



County of Spotsylvania

Department of Planning

Staff Report

Rezoning # R17-0009
(Berkeley Voting District)

Planning Commission

September 20, 2017

Staff Recommendation:	Approval
Project:	R17-0009 (RO17-0009) VRE Crossroads
Owner/Applicant:	Crossroads Associates, LLC/ Virginia Railway Express
Request:	The applicant requests a portion, approximately 4.77 acres, of tax parcel 37-A-41A which currently has no zoning designation be zoned Industrial 1 (I-1).
Tax Map Parcel:	Tax parcel 37-A-41A totals approximately 99.1308 acres and is zoned Mixed Use 5 (MU-5), Industrial 1 (I-1) and Rural (RU).
Location:	The property is located at 9440 and 9442 Crossroads Parkway. The 4.77 acres subject to the zoning action are located at the southern end of the property, south of the Virginia Railway Express (VRE) maintenance yard.
Zoning Overlay:	Airport Protection Overlay District
Future Land Use Designation:	Mixed Use and Employment Center
Historic Resources:	None
Date Application Deemed Complete:	8/1/2017
Community Meeting:	None

Figure 1: Zoning Map

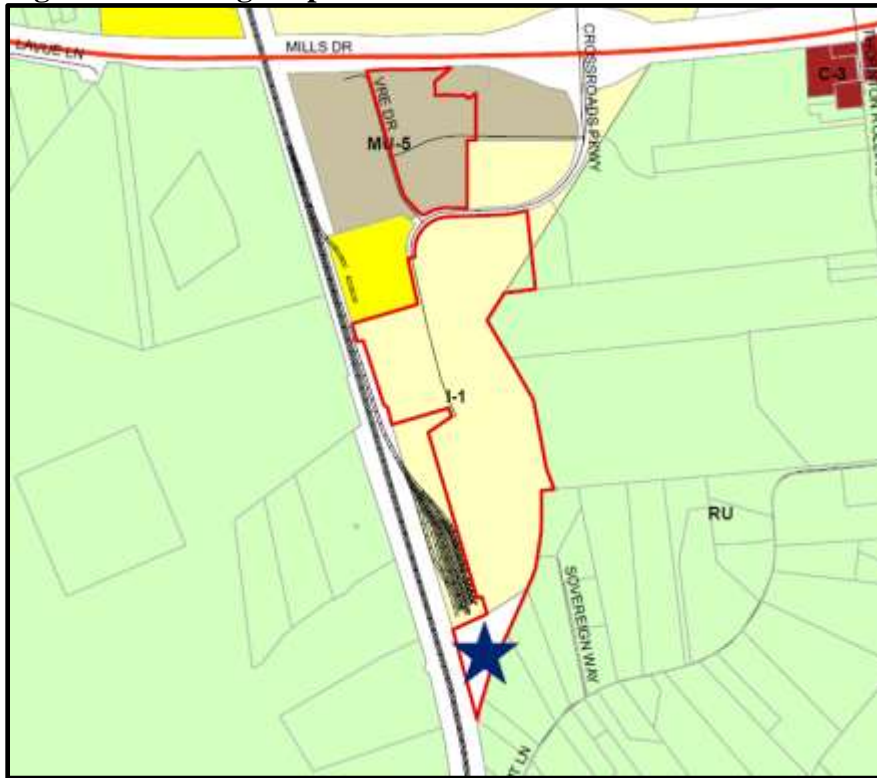


Figure 2: Aerial Map (2013)



I. The Site and Project Proposal

The property subject to the zoning request is approximately 4.77 acres and is part of a larger tract of land which totals approximately 99 acres and is currently zoned Mixed Use 5 (MU-5), Industrial 1 (I-1) and Rural (RU). The 4.77 acres in question is located just south of the Virginia Railway Express (VRE) maintenance yard and is part of approximately 19.5 acres which VRE intends to acquire. During the acquisition due diligence process, it was discovered that this portion of the property has no zoning designation. Research completed by County staff confirmed that the area with no zoning designation was once railroad right of way. Deed research shows that in the early 1990's several transfers took place in which railroad right of way was vacated and which ultimately created this portion of the property with no zoning designation.

The VRE is the applicant and as noted intends to acquire approximately 19.5 acres in order to expand the maintenance facility. This portion of the larger property is currently zoned Industrial 1 (I-1) (please see Figure 1: Zoning Map above) and the VRE requests the 4.77 acres also have the I-1 designation. Consistent with Code requirements, the applicant has provided a GDP as part of their application for zoning. The GDP identifies the 4.77 to be zoned I-1 and also the 19.5 acres which the VRE intends to acquire to accommodate the maintenance facility expansion. The applicant has not offered a proffer statement as part of the rezoning application.

II. Staff Analysis

The applicant's request to zone the 4.77 acres is necessary in order to provide a zoning designation for this portion of the property. The 4.77 acre "hole" is adjacent to I-1 zoned property to the north and Rural (RU) zoned properties to the south. While the impact to the adjacent Rural zoned properties to the south may be of concern it should be noted that this portion of the larger tract of land has historically been industrially zoned or railroad right of way. Therefore, the impact to the adjacent Rural zoned properties is the same or potentially less impactful given the screening requirements for industrial uses adjacent to residential uses. A site plan for the expansion of the VRE maintenance facility is currently under review and all Code requirements will apply including but not limited to screening. A transitional screening 3 will be required along the VRE's property line adjacent to the residential properties to the south. A transitional screening 3 consists of an unbroken strip of open space a minimum of 50 feet in width and planted with one large evergreen tree with an ultimate height of 40 feet or greater for every 10 linear feet, plus one medium evergreen tree with an ultimate height of 20 to 40 feet for every 5 linear feet, plus one large deciduous tree with an ultimate height of 50 feet or greater for every 30 linear feet, plus one medium evergreen shrub with an ultimate height of 12 feet or less for every 15 linear feet. Based on the proposed property lines, staff estimates the 50' buffer will run approximately 1,160 linear feet and contain approximately 463 plantings.

III. Findings

In Favor:

- A. The zoning designation of Industrial 1 is consistent with the employment center land use category in this area and is supportive of business retention and expansion goals.
- B. The proposed zoning will provide a zoning classification to an existing “unzoned” area as determined by the County’s Zoning Administrator.

Against:

- A. The proposed zoning will allow the existing industrial use to expand closer to the residential properties.

IV. Conclusions & Recommendations

While staff acknowledges the concerns with industrial zoning adjacent to residentially zoned properties, the subject property has historically been industrial and/or railroad right of way. The result of the subject zoning request will simply address the gap in zoning which resulted from the vacation of railway right of way. The I-1 zoning will not create additional impacts and arguably, with the property not being within the railroad right of way, Code requirements apply which can mitigate impacts specifically the screening of industrial uses to residential uses. With that and the findings in favor noted above, staff recommends approval of the zoning request.

Spotsylvania County Government

Appendix A

Comprehensive Plan Analysis

VRE Crossroads Rezoning Comp 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 proposal is located within the Primary Development Boundary; area within which public water and sewer utilities will be provided. Lands within the limits of the Primary Development Boundary are intended to develop with higher residential densities and more intensive non-residential uses than outside of the boundary. By maintaining a Primary Development Boundary, the County encourages the most efficient use of the land while preserving the rural character and agricultural viability of those portions of the County outside the boundary.

The proposal, envisioned to be located at Tax Map # 37-A-41A has an Employment Center land use designation. As per the Comprehensive Plan the Employment Center designation 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. The proposed Industrial 1 (I-1) Zoning designation is complementary and appropriate to the land use designation and helps enable expansion of business operations within the County consistent with Comprehensive Plan Introduction and Vision Guiding Principle A, *Spotsylvania County is a "business friendly" community and local job creation is a priority*; and Guiding Principle A, Policy 3, *Encourage the rezoning of land to industrial/ office uses in areas designated for Employment Center uses and the revitalization of older, underperforming commercial, office, and industrial districts*. The land use designation speaks to seeking to consider location factors and mitigation of impacts upon adjoining properties. Staff believes potential impacts that may be generated from the site will be reduced and/or mitigated via transitional screening buffering as required.

The VRE Crossroads rezoning proposal is CONSISTENT with the Employment Center land use designation envisioned for the area.