

DRAFT APPROVAL

At a meeting of the Spotsylvania County Board of Supervisors held on August 8, 2017 on a motion by _____, seconded by _____ and passed _____, the Board adopted the following resolution:

RESOLUTION NO. 2017-

Approval – SUP17-0001 SH Development Company, Inc. (Sheetz)

WHEREAS, SH Development Company, Inc., requests a Special Use Permit for a fuel dispensing service use on a 2.88 acre portion of a 3.31 acre assemblage of four existing parcels. The properties include an unaddressed property on Plank Rd., 12100 Spotswood Furnace Rd., 12224 Spotswood Furnace Rd. and 12228 Spotswood Furnace Rd., which are located on the northwest corner of the intersection of Plank Rd. and Spotswood Furnace Rd. The site is partially within the County's Highway Corridor Overlay District. The Comprehensive Plan identifies the property as within the Primary Development Boundary and the Future Land Use Map identifies this area for Commercial Land Use and Employment Center Land Use. Tax Parcels 12B-A-3, 12B-3-A, 12B-A-6, and 12B-A-5; and

WHEREAS, the applicant's Special Use Permit request is a companion to a request to rezone Parcel 12B-A-3 from Office 1 (O-1) to Commercial 2 (C-2), and Tax Parcels 12B-3-A, 12B-A-6, and 12B-A-5 from the Rural (RU) zoning district to Commercial 2 (C-2); and

WHEREAS, staff has reviewed the subject application and recommends approval with conditions 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 July 5, 2017, and interested citizens were given an opportunity to be heard; and

WHEREAS, the Spotsylvania County Planning Commission recommended approval of the project with a vote of 4-0; 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 August 8, 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 with the recommended conditions 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 approval of the application.

NOW, THEREFORE, BE IT RESOLVED that the Spotsylvania County Board of Supervisors does hereby approve SUP17-0001 with the conditions listed below:

1. The facility shall be built in conformance with the GDP prepared by Fairbanks & Franklin , dated August 29, 2016, and last revised May 9, 2017.
2. The facility shall be built in conformance with the Architectural Elevations dated 3-2-17.

BE IT FINALLY RESOLVED that the Spotsylvania County Board of Supervisors' approval and adoption of any conditions does not relieve the applicant and/or subsequent owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

(SEAL)

A COPY TESTE: _____

Aimee Mann

Deputy Clerk to the Board of Supervisors