

PLANNING COMMISSION RESOLUTION

MOTION: June 8, 2022
Regular Meeting

SECOND: RES. No. 22-xxx

RE: REZONING #REZ2022-00013, JKF

BRENTSVILLE MAGISTERIAL DISTRICT

ACTION:

WHEREAS, this is a request to rezone ±3.64 acres from A-1, Agricultural, to M-1, Heavy Industrial, to allow for the development of industrial uses.; and

WHEREAS, the subject property is located approximately ±0.28 miles northwest of the intersection of Hornbaker Road and University Boulevard, is identified on County maps as GPIN 7596-80-4477, and is addressed 11300 Braden Drive.; and

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

WHEREAS, the site is zoned A-1, Agricultural; and

WHEREAS, the Prince William County Planning Commission duly ordered, advertised, and held a public hearing on June 8, 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 believes that public necessity, convenience, general welfare, as well as good zoning practices are served by recommending 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 #REZ2022-00013, JKF, subject to the proffers dated May 18, 2022.

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

MOTION CARRIED

Attest:

Antoinette Brzyski

Acting Clerk to the Planning Commission

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PROFFER STATEMENT

RE: #REZ2022-00013, JKF Rezoning

Owner/Applicant: JKF Properties, LLC

Property: 7596-80-4477 (the "Property")

Brentsville Magisterial District Approximately 3.64 acres

A-1, Agricultural to M-1, Heavy Industrial

Date: May 18, 2022

The undersigned hereby proffers that the use and development of the subject Property shall be in strict conformance with the following conditions, which shall supersede all other proffers made prior hereto, including, but not necessarily limited to, REZ #PLN2013-00329, Sill Property – Hornbaker Industrial Park. In the event the above-referenced rezoning is not granted as applied for by the Applicant, these proffers shall be withdrawn and are null and void and the proffers approved with REZ #PLN2013-00329 will remain in full force and effect.

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 Dewberry Engineering entitled, "JKF Rezoning", dated September 29, 2021 and last revised April 28, 2022.

USE AND DEVELOPMENT

- 1. <u>General Development Plan</u>: The Property shall be developed in substantial conformance with the GDP, subject to minor changes approved by the County in connection with final site plan review and final engineering. Notwithstanding the approximate building footprint and parking area shown on the GDP, the Property may be developed with a smaller building footprint and/or parking area provided that development of the Property complies with the applicable standards of the M-1 Zoning District.
- 2. <u>Prohibited Uses</u>: The following uses are not permitted on the Property:
 - a. Asphalt/concrete plant;
 - b. Blacksmithing;
 - c. Coal yard;

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- d. Extraction of mineral resources and related industrial/wholesaling operations;
- e. Railroad freight depot; and
- f. Waterfront or maritime uses.

COMMUNITY DESIGN

- 3. <u>Building Height:</u> The maximum building height on the Property shall be 60 feet.
- 4. <u>Building Elevations</u>: Any principal building on the Property shall be in general conformance with the building elevations entitled "JKF Illustrative Building Elevations," prepared by Loveless Porter Architects, LLC, and dated December 31, 2021 (the "Building Elevations"). The Building Elevations may be subject to minor modifications approved by the County in connection with final site plan review. Any changes to architecture, building materials, and/or finishes or any future updates/changes may be made provided that such changes are approved by the Planning Director or designee prior to the issuance of a building permit release letter.
- 5. <u>Building Colors:</u> The primary building colors for the façade of any principal building that faces Hornbaker Road shall be natural colors and/or earth tones (e.g., such colors as beige, greens, grays, browns, blues, terracotta, etc.) and shall not include high intensity, metallic, bright white or fluorescent tones. This same restriction shall not apply to any signs that are located on the building. Changes to allow additional building colors shall be approved by the Planning Director or designee. Compliance with this proffer shall be evidenced with the submission of building elevations to the Development Services Land Development Division at least two weeks prior to the request for a building permit release letter.
- 6. <u>Building Materials:</u> The primary building material for the façade of any principal building that faces Hornbaker Road shall be stone, wood, brick, architectural concrete masonry unit (e.g. regal stone, split face, precision ground face), precast concrete panels, EIFS (exterior installation and finish systems), or metal panel of architectural grade and quality. Changes to allow additional building materials shall be approved by the Planning Director or designee. Compliance with this proffer shall be evidenced with the submission of building elevations to the Development Services Land Development Division at least two weeks prior to the request for a building permit release letter.
- 7. <u>Graffiti Removal</u>: The Applicant agrees to remove any graffiti from the Property. Graffiti shall be deemed any inscription or marking on walls, buildings or structures not permitted by the sign regulations in Section 32-250.21 et seq. of the Zoning Ordinance. Any graffiti is to be reported to the Prince William County Police Department before removal.

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- 8. <u>Interior Parking Lot Landscaping</u>: The Applicant shall provide interior parking lot landscaping in accordance with DCSM Section 802.44. Compliance shall be demonstrated as a condition of first final site plan approval.
- 9. <u>Landscaping</u>: Landscaping shall be provided in substantial conformance with the GDP. All new landscaping/plantings shall be indigenous species, native to Virginia, and in accordance with the Design and Construction Standards Manual.
- 10. <u>Perimeter Parking Lot Landscaping</u>: The Applicant shall provide perimeter parking lot landscaping in accordance with DSCM Section 802.43. Compliance shall be demonstrated as a condition of first final site plan approval.
- 11. <u>Site Maintenance</u>: The Applicant shall maintain the Property and shall pick up trash, litter, and debris on a daily basis or more often as needed.
- 12. <u>Tree Canopy</u>: The Applicant shall meet tree canopy requirements set forth in DCSM Section 802.21.A. Compliance shall be demonstrated as a condition of first final site plan approval.
- 13. <u>Tree Preservation</u>: A tree preservation plan for the tree identified on the GDP as "Ex. White Oak (To Be Saved)" shall be prepared by a certified arborist and provided to the County for review at the time of final site plan review for the Property.

ENVIRONMENT

14. <u>Monetary Contribution</u>: The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$75.00 per acre (± 3.64 acres) for water quality monitoring, drainage improvements and/or stream restoration projects. Said contribution shall be made prior to and as a condition of final site plan approval with the amount to be based on the acreage reflected on the site plan.

FIRE AND RESCUE

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

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16. <u>Emergency Spill Contingency/Notification</u>: Prior to final site plan approval, the Applicant shall prepare and submit an emergency spill notification contingency plan and shall have the same approved by the Fire Marshal and posted on the premises before the issuance of any occupancy permits. The Applicant shall be responsible for notifying the Fire Marshal's Office immediately in the event of a spill of any petroleum or chemical waste on the Property.

TRANSPORTATION

- 17. <u>Access</u>: Access to the Property shall be provided from Braden Drive, as shown on the GDP.
- 18. <u>Bicycle Rack</u>: The Applicant shall provide a minimum of one (1) bicycle rack on the Property. The location and design of any bicycle rack provided on the Property shall be determined in connection with final site plan review.

WATER AND SEWER

19. The Property shall be served with public water and public sewer. The Applicant shall plan, design, and construct all on-site and off-site water and sanitary sewer utility improvements necessary to provide service for the demand generated by development on the Property in accordance with applicable Service Authority, Prince William County, and Virginia laws, ordinances, requirements, and regulations.

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 six percent (6%) per year, non-compounded.

[SIGNATURE ON NEXT PAGE]

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SIGNATURE PAGE

JKF Properties, LLC

BY:	
NAME:	
•	
TITLE:	

P1204066.DOCX



STAFF REPORT

PC Meeting Date: June 8, 2022

Agenda Title:Rezoning #REZ2022-00013, JKFDistrict Impact:Brentsville Magisterial District

Requested Action: Recommend Approval of Rezoning #REZ2022-00013 JKF, subject to

proffers dated May 18, 2022.

Department: Planning Office **Case Planner:** Emilie Wolfson

EXECUTIVE SUMMARY

This is a request to rezone ± 3.64 acres from A-1, Agricultural, to M-1, Heavy Industrial, to allow for the development of a $\pm 50,000$ square foot building for industrial uses. The site is addressed as 11300 Braden Drive. The subject property is identified on County maps as GPIN 7596-80-4477.

It is the recommendation of staff that the Planning Commission recommend approval of Rezoning #REZ2022-00013, JKF, subject to the proffers dated May 18, 2022.

BACKGROUND

A. Request: To rezone ± 3.64 acres from A-1, Agricultural, to M-1, Heavy Industrial, to allow for the development of a $\pm 50,000$ square foot building for industrial uses.

Feature/Standard	Existing Standards A-1 Agricultural	Proposed Standards M-1, Heavy Industry
Building Area	N/A; Vacant Site	As proffered with substantial conformance to the GDP, ±50,000 square feet of building area.
Maximum Height	60 feet	Permitted 75 feet, but limited by proffer to 60 feet
Minimum Open Space	Portion of the gross acreage of a rural cluster development that is not developed as residential lots and as internal streets shall be developed as open space and shall not be less than 50% of the gross acreage of the rural cluster development.	15% required
FAR	N/A	0.50
Landscaping/Buffers	Site is almost entirely wooded. There is one specimen tree.	 20-foot-wide landscape strip along Hornbaker Road (eastern property line) consisting of preservation of a Specimen Tree 10-foot-wide landscape area at the northern property line. 10-foot-wide landscape strip on the southern property line.
Site Entrance	N/A; Vacant Site	Access provided from Braden Drive

- B. <u>Site Location</u>: The subject property is located approximately ±0.28 miles northwest of the intersection of Hornbaker Road and University Boulevard, is identified on County maps as GPIN 7596-80-4477, and is addressed 11300 Braden Drive.
- C. <u>Comprehensive Plan</u>: The site is designated El, Industrial Employment, in the Comprehensive Plan.
- D. <u>Zoning</u>: The site is zoned A-1, Agricultural, and is located within the Airport Safety Overlay District and Data Center Opportunity Overlay District
- E. <u>Surrounding Land Uses</u>: The subject site is located within the Hornbaker Industrial Park and is among existing industrial uses. The properties to the north and to the south are zoned M-1, the property to the west is zoned M/T, and Hornbaker Road is east of the site, the property on the other side of the road is zoned A-1 and PBD.
- F. <u>Background and Context</u>: The Property is vacant and undeveloped and is the last undeveloped property within the Hornbaker Industrial Park. A portion of the Property was rezoned from M/T, Industrial/Transportation, to A-1, pursuant to Rezoning #PLN2013-00329, Sills Property- Hornbaker Industrial Park, which allowed for a portion of the parcel to be developed in accordance with A-1 development standards. The change was due to a boundary line adjustment agreement between two property owners seeking to rezone the newly added portion of their property in order to conform to the existing zoning district for the remainder of their property.

STAFF RECOMMENDATION

Staff recommends approval of Rezoning #REZ2022-00013, JKF, subject to the proffers dated May 18, 2022, for the following reasons:

- The requested M-1, Heavy Industry, zoning district is intended to implement the El, Industrial Employment, land use designation.
- Within the Hornbaker Industrial Park, the surrounding character of the area is primarily industrial, and the proposed rezoning to the M-1 zoning district will be consistent with the nearby existing industrial uses.
- 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-1, Heavy Industrial, 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	±3.64 acres	\$274
Fire & Rescue	\$0.61 per square foot for any new GFA	Total Potential Building Area= ±50,000 GSF. Contribution shall be based on the size of the new building.	\$30,500*
TOTAL			\$30,774*

^{*} Dependent on size of new building. Assumes largest GSF of 50,000.

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 direct implementation of the El designation.

<u>Transportation & Mobility</u>: The proposed rezoning is favorably aligned with the County's Transportation & Mobility objective to improve multi-modal options by proffering bike racks.

Community Input

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-1, Heavy Industrial zoning district. The site is currently zoned A-1, Agricultural, and could continue to be utilized with by-right A-1 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.

Timing

The Planning Commission has until September 6, 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

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

ATTACHMENTS

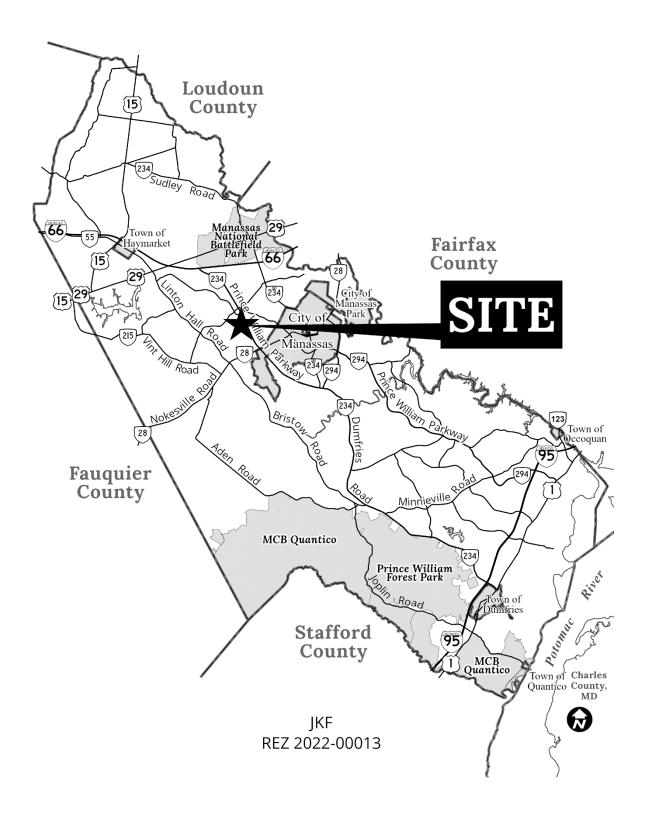
Attachment A - Proffer Statement

Attachment B - Generalized Development Plan (GDP)

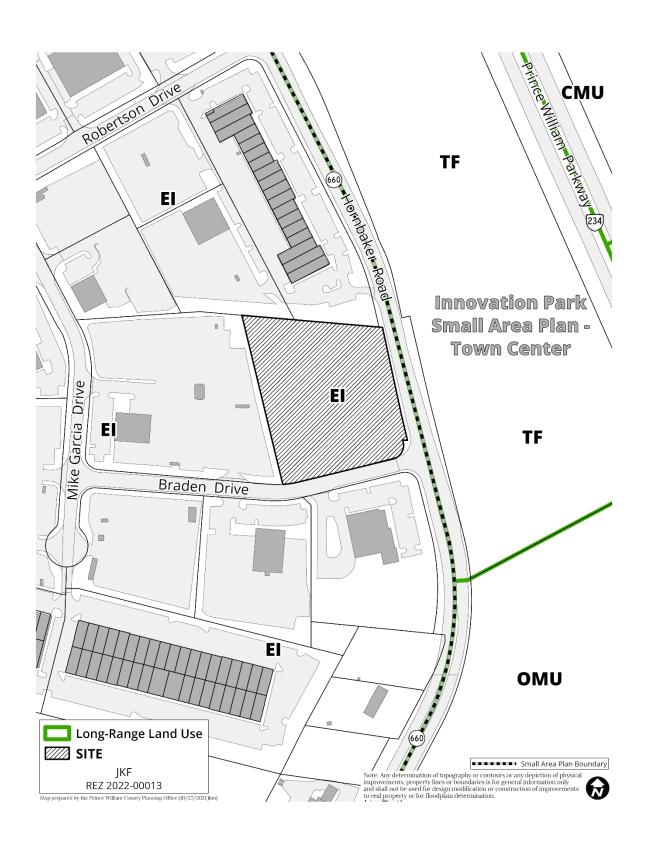
Attachment C – Illustrative Building Elevations

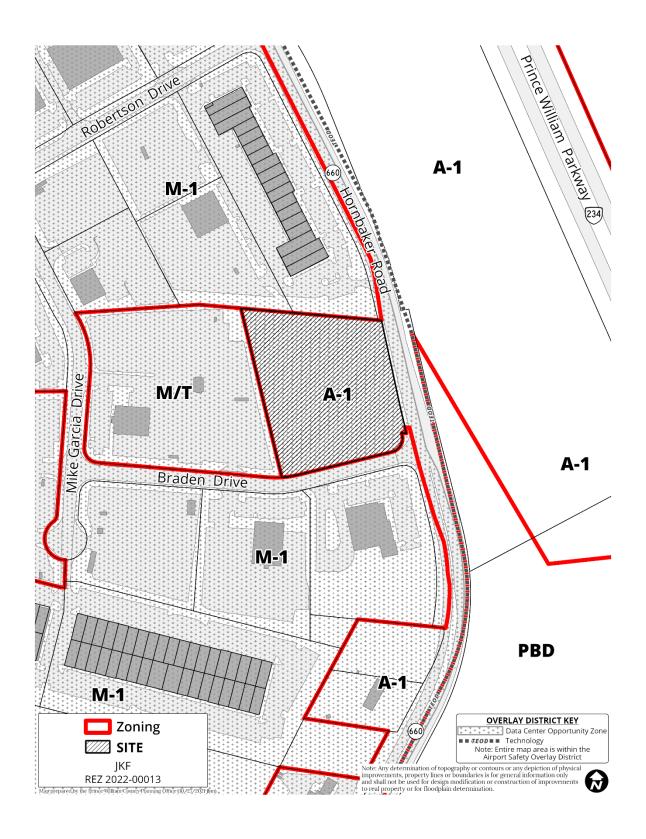
Attachment D- Concept Plan

Attachment E - Historical Commission Resolution









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
Potable Water	Yes
Sanitary Sewer	Yes
Transportation	Yes

Part II. Comprehensive Plan Consistency Analysis

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

Direction	Land Use	Long Range Future Land	Zoning
		Use Map Designation	
North	Industrial	El	M-1
South	Industrial	El	M-1
East	Vacant	TF	A-1/PBD
West	Industrial	El	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 A-1, Agricultural, to M-1, Heavy Industrial. This site is located within the Development Area and is designated as EI, Industrial Employment. The M-1 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 (EI)	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 at the periphery, to act as a transition between the El project and adjacent areas designated 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 A-1, Agricultural, to M-1, Heavy Industrial, directly implements the current EI, Industrial Employment, land use designation within the Comprehensive Plan. The proposed M-1 zoning is consistent with and compatible to the existing zoning of adjacent properties.
- Consistency with Surrounding Area: Since the site is within the Hornbaker Industrial Park, it is already among existing industrial uses and in an area where these types of uses are preferred. The subject request to rezone the site to M-1 will be consistent with the surrounding industrial character of the area.

- <u>Prohibited Uses:</u> As proffered, the Applicant has prohibited the following uses on the property based on their intensity and surrounding uses:
 - Asphalt/concrete plant
 - Blacksmithing
 - Coal Yard
 - Extraction of mineral resources and related industrial/wholesaling operations
 - Railroad freight depot
 - Waterfront or maritime uses

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 rezoning seeks to expand the industrial capacities of the Property by permitting M-1 uses. This rezoning would trigger proffered commitments that address architectural and landscaping improvements. While the application provides lack of specific details on the GDP (i.e., it does not show parking, internal circulation, storage areas, and open space areas) in order to retain flexibility at the time of site plan to accommodate an ultimate end user, staff finds that the application to be consistent with relevant components of the Community Design Plan. Staff notes that the level of detail provided with this application is generally consistent with similar applications requesting an industrial district pursuant to the underlying El land use designation. Therefore, staff can support this rezoning, as it is consistent with the surrounding industrial character of the area.

Proposal's Strengths

• <u>Proffered Height Limitation</u>: In response to concerns expressed by staff, the Applicant has agreed to proffer that the maximum height of any building on the property shall be limited to 60 feet, versus the zoning district maximum of 75 feet. The surrounding existing industrial buildings to the immediate north and south are two story industrial buildings.

- <u>Landscaping</u>: As proffered, landscaping shall be provided per the DCSM and will only use native species in any new plantings and/or landscaping areas. A 20-foot wide landscape strip is provided along the property's Hornbaker Road frontage, which includes the preservation of the existing White Oak specimen tree. This 20-foot wide landscaping strip exceeds the DCSM requirement of 10-feet adjacent to the right-of way. Along the northern and southern property line is a proposed 10-foot wide landscaped planting strip, consistent with perimeter parking lot landscaping standards of the DCSM.
- Commitment to Quality Building Materials and Preferred Building Colors: The building colors have been proffered for any principal building facing Hornbaker Road to be of natural colors and/or earth tones (e.g., such colors as beige, greens, grays, blues, terracotta, etc.) and shall not include high intensity, metallic, bright white or fluorescent tones. In addition, as proffered, the primary building material for any principal building façade oriented towards Hornbaker Road shall consist of stone, wood, brick or architectural concrete masonry unit, precast concrete panels, EFIs, or metal panel of architectural grade and quality. The use of such materials on the Property is compatible and complementary to the adjacent uses.
- <u>Signage:</u> There is an existing monument sign on the subject site on the southeast corner. No additional freestanding signs are being proposed with this rezoning application.
- Proffer Commitments to Interior Parking Lot Landscaping, Perimeter Parking Lot
 Landscaping and Tree Canopy: Staff had requested that the Applicant commit via proffer to
 meeting the minimum standards for interior parking lot landscaping, (DSCM 802.44),
 Perimeter Parking Lot Landscaping (DSCM 802.44), and Tree Canopy standards (DSCM 802.21.A. These commitments are intended to offset the lack of specificity in site layout on
 the GDP.

Proposal's Weaknesses

• <u>Uncertainty of Layout</u>: The Comprehensive Plan recommends that generalized development plans submitted with rezoning applications include architectural, sign, lighting, and landscape concepts for all developments. In addition, proposed layouts and architectural elevations for all non-residential projects should be provided. While the subject application does include a conceptual building design and building location information including building elevations, the GDP only includes an approximate building envelope, without indicating areas of parking, internal circulation, storage areas, or open space areas. While the concept plan provided is helpful in order to understand the general layout of the project, it is for illustrative purposes only. Staff understands that the approximate building envelope and lack of definitive details pertaining to the site development on the GDP is to provide flexibility. However, as such, it does not include all applicable elements set forth in Section 32-700.21 of the Zoning Ordinance pertaining to a GDP, specifically showing parking, internal circulation, storage areas, and open space areas.

<u>On balance</u>, while this application does not provide certainty of the project layout on the GDP in order to retain flexibility at the time of site plan to accommodate an ultimate end user, staff finds that the application to be consistent with relevant components of the Community Design Plan. The

level of detail provided with the application is generally consistent with similar projects requesting an industrial district pursuant to the underlying El land use designation.

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 surrounded 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, meeting, and recommended no further work. The County Archaeologist concurs. The resolution is attached at the end of this report.

Proposal's Strengths

 No Further Work: 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.

On balance, 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.
- Increase At-place Employment: The proposal to rezone to M-1 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 subject site is undeveloped, and the site is almost entirely wooded with mature tree cover consisting of White Oak, Mockernut Hickory. Redbud, Red Oak and Red Cedar. There is an existing wetland on the western boundary of the site that will be impacted by the development of the Property. One (1) specimen tree is noted in the Environmental Constraints Analysis (ECA). Stormwater management will be provided pursuant to the DCSM requirements and will be reviewed and approved with final site plan approval.

Proposal's Strengths

- Water Quality Monetary Contribution: A \$75 per acre (±3.64 acres) monetary contribution for water quality monitoring, stream restoration, and/or drainage improvements has been proffered.
- <u>Landscaping</u>: As proffered, landscaping shall be provided per the DCSM and will only use native species in any new plantings and/or landscaping areas. A 20-foot wide landscape strip is provided along the property's Hornbaker Road frontage, which includes the preservation of the existing White Oak specimen tree. The 20-foot wide landscaping strip exceeds that required by the DCSM along a right-of-way by an additional 10-feet. Along the northern and

- southern property line is a proposed 10-foot wide landscaped planting strip, consistent with perimeter parking lot landscaping standards of the DCSM.
- Proffer Commitments to Interior Parking Lot Landscaping, Perimeter Parking Lot
 Landscaping and Tree Canopy: Staff had requested that the Applicant commit via proffer to
 meeting the minimum standards for interior parking lot landscaping, (DSCM 802.44),
 Perimeter Parking Lot Landscaping (DSCM 802.44), and Tree Canopy standards (DSCM 802.21.A

Proposal's Weaknesses

Tree Preservation Along Hornbaker Road: This site has frontage on Hornbaker Road, a Major Collector. DES-4 of the Comprehensive Plan calls for developers to improve the scenic quality of major County thoroughfares. DES-12.5 calls for preserving existing natural woodland strips of 50 feet in width and greater along roads with collector or higher classifications. Staff had recommended the Applicant create a 30 foot wide buffer along Hornbaker Road and commit to keeping the existing forest cover within it, which would aid in meeting the tree cover requirement and help maintain the existing character and quality of this road. Although the applicant is providing a landscaping planting strip in excess of the DSCM requirements, there is no specific commitments to preservation of existing vegetation aside from a single specimen tree. The applicant has indicated that if at the time of site plan, the Applicant is able to preserve existing vegetation to meet plant unit requirements and or tree cover requirements it will do so, which has been indicated under Note 1 under conceptual landscaping design; however, there is no assurance that this would occur. The site includes extensive tree cover, and the area along Hornbaker Road is ideally suited for tree preservation in accordance with the Comprehensive Plan Policies EN-10, DES-12.1 and 12.3 which speak to recognizing existing woodlands as important features to preserve during development and to minimize clearing and cut and fill operations.

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 of 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 2021, 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>: 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>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.
- Spill Contingency: 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. The Applicant shall be responsible for notifying the Fire Marshal's
 Office immediately in the event of a spill of any petroleum or chemical waste on the
 Property.

Proposal's Weaknesses

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

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

Police Plan Analysis

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

At this time, the Police Department does not believe this application will create 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) principles, which can be found at the following: http://www.pwcgov.org/government/dept/police/Pages/CPTED.aspx

Details on the type(s) of onsite security measures should also be considered, including access control, alarm systems, access/guard gates, and onsite lighting.

Proposal's Strengths

- <u>No Significant Impact</u>: The Police Department does not believe this application will create significant impacts on calls for service.
- <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.

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

Potable Water Plan Analysis

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

The subject property is within the Development Area of the County and is thereby required to utilize public water to develop. The site is currently served by an existing 12-inch water main located near the western property boundary.

Proposal's Strengths

Water Connection & Service: The site is currently served by public water, and per the
proffers, the Applicant is responsible for on-site or off-site improvements needed to facilitate
an increase in future demand generated by the property.

Proposal's Weaknesses

None identified.

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

Sanitary Sewer Plan Analysis

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

The subject property is within the Development Area of the County and is thereby required to utilize public sewer to develop. The site is currently served by public sewer via an existing 8-inch gravity sewer main located near the western property boundary.

Proposal's Strengths

• <u>Sewer Connection & Service</u>: The site is currently served by public sewer, and per the proffers, the Applicant shall be responsible for all onsite and offsite improvements required to facilitate any increase in future demand generated by the property.

Proposal's Weaknesses

None identified.

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

Transportation Plan Analysis

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 full Traffic Impact Analysis (TIA) was not required due to the moderate anticipated traffic generation. Ingress/egress to the site will be from Braden Drive as depicted on the GDP. The

Applicant has confirmed that this existing access meets Virginia Department of Transportation (VDOT) sight distance requirements.

Proposal's Strengths

- <u>Site Access</u>: Access to the property shall be from an entrance from Braden Drive, as depicted on the GDP.
- <u>Provision for Bicycle Racks</u>: As proffered, the Applicant shall provide at least one (1) bicycle rack. The location and design shall be determined at final site plan.

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:

- Resilient Economy: 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 TM-2 to improve multi-modal options by including a bike rack.

Materially Relevant Issues

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

None identified.

Modifications / Waivers

The following waivers and/or modifications to the requirements of the Zoning Ordinance are being requested and are incorporated into this rezoning request:

• None identified.

Proffer Issues / Deficiencies

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 Building Official
- PWC Fire Marshal Office
- PWC Historical Commission
- PWC Planning Office Case Manager / Long-Range Planning/ GIS
- PWC Police / Crime Prevention
- PWC Public Works Environmental Services / Watershed Management
- PWC Service Authority
- PWC Transportation
- Virginia Department of Transportation

PROFFER STATEMENT

RE: #REZ2022-00013, JKF Rezoning

Owner/Applicant: JKF Properties, LLC

Property: 7596-80-4477 (the "Property")

Brentsville Magisterial District Approximately 3.64 acres

A-1, Agricultural to M-1, Heavy Industrial

Date: May 18, 2022

The undersigned hereby proffers that the use and development of the subject Property shall be in strict conformance with the following conditions, which shall supersede all other proffers made prior hereto, including, but not necessarily limited to, REZ #PLN2013-00329, Sill Property – Hornbaker Industrial Park. 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 and the proffers approved with REZ #PLN2013-00329 will remain in full force and effect.

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 Dewberry Engineering entitled, "JKF Rezoning", dated September 29, 2021 and last revised April 28, 2022.

USE AND DEVELOPMENT

- 1. <u>General Development Plan</u>: The Property shall be developed in substantial conformance with the GDP, subject to minor changes approved by the County in connection with final site plan review and final engineering. Notwithstanding the approximate building footprint and parking area shown on the GDP, the Property may be developed with a smaller building footprint and/or parking area provided that development of the Property complies with the applicable standards of the M-1 Zoning District.
- 2. <u>Prohibited Uses</u>: The following uses are not permitted on the Property:
 - a. Asphalt/concrete plant;
 - b. Blacksmithing;
 - c. Coal yard;

PROFFER STATEMENT #REZ2022-00013, JKF Rezoning May 18, 2022 Page 2 of 5

- d. Extraction of mineral resources and related industrial/wholesaling operations;
- e. Railroad freight depot; and
- f. Waterfront or maritime uses.

COMMUNITY DESIGN

- 3. <u>Building Height:</u> The maximum building height on the Property shall be 60 feet.
- 4. <u>Building Elevations</u>: Any principal building on the Property shall be in general conformance with the building elevations entitled "JKF Illustrative Building Elevations," prepared by Loveless Porter Architects, LLC, and dated December 31, 2021 (the "Building Elevations"). The Building Elevations may be subject to minor modifications approved by the County in connection with final site plan review. Any changes to architecture, building materials, and/or finishes or any future updates/changes may be made provided that such changes are approved by the Planning Director or designee prior to the issuance of a building permit release letter.
- 5. <u>Building Colors:</u> The primary building colors for the façade of any principal building that faces Hornbaker Road shall be natural colors and/or earth tones (e.g., such colors as beige, greens, grays, browns, blues, terracotta, etc.) and shall not include high intensity, metallic, bright white or fluorescent tones. This same restriction shall not apply to any signs that are located on the building. Changes to allow additional building colors shall be approved by the Planning Director or designee. Compliance with this proffer shall be evidenced with the submission of building elevations to the Development Services Land Development Division at least two weeks prior to the request for a building permit release letter.
- 6. <u>Building Materials:</u> The primary building material for the façade of any principal building that faces Hornbaker Road shall be stone, wood, brick, architectural concrete masonry unit (e.g. regal stone, split face, precision ground face), precast concrete panels, EIFS (exterior installation and finish systems), or metal panel of architectural grade and quality. Changes to allow additional building materials shall be approved by the Planning Director or designee. Compliance with this proffer shall be evidenced with the submission of building elevations to the Development Services Land Development Division at least two weeks prior to the request for a building permit release letter.
- 7. <u>Graffiti Removal</u>: The Applicant agrees to remove any graffiti from the Property. Graffiti shall be deemed any inscription or marking on walls, buildings or structures not permitted by the sign regulations in Section 32-250.21 et seq. of the Zoning Ordinance. Any graffiti is to be reported to the Prince William County Police Department before removal.

PROFFER STATEMENT #REZ2022-00013, JKF Rezoning May 18, 2022 Page 3 of 5

- 8. <u>Interior Parking Lot Landscaping</u>: The Applicant shall provide interior parking lot landscaping in accordance with DCSM Section 802.44. Compliance shall be demonstrated as a condition of first final site plan approval.
- 9. <u>Landscaping</u>: Landscaping shall be provided in substantial conformance with the GDP. All new landscaping/plantings shall be indigenous species, native to Virginia, and in accordance with the Design and Construction Standards Manual.
- 10. <u>Perimeter Parking Lot Landscaping</u>: The Applicant shall provide perimeter parking lot landscaping in accordance with DSCM Section 802.43. Compliance shall be demonstrated as a condition of first final site plan approval.
- 11. <u>Site Maintenance</u>: The Applicant shall maintain the Property and shall pick up trash, litter, and debris on a daily basis or more often as needed.
- 12. <u>Tree Canopy</u>: The Applicant shall meet tree canopy requirements set forth in DCSM Section 802.21.A. Compliance shall be demonstrated as a condition of first final site plan approval.
- 13. <u>Tree Preservation</u>: A tree preservation plan for the tree identified on the GDP as "Ex. White Oak (To Be Saved)" shall be prepared by a certified arborist and provided to the County for review at the time of final site plan review for the Property.

ENVIRONMENT

14. <u>Monetary Contribution</u>: The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$75.00 per acre (± 3.64 acres) for water quality monitoring, drainage improvements and/or stream restoration projects. Said contribution shall be made prior to and as a condition of final site plan approval with the amount to be based on the acreage reflected on the site plan.

FIRE AND RESCUE

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

PROFFER STATEMENT #REZ2022-00013, JKF Rezoning May 18, 2022 Page 4 of 5

16. <u>Emergency Spill Contingency/Notification</u>: Prior to final site plan approval, the Applicant shall prepare and submit an emergency spill notification contingency plan and shall have the same approved by the Fire Marshal and posted on the premises before the issuance of any occupancy permits. The Applicant shall be responsible for notifying the Fire Marshal's Office immediately in the event of a spill of any petroleum or chemical waste on the Property.

TRANSPORTATION

- 17. <u>Access</u>: Access to the Property shall be provided from Braden Drive, as shown on the GDP.
- 18. <u>Bicycle Rack</u>: The Applicant shall provide a minimum of one (1) bicycle rack on the Property. The location and design of any bicycle rack provided on the Property shall be determined in connection with final site plan review.

WATER AND SEWER

19. The Property shall be served with public water and public sewer. The Applicant shall plan, design, and construct all on-site and off-site water and sanitary sewer utility improvements necessary to provide service for the demand generated by development on the Property in accordance with applicable Service Authority, Prince William County, and Virginia laws, ordinances, requirements, and regulations.

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 six percent (6%) per year, non-compounded.

[SIGNATURE ON NEXT PAGE]

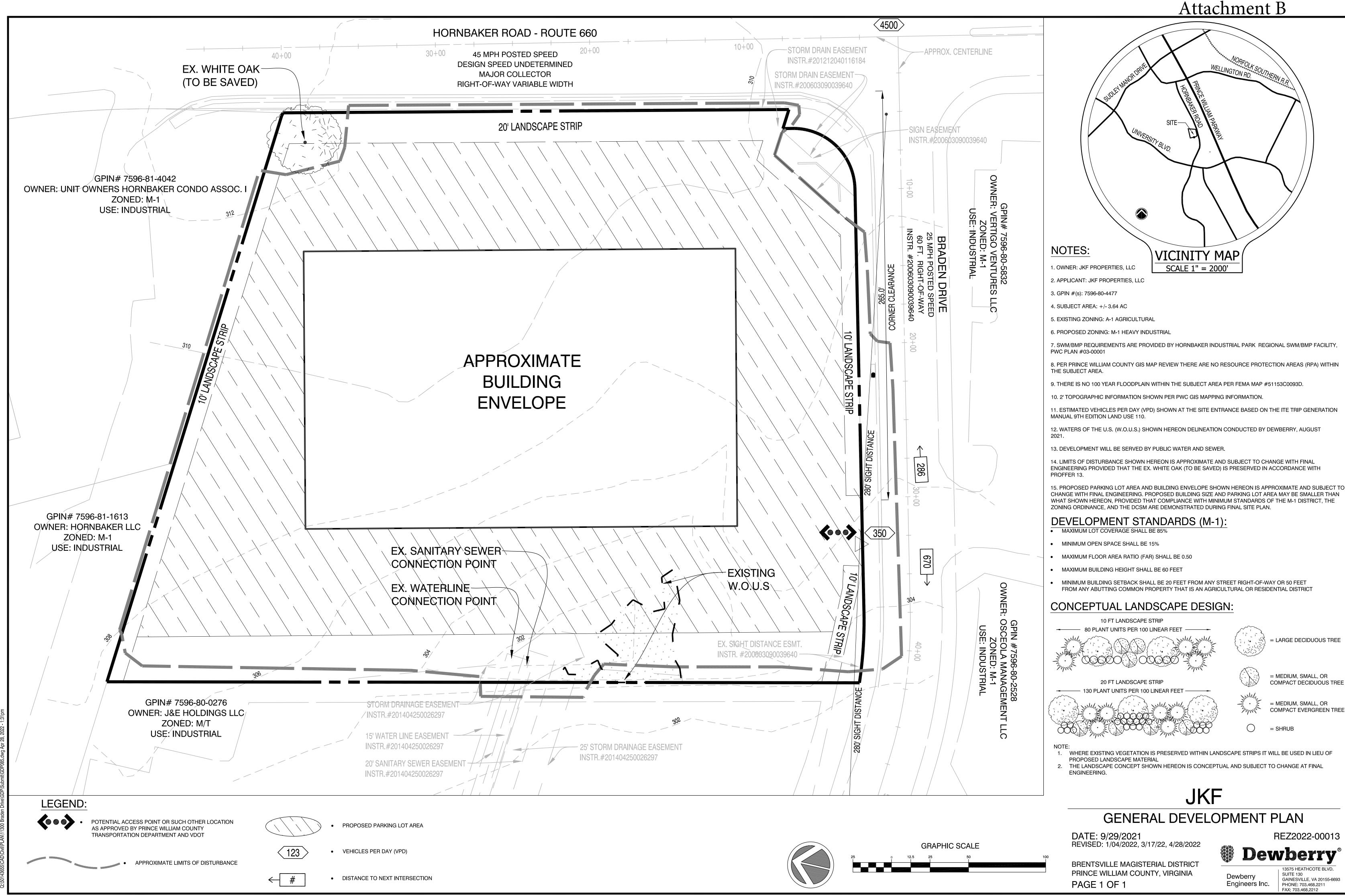
PROFFER STATEMENT #REZ2022-00013, JKF Rezoning Page 5 of 5

SIGNATURE PAGE

JKF Properties, LLC

BY:	
NAME:	
TITLE:	

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HISTORICAL COMMISSION RESOLUTION

MOTION: PORTA

November 9, 2021

Regular Meeting

SECOND:

BURGESS

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	<u>Name</u>	Recommendation
REZ2018-00026	Independent Hill – 4 th 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	<u>Name</u>	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

Secretary to the Commission