



COUNTY OF PRINCE WILLIAM

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PLANNING
OFFICE

Stephen K. Griffin, AICP
Director of Planning

July 6, 2007

STAFF REPORT

Special Use Permit #PLN2005-00611, Contractor's Storage
(Brentsville Magisterial District)

Planning Commission Public Hearing Date: July 18, 2007
Staff Recommendation: Approval

I. Background is as follows:

- A. Request - This is a request for a special use permit to allow a motor vehicle storage yard, motor vehicle towing, motor vehicle impoundment yard, motor vehicle sales, secondary to motor vehicle repair and motor vehicle auction (wholesale).
- B. Site Location - The site is located on the northeast side of the intersection of Piper Lane and the Norfolk Southern Railroad (see maps in Attachment A). The SUP site is identified on County maps as GPINs 7695-00-2208, 7594-99-5235 and 7594-99-5687.
- C. Comprehensive Plan - The site is designated FEC, Flexible Use Employment Center and ER, Environmental Resource.
- D. Zoning - The subject property is zoned M-1, Heavy Industrial, and is a ±20.71 acre site. It is located within the horizontal and transitional zones in the Manassas Airport Safety Overlay District.
- E. Surrounding Land Uses - The site is bordered by vacant land and the VDOT residency to the north, the VRE Broad Run station to the south, a warehouse and the Manassas Regional Airport in the City of Manassas to the east and, across Piper Lane, Broad Run and a golf course to the west.

II. Current Situation is as follows:

- A. Office of Planning Recommendation - The Office of Planning recommends approval of SUP #PLN2005-00611, Contractor's Storage, subject to the conditions dated July 6, 2007. See Attachment B for the staff analysis and Attachment C for the proposed conditions.
- B. Planning Commission Public Hearing - A public hearing before the Planning Commission has been advertised for July 18, 2007.

An Equal Opportunity Employer

III. Issues in order of importance are as follows:

A. Comprehensive Plan

1. Long-Range Land Use - Is the proposed use consistent with those uses intended by the FEC and ER designations?
2. Level of Service (LOS) - How does the proposal address the Policy Guide for Monetary Contributions in effect June 1, 2004, the policy in effect upon acceptance of this application?

B. Community Input - Have members of the community raised any issues?

C. Legal Uses of the Property - What uses are allowed on the property? How are legal issues resulting from the Planning Commission action addressed?

D. Timing - When must the Planning Commission take action on this application?

IV. Alternatives beginning with the staff recommendation are as follows:

A. Recommend approval of SUP #PLN2005-00611, Contractor's Storage, subject to the conditions dated July 6, 2007, found in Attachment C.

1. Comprehensive Plan Consistency Analysis:

- a) Long-Range Land Use - The site is classified FEC, Flexible Use Employment Center, on the Long-Range Land Use Map. The site is designated FEC on the Long-Range Land Use Map. The proposed uses are not compatible with the intent of the FEC to provide light manufacturing, "start-up" businesses, small assembly businesses, and office uses; however, the site is zoned M-1 and, with a special use permit, these uses can be permitted.
- b) Level of Service (LOS) - The proposed special use permit will generate additional fire and rescue service and water quality demands. Conditions of the special use permit will partially mitigate this impact as follows:

Fire and Rescue	\$0.56/sq. ft.	25% of building area, plus 1,500 sq. ft. auto auction area - 11,100 sq. ft	Contribution amount \$6,216.00
Water Quality	\$75 per acre	±20.44 acres	\$1,533.00
Total			\$7,749.00

2. Community Input - Notice of the application has been transmitted to adjacent property owners within 200 feet. As of the date of this report, the Planning Office has not received any input from surrounding property owners.

3. Legal Uses of the Property – In addition to by-right M-1 uses, this site could be used for a motor vehicle storage yard, motor vehicle towing, motor vehicle impoundment yard, motor vehicle sales, secondary to motor vehicle repair and motor vehicle auction (wholesale) pursuant to the conditions of an approved SUP. Legal issues resulting from Planning Commission action are appropriately addressed by the County Attorney's office.
4. Timing - The Planning Commission has 90 days from July 18, 2007, the first public hearing date, to take action on this proposal. Approval of the special use permit would meet the 90-day requirement.

B. Recommend denial of SUP #PLN2005-00611, Contractor's Storage.

1. Comprehensive Plan

- a) Long-Range Land Use - If the application is denied, the land use designation of the site would remain FEC, Flexible Use Employment Center, and the zoning classification would remain M-1, Heavy Industrial.
- b) Level of Service - Denial would not have any impact on the existing level of service.

2. Community Input - The application has been transmitted to adjacent property owners within 200 feet. As of the date of this report, the Planning Office has not received any input from surrounding property owners.
3. Legal Uses of the Property – The site could be developed with uses permitted in the M-1 zoning district. Legal issues resulting from Planning Commission action are appropriately addressed by the County Attorney's office.
4. Timing - The Planning Commission has 90 days from July 18, 2007, the first public hearing date, to take action on this proposal. Denial of the special use permit would meet the 90-day requirement.

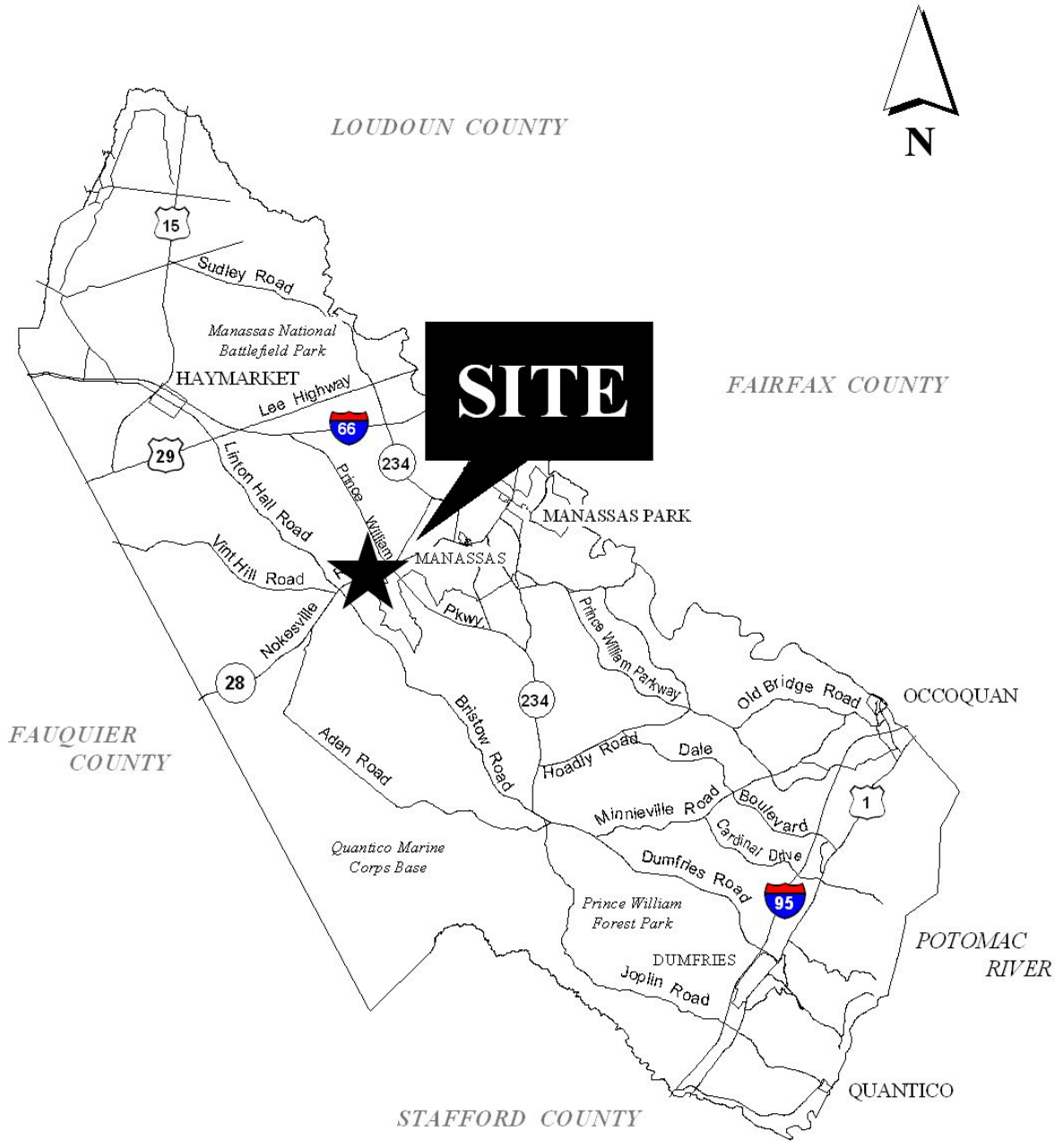
- V. Recommendation is that the Planning Commission accept Alternative A and recommend approval of SUP #PLN2005-00611, Contractor's Storage, subject to the proposed conditions dated July 6, 2007.

Staff: Matthew D. Arcieri, AICP, X4279

Attachments

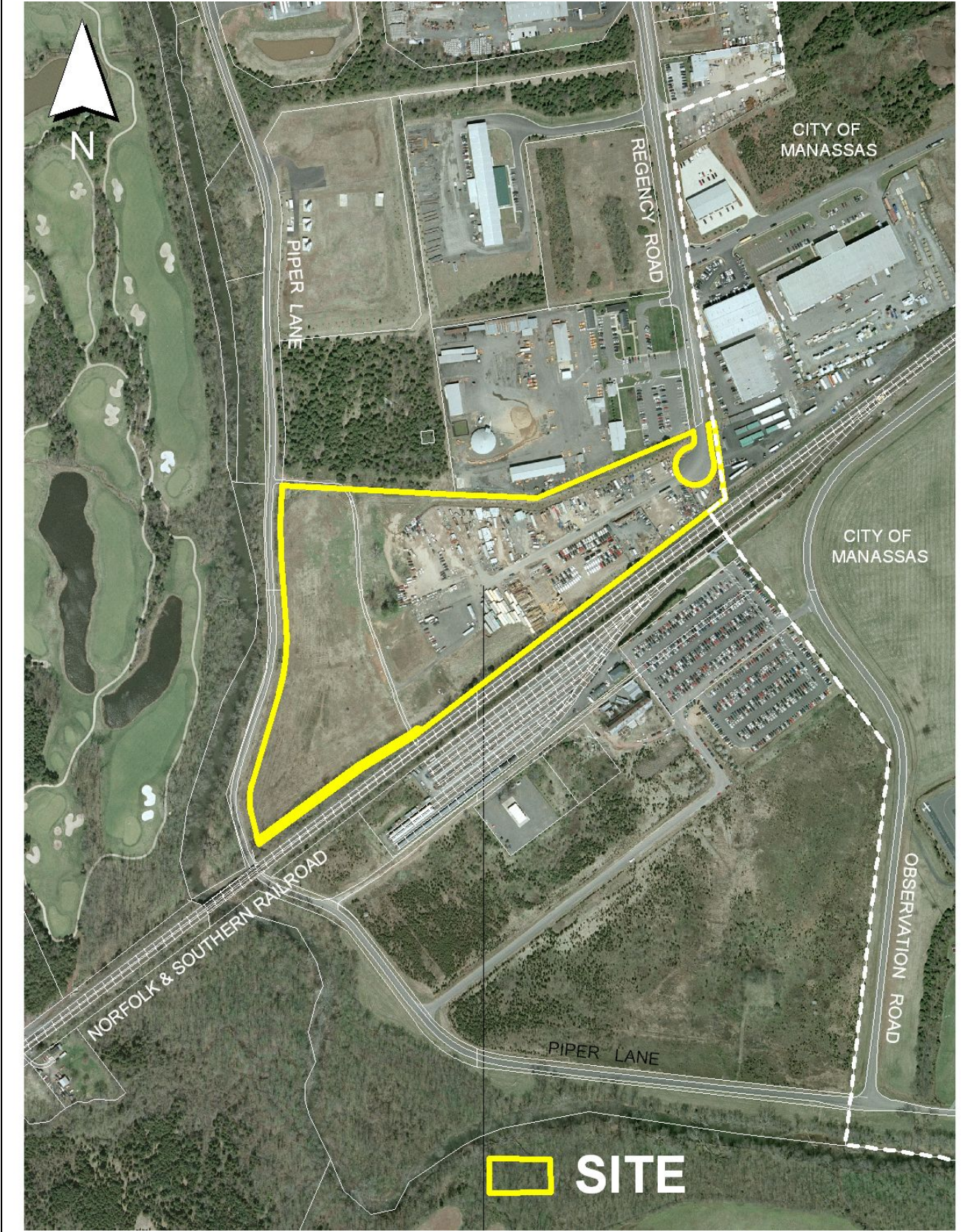
- A. Area Maps
- B. Staff Analysis
- C. Proposed Conditions and SUP Plan
- D. ECA Plan

**Attachment A – Maps
VICINITY MAP**

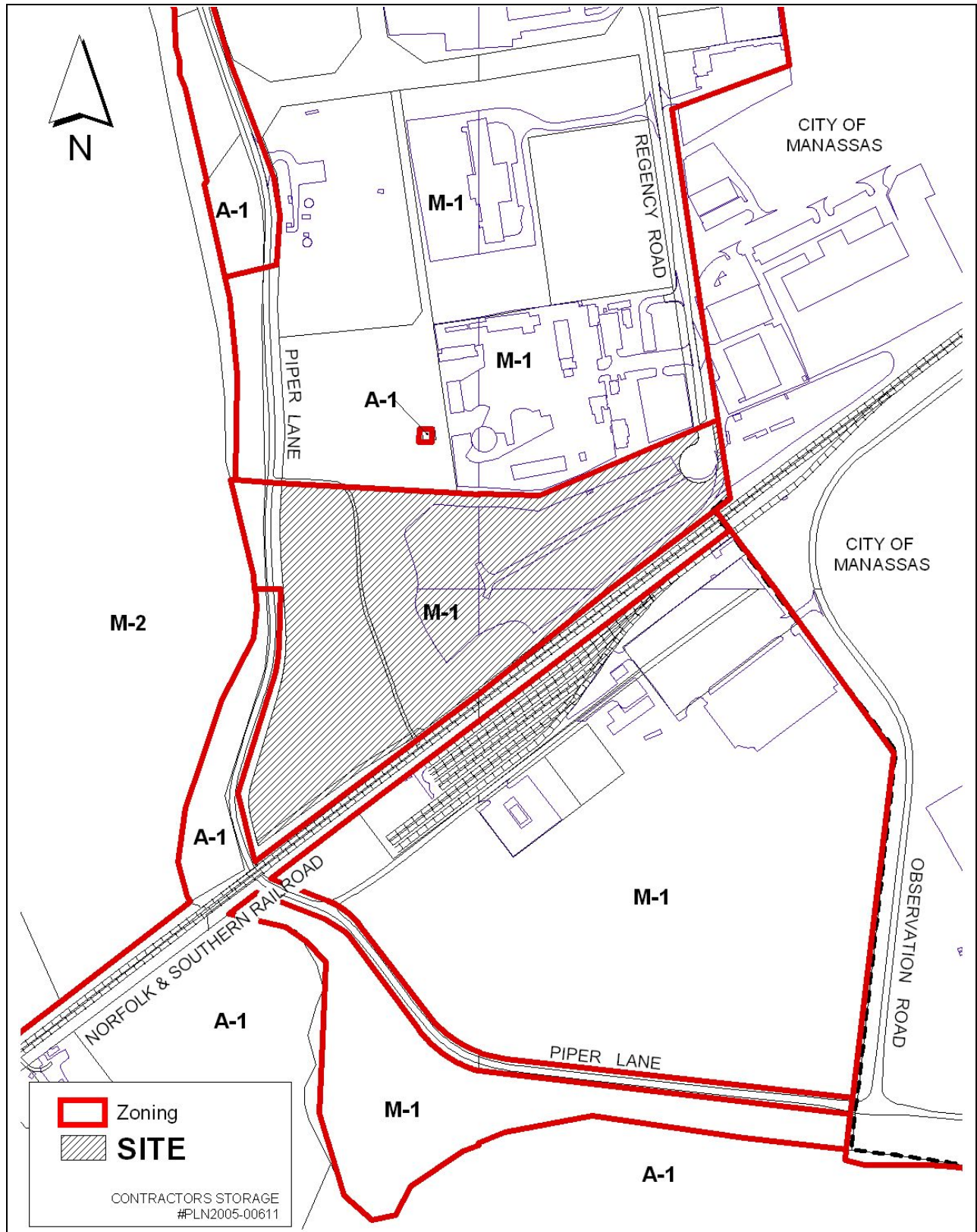


CONTRACTORS STORAGE #PLN2005-00611

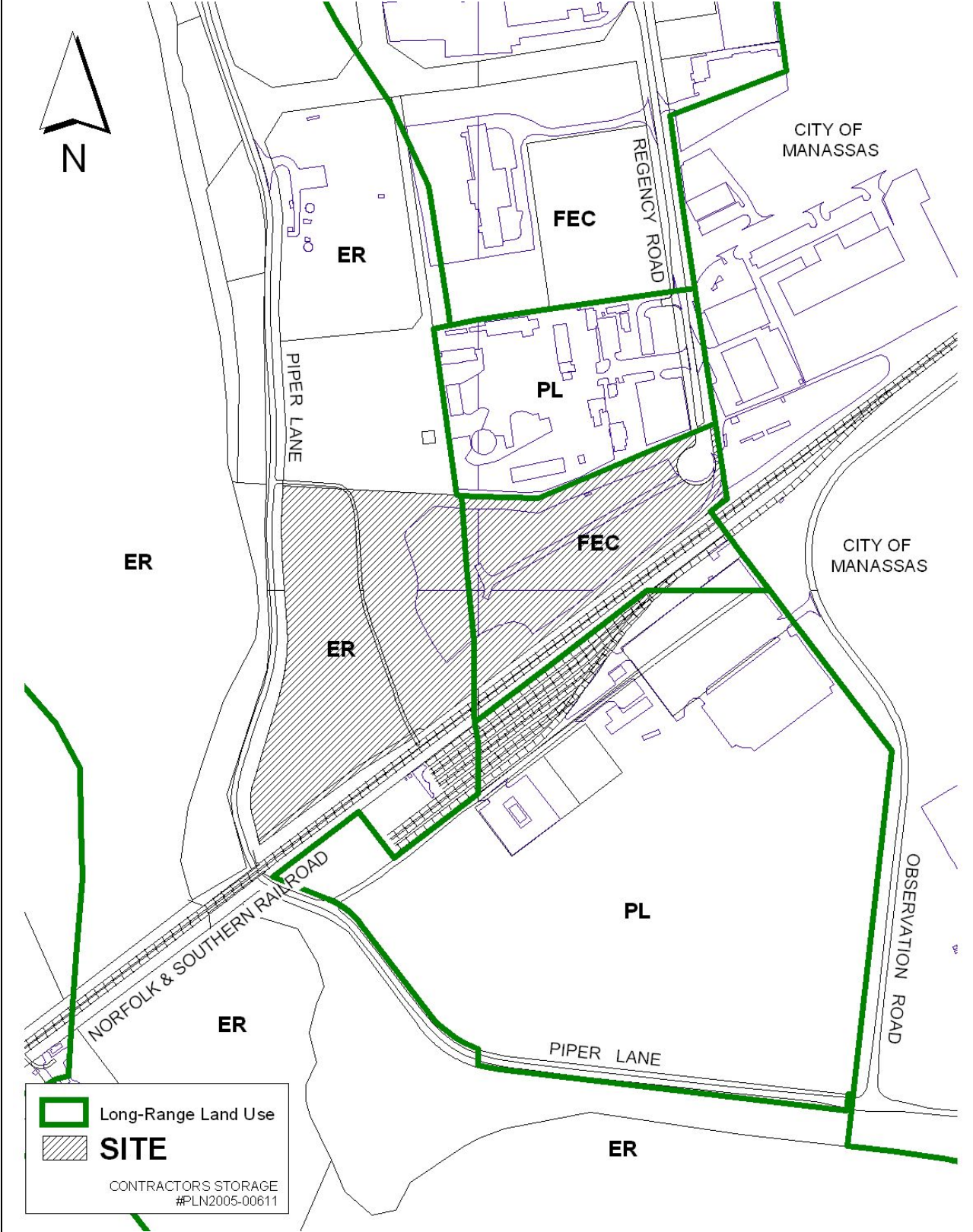
**Attachment A – Maps
AERIAL MAP**



Attachment A – Maps
EXISTING LAND USE AND ZONING MAP



Attachment A – Maps
LONG-RANGE LAND USE MAP



Part I. Summary of Comprehensive Plan Consistency

Staff Recommendation: Approval

The following is a summary of staff’s analysis of this special use permit request. This analysis is based on the relevant Comprehensive Plan action strategies, goals, and policies. A complete analysis is provided in Part II of this report.

<u>Plan</u>	<u>Consistency</u>	<u>Reasons</u>
Long-Range Land Use	No	The site is classified FEC, Flexible Use Employment Center, on the Long-Range Land Use Map. The site is designated FEC on the Long-Range Land Use Map. The proposed uses are not compatible with the intent of the FEC to provide light manufacturing, “start-up” businesses, small assembly businesses, and office uses; however, the site is zoned M-1 and, with a special use permit, these uses can be permitted.
Community Design	Yes	The SUP plan shows landscaping, internal circulation and overall site design. The proposed conditions address screening the existing and proposed uses from adjacent properties.
Cultural Resources	Yes	Two archaeology reports were completed with this application. Those reports recommended no additional archaeological work.
Environment	Yes	An ECA narrative was submitted with the application. A large portion of the site (approximately 25%) is proposed for conservation area due to its designation as 100-year floodplain. The proposed conditions of the special use permit require a water quality inlet and/or a pretreatment device, supplemental erosion and sediment controls and a water quality contribution.
Fire and Rescue	Yes	A monetary contribution of \$ 0.56 per square foot based on 25% of the building area plus the auto auction area has been conditioned. The site is not within the recommended response time, but the station is within capacity.
Police	Yes	No significant impact to police services is anticipated.
Public Water	Yes	As conditioned, the applicant shall design and construct all on-site and off-site public water facilities.

Attachment B - Staff Analysis

Public Sewer	Yes	As conditioned, the applicant shall design and construct all on-site and off-site public sewer facilities.
Transportation	Yes	Direct site access is proposed from Piper Lane and Residency Road. As conditioned, the applicant shall develop recommended signal timings for the Route 28/Piper Lane signal and submit the recommended timings to VDOT in order to mitigate impacts to level of service at this intersection.

Part II. Comprehensive Plan Consistency Analysis

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

Direction	Land Use	Long Range Future Land Use Map Designation	Zoning
North	VDOT residency and vacant	ER & PL	M-1
South	Broad Run VRE station	ER & PL	M-1 & A-1
East	Warehouse and Manassas Regional Airport	City of Manassas	City of Manassas
West	Across Piper Lane – Broad Run stream and golf course	ER	M-1 & A-1

Long-Range Land Use Plan Analysis

Through wise land use planning, the County ensures that landowners are provided a reasonable use of their land while the County is able to judiciously use its resources to provide the services for residents and employers’ needs. The Long Range Land Use Plan sets out policies and action strategies that further the County’s goal of providing a land use pattern that encourages fiscally sound development and achieves a high quality living environment. In addition to delineating land use designations on the Long Range Land Use Map, the plan includes recommendations relating to ensuring adequate land for economic development opportunities, providing for a diverse housing market, protecting against the encroachment of incompatible land uses, encouraging infill development within the development area, protecting environmentally sensitive lands, promoting mixed use development where appropriate, encouraging the provision of adequate public facilities for existing and planned development, preserving valuable open space and environmental resources, encouraging higher density development near existing and future transit facilities, and utilizing the sector planning process to provide more detailed recommendations where appropriate.

Attachment B - Staff Analysis

This site is located within the development area of the County and is classified FEC, Flexible Use Employment Center and ER, Environmental Resource. The following table summarizes the uses and densities intended within the FEC and ER designations:

Long-Range Land Use Plan Classification	Land Uses Intended
FEC	<p>Flexible Use Employment Center (FEC). The purpose of the Flexible Use Employment Center classification is to provide for areas of employment uses situated on individual sites or in campus-style “parks.” Primary uses in the FEC classification are light manufacturing, “start-up” businesses, small assembly businesses, and office uses (including government offices, particularly those for Prince William County agencies). Retail and/or retail service uses shall be considered secondary uses and shall represent no greater than 10 percent of the total FEC project area. These retail/retail service uses shall be so located on a site that their primary purpose is to support the needs of those employed within that FEC project. Warehousing, wholesale, storage and/or distribution uses shall also be considered secondary uses within any FEC project. Outdoor storage shall also be considered a secondary use and shall be limited to no more than 10 percent of the land area of the FEC project. Within an FEC designated project, the more intense uses shall be located in the core of the area and the less intense uses (excluding outdoor storage) at the periphery, to act as a transition between the FEC project and adjacent areas designated or developed for different uses. Office development in FEC areas is encouraged to be in accordance with the Illustrative Guidelines for Office Development, provided as a supplement to the Community Design Plan chapter of the Comprehensive Plan and available from the Planning Office.</p>
ER	<p>Environmental Resource (ER) This classification is explained and defined in detail within the Environment Plan. Therein are located goals, policies, action strategies, and other Plan components designed to protect the sensitive nature of the identified resources. Environmental Resources include all 100-year floodplains as determined by the Federal Emergency Management Act (FEMA) Flood Hazard Use Maps or natural 100-year floodplains as defined in the Design and Construction Standards Manual and Resource Protection Areas (RPAs) as defined by the Chesapeake Bay Preservation Act. In addition, areas with 25 percent or greater slopes; areas with 15 percent or greater slopes in conjunction with soils that have severe limitations; soils with a predominance of marine clays; public water supply sources; and critically erodible shorelines and stream</p>

	banks are considered environmental resources. While the Long-Range Land Use Plan Map ER designation does not currently depict all of these sensitive environmental resource areas, resource areas shall be added to the Long-Range Land Use Plan Map where studies have shown such addition to be appropriate.
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The site is located on the northeast side of the intersection of Piper Lane and the Norfolk Southern Railroad. The subject property is ±20.71 acres (the “site”) and is zoned M-1, Heavy Industrial, in its entirety.

This is a request for a special use permit to allow a motor vehicle storage yard, motor vehicle towing, motor vehicle impoundment yard, motor vehicle sales, secondary to motor vehicle repair and motor vehicle auction (wholesale).

This site is currently developed and will continue to be operated as a by-right equipment storage yard. A one-story ±38,400 square building has been constructed on this site to accommodate additional by-right uses. It is anticipated that a portion of the building will be used for the uses associated with the SUP.

Proposal’s Strengths

- None

Proposal’s Weaknesses

- Long-Range Land Use Plan - The site is designated FEC on the Long-Range Land Use Map. The proposed uses are not compatible with the intent of the FEC to provide light manufacturing, “start-up” businesses, small assembly businesses, and office uses; however, the site is zoned M-1 and, with a special use permit, these uses can be permitted.
- Zoning - The existing M-1 zoning district is not consistent with the FEC designation; however, these uses are allowed in the M-1 zoning district with a SUP.

On balance, this application is found to be inconsistent 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 plan also includes Illustrative Gateway/Corridor Design Guidelines that recommend streetscaping elements (architecture, landscaping, signage, lighting, street furnishings, and pedestrian connections) to be incorporated into projects within the five gateways and corridors.

Proposal's Strengths

- Site Layout - As conditioned, the site will be developed in substantial conformance with the SUP plan.
- Landscaping – A 20-foot wide landscape strip has been provided where the property abuts Residency Road and a 15-foot wide landscape buffer has been provided along the northern and southern property lines, as shown on the SUP plan and conditioned.
- Secondary Motor Vehicle Sales – As conditioned, the sales of vehicles, secondary to motor vehicle repair shall be limited to the display yard surrounded by a 6-foot black vinyl chain link fence.
- Motor Vehicle Storage, Towing and Impoundment – As conditioned storage, towing and impoundment of vehicles shall be limited to an impoundment area with a limitation of 200 vehicles. Impounded vehicles shall not be allowed on the site for longer than 45 days. As conditioned the vehicle impoundment yard will be surrounded by a 6-foot black vinyl chain link fence.
- Fencing – As shown on the SUP plan and conditioned, a 6-foot tall board on board fence shall be constructed abutting the Norfolk Southern Railroad right-of-way in order to better screen this site from the VRE station.
- Signage – Banners, pennants, streamers, balloons, figures and other attention getting devices are prohibited.
- Lighting - As conditioned, the height of new building mounted or freestanding lighting fixtures shall not exceed 16-feet and there shall be no external neon and/or free-standing spot lighting fixtures.

Proposal’s Weaknesses

- None identified.

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

Cultural Resources Plan Analysis

The term “cultural resources” refers to the important architectural and/or archaeological features that may be on a site, either from the period of recorded history (historic period) or prior to that time (prehistoric period). The Cultural Resources Plan recommends that professional architectural historians and/or professional archaeologists study properties containing cultural resources or highly suspected of containing such resources. These professionals conduct Phase I, Phase II and Phase III levels of research/investigation, depending on the significance of the architectural or archaeological features, and provide recommendations on how important resources should be managed.

Phase I studies are generally required at submission of rezoning and special use permit applications for significant prehistoric/historic sites and cemeteries and for sites within historic resource management overlays. Phase II and III studies may also be required. Records research is required of all applicants for rezoning, special use permit, comprehensive plan amendment, and public facility review applications.

Two archaeology reports were completed with this application. Those reports recommended no additional archaeological work.

Proposal’s Strengths

- None identified.

Proposal’s Weaknesses

- None identified.

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

Environment Plan Analysis

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

An ECA plan is attached. Approximately 27% of the site is Environmental Resource (ER) and 100-year floodplain as mapped on flood insurance rate maps. This floodplain is mapped along Broad Run stream, which floods across Piper Lane and onto this site. Roughly 1% (about 0.20 acres) of this site is resource protection area. A preservation area site assessment (PASA) and Perennial Flow Determination (PFD) have been conducted for this property under Plan #05-00465. A small intermittent stream is present along the northern property boundary. This intermittent stream has some small wetland areas along the stream. There are no areas of steep slopes present.

The site is located in Subwatershed #274 that drains directly into Broad Run. Stormwater management (SWM/BMP) for this site will be handled by an existing SWM/BMP dry pond located in the central portion of this site and a separate SWM/BMP dry pond in the northwestern portion of this site.

Proposal's Strengths

- Conservation Area – A large portion of the site (approximately 25%) is proposed for conservation area due to its designation as 100-year floodplain. As conditioned, this conservation area will remain undisturbed.
- Water Quality Inlet – The conditions require installation of a water quality inlet or other water quality device in order to prevent entry of petroleum products into the storm sewer. The applicant shall also be responsible for maintaining the device in good working condition. The conditions of the SUP also restrict hazardous material discharge and require the preparation of an emergency spill notification contingency plan.
- Erosion and Sediment Control - Additional supplemental erosion prevention measures adjacent to floodplain areas are conditioned.
- Water Quality – The applicant is conditioned to make a monetary contribution in the sum of \$75.00 per acre to the Board of County Supervisors for the purpose of monitoring water quality and/or stream restoration projects.

Proposal's Weaknesses

- Intermittent Stream – A small intermittent stream, including small wetlands areas, are present along the northern property boundary has not been buffered; however, it is outside the limits of clearing and grading as well as the existing lease and gravel area.

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 providing timely response to fire, medical, hazardous material and natural disaster emergencies. The plan includes recommendations relating to equipment and facility needs to meet desired levels of service and encouraging the use of fire and safety features beyond the minimum required by the Virginia Uniform Statewide Building Code.

The site is closest to the Nokesville Fire and Rescue Station #5. It is estimated that the response time would be outside the recommended 4.0-minute response time. This station is within capacity.

Proposal's Strengths

- Monetary Contribution - The conditions require a monetary contribution of \$0.56 per square foot for 25% of the existing building area and the auto auction area to mitigate impacts on fire and rescue services.
- Station Capacity – The closest station is within capacity.
- Spill Contingency Plan - The conditions require preparation of a spill contingency plan to be reviewed and approved by the Fire Marshal's Office prior to and as a condition of site plan approval.

Proposal's Weaknesses

- Response Time – The site is not within the recommended 4.0-minute fire and rescue response time. It should be noted that the existing building contains a fire suppression system.

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 chapter 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 chapter 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 chapter also encourages effective and reliable public safety communications linking emergency responders in the field with the Public Safety Communications Center.

Proposal's Strengths

- Safety and Security Measures - The Police Department has recommended the safety and security measures that should be incorporated into the design of the site. No significant impact to police services is anticipated.
- Graffiti – As conditioned, the applicant shall notify the Police Department if their property is marked with graffiti and remove it promptly thereafter.

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 property is within the Prince William County Service Authority service area. Public water is available.

Proposal's Strengths

- Water Connection - The applicant is required to comply with Zoning Ordinance Section 32-250.74, which mandates connection of the site to public water service. The special use permit conditions require the applicant to design and construct all on-site and off-site water utility improvements necessary to develop the subject use.

Proposal's Weaknesses

- None identified.

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

Sewer Plan Analysis

Appropriate wastewater and sanitary facilities provide needed public health and environmental protections. The 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 property is within the Prince William County Service Authority area. Public sewer is available.

Proposal's Strengths

- Sewer Connection - The applicant is required to comply with Zoning Ordinance Section 32-250.75, which mandates connection of the site to public sewer service. The special use permit conditions require the applicant to design and construct all on-site and off-site sewer utility improvements necessary to develop the subject use.

Proposal's Weaknesses

- None identified.

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

Transportation Plan Analysis

By providing a multi-modal approach to traffic circulation Prince William County promotes the safe and efficient movement of goods and people throughout the County and surrounding jurisdictions. The Transportation Plan sets out policies and action strategies that further the County’s goal of providing a complete, safe and efficient multi-modal circulation system that includes sufficient capacity to meet the demands placed upon it. The plan includes recommendations relating to improving existing service levels, increasing capacity of the existing system, minimizing negative impacts to environmental and cultural resources, supporting targeted industries and major activity centers, exploring innovative funding mechanisms, promoting regional approaches to transportation issues, and promoting transit opportunities. At a minimum, projects should include strategies that result in a level of service (LOS) of “D” or better on all roadways, the dedication of planned rights-of-way, the provision of pedestrian pathways, and access to mass transit and other commuter facilities as appropriate.

Direct site access is proposed from Piper Lane and Residency Road. A traffic impact analysis (TIA) was required for this application. The following table provides information concerning the existing daily volumes and level of service of roadways important to this development:

Roadway Name	Number of Lanes	Current VDOT Count	Existing Daily LOS
Piper Lane	2	3,610 vpd	C
Residency Road	2	2,900 vpd	A

Proposal’s Strengths

- Level of Service – As conditioned, the applicant shall develop recommended signal timings for the Route 28/Piper Lane signal and submit the recommended timings to VDOT in order to mitigate impacts to level of service at this intersection.

Proposal’s Weaknesses

- None identified.

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

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.

Minimum Design Criteria

Staff and other agencies that have reviewed the proposal noted the following minimum design criteria. The development proposal will be reviewed for compliance with all minimum standards at the time that the applicant submits detailed site development information prior to the issuance of construction permits. The listing of these issues is provided to ensure that these concerns are a part of the development record. Such issues are more appropriately addressed during the site plan review.

- Parking - The applicant will need to provide a parking tabulation for their proposed land uses.
- Landscaping - Landscaping/buffering/screening/tree canopy coverage shall meet minimum requirements of the DCSM in addition to the proposed SUP plan and conditions.
- WQIA - Storm water piping and outfall from the northwestern pond appear to encroach into the RPA in the northwestern corner of the site. This encroachment will require a WQIA to detail the encroachment and the mitigation proposed to compensate for this encroachment.

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 Office of Planning:

County Archaeologist
Environmental Services
Planning Office, Case Manager and Urban Designer
Police Department
PWC Historical Commission
PWC Service Authority
PWC Transportation
VDOT

Attachment C – Proposed Conditions

PROPOSED CONDITIONS

Owner: Contractor's Storage, LLC

Special Use Permit: SUP #PLN2005-00611

Prince William County GPINs 7695-00-2208, 7594-99-5235 and 7594-99-5687

Special Use Permit Area: ±20.71 acres

Zoning: M-1, Heavy Industrial

Magisterial District: Brentsville

Date: July 6, 2007

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

The applicant shall file a site plan within one (1) year of approval of this special use permit by the Board of County Supervisors and shall have up to five (5) years from the date of final site plan approval to commence the proposed use. Issuance of an occupancy permit constitutes commencement of the use.

1. Site Development - The property shall be developed in substantial conformance with the following plans and the conditions herein:
 - a. Special Use Permit Plan, prepared by Land Design Consultants, Inc. dated January 2005 and revised through July 5, 2007.
2. Use Parameters
 - a. Special Use Permit Area – This special use permit shall apply to the entire ±20.71-acre property.
 - b. Use Limitations - The uses shall be limited to a motor vehicle storage yard, motor vehicle towing, motor vehicle impoundment yard, motor vehicle sales, secondary to motor vehicle repair and motor vehicle auction (wholesale). Inoperative vehicles shall not be allowed on the site.
 - c. Outdoor Speaker System - This system shall be limited to one speaker to be used for the motor vehicle auction, and shall not be audible outside the limits of the SUP area.
 - d. Motor Vehicle Auction – Parking of vehicles for auction shall be limited to the auto action area as shown on the SUP plan, and located on GPIN 7695-00-2208. A maximum of 400 vehicles shall be parked at any time.

Attachment C – Proposed Conditions

- e. Motor Vehicle Sales - This use shall be limited to the vehicle employee/display area as shown on the SUP plan, and located on GPIN 7594-99-5687, the same parcel as the existing one-story building containing the by-right motor vehicle repair use.
- i. The area devoted to the parking (excluding travel ways) of vehicles for-sale within the vehicle employee/display area for each individual motor vehicle repair use/tenant shall not exceed 25% of the gross floor area of each individual motor vehicle repair use/tenant. For example, a 10,000 square foot motor vehicle repair use/tenant would be permitted 15 parking spaces within the vehicle employee/display area (25% of 10,000 SF/162 SF per parking space).
 - ii. Vehicles for sale shall have all wheels in contact with a paved surface. The use of display ramps and/or stands is prohibited, and hoods shall not be raised or flashing lights be used as an attention-attracting device.
 - iii. As a condition of issuance of final site plan approval, a six-foot tall, black vinyl, chain link fence shall be constructed around the vehicle employee/display area. The applicant shall maintain, repair and/or replace this fence as necessary to ensure that it remain in a good and safe state of repair.
- f. Motor Vehicle Storage, Towing and Impoundment - These use shall be limited to the motor vehicle impoundment area as shown on the SUP plan, and located on GPIN 7695-00-2208, on a portion of the site to be designated on the final site plan separate from the auto auction, contractor's storage yard or any other future use of the site.
- i. The number of vehicles impounded or stored on the site shall be limited to 200 and parked to allow easy movement into and out of the storage/impoundment area in a forward direction. An all-weather fire line capable of supporting apparatus with a minimum width and a suitable turnaround for vehicles for all areas of the motor vehicle impoundment area. Compliance with this condition shall be demonstrated on the final site plan.
 - ii. As a condition of issuance of final site plan approval, a six-foot tall, black vinyl, chain link fence shall be constructed around the motor vehicle impoundment area. The applicant shall maintain, repair and/or replace this fence as necessary to ensure that it remain in a good and safe state of repair.

Attachment C – Proposed Conditions

- iii. An area on-site, but outside the fenced motor vehicle impoundment area, with room to park at least four vehicles shall be designated for after hours vehicle drop-off. Such vehicles shall be moved into the fenced storage/impoundment area within eighteen hours after drop-off. Compliance with this condition shall be demonstrated on the final site plan.
 - iv. There shall be not more than two tow trucks stored overnight on-site. No repair or service of these vehicles shall be permitted on GPIN 7695-00-2208.
 - v. Impounded vehicles shall not be allowed on the site for longer than 45 days. A log of all vehicles impounded shall be maintained and be available to the County for inspection at all times.
 - g. Customer Parking - Customer parking spaces on both GPINs will be signed or designated on the pavement surface as “customer parking only”. No vehicles for any use shall be parked in these spaces. Compliance with this condition will be evidenced with the final site plan approval.
 - h. Safety and Security - The applicant shall remove keys from vehicles displayed for sale, storage or auction and lock such vehicles at the close of each business day.
3. Community Design
- a. Fencing – As a condition of issuance of final site plan approval, the applicant shall construct a six-foot (6’) tall board on board fence along the southern line, abutting the Norfolk Southern Railroad right-of-way, as shown on the SUP plan. The applicant shall maintain, repair and/or replace this fence as necessary to ensure that it remain in a good and safe state of repair.
 - b. Refuse Storage Area - Refuse storage areas shall not be located within any setback area, buffer or landscape strip and will be screened with a solid wooden enclosure, and gates that prohibit viewing this area from adjoining properties and public rights-of-way. The gates shall remain closed when not in use and the trash containers shall be emptied as necessary to prevent odors or infestation by vermin. Compliance with this condition will be evidenced with the final site plan approval.
 - c. Landscaping - Landscaping, as evidenced on the final site plan, shall be provided by the applicant as shown on the Special Use Permit Plan, and shall meet minimum requirements of the DCSM and the following standards at the time of planting:

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- i. Existing mature vegetation shall be maintained and preserved in accordance with the limits of clearing and grading shown on the SUP plan. Said existing vegetation shall be preserved, subject only to disturbance for the removal of noxious vegetation, such as poison ivy, poison oak, etc., as well as dead, dying or hazardous trees or dead or dying shrubbery. In the event of disturbance, the preserved area shall be replanted and/or supplemented with vegetation as may be permitted by applicable utility easements to achieve minimum DCSM standards. The foregoing language shall not be interpreted to preclude the applicant from constructing and maintaining perpendicular road and utility crossings and landscaping as shown on the SUP plan.
 - ii. The minimum width of the landscaping strip along Residency Road, as shown on the SUP plan, shall be 20 feet wide. Unless provided according to the DCSM, this planting area shall not be located in existing or proposed parallel utility easements or right-of-way. There shall be a minimum of 65 plant units per 100 linear feet of frontage.
 - iii. A 15-foot wide landscaping area planted with 50 plant units per 100 linear feet shall be provided along the along the northern and southern property lines. Unless provided according to the DCSM, this planting area shall not be located in existing or proposed parallel utility easements. Compliance with this condition shall be demonstrated on the final approved site plan.
 - iv. All plantings shall be drought-resistant and indigenous or other species approved with the final site plan.
- d. Signs - All signage shall comply with the standards set forth in the Zoning Ordinance and Design and Construction Standards Manual (DCSM). In addition, the following shall apply to signage and advertising on the site:
- i. Freestanding signage, as permitted by the zoning ordinance, shall be monument style only and shall not exceed ten feet in height. The applicant shall provide landscaping, consisting of ground cover, and dwarf shrubs, at the base of any sign. The proposed landscaping shall be made part of the sign permit approval process and shall be installed as a condition of a sign permit issuance. The sign may be internally lit or lit downward but shall not be lit upward. The use of any exposed neon tubing shall be strictly prohibited.

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- ii. Banners, pennants, streamers, balloons, figures and other attention getting devices not permitted by the zoning ordinance shall be strictly prohibited.
 - iii. Appropriate traffic signs such as "Stop, One-Way, Do Not Enter and Yield to Pedestrians" and on-site directional signs required to alert customers to one-way traffic movements, pedestrian crossings or customer parking shall be provided as determined necessary at the time of final site plan review.
 - iv. Parking and signage for handicapped customers shall be provided in accordance with the DCSM and other current standards.
 - v. Sign permits are required for all signs. Color, scaled renderings of all signage shall be submitted as part of the sign permit approval process.
4. Lighting Fixtures - The height of new building mounted or freestanding lighting fixtures shall not exceed sixteen (16) feet, compliance with which shall be demonstrated on the final site plan. No neon or spot lighting shall be permitted.
5. Maintenance of Property
- a. Site Maintenance - The owner/applicant shall maintain the site and shall pick up trash, litter and debris on a daily basis.
 - b. Graffiti Removal - The applicant agrees to remove any graffiti from the property. Graffiti shall be deemed any inscription or marking on walls, buildings or structures not permitted by the sign regulations in Section 32-250.20 *et. seq.* of the zoning ordinance. Any graffiti is to be reported to the Prince William County Police Department before removal. The applicant shall prevent scaling of walls by keeping dumpsters away from walls, and covering or enclosing drainpipes, amongst other measures.
6. Environment
- a. Inlet/Pre-treatment Device - As a condition of final site plan approval, the applicant shall install a water quality inlet and/or a pre-treatment device or similar BMP installation on-site; types and locations shall be determined during final site plan review.
 - b. Hazardous Materials - The discharge of fuel, oil, solvents, anti-freeze, and/or other pollutants, hazardous materials, or flammable substances into the public sewer, storm drainage, or other surface waters is strictly prohibited. These materials shall be properly stored, maintained and disposed of in accordance with all federal, state and county ordinances.

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- c. Conservation Area – The existing conservation area, as shown on the SUP plan, shall remain undisturbed. Existing vegetation shall be preserved, subject only to disturbance for the removal of noxious vegetation, such as poison ivy, poison oak, etc., as well as dead, dying or hazardous trees or dead or dying shrubbery. In the event of disturbance, the preserved area shall be replanted and/or supplemented with vegetation in accordance with DCSM standards.
 - d. Erosion and Sediment Control - Super-silt fencing or equivalent practices, where required for erosion and sedimentation control, shall be provided in connection with any land disturbing activity adjacent to floodplain areas, the extent of which shall be determined as a condition of final site plan approval.
 - e. Removal of Existing Structures - Demolition and disposal of existing structures and removal of assorted junk and debris shall be accomplished prior to the start of land disturbance activities and shall be in accordance with all federal, state and county regulations.
 - f. Water Quality - The applicant shall contribute \$75 per acre at the time of final site plan review for the County to conduct water quality monitoring and/or stream restoration projects.
7. Fire and Rescue
- a. Monetary Contribution - The owner/applicant shall make a \$0.56 per square foot monetary contribution for 25% of the building area plus a 1,500 SF auto auction area (±11,100 SF) for fire and rescue services to the Board of County Supervisors prior to, and as a condition of issuance of the final site plan approval.
 - b. Emergency Spill Contingency/Notification – The owner/operator of the property shall prepare 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 owner/operator of the property 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. The owner/operator shall assume full responsibility for the costs incurred in the cleanup of such spills.

Transportation

- c. Signal Timing - As a condition of issuance of final site plan approval, the applicant shall obtain the SYNCHRO model from VDOT that includes the intersection of Piper Lane and Route 28, develop recommended signal

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timings for the Route 28/Piper Lane signal and submit the recommended timings to VDOT.

- d. Access Points - The number of access points to the site is limited to two as shown on the SUP plan. However, the final location of the access points will be subject to review and approval at the time of final site plan.
 - e. Auto Auction/Motor Vehicle Impoundment Area - Subject to a waiver from the County to allow an alternative parking surface, the surface of the auto auction and/or motor vehicle impoundment area shall be gravel over a geotextile fabric or similar material as approved during site plan review to prevent runoff infiltration into the groundwater. The final site plan shall also show the yard graded such that all runoff from the site flows through the pretreatment device required in condition #6a.
 - f. Obstruction of Travelways - The applicant shall ensure that any vehicles associated with the use do not obstruct the travel ways, fire lanes, adjoining road network or encroach upon buffer and landscaped areas as shown on the SUP plan.
 - g. Boundary Line Adjustment – As a condition of final site plan approval the applicant shall receive approval of and record the boundary line adjustment generally as shown on the SUP plan. The boundary line adjustment shall be of sufficient size to include the DCSM required setbacks and buffers.
8. Connection to Public Water & Sewer - The site shall be connected to public water and sewer with the applicant bearing all costs associated with providing all on and off site facilities, to meet the demand generated by it uses, to make such connection.
 9. Monetary Escalator - In the event the monetary contributions set forth in the development conditions are paid to the Prince William County Board of County Supervisors within eighteen (18) months of the approval of this special use permit, as applied for by the Applicant, said contributions shall be in the amounts stated herein. Any monetary contributions set forth in the development conditions which are paid after eighteen (18) months following the approval of this special use permit shall be adjusted in accordance with the Urban Consumer Price Index (CPI-U) published by the United States Department of Labor, such that at the time the contributions are paid they shall be adjusted by the percentage change in the CPI-U from the date eighteen (18) months after the approval of this special use permit to the most recently available CPI-U to the date the contributions are paid, subject to a cap of six (6%) percent per year, non-compounded.

Attachment C – SUP Plan Dated January 2005 revised through July 5, 2007

