STAFF REPORT

Special Use Permit #PLN2012-00139, Lindsay Automobile Dealership
(Woodbridge Magisterial District)

Planning Commission Public Hearing Date: November 7, 2012
Staff Recommendation: Approval

I. Background is as follows:

A. Request - This is a request to amend SUP #PLN2008-00285 to allow the expansion of an existing motor vehicle sales (limited) and accessory uses & signage with buffer modifications.

<table>
<thead>
<tr>
<th></th>
<th>By-Right/Required or with existing SUP</th>
<th>With amended SUP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Motor Vehicle Sales (limited)</td>
<td>Yes with buildings up to 27,000 square feet in floor area</td>
<td>Yes with building up to 62,000 square feet in floor area</td>
</tr>
<tr>
<td>Buffer to townhouses</td>
<td>50 feet wide, Type C</td>
<td>Primarily 50 feet wide, Type C, with a section 30 feet wide, Type B and additional mitigation on north side of parcel</td>
</tr>
<tr>
<td>Façade Signage</td>
<td>3 signs up to 975 square feet in area based on Route 1 facade</td>
<td>7 signs, up to 414 square feet in area</td>
</tr>
<tr>
<td>Freestanding Signage</td>
<td>2 freestanding signs, up to 80 square feet in area, and 20 feet tall</td>
<td>2 freestanding monument signs, up to 88 square feet in area and 10 feet tall</td>
</tr>
</tbody>
</table>

B. Location - The SUP site is located on the northeast corner of Route 1 and Blackburn Road (see maps in Attachment A). The SUP site is identified on County maps as GPINs 8290-98-2639 and 8290-99-1402 pt.

An Equal Opportunity Employer
C. **Comprehensive Plan** - The site is designated NC, Neighborhood Commercial, RPC, Residential Planned Community, and is part of the Neabsco Mills Study Area of the Potomac Communities Sector Plan.

D. **Zoning/Acreage** - The +/-7.95-acre SUP site is zoned B-1, General Business and is part of the Neabsco Mills Road Highway Corridor Overlay District. There are associated proffers (REZ #99-0037 and REZ #PLN2008-00284) which apply to the eastern half of the site where the parking garage would be sited. The proposal does not conflict with the proffers.

E. **Surrounding Land Uses** - The subject site is surrounded by vacant land and a townhouse subdivision to the north; open area associated with the adjacent townhouse development to the east; across Blackburn Road a quick service food store with motor vehicle fuel station, a car wash and motor vehicle sales use to the south; and across Route 1 to the west is vacant land, a motor vehicle sales use and religious institution.

II. **Current Situation** is as follows:

A. **Planning Office Recommendation** - The Planning Office recommends approval of SUP #PLN2012-00139, Lindsay Automobile Dealership, subject to the conditions dated October 19, 2012, found in Attachment C, based on the following reasons:
   
   - The proposal will improve an existing use in the Potomac Communities Sector Plan.
   
   - The proposal will include right-of-way dedication along the Route 1 frontage.
   
   - The proposal will introduce stormwater management facilities and incorporate Low Impact Development (LID) techniques to a largely developed site which currently does not contain such facilities.

B. **Planning Commission Public Hearing** - A public hearing has been advertised for November 7, 2012, before the Planning Commission.

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 Neighborhood Commercial (NC) and Residential Planned Community (RPC) designations as part of the Neabsco Mills Study Area of the Potomac Communities Sector Plan?

   2. **Level of Service (LOS)** - How does the proposal address the Prince William County Policy Guide for Monetary Contributions?

B. **Community Input** - Have members of the community raised any issues?
C. Other Jurisdictional Comments – Have adjacent jurisdictions raised any issues?

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

E. 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 # PLN2012-00139, Lindsay Automobile Dealership, subject to the conditions dated October 19, 2012, found in Attachment C.

1. Comprehensive Plan Consistency Analysis:

   a) Long-Range Land Use - The majority of the site is designated NC, Neighborhood Commercial, on the Long-Range Land Use Map. Motor vehicle sales (limited) typically serve a regional market rather than surrounding residential neighborhoods; however, this proposal is an expansion of an existing use, and is allowed in the B-1 zoning district with an SUP. A small portion of the site is designated RPC, Residential Planned Community, where residential uses are recommended. The RPC planned portion of the site appears to be an anomaly since this area is not zoned RPC which is the typical scenario.

   b) LOS - The level of service impacts related to the request would be mitigated by the conditions of the special use permit as follows:

<table>
<thead>
<tr>
<th></th>
<th>Per unit amount</th>
<th>Area</th>
<th>Contribution Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fire and Rescue</td>
<td>$0.61/sq. ft.</td>
<td>Lump sum contribution for structured parking &amp; based on expanded size of sales/repair building</td>
<td>$5,000.00 $21,350.00</td>
</tr>
<tr>
<td>Water Quality</td>
<td>$75 per acre</td>
<td>±7.95 acres</td>
<td>$596.25</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>$26,946.25</strong></td>
</tr>
</tbody>
</table>

*Any amounts that have been paid with earlier approvals will be credited based on the associated land/floor area.
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 concerns or inquiries from neighboring property owners.

3. **Other Adjacent Jurisdictions** - The site is outside of the required notification area of any adjacent jurisdictions.

4. **Legal Uses of the Property** - In addition to the property’s by-right uses under the B-1 zoning classification, such as general retail and retail service uses and its previously approved SUP uses of motor vehicle sales (limited), the property could be used for an expanded motor vehicle sales (limited) use as well as a modification of the buffer and signage subject to the approved conditions of a SUP. Legal issues resulting from Planning Commission action are appropriately addressed by the County Attorney’s office.

5. **Timing** - The Planning Commission has until February 5, 2013, 90-days from the first public hearing date, to take action on this proposal. Approval of the SUP would meet the 90-day requirement.

B. **Recommend denial** of SUP #PLN2012-00139, Lindsay Automobile Dealership.

1. **Comprehensive Plan**
   
   a) **Long-Range Land Use** - If the application is denied, the land use classification of the site would remain NC and RPC within the Potomac Communities Sector Plan, and the zoning classification would remain B-1, General Business. Additionally, the previously approved SUP allowing motor vehicle sales (limited) would still be in effect.

   b) **LOS** - Denial would not have any impact on the existing LOS.

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 concerns or inquiries from neighboring property owners.

3. **Other Adjacent Jurisdictions** - The site is outside of the required notification area of any adjacent jurisdictions.

4. **Legal Uses of the Property** - The site could be developed with uses permitted in the B-1 zoning district and as conditioned under SUP #PLN2008-00285. Legal issues resulting from the Planning Commission action are appropriately addressed by the County Attorney’s office.
SUP #PLN2012-00139, Lindsay Automobile Dealership  
October 19, 2012  
Page 5

5. **Timing** - The Planning Commission has until February 5, 2013, 90 days from the first public hearing date, to take action on this proposal. Denial of the SUP would meet the 90-day requirement.

V. **Recommendation** is that the Planning Commission concur with Alternative A and recommend approval of SUP # PLN2012-00139, Lindsay Automobile Dealership, subject to the proposed conditions dated October 19, 2012.

**Staff**: Fran Burnszynski, AICP, X6962

**Attachments**
- A. Area Maps
- B. Staff Analysis
- C. Proposed Conditions
- D. Proffers
- E. SUP Plan, Landscaping Plans, Building Elevations, and Sign Plans
- F. Route 1 Frontage Exhibit
- G. Historical Commission Resolution
- H. Environmental Constraints Analysis
**Attachment B - Staff Analysis**

## 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 to permit the amendment of an existing SUP for motor vehicle sales (limited) building expansion. 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.

<table>
<thead>
<tr>
<th>Plan</th>
<th>Consistency</th>
<th>Reasons</th>
</tr>
</thead>
<tbody>
<tr>
<td>Long-Range Land Use</td>
<td>No</td>
<td>The site is classified NC, Neighborhood Commercial as well as RPC, Residential Planned Community, on the Long-Range Land Use Map. Motor vehicle sales typically serve a regional market rather than surrounding residential neighborhoods; however, this proposal is an expansion of an existing use, and is allowed in the B-1 zoning district with an SUP. The RPC portion of the site is an anomaly due to the existing zoning, B-1.</td>
</tr>
<tr>
<td>Community Design</td>
<td>Yes</td>
<td>The applicant has provided a site layout, building architecture and landscaping. The lighting and signage details are addressed.</td>
</tr>
<tr>
<td>Cultural Resources</td>
<td>Yes</td>
<td>No archaeology sites were identified so no further study was recommended.</td>
</tr>
<tr>
<td>Environment</td>
<td>Yes</td>
<td>An ECA was submitted with the application. The conditions require installation of LID facilities as well as an underground stormwater facility, a water quality inlet or other water quality device for the expanded parking area that will provide stormwater quantity and quality control that is not currently in place. A water quality contribution has also been proffered and conditioned.</td>
</tr>
<tr>
<td>Fire and Rescue</td>
<td>Yes</td>
<td>The site is within the recommended 4.0 and 8.0-minute response times, but the tactical unit workload for the nearest stations are over the recommended capacity. A monetary contribution according to the Policy Guidelines is conditioned and a lump sum is conditioned for the structured parking.</td>
</tr>
<tr>
<td>Police</td>
<td>Yes</td>
<td>No significant impact to police services is anticipated. Graffiti removal has been conditioned.</td>
</tr>
<tr>
<td>Potable Water</td>
<td>Yes</td>
<td>The site is served by public water.</td>
</tr>
<tr>
<td>Service</td>
<td>Condition</td>
<td>Note</td>
</tr>
<tr>
<td>---------------------</td>
<td>-----------</td>
<td>----------------------------------------------------------------------</td>
</tr>
<tr>
<td>Sanitary Sewer</td>
<td>Yes</td>
<td>The site is served by public sewer.</td>
</tr>
<tr>
<td>Transportation</td>
<td>Yes</td>
<td>Right-of-Way dedication has been conditioned along Route 1. A right turn taper is also conditioned. Necessary easements are dedicated and reserved. Pedestrian connection will be provided from the adjoining sidewalks to the use. A bus shelter is also conditioned. The provision of a sidewalk along the entire Blackburn Road frontage has not been fully addressed with this proposal.</td>
</tr>
</tbody>
</table>
Part II. Comprehensive Plan Consistency Analysis

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

<table>
<thead>
<tr>
<th>Direction</th>
<th>Land Use</th>
<th>Long Range Future Land Use Map Designation</th>
<th>Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Vacant land and attached dwelling units</td>
<td>RPC</td>
<td>B-1 &amp; RPC</td>
</tr>
<tr>
<td>South</td>
<td>Across Blackburn Road – quick service food store, motor vehicle sales, and car wash</td>
<td>NC</td>
<td>B-1 &amp; A-1</td>
</tr>
<tr>
<td>West</td>
<td>Across Route 1 – vacant land, motor vehicle sales and religious institution</td>
<td>NC &amp; O</td>
<td>B-1</td>
</tr>
<tr>
<td>East</td>
<td>Vacant land</td>
<td>RPC</td>
<td>RPC</td>
</tr>
</tbody>
</table>

**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.

This site is located in the Development Area of the County, and is designated Neighborhood Commercial (NC) and Residential Planned Community (RPC) as part of the Potomac Communities Sector Plan. The following table summarizes the uses and densities intended within the NC designation within the Sector Plan:
### Long-Range Land Use Plan Classification

<table>
<thead>
<tr>
<th>Long-Range Land Use Plan Classification</th>
<th>Land Uses Intended</th>
</tr>
</thead>
<tbody>
<tr>
<td>NC - Potomac Communities</td>
<td><strong>Neighborhood Commercial (NC)</strong>: provides for small-scale retail and service uses, limited to a maximum of 8,000 square feet of building area per use, designed to serve primarily local, as opposed to regional, customers, and to provide tourism-related commercial uses. Typical uses could include restaurants, convenience stores, gas stations, small drug and grocery stores, personal services, medical offices, attorney’s offices, or copy services. Outdoor activities should be limited, and should not include storage or repair services. If developed as a neighborhood commercial center, as opposed to individual uses, site design should give the impression of individual buildings through layout and/or façade treatments. Pedestrian connection to other neighborhoods and other business development should be encouraged.</td>
</tr>
<tr>
<td>RPC – Potomac Communities</td>
<td><strong>Residential Planned Community (RPC)</strong>: provides for previously approved mixed residential communities with specific master plans. No additional RPC areas are recommended.</td>
</tr>
</tbody>
</table>

The site is located in the northeast corner of the intersection of Jefferson Davis Highway (U.S. Route 1) and Blackburn Road. The +/-7.95 acre SUP site is zoned B-1, General Business. The eastern part of the site (+/- 3.0 acres) was rezoned to B-1 with REZ #1999-0037 and REZ #PLN208-00284.

The proposed SUP would allow for an expansion of the motor vehicle sales/leasing (limited) /service and repair use from +/- 27,000 square feet in building floor area to +/- 62,000 square feet in floor area and would continue to allow the construction of a 2-3 level structured parking facility. The existing motor vehicle use on the B-1 portion of the property was nonconforming and was legitimized with the approval of SUP #PLN2008-00285.

### Proposal’s Strengths

- **Improvement of an Existing Use** - This proposal will eliminate a previously nonconforming use and improve the building and layout to a more contemporary scheme.

### Proposal’s Weaknesses

- **Long-Range Land Use Plan** - The site is classified NC and RPC on the Long-Range Land Use Map. Motor vehicle sales typically serve a regional market rather than surrounding residential neighborhoods; however, this proposal is an expansion of an existing use and this use is allowed in the B-1 zoning district with an SUP. The use is also not recommended in the RPC because
that district is residential, but that portion contains B-1 zoning also which allows the use with an SUP.

- **Zoning** - B-1 zoning is not consistent with the NC and RPC designations.

  **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 proposed site, which is partially within the Neabsco Mill Road Highway Overlay Corridor, will be re-configured and the sales/repair/service building will be reconstructed to update the appearance of this use. The site which contains minimal landscaping will be re-planted to provide a variable 10 foot plus landscaping area along Route 1 and along Blackburn Road.

The buffer to the east and along most of the northern boundary will be 50 feet wide and contain a Type C buffer partially using existing vegetation. A section of this buffer will be modified from 50 feet to 30 feet wide. Its location and the topography ensure that no adjacent development will be within 100 feet of the parking area behind the building. Additionally the applicant has agreed to preserve an equal sized area on the north side of the SUP area to help make up for the modification. Accordingly, staff supports this modification.

The applicant has also requested sign modifications. Although a small portion of the site is in the HCOD, the proposed building and proposed signage are not. The proposed signage will be reviewed based on Schedule A of the sign regulations. The applicant has requested seven facade signs with a total area of 414 square feet. The site is allowed to have three façade signs by right and over 975 square feet of signage area based on the building frontage facing Route 1. The applicant also proposes two new monument signs which are 10 feet tall and 88 square feet in area. Two signs with a maximum height of 20 feet and a maximum sign area 80 square feet would be allowed by-right. In light of the size of the building which would allow more than twice the signage area and the minimal increase in the area of the monument signs along with the reduction of the height by half, staff supports the signage modification.
Proposal’s Strengths

- **Site Layout** – As conditioned, the site layout shall be substantially as shown on the SUP plan.

- **Signage** – As conditioned, the façade and freestanding signage shall be limited.

- **Landscaping** - The landscaping has been conditioned to ensure that landscaping is added along the Route 1 frontage of the site despite the provision of additional right-of-way and easements.

- **Site Lighting** – The parking lot lighting is conditioned to be no taller than 24 feet and to be full cut-off lighting fixtures.

- **Building Elevations** – The building elevations have been conditioned for the main building and the structured parking.

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

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.

Phase I archaeological studies are generally required at submission of rezoning and special use permit applications where significant prehistoric or historic sites and cemeteries are known or suspected. Phase II evaluations and treatment plan 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.
Proposal’s Strengths

- **Archaeological Investigation** – A Phase I archaeological study was conducted on the site which did not identify any archaeology sites. No additional archaeological studies are recommended.

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 environmental constraints analysis was submitted with this SUP application, and it indicates that this site contains approximately 0.77 acres of resource protection area (RPA) in the southeastern part of the site along wetlands adjacent to Neabsco Creek. No 100-year floodplain is mapped on this site. Steep slopes are present in the northeastern and southern portion of the site. These steep slopes and the highly erodible soil (18E) mapped in this area will require a detailed geotechnical study and retaining walls may be of concern with this type of sensitive soil. No endangered or threatened species are located in this area.

The site is located in Subwatershed # 850 that drains into a tributary of Neabsco Creek in the Neabsco Creek watershed. Stormwater management (SWM/BMP) for the expanded parking area will be handled by an underground SWM/BMP facility in the southern portion of the proposed parking area. The applicant has also committed to use LID techniques on site.

Proposal’s Strengths

- **Existing Use** - The required SWM/BMP for the expanded parking area will provide stormwater quantity and quality control that is not currently in place.

- **LID and Water Quality Inlet** – The conditions require installation of LID facilities as well as water quality inlet or other water quality devices for the expanded parking area 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.
Attachment B - Staff Analysis

- **Water Quality** – The proffers and conditions include a monetary contribution in the sum of $75.00 per acre to the Board of County Supervisors for the purpose of monitoring water quality, stream restoration projects, and/or drainage improvements.

**Proposal’s Weaknesses**

- **Steep Slopes and Soils** – Areas of steep slopes with highly erodible soils will be impacted during the development of this site. A detailed geotechnical study at site plan will be required and retaining walls are proposed to minimize the impact.

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 encourages installation of additional fire protection systems—such as sprinklers, smoke detectors, and other architectural modifications.

The site is closest to the OWL-Spicer Fire and Rescue Station #12 and Dale City-Birchdale Fire and Rescue Station. It is estimated that there are approximately 2,086 and 1,453 incidents per tactical unit at these station respectively, which in the latter case is within the recommended standard of 2,000 incidents per unit. It is estimated that the response time for the site would be within the recommended 4.0-minute response time for fire suppression and basic life support. It is estimated that the response time for this site would be within the recommended 8.0-minute response time for advanced life support.

The Fire and Rescue Association is currently reviewing the number of tactical units per station, and the numbers reported here are subject to revision.

**Proposal’s Strengths**

- **Level of Service** – As conditioned, the applicant will provide a monetary contribution of $0.61 per square foot of additional building floor area and provide a lump sum monetary contribution of $5,000 for fire and rescue services if a parking deck is constructed.
Attachment B - Staff Analysis

- **Response Time** – The site is within the recommended 4.0-minute response time for fire suppression and basic life support and within the recommended 8.0-minute response time for advanced life support.

- **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.

- **Unit Workload Capacity** – The responses per tactical unit from Dale City- Birchdale Fire and Rescue Station is within the recommended standard.

**Proposal’s Weaknesses**

- None identified.

**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.

**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.
Attachment B - Staff Analysis

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 site is located in the Development Area and is served by the Prince William County Service Authority for public water service.

Proposal’s Strengths

- Water Connection – The subject site is served by public water. Additional water main construction, at the applicant’s cost, may be required in order to provide required fire protection hydrant coverage and fire flows.

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 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 site is located in the Development Area and is served by the Prince William County Service Authority for public sewer service.

Proposal’s Strengths

- Public Sewer Connection – The subject site is served by public sewer. A condition of the SUP prohibits the discharge of fuels, oil, solvents, antifreeze or other pollutants into the public sewer.
Proposal’s Weaknesses

- None identified.

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

**Transportation Plan Analysis**

By providing a multi-modal approach to traffic circulation Prince William County promotes the safe and efficient movement of goods and people throughout the County and surrounding jurisdictions. The Transportation Plan sets out policies and action strategies that further the County’s goal of 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.

Site access is proposed via a right-in/right-out on Route 1 and one access point on Blackburn Road. Based on the number of new trips generated from the proposed use, a traffic impact analysis (TIA) was not required per DCSM standards. However, as per staff’s request, the applicant has provided the right-turn lane warrant analysis (dated September 8, 2011 and revised February 6, 2012, prepared by Gorove/Slade Associates) with this application.

**EXISTING CONDITIONS**

<table>
<thead>
<tr>
<th>Roadway Name</th>
<th>Number of Lanes</th>
<th>2010 VDOT Count</th>
<th>2005 Daily LOS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Route 1</td>
<td>4</td>
<td>35,000 vpd</td>
<td>C</td>
</tr>
<tr>
<td>Blackburn Road</td>
<td>2</td>
<td>3,700 vpd</td>
<td>C</td>
</tr>
</tbody>
</table>

Two major considerations were raised with this proposal – the need for right-of-way and easements along Route 1 and the need for multi-modal options in the Route 1 Transportation corridor. As conditioned, the needed right-of-way and easements along Route 1 are addressed and the applicant will be providing a contribution for the provision of a bus shelter along Route 1 to support multi-modal transit in the corridor. Sidewalks to serve this area exist along Route 1 and part of the Blackburn Road frontage and were previously proffered in the case of the eastern portion of the frontage along Blackburn Road if additional access points are provided to Blackburn Road. As conditioned, additional access will not occur to Blackburn Road so the proffered sidewalk would not be provided. Replacement pedestrian facilities will be addressed as part of the Route 1 Improvement Project.
Proposal’s Strengths

- **Vehicular Access** – As conditioned in association with the subject SUP, the number of access points to Route 1 and Blackburn Road will be limited to one each.

- **Right-of-Way Dedication** – As conditioned, the applicant shall reserve and dedicate right-of-way to accommodate the widening of Route 1.

- **Right Turn Taper** – The applicant shall provide right-of-way for a right turn taper and construction of a right-turn taper.

- **Easement Dedication and Reservation** – As conditioned, the applicant will reserve and dedicate a utility easement along the Route 1 frontage to accommodate future utilities.

- **Interparcel Connection** – The applicant has agreed to provide an interparcel vehicular connection to the north.

- **Bus Shelter** – The applicant is contributing money for the installation of a bus shelter along Route 1.

- **Pedestrian Access** – The applicant shall provide crosswalks from the building to the adjacent sidewalks.

Proposal’s Weaknesses

- **Sidewalk on Blackburn Road** – The sidewalk on Blackburn Road does not cover the entire frontage of this site. Although there is proffer to provide sidewalk along the eastern frontage of Blackburn Road, it is based on additional vehicular access points to Blackburn Road. As conditioned and shown on the SUP plan, additional vehicular access points will not be provided, so a sidewalk will not be constructed along that segment as part of this proposal.

**On balance**, this application, subject to the conditions, 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 that are not directly related to the policies, goals, or action strategies of the Comprehensive Plan, but that 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.
Attachment B - Staff Analysis

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.

- **Landscaping** - Landscaping/buffering/screening/tree canopy coverage shall meet minimum requirements of the DCSM in addition to the proposed SUP plan and conditions.

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:

Planning Office, Case Manager
DPW- Environmental Services
Service Authority
Police
Department of Transportation
VDOT
Zoning
Proffer Administrator
PROPOSED CONDITIONS
Owner/Applicant: Lindsay South L.L.C.
Special Use Permit: SUP #PLN2012-00139
Prince William County GPINs 8290-98-2639 and part of 8290-99-1402
Special Use Permit Area: +/- 7.95 acres
Zoning: B-1, General Business
Magisterial District: Woodbridge
Date: October 19, 2012

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 “SUP 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. Construction of any portion of the improvements shown on the SUP plan shall constitute commencement of the use. If approved, these conditions will supersede the conditions set forth in SUP #PLN2008-00285.

1. Site Development
   a. All development on the Property shall be in substantial conformance with the plan prepared by The Engineering Groupe entitled “Special Use Permit Plan – Lindsay Automotive” and dated September 29, 2011, last revised October 18, 2012 (“SUP Plan”). Minor modifications shall be permitted at the time of site plan based on the final engineering and design requirements. The applicant reserves the right to construct the improvements shown on the SUP plan in phases. Occupancy of any phase shall vest the applicant’s right to thereafter construct and occupy the remaining phases in any sequence.

   b. The parking area shown on the SUP plan may be constructed in phases, including the provision of surface and/or structured parking.

   c. The Applicant shall have the right to continue to operate the use in the existing buildings on the Property until such time that the existing buildings are demolished and new buildings are constructed. In addition, the Applicant shall have the right to occupy and operate the use in the existing building during construction of the new building subject to all applicable County ordinances governing such occupancy during construction activity.
2. Use Parameters

a. Use Limitations - The use approved with this special use permit shall be limited to motor vehicle sales (limited), motor vehicle leasing (limited), motor vehicle repair, motor vehicle parts, motor vehicle service and accessory car wash and fueling. Motor vehicle impoundment and storage of inoperable vehicles shall be prohibited.

b. Motor Vehicle Sales - Vehicles shall only be displayed in the paved parking areas, or other parking areas as approved by the County on the required site plan. 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 nor flashing lights be used as an attention-attracting device.

c. Motor Vehicle Service/Repair – All repair or maintenance of equipment and vehicles shall occur inside a building or fully enclosed structure.

d. Motor Vehicle Washing – All motor vehicle washing shall occur inside a building or fully enclosed structure and water used for vehicle washing shall have no direct discharge into the storm sewer of Prince William County. The applicant may spray wash and dry displayed vehicles in vehicle display areas on an as needed basis.

e. Outdoor Speaker System - There shall be no outdoor speaker systems permitted on the property except that the existing speakers shall be allowed to remain until such time that the portion of the property occupied by the existing dealership is redeveloped.

f. Outdoor Display – Outdoor display of any objects or materials including tires, beverages, beverage machines, motor vehicle parts, etc. shall be prohibited.

g. Customer Parking - Customer parking spaces will be signed or designated on the pavement surface as “customer parking only”. No vehicles for any other use shall be parked in these spaces.

h. Loading/Unloading – The loading/unloading of vehicles on Jefferson Davis Highway (US Route 1) or Blackburn Road shall be prohibited.

i. Motor Vehicle Fuel Storage Tank – A maximum 4,000 gallon above ground fuel storage tank shall be permitted on the Property for use in the preparation and servicing of the vehicles and shall be installed in accordance with all applicable County and State ordinances.
3. **Community Design**

   a. **Architecture**

      i. The design of the new dealership building shall be in substantial conformance with the elevations shown on the exhibit entitled “Lindsay Automotive – Proposed Elevations” (2 sheets), prepared by Penney Design Group and dated September 12, 2012 (“Building Elevations”). The applicant shall submit architectural plan drawings showing the building elevations for review and approval to the Planning Office no later than two weeks prior to the request for issuance of a building permit release letter to ensure compliance with this condition.

      ii. In the event a parking deck is constructed on the Property, the design and materials of the deck elevation abutting Blackburn Road shall be in substantial conformance with the deck elevation shown on the Building Elevations.

   b. **Refuse Storage Area** - Refuse storage areas shall not be located within any buffer or landscape strip and will be screened with a solid masonry enclosure, which is compatible with the building. The existing refuse storage area and associated screen located on GIN 8290-98-2639 shall be allowed to remain until said parcel is redeveloped. All new refuse storage areas shall have gates that prohibit viewing such areas 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. All new refuse storage areas shall be shown on the final site plan.

   c. **Landscaping**

      i. Landscaping, as evidenced on the final site plan for the Property, shall meet minimum requirements of the DCSM, unless waived or modified by the County at the time of site plan. All plantings shall be drought-resistant and indigenous, or other species approved with the final site plan, such approval not to be unreasonably withheld.

      ii. Landscaping along the Route 1 frontage of the Property and the westernmost portion of the Blackburn Road frontage of the Property shall be provided in general conformance with that shown on the exhibit entitled “Lindsay Automotive – Proposed Landscaping Plan” prepared by Penney Design Group and dated September 12, 2012 (“Streetscape Plan”).
iii. In connection with the construction of Route 1 improvements by the County or its Agent, the landscaping along the Route 1 frontage of the Property may be disrupted, damaged or require delayed implementation due to coordination with the Route 1 Public Improvement Project. Such delay shall not preclude the issuance of all occupancy permits if otherwise eligible for issuance. All said landscaping, that the applicant is responsible for, will be replaced and/or implemented promptly when practical.

d. **Signs** - All existing signs on GPIN 8290-98-2639 shall be allowed to remain on the Property until such time that the parcel is redeveloped. At the time the existing dealership building is replaced, the existing freestanding signs shall be removed and new signage on the property shall be provided in accordance with the signage shown on the exhibit entitled “Lindsay Automotive – Proposed signage, prepare by Penney Design Group dated September 12, 2012 (“Sign Plan”). In addition, the following shall apply to any such new signage and advertising on the site:

i. The specific copy on the signs may be modified to reflect the current automobile brand(s) and dealership name.

ii. Landscaping shall be provided at the base of the freestanding monument signs in general conformance with the Streetscape Plan. The proposed landscaping shall be installed concurrently with the sign installation, subject to the provisions set forth in condition #3.c.iii above.

iii. Freestanding signs may be internally lit or lit downward but shall not be lit upward.

iv. The use of any exposed neon tubing shall be strictly prohibited.

v. Banners, pennants, streamers, balloons, figures and other attention getting devices not permitted by the zoning ordinance shall be strictly prohibited.

vi. Parking and signage for handicapped customers shall be provided in accordance with the DCSM and other current standards.

vii. 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**

   a. Building mounted security lighting, which is full cut-off directed toward the building and in compliance with the Zoning Ordinance, shall be permitted. No ground mounted lighting of the building shall be permitted.

   b. The height of new freestanding lighting fixtures shall not exceed twenty-four (24) feet, compliance with which shall be demonstrated on the final site plans. All freestanding parking lot lights shall have fixtures which direct light downward and inward in such a manner to prevent glare from projecting onto adjacent properties or public rights-of-way.

   c. No neon or spot lighting shall be permitted. This condition is not intended to preclude the use of security flood lighting in compliance with the Zoning Ordinance.

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.

6. **Environment**

   a. **Inlet/Pre-treatment Device** - The Applicant shall install a water quality inlet and pre-treatment device or similar BMP installation on-site for all new development on the Property; the types and locations will be subject to review and approval by the County at the time of final site plan.

   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.

   c. **Water Quality** - The applicant shall contribute $75 per acre for area of the site at the time of the first final site plan review for the County to conduct water quality monitoring, stream restoration projects and/or drainage improvements. Any contributions paid pursuant to REZ #1999-0037 and SUP #PLN2008-00285 shall be credited against this amount.
d. **Removal of Existing Buildings and Structures** - Demolition and disposal of existing buildings and structures or portions thereof, to be removed and the 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.

e. **Low Impact Development (LID) Techniques** – The applicant shall utilize LID techniques in combination with traditional stormwater techniques to manage the storm water run off from the development of the Property. Examples of LID techniques that may be utilized include, but shall not be limited to, Filterra or equivalent units, bioretention facilities, underground stormwater detention with a bottomless design to promote infiltration, grass swales and rain water cisterns. The locations and specific techniques to be utilized shall be determined at the time of site plan in consultation with the Department of Public Works, Environmental Services Division.

7. **Fire and Rescue**

   a. **Monetary Contribution for Expanded Car Dealership Building** - 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 floor area, (gfa) constructed on the Property, minus previous building floor area for which a contribution was previously made and excluding any structured parking facility. Said contribution shall be used for fire and rescue services in the area and shall be paid at the time the building permit is issued for each building constructed on the Property. Any contributions based on the existing building floor area paid to the County pursuant to REZ #1999-0037 and SUP #PLN2008-00285 shall be credited against this amount and the charge will only be based on building floor area over and above that which is currently existing on the site.

   b. **Structured Parking Monetary Contribution** - The owner/applicant shall make a monetary contribution of $5,000.00 for fire and rescue services to the Board of County Supervisors prior to, and as a condition of issuance of the building permit for the structured parking deck. Any contributions paid pursuant to REZ #1999-0037 and SUP #PLN2008-00285 shall be credited against this amount.

   c. **Emergency Spill Contingency/Notification** – The owner/operator of the property shall prepare and/or update 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.
8. Transportation

a. **Right-of-Way Dedication** – The Applicant shall reserve for dedication, at no cost to the County or Virginia Department of Transportation (VDOT), right-of-way varying in width from sixty feet (60’) up to a maximum of sixty-six feet (66’) up to a maximum of approximately one hundred and twenty-three feet (123”) at the corner of Route 1 and Blackburn Road from the center line of Route 1 across the frontage of the Property to be used for Route 1 improvements in connection with Prince William County Route 1 Improvement Project (UPC 100426) (“Route 1 Improvements”) as specifically shown on the attached exhibited entitled “Route 1 Right-Of-Way Improvements”, prepared by The Engineering Groupe, Inc. and dated October 18, 2012 (“Route 1 Exhibit”). Said right-of-way shall be dedicated at the request of Prince William County.

b. **Right-of-Way Dedication for a Right Turn Taper Area** – The applicant shall reserve for future dedication, at no cost to the County or VDOT, right-of-way for a right turn taper at the entrance to the Property in the event the County determines that a taper (consisting of twelve feet (12’) of pavement at the entrance and tapering down in width for a distance of 200’), as shown on the Route 1 Exhibit as “Taper Dedication Area”. In the event there is no right turn access to the site from Route 1, this right-of-way does not have to be dedicated and can be incorporated into the site plan for the Property at the discretion of the property owner.

c. **Drainage Easement Dedication** – The Applicant shall dedicate, at no cost to the County or Virginia Department of Transportation (VDOT), a permanent drainage easement as specifically shown on the Route 1 Exhibit. The drainage easement shown on the Route 1 Exhibit [in accordance with the Route 1 Improvement Project (UPC #100426)] may be relocated and/or modified by the Applicant at the time the existing building is redeveloped as a part of the site plan. Said easements shall be dedicated at the request of Prince William County.

d. **Utility & Temporary Construction Easement Dedication** – The Applicant shall dedicate to Prince William County, at no cost to the County or VDOT, a combined utility easement and temporary construction easement as shown on the Route 1 Exhibit. This easement is created subject to the right of the Applicant to construct and maintain the monument sign in the location as depicted on the Streetscape Plan. It is acknowledged that this easement may be assigned by the County to various utility companies for their use and, in such event, any such companies shall have the ability to use said easement in accordance with the terms and conditions set forth herein. Any utilities placed in this easement shall exclusively be within a duct bank or separately placed in a conduit. The Applicant shall have the right to place a sidewalk crossing, parking, travelways and associated appurtenances, including but not limited to traffic signs and site lights, and landscaping over and within this easement area and shall have the right to plant in accordance with the landscape plan referenced in Condition #3.c above. In the event the type of plants or quantity must be modified and/or reduced to accommodate a particular utility located within the easement area, the Applicant is authorized to make such change.
and any such changes shall be deemed authorized and approved by the County even if at variance from the plan referenced in Condition #3.c.ii and/or any applicable DCSM standards or ordinances. In the event of any disruptions or disturbances to the property due to the installation of the utilities or maintenance thereof, the property, improvements, and landscaping shall be returned to its original condition as found before the disturbance or disruption.

e. Right-of-Way and Easements – The dedication of the right-of-way and easements set forth above (subparagraph 8a-d) in connection with the Route 1 Improvement is conditioned upon the location of such dedications provided by the County and reflected on the Route 1 Exhibit. In the event a larger right-of-way or easements are required for the Route 1 Improvements, the Applicant shall have no obligation to make such dedication and the Applicant shall be relieved of any responsibility to do so arising out of this SUP while retaining all other rights and obligations of this SUP. In the event a condemnation occurs to obtain such right-of-way and easements, or an agreement in lieu of condemnation is reached, the Applicant shall have the ability but not the obligation to modify the building footprint and surrounding area as deemed necessary to reflect the actual right-of-way and easements as determined by the County.

f. Access Points – In connection with the motor vehicle sales use on the Property permitted with this SUP, the number of access points to the site from Jefferson Davis Highway (US Route 1) and Blackburn Road shall be limited to a maximum of one (1) from each said roads, said entrances to be located as generally shown on the SUP plan.

g. 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.

h. On Street Parking - No vehicles associated with the uses shall be parked on Jefferson Davis Highway (US Route 1) or Blackburn Road.

i. Interparcel Connection – The Applicant shall provide for an interparcel connection to the balance of the property to the north, identified as GPIN 8290-99-1402, in the form of a vehicular access easement to be implemented at the time the adjacent property develops. The Applicant reserves the right to use and develop the easement area with a retaining wall and parking until such time that the adjacent property to the north develops, at which time any use or improvements within the easement area may, if necessary, be removed at the sole cost of the Applicant or the entity that develops the parcel to the north.

j. Bus Shelter – If at the time a site plan is filed for the new dealership building on the Property, it is determined by the operator of the intra- or inter- County bus system that the Property is an appropriate location for a bus stop, the Applicant shall construct a bus shelter on the Property at a location acceptable to the Applicant and the bus system operator for the use of the patrons of the bus system, and shelter to be located within the existing right-of-way to be dedicated pursuant to conditions #8a above or an easement to be provided within the landscape area along the Route 1 frontage of the Property for said
bus shelter. The Applicant shall contact a representative of the applicable transit company prior to site plan approval for the new dealership building on the Property to determine whether a bus shelter is required, and if so, the appropriate location shall be identified on the plan. In the event the applicable transit agency determines a bus shelter is not required, then prior to site plan approval, the Applicant shall submit a letter from the applicable transit agency stating that determination.

k. Pedestrian Connections – The Applicant shall strip crosswalks in two locations on the Property as generally shown on the SUP plan in order to provide pedestrian connections from the Property to the existing or to be built sidewalks along Route 1 and Blackburn Road.

9. 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 its uses, to make such connection.

10. 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 other than as applied to the $5,000 fire and rescue contribution for the parking garage which started at the approval of SUP #PLN2008-00285, 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.
PROFFER STATEMENT

RE: REZ #99-0037, Lindsay Chevrolet
Applicant/Record Owner: Lindsay South, L.L.C.
Property: 1.6917 acres, B-1, General Business District
G.P.I.N.s 8290-98-4438; 8290-98-3138
Woodbridge Magisterial District
Date: October 19, 1999

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

The headings of the proffers set forth below have been prepared for convenience or reference only and shall not control or affect the meaning or be taken as an interpretation of any provision of the proffers. Any improvements proffered herein shall be provided at the time of development of that portion of the site adjacent to the improvement, unless otherwise specified. The term "Applicant" as referenced herein shall include within its meaning all future owners and successors in interest.

TRANSPORTATION

1. The Applicant shall construct frontage improvements to include a right turn/deceleration lane at the entrance to the Property and curb, gutter and sidewalk along the frontage of the Property. Said improvements shall be provided at the time an entrance is constructed to the Property from Blackburn Road.

2. A maximum of one (1) entrance shall be provided to the Property from Blackburn Road. The applicant shall have the right to construct an interparcel connection to the adjacent property to the west and to use such connection as the sole access to the Property on an interim basis until an entrance is provided directly onto Blackburn Road.

3. The Applicant shall provide lighting at the entrance to the Property on Blackburn Road, said lighting may be of a type and fixture the same as the on-site lighting.

APPROVED
PROFFER/DEVELOPMENT PLAN

[Signature]

January 4, 2000

OFFICE OF PLANNING

SUP #PLN2012-00139, Lindsay Automobile Dealership
Page D-1
USE AND SITE DEVELOPMENT

4. The following uses shall be prohibited on the Property:
   a. Motor vehicle fuel station (retail)
   b. Drive-in/drive-up or drive-through restaurant
   c. Quick service food store

5. The exterior of all structures on the Property shall be composed of brick, glass, architectural pre-cast concrete, job-cast architectural concrete, wood or other comparable siding. Other similar materials may be used as approved by the Zoning Administrator, or his designee but in no event shall metal siding buildings be allowed. Notwithstanding the above referenced materials, in the event the motor vehicle repair or sales use is established on the Property, the buildings constructed for such use shall be as shown on the approved Special Use Permit #99-0035 and provided for in the associated SUP conditions.

6. All freestanding parking lot lights shall have a maximum height of twenty-four feet (24') and shall have fixtures which direct light downward and inward.

7. All dumpster pads shall be located on the Property as unobtrusively as possible and shall be screened, using materials which are architecturally compatible with the buildings.

8. Any freestanding business identification sign shall be monument style and shall not exceed fifteen feet (15') in height. Construction materials for the base of said sign shall be compatible with those of the building(s) constructed on the Property.

FIRE AND RESCUE

9. The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in an amount consistent with the then applicable level of service monetary contribution based on current County policy at the time such payment is due, not to exceed a maximum of $0.23 per square foot of gross floor area constructed on the Property. Said contribution shall be used for fire and rescue services in the
area and shall be paid at the time a building permit is issued for each building constructed on the Property.

ENVIRONMENTAL

10. The Applicant shall make a monetary contribution to the Prince William County Board of County Supervisors in the amount of $75.00 per acre for water quality monitoring studies in the area. Said contribution shall be made at the time of final plan approval.

LANDSCAPING

11. The Applicant shall provide a landscape area along the Blackburn Road frontage of the Property in accordance with the Landscape Plan.

12. The Applicant shall use native plants and trees to landscape the Property.
SIGNATURE PAGE
REZONING #99-0037, LINDSAY CHEVROLET

LINDSAY SOUTH, L.L.C.

By: [Signature]

Title: [Title]

APPROVED
PROFFER/DEVELOPMENT PLAN

[Signature]

January 4, 2000
Date

OFFICE OF PLANNING
REZ#99-37 415
PROFFER STATEMENT

RE: REZ #2008-00284, Lindsay South
Applicant/Record Owner: Lindsay South, LLC

1.57 acres A-1, Agricultural, to B-1, General Business District
Woodbridge Magisterial District

Date: June 30, 2008

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

The headings of the proffers set forth below have been prepared for convenience or reference only and shall not control or affect the meaning or be taken as an interpretation of any provision of the proffers. Any improvements proffered herein shall be provided at the time of development of that portion of the site adjacent to the improvement, unless otherwise specified. The term "Applicant" as reference herein shall include within its meaning all future owners and successors in interest.

TRANSPORTATION

1. The Applicant shall construct improvements along the Blackburn Road frontage of the Property, if not already constructed by others, said improvements to include curb, gutter, and sidewalk. Said improvements shall be provided at the time the entrance is constructed to the Property from Blackburn Road.

2. A maximum of one (1) entrance shall be provided to the Property from Blackburn Road. The Applicant shall have the right to access the Property from the adjacent property to the west and to use such access as the sole access until such time that the Applicant provides a connection to Blackburn Road.

USE AND SITE DEVELOPMENT

3. The following uses shall be prohibited on the Property:
   a. Motor vehicle fuel station (retail)
   b. Drive-in/drive-up or drive-through restaurant
   c. Quick service food store

4. The exterior of all structures constructed on the Property, with the exception of a parking structure, shall be composed of brick, glass, architectural pre-cast concrete, job-cast architectural concrete, wood, or other comparable siding. Other similar materials may be used as approved by the Planning Director, or his designee, but in no event shall metal siding buildings be allowed.
5. All freestanding parking lot lights on the Property shall have a maximum height of twenty-four feet (24') and shall have fixtures which direct light downward and inward.

6. All dumpster pads shall be located on the Property as unobtrusively as possible and shall be screened, using landscaping or materials which are architecturally compatible with the buildings constructed on the Property.

7. Any freestanding business identification sign shall be monument style and shall not exceed ten feet (10') in height. Construction materials for the base of said sign shall be compatible with those of the building(s) constructed on the Property.

FIRE AND RESCUE

8. 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 floor area, (gfa) constructed on the Property, excluding any structured parking facility. Said contribution shall be used for fire and rescue services in the area and shall be paid at the time the building permit is issued for each building constructed on the Property and shall be based on the gfa of each building. Any contributions paid to the County pursuant to SUP #PLN2008-00285 shall be credited against this amount.

WATER AND SEWER

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

ENVIRONMENTAL

10. The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of $75.00 per acre for water quality studies, stream restoration or stream monitoring in the area. Said contribution shall be made at the time of final plan approval.

LANDSCAPING

11. Landscaping on the Property shall include, but not be limited to, native species appropriate to the location and climate of the area and landscaping shall be drought resistant. Landscaping shall be shown on the final site plan.
12. In the event the monetary contributions set forth in the Proffer Statement are paid to the Prince William County Board of County Supervisors ("Board") within eighteen (18) months of the approval of this rezoning, as applied for by the Applicant, said contributions shall be in the amounts as stated herein. Any monetary contributions set forth in this Proffer Statement which are paid to the Board after eighteen (18) months following the approval of this rezoning shall be adjusted in accordance with the Urban Consumer Price Index ("CPI-U") published by the United States Department of Labor, such that at the time contributions are paid they shall be adjusted by the percentage change in the CPI-U from that date eighteen (18) months after the approval of this rezoning to the most recently available CPI-U to the date the contributions are paid, subject to a cap of 6 percent (6%) per year, noncompounded.
Attachment E

SUP Plan dated September 29, 2011 and revised through October 18, 2012
Attachment E
Landscaping Plan Along Road Frontages dated September 29, 2011
and revised through September 10, 2012
Attachment E
Landscaping Plan Along Road Frontages dated September 29, 2011
and revised through September 10, 2012
HISTORICAL COMMISSION RESOLUTION

MOTION: SMITH
SECOND: VAN DERLASKE
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:

<table>
<thead>
<tr>
<th>Case Number</th>
<th>Name</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>REZ PLN2012-0120</td>
<td>Lake Manassas Parcel B-2-B</td>
<td>No further work</td>
</tr>
<tr>
<td>SUP PLN2012-0121</td>
<td>Jiffy Lube</td>
<td>Table</td>
</tr>
<tr>
<td>SUP PLN2012-0130</td>
<td>BB&amp;T – Marumsco Plaza</td>
<td>No further work</td>
</tr>
<tr>
<td>SUP PLN2012-0139</td>
<td>Lindsay Automobile Dealership</td>
<td>No further work</td>
</tr>
<tr>
<td>SUP PLN2012-0143</td>
<td>Power Lift at Innovation</td>
<td>No further work</td>
</tr>
<tr>
<td>SUP PLN2012-0145</td>
<td>Pollo Campero – Marumsco Plaza</td>
<td>No further work</td>
</tr>
</tbody>
</table>

Votes:
Ayes: by acclamation
Nays: None
Absent from Vote: None
Absent from Meeting: Cunard, Knock, Swavely, Turner
MOTION CARRIED

CERTIFIED COPY

Secretary to the Commission