County of Fairfax, Virginia
Planning Commission Meeting
May 20, 2026
Planning Commission Action

PCA-80-L-070-039(RZPA-2025-MV-00089)– TRASH AWAY, INC.
(Mount Vernon District)

PLANNING COMMISSION RECOMMENDATIONS:
On May 20, 2026, the Planning Commission voted 9-0 (Commissioners Cortina, Landgraf and Wang were absent from the meeting) to recommend to the Board of Supervisors approval of the following actions:

- PCA-80-L-070-03 (RZPA-2025-MV-00089) subject to the draft proffers dated May 4, 2026; and

- Modification of a major paved trail along Gunston Cove Road to permit a 5-foot sidewalk.

ATTACHED DOCUMENTS:
Draft Proffers dated May 4, 2026

MJ

DRAFT PROFFERS

TRASH AWAY, INC.

PCA 80-L-070-03

May 4, 2026

Pursuant to Section 15.2-2303(A) of the Code of Virginia, 1950, as amended, and subsection 8100.2.D of the Zoning Ordinance of Fairfax County 1978, as amended and effective as of May 10, 2023 (hereinafter referred to as the "Zoning Ordinance"), Trash Away, Inc., for and on behalf of itself and its successors and/or assigns (hereinafter referred to as the "Applicant"), in this partial proffered condition amendment ("PCA") 80-L-070-03 filed on property identified as Fairfax County Tax Map Parcel 107-4 ((1)) 68C (hereinafter referred to as the "Application Property"), hereby proffers the following, provided that the Board of Supervisors (the "Board") approves a PCA on the Application Property. These proffers will replace and supersede any previously approved proffers on the Application Property. In the event this PCA is denied by the Board, these proffers and conditions will immediately be null and void.

1. GENERALIZED DEVELOPMENT PLAN.

   A. Generalized Development Plan. The Application Property will be developed in substantial conformance with the generalized development plan entitled "9420 Gunston Cove Road" prepared by Walter L. Phillips, Inc. dated October 21, 2025, and revised through April 8, 2026 (the "GDP").

   B. Minor Modifications. Pursuant to the Zoning Ordinance, minor modifications to the GDP may be permitted as determined by the Zoning Administrator.

   C. Minor Variations. Minor variations to these proffered conditions and the GDP may be approved in accordance with the provisions of subsection 8100.5 of the Zoning Ordinance.

2. PROPOSED USES.

   As shown on the GDP, permitted uses on the Application Property will be limited to a storage yard and accessory uses.

3. PHASING

   The Applicant may phase construction of the Application Property. Should the Applicant establish the storage yard use prior to construction of the proposed building, the Applicant must install the improvements shown on Sheet P-0303 of the GDP prior to issuance of a Non-RUP for a storage yard on the Application Property. In the event the Applicant establishes the storage yard use prior to

construction of the proposed building, the area within the building footprint must not be used for storage.

4. STORAGE AREA.

The approximately 14,250 square foot storage area ("Storage Area") identified on Sheet P-0301 of the GDP must be used for clean materials and must be maintained in a neat and orderly condition at such times when the Applicant is not accessing the Storage Area. No trash or debris will be permitted in the Storage Area. The Applicant is not permitted to store inoperable vehicles, broken appliances, furniture, or construction materials in the Storage Area. The Applicant will monitor the area and clean up any trash or debris daily to ensure compliance with this proffer. The materials in the Storage Area must not exceed twelve feet in height.

5. TRUCK SANITIZATION.

The sanitization of the interior hopper of trash trucks that park on the Application Property will be performed exclusively offsite and will not occur on the Application Property.

6. TRANSPORTATION IMPROVEMENTS.

A. Reservation of Density. The Applicant reserves density credit as may be permitted by the provisions of the Zoning Ordinance for all eligible dedications as may be required by Fairfax County or the Virginia Department of Transportation ("VDOT") at the time of site plan approval.

B. Property Access. One point of vehicular ingress/egress will be provided to access the Application Property from Gunston Cove Road as shown on the GDP.

C. Transportation Contribution. Prior to the issuance of a Non-RUP for the Application Property, the Applicant will contribute $20,000.00 to Fairfax County for transportation improvements in Lorton, as determined by Fairfax County in coordination with the Mount Vernon District Supervisor's Office.

D. Gunston Cove Road Sidewalk Extension. Prior to the issuance of a Non-RUP for the Application Property, the Applicant will construct a five-foot-wide sidewalk with ADA ramps within the public right-of-way along the Gunston Cove Road frontage of the Application Property to both the northern and southern property lines as shown on the GDP, in accordance with VDOT standards, and to be maintained by VDOT. The Applicant will demonstrate a good faith effort to acquire any off-site easements necessary to construct the sidewalk to the property line on the south end of the Subject Property along the Gunston Cove Road frontage. If off-site access is not acquired, the Applicant will construct the facility as close to the property line as feasible as determined at site plan and provide a construction

easement with an escrow to Fairfax County for the remainder of the sidewalk to be constructed by others.

E. Reservation of Right-of-Way. The Applicant will reserve right-of-way as shown on Sheet P-0301 of the GDP. Dedication will be made upon demand of Fairfax County or VDOT at no cost.

F. Sight Distance Easements. The Applicant will provide sight distance easements, if needed in accordance with VDOT standards, at time of site plan.

7. LANDSCAPING.

A. Landscape Plan. A landscape plan will be submitted concurrently with the site plan for the Application Property that shows, at a minimum, landscaping that is generally consistent with the quality, quantity, and the locations shown on the GDP (the "Landscape Plan"). All landscaping must be native to the mid-Atlantic region to the extent available and feasible, and must be non-invasive (meaning the Applicant must not use any plant species identified in the 2014, or latest version, of the Virginia Invasive Plant Species List published by the Virginia Department of Conservation and Recreation); however, this limitation will not apply to seasonal plantings and ground cover. The Applicant will implement natural landscaping techniques to the extent possible to minimize the use of fertilizers, pesticides, herbicides, and mowing. Adjustments to the type and location of vegetation will be permitted as approved by the Forest Conservation Branch ("FCON").

B. Tree Inventory and Condition Analysis. The Applicant must submit a Tree Inventory and Condition Analysis as part of the site plan submission. The Tree Inventory and Condition Analysis must be prepared by a Certified Arborist or Registered Consulting Arborist and must include elements of Public Facilities Manual ("PFM") 12-0307 deemed appropriate to the Application Property as determined by FCON.

C. Tree Preservation Plan. The Applicant must submit a Tree Preservation Plan and Narrative as part of the site plan submission. The Tree Preservation Plan and Narrative must be prepared by a Certified Arborist or Registered Consulting Arborist and must include elements of PFM 12-0309 deemed appropriate to the Application Property as determined by FCON.

D. 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 an FCON 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 recorded by the Project Arborist and tree protection fencing must be implemented under the Project Arborist's supervision based on these adjustments.

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

F. Tree Preservation Measures. 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 must be implemented. Tree preservation activities must be completed during implementation of Phase 1 of the Erosion and Sediment Control Plan.

G. 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 may include, but 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 to continue monitoring tree preservation measures and ensure that all activities are conducted as identified in the Tree Preservation Plan and approved by FCON. Written reports must be submitted to FCON and Site Development and Inspections Division ("SDID") site inspector detailing site visits. A monitoring schedule and Project Arborist reports must be described in the Tree Preservation Plan.

H. Invasive Plant Species Management. Forested areas 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 for the area to be awarded full 10-year canopy credit. At the time of site plan submission, the Applicant must provide a management plan for review and approval by FCON specifying the common and scientific name of invasive species proposed for management, 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. The Applicant must monitor the managed areas for a period of five (5) years from the date of any invasive species management plan.

I. Planting Quality. The Landscape Plan will be consistent with the quality and quantity of plantings and materials shown on the GDP and may include the use of additional shade trees and other plant materials as determined by the Applicant. The Applicant may adjust the type and location of plantings as approved by FCON in consultation with the Zoning Evaluation Division ("ZED"), provided such adjustments otherwise are in substantial conformance with the GDP. Adjustments to the type and location of plantings may be permitted to avoid conflicts with utilities and other site engineering considerations.

J. Landscaping Planting Pre-installation Meeting. Prior to installation of any plants to meet the requirements of the approved Landscape Plan, the contractor/developer will coordinate a pre-installation meeting on the site with the landscape contractor, FCON 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 FCON staff prior to planting. The installation of plants not approved by FCON may require the submission of a revision to the Landscape Plan or removal and replacement with approved trees/shrubs prior to bond release.

K. Soil Remediation and Enhancement. 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, with attention to deep soil aeration, the addition of organic matter throughout the soil profile to at least 24 inches, and the addition of organic matter on top of the soil. 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.

8. BUILDING DESIGN.

A. Final Design. Final design of the proposed building as shown on the GDP will be determined at time of building plan submission. Building materials will include, but are not limited to, brick; stone and/or masonry; cementitious material; glass; and metal panel. As shown on Sheet P-0301 of the GDP, the vehicle service bays will be located within the rear portion of the building.

B. Building Façade. The front façade parallel to Gunston Cove Road and the side facades of the proposed building will be constructed of at least 60

percent brick or stone, exclusive of windows, doors, shutters, and trim.

9. SUSTAINABLE BUILDING DESIGN.

The Applicant commits to certification of the proposed building as shown on the GDP through one of the following programs:

A. LEED.

a. LEED-NC or LEED-CS. The Applicant will include, as part of the site plan submission and building plan submission, 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 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.

b. Team Member. 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.

c. Project Checklist. Prior to the building plan approval, the Applicant will submit documentation, to the Environmental Branch of DPD and to LDS, regarding the USGBC'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 Branch of DPD and to LDS demonstrating the status of attainment of LEED Certified or higher of certification from the USGBC for the building.

d. Green Building Escrow. 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 $187,500.00 which is five percent (5%) of the estimated value of the proposed improvement 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

e. Release of Green Building Escrow. The Green Building Escrow will be released in accordance with the following:

i. 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 certification for the building has not been attained but that the building has been determined by the USGBC to fall within three points or less of attainment of LEED certification, 50 percent of the green building escrow will be released to the Applicant; the other 50 percent will be released to Fairfax County and will be posted to a fund within the county budget supporting implementation of County environmental initiatives. If 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 extensions. However, the documentation must be provided prior to the final bond release for the building site.

ii. 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 certification or demonstrating that the building has fallen short of LEED certification by more than three (3) points, 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.

iii. 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, then the Applicant will, prior to issuance of the building permit for the proposed building as shown on the GDP, provide documentation from the assigned EarthCraft Light Commercial ("ECLC") project manager demonstrating that the proposed use has had both the ECLC Design and Planning Review and the ECLC Pre-Construction Meeting, and is meeting all requirements to obtain ECLC certification. Prior to issuance of the Non-RUP for the proposed building, the Applicant will provide documentation from the assigned ECLC Project Manager demonstrating that the project has met all requirements pertaining to the ECLC Final Site Visit and has applied for the ECLC certification.

C. Equivalent Program. The Applicant reserves the right to utilize an equivalent alternative program in consultation with and approved by the Environmental Branch of DPD prior to site plan approval.

10. GEOTECHNICAL.

Geotechnical Review (Marine Clay). Prior to site plan approval and in accordance with the provisions of the PFM, the Applicant will submit a supporting geotechnical study of the proposed development to the Geotechnical Review Board ("GRB") through LDS/SDID. Following the GRB's and SDID's review and approval of the study and its recommendations, the Applicant will implement appropriate engineering practices into the project design to address potential geotechnical and geo-structural problems, to the satisfaction of LDS.

11. LIGHTING.

All lighting, with the exception of security lighting, must be turned off after business hours, including unnecessary interior lighting.

12. ELECTRIC VEHICLE INFRASTRUCTURE.

Concurrent with the first site plan submission, the Applicant must designate at least one (1) 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.

13. STORMWATER MANAGEMENT.

A. Subject to the approval of LDS at time of site plan for the Application Property, the Applicant will implement a Stormwater Management ("SWM") and Best Management Practices ("BMP") plan to control the quantity and quality of stormwater runoff from the Application Property as shown on the GDP. Said plan will include the provision of on-site BMPs and Low Impact Development (LID) facilities, to include, but not limited to, infiltration associated with the existing SWM facility if approved by the County, or alternative LID measures such as, bioretention facilities, permeable pavement, or tree box filters, soil conditions permitting. The Applicant reserves the right to adjust the SWM and BMP design or measures at time of site plan to meet Fairfax County requirements, however, the Applicant will not request off-site nutrient credits.

B. Should new stormwater management regulations be issued affecting the Application Property, the Applicant reserves the right to accommodate necessary changes to its stormwater/BMP facility design without the requirement of a PCA, or gain approval of any administrative modifications to the GDP or proffers, provided the site design substantially conforms with the GDP.

14. MISCELLANEOUS.

A. Prior to issuance of a Non-RUP for the Application Property, the Applicant will contribute $20,000.00 to Fairfax County for aesthetic improvements to Gunston Cove Road and Lorton Road in the Lorton area, as determined by and in coordination with the Mount Vernon District Supervisor’s Office.

B. Interim Fence. Should the Applicant establish the storage yard use prior to construction of the proposed building, it must construct an interim, 8-foot fence on the southern side of the site entrance along the section of Gunston Cove Road frontage running parallel to the building footprint to ensure interim screening of the Application Property as shown on Sheet P-0303 of the GDP. The fence must be installed prior to issuance of a Non-RUP for

storage yard use on the Application Property and the fence may be removed upon issuance of a building permit for the proposed building.

C. Salt Management. Salt should only be applied during freezing inclement weather only to paved surfaces where and when needed for safety. When no longer needed, excess or leftover salt must be removed for reuse or disposed properly. Residual salt must not be swept or shoveled into planted landscape areas, wet ponds, or bioretention ponds. When not in use, salt should be stored in a covered area to protect it from precipitation.

D. Debris Collection. To prevent waste and debris from entering local waterways and stormwater management facilities, the Applicant will complete daily waste and debris collection throughout the Application Property; will locate dumpsters and trash compacters in a manner to minimize the potential for trash to flow into stormwater inlets and will regularly monitor dumpsters and/or trash compactors to ensure they are covered and properly maintained.

E. Timing of Completion. Upon demonstration by the Applicant that, despite diligent efforts or due to factors beyond the Applicant's control, construction of any of the required improvements described herein have been delayed beyond the timeframes specified, the Zoning Administrator may agree to a later date for completion of such improvements without the necessity of a PCA.

F. Community Liaison. Prior to site plan approval, the Applicant will provide in writing, which may be by email, the name, email address, and telephone number of a point of contact to the president of the Lorton Station South Homeowners Association, the president of the Terrace Towne Homes of Gunston Homeowners Association, and the president of the Gunston Hill Homeowners Association. The same information will be provided to the Chairman of the South County Federation and the Mount Vernon District Supervisor's Office. The point of contact will be responsible for responding to community concerns during construction and future operations.

G. Successors and Assigns. These proffers will bind and inure to the benefit of the Applicant and its successors and assigns. Each reference to "Applicant" in this proffer statement will include within its meaning and will be binding upon the Applicant's successor(s) in interest and/or the owner(s) from time to time of the Application Property during the period of their ownership. Once portions of the Application Property are sold or otherwise transferred, the associated proffers become the obligation of the purchaser or other transferee and will no longer be binding on the seller or other transferor.

[SIGNATURE BEGINS ON NEXT PAGE]

TITLE OWNER OF TAX
MAP 107-4 ((1)) 68C

MILESTONE PROPERTIES IN LORTON LLC

_____

By: Ramprasad Gurunathan

Its: Manager

[SIGNATURES CONTINUE ON NEXT PAGE]

PCA 80-L-070-03

APPLICANT

TRASH AWAY, INC.

_____

By: Cheryl L. Freeman

Its: President

[SIGNATURES END]

#6668010v1

Deleted: #6667919v1