

**County of Spotsylvania
Department of Planning**



Planning Commission Staff Report

Rezoning # R16-0007
(Battlefield Voting District)

Staff Recommendation: Approval with the recommended additional language to the Generalized Development Plan proffer included in the proffered conditions dated May 1, 2017.

I. Overview

Applicant: Gramm & Bethard, LLC (Safford Auto) and Fields Investments, LLC

Request: The applicants request a rezoning of 3.3469 acres from Residential 1 (R-1) to Commercial 3 (C-3) with proffers to allow for a general purpose commercial and a commercial off-street parking lot for new car inventory as a special use on 2.8774 acres via a concurrent Special Use application (SUP16-0010).

Tax Map Parcels: 23A-2-9, 23A-2-9A, 23A-2-10, 23A-2-11, 23A-139

Location: The property is located at 10823 Courthouse Road adjacent to the SPCA which is located along the south side of Courthouse Road (Route 208), approximately 1,145 feet east of the intersection of Hood Drive (Route 636) and Courthouse Road (Route 208).

Zoning Overlay: Airport Protection Overlay District
Highway Corridor Overlay District

Future Land Use Designation: Commercial

Historic Resources: None.

Date Application Deemed Complete: October 19, 2016

II. Analysis

Gramm & Bethard, LLC (Safford Auto) and Fields Investments, LLC are co-applicants requesting to rezone a total of 3.3 acres consisting of five (5) separate parcels from Residential 1 (R-1) to Commercial 3 (C-3). The rezoning (and companion special use permit SUP16-0010) will allow Safford Auto to operate a commercial off-street parking lot for the purpose of storing new vehicle inventory on 2.8 acres (after right of way dedication). Safford Auto's businesses include Safford Kia, Safford Chrysler Jeep Dodge, and Safford Fiat which are all currently located in Spotsylvania County on Route 1 and Lafayette Boulevard. Until recently, Safford's overflow new vehicle inventory was stored on leased property off of Industrial Drive; however the property is no longer available and Safford has utilized temporary facilities while these applications have been in process. The rezoning will also allow Fields Investments, LLC to construct an office building in order to operate a vanpool business on .48 acres (after right of way dedication). The van pool business is Commuter Express, Inc. which currently operates in Spotsylvania County including approximately 70 vans that shuttle several hundred commuters to Washington DC and other areas each day. All of the vans except for four (4) extra back up vans remain parked at the VDOT commuter lots when not in use. The business has three (3) employees and most customers pay the monthly fare by mail, online or direct deposit which significantly limits the amount of customer traffic to and from the office.

The property is located on the south side of Courthouse Road (Route 208), approximately 1,145 feet east of the intersection of Hood Drive. The property is mostly vacant but for one single family dwelling currently used as residential rental property. Immediately surrounding the property are commercial uses including the SPCA, S&K Home Remodeling office, Pro-Build lumber yard, offices and the Gulf Gas station. The property is surrounded by Commercial 2 and 3 (C-2 and C-3) zoning except for a vacant 13 acre tract of land with a split zoning of Residential 1 (R-1) and Commercial 3 (C-3) to the south. The property is designated on the Future Land Use Map within the Comprehensive Plan as Commercial. The proposal is an investment and redevelopment of an unused or underused site which is targeted for higher intensity commercial. The business investment and redevelopment along with transportation improvements, which will be discussed in detail below, are consistent with the goals and objectives for commercial development within the Primary Development Boundary as identified in the Comprehensive Plan. (For a complete Comprehensive Plan Analysis, please refer to Appendix A.)

The Generalized Development Plan (GDP) identifies two points of access from Courthouse Road to the two proposed developments. The Fields Investments LLC development includes a one-story, 3,540 square foot office building, with 23 parking spaces and an interparcel connection to the adjacent office site to the east (also owned by Fields Investments, LLC). Currently the existing office site, adjacent to the Gulf Station, only has one point of access which is through the Gulf Station site. The proposal provides a second point of access to the existing office and accessibility to additional parking if needed. The Safford Auto development includes a completely fenced and gated parking lot consisting of 346 parking spaces. The fencing visible from Courthouse Road will be constructed of a decorative aluminum and the remainder of the fence will be chain link. No interparcel connections are provided from the proposed parking lot in order to accommodate the specific need for a completely secured parking lot for new vehicle inventory storage. A stub is provided on the proposed office site to the proposed parking lot and the applicant has proffered a future connection to the

vacant property to the south upon future redevelopment in order to accomplish interparcel connectivity among the commercial properties. A ten (10) foot landscaped street buffer is provided along the frontage of the office development and a twenty (20) foot landscaped street buffer is provided along the frontage of parking lot. Additionally, the applicant has provided evergreen plantings within the aluminum fence line along the frontage of the parking lot development and extending 50' back along each property line in order to further limit the visual impact of the parking lot from Courthouse Road. The applicant has provided the required transitional screening along the rear of the property; however along the property line adjacent to the SPCA and the contractor's office, the applicant is requesting a waiver to the transitional screening requirement. The applicant has provided letters from the affected property owners indicating they are in favor of waiving the transitional screening, and given their acquiescence and the existing intensity of the adjacent development staff has identified no concerns with the waiver request. The applicant is also requesting a waiver to the interior parking lot landscaping requirement as this would limit the amount of available for vehicle storage. Staff has no concerns with the waiver to the interior parking lot landscaping requirement as the view sheds from Courthouse Road will be limited with the enhanced street buffer.

The office development is expected to generate 68 vehicle trips per day and the parking lot for new vehicle inventory storage is expected to generate 35 vehicle trips per day. The parking lot will only be accessed by Safford Auto employees retrieving cars from the property when necessary. No delivery truck and tractor trailer traffic will visit the vehicle storage lot. All vehicle deliveries will occur at the associated dealership then the individual vehicles will be driven to the storage lot until needed for sales. A traffic impact analysis was completed for both projects combined and separately. Both studies indicated that no right turn lanes were required for either entrance. Typically, both VDOT and the County would not be supportive of two new access points on a major thoroughfare particularly when they are proposed in such close proximity to each other and other existing access points on Courthouse Road. However, the needs of this proposal are unique in that 1) Safford Auto must have access to Courthouse Road yet be a completely secured site and 2) the proposed office site's only option, if no direct access to Courthouse Road was permitted, is to access through the existing office and Gulf Station site which is heavily congested and often times blocked by the Gulf Station patron's parked vehicles. In order to address the specific needs of the two developments, the applicant proposes the two separate access points, along with the construction of sidewalk and a 400' turn lane section which will connect an intermittent right turn lane which currently runs along Courthouse Road. Both the County and VDOT agree the public safety benefits of the continued right turn lane and sidewalk in this area outweigh the benefits that may result from a shared access point. Additionally the applicants have proffered to dedicate 15' of right of way along Courthouse Road.

In accordance with County Policy, the applicant sent a notification mailing to all property owners within a 1,000' radius of the property informing them of the proposed rezoning and special use permit and directed any questions or concerns to the Planning Department. To date, staff has not received any citizen input related to this case.

III. Proffers

1. Generalized Development Plan (GDP) – the applicants proffer to develop the site in conformance with the GDP.

Staff recommends additional language to address a point of concern identified during the final stages of the analysis. It is reasonable to expect the proposed parking lot to be at some point in the future. Staff recommends additional language which will allow the property to be redeveloped to another C-3 permitted use without requiring an amendment to the GDP and proffers. Upon any redevelopment the site will be required to be developed in accordance with all Code requirements.

2. Right of Way – the applicants proffer to dedicate 15' of right of way along the property's frontage on Courthouse Road as shown on the GDP.

Staff is supportive of the right of way dedication language as it consistent with the County's Thoroughfare Plan.

3. Future Interparcel Connection – the applicants proffer an interparcel connection shall be provided to the vacant parcel to the south up any redevelopment of the parking lot properties.

Staff is supportive of this language as it provides the County an assurance of interparcel connectivity in the future. Staff acknowledges the specific needs of the applicant for the property today are not conducive to interparcel connections from a security standpoint.

4. Frontage Improvements – the applicants proffer to construct a continuous right turn lane along the property's frontage on Courthouse Road as shown on the GDP.

Staff is supportive of this language as the extension of the turn lane will connect a currently intermittent turn lane section along Courthouse Road. The continuous turn lane will provide public safety benefits.

IV. Key Findings

In Favor:

- The proposal is consistent with the County's land use vision for the area and is an investment and redevelopment of an underused site targeted for higher intensity commercial use.
- The redevelopment will result in an increase in real property tax revenue and an increase in tax revenue of the proposed business uses.
- The proposal includes an enhanced evergreen buffer along the frontage of parking lot development which will reduce the visual impact along Courthouse Road.
- The proposal includes the construction of a 400' section of a right turn lane which will connect a currently intermittent right turn lane along Courthouse Road providing a significant public safety benefit to the community.
- The proposed interparcel connection from the proposed office site to the existing office site addresses the limited and problematic access for the existing office site.

Against:

- A large vehicle storage lot accommodating 346 spaces is out of character with the surrounding commercial development.

- A vehicle storage lot is not the highest and best use for the property as it translates to tax revenue. For example, a brick and mortar office development would generate more tax revenue than a parking lot.

V. Summary and Recommendation

The proposal is consistent with the surrounding development and the goals and objectives of the Comprehensive Plan for commercial development within the Primary Development Boundary. The proposal includes significant transportation improvements including the construction of the right turn lane along Courthouse Road, interparcel connectivity among the existing and proposed office sites and provides for future interparcel connectivity upon redevelopment of the parking lot site. Please note, in order to allow the off-street parking lot for the new vehicle inventory the companion special use permit (SUP16-0010) must be approved in addition to the rezoning. Based on staff's analysis and the key findings in favor, staff recommends approval of the rezoning with the recommended additional language to the Generalized Development Plan proffer included in the proffered conditions dated May 1, 2017.

Spotsylvania County Government

Appendix A

Comprehensive Plan Analysis

R16-0007: SAFFORD AUTO COMPREHENSIVE PLAN ANALYSIS

The Spotsylvania County Comprehensive Plan presents a long range land use vision for the County. The Comprehensive Plan sets forth principles, goals, policies, and implementation techniques that will guide the development activity within the County and promote, preserve, and protect the health, safety, and general welfare of its citizens. Specifically, the Plan provides data and analysis on land use, transportation, housing, natural and historic resources, and public facilities and utilities. The purpose of this document is not to regulate, but rather guide land use, transportation, and infrastructure decisions. This guidance seeks to ensure continued economic and community vitality while ensuring necessary policies and infrastructure are in place to provide for the continuation of quality services to Spotsylvania's residents and businesses.

The Safford Auto proposal is located within the Primary Development Boundary in an area designated for Commercial land uses as depicted on the Future Land Use Map. Land within the Primary Development Boundary is intended to develop with higher residential densities and more intensive non-residential uses than outside of the boundary. As per the Spotsylvania County Comprehensive Plan Future land Use element, the Commercial land use category consists of a variety of retail and office uses, examples of which include, but are not limited to: medical facilities, shopping centers, restaurants, automobile service and sales facilities, and similar uses. The proposal includes rezoning from Residential 1 (R-1) to Commercial 3 (C-3) to allow for a proposed office building and commercial off street parking (also requiring a special use permit). The Safford Auto proposal is consistent with the intent of the Commercial land use designation and development character within the Primary Development Area.

An analysis considering the Safford Auto proposal as it relates to Comprehensive Plan Goals, Policies, and Guiding Principles is below:

Introduction and Vision:

Proposal is business friendly resulting in business investment and redevelopment of an unused or underused site targeted for higher intensity commercial use. (Guiding Principles and Policies A, A.1)

Land Use:

Proposal will result in a zoning designation consistent with surrounding land uses and County land use vision for the area. (Land Use Policies Applicable to All Land Uses #8)

Proposal depicts interparcel connection to adjacent parcel 23A-2-8 allowing for shared access. (Commercial Land Use Policies # 2)

Proposal is business friendly resulting in business investment and redevelopment of an unused or underused site targeted for higher intensity commercial use. (Commercial Land Use Policies #6)

Proposal helps enable commercial uses via rezoning, consistent with goals to encourage non-retail commercial operations. (Commercial Land Use Policies #7)

Transportation:

Proposal includes shared access with adjacent office. (Transportation Policy 2.1.a)

Proposal includes dedication of right of way (15') along Route 208. County Thoroughfare Plan identifies this section of Route 208 as 6 lane divided section with 150' variable right of way. (Transportation Policy 2.2)

Historic Resources:

All existing structures have been previously surveyed for historic significance and documented at the Virginia Department of Historic Resources. Structures were not considered significant and/ or eligible for National Register. (Historic Resources Policies and Strategies 2, 2.1)

Natural Resources:

Existing developed site. No impacts to unique and/ or endangered resources including rare species expected to result. (Natural Resources Policy 1, Strategy 1)

Proposal is expected to be compatible with adjacent uses and noise levels. (Natural Resources Policy 1, Strategy 10)