



AGENDA ITEM FORM

TYPE OF AGENDA ITEM:

- CONSENT AGENDA
- PRESENTATION
- ACTION ITEM
- TOWN MANAGER & STAFF COMMENTS
- PUBLIC HEARING
 - Duly Advertised

PURPOSE OF ITEM:

- INFORMATION ONLY
- DISCUSSION ONLY
- DISCUSSION AND/OR DECISION
 - Introduction Resolution
 - Ordinance Grant/MOU
 - By Motion Bylaws

PRESENTER: David Moss

PRESENTER TITLE: Town Planner/Zoning Administrator

AGENDA ITEM: Site Plan #SP11-001, McDonald's

BACKGROUND / SUMMARY:

Planning Commission recommends approval.

ATTACHMENTS: Staff Report with Site Plan
Resolution to Approve

REQUESTED ACTION: Vote to Approve

NO ACTION REQUESTED

FOR MORE INFORMATION, CONTACT: Name:

Phone#:

E-mail:

FOR USE DURING MEETING

VOTE:

PASSED

NOT PASSED

Y	N		Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Barr	<input type="checkbox"/>	<input type="checkbox"/>	Foreman	<input type="checkbox"/>	<input type="checkbox"/>	Forrester
<input type="checkbox"/>	<input type="checkbox"/>	Jurgensen	<input type="checkbox"/>	<input type="checkbox"/>	Toney	<input type="checkbox"/>	<input type="checkbox"/>	Washington
<input type="checkbox"/>	<input type="checkbox"/>	West						



DUMFRIES, VIRGINIA

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17755 Main Street
Dumfries, Virginia 22026-2386
Tel: 703-221-3400 / Fax: 703-221-3544
www.dumfriesva.gov

To: Town Council
From: David Moss, Town Planner
Date: December 29, 2011
RE: Proposed Site Plan for McDonald's
18030 Triangle Shopping Plaza
GPIN 8188-68-8791

STAFF REPORT

Final Site Plan #SP11-001, McDonald's
Staff Recommendation: Approval

I. Site Plan Review:

- A. Applicable Regulations – The Site Plan must be reviewed solely on regulations adopted by the Town. The only ordinance adopted by the Town that contains regulations pertinent to site plans is the Zoning Ordinance. Section 70-537 regulates the site plan based on district standards, therefore imposing by reference the standards contained in Sections 70-247 through 70-256 for B-1 zoned properties. Section 70-541 includes specific improvement standards that regulate any proposed development presented as a site plan. Therefore the only regulations which can be used to analyze a site plan for approval or denial are contained in Sections 70-247 through 70-256 and 70-541.
- B. Staff review – The site plan has been reviewed by the Zoning Administrator, the Director of Public Works, and the Assistant Director of Public Works.
 1. Zoning Administrator Review – below is a chart analyzing the applicable regulations from the Zoning Ordinance and the status of the site plan in conforming to these regulations.

70-247	Use regulations	Use becomes lawfully nonconforming upon issuance of a Certificate of Occupancy. Date of lawful nonconformity is September 20, 2011. Rights are vested based on the approval of the preliminary site plan prior to that date, and subsequent due diligence and investment on the part of the developer.
70-248	Area regulations	Meets regulation.
70-249	Frontage regulations	Meets regulation.
70-250	Setback regulations	Minimum required setback is 28.2 feet, as established in a Zoning Determination dated August 21, 2011. Proposed setback is over 30 feet, therefore satisfying this regulation.
70-251	Yard regulations	Does not apply.
70-252	Height regulations; maximum structure limitation	Meets regulation.
70-253	Corner lots	Does not apply.
70-254	Site plan	Meets regulation.
70-255	Conditional use permit	Does not apply.
70-256	Provision for screened trash receptacles	Meets regulation.
70-541	Improvements; standards	Meets regulation.

1. Public Works Review – The Director of Public Works sent some minor technical and graphic corrections to the engineer for revisions on the plan. The amended site plan addresses these issues.
- B. Outside Agencies – For site plan reviews, the Town sends the proposed site plan to various outside agencies who review certain aspects of certain plans. Not all plans are sent to all outside review agencies. Which outside review agencies receive the site plan for review is based on the presence of certain conditions of the site, for instance the presence of wetlands or the development of a property fronting on a State-maintained roadway.
1. VDOT – The only outside agency review which is required by this particular site plan is VDOT due to the property fronting on Route 1, which is a state-maintained roadway. VDOT comments were received, but no comments have any bearing on the approval of the site plan.
- C. Planning Commission – The Planning Commission reviewed the site plan at the December 12, 2011 Planning Commission meeting. The Planning Commission recommended approval of the site plan.

II. Issues in order of importance are as follows:

- A. Zoning Ordinance Regulations – Is the site plan in conformance with regulations contained in the Zoning Ordinance?

III. Alternatives beginning with the staff recommendation are as follows:

- A. Approve Final Site Plan #SP11-001, McDonald's.

1. Zoning Ordinance Regulations – The site plan is in conformance with regulations contained in the Zoning Ordinance.

- B. Deny Final Site Plan #SP11-001, McDonald's.

1. Zoning Ordinance Regulations – If the Town Council believes that the site plan is not in conformance with regulations contained in the Zoning Ordinance, the recommendation for denial must spell out in explicit terms which regulation is not being conformed to, and this reason must be transmitted in writing from the Town to the applicant upon denial of the site plan.

IV. Recommendation is that the Town Council accepts Alternative A and approves Final Site Plan #SP11-001, McDonald's.

Attachments

Resolution to Approve
Site Plan

At a regular meeting of the Dumfries Town Council held on Tuesday, January 3, 2012 in Council Chambers, 17755 Main Street, Dumfries, Virginia: On a motion duly made by _____, and seconded by _____, the following Resolution was adopted by the following vote:

Nancy H. West, ___;
Willie J. Toney, ___;
Dorothea Barr, ___;
Gerald M. Foreman, II, ___;
Kristin W. Forrester, ___;
Michele Jurgensen, ___;
Gwen P. Washington, ___;

A RESOLUTION TO APPROVE SITE PLAN #SP11-001, MCDONALD'S

WHEREAS, a site plan (#SP11-001, McDonald's) has been submitted for a portion of the property known as GPIN 8188-68-8791 for a fast-food restaurant; and

WHEREAS, the site plan was reviewed by Town staff and external agencies for conformance with all applicable federal, state, and local codes; and

WHEREAS, the Town of Dumfries Planning Commission reviewed the site plan at their December 12, 2011 meeting, and recommended that Town Council approve the site plan; and

WHEREAS, the Dumfries Town Council finds that the site plan is in conformance with the Town of Dumfries Zoning Ordinance;

NOW, THEREFORE BE IT ORDAINED by the Council of the Town of Dumfries on this the 3rd day of January, 2012 that the site plan #SP11-001, McDonald's, is hereby approved.

Approved by Town Council this 3rd day of January, 2012.

By: _____
Nancy H. West, Mayor

Attest: _____
Dawn Hobgood, Clerk

(This page is a placeholder for site plans added as part of the official packet available in Town Hall and distributed only to the Town Council in physical form)