

DRAFT DENIAL

At a meeting of the Spotsylvania County Board of Supervisors held May 9, 2017, on a motion by _____, seconded by _____ and passed _____, the Board adopted the following resolution:

RESOLUTION NO. 2017-

Denial – Special Use Permit SUP16-0003 Yonus Attai (Courthouse Road Auto Center)

WHEREAS, Yonus Attai (Courthouse Road Auto Center), requests a Special Use Permit for a Vehicle sale, rental, and ancillary service establishment on a 2.36 acre parcel located at 10726 Courthouse Road, Fredericksburg Virginia, 22407, which is located on the north side of Courthouse Road (Route 208) and approximately 440 feet east of the intersection of Courthouse Road and Rollingwood Drive/Southpoint Parkway. The site lies within the County's Primary Development Boundary and the Future Land Use Map in the Comprehensive Plan identifies this area for Commercial Land Use. Tax Parcel 35-A-119. Courtland Voting District; and

WHEREAS, the applicant's Special Use Permit request is a companion to a request to rezone 10726 Courthouse Road from Residential 1 (R-1) to Commercial 2 (C-2); and

WHEREAS, staff has reviewed the subject application and recommends approval as stated in the staff report and the executive summary; and

WHEREAS, the Spotsylvania County Planning Commission held a public hearing, duly advertised in a local newspaper for a period of two weeks, on December 7, 2016, and interested citizens were given an opportunity to be heard; and

WHEREAS, the Spotsylvania County Planning Commission recommended denial of the project with a vote of 7-0, noting concern that the only access being provided is on Courthouse Road and it already having too many driveway entrances, noting Courthouse Road having too much traffic, noting proximity and potential conflict of the use on neighboring residences and church uses, and noting concern that vehicles being serviced inside a building could have negative impacts; and

WHEREAS, the Spotsylvania County Board of Supervisors held a public hearing, duly advertised in a local newspaper for a period of two weeks, on May 9, 2017, and interested citizens were given an opportunity to be heard; and

WHEREAS, the Spotsylvania County Board of Supervisors considered the Special Use Permit request in accordance with Sec. 23-4.5.7, Standards of Review, and finds that the application does not sufficiently satisfy the following standards:

1. That the proposed use is in accord with the comprehensive plan and other official plans adopted by the county;

2. That the proposed use or development of the land will be in harmony with the scale, bulk, coverage, density, and character of the area or neighborhood in which it is located;
3. That the proposed use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;
4. That the proposed use will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use;
5. That the proposed use will not be detrimental to the public welfare or injurious to property or improvements within the neighborhood;
6. That the proposed use is appropriately located with respect to transportation facilities, water supply, wastewater treatment, fire and police protection, waste disposal, and similar facilities;
7. That the proposed use will not cause undue traffic congestion or create a traffic hazard; and
8. That the proposed use will have no unduly adverse impact on environmental or natural resources.

WHEREAS, the general welfare and good zoning practice are served by denial of the application.

NOW, THEREFORE, BE IT RESOLVED that the Spotsylvania County Board of Supervisors does hereby deny Special Use Permit SUP16-0003 Yonus Attai (Courthouse Road Auto Center).

(SEAL)

A COPY TESTE: _____

Aimee Mann

Deputy Clerk to the Board of Supervisors