

**County of Fairfax, Virginia
Planning Commission Meeting
June 14, 2018
Verbatim Excerpt**

RZ 2017-MA-013 – VULCAN MATERIALS COMPANY, LLC – Appl. to rezone from R-2 and C-8 to I-6 to permit heavy industrial use with an overall Floor Area Ratio (FAR) of 0.02. Located on the E. side of Industrial Dr. at the ramp to enter Interstate 395, Springfield, 22151 on approx. 41,151 sq. ft. of land. Comp. Plan Rec: Industrial. Tax Map 80-2 ((1)) 38 (pt.) (Concurrent with SE 2017-MA-009). (Mason District)

SE 2017-MA-009 – VULCAN MATERIALS COMPANY, LLC – Appl. under Sects. 5-604 and 9-607 of the Zoning Ordinance to permit heavy industrial use and an increase in building height from 75 ft. up to a maximum of 135 ft. and vacation and/or abandonment of right-of-way. Located at 5650 Industrial Dr., Springfield, 22151 on approx. 93.73 ac. of land zoned I-6. Mason District. Tax Map 80-2 ((1)) 38 (pt.) and Carolina Pl. public rights-of-way to be vacated and/or abandoned. (Concurrent with RZ 2017-MA-013). Approval of this application may enable the vacation and/or abandonment of portions of the public rights-of-way for Carolina Pl. to proceed under Section 15.2-2272 (2) of the Code of Virginia). (Mason District)

Decision Only During Commission Matters
(Public Hearing held on March 1, 2018)

Commissioner Strandlie: Thank you, Mr. Chairman. We had some heavy traffic tonight, so I appreciate your indulgence. Tonight we have the decision only on the Vulcan Materials Company application RZ 2017-MA-013 concurrent with SE 2017-MA-009. Before I go into the motions and other comments, there have been a lot of developments since we held the March 1st hearing, so I'd like to turn staff to have an overview of what has developed since then and where we are now.

Chairman Murphy: Please.

Jay Rodenbeck, Zoning Evaluation Division, Department of Planning and Zoning: Thank you very much. I'm Jay Rodenbeck with the Department of Planning and Zoning. I will give the Commission a brief summary of the third staff report addendum in addressing concerns, which have been raised by citizens since the publication of the third staff report addendum. On May 4th, staff received a revised Statement of Justification and on the 9th of May received revised proffers and plans removing the future asphalt plant from the applications and revising the Statement of Justification, the GDP/SE plat, and proffers to reflect the deletion. This slide depicts the special exception plat, as it was depicted at the March 1st Planning Commission hearing for the applications. As can be seen, the future asphalt plant was depicted on the previous special exception plat, which is located within the red circle. The next slide here depicts the revised special exception plat that has removed the future asphalt plant from the plat, which was previously located within the red circle. In addition to the applicant removing the future asphalt plant from the Statement of Justification, the GDP/SE plat, and proffers, staff has revised the development conditions, removing the asphalt plant from the conditions and prohibiting production of asphaltic products as a permitted use on the application property. Staff has also modified conditions and added conditions that address concerns raised by concerned citizens and the Commission since the March 1st hearing for the application, such as adding a condition requiring the establishment of a 24-hour complaint concern communication system, adding a condition requiring the silos be painted and maintained to be compatible and less conspicuous

with the surroundings, adding a condition requiring the applicant implement and abide by the recommendations of a dust control plan attached to the development conditions as Exhibit C, and adding a condition requiring white noise backup alarms be installed on the applicant's trucks instead of the beeping back-up alarms, which are more traditional. I will also briefly address some concerns that have been raised by citizens regarding the applications. The first concern is hours of operation. Regarding the hours of operation for the existing and proposed facility, the facility will generally not operate 24 hours a day, 7 days a week. However, there will, on occasion, be projects – with, for example, projects with VDOT that will require they operate on a 24/7 basis periodically. The second concern is the proximity of the silos to residences. It's been asserted that no measurements were taken from the R-2 zoned properties north of Edsall Road regarding their proximity to the proposed silos. And I don't have zoning on here, but it's – they're the properties just off of Mitchell Street and north of Edsall Road that I'm referring to. And this – this slide shows the closest R-2 zoned residents approximate distance to the proposed silos north of Edsall Road, which is approximately 1,500 feet away. It has also been asserted that this area is closer to the Vulcan site than most of Edsall Park and this slide also shows the closest residences approximate distance in the Edsall Park subdivision to the closest silos, which is approximately 1,179 feet away, more than 300 feet closer to the silos in the previously-mentioned residents north of Edsall Road is, which is approximately 1,500 feet away. And this is just a cross-section of the line-of-sight of the nearest residents in the Edsall Park subdivision. This is the last page of the attached SE plat and GDP. This cross-section reveals that the silos will create no additional visual impact. It's close as 790 feet away from the previously-mentioned residents in the Edsall Park subdivision. And that's all I have. Thank you very much.

Chairman Murphy: Thank you, Mr. Rodenbeck. Are there any question? Ms. Strandlie.

Commissioner Strandlie: Thank you, Mr. Chairman.

Chairman Murphy: Is your mic on?

Commissioner Strandlie: Now it is.

Chairman Murphy: Okay.

Commissioner Strandlie: Great. Thank you. So with that, I just wanted to give some comments and then I will move into the motions. Okay?

Chairman Murphy: Very good.

Commissioner Strandlie: Tonight, the Planning Commission will address the decision only in Vulcan Materials Company, LLC applications RZ 2017-MA-013 and SE 2017-MA-009. The application seeks to rezone from R-2 to I-6 a small strip of land surrounded by industrial uses and parallel to 395, consistent with the I-6 zoning from the remainder of the property. The companion SE application is to reconfigure and modernize the 46-year-old concrete batching plant and to increase the height of the silos. Vulcan is located in the Shirley Industrial Park area of the Mason District directly accessible to I-395 and close to I-95 and I-495 and which is also served by railroad. The original application included a request for a future asphalt plant on the same site. For a variety of reasons, including a lack of specific information or plan development – or development conditions and strong community opposition, Vulcan withdrew its request for the asphalt plant. As you can see, the development conditions dated – the development

conditions specifically state that Vulcan cannot build an asphalt plant on this site without a public hearing and approval of an SEA. Several land use terms are confusing and may not be accurately descriptive and I just want to talk about that briefly. In this case, community members have asked why Vulcan should be allowed to break the rules by applying for a special exception or an SE. An SE is not an attempt to break the rules. Instead, Article 9 of the Zoning Ordinance states that there are certain uses which, by their nature, can have an undue impact or it be incompatible with other uses of land. A special exception is required for those uses. The SE public hearing process provides for County and community review and imposition – imposition of development conditions to mitigate or address impacts. Article 9 requires land owners to file an application for an SE in a variety of zoning categories, ranging from quasi-public uses – such as child care centers, schools, and medical facilities – to commercial and industrial uses of special impact, such as car washes, drive-through pharmacies, and heavy industrial uses such as concrete batching and asphalt plants. Because of this SE application – should the Board of Supervisors approve the application, the Vulcan property will have appropriate development conditions and restrictions where none exist today. These development conditions and restrictions reflect considerable staff and Commission time and include community input. I'll briefly address the conditions in a few minutes. First, I will recap the long road this application has taken to reach tonight's decision. First of all, the application was filed May – May 11th, 2017 and considered by the Mason District Land Use Committee at its July 2017 regular fourth Tuesday of the month meeting as an information only item. The case was originally scheduled for a more thorough review by the land use committee and a November 30th, 2017 Planning Commission hearing, but was deferred until January 24th, 2018 for the applicant and staff to work with the community regarding concerns about possible extensions of a regional trail. The staff report was issued on January 11, 2018, as required in advance of the – of the rescheduled January 25th, 2018 – which 25th was a date – Planning Commission hearing. The Mason District Land Use Committee reviewed the staff report and the applicant made a presentation at that January monthly land use committee meeting. At that meeting, the land use committee heard for the first time concerns about the asphalt plant. Because of the concerns and the need for more information regarding Norfolk Southern deliveries and a request for the future asphalt plant, the applicant chose to defer the January Planning – the January 25th, 2018 Planning Commission hearing until March 1st and I requested that Vulcan come back to the land use committee in February for reconsideration. At the February 27th monthly meeting, the land use committee ultimately recommended approval of the application if the asphalt plant was removed. Since the March 1st hearing, the decision only on this case was deferred several times as the Commission gathered input from the community and toward the nearby state-of-the-art Virginia Paving Company asphalt plant located near housing in Alexandria. In May, Vulcan withdrew the request for a future asphalt plant and submitted a revised Statement of Justification. Since March, we have been listening to and meeting with the public to refine the development conditions for the rest of the application. The staff has addressed those conditions, which included the lighting development condition, dust containment measures being spelled out, a 24/7 hotline to ensure that the community would be able to report at any time about dust blowing from dust and winds or any other concerns that they may have. Additional screening and buffering will be added along Industrial Drive, parallel to Edsall. And in addition, outside of this application, we will continue to work with VDOT on improvements to the Edsall Road/Industrial Drive intersection. I met with the plant manager today and he too was concerned with that intersection and supports changes to that. So we will be making a concerted effort on that. And I would like to encourage the community to meet with a – with the plant manager, Andreas Delgado, to continue these conversations. Before I make the required motions, I want to thank Kris Abrahamson, Jay Rodenbeck, and Ervin Uriarte for their diligent and thoughtful work – and, of course, thank

Supervisor Gross for her advocacy in this matter. At this time, I'd like the applicant to come forward to affirm the development conditions.

Lori Greenlief, Applicant's Agent, McGuireWoods, LLP: Good evening. My name is Lori Greenlief with McGuireWoods and I confirm that we agree with the development conditions dated June 1st.

Commissioner Strandlie: Great. Thank you. And I think a date mistake on that – the January land use committee and Planning Commission hearing. The land use committee was January 23rd. The Planning Commission hearing that was rescheduled was January 25th. Thank you. So with that, Mr. Chairman, I request – oh, I already said that. Sorry. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE FOLLOWING: APPROVAL OF RZ 2017-MA-013, SUBJECT TO THE PROFFERS CONSISTENT WITH THOSE DATED MAY 8TH, 2018.

Commissioners Cortina and Hart: Second.

Chairman Murphy: Seconded by Mr. Hart and Ms. Cortina. Is there a discussion of the motion?

Commissioner Migliaccio: Mr. Chairman?

Chairman Murphy: Mr. Migliaccio.

Commissioner Migliaccio: I was not present for the public hearing, but I did watch it and participated in some of our site visits off-site and I'll be voting this evening.

Chairman Murphy: Mr. Niedzielski-Eichner.

Commissioner Niedzielski-Eichner: Thank you, Mr. Chairman. I will be supporting this and I just want to make a note from my perspective that as we become built out as a County, it's increasingly important to assume for sure that we maintain properties zoned for industrial purposes. Our quality of life is as – is interestingly as dependent upon these now-scarce sites as protective of our parklands and, given the new additions that have been secured the quality of effort put forward by Commissioner Strandlie, I think that the community is protected. At the same time, we're protecting these industrial sites. Thank you.

Chairman Murphy: Thank you very much. Further discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ 2018-MA-013 [sic], say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Ms. Strandlie.

Commissioner Strandlie: Approval of SE 2017 – I MOVE APPROVAL OF SE 2017-MA-009, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED JUNE 1ST, 2018, AND THE FOLLOWING CONDITION TO BE ADDED:

- NO SIGNALS, LIGHTS, OR ILLUMINATION OVER 75 FEET IN HEIGHT WILL BE PERMITTED ON ANY OF THE SILO STRUCTURES, EXCEPT IF REQUIRED BY LOCAL, STATE, OR FEDERAL AUTHORITIES. THIS IS NOT INTENDED TO PRECLUDE EMERGENCY MAINTENANCE LIGHTING OR REPAIRS, IN ACCORDANCE WITH THE REQUIREMENTS OF THE ZONING ORDINANCE.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of that motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2017-MA-009, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Strandlie: Great. And finally, I MOVE APPROVAL OF THE MODIFICATIONS AND WAIVERS CONTAINED IN THE HANDOUT DISTRIBUTED TO YOU THIS EVENING DATED JUNE 14TH, 2018.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you very much.

Each motion carried by a vote of 11-0. Commissioner Clarke was absent from the meeting.

JLC

**Motion on Modifications and Waivers
June 14, 2018**

**Application: RZ 2017-MA-013
Concurrent with SE 2017-MA-009**

Vulcan Materials Company, LLC

- Modification of Section 17-201(2) of the Zoning Ordinance for the construction of a major regional and paved trail as depicted on the GDP/SE Plat.
- Modification of Article 13 of the Zoning Ordinance to provide transitional screening and landscaping as depicted on the GDP/SE Plat, and to be able to utilize the portion of parcel 80-2 ((1)) 0038 outside of the rezoning and special exception application areas for transitional screening and landscaping.
- Modification of Sect. 17-201(4) of the Zoning Ordinance to permit dedication, construction, or widening of existing roads as depicted on the GDP/SE Plat.
- Modification of Sect. 17-201(3)(B) of the Zoning Ordinance to permit the construction of a vehicular travel lane, service drive, driveway, or other access connections as depicted on the GDP/SE Plat.
- Modification of Sect. 17-201(1) of the Zoning Ordinance to provide delineated pedestrian walkways between uses/buildings as depicted on the GDP/SE Plat.
- Waiver of Sect. 17-201(3)(B) of the Zoning Ordinance for the requirement to provide inter-parcel parcel access to adjoining parcels.

MAY 09 2018

Zoning Evaluation Division

Proffered Conditions
Vulcan Materials Company, LLC
RZ 2017-MA-013
August 18, 2017
December 22, 2017
January 16, 2018
May 8, 2018

Pursuant to Section 15.2-2303(A), Code of Virginia, 1950 as amended, the undersigned Owner and the Applicant, in this rezoning proffer that the development of the parcel under consideration and shown on the Fairfax County Tax Map as Tax Map Reference 80-2((1))38, part (hereinafter referred to as the "Property") will be in accordance with the following condition (the "Proffered Condition"), if and only if, said rezoning is granted. The Property is comprised of 41,151 square feet adjacent to Shirley Memorial Highway and the ramp to the same. In the event said request is denied, this Proffered Condition shall be null and void. The Owner and Applicant, for themselves, their successors and assigns hereby agree that this Proffered Condition shall be binding on the future development of the Property unless modified, waived or rescinded in the future by the Board of Supervisors of Fairfax County, Virginia, (hereinafter referred to as the "Board") in accordance with applicable County and State statutory procedures. The Proffered Condition is:

I. GENERAL

1. Substantial Conformance. Subject to the provisions of Section 18-204 of the Fairfax County Zoning Ordinance (hereinafter referred to as the "Zoning Ordinance"), development of the Property must be in substantial conformance with the Generalized Development Plan (GDP), prepared by VIKA dated April 21, 2017, revised through May 8, 2018.

Successors and Assigns

These proffers shall bind and inure to the benefit of the Applicant and his/her successors and assigns.

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 and the same instrument.

TITLE OWNERS AND APPLICANTS SIGNATURES TO FOLLOW ON THE NEXT PAGE:


Vulcan Materials Company, LLC
Applicant

By: _____

Printed Name: Stephen J. Render

Title: Vice President and General Manager

Florida Rock Industries, Inc.
Owner 80-2((1))38

By: 

Printed Name: Stephen J. Render

Title: Vice President and Assistant Secretary

PROPOSED DEVELOPMENT CONDITIONS**SE 2017-MA-009****Vulcan Materials Company, LLC****June 1, 2018**

If it is the intent of the Board of Supervisors to approve Special Exception SE 2017-MA-009, located on part of Parcel 80-2 ((1)) 38, to permit the construction of concrete batching plants, and the construction of a related maintenance building and office buildings, as well as an increase in building height in the I-6 Industrial District from the maximum permitted 75 feet to 135 feet for the silos associated with the concrete batching plants in accordance with the provisions of Sect. 9-501, Sect. 9-601, and Sect. 9-607 of the Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions which supersede any development conditions previously approved for the Parcel.

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 must be in substantial conformance with the special exception (SE) plat entitled "Vulcan at Edsall Road" prepared by Vika Virginia, LLC, dated April 21, 2017, as revised through May 8, 2018, consisting of 32 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. Any site plan submitted for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application must also incorporate the remainder of Parcel 80-2 ((1)) 38 (which is not part of the application property for the special exception), but which includes the transitional screening areas, conservation easement, and off-site sidewalks as depicted in Exhibit A.
5. Permitted uses on the site are limited to concrete mixing and batching plants, concrete recycling facilities, aggregate storage, stockpile storage, equipment storage, and accessory uses, and related uses as depicted on the GDP/SE plan, including aggregate sales. Asphalt plants and the production of asphaltic products containing bitumen are not permitted on the application property without a Special Exception Amendment.

In the northwestern portion of the application property as depicted in Exhibit B, the Applicant has agreed to allow the County's placement of a temporary fire station located on Parcel 80-2 ((1)) 38. This temporary fire station is estimated to be on the Property for a period of approximately three and a half (3.5) years. The area will be restored at the termination of the temporary use per the requirements of these development conditions.

6. The maximum floor area ratio (FAR) permitted on the site is up to 0.05, excluding any FAR attributable to the temporary use listed in Condition #5.
7. Notwithstanding Condition 2, the location of stockpiles, sales and storage areas, internal access ways, travel ways, and parking areas as well as all structures shown in the concrete batch plant area, concrete recycle area, aggregate storage and sales yard area, aggregate storage, and stockpile and equipment storage area are conceptual and may be relocated on the site without interpretation or amendment of the Special Exception, subject to the necessary site plan and permits, provided that they are located within the limits of the Industrial Operations Area as shown on the SE Plat. All proposed silos must be located at least 790 feet away from any residential dwellings. The maximum building height permitted on the site shall be 135 feet for the silos associated with the concrete batching plants, as depicted on the GDP/SE Plat.
8. Notwithstanding that shown on the GDP/SE plat, the parking requirement will be determined at site plan and parking must be provided in accordance with the Zoning Ordinance. The applicant may choose to provide parking above the minimum required, as long as all parking areas including drive aisles are located within the limits of the Industrial Operations Area.
9. The Applicant will submit a Tree Inventory and Condition Analysis as part of the first and all subsequent plan submissions. The Tree Inventory and Condition Analysis must be prepared by a Certified Arborist or Registered Consulting Arborist, and must include elements of PFM 12-0507 deemed appropriate to the project site as determined by UFMD.
10. The Applicant will submit a Tree Preservation Plan and Narrative as part of each phased site plan submission and the first and all subsequent plan submissions. The Tree Preservation Plan and Narrative must be prepared by a Certified Arborist or Registered Consulting Arborist, and must include elements of PFM 12-0509 deemed appropriate to the project site as determined by UFMD.
11. Prior to the pre-construction meeting, the Applicant must have the approved limits of clearing and grading flagged with a continuous line of flagging per the PFM and the recommendations of UFMD. The Applicant must retain the services of a Certified Arborist or Registered Consulting Arborist (Project Arborist) to attend the pre-construction meeting to review the limits of clearing and grading with an 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 will be recorded by the Project Arborist and tree protection fencing shall be implemented under the Project Arborist's supervision based on these adjustments.

12. The Applicant must provide appropriate tree protection devices, based on site conditions and proposed construction activities as reviewed and approved by UFMD. The tree protection fence will 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.
13. Tree preservation measures must be clearly identified, labeled, and detailed on the Erosion and Sediment Control Plan sheets and Tree Preservation Plan. Tree preservation measures may include, but are not limited to the following: root pruning, crown pruning, mulching, watering, etc. Specifications must 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.
14. The Applicant's Project Arborist must 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 Phase 2 Erosion and Sediment Control Plan, the Project Arborist must visit the site on a regular basis, as described in the Tree Preservation Plan, to continue monitoring tree preservation measures and ensure that all construction activities are conducted as identified in the Tree Preservation Plan and approved by UFMD. Written reports must be submitted to UFMD and SDID site inspector detailing site visits.

A monitoring schedule and Project Arborist reports must be described and detailed in the Tree Preservation Plan.

15. The Applicant will develop a phased invasive plant species management plan as part of each phased site plan submission and the first and all subsequent plan submissions in those forested areas of the Property for which a 0.51 to 1.0 10-year tree canopy credit multiplier is being taken and for which there are known to be invasive plant species in quantities that threaten the long term health and survival of the existing vegetation. For those forested areas of the Property for which less than or equal to 0.50 credit multiplier is being taken, the methods of control and disposal of invasive plants shall be primarily limited to cutting and grubbing the roots of invasive vines, as well as herbicide spot treatment of regrowth as necessary.

At the time of site plan submission, the Applicant will provide the management plan for review and approval by UFMD in coordination with the phasing plans specifying the common and scientific name of invasive species proposed for management and the target area for management efforts. The plan must also include the timing of treatments and monitoring, duration of the management program, and potential reforestation as may be necessary.

16. 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 will 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.

The Applicant will submit a landscape plan that shows, at a minimum, landscaping as depicted on the development plan (SE) concurrently with each phased site plan, and the first and all subsequent submissions of the site plan for review and approval by the Urban Forest Management Division (UFMD), LDS. All landscaping must be installed prior to the issuance of the first RUP/Non-RUP on the property, or as determined by UFMD for a particular project, but no later than bond release.

17. 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, with the exception of the area to be revegetated where fill will be added as shown on Sheet L1, will 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 must provide notes and details specifying how the soil will be restored for the establishment and long-term survival of landscape plants as well as specifics on the depth and composition of the fill referenced on Sheet L1 for review and approval by UFMD. The implementation of this condition may be deferred for the portion of the site occupied by the temporary use in Condition #5 until the removal of the temporary use.
18. As part of each phased site plan, and the first and all subsequent plan submissions, the Applicant must include a landscape planting plan and specifications for review and approval by UFMD. The landscape planting plan and specifications must incorporate sustainable landscape planting techniques designed to reduce maintenance requirements; and contribute to a cleaner and healthier environment with improved air quality, stormwater management, and resource conservation capabilities that can be provided by trees and other desirable vegetation.

- Reduce turf areas to minimize mowing operations and the resulting air pollution. Turf must be no more than (75) percent of the pervious area of each of lot (site). Mulched planting beds incorporating groups of trees and other vegetation shall be used to provide a root zone environment favorable tree trees and other vegetation.
- Provide a diverse selection of native and non-invasive plants to encourage native pollinators and reduce the need for supplemental watering, and the use of chemical fertilizers, herbicides and chemical control of harmful insects and disease.
- Sustainable landscape planting implemented with the subdivision/site plan should be made up of groups of trees including larger overstory trees (Category III and IV as listed in PFM Table 12.19) together with smaller understory trees, (Category II) shrubs and groundcovers.

In this application, it is acceptable for the 10-year projected canopies of overstory trees to overlap the canopies of understory trees as well as shrubs and groundcovers, as may occur in a multilayer, wooded environment.

Inspection of mulch beds for conformance with the approved subdivision/site plan will be conducted at the time that the RUP/Non-RUP is issued for each building or phase of the plan. After mulch areas have been accepted, they will become the responsibility of the property owner who must not be precluded from managing or planting these areas according to their preference.

19. If required, any SWM and BMP facilities must be provided on-site in accordance with the Public Facilities Manual unless waived by LDS. If indicated by engineering considerations or site considerations, as reviewed and approved by the Director of LDS as part of site plan approval, development of the site may include stormwater detention or stormwater management measures different from those shown on the GDP/SE Plat, without the necessity of further approval by the Board, subject to compliance with Article 17 of the Zoning Ordinance, provided said measures are determined to be in substantial conformance with the GDP/SE Plat.
20. There will be no storage of herbicides, pesticides, or toxic or hazardous substances as set forth in Title 40, Code of Federal Regulations, Parts 116.4 and 261.30 et seq., within the floodplain.
21. To protect the RPA, erosion and sediment control measures must be installed at the appropriate stage of construction, as determined by LDS. A "super silt fence" or industry equivalent control measure must be installed where necessary along the clearing and grading limits for the site.

If deemed necessary by LDS, additional controls will be designed to achieve greater erosion and sediment control than that achieved by the minimum design standards set forth in the Public Facilities Manual and the Virginia Erosion and Sediment Control Handbook.

22. The site may be developed in phases without any further approval by the Board, subject to compliance of each phase with Article 17 of the Zoning Ordinance and these development conditions. A phasing plan must be submitted with the first and all subsequent submittals of the site plan. A temporary use permitted per Condition #5 may proceed independently of phasing plans.

The phasing plan may change with future submissions and must include the improvements associated with the area of disturbance on each site plan. Nothing will preclude the acceleration of certain site improvements and/or mitigation subject to the appropriate site plan and permits.

Nothing in this Special Exception will preclude the continuation of uses and/or structures as an interim condition. The phasing plan will include the timing of the removal and replacement of each of the existing uses and/or structures, which will be appropriate with each individual site plan.

23. Prior to the issuance of a Non-Residential Use Permit (Non-RUP) for the concrete mixing and batching plants, wheel wash areas must be installed as shown on the GDP/SE Plat. All trucks leaving the site must be rinsed through one of the wheel wash areas per the PFM requirements.
24. No such application, plan, or plat shall be approved by Fairfax County until or unless the vacation/abandonment of right-of-way proposed as part of the application property is approved by the Board of Supervisors and the property is conveyed.

25. Green Commitments – Maintenance Building

- The maintenance building located along the eastern frontage of Industrial Drive must utilize efficient lighting throughout, including LED lights, and automatic lighting in offices and conference rooms.
- The maintenance building located along the eastern frontage of Industrial Drive must utilize ambient lighting (skylights, windows and/or other natural light enhancers) to reduce lighting demand.
- The maintenance building located along the eastern frontage of Industrial Drive must utilize heating and cooling zones to reduce energy use in non-staffed areas.

26. Green Commitments - Site

- Vehicle maintenance recycling must include used oil, antifreeze, batteries, tires, and bulbs to the extent practicable as determined by LDS.

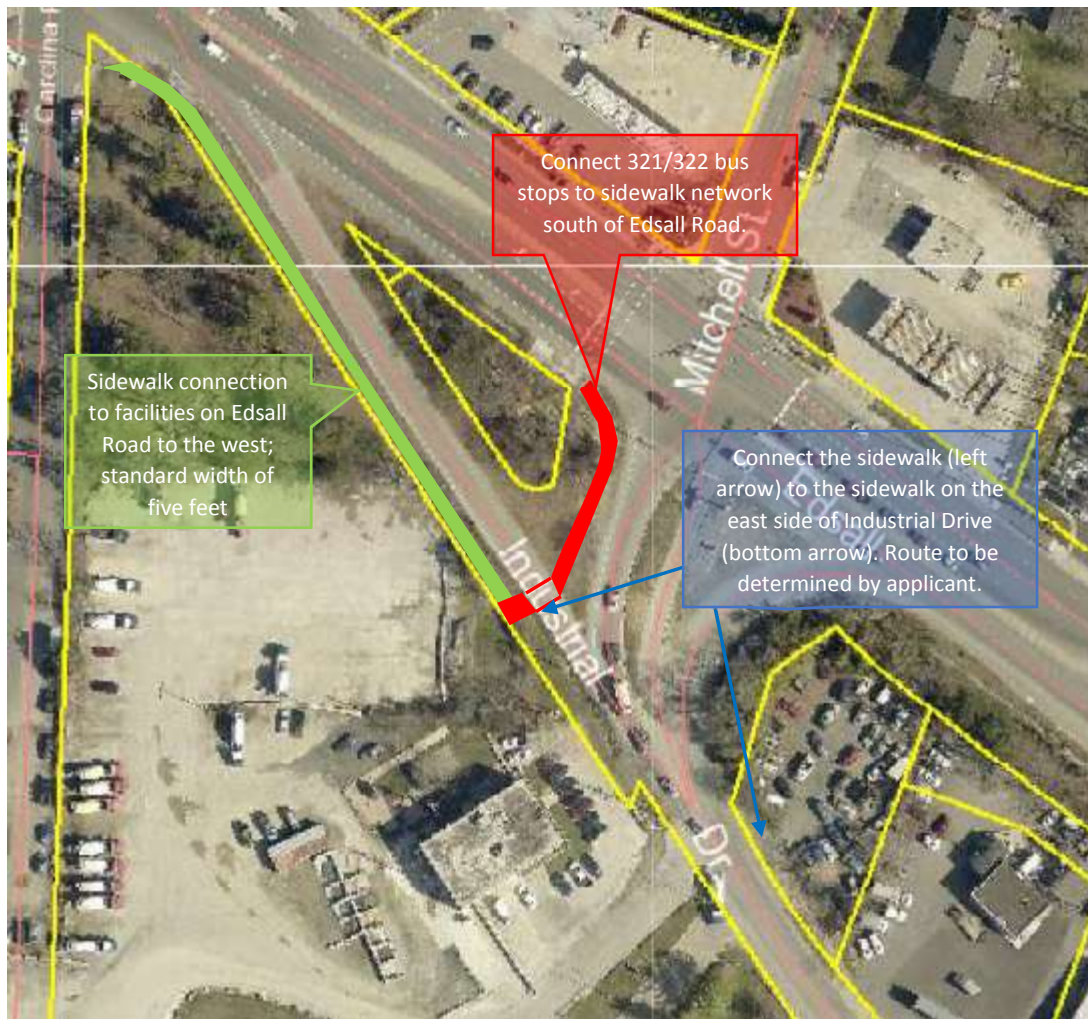
- Leftover and unused concrete must be recycled to the extent practicable as determined by LDS.
 - The inside of mixer drums must be rinsed using recycled process water to the extent practicable as determined by LDS.
27. The sidewalks depicted on Exhibit A of the proposed development conditions must be constructed by the applicant prior to final bond release.
28. If during site review the entrances to the facility off of Industrial Drive are required to be improved to VDOT standards by the Virginia Department of Transportation (VDOT), such entrances must be constructed prior to final bond release.
29. No later than 30 days following the Board of Supervisor's approval of SE 2017-MA-009, the Applicant will form a committee composed of representatives of businesses and business property owners in the Shirley Industrial Park; all businesses/property owners will be invited to participate. The primary purpose of the committee will be to enhance communications with and cooperation between the area business/property owners, including a system for addressing both urgent and non-urgent complaints from the surrounding area. No later than 90 days following the Board of Supervisor's approval of SE 2017-MA-009, the first meeting will be held to discuss issues related to the industrial park. Subsequent meetings will be held on a quarterly basis, at a minimum, or as determined necessary by the committee. Minutes of each meeting shall be kept and made available upon request.
30. A 24 hour complaint-concern communication system via phone and/or web-site must be established by the applicant, and posted at the site entrances, and distributed to businesses, business owners, and civic association representatives for the adjoining HOA(s) through the committee. A written log of all complaints received must be kept and made available upon request.
31. The silos and related equipment associated with the concrete batching plants must be painted and maintained to be compatible and less conspicuous with the surroundings.
32. The applicant must implement and abide by the recommendations of the Dust Control Plan and attached as Exhibit C for the life of the uses as depicted on the GDP/SE Plat and approved by these conditions. The Dust Control Plan may be updated from time to time as determined necessary, and copies of the updated Dust Control Plan must be filed with the Zoning Evaluation Division and the Mason District Supervisor's Office.
33. Supplemental landscaping along Industrial Drive must be provided as depicted on Sheets L-1, L-1-A, L-2, L-3, and L-3-A of the GDP/SE Plat.

34. White noise backup alarms designed to direct sound specifically to the back of the truck must be installed on the applicant's trucks instead of backup alarms that produce a "beep" sound.

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 entire use shall be deemed to be established with the commencement of construction subsequent to the first approved site plan. 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.

Sidewalk and trail graphic for Vulcan site, SE 2017-MA-009, showing items agreed to by the applicant.



Special Exception

SE 2017-MA-009

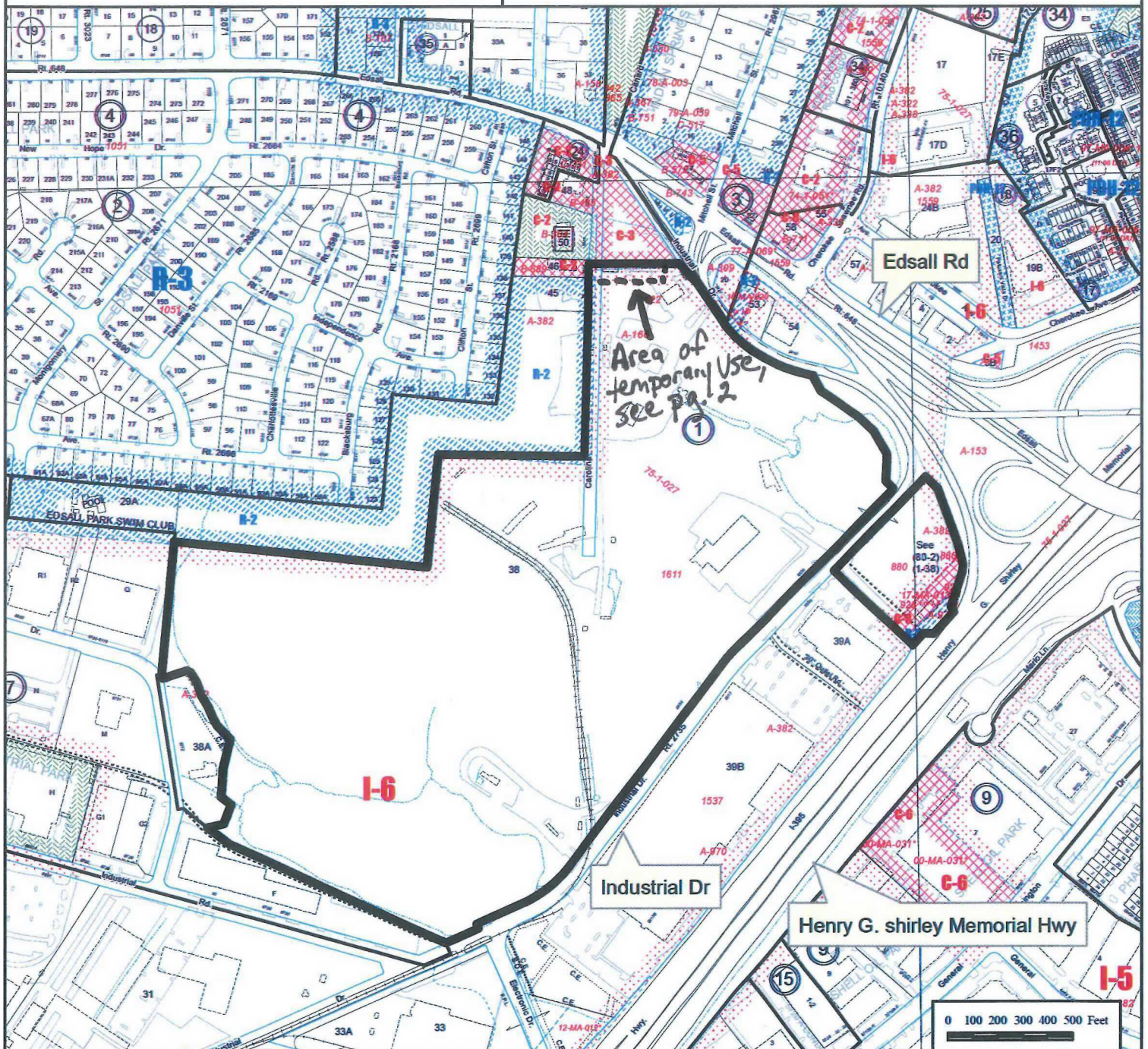


Applicant:
Accepted:
Proposed:

VULCAN MATERIALS COMPANY, LLC
05/11/2017
EXHIBIT B
HEAVY INDUSTRIAL USE AND INCREASE IN
BUILDING AND VACATION AND/OR
ABANDONMENT OF RIGHT-OF-WAY

Area: 93.73 AC; DISTRICT - MASON
Zoning Dist Sect: 05-060409-0607
Located: 5650 INDUSTRIAL DRIVE, SPRINGFIELD VA 22151

Zoning: I-6
Plan Area: 1,
Overlay Dist:
Map Ref Num: 080-2- /01/ /0038 (pt.)





Vulcan Materials - Edsall Road Plant

Dust Control Plan

Point Source Emissions – All point source emissions shall be controlled by a bag house dust collector or other emission control system. Dust collectors will be operated and maintained according to the manufacturer's guidance. Point source emissions are governed by the Virginia Department of Environmental Quality and will be permitted as required. Best Available Control Technology (BACT) will be utilized at the time of construction.

Point sources include, but are not limited to:

- Ready-Mix Concrete Plant
 - Cement offloading into the storage silo,
 - Cement batching,
 - Cement loading into the central mix drum (wet batch) or ready-mix truck (dry batch).

Fugitive Emissions – Fugitive emissions are controlled with best management practices in all areas of the facility. This includes wet suppression, mechanical sweepers and maintenance of roadways.

Fugitive sources of emissions include, but are not limited to:

- Aggregate storage areas and stockpiles
- Paved and unpaved travel ways

Fugitive dust will be controlled in the following manner

- Wet suppression will be used to minimize dust on roadways and stockpiles.
 - An automated sprinkler system (rainbirds) will be utilized on the busiest areas of the yard, this includes a majority of the aggregate sales yard, internal roadways, and stockpiles.
 - Manual sprinklers will be used on stockpiles and other areas as needed.
- A mechanical sweeper will be used on the paved sections of the yard several times per week and additionally if needed.
- Wheel wash systems will be installed at the exit for the sales yard and the ready-mix plant to eliminate track-out of material that may be on the vehicles tires.