County of Fairfax, Virginia
Planning Commission Meeting
May 21, 2025
Planning Commission Action

SSPA 2023-III-2BR (PA 2023-00027 Concurrent with RZ 2020-SU-005) – A & A CONTRACTING, INC.
(Sully District)

RZ 2020-SU-005 (Concurrent with SSPA 2023-III-2BR) – A & A CONTRACTING, INC.
(Sully District)

PLANNING COMMISSION RECOMMENDATIONS:
On May 21, 2025, the Planning Commission voted 10-0 (Commissioners Landgraf and Wang were absent from the meeting) to recommend to the Board of Supervisors the following actions:

- Adoption of SSPA 2023-III-2BR, as found in the staff report, dated April 30, 2025;

- Approval of RZ 2020-SU-005, subject to the execution of proffers consistent with those dated May 19, 2025; and

- Approval of a modification of subsection 5108.5 of the Zoning Ordinance requiring transitional screening and barriers on the eastern property boundary in favor of the existing landscaping.

ATTACHED DOCUMENTS:
Proffers dated May 19, 2025

CD

A & A CONTRACTING, INC.

RZ 2020-SU-005
PROFFERS

April 28, 2025
Revised May 19, 2025

PREAMBLE

Pursuant to Section 15.2-2303(a) of the Code of Virginia (1950, as amended) and Subsection 8100.2 of the Zoning Ordinance of Fairfax County (2023 as amended), the property owner and the Applicant, for themselves and their successors and/or assigns (hereinafter referred to as the "Applicant"), hereby proffer that the development of the parcel under consideration and shown on the Fairfax County Tax Map as Tax Map Parcel # 33-2 ((1)) 1 (the "Property") must be in accordance with the following conditions if, and only if, Rezoning application RZ 2020-SU-005 (this "Rezoning") is granted.

1. Generalized Development Plan. Any development of the Property must be in substantial conformance with the Generalized Development Plan ("GDP") entitled "Generalized Development Plan for Dulles South Property", prepared by DeMarr Engineering dated March 9, 2020 and revised through April 8, 2025, containing 22 sheets.

2. Minor Modifications. Minor modifications to the GDP may be permitted pursuant to Subsection 8100.5 of the Zoning Ordinance as determined by the Zoning Administrator.

3. Fire Marshal Evaluation. Changes to the GDP may be permitted without the requirement for a Proffered Condition Amendment (PCA) in response to the review of site plans by the Fire Marshal, including adjustments to tree locations and parking lot improvements, and building setbacks as necessary to allow for required emergency vehicle access, provided such modifications are in substantial conformance with the GDP and these Proffers.

4. Proposed Development.

   A. Proposed Uses: The Proposed Development will be limited to a maximum of up to 20,000 SF Gross Floor Area (GFA) and may consist of the following uses subject to any Use Limitations in the Zoning Ordinance:

      i. New Vehicle Storage provided no customers/clients, sales of vehicles, or vehicle preparation will occur on the Property and there will be no display of signs on vehicles;

ii. Vehicle Storage Yard provided no customers/clients, sales of vehicles, or vehicle preparation will occur on the Property and there will be no display of signs on vehicles;

iii. Contractor's Office and Shop;

iv. Storage Yard; and/or

v. Accessory Uses and Structures as permitted by Article 4 of the Zoning Ordinance.

B. Development Options. Three Development Options are shown on the GDP to implement the Proposed Uses. Each of the Proposed Uses may be established individually on the Property or in combination with one another provided the Proposed Development is in substantial conformance with the Development Options shown on the GDP.

C. Telecommunication Facilities. Telecommunication facilities are permitted provided such facilities are either in existing locations, flush mounted, or otherwise designed to be visually unobtrusive as determined by the Zoning Administrator.

5. Architecture. The architectural design of any principal structures must be in conformance with the precedent images shown on Sheets 4A and 4B of the GDP.

6. Vehicular Access. Vehicular access to the Property may be provided by the "Potential Future Interparcel Access" as shown on the GDP, if the necessary permissions from the owner of adjacent Tax Map Parcel 33-2 ((1)) 2B2 are granted (the "Offsite Permissions"). The Potential Future Interparcel Access may be provided in addition to or in lieu of the existing access point located further west on the Property boundary.

7. Parking.

A. Required Parking. Parking will be provided in accordance with the parking requirements of Article 6 of the Zoning Ordinance and any approved parking reduction. Minor modifications (increases or decreases) to the number of parking spaces as shown on the GDP are permitted provided that (1) the number of parking spaces is compliant with the minimum parking requirements for the approved uses established by the Zoning Ordinance and any associated reductions approved by the Board or otherwise allowed by Ordinance; and (2) the limits of disturbance and development footprint do not exceed that shown on the GDP. Final parking lot striping and number of parking spaces will be determined at final site plan.

B. Future Parking Reductions. The Applicant further reserves the right to pursue future parking reductions and shared parking arrangements for the Property as may be permitted by the Fairfax County Zoning Ordinance without the need for a PCA.

C. Future Zoning Ordinance Amendments. The Applicant may at its discretion opt into any Zoning Ordinance revisions to the minimum parking requirements without the need for a PCA.

8. Stormwater Management Facilities and Best Management Practices. The Applicant must implement stormwater management techniques to control the quantity and quality of stormwater runoff from the Property in accordance with the Fairfax County Public Facilities Manual, Stormwater Ordinance, and Virginia Department of Environmental Quality (DEQ), as approved by LDS, sufficient to address Dulles Suburban Center stormwater management Comprehensive Plan goals. Stormwater management facilities/Best Management Practices ("BMPs") must be provided as generally depicted on the GDP. The purchase of nutrient credits will not be permitted. The Applicant reserves the right to pursue additional or alternative stormwater management measures provided the same are in substantial conformance with the GDP. At the time of site plan for the Proposed Development the Applicant must demonstrate adequate outfall in accordance with applicable County ordinances.

9. Green Building. Prior to Building Permit submission for any permanent, principal structure to be constructed on the Property, the Applicant must notify the Environmental Branch of the Department of Planning and Development (EB) and Land Development Services (LDS) which of the following certifications will be pursued for the project. Final certification documentation by a green building specialist or accredited professional must be provided to EB and LDS prior to the issuance of the Non-RUP for the structure to be constructed on the Property. The Applicant commits to certification of the any permanent, principal structure to be constructed on the Property to one of the following programs:

A. LEED. The Applicant will include, as part of the site plan submission and building plan submission for Option 1, a list of specific credits within the most current version of the U.S. Green Building Council's Leadership in Energy and Environmental Design— New Construction (LEED®-NC), Core and Shell (LEED®-CS) rating system, or other LEED rating system determined to be applicable to the building(s) by the U.S. Green Building Council (USGBC), that the applicant anticipates attaining. A LEED-accredited professional (LEED-AP) who is also a professional engineer or licensed architect will provide certification statements at both the time of site plan review and the time of building plan review confirming that the items on the list will meet at least the minimum number of credits necessary to attain LEED certification of the project.

i. In addition, prior to site plan approval, the Applicant will designate the DPZEDRB@fairfaxcounty.gov 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.

ii. Prior to the building plan approval, the Applicant will submit documentation, to the Environmental Branch of DPD and to LDS, regarding the U.S. Green Building Council's preliminary review of design-oriented credits in the LEED program. This documentation will demonstrate that the building is anticipated to attain a sufficient number of design-related credits that, along with the anticipated construction-related credits, will be sufficient to attain LEED certification. Prior to release of the bond for the project, the applicant will provide documentation to the Environmental Review Branch of DPD and to LDS demonstrating the status of attainment of LEED Certified or a higher level of certification from the U.S. Green Building Council for the building.

iii. As an alternative to the actions outlined in the above paragraphs, or if the U.S. Green Building Council review of design-oriented credits indicates that the project is not anticipated to attain a sufficient number of design-related credits to support attainment of LEED Silver certification, the Applicant will post, a "green building escrow," in the form of cash or a letter of credit from a financial institution acceptable to LDS as defined in the Public Facilities Manual, in the amount of 5% of the estimated value of the building, as determined by the Department of Tax Administration. This escrow will be in addition to and separate from other bond requirements and will be released upon demonstration of attainment of LEED Silver certification or higher level of certification, by the U.S. Green Building Council, under the most current version of the LEED-NC or LEED-CS rating system or other LEED rating system determined, by the U.S. Green Building Council. The provision to the Environmental Branch of DPD and to LDS of documentation from the U.S. Green Building Council that the building has attained LEED Silver certification will be sufficient to satisfy this commitment. At the time LEED Silver certification is demonstrated to the Environmental Branch of DPD, the escrowed funds and/or letter(s) of credit will be released to the Applicant.

iv. If prior to bond extension, reduction or final bond release for the building site, whichever occurs first, the Applicant provides to the Environmental Branch of DPD documentation demonstrating that LEED Silver certification for the building has not been attained but that

the building has been determined by the USGBC to fall within three (3) points of attainment of LEED Silver certification, 50% of the green building escrow will be released to the Applicant; the other 50% will be released to Fairfax County and will be posted to a fund within the County budget supporting 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 will 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 building site.

v. If prior to the bond extension, reduction or final bond release for the building site, whichever occurs first, the Applicant fails to provide documentation to the Environmental Branch of DPD demonstrating attainment of LEED Silver certification or demonstrating that the building has fallen short of LEED Silver certification by three (3) points or more, the entirety of the escrow for that building will be released to Fairfax County and will be posted to a fund within the County budget supporting implementation of County environmental initiatives. If the certification is still in progress at the time of application for bond extension or reduction, the time frame for the provision of the documentation described above will 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 building site.

vi. If the Applicant provides documentation from the USGBC demonstrating, to the satisfaction of the Environmental Branch of DPD, that USGBC completion of the review of the LEED certification application has 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 will be made to the Applicant or to the County during the extension.

B. EarthCraft Light Commercial. If the Applicant selects EarthCraft certification in accordance with the EarthCraft Light Commercial ("ECLC"), then the Applicant must provide documentation to LDS and EB demonstrating that the project has attained ECLC certification prior to the issuance of the Non-RUP for the permanent, principal structure.

C. Alternative Program. The Applicant reserves the right to utilize an alternative equivalent program in consultation with and approved by the EB at the time of building plan submission for any permanent, principal structure to be constructed on the Property.

10. Electric Vehicle Charging. Concurrent with the first site plan submission, the Applicant must designate at least 2% of the parking spaces to be equipped with universal, Level 2 electric vehicle charging stations, which must be fully wired and functional at time of Non-RUP issuance. The provision of EV charging parking spaces will not affect the ability of the development to meet the minimum required parking as defined in these Proffers.

11. Protection of Environmental Quality Corridor. Portions of the site area include Environmental Quality Corridor ("EQC") as delineated on the GDP. This EQC boundary must be delineated and appropriately labeled on the site plan. Only those encroachments shown on the approved GDP for utilities and stormwater management outfall with no land disturbance are permitted in the EQC. Prior to any land disturbing activities in or near the EQC, the Applicant must install orange fencing of alternative approved by Forest Conservation Branch, Land Development Services to clearly delineate the edge of the EQC/RPA/Floodplain.

12. Landscape Plan. As part of the first and all subsequent plan submissions, the Applicant must include a landscape planting plan and specifications for review and approval by the Forest Conservation Branch (FCON) and FCPA-NRB. 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 must be used to provide a root zone environment favorable tree trees and other vegetation.

    - Plant trees in areas to contribute to energy conservation for buildings, as depicted in Plate 4-12 of the Public Facilities Manual.

    - 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 12.14) together 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 multi-layer, wooded environment.

13. Erosion & Sedimentation Controls. To ensure off-site properties are not impacted by silt or associated run-off, the Applicant must design and implement siltation control mechanisms that must include "super silt" fencing or similar procedures as determined by LDS for any "ground disturbing" activity and that are structurally feasible. The functioning and integrity of all erosion and sedimentation controls (E&S controls) required by LDS must be inspected by the Applicant or their designated representative no later than the next business day following each storm event during the period of construction on-site.

14. Tree Inventory Condition Analysis: The Applicant must submit a Tree Inventory and Condition Analysis as part of the first and all subsequent plan submissions for the Proposed Development. The Tree Inventory and Condition Analysis must be prepared by a Certified Arborist or Registered Consulting Arborist and must include elements of PFM 12-0307 deemed appropriate to the project site as determined by FCON, LDS.

15. Tree Preservation Plan: The Applicant must submit a Tree Preservation Plan and Narrative as part of the first and all subsequent plan submissions. The Tree Preservation Plan and Narrative must be prepared by an International Society of Arboriculture (ISA) Certified Arborist or Registered Consulting Arborist and must include elements of PFM 12-0309 deemed appropriate to the project site as determined by FCON, LDS.

16. Project Arborist/Pre-construction Meeting. Prior to the pre-construction meeting the Applicant must have the approved limits of clearing and grading flagged with a continuous line of flagging. 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 a FCON, LDS 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 must be fully documented by the Project Arborist which will be reported to SDID and FCON, LDS in the initial Project Arborist report and tree protection fencing must be implemented under the Project Arborist's supervision based on these adjustments.

17. Tree Protection Fencing. The Applicant must provide appropriate tree protection devices, based on site conditions and proposed construction activities as reviewed and approved by FCON, LDS. ~~.~~

18. 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, must 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 for review and approval by FCON.

19. Site Monitoring. 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, exterior site demolition activities, and new landscape and hardscape installation within the approximate location of the existing trees. During implementation of the Phase 2 Erosion and Sediment Control Plan, the Project Arborist must 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 as approved by FCON, LDS. Written reports must be submitted to a FCON, LDS and SDID site inspector detailing site visits. A monitoring schedule and Project Arborist reports must be described and detailed in the Tree Preservation Plan on the first, and all subsequent submissions of the site plan.

20. Landscape Planting Pre-installation Meeting. Prior to installation of any plants to meet the requirements of the approved landscape planting plan, the contractor/developer must coordinate a pre-installation meeting on the site with the landscape contractor, FCON, LDS staff, and any additional appropriate parties. Any proposed changes to planting locations, tree/shrub planting sizes, and species substitutions shown on the approved plan must be reviewed and approved by FCON, LDS staff prior to planting. The installation of plants not approved by FCON, LDS may require the submission of a revision to the landscape plan or removal and replacement with approved trees/shrubs prior to bond release.

21. Tree Space Requirements. Tree planting spaces proposed in the streetscape and other areas restricted by barriers to root growth must provide a planter open surface area at least 6 x 6 feet. Where minimum planting areas cannot be met and planting spaces at least 8 feet wide cannot be provided, rooting zone width a minimum of 8 feet must be provided beneath paved surfaces using structural cell technology or other solutions acceptable to FCON, LDS that provide uncompacted soil within the planting space, with planting sites meeting the following specifications:

    - A minimum of 6 feet of open surface width and 36 square feet of open surface area

    - Rooting area beneath paved surfaces a minimum of 8 feet wide, taking into consideration sloped sides as may be needed to support adjacent compacted soils for roadways and pedestrian walkways. Planting space depth must be 4 feet within four feet of the tree on all sides. Soil depth in areas beyond four feet may be shallower or narrower as long as specified minimum soil volumes are met. Paved surfaces over the specified rooting area must not be dependent upon compacted soil for structural support.

- Soil volume for Category III or IV trees (as indicated in Table 12.14 of the Public Facilities Manual) shall be a minimum of 700 cubic feet per tree for single trees. For two trees planted in a contiguous planting area, a total soil volume of at least 1200 cubic feet must be provided. For three trees or more planted in a contiguous area, the soil volume must equal at least 500 cubic feet per tree. A contiguous area must be defined as any area with a soil depth of 3-4 feet, within which lateral root growth is unrestricted.

- Soil in planting sites must be as specified in planting notes to be included in site plans reviewed and approved by FCON, LDS.

- The Applicant must contact FCON, LDS (703-324-1770) at least 3 business days prior to installation of trees and provide an opportunity for FCON, LDS staff to verify conformance with these requirements.

22. Invasive Plant Species Management. As shown on the GDP, areas extending up to the innermost edge of the Sanitary Sewer Easement (SAN), and within 25 feet outside the limits of disturbance ("Invasive Species Management Area") containing plant species that are known to be invasive in quantities that threaten the long-term health and survival of the existing vegetation present must be the subject of an invasive plant species management plan. At the time of site plan submission, the Applicant must provide a management plan for review and approval by FCON, LDS specifying the common and scientific name of invasive species proposed for management, if any, the target area for management efforts, methods of control and disposal of invasive plants, timing of treatments and monitoring, duration of the management program, and potential reforestation as needed. If at the time of site plan review the Applicant has not demonstrated meeting the 10-year tree canopy requirement and/or tree preservation target identified on Sheets 5A – 5C of the GDP, additional areas of invasive species management may be provided to meet the 10-year tree canopy requirement and/or tree preservation target, as approved by FCON.

23. Limits of Disturbance. The Applicant must conform to the Limits of Disturbance and as shown on the GDP, as may be modified by final engineering and the tree preservation walk-through. Final limits of clearing and grading will be determined at time of final design. The Limits of Disturbance may be expanded to conduct work on adjoining properties or within the right-of-way for building code compliance and utility upgrade requirements Retaining wall locations and height limits will be determined at final design.

24. Inclement Weather. If needed for safety reasons during inclement weather, only salt or sand may be applied to paved surfaces. When no longer needed, excess or leftover salt or sand must be removed for reuse at a later date or disposal. Residual salt or sand must not be swept or shoveled into planted landscape areas.

25. Noise Study. If the applicant proposes a specific use that would require noise

mitigation, the applicant must submit a noise study at the time of site plan to be distributed to DRB for review and to LDS for information only to ensure that interior noise in office uses will not exceed DNL 50 dBA. If mitigation measures are required, then site and building plans for each building that is subject to noise mitigation must depict the final noise contours as determined by the noise study; measures that will be incorporated must be included on site/building plans.

26. Advanced Density Credit. Advanced density credit is reserved consistent with the provisions of the Fairfax County Zoning Ordinance for all eligible dedications described herein or as may be required by Fairfax County or VDOT.

27. Zoning Administrator Consideration. Notwithstanding the foregoing, upon demonstration that despite diligent efforts or due to factors beyond the Applicant's control proffered improvements such as, but not limited to, off site easements, have been delayed (due to, but not limited to, an inability to secure necessary permission for utility relocations, necessary easements and/or site plan approval, etc.) beyond the timeframes specified, the Zoning Administrator may agree to a later date for completion of these proffered improvement(s).

28. Successors and Assigns. These Proffers will bind and inure to the benefit of the Applicant and their successors and assigns. Each reference to "Applicant" in this proffer statement must include within its meaning and must be binding upon Applicant's successor(s) in interest and/or developer(s) of the site or any portion of the site.

29. Counterparts. These Proffers may be executed in one or more counterparts, each of which when so executed and delivered must be deemed an original, and all of which taken together must constitute but one and the same instrument.

SIGNATURES TO FOLLOW ON NEXT PAGE