



May 23, 2025

SENT BY FIRST CLASS & CERTIFIED MAIL

Ashlee Turner
Global Zoning
8205 NW 69th Street
Oklahoma City, OK 73132

Pool 6 Industrial VA, LLC
C/O EQT Exeter
101 West Elm Street, Suite 600
Conshohocken, PA 19428

Re: Proffer and Special Use Permit Determination Case: #ZNR2025-00147
Determination of Proffer Amendment #REZ1990-00076 & Special Use Permit
#PLN2001-00136
Property Address: 7800 Piney Branch Lane, Bristow, VA 20136 (the "Property")
Acres: 22.2958; **GPIN:** 7497-80-5986; **Zoning District:** M-1, Heavy Industrial

To Whom It May Concern:

This is in response to the application that you filed on March 26, 2025, requesting a proffer and special use permit determination for the above referenced Property. More specifically, you have requested confirmation that "data center" would be a permitted by-right use of the Property.

Zoning Information

1. The Property is zoned M-1, Heavy Industrial, and is subject to the approved proffers accepted by the Prince William County Board of Supervisors with the approval of rezoning case #REZ1987-0054 (copy attached) as amended by #REZ1990-00076 (copy attached). The Property is regulated by Part 403 of the Prince William County Zoning Ordinance.
https://www.municode.com/library/va/prince_william_county/codes/code_of_ordinances?nodeId=CH32ZO.
2. The property is subject to the conditions of Special Use Permit (SUP) #PLN2001-00136 (copy attached).
3. The Property is not subject to any nonconforming uses or variances.
4. For parking requirements, please contact the Land Development Division of the Department of Development Services at 703-792-6830.
5. The Property is located in the Data Center Opportunity Overlay District, Airport Safety Overlay District, and the E-Commerce Overlay District.

6. For information concerning transportation related issues, please contact the Transportation Department at 703-792-6825.
7. Based on our records, which are complaint based, there are no zoning enforcement actions pending on the Property. Please be advised that such requests do not involve any inspection of the subject Property to determine if violations exist or if the property is in compliance with County requirements/regulations.

Background

The Property is zoned M-1, Heavy Industrial, and is subject to the proffer conditions approved by the Prince William County Board of Supervisors on August 7, 1987, as part of Rezoning #REZ1987-0054, and as amended by Proffer Amendment #REZ1990-00076 approved by the Board of Supervisors on March 13, 1991. In addition, the Property is subject to the conditions approved with Special Use Permit #PLN2001-00136. Therefore, the development and use of the Property are regulated by the proffered and special use permit conditions approved with the above referenced cases, as well as the applicable zoning regulations, including Part 403 and part 500 of the Prince William County Zoning Ordinance.

Definitions & Applicable Sections of Zoning Ordinance

Part 100 of the Prince William County Zoning Ordinance contains defined terms. The Zoning Administrator shall strictly construe the terms and definitions. In the event a term is not defined in this section, the Administrator shall refer to other chapters of the Prince William County Code and to the building code for guidance. If ambiguity remains, the Zoning Administrator shall then rely upon the conventional, recognized meaning of the word or phrase (e.g., current edition, Merriam-Webster's Dictionary).

Data Center shall mean a use involving a building/premise in which the majority of the use is occupied by computers and/or telecommunications and related equipment, including supporting equipment, where information is processed, transferred and/or stored.

Part 403 – Industrial Districts

Part 500 – Special Public Interest Overlay Districts, Generally

Proposed Use

You have stated in your application that you are conducting due diligence on the Property and seeking confirmation that data center is a permitted by-right use of the Property.

Proffer & Special Use Permit Conditions Analysis

Proffer Amendment #REZ1990-00076 and Special Use Permit #PLN2001-00136:

Based on the submitted Proposed Use narrative, data center use is not prohibited by the approved proffered conditions of Proffer Amendment #REZ1990-00076, or by the approved conditions of Special Use Permit #PLN2001-00136, as specified in condition #2.(e). However, please be advised

that development of the Property must adhere to all applicable conditions as set forth in the approved referenced proffered and special use permit cases. Furthermore, please be advised that the property owner always has the option to submit a notarized letter to the Zoning Administrator, which letter must be signed by the property, in the event the property owner would like to have the current special use permit (SUP #PLN2001-00136) voided, realizing that action will require the current use of the Property that is regulated by such SUP to cease.

Use Determination

Based on the above referenced background information and analysis of the relevant sections of the Zoning Ordinance and the proffers/conditions related to #REZ1990-00076 and #PLN2001-00136, the Proposed Use of data center would be permitted by-right on the subject property, pursuant to the determination that:

1. The Property is zoned M-1, Heavy Industrial, and is located within the Data Center Opportunity Zone Overlay District; and
2. The M-1, Heavy Industrial, zoning district permits data center use by-right when located in the Data Center Opportunity Zone Overlay District; and
3. The Property is subject to conditions of approval associated with Proffer Amendment #REZ1990-00076 and Special Use Permit #PLN2001-00136 and all development must adhere to the applicable conditions as set forth in the proffer statement of the proffer amendment case, as well as the conditions approved with the SUP case.

This determination is based on regulations that are in effect on the date of this letter, which are subject to change. Should you have any questions, please feel free to contact this office. State law mandates the following paragraph to be included in all determinations rendered by the Zoning Administrator.

The Zoning Ordinance allows that anyone aggrieved by a proffer or special use permit determination of the Zoning Administrator may appeal the decision to the Board of County Supervisors (BOCS). An appeal must be filed within 30 days of receipt of this letter with the clerk to the board and the zoning administrator. The BOCS will schedule and advertise a public hearing to consider an appeal within 30 days unless there is no regular meeting scheduled, in which case the BOCS shall act at its next regular meeting. The determination contained within this letter shall be final if an appeal is not filed within 30 days of receipt of this letter. The application fee and the appeal application form is available on our web page at the following link:

<https://www.pwcva.gov/assets/2021-06/Application%20for%20an%20Appeal.pdf>

Sincerely,

Lisa Fink-Butler, CZA, CTM
Zoning Administrator

Attachments

cc: Joyce Fadeley, Department of Development Services, Land Development Division Chief

APPROVED

PROFFER/DEVELOPMENT PLAN

This Proffer has been amended

See File REZ 90-76

JUL 29 1987

5-7-87

PROFFER STATEMENT

OFFICE OF PLANNING

RE: Rezoning #87-54 (Special Use Permit #87-43)

Applicant: Gordon V. Smith, Trustee and Richard J. North, Trustee

Rezoning from A-1 to M-1

Property: Tax Map 125-1-32, Prince William County, Virginia

Dated: July 28, 1987

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The undersigned hereby proffers that the use and development of the subject Property shall be in strict accordance with the following conditions. In the event the above-referenced zoning is not granted as applied for by the Applicant, then the below-described proffers shall be withdrawn and are null and void. In addition, in the event that SUP #87-43 filed in connection with this rezoning is not granted with the conditions specified on the list titled "Conditions for SUP #87-43", dated July 9, 1987, a copy of which is attached hereto, and such other conditions as may be acceptable to Applicant, then the below-described proffers shall be withdrawn and are null and void.

The headings set out below are for convenience or reference only, and shall not control, limit or otherwise affect or be considered to interpret the meaning of any provision of the proffers.

1. TRANSPORTATION:

a. The Applicant agrees to dedicate fifty-five (55') feet of right of way for public street purposes from the existing centerline across that portion of the Property which fronts Wellington Road (Route 674).

b. The Applicant agrees to limit the number of entrances to the Property from Balls Ford Road to no more than two (2). As a part of this rezoning and SUP #87-43, the Applicant further agrees that no entrance will be located within six hundred (600') feet from the intersection of Balls Ford Road and Wellington Road except for the exit only connection to Balls Ford Road as shown on the Generalized Development Plan prepared by Polins, Souza and Associates, Inc., dated February 9, 1987, and revised March 30, 1987 ("the Plan").

c. The Applicant agrees to construct the frontage improvements as shown on page 2 of the Plan. The left turn lane reflected on the Plan for Wellington Road shall be constructed as shown on the Plan assuming VDOT approval. This construction shall take place with the first phase of development of the subject Property in accordance with this rezoning and SUP #87-43.

2. LIGHTING:

a. The Applicant agrees to install a total of two street lights, to be located between the entrance and exit to and from the Property from Balls Ford Road.

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87-54

b. The Applicant agrees that all free standing parking lot lights necessitated in connection with the development of the Property shall have a maximum height of sixteen (16') feet and shall be directed downward and inward. This proffer shall not apply to the use requested in connection with SUP #87-43 applied for as a part of this rezoning.

3. USES:

The Applicant agrees that the Property will be used solely for a wood processing facility, to include the processing of trees, stumps, logs and/or limbs, and that no other uses shall be permitted.

4. SIGNAGE:


The signage and entry feature to be utilized will be substantially in accordance with that rendering submitted to Prince William County Planning Office prepared by Polins Souza and Associates, Inc. and identified as "Proposed Entrance".

5. MONETARY CONTRIBUTION:

Applicant shall make a monetary contribution in the total amount of Thirty Thousand Dollars (\$30,000) to the Board of Supervisors of Prince William County at the time of final site plan approval of the use authorized in connection with SUP #87-43. Five Thousand Dollars (\$5,000.00) of this amount shall be used for a fire station or related fire services in the area to serve this Property. Twenty-five Thousand Dollars (\$25,000.00) shall be used for improvements at the Balls Ford Road and Route 234 intersection or to be contributed towards the Route 66/Route 234 interchange improvements.

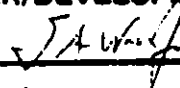
6. WATERLINE: Applicant shall construct a twelve (12") inch waterline using ductile iron pipe along Balls Ford Road from Wellington Road to the main entrance to the Property a distance of approximately nine hundred thirty five (935') feet as a part of the first phase of the development of the Property in accordance with this rezoning and SUP #87-43.


Gordon V. Smith, Trustee, Applicant


Richard J. North, Trustee, Applicant

blf:prof2

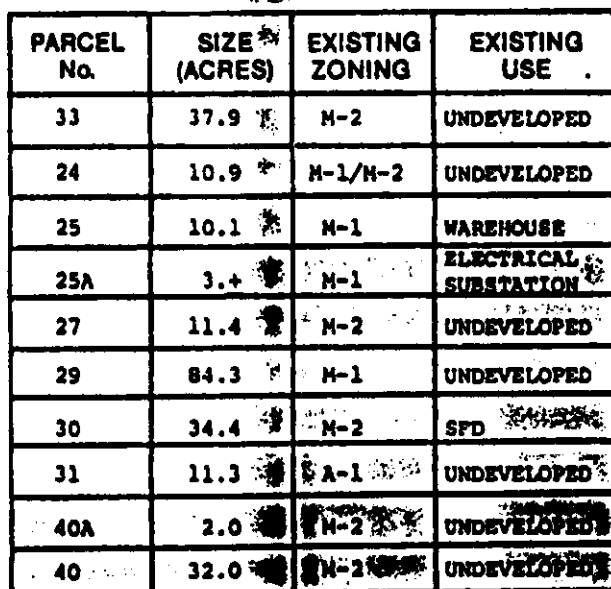
APPROVED
PROFFER/DEVELOPMENT PLAN


8-7-87
Date

OFFICE OF PLANNING

2082
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SPECIAL Use Permit No. 87-43

[illegible]

SFD = Single Family Dwelling

45-48

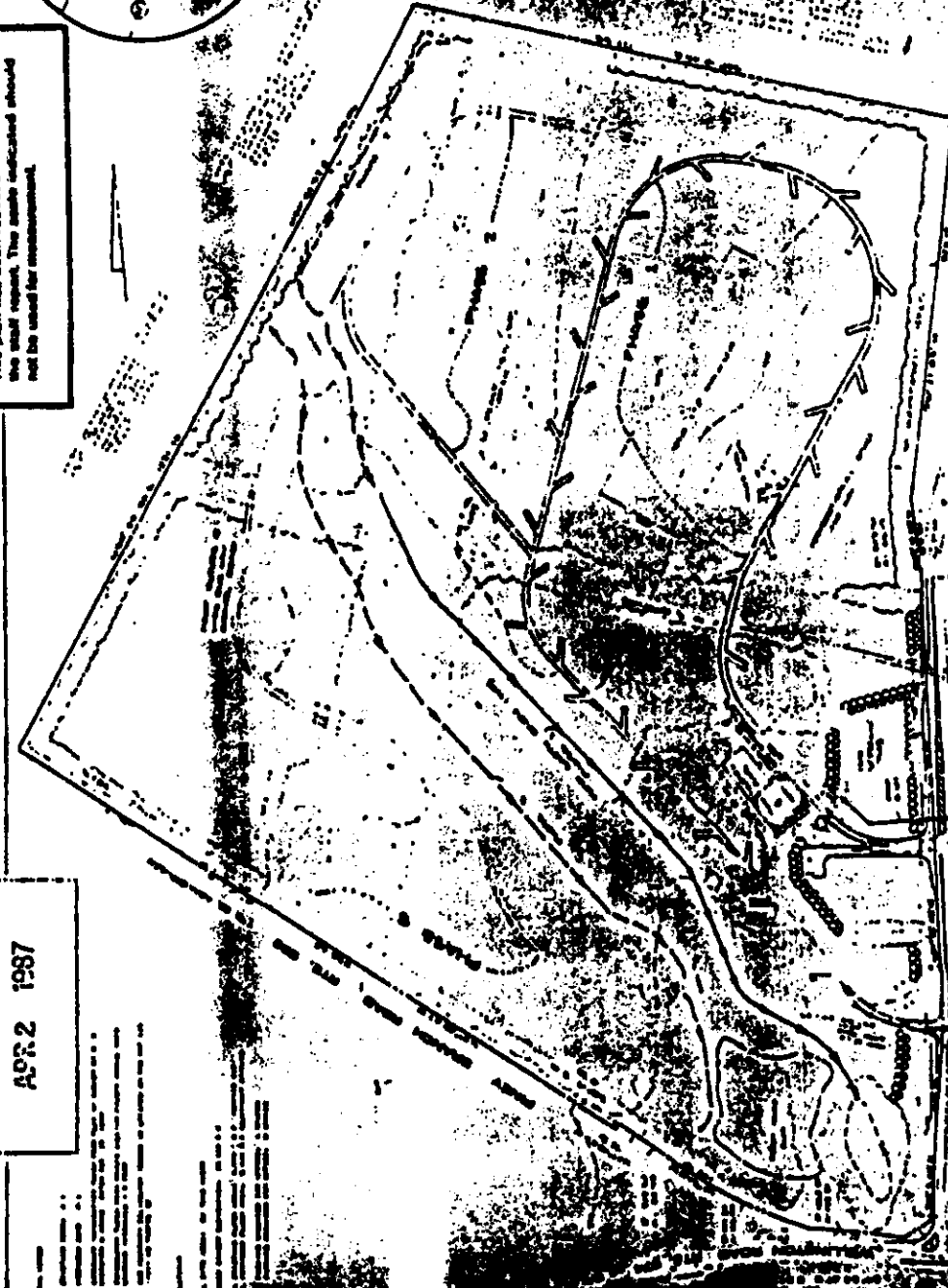
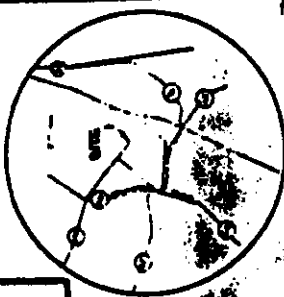
NOTES

This plan has been reduced for inclusion in the final report. The scale indicated should not be used for measurement.

REVISIONS

DATE

APR 2 1987



DESIGNED DEVELOPMENT PLAN

FOR THE

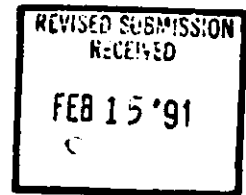
FOR THE

FOR THE

FOR THE

NOTE: THIS DEVELOPMENT PLAN IS NOT PROFFERED.

12/19/90
Rev. 1/ 3/91
1/28/91
2/ 7/91



PROFFER STATEMENT

RE: Rezoning #90-76 (formerly REZ #87-54)
Applicant: Gordon V. Smith, Trustee and
Richard J. North, Trustee
Rezoning from A-1 to M-1
Property: Tax Map #125-1-32, Prince William County, VA
Dated: ~~July 29, 1987~~ February 7, 1991

The undersigned hereby proffers that the use and development of the subject Property shall be in strict accordance with the following conditions. In the event the above-referenced zoning is not granted as applied for by the Applicant, then the below-described proffers shall be withdrawn and are null and void. ~~In addition, in the event that SUP #87-43 filed in connection with this rezoning is not granted with the conditions specified on the list titled "Conditions for SUP #87-43", dated July 9, 1987, a copy of which is attached hereto, and such other conditions as may be acceptable to Applicant, then the below-described proffers shall be withdrawn and are null and void.~~

The headings set out below are for convenience or reference only, and shall not control, limit or otherwise affect or be considered to interpret the meaning of any provision of the proffers.

1. TRANSPORTATION:

a. The Applicant agrees to dedicate fifty-five (55') feet of right of way for public street purposes from the existing centerline across that portion of the Property which fronts Wellington Road (Route 674).

~~b. The Applicant agrees to limit the number of entrances to the Property from Balls Ford Road to no more than two (2). As a part of this rezoning and SUP #87-43, the Applicant further agrees that no entrance will be located within six hundred (600') feet from the intersection of Balls Ford Road and Wellington Road except for the exit only connection to Balls Ford Road as shown on the Generalized Development Plan prepared by Polins, Souza and Associates, Inc., dated February 9, 1987, and revised March 30, 1987 ("the Plan").~~

~~c. The Applicant agrees to construct the frontage improvements as shown on page 2 of the Plan. The left turn lane reflected on the Plan for Wellington Road shall be constructed as~~

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PROFFER/DEVELOPMENT PLAN

3/13/91
Date
OFFICE OF PLANNING

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~~shown on the Plan assuming VDOT approval. This construction shall take place with the first phase of development of the subject Property in accordance with this reasoning and SUP #87-43.~~

B. ~~The number of entrances to the Property from Balls Ford Road shall be limited to one, located generally as shown on that plan identified as "Proffered" condition Amendment - Cannon Industrial Park", prepared by Patton Harris Rust & Associates, P.C., dated December, 1990 (the "Plan").~~

C. ~~The Applicant shall construct a right turn/deceleration lane and a left turn lane, said lanes and associated tapers to be sized in accordance with the standards set out in the Prince William County Design and Construction Standards Manual, on Balls Ford Road at the entrance to the Property at or prior to the time of issuance of a certificate of occupancy for the first building to be constructed on the Property which accesses Balls Ford Road via the spine road. However, Applicant shall have no obligation to construct said right and left turn lanes if, at the time such construction would be required pursuant to this proffer, existing Balls Ford Road has been cul-de-saced so that it no longer connects to Wellington Road at the now-existing intersection.~~

d. ~~In the event the Applicant seeks approval of final site plans for the Property, including uses which would, in the aggregate, result in a total traffic generation of greater than 2,150 vehicles per day (VPD), then at the time of construction of the use which would result in the 2,150 VPD threshold being exceeded, the Applicant shall construct the entrance road as a four-lane divided section for that distance from Balls Ford Road required by the standards set out in the Prince William County Design and Construction Standards Manual.~~

2. LIGHTING:

a. ~~The Applicant agrees to install a total of two (2) street lights, to be located between at the entrance and exit to and from to the Property from Balls Ford Road.~~

b. ~~The Applicant agrees that all free standing parking lot lights necessitated in connection with the development of the Property shall have a maximum height of sixteen (16') thirty (30') feet and shall be directed downward and inward. This proffer shall not apply to the use requested in connection with SUP #87-43 applied for as a part of this reasoning.~~

3. USES:

~~The Applicant agrees that the Property will be used solely for a wood processing facility, to include the processing of trees,~~

APPROVED
PROFFER/DEVELOPMENT PLAN

3/15/91

Date
OFFICE OF PLANNING

~~stumps, logs and/or limbs, and that no other uses shall be permitted.~~

~~The Applicant agrees that the uses on the Property shall be subject to the following limitations:~~

~~a. Veterinary hospitals and commercial kennels shall be prohibited.~~

~~b. Manufacture of cosmetics or perfumes shall be permitted only upon issuance of a special use permit.~~

~~c. Any outdoor work associated with a blacksmith, welding or machine shop shall be limited to the hours between 7:00 a.m. and 7:00 p.m.~~

~~d. Any outdoor work associated with an auto painting, upholstering or repair use shall be limited to the hours between 7:00 a.m. and 7:00 p.m. In addition, such uses shall be subject to the preparation of and adherence to a spill contingency procedure plan, and all hazardous materials shall be handled, stored, and disposed of in accordance with all applicable state, federal, and local regulations.~~

4. SIGNAGE:

~~The signage and entry feature to be utilized will be substantially in accordance with that rendering submitted to Prince William County Planning Office prepared by Polins Sousa and Associates, Inc. and identified as "Proposed Entrance".~~

~~All freestanding signage utilized on the Property shall be monument style.~~

4-5. MONETARY CONTRIBUTION:

~~Applicant shall make a monetary contribution in the total amount of Thirty Thousand Dollars (\$30,000.00) to the Board of County Supervisors of Prince William County at the time of final site plan approval of the use authorized in connection with SUP #07-43. Of this amount, Five Thousand Dollars (\$5,000.00) shall be used for a fire station or related fire services in the area to serve this Property. The balance of said contribution, or Twenty Five Thousand Dollars (\$25,000.00), shall be used for improvements at the Balls Ford Road/Route 234 intersection or shall be contributed toward the Route 66/Route 234 interchange improvements at the discretion of the Board of County Supervisors.~~

~~a. Fire and Rescue: Applicant shall make a monetary contribution of Five Thousand Dollars (\$5,000.00) to the Board of~~

APPROVED
PROFFER/DEVELOPMENT PLAN

3/13/17
Date
OFFICE OF PLANNING

County Supervisors of Prince William County at the time of approval of the first final site plan for the Property, to be used for a fire station or related fire services in the area serving this Property.

b. Transportation: The Applicant shall contribute to the Board of County Supervisors of Prince William County the sum of Fifteen Cents (\$.15) per square foot of building area constructed on the Property for transportation improvements in the Balls Ford Road corridor. Said contribution shall be paid on a per-square foot basis at the time of issuance of a building permit for each building to be constructed on the Property.

c. The monetary contributions contained in subparagraphs 5a. and 5b. above 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 said contributions are paid they shall be adjusted by the percentage change in the CPI-U from a date eighteen (18) months after the approval of Rezoning REZ90-75, as applied for by the Applicant, to the most recently available CPI-U to the date the contributions are paid, subject to a cap of six percent (6%) per year.

6. WATERLINE:

Applicant shall construct a twelve inch (12") waterline using ductile iron pipe along Balls Ford Road from Wellington Road to the main entrance to the Property a distance of approximately nine hundred thirty five (935') feet as a part of the first phase of the development of the Property in accordance with this rezoning and SUP #87-43.


5.6 REIMBURSEMENT FOR WATERLINE:

The Applicant shall pay to the Prince William County Service Authority as reimbursement for a portion of the cost of construction of the existing water main adjacent to Balls Ford Road and the Property, the sum of Thirty Thousand and No/100 (\$30,000.00), at the time of issuance of a building permit water and sewer certification for the first building to be constructed on the Property.

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APPROVED
PROFFER/DEVELOPMENT PLAN
Holly H. [Signature]
3/13/91
Date
OFFICE OF PLANNING


Gordon V. Smith, Trustee


Richard J. North, Trustee

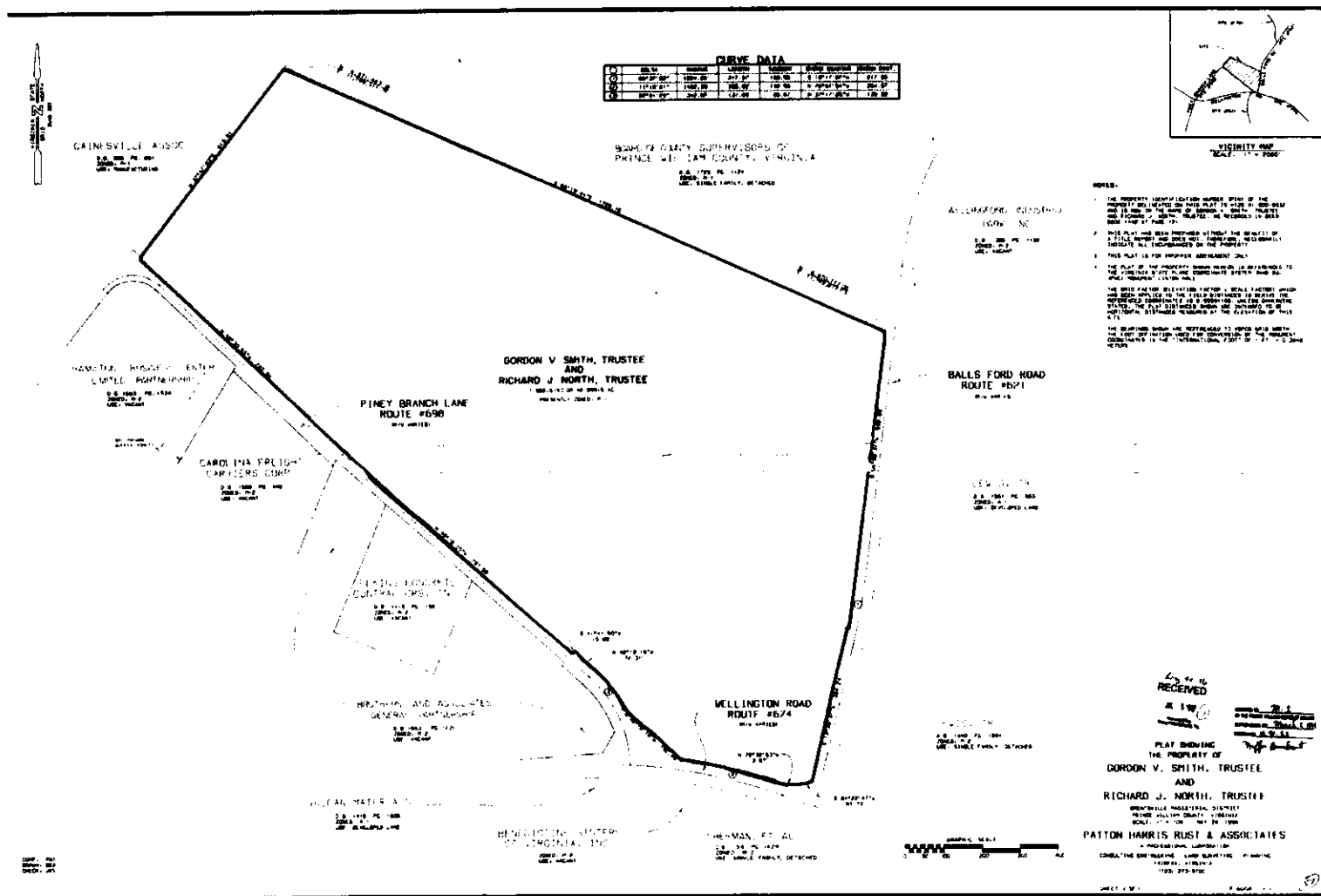
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APPROVED
PROFFER/DEVELOPMENT PLAN


Signed

3/13/91
Date

OFFICE OF PLANNING



MOTION: THOMPSON

SECOND: GRIGGS

RE: SPECIAL USE PERMIT #PLN2001-00136, C.C. JOHNSON COMPANY – BRENTSVILLE MAGISTERIAL DISTRICT

ACTION: APPROVED AS CONDITIONED

THP
Griggs
**May 1, 2001
Regular Meeting
Ord. No. 01-35**

WHEREAS, this is a request to operate a multi-use facility on approximately 22.3 acres to include: stump and wood mulching, topsoil screening and storage, firewood processing and storage, and concrete rubble processing and storage. The site is in the Brentsville Magisterial District, located on the northwest quadrant of the intersection of Balls Ford and Wellington Roads, with the southern property boundary abutting Piney Branch Lane, identified on the County maps as GPIN #7497-80-9764. The site is zoned M-1 and designated EI, Industrial Employment in the 1998 Comprehensive Plan; and

WHEREAS, staff has reviewed the subject application and recommends approval, as stated in the staff report; and

WHEREAS, the Planning Commission held a public hearing on this item on April 4, 2001, and recommends approval, as stated in Planning Commission Res. No. 01-0234; and

WHEREAS, a public hearing, duly advertised in a local newspaper for a period of two weeks, was held on May 1, 2001, and interested citizens were heard; and

WHEREAS, general welfare and good zoning practice are served by the approval of the application;

NOW, THEREFORE, BE IT ORDAINED that the Prince William Board of County Supervisors does hereby approve SUP #PLN2001-00136, C.C. Johnson Company, subject to the conditions dated April 6, 2001;

BE IT FURTHER ORDAINED that the Board of County Supervisors' approval and adoption of any conditions does not relieve the applicant and/or subsequent owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

May 1, 2001
Regular Meeting
Ord. No. 01-35
Page Two

Votes:

Ayes: Barg, Caddigan, Connaughton, Griggs, Hill, Jenkins, Thompson, Wilbourn

Nays: None

Absent from Vote: None

Absent from Meeting: None

For Information:

Planning Director

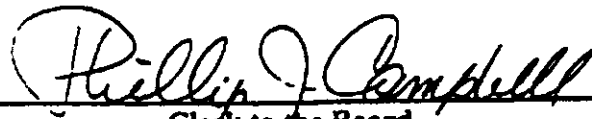
Jay du Von, Esquire

Walsh, Colucci, Stackhouse, Emrich & Lubeley, P.C.

13663 Office Place, Suite 201

Woodbridge, VA 22192

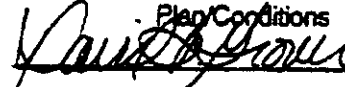
CERTIFIED COPY


Clerk to the Board

Refer to:

REZ 90-76

APPROVED
Special Use Permit
Plan/Conditions


5-10-01

Signed

Date

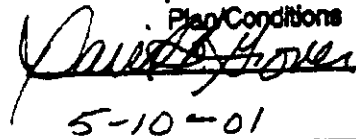
Office of Planning

CONDITIONS
SPECIAL USE PERMIT #PLN2001-00136, C.C. JOHNSON COMPANY
DATED APRIL 6, 2001

The following conditions are intended to offset the impacts of the proposal and to render the application consistent with the applicable chapters of the 1998 Comprehensive Plan.

1. **Site Development** - The uses subject to this special use permit shall be developed in substantial conformance with the Special Use Permit Plan (Plan) prepared by PHR&A, dated March 21, 2001, unless otherwise provided herein. The applicant shall obtain site plan approval and comply with the conditions of the special use permit and all minimum standards of the Design and Construction Standards Manual. If there are conflicts between the conditions of this special use permit, the Zoning Ordinance, and the Design and Construction Standards Manual, the more restrictive shall apply.
2. **Use Parameters** - Special use permit uses shall be limited to the following: wood and stump mulch processing and storage, topsoil screening and storage, concrete rubble processing and storage, and firewood processing and storage; and said uses shall be subject to the following:
 - (a) Stumps, Mulch, Firewood, Concrete and Topsoil shall be stored on the site only in the areas shown on the Plan.
 - (b) Topsoil that has been screened and processed shall be covered with plastic during inclement weather to prevent erosion. Mulching and seeding shall stabilize topsoil that has not been processed.
 - (c) Truck Storage on-site shall be limited to fifteen (15) vehicles owned or controlled by the applicant or its successor. Trucks stored on the property shall be on a gravel surface only in the locations shown on the conditioned plans.
 - (d) Equipment for this operation shall be limited to that identified and shall be generally located on the site only as indicated on the conditioned plans. Storage of inoperable vehicles, machinery or equipment on the site shall be prohibited.
 - (e) Areas of the property which are not used or are no longer used for the uses identified in this special use permit shall be limited to uses permitted by right in the M-1 zoning district and subject to the standards of the DCSM.

APPROVED
Special Use Permit
Plan/Conditions


5-10-01

Signed

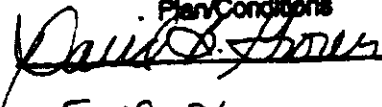
Date

Office of Planning

CONDITIONS
SPECIAL USE PERMIT #PLN2001-00136, C.C. JOHNSON COMPANY
DATED APRIL 6, 2001

- (f) There shall be no burying of materials on the site. Disposal of waste materials shall be in a landfill approved for the respective waste material only.
3. **Exterior Lighting** - Freestanding and building mounted lighting fixtures shall have a maximum height of twenty-four (24) feet. All lighting shall be mounted so that the fixture faces downward at a 90 degree angle. The fixture shall have a sharp cut-off that will ensure that light will be directed downward, eliminating stray upward illumination, and illumination shall not extend beyond the property line. Metal halide lamps shall not be used.
4. **Signage/Advertising** - Signs shall be limited to one monument sign with a maximum height of 10 feet and 32 square feet in area. This sign shall be located at the Piney Branch Lane entrance to the site, in accordance with the provisions of the sign ordinance. Other signs for this site shall be limited to directional, safety or similar signs located on the interior of this site.
5. **Landscaping** - The applicant shall preserve the existing trees around the perimeter of the property as shown on the Plan. Supplemental berms and planting of the perimeter of the property shall be provided as shown on the plan. Landscape berms shown on the plan shall be a minimum height of four (4) feet.
6. **Fencing** - The applicant shall install a 6-foot tall chain link fence of No. 9 gauge fabric or greater along the Piney Branch Lane frontage of the special use site and the west property line for security purposes. The fence shall be installed prior to commencement of special use permit uses.
7. **Water Quality**
- (a) **Monitoring** - The applicant shall contribute \$1,672.00 at the time of site development permit issuance for the County to conduct water quality monitoring in the watershed.
- (b) **Materials Handling and Storage** - The applicant shall obtain and comply with all required state permits.

APPROVED
Special Use Permit
Plan/Conditions


5-10-01

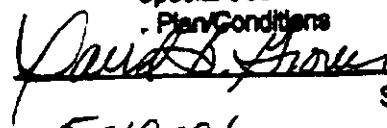
Signed

Date

Office of Planning

CONDITIONS
SPECIAL USE PERMIT #PLN2001-00136, C.C. JOHNSON COMPANY
DATED APRIL 6, 2001

- (c) **Fuel Storage Tanks** - The fuel storage tanks shall be equipped with spill containment mechanisms approved by the Fire Marshall to prevent leakage or possible contamination of storm water.
8. **Fire Protection**
- (a) **Level of Service Monetary Contribution** - The applicant shall make a monetary contribution to the Board of County Supervisors in the amount of \$1,390.00 to offset level of service impacts on Fire and Rescue payable at site plan approval.
- (b) **On-Site Burning** - Burning as a means of disposing of material shall be prohibited. Contained burning shall be allowable only during initial site development, subject to all applicable permits.
- (c) **Fire Lanes** - Fire lanes shall be provided throughout the property as required by the Fire Marshall for emergency vehicle access.
- (d) **Smoking** - Smoking shall be prohibited in areas where combustible materials are handled or stored.
- (e) **Storage Piles** - Storage piles exceeding 2,000 cubic yards gross volume shall require approval from the Fire Marshal. The size and height of any combustible material shall comply with the VSFPC requirements. Material storage height shall not exceed 20 feet in height. A minimum 18-foot wide fire lane shall be provided between the piles. Piles of organic materials shall be turned periodically to prevent fires.
- (f) **Spill Contingency Plan** - The applicant shall prepare a spill contingency plan and submit such plan for review and approval by the Fire Marshall. The spill contingency plan shall be posted on the premises before issuance of any occupancy permits. The applicant shall be responsible for notifying the Fire Marshall of any spill and shall assume all responsibility and expenses in the clean-up of the site.

APPROVED
Special Use Permit
Plan Conditions

Signed
5-10-01
Date
Office of Planning

CONDITIONS
SPECIAL USE PERMIT #PLN2001-00136, C.C. JOHNSON COMPANY
DATED APRIL 6, 2001

9. **Transportation**

- (a) **Parking** - Parking shall be limited to the areas shown on the approved site plan. Handicapped parking and signs shall be provided in accordance with the Design and Construction Standards Manual.
- (b) **Entrance** - A standard commercial entrance off of Piney Branch Lane shall be constructed in accordance with DCSM requirements.
- (c) **Street Lights** - Street lights shall be installed at the entrance to the site if required by Public Works, Transportation at the time of site plan review.
- (d) **Monetary Contribution** - The applicant shall pay a monetary contribution of 15 cents (\$0.15) per square foot of building area constructed on the property for transportation improvements in the Balls Ford Road Corridor, at the time of site plan approval.
- (e) **Materials Transporting** - The exterior of all trucks carrying materials shall be visually inspected by the drivers for loose concrete, stone, etc. that could fall off in transit. Any loose material shall be removed from the exterior of the truck prior to leaving the site. The applicant shall be responsible for maintaining Piney Branch Lane clean and washed as necessary to remove any materials deposited thereon by vehicles coming to or from this site.
- (f) **Right-of-Way Reservation** - The Applicant agrees to reserve for future dedication to VDOT, upon payment of costs by VDOT to the landowner, right-of-way along Piney Branch Lane in the location shown on the special use permit plan. However, the applicant may continue to use the area within the reserved area for the activities shown on the plan, and may provide landscaping and/or berms within the reserved area until such time as VDOT acquires it.

APPROVED
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Plan/Conditions

David S. Thomas
5-10-01

Signed

Date

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- (g) Piney Branch Lane Access - Only Lot 1 as shown on the conditioned plans shall utilize Piney Branch Lane for access. No left turns shall be permitted from the site into Piney Branch Lane. All vehicle and truck traffic for the mulching facility and contractors storage yard shall be limited to the use of western segment of Piney Branch Lane. The Applicant's employees and visitors shall not be permitted to travel along the eastern segment of Piney Branch Lane located along the southern property boundary of the site.
- (h) Piney Branch Lane Improvements - The applicant shall contribute a sum of \$10,000 to Prince William County for the construction of widening and improvements to Piney Branch Lane, payable at such time as said improvements are commenced by the County, VDOT or others. In the event VDOT, or a third party approved by the County, undertakes the financial responsibility for widening and improvements to Piney Branch Lane, the County will pay over the Applicant's \$10,000 contribution to the party that has assumed this financial responsibility, prior to the completion of construction of the widening and improvements.