational)
  - w. Railroad Freight depot
  - x. Railroad yard
  - y. Recyclable materials separation facility
  - z. Truck Wash

#### Proposal's Weaknesses

• None identified.

<u>**On balance**</u>, 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.

The site is unimproved and includes existing vegetation in various stages of growth. The proposed storage yard will consist of an improved surface consisting of 6-inch VDOT 21A or asphalt millings. Ingress/egress to the site is via a single full access entrance onto Industrial Road and a proposed interparcel connection with the adjacent parcel to the south, that is also owned by the Applicant. The proposal provides a 6-foot tall vinyl fence around the storage yard area, which provides screening and security for the site. The proposed vinyl fence can be viewed in Attachment C. In addition to the fencing, the site's frontage on Hornbaker Road includes a 20-foot wide landscape strip with evergreen plantings, and a 20-foot wide setback area from the right-of-way that contains existing utilities. This total width of 40 feet ensures that existing utilities are located outside of the proposed landscape strip. In addition to the fencing, the site's frontage on Hornbaker 8 frontage on Industrial Road includes a 10-foot wide landscape strip with evergreen plantings, and a 10-foot wide tree preservation area.

While no buildings are currently proposed onsite, the Applicant has proffered architectural improvement standards along Hornbaker Road and Industrial Road in the event buildings are proposed at a later date. All front façades of buildings facing Hornbaker or Industrial Road shall incorporate at least 50 percent brick, stone and/or split faced block, and/or such other material as approved by the Planning Director, and 20 percent of the façade of any building facing Hornbaker Road shall incorporate fenestration or other features such as wall plan projections or recesses.

## **Proposal's Strengths**

- <u>Screening and Buffering from Hornbaker Road</u>: The storage yard is setback a total distance of 40-foot from Hornbaker Road, inclusive of a 20-foot wide landscaped buffer and a 20-foot wide setback area for existing utilities. Additionally, the proposal provides a high quality 6-foot tall vinyl fence around the storage yard area, which provides additional screening and security for the site.
- <u>Screening and Buffering from Industrial Road</u>: The storage yard is setback a total distance of 20-foot from Industrial Road, inclusive of a 10-foot wide landscaped buffer and a 10-foot wide tree preservation area. Additionally, the proposal provides a high quality 6-foot tall vinyl fence around the storage yard area, which provides additional screening and security for the site.
- <u>Limited Height</u>: As proffered, the maximum height of any building on the property shall be limited to 65 feet.

- <u>Crane Storage Provision</u>: As proffered, if cranes are stored on the property, they shall be stored in the lowered position.
- <u>Architecture</u>: As proffered, all front façades of buildings facing Hornbaker or Industrial Road shall incorporate at least 50 percent brick, stone and/or split faced block, and/or such other material as approved by the Planning Director, and 20 percent of the façade of any building facing Hornbaker Road shall incorporate fenestration or other features such as wall plan projections or recesses.
- <u>Signage</u>: As proffered, any freestanding signage shall be monument style and limited to 10 feet in height.

## Proposal's Weaknesses

• None

**On balance**, this application is found to be consistent with the relevant components of the Cultural 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 subject property is located in the Broad Run Industrial Park and is surrounded on three sides by industrial uses. There are no archaeological and architectural sites or graves recorded in the project area. The Historical Commission reviewed this proposal at its November 9, 2021, and recommended no further work. The County Archaeologist concurs. The resolution is attached at the end of this report.

## Proposal's Strengths

• <u>No Further Work</u>: The Historical Commission reviewed this proposal at its November 9, 2021, meeting and determined that no further work was needed. The County Archaeologist concurs.

## Proposal's Weaknesses

• None identified.

<u>On balance</u>, this application is found to be consistent with the relevant components of the Cultural Resources Plan.

# Economic Development

An enhanced, diverse nonresidential tax base creates quality jobs, allowing people to live, work and recreate in Prince William County. The Economic Development Plan sets out policies and action strategies that further the County's goal of attracting and fostering the growth of environmentally sound industries to create quality jobs and diversify the nonresidential tax base, creating a climate where citizens can live and work in Prince William County. The Plan includes recommendations relating to business attraction, retention and expansion, the provision of adequate infrastructure, redevelopment of less competitive areas, telecommuting and other information-age opportunities, and recognition of tourism as an industry.

## Proposal's Strengths

- <u>Nonresidential Development</u>: The application proposes nonresidential development that will increase the County's nonresidential tax base and help to enhance industrial uses.
- <u>Increase At-place Employment</u>: The proposal to rezone to M/T will enhance the industrial use options and will help contribute to the overall goal to increase growth in at-place employment.

## Proposal's Weaknesses

• None identified.

**On balance**, this application is found to be consistent with the relevant components of the Economic Development 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 a high likelihood of containing the plant species, Purple Milkweed. Purple Milkweed is listed by the Department of Conservation and Recreation (DCR) as "Imperiled", which means that it is at high risk of extirpation in the jurisdiction due to restricted range, few populations or occurrences, steep declines, severe threats, or other factors. DCR recommends avoidance of the Conservation Site and an inventory to determine the extent of the current population. The Applicant has proffered a survey of Purple Milkweed on site during the July blooming season with results and conservation recommendations from the survey being included in the site plan submission in consultation with the Virginia Department of Conservation Resources.

The site contains adequate landscape buffers and screening opportunities. In addition to the fencing provided around the site that was mentioned above, the site's frontage on Hornbaker Road includes a 20-foot wide landscape strip with evergreen plantings, and a 20-foot wide setback area to the right-of-way that contains existing utilities. The site's frontage on Industrial Road includes a 10-foot wide landscape strip with evergreen plantings, and a 10-foot wide tree preservation area.

## Proposal's Strengths

- <u>Landscaping and buffering</u>: As proffered, landscaping and fencing shall be provided as depicted on the GDP.
- <u>Conservation</u>: As proffered, prior to the final site plan being submitted, a survey of Purple Milkweed on the site shall be conducted. The results and conservation recommendations from the survey will be included in the site plan submission in consultation with the DCR.
- <u>Water Quality Monetary Contribution</u>: A \$75 per acre (±1.9907 acres) monetary contribution for water quality monitoring, stream restoration, and/or drainage improvements has been proffered.

## 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.

Fire/Rescue Station #25 (Braemar) is the first due fire/rescue resource for the project site. The facility is outside the required 4.0-minute travel time for Basic Life Support and Fire Suppression, but within the required 8.0-minute travel time for Advanced Life Support. In FY 2019, Station #25 responded to 2,810 incidents, with a workload station capacity of 4,000 incidents per year.

## Proposal's Strengths

- <u>Monetary Contribution</u>: As proffered, the Applicant shall contribute to the Board of County Supervisors the sum of \$0.61 per square foot of any new gross building floor area for fire and rescue purposes. Said contributions shall be paid prior to and as a condition of the approval of each building permit for a building, excluding any structural parking facilities, on the Property.
- <u>Inside of 8.0-Minute Travel Time</u>: The site is located within the 8.0-minute travel time for advanced life support services.
- <u>Spill Contingency</u>: As proffered, a spill contingency plan shall be prepared in coordination with the Fire Marshal's Office prior to final site plan approval and approved prior to issuance of an occupancy permit for any proposed use that incorporates fuels, solvents, or other hazardous materials.
- <u>Station Workload</u>: FY 2019 data shows the number of incidents in the Fire/Rescue Station 25 area as 2,810 incidents, while the workload capacity is 4,000 incidents. As such, it is operating under capacity.

## Proposal's Weaknesses

• <u>Outside of 4.0-Minute Travel Time</u>: The site is currently located outside the recommended 4.0-minute travel time for fire suppression and basic life support.

<u>**On balance**</u>, 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 the 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, 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.

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

- <u>Gated Access & Perimeter Fencing</u>: The site is proposed to be fully enclosed by a 6-foot tall vinyl fence. This controls access into the site and provides a level of onsite security.
- <u>Graffiti Removal & Reporting</u>: As proffered, the Applicant agrees to remove any graffiti from the property. Any graffiti is to be reported to the Police Department before removal.

#### Proposal's Weaknesses

• None identified.

<u>**On balance**</u>, this application is found to be consistent with the relevant components of the Police 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. The site is served by an existing eight-inch gravity sewer main located approximately 270 feet south of the site on Hornbaker Road.

## **Proposal's Strengths**

• <u>Sewer Connection</u>: The Applicant is required to comply with Zoning Ordinance Section 32-250.75, which mandates connection of the site to public sewer service. As proffered, the Applicant shall connect to public sewer and is responsible for those onsite and offsite improvements.

## Proposal's Weaknesses

• None identified.

<u>On balance</u>, this application is found to be consistent with the relevant components of the Sanitary Sewer 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. The Service Authority has a twelve-inch water main located on Hornbaker Road.

## **Proposal's Strengths**

• <u>Water Connection</u>: The Applicant is required to comply with Zoning Ordinance Section 32-250.74, which mandates connection of the site to public water service. As proffered, the site shall be connected to public water, with the Applicant bearing all costs associated with providing onsite and offsite facilities to meet the demand generated by its uses.

#### Proposal's Weaknesses

• None identified.

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

## **Transportation Plan Analysis**

Prince William County promotes the safe and efficient movement of goods and people throughout the County and surrounding jurisdictions by providing a multi-modal approach to traffic circulation. The Transportation Plan establishes 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.

A Traffic Impact Analysis (TIA) was not required because of the anticipated low trip generation. Ingress/egress to the site will be provided from the proposed entrance on Industrial Road as depicted on the GDP. The proposed access meets Virginia Department of Transportation (VDOT) standards. An interparcel connection is proposed with the adjacent parcel to the south that the Applicant also owns. No additional improvements to the road network are necessitated by or proposed with this application.

## Proposal's Strengths

- <u>Site Access</u>: Access to the property will be from a proposed entrance from Industrial Road, as depicted on the GDP.
- <u>Site Access</u>: Interparcel connection is proposed with the adjacent parcel to the south.

## 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 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:

- <u>Resilient Economy</u>: The proposed rezoning is favorably aligned with the County's Resilient Economy objective to continue efforts to preserve and expand the commercial tax revenue base. The rezoning will result in an increased assessed tax value and commercial tax base.
- <u>Transportation & Mobility</u>: The proposed rezoning is favorably aligned with the County's Transportation & Mobility objective by providing an interparcel connection with an abutting parcel.

# **Materially Relevant Issues**

• None identified.

# **Modifications / Waivers**

• None identified.

# Proffer Issues / Deficiencies

• Vinyl is not spelled correctly in proffer 7. Also, the proffer should state "6-foot tall vinyl fence", also, this proffer should be revised to reference the exhibit of the vinyl fence that the BOCS is acting on. See Attachment C of the staff report.

## 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 Archaeologist
- PWC Building Official
- PWC Economic Development
- PWC Fire Marshal Office
- PWC Historical Commission
- PWC Planning Office Case Manager / Long-Range Planning
- PWC Public Works Environmental Services / Watershed Management
- PWC Service Authority
- PWCTransportation
- Virginia Department of Transportation

#### Rezoning, #REZ2022-00012, Corner Properties Equipment and Material Storage Yard

#### **PROFFER STATEMENT**

Owner/Applicant:	Corner Properties, LLC
Property:	G.P.I.N: 7595-78-9620 (the "Property")
	Approximately 1.9907 acres
	Brentsville Magisterial District
	M-2, Light Industrial to M/T, Industrial/Transportation

Date: June 17, 2022

The undersigned hereby proffers that the use and development of the subject Property shall be in strict conformance with the following conditions. In the event the above-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 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.

For purposes of reference in this Proffer Statement, the "GDP" shall be that plan prepared by christopher consultants entitled "Corner Properties Equipment and Material Storage Yard" dated September 13, 2021.

#### **USES & SITE DEVELOPMENT**

- 1. The Property, consisting of approximately 1.9907 acres, shall be developed in accordance with the M/T Zoning District and in substantial conformance with the GDP, subject to minor changes approved by the County in connection with final site plan review. The foregoing shall not preclude the future construction buildings in compliance with Zoning Ordinance and DCSM requirements.
- 2. The following uses shall be prohibited.
  - a. Asphalt/concrete plant
  - b. Blacksmith, welding or machine shop
  - c. Coal yard
  - d. Commercial bus terminal
  - e. Extraction of Mineral Resources
  - f. Farmer's Market

#REZ2022-0002, Corner Properties Equipment and Material Storage Yard Proffer Statement Page 2 of 5

- g. Kennel, commercial
- h. Motor vehicle graveyard
- i. Racetrack (motorized vehicles)
- j. Range shooting (indoor or outdoor)
- k. Waterfront and Maritime uses
- I. Ambulance service maintenance facility
- m. Ambulance service, commercial
- n. Animal Shelter
- o. Boat building and repair yard
- p. Boat sales, rental, or lease, storage
- q. Brewery and bottling facility
- r. Commercial Parking
- s. Feed and grain storage and distribution center
- t. Furniture repair, dipping and stripping, upholstery
- u. Motor vehicle auction (wholesale)
- v. Motor vehicle sales, rental or lease (recreational)
- w. Railroad Freight depot
- x. Railroad yard
- y. Recyclable materials separation facility
- z. Truck Wash

#### **COMMUNITY DESIGN**

- 3. Front façades of buildings facing Hornbaker or Industrial Road shall incorporate at least 50% brick, stone and/or split faced block, and/or such other material as approved by the Planning Director and 20% of the façade of any building facing Hornbaker Road shall incorporate fenestration or other features such as wall plan projections or recesses.
- 4. The Applicant shall remove any graffiti from any building(s). Graffiti shall be deemed any inscription or marking on walls, buildings or structures not permitted by the sign regulations in Section 32-250.21 et. seq. of the Zoning Ordinance. Any graffiti is to be reported to the Prince William County Police Department before removal.
- 5. 5. Any freestanding sign for the Property shall be monument style, with a masonry base. The sign shall be a maximum of ten feet (10') in height, with ground level landscaping at the base, and the location shall be in accordance with the Zoning Ordinance.

- 6. The height of any building or equipment stored on the Property shall not exceed sixty-five feet (65'). This shall not apply to any equipment used during construction on the Property.
- 7. A minimum 6-foot opaque vinal fence shall be installed and maintained around the storage yard area, as shown on the GDP.
- 8. Any freestanding signage shall be monument style and limited to 10 feet in height.
- 9. If cranes are stored on the Property, they shall be stored in a lowered position. This shall not apply to any cranes used during construction on the Property.

#### TRANSPORTATION

- 10. Access to the Property shall be provided from Industrial Road as shown on the GDP.
- 11. Handicapped parking and associated signage shall be provided in accordance with the DCSM and other applicable requirements.

#### FIRE AND RESCUE

- 12. The Applicant shall contribute to the Board of County Supervisors the sum of \$0.61 per square foot of gross building floor area (excluding any structured parking facilities) for fire and rescue purposes. Said contribution shall be paid prior to and as a condition of the approval of each building permit for a building, excluding any structured parking facilities, on the Property.
- 13. In connection with the submission of a site plan for any use on the Property which involves the storage of hazardous materials, a "Spill Contingency Plan", in accordance with Prince William County requirements, shall be submitted to the Fire Marshal for approval.

#### **ENVIRONMENT**

- 14. 12. Stormwater Management and/or Best Management Practices shall be satisfied offsite through a pro-rata contribution to the Sowder Regional Facility.
- 15. 13. The Applicant shall contribute to the Board of County Supervisors the sum of \$75.00 per acre for the County to conduct water quality monitoring, stream

restoration projects, and/or drainage improvements. Said contribution shall be paid prior to and as a condition of the approval of the site plan.

- 16. The Applicant shall limit clearing and grading on the Property to within those areas depicted on the GDP, subject to minor revisions in accordance with final engineering considerations at the time of site plan review and approval. No clearing or improvements shall be made outside of the limits of clearing and grading without County approval, with the exception of: (a) the removal of noxious vegetation, such as poison ivy, poison oak, etc., as well as dead, dying or hazardous trees; and (b) the installation and maintenance of any existing or required utilities. The limits of clearing and grading may be modified if existing easements are vacated and/or in connection with Proffer #15 below.
- 17. The Applicant shall provide landscaping as depicted on the GDP that commits to evergreens and shrubs. The Applicant will exclusively use species native to Virginia.
- 18. The Applicant will commission a survey of Purple Milkweed on site during the July blooming season with results and conservation recommendations from the survey being included in the site plan submission in consultation with the Virginia Department of Conservation Resources.

#### WATER AND SEWER

19. The Property shall be served by the public sanitary sewer and water. The Applicant shall be responsible for those on-site and off-site improvements required in order to provide such service for the demand generated by the development of the Property.

#### **MISCELLANEOUS**

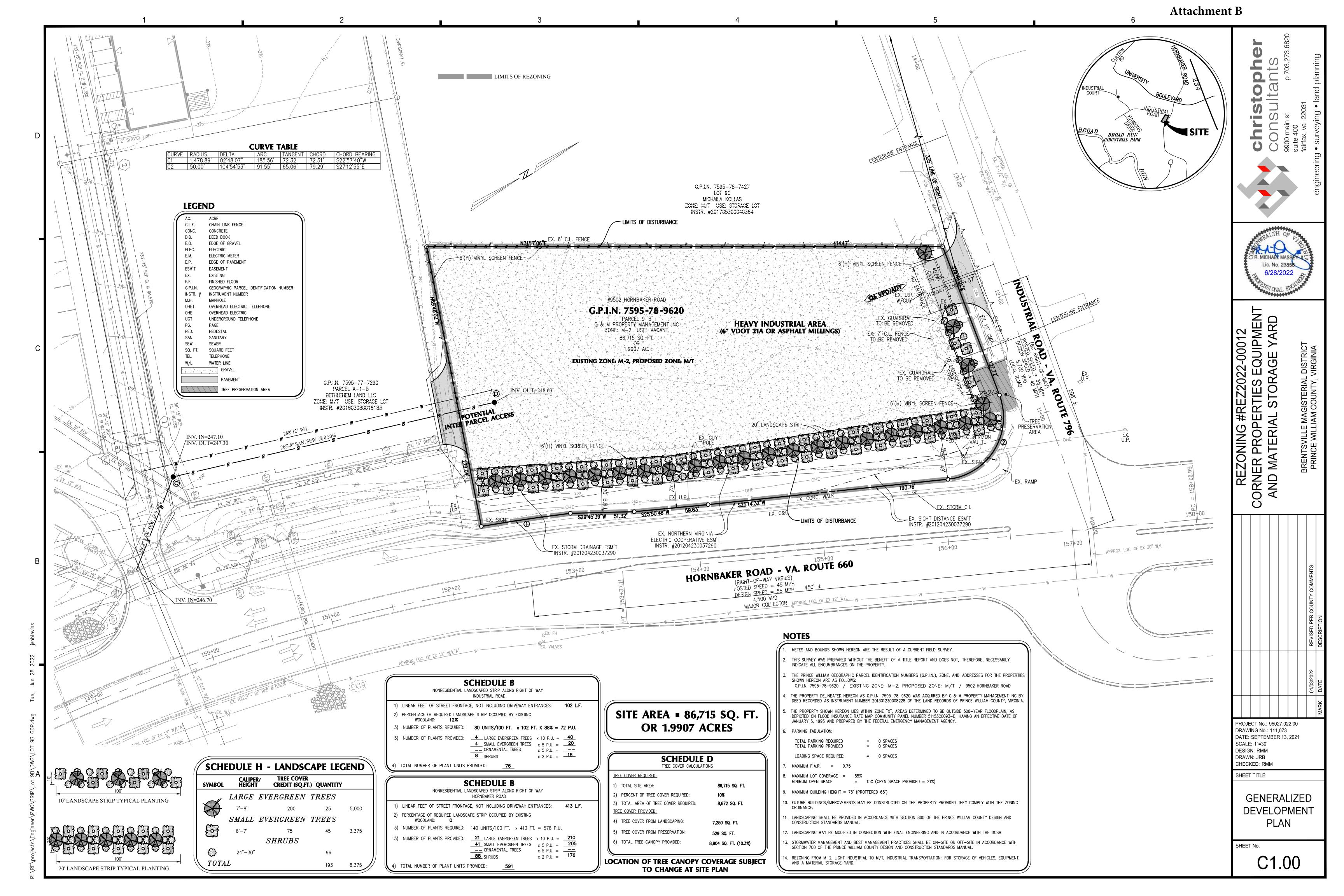
20. In the event the monetary contributions set forth in the Proffer Statement are paid to the Prince William County Board of County Supervisors ("Board") within eighteen (18) months of the approval of this rezoning, as applied for by the Applicant, said contributions shall be in the amounts as stated herein. Any monetary contributions set forth in this Proffer Statement which are paid to the Board after eighteen (18) months following the 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 the approval of this rezoning to the most recently available CPI-U to the date the contributions are paid subject to a cap of 6 percent (6%) per year, noncompounded.

#REZ2022-0002, Corner Properties Equipment and Material Storage Yard Proffer Statement Page 5 of 5

[SIGNATURES APPEAR ON FOLLOWING PAGES]

## SIGNATURE PAGE

Corner Properties, J.LC/ inle anager







# Attachment D

#### HISTORICAL COMMISSION RESOLUTION

MOTION: PORTA

SECOND: BURGESS

November 9, 2021 Regular Meeting Res. No. 21-055

## 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:

Case Number	Name	Recommendation
REZ2018-00026	Independent Hill – 4 <sup>th</sup> Submission	Request applicant adhere to previous request as noted below with Kiosk now to be part of the applicant's proposed Gateway Entry feature: Request applicant install interpretive kiosk, including 4 bench seats and 3 National Park Service style signs with content on 1) Independent Hill history and 2) Civil War history in Independent Hill.
REZ2022-00010	Kings Crest	No Further Work

November 9, 2021 Regular Meeting Res. No. 21-055 Page 2

Case Number	Name	Recommendation
REZ2022-00012	Corner Properties Equipment and Storage	No Further Work
REZ2022-00013	JKF	No Further Work
PFR2021-00022	Innovation Business Center Electric Substation	No Further Work
RE2022-00011	East Gate Apartments	No Further Cultural Resources Work Other concerns were voiced: Additional access is needed – one entrance is not enough; Improved/additional recreation facilities especially for children are needed; Safety concerns for children walking in the street due to lack of sidewalks.

Votes: Ayes: by acclamation Nays: None Absent from Vote: None Absent from Meeting: Henson, Moser, Sargo MOTION CARRIED

ATTEST: Sentomette Buy shi

Secretary to the Commission