

**County of Spotsylvania
Department of Planning**

**Board of Supervisors
Staff Report**



**Special Use #SUP17-0001
(Courtland Voting District)**

I. Recommendations

Staff: Approval with conditions.

Planning Commission: The Planning Commission recommended approval on July 5th, 2017 by a vote of 4-0.

II. Overview

Applicant: SH Development Company, Inc.

Request: The applicant requests Special Use approval for a Fuel Dispensing Service in a Commercial 2 (C-2) zoning district. The site is proposed to be developed with a Sheetz convenience store, 12 fuel pump stations, associated parking, water management, screening and other site improvements. This request is accompanied by a companion Rezoning request R17-0001.

Tax Map Parcel(s): 12B-A-3, 12B-3-A, 12B-A-5, and 12B-A-6.

Location: The properties are an unaddressed property on Plank Rd., 12100 Spotswood Furnace Rd., 12228 Spotswood Furnace Rd. and 12224 Spotswood Furnace Rd., which are all located on the northwest corner of the intersection of Plank Rd. and Spotswood Furnace Rd. The Comprehensive Plan identifies the property as within the Primary Development Boundary. Notably, although rezoning request R17-0001 requested the rezoning of 3.31 acres, the subject Special Use Permit request is only for a 2.88 portion which is to be developed as the convenience store site. The remnant, a .43 acre portion west of the proposed Sheetz site is planned to be absorbed into the abutting parcel to the west.

Character of Area: The project is proposed at the NW corner of the signalized intersection of Plank Rd. (Route 3) and Spotswood Furnace Rd. An under-utilized commercial property abuts to the west. Two single family homes abut the property immediately to the north and two single family homes are located across Spotswood Furnace Rd. to the east. The River Bend High School is

located immediately NE of the proposed site. The neighborhood of Royal Oaks, containing approximately 140 residences is located south of the intersection down Big Ben. Blvd. The proposed site currently contains four parcels, only one of which contains an existing single family home which is proposed for demolishing should this project be approved. The character of the corner may be summarized as suburban transitioning commercial. Varying zoning designations surround the subject property which may be best viewed on the map below.

Community Meeting:

A community meeting was held on 11/1/2016. It was well attended with approximately 30 attendees. Concerns reported were largely related to pedestrian connectivity, existing traffic difficulties, particularly during school loading and unloading. The abundance of gas stations within the area was also noted as a concern.

Comprehensive Plan:

The subject site has a Future Land Use designation of Commercial along its frontage on Route 3 (78% of the site) and an Employment Center Future Land Use designation is applied on the subject property which does not front on Route 3 (22% of the site.) Additional Commercial designated land lies to the west along Route 3; to the south, on both southern corners of the intersection, and to the five parcels immediately east of the subject site. The Commercial Future Land Use designation is intended for a variety of retail and office uses and is largely mapped along major transportation corridors. The Employment Center Future Land Use designation is intended for industrial, office, and business parks and supportive uses. The Comprehensive Plan identifies the site as within the Primary Development Boundary.

Historic Resources:

Although are no documented resources onsite, the property is located within the Chancellorsville Battlefield Historic District. The Battlefield itself is located approximately 2 miles west of the subject site. No impacts are expected from this proposal.

Zoning Overlay:

The site is completely within the Reservoir Protection Overlay District. The site is almost completely within the Highway Corridor Overlay District apart from the northernmost corner (approximately 10,000 sq.ft.)

Transportation:

According to the applicant's submitted Traffic Impact Analysis the proposed use is estimated to generate 679 trips per day, with 1,232 "pass-by trips", or trips of convenience for an estimated total of 1,911 trips per day to the Sheetz if approved. Route 3 moves approximately 35,000 vehicles per day and Spotswood Furnace has approximately 6,500 vehicles per day.

Two entrances are proposed to the subject site, the first being a right in/right out located on Route 3. The alternate entrance is a full access entry proposed to be located on Spotswood Furnace Rd. A northbound turn lane taper is proposed for vehicles entering the site from northbound Spotswood Furnace Rd. A new southbound lane is proposed serving southbound Spotswood Furnace Rd. traffic entering the site, and that lane extends to the signalized intersection of the road with Route 3. The traffic signal will

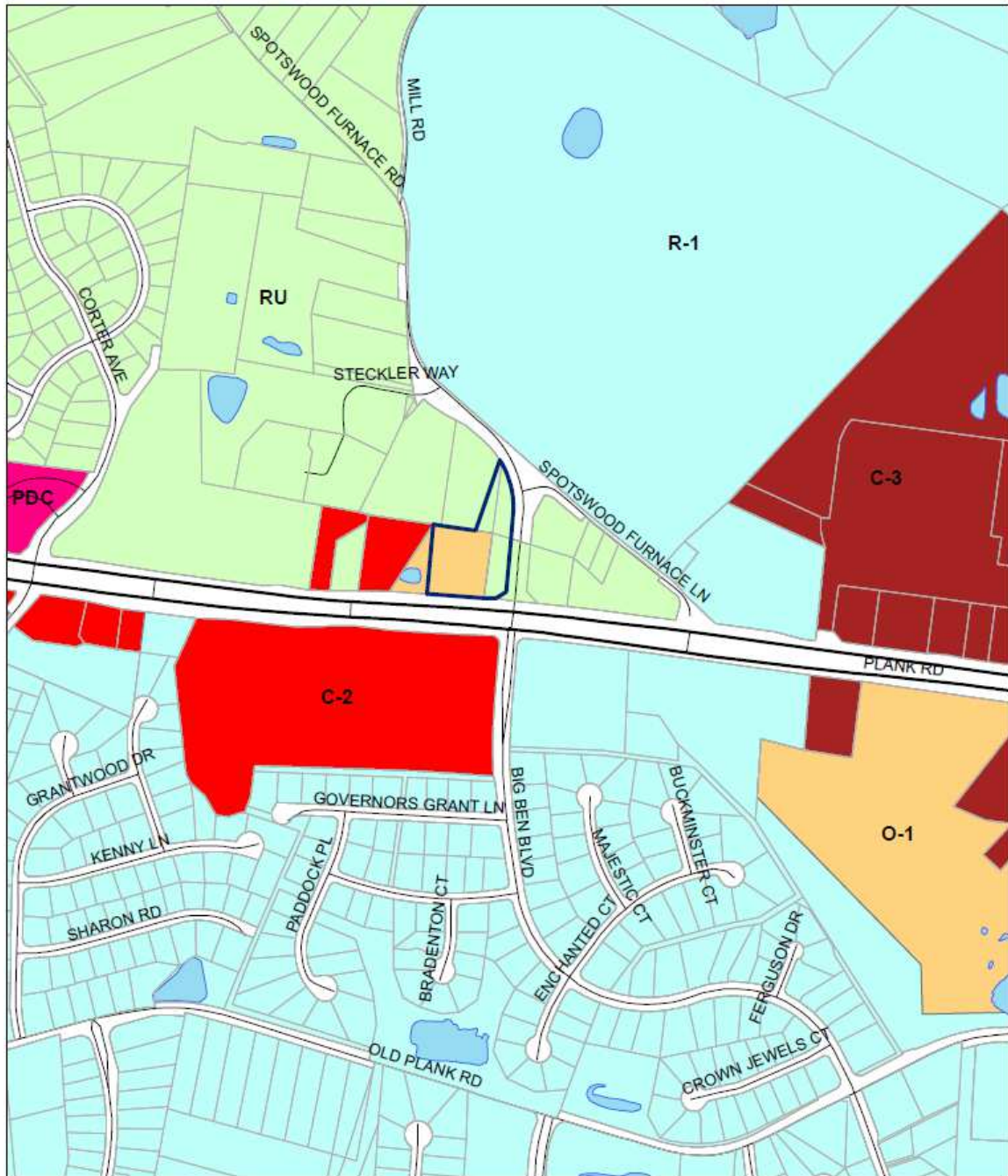
be improved to provide 3 southbound lanes: two turning left and a right-thru lane. The Traffic Impact Analysis submitted indicates that this pattern will function better than the alternative dedicated left, left/thru, and dedicated right pattern.

A 24' wide interparcel access is proposed connecting the proposed site to the neighboring parcel abutting west

**Date Application Deemed
Complete:**

02/02/2017

Zoning Map (Special Use Area in Blue):



III. Project Summary

The subject application is for Special Use approval of a Fuel Dispensing Service consisting of 12 fuel pump stations under a 3,600 sq. ft. lit canopy. The fuel pumps will be accompanied by a 5,988 sq. ft. Sheetz convenience store with a small outdoor dining area. The locations of these as well as site design are depicted in the attached GDP. The design of the convenience store and gas station canopy are depicted in the attached Architectural Drawings. The proffers of the rezoning application R17-0001 propose to bind the development of this use to these two plans. The project is proposed in one phase.

The landscaping plan within the GDP includes transitional screening as required by the Design Standards Manual with one modification to accommodate an existing utility easement; within this easement area the traditional 35' Transitional Screen 2 cannot be installed. In lieu of the standard plating materials within this 20' wide area, the applicant proposes multiple staggered rows of shrubs at minimum 4' install height. Additionally, the applicant has proposed a Street Buffer C along Route 3 and Street Buffer B along Spotswood Furnace Rd. with supplemental HCOD street trees as required by the DSM.

IV. Special Use Standards of Review

Sec. 23-4.5.7 of County Code outlines eight standards that shall be met by an application for consideration of approval. The following table details those standards with staff comments.

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.	Staff finds this policy met. The project meets multiple Comp. Policies detailed in the following section.
2. Proposed use or development of the land will be in harmony with the scale, bulk, coverage, density, and character of the area.	The proposed use is in harmony with the area, which is a transitioning suburban commercial area. The residential properties abutting behind the proposed use are well buffered and screened through this proposal.
3. Proposed use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.	The proposal should not discourage development nor reduce the value of adjacent properties.
4. Proposed use will not adversely affect the health or safety of persons residing or working in the neighborhood.	The use will not adversely affect the health or safety of persons residing or working in the area.
5. Proposed use will not be detrimental to the public welfare or injurious to property or improvements within the neighborhood.	The proposal should not be detrimental to public welfare nor cause injury to neighborhood improvements.

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 includes connecting the property to County water and sewer systems. The proposal is located at the intersection of an arterial and minor collector. No detriments are expected on emergency or waste service systems.
7. Proposed use will not cause undue traffic congestion or create a traffic hazard.	Existing traffic congestion exists at the intersection of Plank Road and Spotswood Furnace Rd. The additional southbound lane and signal retiming will improve the intersection on average, however eastbound lefts, northbound thrus, and southbound lefts will continue to experience delays, particularly during AM peak hours.
8. Proposed use will have no unduly adverse impact on environmental or natural resources.	No adverse impacts on the environment or natural resources are expected from this application.

V. Comprehensive Plan Analysis

The proposal diversifies the tax base, creates jobs, and upgrades an underutilized property along a major arterial to an active commercial use, pursuant to Guiding Principles A and B and Commercial Land Use Policies 5, 6, and 7. Commercial Land Use Policy 2 is met through the proposed interparcel connection to the west to serve a future development site. Policy 3 is met via the applicant's proposed sidewalk along both frontages as well as the development of two pedestrian crosswalks. Policy 4 is not met; this use has a direct connection to Route 3 as well as Spotswood Furnace Rd. Policy 6 is met as this is a new business investment.

Employment Center Land Use Policies 4 and 5 are met due to the interparcel connection and sidewalk improvements. Policy 11 is met as this Special Use Permit will accommodate new business and investment.

Transportation Policy 1 is not met; the intersection of Route 3 and Spotswood Furnace is currently functioning at a Level of Service E, D, and C during AM, Midday, and PM peak hours, respectively. Traffic analysis indicates that the proposed future use of the site improves conditions during AM and Midday peak hours, although not enough to bring the intersection to a Level of Service D during AM peak hours.

Transportation Policy 2 is partially met; the proposed transportation improvements should adequately mitigate new trips and impacts from the proposed use. Policies 2.1.a, 2.2, and 2.5 are met due to interparcel connection, TIA submittal, and pedestrian connectivity improvements.

Policy 3.2 is met through the new pedestrian connections and advance warning signaling at the northern crossing of Spotswood Furnace Rd. Policy 4.2 is met, the applicants proposed sidewalk and crosswalk connection to Riverbend exemplifies context sensitive design.

The proposal meets the intent of the Commercial Land Use designation, the development character within the Primary Development Boundary, and is generally consistent with the Comprehensive Plan.

VI. Findings

In Favor

- From a zoning perspective, a fueling station and convenience store are appropriate uses within a Commercial 2 (C-2) zoning designation, given the Future Land Use designation of Commercial and Employment Center of the subject properties and within the surrounding area. Limited commercial uses may be found west of the site containing a small commercial center, the Harrison's Crossing retail center is approximately 1,400 feet east, and a large unimproved commercial site is located immediately south. Furthermore, the subject site is located at the intersection of an arterial and collector roadway, within the Primary Development Boundary and the Highway Corridor Overlay District.
- The Comprehensive Plan goals related to access management and pedestrian connections are met through the provision of an interparcel connection, frontage sidewalks, and proffered pedestrian connectivity to the Riverbend High School.
- The Spotsylvania School District staff noted their support of the new dual left and right-thru lane. Staff from the School District also reported that they would like an additional sidewalk on the east side of Spotswood Furnace Rd. Although the developer declined to propose this additional improvement they were agreeable to a new pedestrian crosswalk to connect the proposed rezoning area to the Riverbend High School.
- The applicant has proposed perimeter landscaping including 35' Transitional Screen 2's, 15' Street Buffer B's along Route 3, and 10' Street Buffer A's along Spotswood Furnace Rd. as depicted in the GDP in order to mitigate aesthetic impacts on neighbors and streets.
- Proposed proffers by the applicant include lighting restrictions beyond code requirements and limitations of the brightness of electronic readerboard signage (LED signs), although none are presently proposed in the GDP or architectural drawing documentation.
- The proposal increases the commercial tax base of the county.
- The proposal satisfies the Special Use Standards of Review.
- The proposal is generally consistent with the Comprehensive Plan.

Against

- The Comprehensive Plan goals related to transportation Levels of Service are not met due to the near failing conditions of the intersection of Route 3 and Spotswood Furnace Rd. The applicant has proposed a new southbound lane on Spotswood Furnace Rd. which will accommodate a new traffic pattern consisting of two left turn lanes onto Route 3 and a shared Right-thru lane in an effort to improve the intersection.
- An opportunity exists for the county to condition the closure of the median opening immediately west of the intersection of Plank Rd. and Spotswood Furnace. Crash data indicates two accidents occurred in its proximity since 2010, however the closure of the median would be in accordance with the Route 3 Access Management Plan. The applicant did not propose to close the median due to its potential to create additional opposition by business owners who use the existing median opening. VDOT has not recommended nor opposed the median's closure during discussions with County staff.

VII. Conclusions and Staff Recommendation

This Special Use Permit is companion request to the applicant's rezoning request. The C-2 zoning designation which the applicant requested is logical for this corner, and accordingly staff recommended approval of that rezoning request. That request included a GDP and architectural details within the proffer documentation clearly indicating that the rezoned property would be used for a convenience store and fuel dispensing service. It is the fuel dispensing component of their plan that requires this Special Use Permit due to the potential impact that the use may have on neighbors and the general area in which the use is proposed. Staff's concerns center on the combination of these two uses because the additional new trips generated by them will cause additional strain on the intersection of Route 3 and Spotswood Furnace Rd. Based on the Traffic Impact Statement the future use of the site as a convenience store and gas station will negatively affect the intersection during its busiest times due to the trip additions from this use, the intersection serving a large traffic destination (Riverbend High School), and lastly the intersection serving as the western end of the 6-laning of Route 3. However, without the new southbound turn lane proffered by the applicant in the rezoning case, the intersection degrades to an even worse condition in 2018. The intersection is better with this project and the improvements proposed, than it would be without the project and its coinciding improvements. If approved, the applicant is able to make the best use of their land, and the County receives intersection, transportation, and pedestrian improvements beneficial to the immediate area and the transportation system. If denied, the signal continues to degrade unless the County or VDOT initiate improvements such as additional lanes on Spotswood Furnace Rd. or expanding the 6-laning of Route 3 further west.

The Planning Commission recommended approval on July 5th, 2017 by a vote of 4-0.

Staff recommends approval of this Special Use Permit for the reasons noted above and as indicated within the Findings of this report, with the following conditions:

1. The site development of the fuel dispensing service and convenience store shall be in conformance with the GDP dated 8-29-16 and last revised 5-9-17.
2. The design of the fuel dispensing service and convenience store shall be in conformance with the Architectural Drawings dated 3-2-17.