



COUNTY OF PRINCE WILLIAM

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PLANNING
OFFICE

Stephen K. Griffin, AICP
Director of Planning

September 21, 2007

STAFF REPORT

Rezoning #PLN2007-00522, Innovation Executive Center
(Brentsville Magisterial District)

Planning Commission Public Hearing Date: October 3, 2007
Staff Recommendation: Approval

I. Background is as follows:

- A. Request - This is a request to rezone 11.45 acres from A-1, Agricultural to M-2, Light Industrial, to consolidate A-1 zoned parcels with surrounding M-2 zoning parcels also owned by the applicant. Of the total land area involved, only 2 acres would be developed. The remaining 9.45 acres, which contain wetlands and floodplain, would remain as open space.
- B. Site Location - The site is located on the west side of Godwin Drive, approximately 400 feet north of University Boulevard. (See maps in Attachment A). The site is identified on County maps as GPINs 7695-48-5266, 7695-59-1206 & 7695-58-1975.
- C. Comprehensive Plan - The site is designated REC, Regional Employment Center in the Long Range Land Use Map. Its south and middle parcels are designated EO, Employment Center Office/R&D and its north parcel is designated ED, Employment Center Data Center in the Innovation Sector Plan.
- D. Zoning - The small remnant parcel is zoned A-1, Agricultural, the large parcel to the south side is primarily zoned M-2 and A-1 along its boundary with Godwin Drive. The north parcel is also primarily zoned M-2 and A-1 along its eastern boundary along Godwin Drive. All three parcels are within the TeOD overlay, zoned EO, Employment Center Office/R&D to the south and middle parcel and ED, Employment Center Data Center.
- E. Surrounding Land Uses - The currently zoned A-1 portions of the three parcels are bordered by light industrial uses to the north and light industrial zoned property to the west, residential uses to the south and the City of Manassas to the east across Godwin Drive.

II. Current Situation is as follows:

- A. Office of Planning Recommendation - The Office of Planning recommends approval of the Rezoning #PLN2007-00522, Innovation Executive Center, subject to the proffers dated September 18, 2007, found in Attachment C.
- B. Planning Commission Public Hearing - A public hearing before the Planning Commission has been advertised for October 3, 2007.

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 REC/EO & ED designations?
 - 2. Level of Service (LOS) - How does the proposal address the Policy Guide for Monetary Contributions in effect June 1, 2006.
- 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 REZ #PLN2007-00522, Innovation Executive Center, subject to the proffers dated September 18, 2007, found in Attachment C.
 - 1. Comprehensive Plan Consistency Analysis:
 - a) Long-Range Land Use - The site is classified REC, Regional Employment Center in the Long Range Land Use Map. It is also within the Innovation Sector Plan and under the TeOD development guidelines that assigns the EO, Employment Center Office/R&D to the south and the middle parcels and ED, Employment Center Data Center zoning to the north parcel. The TeOD prohibits uses to protect the intent of the Innovation Sector Plan. M-2 zoning is not consistent with the REC or the EO and ED designations. However, M-2 uses incompatible with the EO and ED sub-districts have been proffered out.
 - b) Level of Service (LOS) - The level of service impacts related to the request would be mitigated by the proffered monetary contributions as follows:

Water Quality	\$75 per acre	11.45 acres	\$858.75
Fire and Rescue	\$0.61 per sf of gfa @ Bldg. permit stage.		
Due at site plan approval			\$858.75

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 – Those uses allowed in the M-2 district that are consistent with the EO and ED zoning sub-district guidelines would be permitted pursuant to approved proffers. 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 October 3, 2007, the first public hearing date, to take action on this proposal. Approval of the rezoning would meet the 90-day requirement.

B. Recommend denial of REZ #PLN2007-00522, Innovation Executive Center

1. Comprehensive Plan
 - a) Long-Range Land Use - If the application is denied, the land use designation of the site would remain REC, Regional Employment Center and the zoning classification would remain A-1, Agricultural and EO & ED pursuant to the TeOD.
 - b) Level of Service - Denial would not have any impact on the existing level of service.
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 – Portions of the parcels in question would remain zoned A-1, EO & ED in accordance with the TeOD overlay. 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 October 3, 2007, the first public hearing date, to take action on this proposal. Denial of the rezoning would meet the 90-day requirement.

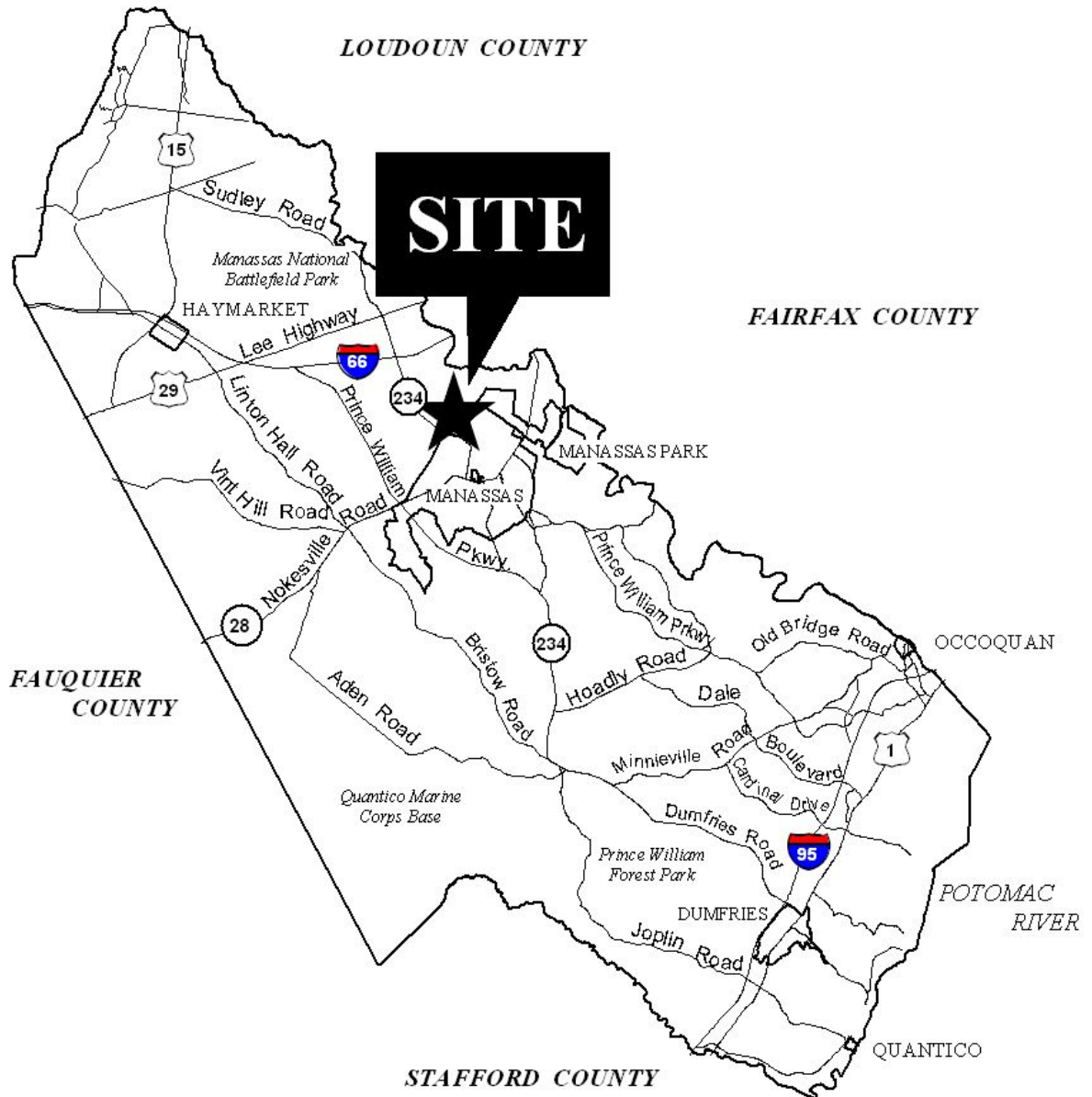
- V. **Recommendation** is that the Planning Commission accept Alternative A and recommend approval of Rezoning #PLN2007-00522, Innovation Executive Center, subject to the proffers dated September 18, 2007.

Staff: Ingrid R. Mendez, X7373

Attachments

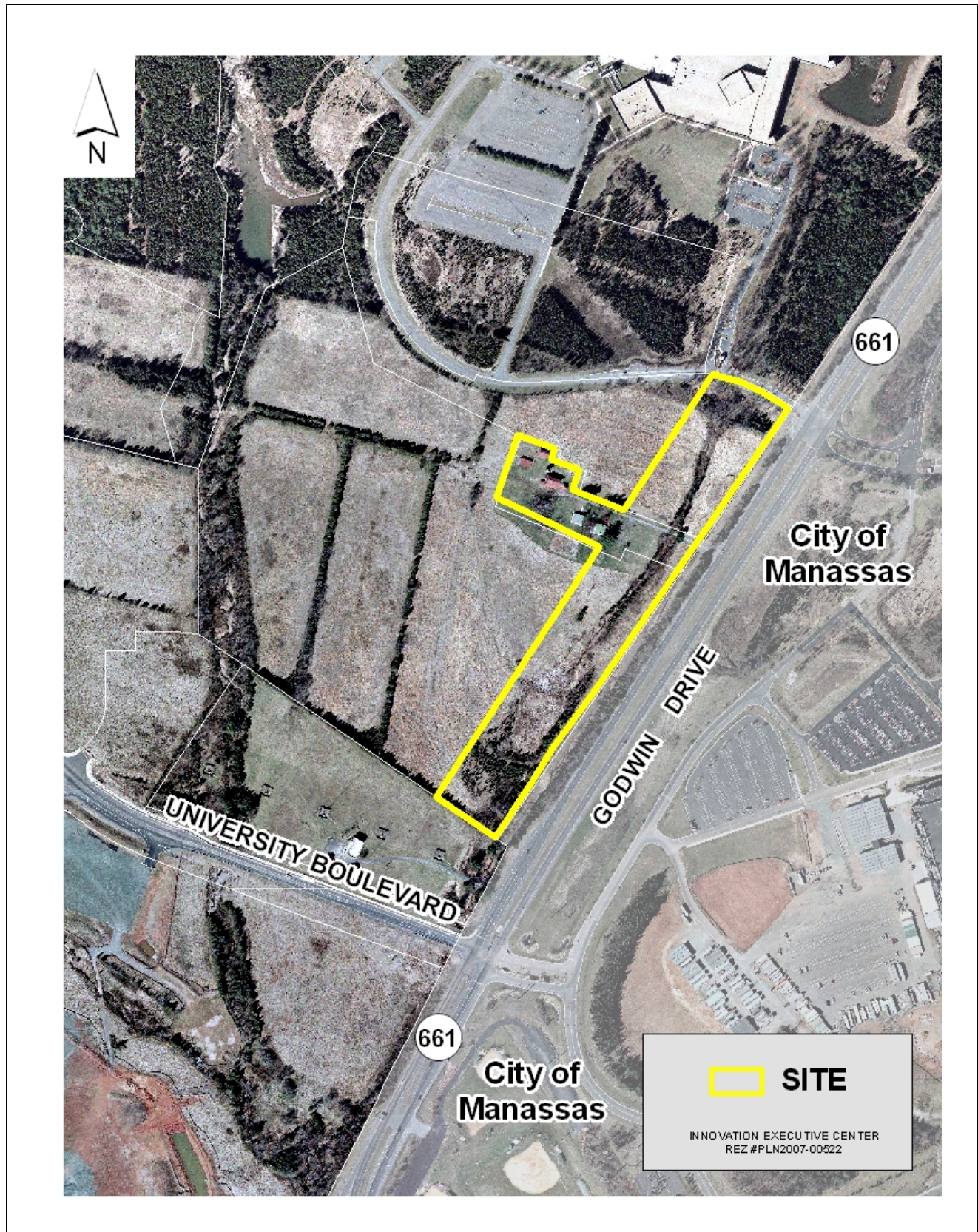
- A. Area Maps
- B. Staff Analysis
- C. Proposed Proffer Statement & GDP
- D. Environmental Constraints Analysis
- E. Landscaping Plan Revised July 23, 2007
- F. Innovation Sector Conceptual Land Use Plan
- G. Innovation Sector Open Space Plan
- H. Innovation Sector Transit & Pedestrian Network Map

**Attachment A – Maps
VICINITY MAP**

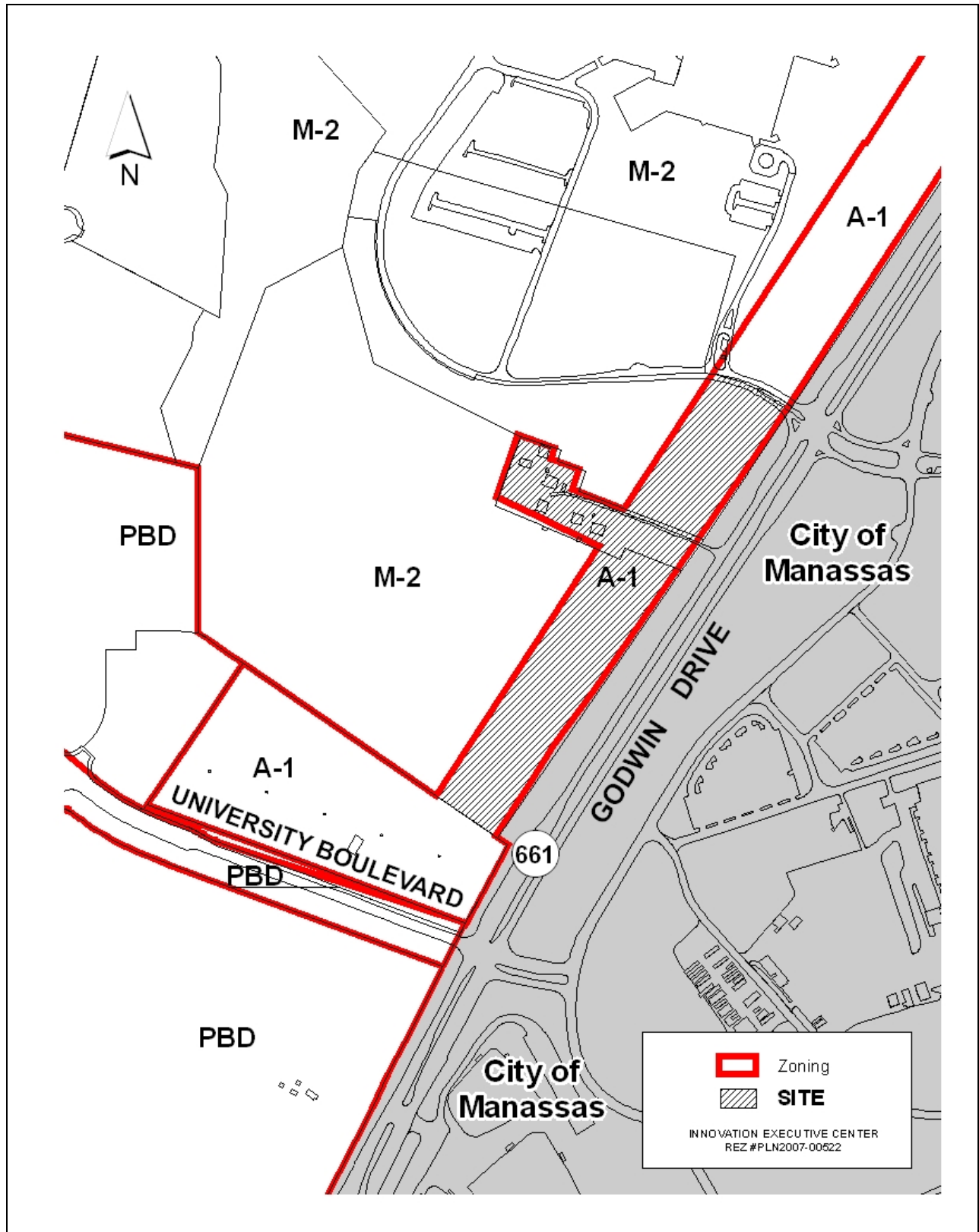


INNOVATION EXECUTIVE CENTER #PLN2007-00522

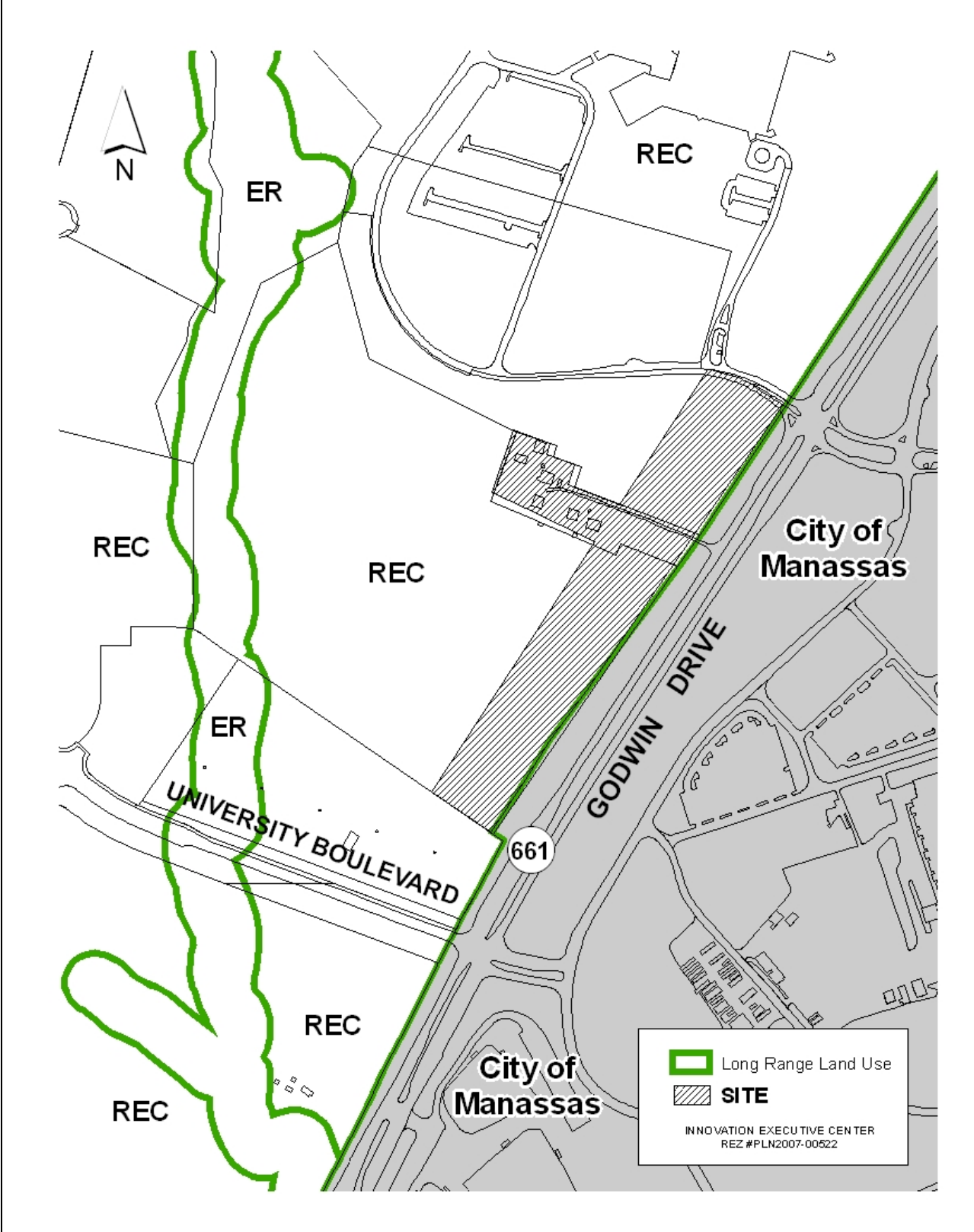
Attachment A – Maps
AERIAL MAP



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 rezoning 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	Yes	The site is classified REC, Regional Employment Center, EO, Employment Center Office/R&D and ED, Employment Center Data Center. The proposed M-2 zoning is incompatible with the REC/EO/ED designations. However, M-2 uses incompatible with the EO & ED sub-districts have been proffered out.
Community Design	No	No building elevations or site design was provided by the applicant.
Cultural Resources	Yes	A Phase I study has been proffered to be submitted at Preliminary site plan approval. Phase II and Phase III studies would also be submitted if findings of the Phase I Study indicate that further investigation is warranted.
Environment	Yes	An ECA was submitted. The area that would be developed (Landbay A consisting of 2 acres), does not contain sensitive environmental features. The remaining 9.45 acres, containing wetlands and floodplain, would remain undisturbed open space. In addition, a monetary contribution in the amount of \$75.00 per acre to be used for water quality monitoring and /or stream restoration programs is proffered.
Fire and Rescue	Yes	A monetary contribution of \$.61 per square foot of gross floor area in any building or portion of building constructed on the property has been proffered. The site is outside the recommended response time and the station is currently operating over capacity, however, appropriate sprinkler and/or non-combustible building material design will be required at site plan stage.
Public Water	Yes	As proffered, the applicant shall design and construct all on-site and off-site public water facilities.
Public Sewer	Yes	As proffered, the applicant will design and construct all on-site and off-site public sewer facilities.

Attachment B – Staff Analysis

Transportation	No	The Innovation Sector Plan – Open Space Plan & the Transit & Pedestrian Network Map show a trail along Godwin Drive (Rte. 661). And per Sec. 32.506.07, 3 of the TeOD, Technology Overlay District of the Zoning Code, the developer is required to build the trail. The applicant has not proffered to escrow or provide a trail along Godwin Drive, but only to provide an easement. All other transportation issues will be addressed at final site plan as part of the development of all properties abutting the site.
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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	Vacant land and across Godwin Dr. (private) – office building	REC	M-2
East	Across Godwin Dr. – City of Manassas		
South	Vacant land and office building	REC & ER	A-1
West	Vacant land	REC & ER	M-2

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 REC, Regional Employment Center and is part of the Innovation Sector Plan, on the Long Range Land Use Map. The following table summarizes the uses and densities intended within the REC designation:

Long Range Land Use Map Designation	Intended Uses and Densities
REC	<p>Regional Employment Center - The purpose of the Regional Employment Center classification is to provide for areas located close to and/or with good access from an interstate highway where intensive regional employment uses are to be located. REC projects * should be planned and developed in a comprehensive, coordinated manner. Primary uses in the REC are mid-rise and/or high-rise office (including government offices—particularly those for Prince William County agencies), research and development facilities, lodging, and mixed-use projects. Retail, retail service and/or residential uses shall represent no greater than 25 percent of the total REC project area. Retail and retail service use(s) shall be so located within a building or on a site that their primary purpose is to support the needs of those employed within that REC project or living or working within the mixed-use building(s). Drive-in/drive-through uses are discouraged. Shared/structured parking is encouraged. The acceptable housing type within any mixed-use REC project is multifamily, at a density of 16-30 dwelling units per gross acre, less the ER-, Environmental Resource-designated portion of a property. Development in REC projects shall occur according to a phasing plan described in Action Strategy 31 of this chapter. The intent of the phasing plan is that mixed, employment and residential and/or retail uses shall be provided at every stage of the project’s development. Office development in REC 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. A minimum office building height of 4-6 stories is preferred.</p>

EO	<p>Employment Center Office/R&D</p> <ul style="list-style-type: none"> – Preferred Land Use Character: Suburban feel, low-rise buildings, surface parking, suburban open space. – Preferred Uses: Office, office-oriented R&D, labs. – Preferred Density Range: 0.30 FAR minimum to 0.50 FAR maximum (based on land bay areas shown in Figure 2 – Conceptual Land Use Plan) – Preferred Building Height Range: 30 - 75 feet
ED	<p>Employment Center Data Center</p> <ul style="list-style-type: none"> – Preferred Land Use Character: Suburban feel, mid/low-rise buildings, surface parking, suburban open space. – Preferred Uses: Data center, office (integral to primary use) – Preferred Density Range: 0.30 FAR minimum to 0.50 FAR maximum (based on land bay areas shown in Figure 2 – Conceptual Land Use Plan) – Preferred Building Height Range: 30 - 75 feet

The site is located on the west side of Godwin Drive, approximately 400 feet north of University Boulevard.

This is a request to rezone 11.45 acres from A-1, Agricultural to M-2, Light Industrial to consolidate A-1 zoned parcels with surrounding M-2 zoning parcels also owned by the applicant. Of the total land area involved, only 2 acres would be developed. The remaining 9.45 acres, which contain wetlands, floodplain and plans for a future trail will remain as open space.

Proposal’s Strengths

- Zoning Consistency – The requested zoning district, M-2, Light Industrial, would be consistent with the REC land use designation and its EO, Employment Center Office/R&D zoning sub-district designation provided the EO and ED prohibited uses of the TeOD are enforced. The following M-2 uses are proffered out:

Primary Uses

1. Contractor or tradesman’s shop (limited), no trash or refuse removal service.
2. Greenhouse, nursery (wholesale) (not more than twenty (20) percent of the lot area may be devoted to retail garden center uses).
3. Gunsmith shop
4. Recycling collection points, subject to the standards in section 32-250.84.

Secondary Uses

1. Tradesman, or industrial equipment (without showroom)
2. Equipment storage
3. Flea market
4. Marina
5. Recycling materials separation facility

Proposal’s Weaknesses

- Long-Range Land Use Plan –Few details have been provided with this proposal to ascertain whether the property will be developed according to guidance of the EO, Employment Center Office/R&D and ED, Employment Center Data Center designations under the Innovation Sector Plan.

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

Community Design Plan Analysis

An attractive, well-designed County will attract quality development, instill civic pride, improve the visual character of the community and create a strong, positive image of Prince William County. The Community Design Plan sets out policies and action strategies that further the County’s goals of providing quality development and a quality living environment for residents, businesses and visitors, and creating livable and attractive communities. The plan includes recommendations relating to building design, site layout, circulation, signage, access to transit, landscaping and streetscaping, community open spaces, natural and cultural amenities, stormwater management, and the preservation of environmental features. 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.

The subject site is in the Innovation Sector Plan and this proposal is subject to the applicable requirements.

Proposal’s Strengths

- None identified.

Proposal’s Weaknesses

- Site Layout – Other than a landscaping plan for one of the landbays proposed to be rezoned, the GDP did not provide any site layout.
- Architectural Elevations and Details – No details on architecture, signage or lighting were provided.
- Trail was not Escrowed – The Innovation Sector Plan’s Urban Design Action Strategy No. 6 states:

“Develop a network of pedestrian/bike trails throughout the sector plan area to provide alternatives to automobile use. Connect the trail network to the town center.”

On balance, this application is found to be inconsistent 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.

Proposal's Strengths

- Archaeological Study - A Phase I study has been proffered to be submitted at Preliminary site plan approval. Phase II and Phase III studies would also be submitted if findings of the Phase I Study indicate that further investigation is warranted.

Proposal's Weaknesses

- None identified.

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

Environment Plan Analysis

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

The subject site does not contain a Resource Protection Area. The applicant submitted an environmental constraint analysis, however, which exhibits flood plain boundaries and wetlands within Landbay B that will be preserved and complimented with additional buffer plantings as shown on the Landscaping Plan. There are no steep slopes on this site.

This site is located in Subwatershed #280, which drains into the Cannon Branch tributary of Broad Run in the Broad Run watershed. A stormwater management/BMP facility is proposed on Landbay B, along the eastern portion of the site.

Proposal's Strengths

- Open Space – Approximately 82% of the currently A-1 zoned portions is proposed to remain as open space.
- Water Quality – The applicant has proffered 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.
- Floodplain & Wetlands - 100-year floodplain is mapped along the stream which flows along the eastern portion of the site. The floodplain makes up a considerable portion of the site accounting

for approximately 4.2 acres. There is also an existing pond and large areas of wetlands located on this site. The environmentally sensitive areas will remain as open space with enhanced landscaping and buffering.

Proposal's Weaknesses

- None identified.

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

Fire and Rescue Plan Analysis

Quality fire and rescue services provide a measure of security and safety that both residents and businesses have come to expect from the County. The Fire and Rescue Plan sets out policies and action strategies that further the County's goal of 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 Stonewall Jackson Fire and Rescue Station #11. It is estimated that the response time to this site is 4.5-8 minutes, therefore, outside of the recommended response time. The station is currently operating over capacity, however, the Wellington Fire & Rescue station is planned to open in 2011. This should improve the response time to the site.

Proposal's Strengths

- **Level of Service** - The applicant has proffered to provide a monetary contribution in the amount of \$0.61 per square foot in accordance with the policy guidelines.

Proposal's Weaknesses

- **Response Time** – The site is within 4.5 – 8 minute fire and rescue response time.
- **Station Capacity** – The closest station is over capacity. Nevertheless, it should be noted that the Wellington Station is scheduled to open around 2011, and two additional Capital Improvement Plan stations are planned to cover the Innovation Sector Plan areas, one of these is scheduled for 2012.

On balance, this application is found 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.

The methodology for determining equitable monetary contributions for new development is currently under development and will be incorporated into staff analysis upon approval by the Board of County Supervisors.

Proposal's Strengths

- Graffiti – The applicant has proffered to 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 development area of Prince William County and is thereby required to utilize public water to develop. A County approved, adequately sized and appropriately designed cross-connection back-flow prevention device shall be installed on the water service line. This

device shall be on the customer side of the water meter and before any point of use device of the on-site plumbing system.

Per the Service Authority comments: public water is available to the site, however, connection will require construction of off-site facilities. A 12-inch main is available at University Drive, it is stubbed out to the north side of the road near parcel 7695-48-5266. Future onsite water mains are to be extended in such a manner as to provide access to loop closures to adjacent properties. No connection should be made to the City of Manassas water main on Goodwin Drive. Further, additional water main construction may be required in order to provide required fire protection hydrant coverage and fire flows.

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 proffers 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 development area of Prince William County and is required to connect to sewer service. Public sewer is available via parcel 76-48-5266 where a main has been extended for use by this parcel.

The Service Authority will only endorse the approval of this rezoning provided the applicant ensures that no oils, fuels, anti-freeze, solvents or other pollutants or flammable substances are discharged into the public sewer system. An appropriately sized grease trap is to be installed on-site for any restaurant or food preparation facility and properly maintained to prevent grease build-up in the force main or gravity sewer.

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 proffers 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.

Access to the property is proposed from Godwin Drive (private road). Based on the estimated volume of traffic generated from this development, a traffic impact analysis was not required.

The subject parcel fronts Godwin Drive – RTE. 661 on the east side north of its intersection with University Boulevard. 2004 VDOT data indicates an average daily traffic of 630 vehicles on Godwin Drive. The existing level of service (LOS) on Godwin Drive is LOS "B".

Proposal's Strengths

None identified.

Proposal’s Weaknesses

- The applicant has not proffered to escrow or construct a trail along Godwin Drive that is recommended in the Innovation Sector Plan.

The Innovation Sector Plan’s Transportation Action Strategy No. 9 states:

“Each applicant for rezoning, special use permit, or site plan will provide facilities for and commitments toward the phased construction and/or funding for non-motorized transportation facilities and features such as, but not limited to, pedestrian/bike paths, bicycle parking, lockers and rest station facilities.”

- The applicant has opted to defer the following items to final site plan: Widening the private road along their frontage to meet current DCSM standards, a CG-1 entrance into the site will be provided and the GDP will include a parking tabulation. Parking will meet DCSM standards. At that point, the applicant will also provide the vpd at all access points and along all roadways;

On balance, this application is found to be inconsistent 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.

Attachment B – Staff Analysis

- Landscaping - Landscaping/buffering/screening/tree canopy coverage shall meet minimum requirements of the DCSM as well as the proposed GDP and proffers.
- Geotechnical Study – Because the soils are poorly suited for building development a geotechnical study will most likely be required at final site plan.
- Transportation Matters – The private road along the site frontage may need to be widened to meet DCSM standards, distance to intersections will need to be identified, a CG-1 entrance into the site will be required to access the site, a parking tabulation will be required, all parking areas will have to be paved, a bike trail along its boundary with Godwin Drive, Rte. 661 per the Innovation Sector Plan Open Space and Transit and Pedestrian Network Maps will be required and the vpd at all access points and along all roadways will be required.

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:

Service Authority
County Archaeologist
DPW- Environmental
Planning Office, Case Manager
PWC Transportation
VDOT

PROFFER STATEMENT

RE: REZ #PLN2007-00522, Innovation Executive Center
Record Owner: Waterford Innovation, LLC
Property: GPINs 7695-58-1975, 7695-48-5266 (part of) and 7695-59-1206 (part of)
Brentsville Magisterial District
11.45± Acres A-1, Agricultural to M-2, Light Industrial
Date: September 18, 2007

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 below shall be provided at the time of development of the portion of the site served by the improvement, unless otherwise specified. The terms "Applicant" and "Developer" shall include all future owners and successors in interest. For purposes of reference in this Proffer Statement, the General Development Plan shall be that plan prepared by Dewberry & Davis, LLC, dated February 22, 2007, last revised May 29, 2007, entitled "General Development Plan – Innovation Executive Center" ("GDP").

TRANSPORTATION

1. There shall be no direct vehicular access to Godwin Drive (Route 661) from the Property.

USES AND SITE DEVELOPMENT

2. Landbay B, as said land bay is shown on the GDP, shall be open space and may only be disturbed for utility crossings, landscaping, including implementation of the landscaping referenced in proffer #8 herein below, signage, trails and passive recreation. No buildings or parking shall be located on Landbay B.
3. Handicapped parking spaces shall be provided in connection with development of the Property in accordance with the Prince William County Design and Construction Standards Manual.
4. All existing structures located on the Property that are demolished in connection with development of the Property shall be disposed of properly in accordance with applicable County, state and federal regulations.

**Attachment C – Proffer Statement dated
September 18, 2007**

5. All development on the Property shall be incorporated into and made a part of and subject to the Declaration of Conditions, Covenants and Restrictions applicable to the project on the adjacent property, said adjacent property being the balance of the property identified with GPIN's 7695-48-5266 and 7695-59-1206. This proffer is intended to help ensure that development on the Property is coordinated, integrated and compatible with development on the said adjacent property.
6. The following uses shall be prohibited on the Property:
 - a. Contractor or tradesman's shop
 - b. Greenhouse, nursery (wholesale)
 - c. Gunsmith shop
 - d. Recycling collection points
 - e. Equipment storage
 - f. Flea market
 - g. Marina
 - h. Recycling materials separation facility
7. The Applicant shall grant, at no cost to the County, a trail easement to the Prince William Board of County Supervisors for pedestrian and bicycle access. Said easement shall be located within Landbay B and shall generally parallel the Godwin Drive (Rte. 661) frontage of the Property with the exact location of said easement to be determined at the time of final site plan.

COMMUNITY DESIGN

8. Landscaping shall be provided in Landbay B in general accordance with the exhibit entitled "Innovation Executive Center – Landscape Plan", prepared by Dewberry & Davis LLC and dated July 23, 2007. Said landscaping shall include removal of the existing gravel driveway on the Property and the culvert under the driveway. Said landscaping shall be shown on the final site plan for the first building, or portion thereof, on the Property and shall be implemented as a part of said plan.
9. Landscaping provided 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.
10. The Applicant shall 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.

ENVIRONMENT

11. The Applicant shall make a monetary contribution to the Prince William Board of County Supervisors in the amount of \$75.00 per acre to be used for the water quality monitoring and/or stream restoration programs, said contribution to be made at the time of final site plan approval for the corresponding acreage reflected on each site plan.
12. In no event will fuels, oils, solvents or other pollutants or flammable substances be discharged into the public sewer.
13. In the event the uses on the Property involve the handling of petroleum products, chemical waste or other hazardous substances, the owner/operator/tenant of any such business on 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 issuance of any occupancy permits. Said owner/operator 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. Said owner/operator shall assume full responsibility for the costs incurred in the clean up of such spill.
14. Stormwater management practices shall be provided on site or off-site as approved by the County in connection with the adjacent property, said adjacent property being the balance of the property identified with GPIN's 7695-48-5266 and 7695-59-1206.

CULTURAL RESOURCES

15. The Applicant shall retain a qualified professional archeologist to perform a Phase I cultural resource investigation as defined by the Virginia Division of Historic Resources to identify all archaeological and architectural resources on the Property. Two (2) copies of the report documenting the results of the survey shall be submitted to the Planning Director no later than with the approval of the Sketch Plan or Preliminary Plan for development on the Property. In the event the findings of the Phase I study indicate that further investigation is warranted and the site(s) recommended for Phase II work will be disturbed, a Phase II evaluation shall be conducted on such site or sites. The Phase II investigation shall include an oral history provided from interviews with Everett Kline and Roy Parker and the information provided from the interviews shall be incorporated into the historical context of the Phase II report. Three (3) copies of the Phase II report shall be submitted to the Planning Director prior to and as a condition of final site plan approval for the portion of the Property on which such site(s) is located. In the event the Phase II study determines a site is significant, and such site is to be disturbed, the Applicant shall conduct a Phase III data recovery on such site and submit three (3) copies of a report to the Planning Director documenting the results.

**Attachment C – Proffer Statement dated
September 18, 2007**

FIRE AND RESCUE

16. 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) in any building or portion of building constructed on the Property, excluding parking structure, to be used for fire and rescue purposes. Said contribution shall be paid prior to and as a condition of the issuance of a building permit release letter for each building constructed on the Property and the amount paid shall be based on the gfa in each building or portion of building located on the Property.

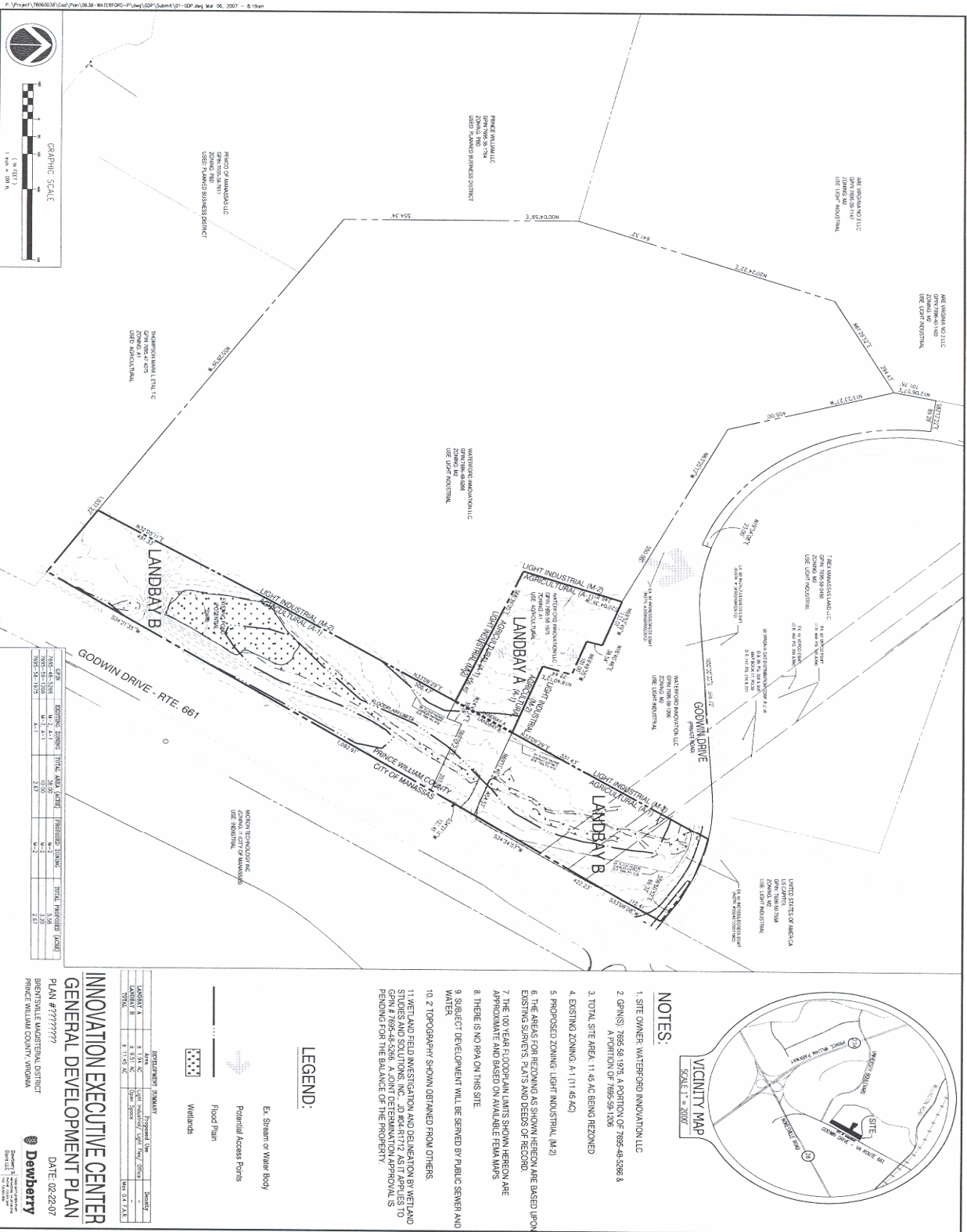
WATER AND SEWER

17. 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.
18. Acceptance and approval of this rezoning application by the Board of County Supervisors authorizes extension and construction of water and sewer lines and facilities necessary to serve this property pursuant to the Virginia Code Section 15.2-2232 and the Prince William County Code Section 32-201.13.1.

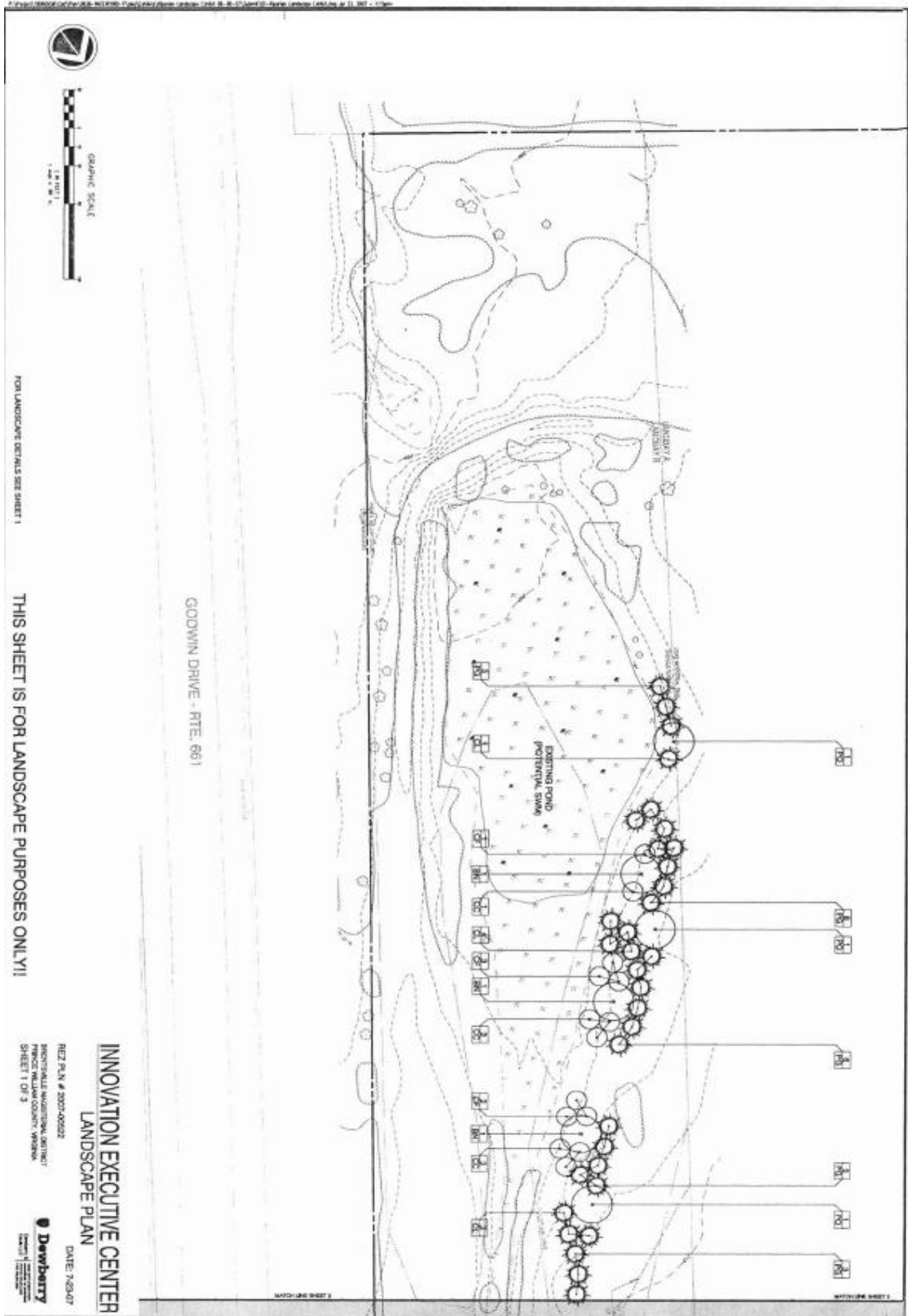
MISCELLANEOUS

19. 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 C – Generalized Development Plan dated February 22, 2007

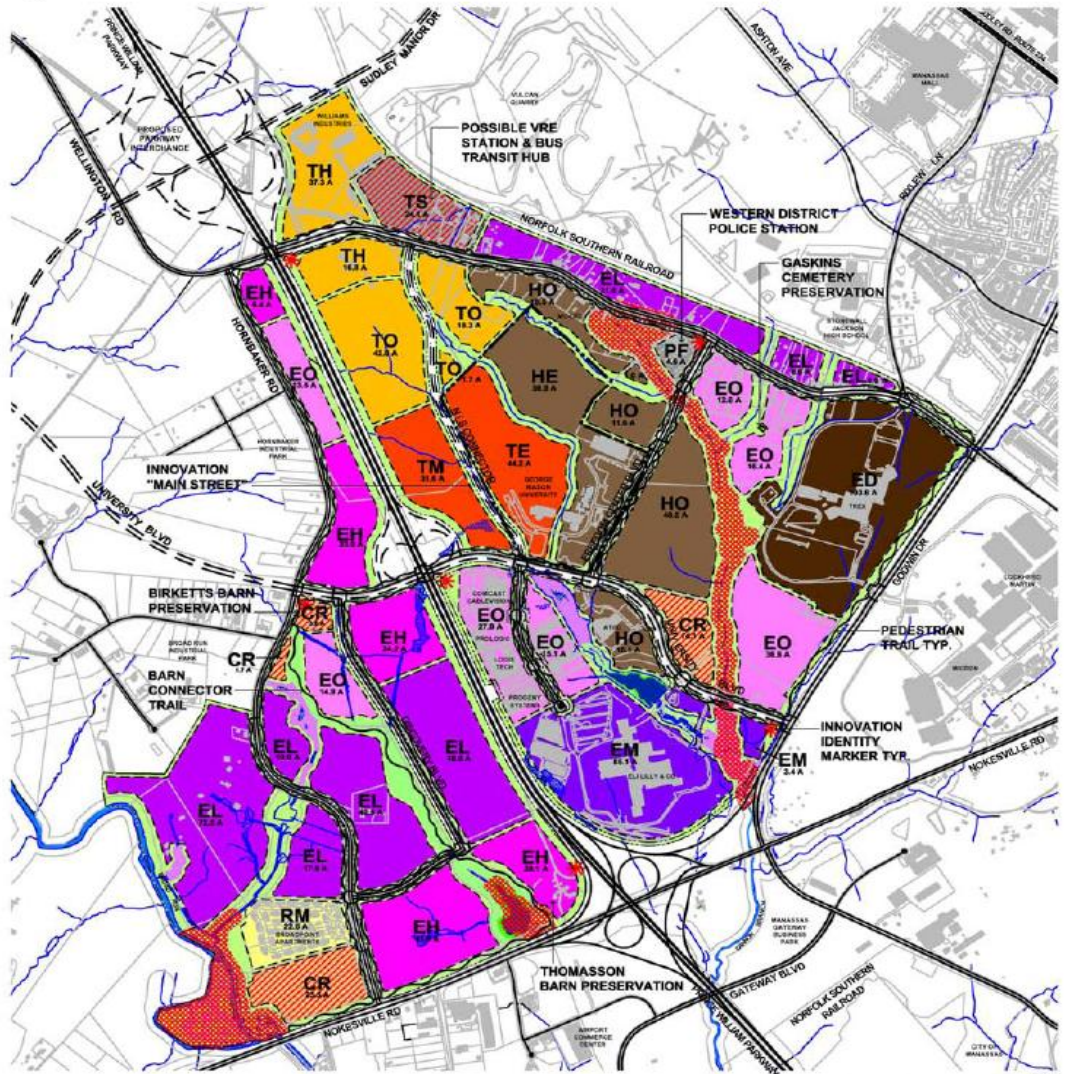


Attachment F – Innovation Sector Conceptual Land Use Plan



Attachment F – Innovation Sector Conceptual Land Use Plan

Figure 2 Conceptual Land Use Plan



Legend of Zoning Subdistricts

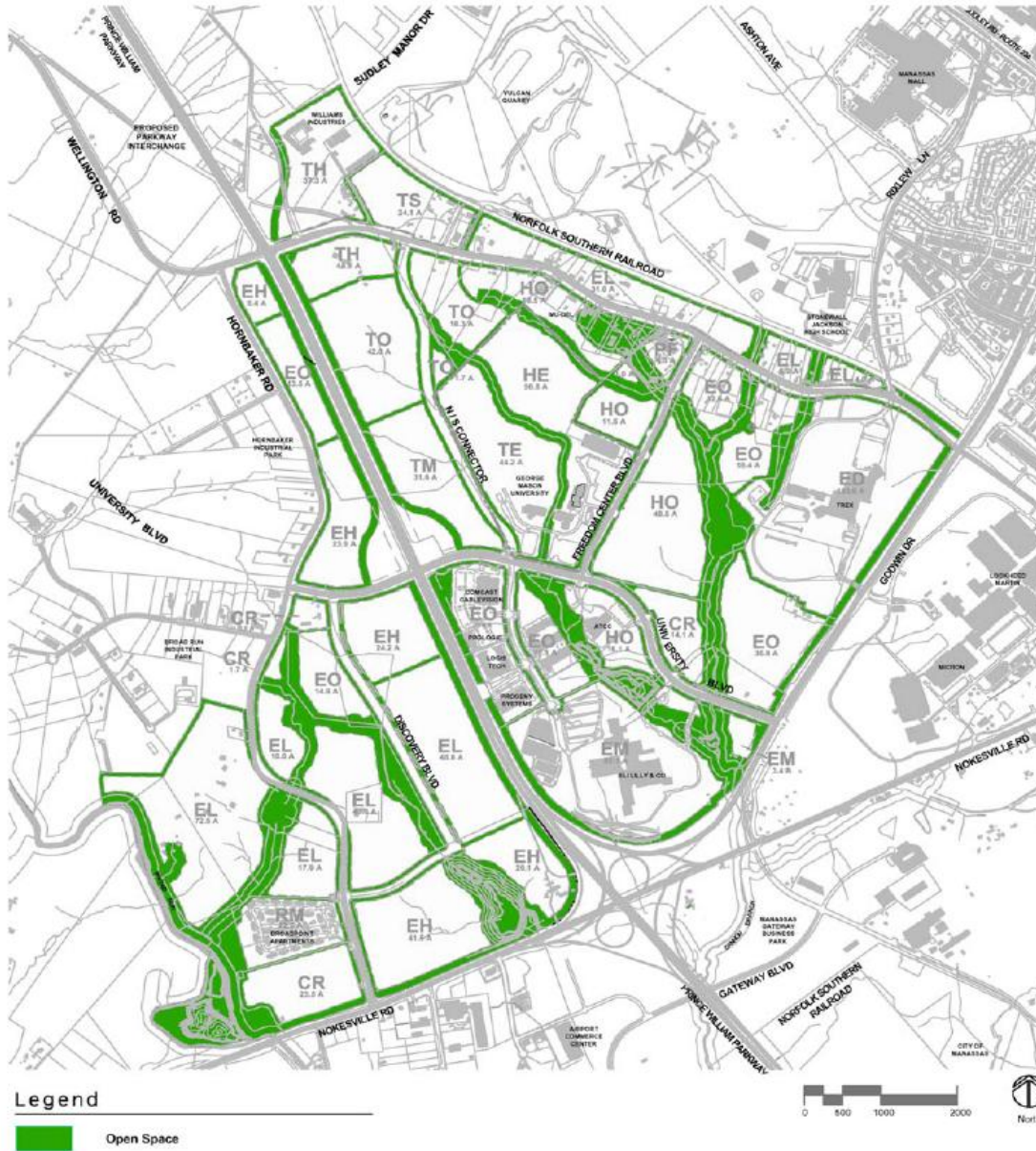
Town Center		Employment Center	
TM - Town Center Mixed Use	33.8 A	HO - Higher Education Office/R&D	95.7 A
TH - Town Center Office/R&D High Profile	54.1 A	EH - Employment Center Office/R&D High Profile	116.1 A
TO - Town Center Office/R&D	62.9 A	EO - Employment Center Office/R&D	137.2 A
Higher Education		EL - Employment Center R&D/Light Manufacturing	232.2 A
TE - Town Center Higher Education	44.2 A	EM - Employment Center R&D/Manufacturing	88.6 A
HE - Higher Education	50.8 A	ED - Employment Center Data Center	103.6 A
		Support Commercial	
		CR - Commercial/Retail	37.6 A
		Public Facilities	
		TS - Town Center Transit Station	24.1 A
		PF - Public Facilities	4.6 A
		OS - Open Space/Innovation Identity	435.0 A
		Residential (Non-Town Center)	
		RM - Residential Multifamily	22.6 A
		Total	1546.0 A

This map and associated components cannot be interpreted separately from the Comprehensive Plan Text.

Attachment G – Innovation Sector Open Space Plan

Figure 6

Open Space Plan



This map and associated components cannot be interpreted separately from the Comprehensive Plan Text.

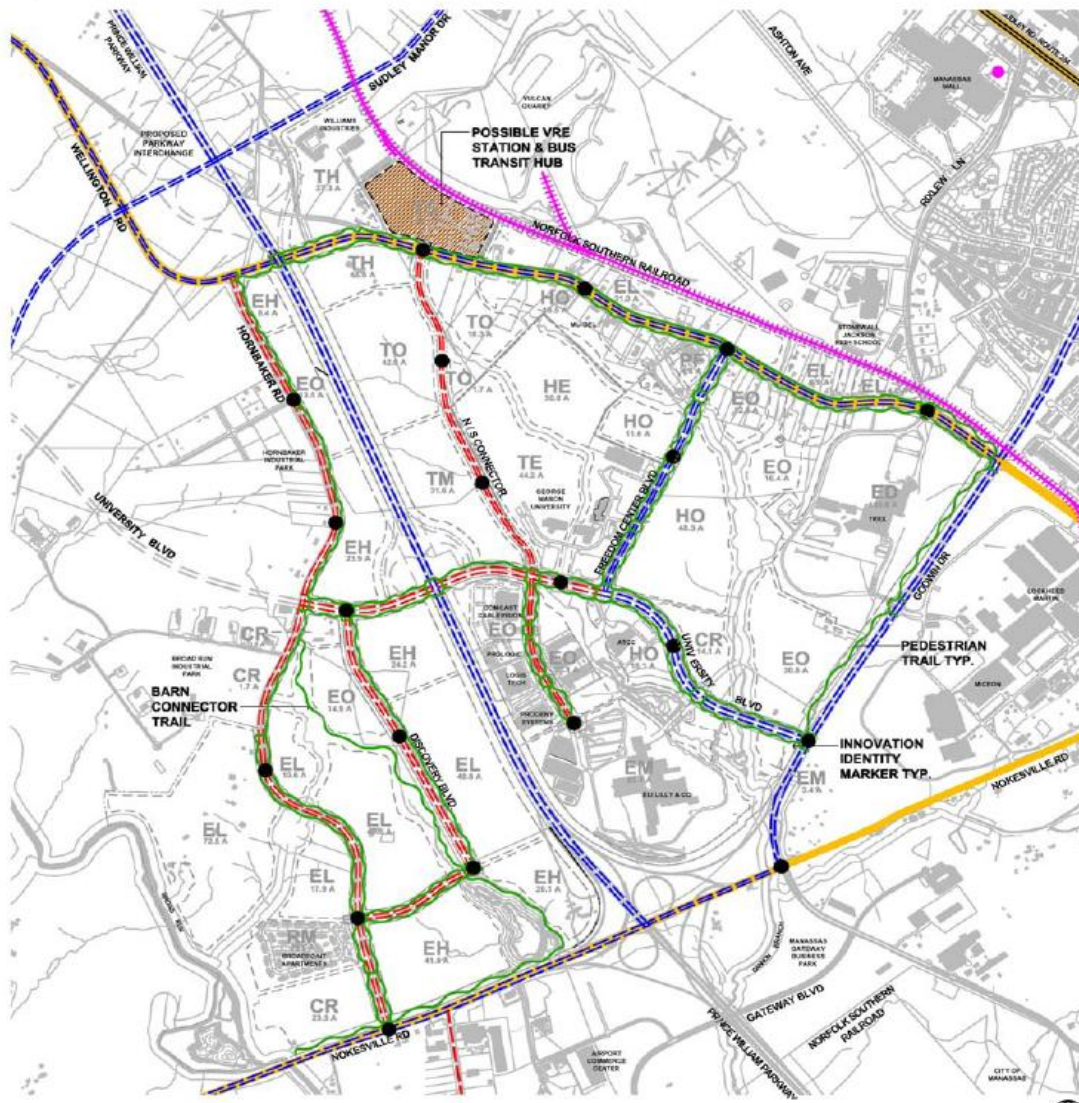
Attachment H – Innovation Sector Plan Transit & Pedestrian Network Map

Innovation

PRINCE WILLIAM COUNTY 2003 COMPREHENSIVE PLAN

From the Piedmont to the Potomac

Figure 8 Transit & Pedestrian Network Map



Legend

- PWC Comprehensive Plan Transit Corridor
- Existing Rail Line
- Existing PRTC Omni Link Route
- Potential PRTC Omni Link Route
- Possible PRTC Omni Link and/or Innovation Shuttle Route
- Possible PRTC Omni Link and/or Innovation Shuttle Station
- Existing PRTC Commuter Lot
- Proposed Bike Trail

* Source:
Potomac & Rappahannock Transportation Commission
Bus Strategic Plan - October 2004
Prince William County 2003 Comprehensive Plan
Transit Improvement Plan - June 2003



This map and associated components cannot be interpreted separately from the Comprehensive Plan Text.

September 6, 2005

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