Department of Community Development
Staff Report

PROPERTY OWNERS:	U.S. Investment Group, LLC
APPLICANT(S):	Hinkley, Shepherd, Norden, PLC
LOCATION:	5415 Lee Highway, Warrenton
DISTRICT:	Scott
PIN(S):	7906-10-4826-000
ACREAGE:	3.28 acres
ZONING:	Industrial Park (I-1)
LAND USE:	Planned Industrial Development
MEETING DATE:	September 15, 2016

REQUEST:	SPEX-16-005375 – Universal Stones: The Applicant is seeking approval of a Special Exception to allow signage other than that allowed by-right, in accord with Section 8-1500 (2) of the Zoning Ordinance.
OUTSTANDING ISSUES:	There are no outstanding issues identified by staff.
RECOMMENDATION:	Staff advises the Planning Commission to recommend approval of Special Exception SPEX-16-005375, subject to the conditions below. The application satisfies the standards of Zoning Ordinance Section 8-1500.

STAFF RECOMMENDED CONDITIONS:

1. This Special Exception is granted only for the purpose(s), structure(s) and/or uses indicated on the plat titled Monument Sign for Universal Stones dated June 24, 2016, as approved with this application, as qualified by these development conditions.

2. The sign shall be placed outside of the VDOT right-of-way and meet clear zone requirements per Virginia Work Area Protection Manual Figure 2, Page A-4.

3. The location of the sign shall not obstruct site distance at the entrance to this business.

4. The sign shall be set back a minimum of five (5) feet from the front property line and a distance equal to the height of the sign from the side property line.

5. A sign permit shall be required prior to the installation of the sign.

6. Lighting shall be in accord with the Fauquier County Zoning Ordinance.

Topic Description:

Universal Stones is requesting approval of a Special Exception to allow signage other than that which is allowed by-right, in accord with Section 8-1500 (2) of the Zoning Ordinance. The Zoning Ordinance allows the Board of Supervisors to approve, through Special Exception, signage which is not in accord with the general requirements contained in the Ordinance.

According to the Statement of Justification, Universal Stones relies on drive-by visibility for their current and future success. Locating the proposed sign at the main entrance off Route 29 will direct potential clients to the business and location of the main entrance. In addition to potential clients, there are employees, deliveries and installers all using the same entrance who could benefit from the new signage.

The proposed sign is unique in design, comprised of a polished slab of granite approximately 6 feet by 9 feet in size, with the Universal Signs logo etched on the surface. A second similarly sized piece of unfinished granite is set approximately 10 inches in front of the polished slab, rotated 90 degrees, and with a corner removed. The polished slab is approximately 54 square feet and the unfinished slab is approximately 43 square feet. The height of the proposed sign is 10 feet 9 inches, which includes a 1 foot 6 inch base. The sign is intended to show the evolution of the rough granite to the polished finished product indicative of Universal Stones' business.

The largest freestanding sign that the Board of Supervisors can approve by Special Exception is 60 square feet. However, multiple signs up to 60 square feet can be approved. The regulations do not limit the height the Board may approve.

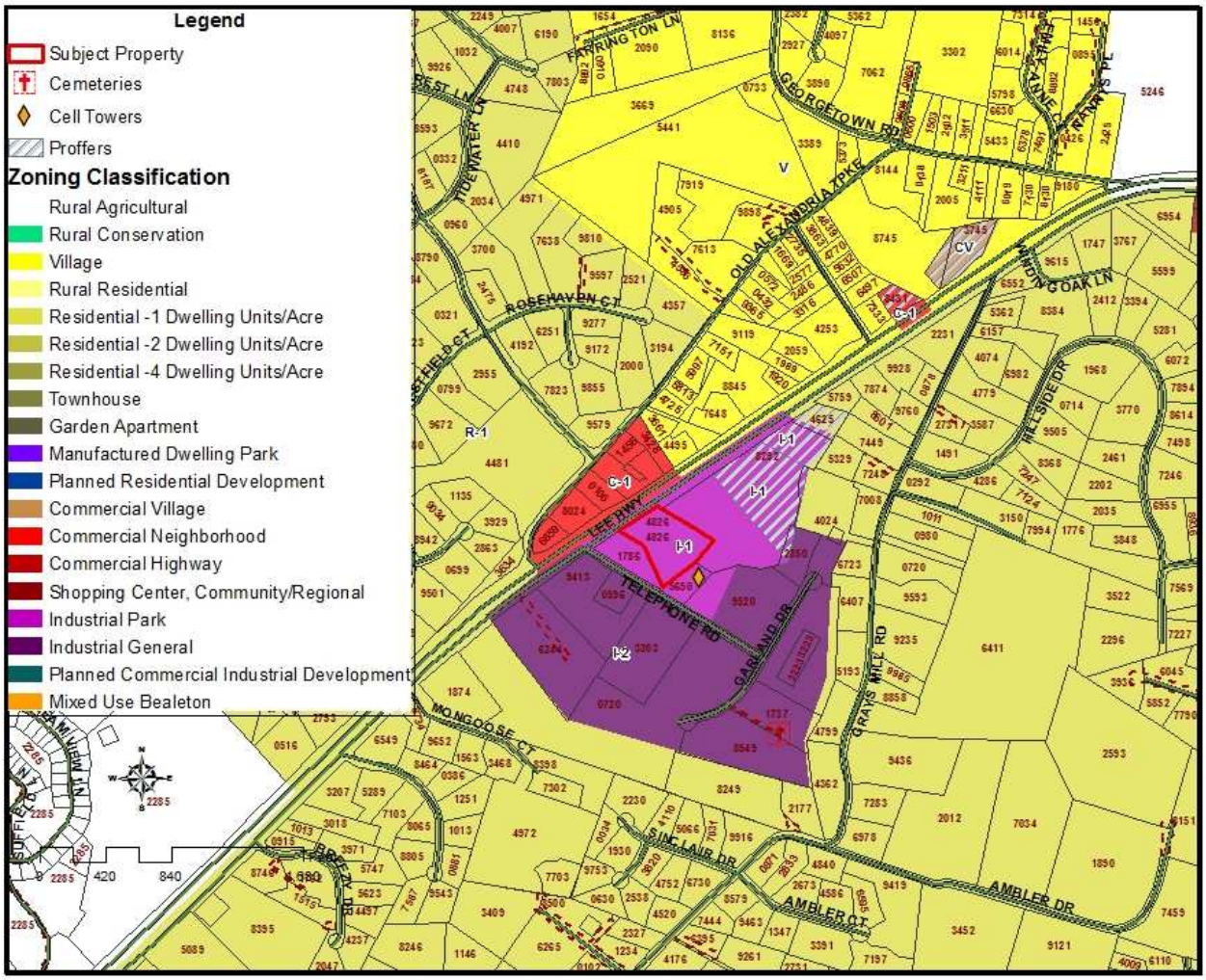
Because of the unique character of the sign, the rules in the Zoning Ordinance for measuring sign area are difficult to apply. If the area of both stones is included and adjusted for the overlap, staff estimates a total area of about 75 square feet, which is well above the maximum 60 square foot size the Board may approve. However, staff believes it is reasonable, given the unique character of the sign, to consider it two separate signs, one the polished granite and the other the unfinished granite.

Current Location, Zoning and Land Use:

The property is located on the east side of James Madison Highway (Route 15/29), north of its intersection with Telephone Road (Route 838) in the New Baltimore Business Park. The property

is zoned Industrial Park (I-1) and contains Universal Stones, a leading importer of marble and granite.

Zoning Map



Neighboring Zoning and Current Land Use:

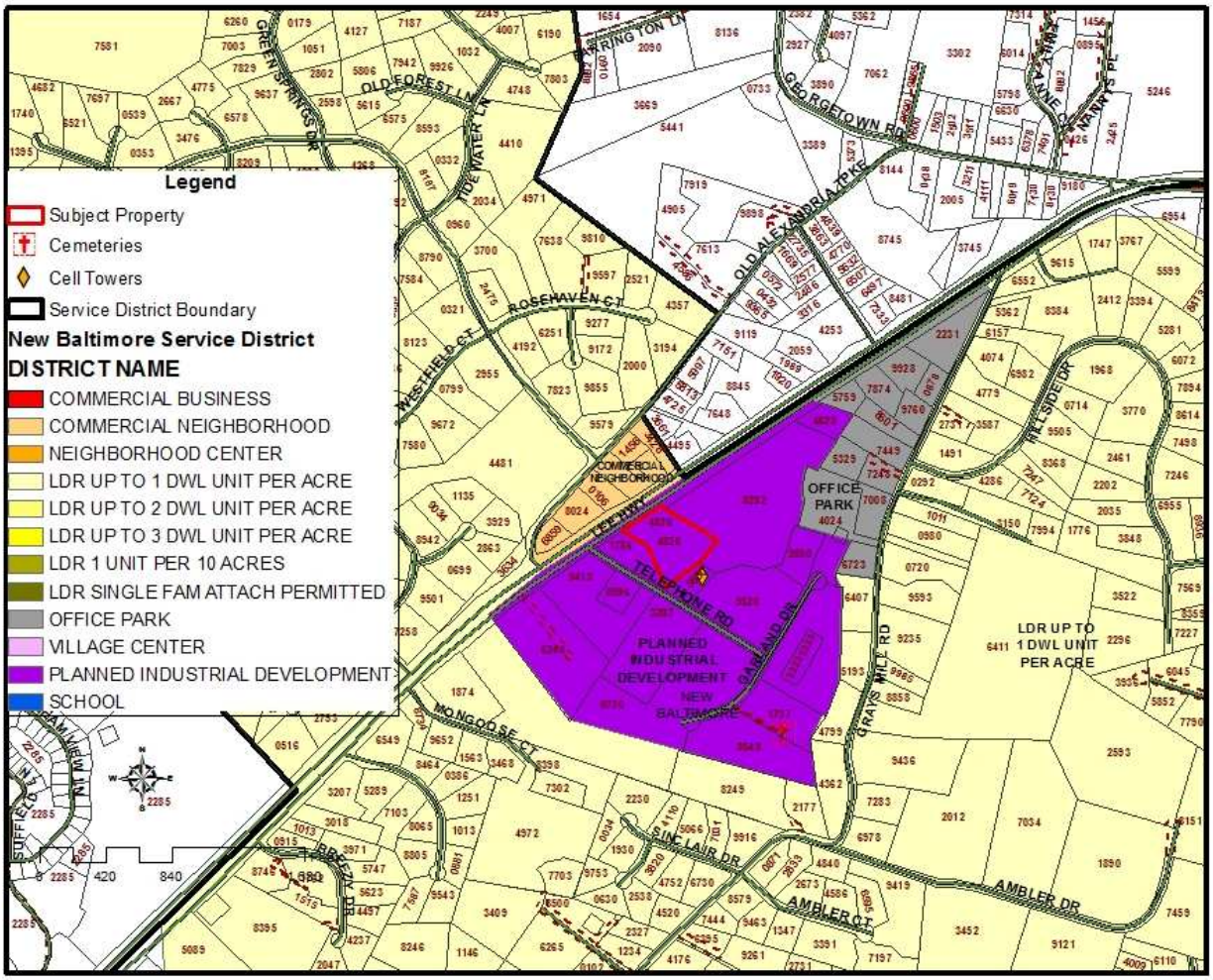
Adjacent properties to the north, south and east are zoned Industrial Park (I-1) and are located in the New Baltimore Business Park. Property to the north and east are the site of the Pepsi Cola Bottling Plant, with the property to the immediate south currently being vacant. Properties to the west, across Route 29, are zoned Commercial Neighborhood (C-1) and contain a variety of commercial uses.

Comprehensive Plan:

The site is located within the New Baltimore Service District in an area designated for Planned Industrial Development. The Planned Industrial Development district is planned for uses where

typically the primary industrial activities are conducted within an enclosed structure and minimal environmental impacts are produced. Route 15/29 is indented to develop as a "Gateway corridor" to Fauquier County and the Piedmont Region by providing a visual experience commensurate with the County's high quality environment and historic significance, with particular emphasis on protecting rural, agricultural, and historic landscapes and viewsheds. The Comprehensive Plan looks to encourage commercial uses within this area. The proposed sign is in accord with the Comprehensive Plan.

Service District Map



Special Exception Analysis:

The Special Exception must comply with General Standards for Special Permits and Special Exception Uses, found in Section 5-006; and Section 5-1703, Additional Standards for Heavy Industrial Uses. Staff's analysis of the standards are provided below in italics.

5-006 General Standards for Special Permits and Special Exception Uses

In addition to the special standards set forth hereinafter for specific uses, all Special Permit and Special Exception uses shall also satisfy the following general standards.

1. The proposed use shall be such that it will not adversely affect the use or development of neighboring properties. It shall be in accordance with the applicable zoning district regulations and the applicable provisions of the adopted Comprehensive Plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and/or use of adjacent or nearby land and/or buildings or impair the value thereof.

   The proposed sign is unique in design and character. The sign should not hinder or discourage the appropriate development and/or use of adjacent or nearby land and/or buildings or impair the value thereof.

2. The proposed use shall be such that pedestrian and vehicular traffic generated will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood and on the streets serving the site.

   The proposed sign is required to be located outside of the line of sight for customers leaving the property. It will not conflict with vehicular or pedestrian traffic in the area. The New Baltimore Comprehensive Plan envisions the potential for combined entrances, road relocation, and the introduction of traffic calming measures in this area. The owners will be required to relocate the sign should it become necessary in the future due to changes in traffic patterns.

3. In addition to the standards which may be set forth in this Article for a particular category or use, the BZA and Board may require landscaping, screening, yard requirements or other limitations found to be necessary and appropriate to the proposed use and location.

   Staff is not recommending additional landscaping or screening of the sign. Landscaping will be in the vicinity of the sign as shown on the attached plat. The sign is required to be set back a minimum of five feet from the front property line and a distance equal to the height of the sign from the side property line.

4. Open space shall be provided in an amount at least equal to that specified for the zoning district in which the proposed use is located.

   No open space is required.

5. Adequate utility, drainage, parking, loading, and other necessary facilities to serve the proposed use shall be provided. Low impact development techniques are encouraged by the County and shall be incorporated into the site and facility design when deemed appropriate by the applicant after consultation with appropriate county officials. Parking and loading requirements shall be in accordance with the provisions of Article 7.

The abovementioned facilities are not required for the installation of a sign.

6. Signs shall be regulated by the provisions of Article 8, except as may be qualified in the Parts that follow for a particular category or use. However, the BZA and the Board, under the authority presented in Section 007 below, may impose more strict standards for a given use than those set forth in this Ordinance.

   Article 8 of the Zoning Ordinance allows increase in signage with approval of a Special Exception. Should the Special Exception be approved a sign permit will be required.

7. The future impact of a proposed use will be considered and addressed in establishing a time limit on the permit, if deemed appropriate. Existing and recent development, current zoning and the Comprehensive Plan shall be among the factors used in assessing the future impact of the proposed use and whether reconsideration of the permit after a stated period of time would be necessary and appropriate for the protection of properties in the vicinity and to ensure implementation of the Comprehensive Plan.

   Staff is not recommending any time limit be placed on the permit.

8. The proposed use shall be such that air quality, surface and groundwater quality and quantity, are not degraded or depleted to an extent that would hinder or discourage the appropriate development and/or use of adjacent or nearby land and/or buildings or impair the value thereof.

   The installation of the proposed sign will not degrade or deplete air quality and/or surface or groundwater quality or quantity.

9. Except as provided in this Article, all uses shall comply with the lot size, bulk regulations, and performance standards of the zoning district in which located.

   Lot size, bulk regulations and performance standards for the Industrial zoning district are being met with this application.

<u>8-1500 Variance and Special Exceptions</u>

1. Variances from the provisions of this Article 8 may be granted by the Board of Zoning Appeals in accordance with standards and provisions for the granting thereof, as set forth in Part 4, Article 13, of the Zoning Ordinance and Title 15.2 of the Code of Virginia.

   This standard is not applicable; the application is a Special Exception, not a Variance.

2. Notwithstanding any provisions of this Zoning Ordinance to the contrary, the Board of Supervisors may approve signs in the Commercial, Industrial and Special Districts that are not in accordance with the standards set forth in Part 6 above by approval of a Special Exception. In considering a request for such special exception, the Board may approve or deny the request in accordance with the general standards for Special Exceptions set forth in Section 5-006 of this Ordinance, and by consideration of the following, provided, however, that the total permitted sign area not be increased by more than one hundred percent (100%), the total area

for any one sign not exceed the allowable limits already set forth in Part 6 above for particular permitted sign types, and that such approval shall permit only those sign types that are allowed within a particular district as set forth in Part 6 above:

a. The nature of the proposed use, including such factors as whether the use is a destination or one that relies more on drive-by visibility; and

   The Statement of Justification states that Universal Stones relies on drive-by visibility for their current and future success. Locating the proposed sign at the main entrance off Lee Highway will direct potential clients to the business and location of the main entrance. As previously stated, the entrance is used by a myriad of traffic – customers, employees, deliveries and installers.

b. The character of the existing area and the impact on the visual appearance of adjacent and nearby properties and rights-of-way, particularly entrances to the County from the interstate highways or surrounding jurisdictions, and the major streets leading from those entrances; and

   According to the Statement of Justification, the existing conditions do not sufficiently advertise the business. The business is set back from the highway, with the existing trees on the northeast of the property blocking the view of the building from traffic approaching from the north.

c. Whether a unique situation exists, causing a need that is not recurring in nature; and

   Staff believes a unique situation does exist in this location due to the speeds on Route 29, setback of the existing structure on a four lane divided highway, and the lack of drive-by visibility of the business.

d. The area's designation in the County's Comprehensive Plan; and

   The property is designated as Planned Industrial Development in the Comprehensive Plan. The proposal is in accord with the Comprehensive Plan.

e. The existence of a special visual obstruction or difficulty in locating the use, making the application of the general provisions of this section too restrictive.

   As stated above, the sign will help direct potential clients to the business and location of the main entrance.

Staff and Agency Review Comments:

Staff and appropriate referral agencies have reviewed this request for conformance with the Comprehensive Plan, the Zoning Ordinance, and other relevant policies and regulations. Findings, comments, and recommendations are summarized below. Following each comment is a staff note in italics stating how the comment has been addressed.

Planning Analysis

Planning analysis is provided within this report.

Zoning Considerations

1. The applicant proposes approval of a sign pursuant to Section 8-1500 (2) of the Zoning Ordinance. This provision allows the Board of Supervisors to approve, through special exception, signs that are not in accordance with the general requirements for signs. The total area for any one sign may not exceed the allowable limits already set forth in Part 6 for a particular permitted sign type, and also limits the total increase in overall signage allowed on the property to 100 percent. Specific standards for considering the request are set forth in 8-1500 (2)

2. The proposed sign is unique in design, comprised of a polished slab of granite approximately 6' by 9' in size, with the Universal Signs logo etched on the surface. A second similarly sized piece of unfinished granite is set about ten inches in front of the polished slab, rotated 90 degrees, and with a corner removed. Staff calculates an area of 54 square feet for the polished slab, and approximately 43 square feet for the unfinished slab. The height of the proposed signage is 10' 9" inches, including a 1' 6" base.

3. The typical freestanding sign allowed on this lot is 45 square feet, for a monument sign. Maximum height is 15' or 12' for a monument sign. The largest freestanding sign allowed by Part 6 of the Ordinance is 60 square feet (a monument sign for a multi-use lot). Therefore, the largest freestanding sign that the Board can approve by special exception is 60 square feet. However, multiple signs up to 60 square feet can be approved. The regulations do not limit the height the Board may approve.

4. Because of the unique character of this size, the rules in the Zoning Ordinance for measuring sign area are difficult to apply. If the area of both stones is included and adjusted for the overlap, staff estimates a total area of about 75 square feet, well above the maximum 60 square foot size the Board may approve. However, staff believes it is reasonable, given the unique character of the sign, to consider it two separate signs, one the polished granite and the other the unfinished granite. Under this approach, each sign is within the 60 square foot maximum allowed.

   Comments 1 through 4 are provided for informational purposes. Specific standards (8-1800.2) for considering the request are provided earlier within this report under the section titled Special Exception analysis.

5. A drawing has been provided showing the proposed location of the sign. Staff is unable to scale from the drawing, but would note that the sign is required to be set back a minimum of 5' from the front property line and a distance equal to the height of the sign from the side property line.

   This requirement is included in the recommended conditions of development.

6. A sign permit is required.

   This requirement is included in the recommended conditions of development.

<u>VDOT</u>

1. The sign needs to be placed outside of the VDOT right-of-way along Route 29.

2. The location of the sign needs to be such that sight distance is not obstructed at the entrance to this business.

3. Clear Zone requirements need to be met for the sign location per Virginia Work Area Protection Manual Figure 2, Page A-4.

Comments 1 through 3 have been included as recommended conditions of approval.