

**The County of Spotsylvania
Department of Planning**



Planning Commission Staff Report

Special Use #SUP17-0002
(Lee Hill Voting District)

Staff Recommendation: Approval with recommended conditions

I. Overview

Applicant:	Anderson Propane Services, Inc.
Request:	Special use permit approval to allow four (4) 30,000-gallon or two (2) 60,000 gallon, above ground, propane fuel storage tanks on 1.2945 acres of Commercial 2 (C-2) zoned property.
Tax Map Parcels:	25-A-8R
Location:	The property is located at 3200 Beulah Salisbury Drive (Route 700), which is located along the south side of Beulah Salisbury Drive (Route 700), approximately 1,348 feet east of the intersection of Tidewater Trail (Route 2) and Beulah Salisbury Drive (Route 700).
Zoning Overlay:	Airport Protection Overlay District
Future Land Use Designation:	Employment Center
Historic Resources:	None
Date Application Deemed Complete:	February 14, 2017

Figure 1: Zoning Map

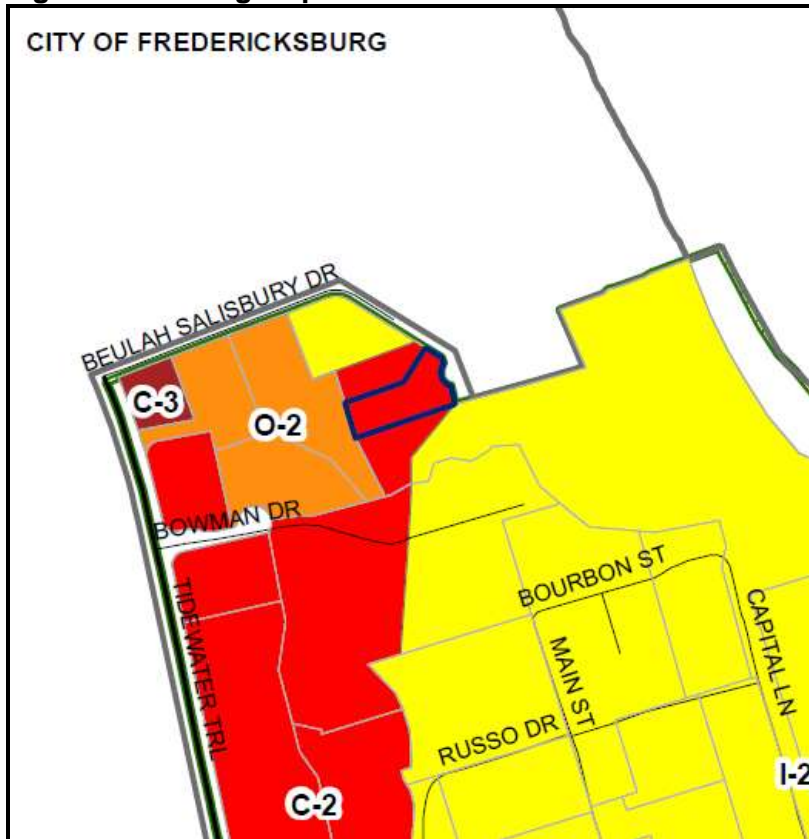


Figure 2: Aerial Map (2013)



II. Analysis

The applicant, Anderson Propane Services, currently operates a propane distribution operation within the City of Fredericksburg, off of Beulah Salisbury Drive. The subject property is 1.295 acres zoned Commercial 2 (C-2) and is located on the south side of Beulah Salisbury Drive immediately across the street from the applicant's current operation. The property is located within the Primary Development Boundary in an area designated for Employment Center land uses as depicted on the Future Land Use Map. In order to have above ground propane storage tanks in the Commercial 2 (C-2) zoning district, a special use permit must be approved. This area has a long history of oil and propane storage and currently the adjacent property owners/operators include Lincoln Terminal and Quarles Petroleum. The applicant wishes to expand the business' storage capacity by installing four (4) 30,000 gallon (or two (2) 60,000 gallon) above ground propane tanks. The purpose of the additional storage is to purchase propane in bulk at a lower cost during the non-peak season and have the capacity to store on site. There are no plans to resell or operate a terminal facility at the site; therefore there is no additional traffic generated by the proposal.

The Generalized Development Plan (GDP) shows a completely fenced area with four (4) 30,000 gallon above ground propane storage tanks centrally located on the site. As previously noted, the applicant may opt, depending on certain factors including cost and tank availability, to construct two (2) 60,000 gallon tanks instead. For purposes of the GDP the four (4) 30,000 gallon tanks are illustrated as they take up more physical space on the site. The access from Beulah Salisbury Drive will be gated and accessed electronically by Anderson distribution trucks. A secondary access is provided to the adjacent Deep Run Office Park; however the secondary access is for emergency use only. Only Fire Rescue and Emergency Management Services will utilize the secondary access if needed.

There are safety concerns related to a pressurized gas operation with large storage tanks within 2/10ths of a mile of residences and in closer proximity to other businesses (100-200 feet from the site) and other flammable storage operations nearby, including potential explosion, projectile, heat, gas leak or smoke zone, chain reaction and vandalism. Anderson Propane Services has a safety plan in place which is in compliance with all Federal and State standards (Applicant's Safety Plan attached). The proposed propane storage tanks will be constructed, operated and maintained according to the requirements of the National Fire Protection Association (NFPA) 58 Liquefied Petroleum Gas Code as referenced in the Virginia Statewide Fire Prevention Code. The site will be remotely monitored 24/7 including closed circuit surveillance and have limited automated gate access. Additionally, a second point of access for emergency vehicle accessibility to the site is provided to the west from the office complex. There are currently 3 fire hydrants less than 400' feet of the proposed site and fire flow rates were recently measured by the Utilities Department and confirmed adequate flow exists for fire suppression. The Spotsylvania Fire, Rescue, and Emergency Management Department has reviewed the application and recommended a condition as part of the special use to require an emergency plan in order to ensure the safety of the proposed facility and surrounding area in the event of an incident.

Given the proximity of the subject parcel to the City of Fredericksburg and that Beulah Salisbury Drive serves as a portion of the City/County line, staff requested the City of Fredericksburg provide comment on the subject request. The City's singular concern revolved around the current condition of the Tidewater Trail and Beulah Salisbury Drive

intersection. Existing issues primarily include limited turning radii to allow tractor trailer trucks to turn on to Beulah Salisbury Drive or Tidewater Trail without crossing over into opposing lanes. It is important to note again, the current proposal will not generate additional traffic. The additional storage tanks will simply allow for additional storage to take advantage of discounted pricing during the off season. Based on the applicant's daily truck logs, this site is expected to generate 16 vehicle trips per day. While the County acknowledges the concerns surrounding the intersection, to date the issues have not resulted in a County initiated improvement project.

STANDARDS OF REVIEW FOR SPECIAL USE APPROVAL	
STANDARD	STAFF COMMENT
1. Proposed use is in accord with the comprehensive plan and other official plans adopted by the county.	The proposal is located within the Primary Development Boundary and in an area designated as Employment Center on the Future Land Use Map. The proposal is consistent with the goals and objects for commercial and industrial operations within the County.
2. Proposed use or development of the land will be in harmony with the scale, bulk, coverage, density, and character of the area.	The proposal is consistent with the surrounding existing uses and development which primarily include other oil and propane distribution operations. The Deep Run Office Park is adjacent to the proposed site; however access will be limited for emergency use only.
3. Proposed use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.	The proposed use is adjacent to other commercial and industrial zoned property which has the ability to be used and developed with similar scale and intensity uses.
4. Proposed use will not adversely affect the health or safety of persons residing or working in the neighborhood.	There are significant safety concerns related to pressurized gas storage. The proposal is located within 2/10ths of a mile from residential development and only 100-200 feet from other businesses. Life, health and safety concerns include explosion, projectile, heat, gas leak or smoke zone, chain reaction, vandalism or terrorist acts. The applicant's operation is under direct scrutiny of Federal and State safety mandates. The applicant's safety plan includes 24/7 remote monitoring of the site and will also include a coordinated emergency plan with the Spotsylvania Fire, Rescue, and Emergency Management Department.

5. Proposed use will not be detrimental to the public welfare or injurious to property or improvements within the neighborhood.	The proposed use could potentially be detrimental to the public welfare or injurious to property or improvements within the surrounding area should an incident occur. The applicant has a safety plan in place which is in compliance with all Federal and State standards and will coordinate an emergency plan with the Spotsylvania Fire, Rescue, and Emergency Management Department.
6. Proposed use is appropriately located with respect to transportation facilities, water supply, wastewater treatment, fire and police protection, waste disposal, and similar facilities.	The proposed use is located within 6 miles of Fire Rescue Station #11 and three fire hydrants are located within 400' of the proposed use all of which have appropriate flow for fire suppression.
7. Proposed use will not cause undue traffic congestion or create a traffic hazard.	The proposed use will not create additional traffic as it is for the sole purpose of additional storage. While there are noted issues with the Beulah Salisbury Drive and Tidewater Trail intersection they will not be exacerbated with this proposal.
8. Proposed use will have no unduly adverse impact on environmental or natural resources.	No impacts to environmental or natural resources are expected.

III. Key Findings

In Favor:

- The proposal results in business investment in the County and complements the County's industrial and commercial growth and tax base diversification goals.
- The applicant will work with the Spotsylvania Fire, Rescue, and Emergency Management Department in order to create an emergency plan to ensure the safety of the proposed facility and surrounding area in the event of an incident.
- The proposal is not expected to adversely impact the nearby road network with additional traffic generation.

Against:

- There are safety concerns related to a pressurized gas operation with large storage tanks within 2/10ths of a mile of residences and in closer proximity to other businesses (100-200 feet from the site) and other flammable storage operations nearby, including potential explosion, projectile, heat, gas leak or smoke zone, chain reaction and vandalism.

IV. Recommendation and Conditions

While there are clearly safety concerns related to pressurized gas storage, the applicant's operation is under direct scrutiny of Federal and State safety mandates. The applicant's safety plan includes 24/7 remote monitoring of the site and will also include a

coordinated emergency plan with Spotsylvania Fire, Rescue, and Emergency Management Department. The proposal is in an area already operating as a hub for oil and propane storage in the County and will provide a business investment within the County with no expected adverse impacts to the road network. Based on staff's analysis and findings in favor noted above, staff recommends approval with the conditions listed below:

1. The property shall be developed in conformance with the Generalized Development Plan (GDP) titled, "Generalized Development Plan Anderson Propane Tank Storage Special Use" last revised April 19, 2017 prepared by W W Webb & Associates, PLLC to install either four (4) 30,000 gallon or two (2) 60,000 gallon above ground propane storage tanks on the subject property.
2. The Applicant shall coordinate with the Spotsylvania Fire, Rescue, and Emergency Management Department to provide an emergency plan for the facility. The emergency plan must be completed and approved by the Spotsylvania Fire, Rescue, and Emergency Management Department prior to site plan approval.
3. The second point of access on the west side of the site connecting to the Deep Run Office Park as shown on the GDP shall be utilized for emergency services only.

Spotsylvania County Government

Appendix A

Comprehensive Plan Analysis

SUP17-0002: ANDERSON PROPANE SERVICES 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 Anderson Propane Services proposal is located within the Primary Development Boundary in an area designated for Employment Center 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 Future Land Use Element of the November 14, 2013 Comprehensive Plan, updated June 14, 2016, the Employment Center land use area is envisioned to be the primary location for new office and industrial development within the County, with the focus on larger scale office complexes, industrial users, and business parks. Considering industrial type users within the Employment Center Land Use Area, in the interests of maintaining a balanced economic base, industrial development within the County is also desired. Both light and heavy industrial uses are appropriate and should be encouraged within the Employment Center category with the careful consideration of their location and transition to adjoining properties with an emphasis on minimizing potential impacts. The Anderson Propane Services proposal is consistent with the intent of the Employment Center land use designation and development character within the Primary Development Area.

Considering the application is falls under a special use permit requirement it is good to note that as per County Code Section 23-4.5.1, Special uses are considered generally compatible with other land uses permitted in a zoning district but which, because of their unique characteristics or potential impacts on the surrounding neighborhood and the county as a whole, require individual consideration of their design, configuration, and/or operation at the particular location proposed.

An analysis considering the Anderson Propane Services 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 expansion. (Guiding Principles and Policies A, A.1)

Proposal complements County industrial and commercial growth and tax base diversification goals. (Guiding Principles and Policies B, B.1, B.1.c)

Land Use:

Proposal is consistent with the Employment Center Land Use designation for the area. (Future Land Use Map Designation and Land Use Description)

Proposal complements goals to encourage investment in existing developed areas. As an expansion of a pressurized gas operation however there are potential offsite impacts that must be considered relative to the proposed use. First, the proposal is not expected to adversely impact the nearby road network with additional traffic generation. Second, As a pressurized gas operation with large storage tanks within 2/10ths of a mile of residences and in closer proximity to other businesses (100-200 feet from the site) and other flammable storage operations nearby, protective considerations and measures considering potential explosion, projectile, heat, gas leak or smoke zone, chain reaction, vandalism or terrorist acts, other users that would/ could be impacted is warranted in consideration for life, health and safety, hazmat, FIRE response including evacuation considerations under emergency conditions. As per applicant narrative the site will be developed to the latest safety standards (National Fire Protection Association (NFPA) 58 Liquefied Petroleum Gas Code as referenced in the Virginia Statewide Fire Prevention Code), remotely monitored with 24/7 surveillance, and have limited automated gate access. An upgrade has been proposed to enhance emergency vehicle accessibility to the site using the entrance to the west into the office complex. The applicant notes three (3) fire hydrants in proximity to the site. Resulting from staff request, the applicant has enhanced their application by providing a Safety Plan to address concerns associated with the proposed use. The Safety Plan provides greater detail about the protective measures to be employed in order to reduce potential safety impacts. The applicant has agreed to conduct a Fire Safety Analysis with Spotsylvania FIRE and submit the completed Analysis to the County prior to operation of the proposed facility. Staff believes this analysis will be beneficial to the applicant, County emergency responders, and further help reduce potential conflict with the surrounding area. (Land Use Policies Applicable to All Land Uses #8)

Proposed investment complements goals to enhance existing industrial parks. As an expansion of a pressurized gas operation however there are potential offsite impacts that must be considered relative to the proposed use. First, the proposal is not expected to adversely impact the nearby road network with additional traffic generation. Second, As a pressurized gas operation with large storage tanks within 2/10ths of a mile of residences and in closer proximity to other businesses (100-200 feet from the site) and other flammable storage operations nearby, protective considerations and measures considering potential explosion, projectile, heat, gas leak or smoke zone, chain reaction, vandalism or terrorist acts, other users that would/ could be impacted is warranted in consideration for life, health and safety, hazmat, FIRE response including evacuation considerations under emergency conditions. As per applicant narrative the site will be developed to the latest safety standards (National Fire Protection Association (NFPA) 58

Liquefied Petroleum Gas Code as referenced in the Virginia Statewide Fire Prevention Code), remotely monitored with 24/7 surveillance, and have limited automated gate access. An upgrade has been proposed to enhance emergency vehicle accessibility to the site using the entrance to the west into the office complex. The applicant notes three (3) fire hydrants in proximity to the site. Resulting from staff request, the applicant has enhanced their application by providing a Safety Plan to address concerns associated with the proposed use. The Safety Plan provides greater detail about the protective measures to be employed in order to reduce potential safety impacts. The applicant has agreed to conduct a Fire Safety Analysis with Spotsylvania FIREM and submit the completed Analysis to the County prior to operation of the proposed facility. Staff believes this analysis will be beneficial to the applicant, County emergency responders, and further help reduce potential conflict with the surrounding area. (Employment Center Land Use Policies #1)

Proposal retains and expands an existing business operation within the County consistent with County Goals. (Employment Center Land Use Policies #11)

Transportation:

The proposal is not expected to adversely impact the nearby road network with additional traffic generation. (Transportation Policy 1, 2)

Historic Resources:

The project area is located within the land area associated with the 1862 Battle of Fredericksburg as mapped by the Virginia Department of Historic Resources. Given the locations existing development footprint and considering the proposed above ground storage tanks there, no significant impacts upon historic resources are expected to result from the proposal. (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)