

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

PROFFER STATEMENT

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

Date: August 11, 2022

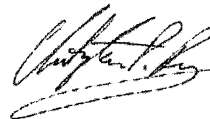
The undersigned hereby proffers that the use and development of the subject Property shall be in strict conformance with the following conditions. In the event the above-referenced rezoning is not granted as applied for by the Applicant, these proffers shall be withdrawn and are null and void. The headings of the proffers set forth below have been prepared for convenience or reference only and shall not control or affect the meaning or be taken as an interpretation of any provision of the proffers. Any improvements proffered herein below shall be provided at the time of development of the portion of the site served by the improvement, unless otherwise specified. The terms "Applicant" and "Developer" shall include all future owners and successors in interest.

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

USES & SITE DEVELOPMENT

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

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

COMMUNITY DESIGN

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

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

TRANSPORTATION

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

FIRE AND RESCUE

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

ENVIRONMENT

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

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

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

WATER AND SEWER

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

MISCELLANEOUS

20. In the event the monetary contributions set forth in the Proffer Statement are paid to the Prince William County Board of County Supervisors ("Board") within eighteen (18) months of the approval of this rezoning, as applied for by the Applicant, said contributions shall be in the amounts as stated herein. Any monetary contributions set forth in this Proffer Statement which are paid to the Board after eighteen (18) months following the approval of this rezoning shall be adjusted in accordance with the Urban Consumer Price Index ("CPI-U") published by the United States Department of Labor, such that at the time contributions are paid they shall be adjusted by the percentage change in the CPI-U from that date eighteen (18) months after the approval of this rezoning to the most recently available CPI-U to the date the contributions are paid subject to a cap of 6 percent (6%) per year, noncompounded.

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[SIGNATURES APPEAR ON FOLLOWING PAGES]

SIGNATURE PAGE

Corner Properties, LLC



J. Erick Finley, Manager

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