

**County of Spotsylvania
Department of Planning**



Planning Commission Staff Report

Rezoning # R16-0008
(Livingston Voting District)

Staff Recommendation: Approval with recommended revisions to the proffered conditions

I. Overview

Applicant: Par5 Development, LLC - Dollar General
(Charles Lee Merryman)

Request: The applicant requests a rezoning of 3.53 acres from Agricultural 3 (A-3) to Commercial 1 (C-1) with proffers to allow for a Dollar General retail sales establishment on a portion of the property.

Tax Map Parcels: 70-A-68

Location: The property is located at 5715 Fenton Road which is located on the northeast corner of the Courthouse Road (Route 208) and Lawyers Road (Route 601) intersection.

Zoning Overlay: None

Future Land Use Designation: Commercial

Historic Resources: Historic 1875 Ca. Italianate style dwelling documented on file with the Department of Historic Resources located on the property.

Date Application Deemed Complete: November 7, 2016

Community Meeting: September 21, 2016

Figure 1: Zoning Map

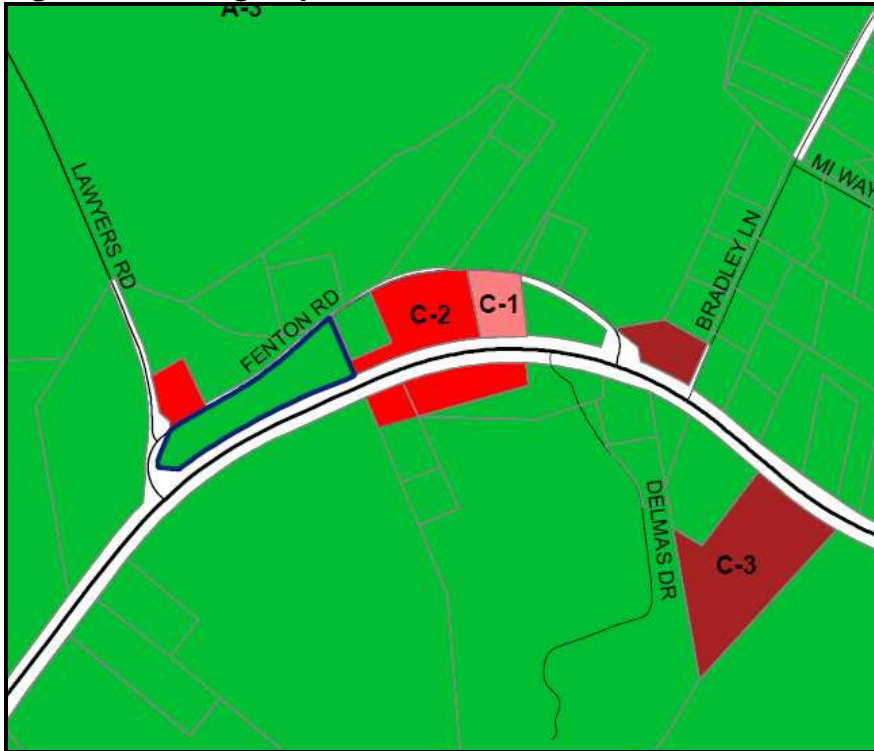


Figure 2: Aerial Map (2013)



II. Analysis

The subject property is 3.53 acres located on the north side of Courthouse Road (Route 208) at the intersection of Courthouse Road and Lawyers Road (Route 601). The property also has frontage along Fenton Road which is a local road connecting Lawyers Road to Courthouse Road which serves several residential properties. The property is currently zoned Agriculture 3 (A-3) and includes an existing house on the western portion of the property fronting Lawyers Road. The existing house is documented with the Department of Historical Resources as a unique example of an Italianate style dwelling circa 1875. The property is surrounded by other A-3 zoned property in addition to Commercial 1 and 2 zoned properties, which makes up the current rural commercial cluster that exists along this portion of the Route 208 corridor. The existing surrounding businesses include Joe Pines Builders, the Lake Anna Market and Watson's Mulch Topsoil & Stone business. The property is located in an area designated on the Future Land Use Map as commercial and, given the nearby existing businesses, the subject property is suitable for commercial development.

The proposal includes subdividing 1.65 acres to develop a 9,100 square foot Dollar General Store. The storefront will face Courthouse Road and the applicant has provided proffered architectural renderings as part of their request. The required landscaped street buffer is shown along the frontage of the Dollar General Store in addition to a 10' asphalt trail for bikes and pedestrians with a sidewalk connection into the site. Along the property's frontage on Fenton Road, additional landscaping is provided to limit the visual impact from the neighboring residential properties as well a sidewalk which extends into the Dollar General site. The applicant has also proffered monument style signage which will further enhance the commercial corridor in this area.

The property will have two aligned points of access including one on Courthouse Road and the second on Fenton Road creating an access to be shared among the Dollar General site and any future development on the remaining 1.88 acres. Staff is particularly supportive of the second point of access on Fenton Road as it will eliminate the need for destination traffic from Lawyers Road to turn on to Courthouse Road in order to access the site. Staff understands the immediate plan for the remaining portion of the property is to convert the existing historic house to office use. The conversion of the building will include interior renovations to accommodate the office use. Staff is unaware of any plans which would negatively impact the historic dwelling or alter the exterior appearance. Given the size of the property and the development standards for the Commercial 1 District, the remaining parcel is large enough to accommodate additional development beyond the office conversion and Dollar General Store. Any future development will utilize the shared access as shown on the GDP. The Dollar General site is expected to generate 528 vehicles per day including 46 PM peak trips. The expected traffic does not warrant turn lanes for the development at this time; therefore the entrances will meet the VDOT commercial entrance standards.

In compliance with the County's Community Meeting Policy, the applicant held a community meeting on September 21, 2016. A limited number of citizens attended the meeting; however those in attendance were supportive of the proposal. To date, staff has not received additional input from citizens on this request.

III. Proffers

1. Generalized Development Plan – the applicant proffers to develop the property in conformance with the Generalized Development Plan last revised April 10, 2017.

Staff is supportive of the proposed language as it commits the development of the property to be in conformance with the GDP provided.

2. Architectural Design – the applicant commits the design of the buildings on the property shall be in conformance with the architectural rendering provided and the signage shall be monument style and in conformance with the sign rendering provided.

The language as proposed is not completely clear as to whether it is all future buildings on the property or just the Dollar General Store and its signage that shall be in conformance with the renderings provided. Staff and the applicant both agree the language is vague and should be revised. It is staff's understanding the applicant intends to present revisions at the Planning Commission meeting to clarify that it is the Dollar General Store and its signage that shall be in conformance with the renderings provided and further commit that all signage on the property shall be monument style to ensure consistency in design among the commercial development.

IV. Key Findings

In Favor:

- The Dollar General Store will provide a shopping convenience within Spotsylvania County limits, which currently is only available across Lake Anna in Louisa County.
- The proposal is consistent with the County's land use vision for the area and will result in an increase in real property tax revenue and an increase in tax revenue of the proposed business uses.
- The shared point of access for the Dollar General Store and the remaining acreage is consistent with the County's Access Management Policies as 1) it limits the number of access points along Route 208 and 2) it eliminates the need for Lawyers Road traffic having to access Courthouse Road to enter the site.
- The proposal commits to design standards including monument signage which assists in creating an aesthetically enhanced commercial corridor.

Against:

- The Dollar General will be the first national chain to move into this community and this may begin a change in the rural character of the neighborhood.

V. Summary and Recommendation

The proposal is consistent with the land use envisioned for the site and consistent with the nearby development fronting the Route 208 corridor where a rural commercial cluster exists. The shopping convenience offered by the proposed Dollar General Store is one currently only available across Lake Anna in Louisa County. The proposal will increase the tax base in Spotsylvania and assist in keeping tax dollars in the County.

Further, the applicant has agreed to develop the site in consistent with County goals and objectives related to transportation and pedestrian accessibility. Based on the finds in favor, staff recommends approval of the request with the recommended changes in order to clarify the architectural design proffer language.

Spotsylvania County Government

Appendix A

Comprehensive Plan Analysis

R16-0008: Dollar General Rt. 208

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. 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 proposal is located outside of the Primary Development Boundary in an area designated as commercial land use within the future land use element. As described in the Comprehensive Plan, the commercial land use area 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 proposed Dollar General retail store is CONSISTENT with the land use envisioned for the site and nearby surroundings fronting the Route 208 corridor where a rural commercial cluster exists.

After conducting an analysis of applicable Comprehensive Plan Goals, staff has identified application strengths and deficiencies worthy of consideration as outlined in the Comprehensive Plan policy analysis findings below:

Introduction and Vision:

- Proposal is consistent with County business attraction and retention goals, local employment goals. (Guiding Principles and Policies A, A.1)
- Proposal is consistent with industrial and commercial tax base and business diversification goals (Guiding Principles and Policies B, B.1.)
- Development footprint is not expected to result in negative impacts upon significant and/ or endangered natural resources. Considering historic resources, staff notes there is a Historic 1875 Ca. Italianate style dwelling documented on file with the Department of Historic resources just to the south on same existing Tax Map number considered "unique". This structure is not expected to be impacted as a result of the rezoning proposal as the proposed area to be rezoned and development footprint is located on the north end of the site. (Guiding Principles and Policies 4)

Land Use:

- The proposed Dollar general retail store is CONSISTENT with the commercial land use envisioned for the site and nearby surroundings fronting the Route 208 corridor where a rural commercial cluster exists. (Future Land Use Map)

- The applicant has proffered architectural elevations and signage exhibits for public consideration as part of their application in consideration of community aesthetic impacts, helping better portray what to expect onsite prior to approval. (Land Use Policies Applicable to All Land Uses 1)
- Generalized Development plan provides for two points of access from public roads with an access via Courthouse Road along the project frontage and a second access off Fenton Road to the rear of the project. The proposal includes an interparcel connector stub for a future drive lane for additional access to acreage similarly designated as commercial in the future land use element of the comprehensive plan, consistent with Commercial Land Use Policy Goal 2 for new development. (Commercial Land Use Goal 2)
- Consistent with County Design Standards Manual, bike/ped accommodations will be added along the Route 208 frontage of the project. This helps develop the pedestrian network in this commercial area as designated on the future land use map. Additionally, a sidewalk has been added along Fenton Drive with access to the site. (Commercial Land Use Goal 3)

Transportation and Thoroughfare Plan:

- Proposal not expected to have a significant impact upon the Rt 1 corridor. (Transportation Policy 1, Policy 2)
- Generalized Development Plan provides for two points of access from public roads with an access via Courthouse Road along the project frontage and a second access off Fenton Road to the rear of the project. The proposal includes an interparcel connector stub for a future drive lane for additional access to acreage similarly designated as commercial in the future land use element of the comprehensive plan. (Transportation Policy 2.1)
- Consistent with County Design Standards Manual, bike/ped accommodations will be added along the Route 208 frontage of the project. This helps develop the pedestrian network in this commercial area as designated on the future land use map. Additionally, a sidewalk has been added along Fenton Drive with access to the site. (Transportation Policy 2, Strategy 5; Policy 3, Strategy 2)

Historic Resources:

- Development footprint is not expected to result in negative impacts upon historic resources. Staff notes there is a Historic 1875 Ca. Italianate style dwelling documented on file with the Department of Historic resources just to the south on same existing Tax Map number considered "unique". This structure is not expected to be impacted as a result of the rezoning proposal as the proposed area to be rezoned and development footprint is located on the north end of the site. (Historic Resources Policy 1, Policy 2)

Natural Resources:

- Development footprint is not expected to result in negative impacts upon significant and/ or endangered natural resources. The site is located outside of the limits of Department of Conservation and Recreation Predictive Models. (Natural Resources Policy 1)