

**County of Spotsylvania
Department of Planning**

**Board of Supervisors
Staff Report**



**Special Use #SUP16-0003
(Courtland Voting District)**

I. Recommendations

Staff: Approval with conditions.

Planning Commission: The Planning Commission recommended Denial on December 7th, 2016 with a 7-0 vote.

II. Overview

Applicant: Yonus Attai

Request: The applicant requests Special Use approval for a Vehicle sale, rental and ancillary service establishment in a Commercial 2 (C-2) zoning district. The proposal includes the conversion of an existing 2-story single family residential structure to a 1,360 sq. ft. sales office and the outdoor display of 69 vehicles, with associated parking, water management, screening and other site improvements. This request is accompanied by a companion Rezoning request R16-0001.

Tax Map Parcel(s): 35-A-119

Location: The vehicle sales lot is proposed at 10726 Courthouse Rd. The subject property is located approximately 440 feet east of the intersection of Courthouse Road and Southpoint Pkwy./Rollingwood Dr. within the Primary Development Boundary, the Highway Corridor Overlay District and the Airport Protection Overlay District. The subject site has 162' of frontage as well as right-in/right-out access to Courthouse Rd.

Character of Area: The project is proposed in a commercial area along Courthouse Rd., a significant arterial roadway. The property has historically been used as a single family residence. The character of the area may be summarized as suburban commercial with some remaining residential structures located to the east and the neighborhood of Rollingwood Dr. located north of the subject site. Varying zoning designations surround the subject property which may be best viewed on the map below. Neighboring uses include a church and residential homes with multiple commercial and institutional

uses located across Courthouse Rd. to the south.

Community Meeting:

A community meeting was held on 4/25/2016. It was well attended with approximately 30 attendees. Concerns reported were largely related to the restriction of access to the site through the Eastland Church's property, water management, screening, and the restriction of other uses.

Comprehensive Plan:

The subject site has a Future Land Use designation of Commercial. Additional Commercial designated land lies to the east along Courthouse Rd. The Eastland United Methodist church to the west has a designation of Institutional, as does the Saint Jude Catholic Church located across Courthouse Rd. to the south. Abutting properties located north of the subject site have a Low Density Residential designation. The Commercial Future Land Use designation is intended for a variety of retail and office uses and is largely mapped along major transportation corridors.

Historic Resources:

According to the Department of Historical Resources' Cultural Resource Information System this property lies outside of any historically significant areas. An existing circa 1940 dwelling is located onsite and is proposed for conversion to a sales office. The dwelling was evaluated in 2009 by the Department of Historical Resources and found not eligible for inclusion in the Historic Registry nor were any of its accessory structures.

Zoning Overlay:

The properties are located within the Highway Corridor Overlay District (HCOD) and the Airport Protection Overlay.

Transportation:

Access is available via an existing driveway connecting to Courthouse Rd. The entrance will be improved with a VDOT approved commercial entrance which will accommodate right-in and right-out maneuvers only. A traffic signal is located approximately 440 feet east of the intersection of Courthouse Rd. and Southpoint Pkwy./Rollingwood Dr.


The applicant estimates 106 vehicle trips per day from the use, which is an increase from the previous use's estimated 10 Vehicle Trips Per Day (VPD). Courthouse Rd. is estimated to have approximately 42,000 VPD per 2015 VDOT's Traffic estimates.

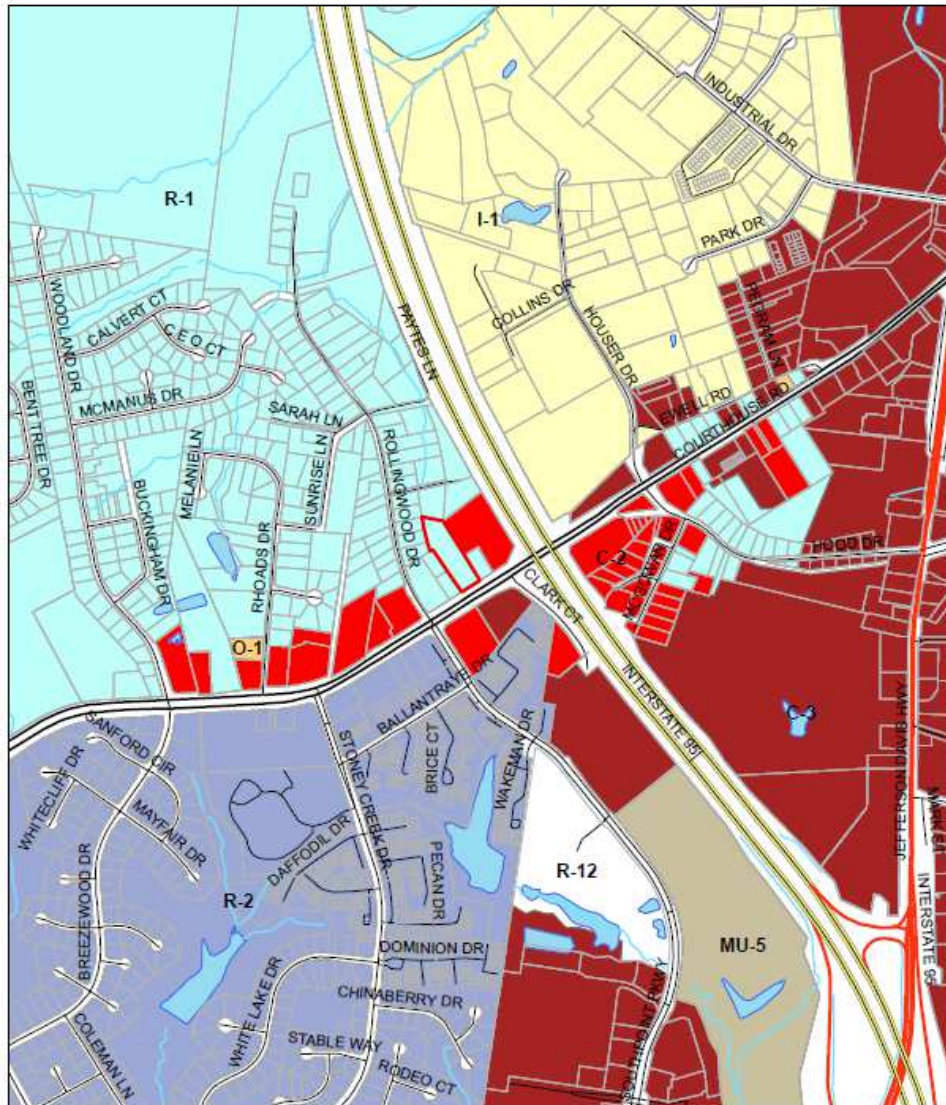
Date Application Deemed Complete:

May 25, 2016.

Zoning Map:

Legend

	A-2
	A-3
	C-1
	C-2
	C-3
	I-1
	I-2
	MU-1
	MU-3
	MU-4
	MU-5
	O-1
	O-2
	PDC
	PDH-16
	PDH-2
	PDH-3
	PDH-4
	PDH-5
	PDH-8
	PRR-2
	PRR-3
	PRR-4
	R-1
	R-2
	R-3
	R-8
	R-A
	R-C
	R-R
	RU
	VC



Case Number: SUP16-0003

Applicant: Yonus Attai

Request: Used Vehicle Sales

Location: 10726 Courthouse RD

Parcel: 35 (A) 119

Acreage: 2.36 acres

Zoning: R-1 proposing C-2 (R16-0001)

District: Courtland



Spotsylvania County
Information Services Department
GIS Division

Created: May 27, 2016

III. Project Summary

The subject application is for Special Use approval of a Vehicle sale, rental and ancillary service establishment in a Commercial 2 (C-2) zoning district. The project consists of the conversion of an existing single family residence to a 1,360 sq. ft. sales office, the asphalt surfacing of a parking lot and display area for 69 vehicles, and related site improvements including storm water management facilities, landscaping and fencing, curbing, sidewalks, and utility connections.

The existing structure on the property will be modified to accommodate the new office, including some light façade improvements and being connected to the County's central water and sewer system. The GDP contains a depiction of the front elevation on page 2 with a note regarding finishing materials. The project is proposed in one phase with the building conversion and site improvements occurring concurrently.

The landscaping plan within the GDP includes transitional screening as required by the Design Standards Manual with some modifications discussed below. The applicant has also volunteered to provide a screen between the subject property and the abutting church, which is not required by code. Additionally, the applicant has proposed a Street Buffer B with supplemental HCOD street trees as required by the DSM.

The applicant requests to use a narrow but dense transitional screen on the NE property line. The applicant proposes to reduce the width of the Transitional Screen 3 from 50' to 17' which is permissible via a modification to the Design Standards Manual (DSM) provided the applicant install a 7' high brick or architectural wall; instead, the applicant proposes a 6' board on board fence. This board on board fence is also not compliant with the DSM 8-2.4.G, which requires staggering, capping, recessing, inlays, columns, or texturing to break the visual monotony. Staff opines that the board on board will sufficiently screen the use however the breaking of this monotonous surface would be beneficial to adjacent property owners. Therefore staff is recommending a condition that the fence be installed include some regular visual breaks. Staff is also recommending a condition that all plantings needed for transitional screens, inclusive of the voluntarily proposed 15' buffer adjacent to the church, be installed or preserved external to the proposed fence line.

The applicant also requests that wooden board on board enclosure be used to screen the dumpster on site, requiring modification to DSM 8-3.1.O, which requires masonry dumpster enclosures for properties within the HCOD. Staff notes that the dumpster's enclosure is already located within an area screened from any view apart from the front lot line, over 265 feet away; staff has no objection to this modification.

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 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 companion proffers for the rezoning request include the dedication of 20' of right-of-way to accommodate the future expansion of Courthouse Rd.
7. Proposed use will not cause undue traffic congestion or create a traffic hazard.	The proposed use is not expected to create traffic hazards or congestion.
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.

Dark sky compliant lighting is requirement per County code pursuant to Land Use Policy 2 and Natural Resources Strategy 1.11. This proposal is a redevelopment project within an existing developed area and is not expected to adversely impact adjoining properties pursuant to Land Use Policy 7.

The proposal is located on an existing infill site with a proposed right-of-way dedication, does not impact any historical resources, is compatible with surrounding Institutional and Commercial land uses, and is well screened from neighboring Low Density Residential land uses. These facts demonstrate compliance with Transportation Policy 2, Historic Policies 1 and 2, and Natural Resources Strategy 1.10, respectively.

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

1. The proposal increases the commercial tax base of the county.
2. The proposal adaptively reuses an existing structure.
3. The proposal satisfies the Special Use Standards of Review.
4. The proposal is consistent with relevant policies of the Comprehensive Plan.

VII. Conclusions and Staff Recommendation

Staff recommends approval of this Special Use with the conditions below.

The Planning Commission recommended Denial on December 7th, 2016 with a 7-0 vote noting concern over the only access being provided by Courthouse Road and it already having too many driveway entrances, Courthouse Road having too much traffic, proximity and potential conflict of the use on neighboring residences and church uses, and that vehicles being serviced inside a building on site could have additional negative impact.

VIII. Recommended Conditions

1. The facility shall be built in conformance with the GDP prepared by Welford Engineering, dated May 3, 2016 and last revised September 21, 2016:
2. The finished side of fencing must face outward of the subject property and fencing must have variations in staggering, capping, recessing, or the use of pilasters to break the monotony of the fence wall at least every 50 feet.
3. Transitional screening landscaping, whether preserved or planted, must be located external to fence.
4. Any electronic signage must have the capability to auto dim and shall not exceed 0.3 footcandles above ambient lighting conditions.