

**County of Fairfax, Virginia
Planning Commission Meeting
July 19, 2017
Verbatim Excerpt**

SE 2016-MA-023 ARCLAND PROPERTY COMPANY, LLC – Appl. under Sect. 9-618 of the Zoning Ordinance to permit an increase in permitted Floor Area Ratio. Located at 5407, 5411 and 5415 Industrial Dr., Springfield, 22151 on approx. 2.26 ac. of land zoned I-6. Tax Map 80-2 ((1)) 53 and 54 and 80-2 ((3)) 20. (Concurrent with RZ 2016-MA-029). (Mason District)

RZ 2016-MA-029 ARCLAND PROPERTY COMPANY, LLC – Appl. to rezone from I-6 and R-2 to I-6 to permit a Mini-Warehousing Establishment with an overall Floor Area Ratio (FAR) of 1.0. Located on the S. side of Edsall Rd., N. side of Industrial Dr., W. of the Henry G. Shirley Memorial Hwy. on approx. 2.26 ac. of land. Comp. Plan Rec: Industrial. Tax Map 80-2 ((1)) 53 and 54 and 80-2 ((3)) 20. (Concurrent with SE 2016-MA-023). (Mason District)

After close of the Public Hearing

Commissioner Strandlie: Great. Thank you, Mr. Chairman. Before I go to the motion, I just wanted to mention that I have been discussing with the applicant the addition of a traffic signal preemption device. That conversation is ongoing and the site is near a fire station, so that would be an important thing to consider and we look forward to this discussion going on before the Board when considering this application. So, with that...

Chairman Murphy: We need to have the applicant come up...

Commissioner Strandlie: Yes. Can you request that the applicant confirm for the record agreement to the proposed development conditions dated July 11th, 2017?

Andrew A. Painter, Walsh, Colucci, Lubeley, & Walsh, PC: On behalf of the applicant, we have read, agree – or read, understand, and agree to those conditions.

Commissioner Strandlie: Thank you. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE FOLLOWING: APPROVAL OF RZ 2016-MA-029, TO REZONE THE PROPERTY FROM AN R-2 AND I-6 DISTRICTS TO THE I-6 DISTRICT, TO ALLOW THE CONSTRUCTION OF A 138 THOUSAND SQUARE FEET MINI-WAREHOUSING ESTABLISHMENT, SUBJECT TO EXECUTION OF PROFFERS CONSISTENT WITH THOSE CONTAINED IN APPENDIX 1 OF THE STAFF REPORT.

Commissioner Hedetniemi: Second.

Chairman Murphy: Seconded by Ms. Hedetniemi. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ 2016-MA-029, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Strandlie: APPROVAL SE 2016-MA-023, TO INCREASE THE FAR FOR A PROPOSED MINI-WAREHOUSING ESTABLISHMENT TO ONE 1.0, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS, DATED JULY 11, 2017.

Commissioner Hedetniemi: Second.

Chairman Murphy: Seconded Ms. Hedetniemi. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2016-MA-023, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Strandlie: APPROVAL OF THE WAIVERS CONTAINED IN THE HANDOUT DISTRIBUTED TO YOU THIS EVENING, DATED JULY 19TH, 2017.

Commissioner Hedetniemi: Second.

Chairman Murphy: Seconded Ms. Hedetniemi. Discussion? All those in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Strandlie: Thank you very much. Thank you for everyone's hard work on this and thank you for – this was a consolidated case in a land mass that they had to add on to an original spot to make this application work and we greatly appreciate your taking the extra steps on that. Thank you.

Chairman Murphy: Thank you very much.

The motion carried by a vote of 11-0. Commissioner Keys-Gamarra was absent from the public hearing.

SL

PROFFERS

ARCLAND PROPERTY COMPANY, LLC

RZ 2016-MA-029

July 6, 2017

Pursuant to § 15.2-2303 (a) of the Code of Virginia, 1950, as amended, and subject to the Board of Supervisors approving a rezoning of Tax Map #80-2 ((1)) 53, 80-2 ((1)) 54, and 80-2 ((3)) 20 (hereinafter, jointly, the "Property") from the R-2 and I-6 zoning district to the I-6 zoning district in its entirety, Arcland Property Company, LLC (hereinafter referred to as the "Applicant"), for the owner, itself, and its successors and assigns, hereby proffers to the following conditions in conjunction with a Generalized Development Plan-Special Exception Plat (hereinafter referred to as the "GDP/SE Plat"), identified below. If accepted, these proffers shall replace and supersede any previous proffers approved on the Property.

I. DEVELOPMENT SCOPE & PLAT

- A. GDP/SE Plat. In accordance with § 18-204 of the Zoning Ordinance of Fairfax County (1978, as amended) (the "Zoning Ordinance"), development of the Property shall be in substantial conformance with the GDP/SE Plat titled "Industrial Drive Self-Storage," consisting of 10 sheets, prepared by Land Design Consultants, Inc., dated October, 2016, and revised through June 7, 2017
- B. Minor Modifications. Pursuant to § 18-204 of the Zoning Ordinance, minor modifications from the GDP/SE Plat may be permitted as determined by the Zoning Administrator.
- C. Development Scope. The Property may be developed with up to a maximum of 138,000 square feet consisting of self-storage (mini-warehouse) uses on the Property (the "Mini-Warehouse Facility"), in addition to accessory office, parking, and loading areas. Uses may also include any uses permitted by special exception or special permit in the I-6 zoning district provided that approval of the requisite special exception or special permit shall have been obtained in accordance with the Zoning Ordinance prior to establishment of such use, and that said uses do not impact any use/feature approved on the GDP/SE Plat.
- D. Density Credit. Density credit is reserved consistent with § 2-308 of the Zoning Ordinance for all eligible dedications described herein or as may be required by Fairfax County or the Virginia Department of Transportation ("VDOT") pursuant to the Public Facilities Manual ("PFM"), at or prior to time of site plan approval.
- E. Fence Replacement. In the event the existing chain link fence along the Property's Edsall Road frontage is replaced in the future, any replacement fence shall be in the same location as the existing fence.

- F. Industrial Drive Sidewalk. The Applicant shall construct, subject to VDOT and FCDOT approval, an eight foot-wide asphalt sidewalk along the Property's Industrial Drive frontage as depicted on Sheet 3 of the GDP/SE Plat. Said sidewalk, irrespective of its location within or outside of the public right-of-way, shall be maintained by the Applicant, and shall be constructed in accordance with VDOT or Public Facilities Manual ("PFM") standards, unless modified or waived by VDOT or the County, as applicable. Said sidewalk shall be constructed prior to the approval of the issuance of a Non-RUP for the Mini-Warehouse Facility.
- G. Landscaping. The Applicant shall implement the landscape design for the Property shown on Sheets 5 and 5A of the GD/SE Plat titled "Landscape Plan" and "Landscape Notes & Details" (jointly, the "Landscape Plan"), which illustrate the plantings, open space, tree buffers, and other features to be provided on the Property. The Landscape Plan is conceptual in nature and the tree species and planting locations may be modified by the Applicant as part of final engineering and design for the Mini-Warehouse Facility subject to approval by the Fairfax County Urban Forest Management Division ("UFMD"), provided such modifications: (a) provide a similar quality and quantity of landscaping as that shown on the Landscape Plan, and (b) otherwise are in substantial conformance with the GD/SE Plat. All landscaping shall be installed prior to the issuance of the first Non-Residential Use Permit ("Non-RUP") for the Mini-Warehouse Facility.
1. Project Arborist/Pre-construction Meeting. Prior to the pre-construction meeting for the Mini-Warehouse Facility, the Applicant shall have the approved limits of clearing and grading flagged with a continuous line of flagging. The Applicant shall retain the services of a Certified Arborist or Registered Consulting Arborist (the "Project Arborist") to attend the pre-construction meeting to review the limits of clearing and grading with a UFMD representative to determine where adjustments to the clearing limits can be made to increase the area of the tree preservation and/or to increase the survivability of trees at the limits of clearing and grading. Such adjustments shall be recorded by the Project Arborist and tree protection fencing shall be implemented under the Project Arborist's supervision based on these adjustments.
 2. Tree Protection Fencing. The Applicant shall provide appropriate tree protection devices, based on site conditions and proposed construction activities as reviewed and approved by UFMD. Tree protection fencing shall consist of four-foot high welded wire attached to six-foot steel posts driven 18 inches into the ground and spaced no further than 10 feet apart; or super silt fence.
 3. Tree Preservation Measures. Tree preservation measures shall be clearly identified, labeled, and detailed on the Erosion and Sediment Control Plan

and Tree Preservation Plan sheets of the GDP/SE Plat. Tree preservation measures may include, but are not limited to the following: root pruning, crown pruning, mulching, watering, etc. Specifications shall be provided on the plan detailing how preservation measures shall be implemented. Tree preservation activities shall be completed during implementation of Phase 1 of the Erosion and Sediment Control Plan.

4. Demolition. The demolition of all existing structures and site features within or adjacent to tree preservation areas shall be accomplished in the least disruptive manner practical as reviewed and approved by UFMD. All tree protection fencing shall be in place and verified by a County representative prior to commencement of demolition activities.
 5. Site Monitoring. The Project Arborist shall be present on site during implementation of the Phase 1 Erosion and Sediment Control Plan and monitor any construction activities conducted within or adjacent to areas of trees to be preserved. Construction activities include, but may not be limited to clearing, root pruning, tree protection fence installation, vegetation/tree removal, and demolition activities. During implementation of the Phase 2 Erosion and Sediment Control Plan, the Project Arborist shall visit the site on a regular basis to continue monitoring tree preservation measures and ensure that all activities are conducted as identified in the Tree Preservation Plan and approved by UFMD. Written reports shall be submitted to UFMD and Site Development and Inspections Division site inspector detailing site visits. A monitoring schedule and Project Arborist reports shall be described and detailed in the Tree Preservation Plan.
 6. Landscape Planting Pre-installation Meeting. Prior to installation of any plants to meet the requirements of the approved landscape planting plan, the contractor/developer shall coordinate a pre-installation meeting on the site with the landscape contractor, UFMD staff, and any additional appropriate parties. Any proposed changes to planting locations, tree/shrub planting sizes, and species substitutions shown on the approved plan shall be reviewed and must be approved by UFMD staff prior to planting. The installation of plants not approved by UFMD may require the submission of a revision to the landscape plan or removal and replacement with approved trees/shrubs prior to bond release for the Property.
- H. Soil Remediation. Soil in planting areas that contain construction debris and rubble, are compacted or are unsuitable for the establishment and long-term survival of landscape plants, shall be the subject of remedial action to restore planting areas to satisfy cultural requirements of trees, shrubs and groundcovers specified in the landscape planting plan. The Applicant shall provide notes and

details specifying how the soil will be restored for the establishment and long-term survival of landscape plants for review and approval by UFMD.

Additionally, an analysis of the topsoil to be used in planting areas including pH factor, salinity, percentage of organic content, and soil classification shall be provided. Recommendations on type and quantity of additives required to establish a satisfactory pH and bring the supply of nutrients to a level satisfactory for sustaining the proposed landscaping shall be provided if applicable.

Soil remediation may include Soil Profile Rebuilding specifications as described within the document by Susan Day of Virginia Tech, "Soil Profile Rebuilding," that is included as Exhibit I, or by similar techniques as may otherwise be reviewed and approved by UFMD, shall be provided by the Applicant for the transitional screening yards, peripheral parking landscaping strips, interior parking lot landscaping tree islands, and the proposed amenity area on the Property at the time of first site plan approval for the Property. Soil Profile Rebuilding shall include a subsoiling procedure, the addition of organic matter in the form of compost, the replacement or addition of topsoil, and planting. Once Soil Profile Rebuilding is complete, all vehicular traffic and equipment, with the exception of lawn mowers, and storage of materials on areas subject to Soil Profile Rebuilding shall be prohibited. Foot traffic for the purposes of planting, mulching, weeding, mowing, and property maintenance shall be permitted within the areas of Soil Profile Rebuilding.

Soil used in proposed planting or landscaping areas shall not contain herbicides, heavy metals, toxins, or hydrocarbons that will adversely affect plant growth or are at levels exceeding Environmental Protection Agency standards for soil contaminants. The Applicant shall provide documentation that the proposed planting areas have been evaluated for the presence of contaminants and determined to be acceptable to plant health and the environment, including any contaminated soil discovered during the course of development.

- I. Stormwater Management. As part of the first site plan approval for the Property, the Applicant shall demonstrate that development on the Property will meet applicable PFM requirements for stormwater quantity and stormwater quality in effect at the time of the first site plan approval for the Property. The site plan shall include strategies for addressing both water quantity and water quality management issues, including detailed mitigation measures to be implemented as part of construction. Stormwater detention facilities, Best Management Practices ("BMPs") facilities, and/or Low Impact Development ("LID") facilities shall be provided in an appropriate system per the PFM and may include, but are not limited to, an underground detention vault or similar facility, bio-retention areas, pervious pavement, and manufactured filtering devices. The specific stormwater management facilities shall be identified at the time of the first site plan approval

for the Property and approved by the Fairfax County Land Development Services "LDS")

J. Site Assessment. Due to the previous use of the Property as a vehicle sale, rental and ancillary service establishment, the Property has been the subject a Phase I Environmental Site Assessment (the "ESA") dated January 18, 2017 and a Geotechnical Engineering Report dated May 6, 2016 (the "Geotechnical Report"), both of which were prepared by DMY Engineering Consultants, Inc. The Applicant shall demonstrate that the ESA report and the Geotechnical Report are still valid per the most current ASTM E-1527. The Applicant shall provide documentation that the following ESA recommendations have been accomplished:

1. All containers of petroleum, hydraulic, lubricant, and automotive maintenance products should be properly disposed of in accordance with state and federal regulations.
2. As part of any structure renovations or demolitions, asbestos-containing materials should be abated in accordance with state and federal regulations.
3. The used oil and kerosene underground storage tanks should be removed, the underground storage tank contents properly disposed of, and a closure assessment shall be performed in accordance with state and federal regulations.
4. Any petroleum-impacted soil and groundwater encountered during construction excavations should be managed in accordance with state and federal regulations.

As may be applicable, the Applicant shall provide documentation from the Virginia Department of Environmental Quality to LDS and the Environment and Development Review Branch ("EDRB") prior to issuance of the Non-RUP for the Mini-Warehouse Facility. Prior to site plan approval for the Property, a geotechnical study shall be submitted to LDS for review and approval. The geotechnical study may be referred to the County's Geotechnical Review Board for its review and recommendation at the discretion of LDS.

In the event that any ground water monitoring wells exist on the Property, then the well must be properly abandoned if it will no longer be used. The Fairfax County Health Department (the "Health Department") issues a permit to abandon ground water wells; thus, the Applicant shall submit an application to the Health Department to close the well. Upon closure, the Applicant shall provide the Health Department documentation that the well has been closed.

II. GREEN BUILDING

The Applicant shall select one of the following programs to be implemented and will inform EDRB of the Department of Planning and Zoning of DPZ which program the Applicant has chosen as part of building plan submission for the Mini-Warehouse Facility:

- A. LEED New Construction If the Applicant selects the Leadership in Energy and Environmental Design–New Construction ("LEED-NC") rating system, then the Applicant shall pursue certification for the Mini-Warehouse Facility under the most recent version of the LEED for Building Design and Construction, New Construction Rating System ("LEED BD+C-NC") rating system, other LEED rating system for which the project meets the eligibility requirements, or another equivalent rating system, with approval by EDRB.
 1. Project Checklist. The Applicant will include, as part of the building plan submission for the Mini-Warehouse Facility, a list of specific credits within the applicable LEED BD+C rating system that the Applicant anticipates attaining for the Mini-Warehouse Facility. A LEED AP who is also a professional engineer or licensed architect will provide project scorecard updates at the time of building plan review for the Mini-Warehouse Facility confirming that the items on the list will meet at least the minimum number of credits necessary to attain LEED Certification for the Mini-Warehouse Facility.
 2. County Team Member. In addition, the Applicant will designate the Chief of EDRB as a team member in the USGBC's LEED Online system. This team member will have privileges to review the project status and monitor the progress of all documents submitted by the project team, but will not be assigned responsibility for any LEED credits and will not be provided with the authority to modify any documentation or paperwork.
 3. Green Building Escrow. The Applicant shall, prior to building plan approval, post a "Green Building Escrow" in the form of cash or a letter of credit from a financial institution authorized to do business in the Commonwealth of Virginia in the amount of \$2 per gross square foot of the Mini-Warehouse Facility. The Green Building Escrow will be in addition to, and separate from, other bond requirements and will be released upon demonstration of attainment of LEED Certification, or higher level of certification, by the USGBC, under the applicable version of the LEED BD+C rating system. The provision to the EDRB of documentation from the USGBC that the Mini-Warehouse Facility have attained LEED Certification will be sufficient to satisfy this commitment.
 4. Waiver of Green Building Escrow. If the Applicant, prior to building plan approval for the Mini-Warehouse Facility and prior to the posting of the

Green Building Escrow pursuant to Proffer II.A.3, submits documentation to the EDRB from the USGBC's design final review portion of the split review process, demonstrating that the Mini-Warehouse Facility is anticipated to attain a sufficient number of design-related credits that, along with anticipated construction-related credits, will be sufficient to attain LEED Silver, the requirement for posting the Green Building Escrow shall be waived. In the event the Applicant is unable to provide said documentation, or in the event the design final review portion of the split review process is incomplete at the time of building plan approval, then the Applicant shall be required to post the Green Building Escrow.

5. Release of Green Building Escrow. The Green Building Escrow shall be released in accordance with the following:
 - i. If the Applicant is able, subsequent to building plan approval, to provide the USGBC's documentation of the design final review portion of the split review process as described above demonstrating that the Mini-Warehouse Facility is anticipated to attain LEED Silver, the County shall release the entirety of the Green Building Escrow to the Applicant. Prior to release of the bond for the project, the Applicant shall provide documentation to the EDRB demonstrating the status of attainment of LEED Silver from the USGBC for the Mini-Warehouse Facility.
 - ii. If, prior to bond extension, reduction or final bond release for the Property, whichever occurs first, the Applicant provides to the EDRB documentation demonstrating that LEED Certification for the Mini-Warehouse Facility have been attained, the entirety of the Green Building Escrow shall be released to the Applicant. If the certification is still in progress at the time of application for the bond extension or reduction, the time frame for the provision of the documentation described above shall be automatically extended to the time of the next bond extension or reduction. However, the documentation must be provided prior to the final bond release for the Property.
 - iii. If prior to bond extension, reduction, or final bond release for the Property, whichever occurs first, the Applicant provides to the EDRB, documentation demonstrating that LEED Certification for the Mini-Warehouse Facility has not been attained but that the building has been determined by the USGBC to fall within three points of the attainment of LEED Certification, fifty percent of the Green Building Escrow will be released to the Applicant; the other fifty percent will be released to Fairfax County and will be posted to a fund within the County budget supporting the implementation

of County environmental initiatives. If the certification is still in progress at the time of application for the bond extension or reduction, the time frame for the provision of the documentation described above shall be automatically extended to the time of the next bond extension or reduction. However, the documentation must be provided prior to the final bond release for the Property.

- iv. If prior to bond extension, reduction, or final bond release for the Property, whichever occurs first, the Applicant fails to provide to the EDRB documentation demonstrating the attainment of LEED Certification or demonstrating that the Mini-Warehouse Facility has fallen short of LEED Certification by three points or less, the entirety of the Green Building Escrow will be released to Fairfax County and will be posted to a fund within the County budget supporting the implementation of County environmental initiatives. If the certification is still in progress at the time of application for the bond extension or reduction, the time frame for the provision of the documentation described above shall be automatically extended to the time of the next bond extension or reduction. However, the documentation must be provided prior to the final bond release for the Property.

- 6. Extension of Time. If the Applicant provides documentation from the USGBC demonstrating, to the satisfaction of EDRB, that USGBC's completion of the review of the LEED Certification application for the Mini-Warehouse Facility have been delayed through no fault of the Applicant, the Applicant's contractors or subcontractors, the time frame may be extended as determined appropriate by the Zoning Administrator, and no release of escrowed funds shall be made to the Applicant or to the County during the extension.

- B. EarthCraft Light Commercial. If the Applicant selects EarthCraft, then the Applicant shall, prior to issuance of the building permit for the Mini-Warehouse Facility, provide documentation from the assigned EarthCraft Light Commercial ("ECLC") project manager demonstrating that the Mini-Warehouse Facility has had both the ECLC Design and Planning Review and the ECLC Pre-Construction Meeting, and is meeting all requirements to obtain ECLC certification. Prior to issuance of the Non-RUP for the Mini-Warehouse Facility, the Applicant shall provide documentation from the assigned ECLC Project Manager demonstrating that the project has met all requirements pertaining to the ECLC Final Site Visit and has applied for the ECLC certification.

- C. Alternative Program. Where the Applicant has provided evidence sufficient for EDRB to find that an alternative green building program that is administered by

an independent third party or a proprietary program that has demonstrated equivalence to LEED or another independent third party rating system, other than the foregoing programs, will ensure that equivalent environmental and energy efficiency will be achieved in the project, the Zoning Administrator may approve the use of such alternative program, subject to such conditions as may be reasonably necessary to ensure that the alternative program will achieve the goals of this Proffer II.

III. MISCELLANEOUS

- A. Successors and Assigns. These proffers will bind and inure to the benefit of the Applicant and its successors and assigns. Each reference to "Applicant" in this proffer statement shall include within its meaning and shall be binding upon Applicant's successor(s) in interest and/or developer(s) of the site or any portion of the site.
- B. Counterparts. These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original document and all of which taken together shall constitute but one in the same instrument.
- C. Timing. Notwithstanding the foregoing, upon demonstration that, despite diligent efforts or due to factors beyond the Applicant's control, proffered commitments have been delayed beyond the timeframes specified herein, the Zoning Administrator may agree to a later date for completion of such commitments.
- D. Future Applications. Any portion of the Property may be the subject of a rezoning, special exception, special permit, variance, or other zoning action without the joinder and/or consent of The Applicant of the other land area(s), provided that such application complies with § 18-204 (6) of the Zoning Ordinance and § 15.2-2302 of the Code of Virginia, as applicable. Previously approved proffered conditions or development conditions applicable to a particular portion of the Property that are not the subject of such an application shall remain in full force and effect.

[SIGNATURES APPEAR ON FOLLOWING PAGES]

APPLICANT/CONTRACT PURCHASER OF
TAX MAP 80-2 ((3)) 20

ARCLAND PROPERTY COMPANY, LLC

By: Noah B. Mehrkam
Its: Sole Member

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNER OF
TAX MAP 80-2 ((1)) 53 and 54

5415VA, LLC

By: Arcland Property Company, LLC,
Its Managing Member

By: Noah B. Mehrkam
Its: Managing Member

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNERS OF
TAX MAP 80-2 ((3)) 20

Noah B. Mehrkam, agent and attorney-in-fact for Mohammad Nadir Atash

Noah B. Mehrkam, agent and attorney-in-fact for Mohammad Hussain

Noah B. Mehrkam, agent and attorney-in-fact for Mohammad Islam Waseq

[SIGNATURES END]

PROPOSED DEVELOPMENT CONDITIONS

SE 2016-MA-023

Arcland Property Company, LLC

July 11, 2017

If it is the intent of the Board of Supervisors to approve Special Exception SE 2016-MA-023, located at Tax Map 80-2 ((1)) 53, 80-2 ((1)) 54, and 80-2 ((3)) 20 to increase the FAR for a proposed mini-warehousing establishment from the maximum permitted 0.5 to 1.0 in accordance with the provisions of Sect. 9-618 and Sect. 5-607 (3) of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Land Development Services (LDS). Any plan submitted pursuant to this special exception shall be in substantial conformance with the special exception (SE) plat entitled "Industrial Drive Self-Storage" prepared by LDC, dated June 19, 2017, consisting of 12 sheets, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. The building facade shall be consistent with the architectural elevations provided on the SE Plat, in terms of building materials and style. The primary colors of the structure shall be limited to the following: the size and color of the masonry materials shall be equivalent to a 4"-tall masonry unit with a Basis Of Design (subject to availability and like kind substitution) of: OldCastle QuikBrik Promenade Blend, Marous Blend, or a red Hanson brick. The color of the accent features shall be subdued earth tones, including architectural metal panels, as generally depicted on the architectural elevations.
5. All new windows shall have no reflective glazing.
6. Crosswalks shall be provided across both driveway entrances to help facilitate safe pedestrian and bicycle circulation in the area.

7. All fences shall be maintained in good order and repaired as necessary along all property lines.
8. Signage shall be in conformance with Article 12 of the Zoning Ordinance. No pole-mounted signs shall be permitted. No temporary signs (including "popsicle" style paper or cardboard signs), and no signs which are prohibited by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia shall be placed on-site or off-site.
9. There shall be no advertising signage and/or promotional displays including banners, flags, inflated balloons, or figures displayed on the roof, the external sides of the building or which is visible through the windows, light poles, or anywhere else on the Special Exception site, as prohibited by Article 12 of the Zoning Ordinance.
10. Except for purposes of loading and unloading, there shall be no third-party vehicle rental business relating to parking or storage of trucks and/or moving vans or rental businesses on the subject property. The applicant may allow customers of the mini-warehousing establishment use of a single establishment-owned truck available, which may be stored on the subject property.
11. All exterior, security, pedestrian and/or other incidental lighting shall be in conformance with Part 9 of Article 14 of the Zoning Ordinance.
12. The applicant shall commit to the establishment and maintenance of the meadow plantings, in consultation with Urban Forest Management Division staff.
13. The applicant shall monitor the success of the required landscape measures for a minimum of three years after the issuance of the first Non-Residential Use Permit for the Mini-Warehouse Facility.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested, and an explanation of why additional time is required.

**Motion on Waivers
July 19, 2017**

**Application: RZ 2016-MA-029
Concurrent with SE 2016-MA-023**

Arcland Property Company, LLC

- Waiver of Sect. 17-201(2) of the Zoning Ordinance for the construction of a major regional trail.
- Waiver of Sect. 17-201(2) of the Zoning Ordinance for the construction of a major paved trail.