



County of Spotsylvania

Department of Planning

Staff Report

Rezoning #SUP19-0001
(Courtland Voting District)

Board of Supervisors

August 13, 2019

Planning Commission Recommendation:	Approval with conditions
Staff Recommendation:	Approval with conditions
Project:	SUP19-0001 Mazari Motors
Owner/Applicant:	Shirley Ann Ali and Bashar Itraish
Request:	The applicant requests a special use permit to allow a vehicle sale, rental, and ancillary service establishment (small scale) on a parcel consisting of approximately 1.18 acres currently zoned Commercial 3, C-3.
Tax Map Parcel(s):	23 (A) 140
Location:	The parcel is addressed as 10900 Courthouse Road and is located at the intersection of Courthouse Road (Route 208) and Ewell Road (Route 636), approximately 1,250 feet east of Jefferson Davis Highway (Route 1).
Zoning Overlay:	Airport Protection Overlay District Highway Corridor Overlay District
Future Land Use Designation:	Commercial and Employment Center
Historic Resources:	None
Date Application Deemed Complete:	January 21, 2019
Community Meeting:	Community Meeting: Applicant sent notices to adjacent property owners in lieu of a community meeting on May 28, 2019.
Summary:	During its June 5, 2019 public hearing, the Planning Commission made a request for additional information which has been provided by the applicant. The additional items are: (1) A loading and unloading plan that depicts where the trucks will enter and exit the site. (2) Hours of Operation to include hours of loading and unloading of stock vehicles. (3) A photo of the vehicle as specified on the GDP and within the recommended conditions.

Figure 1: Zoning Map



I. Analysis

The subject application is for Special Use approval of a Vehicle sales, rental, and ancillary service establishment on approximately 1.18 acres of Commercial (C-3) property. The property is located at 10900 Courthouse Road, which is located at the intersection of Courthouse Road (Route 208) and Ewell Road (Route 636), approximately 1,250 feet east of Jefferson Davis Highway (Route 1). The project will adaptively reuse an existing 2,600 square foot brick building for the dealership. The site was formerly used as a convenience store with fueling stations; and also contains two signs, a small shed, a vacuum and air pumping station. The proposal includes the interior renovation of the existing 2,600 square foot building to accommodate offices, an employee break room, restrooms, and a show room.

The Generalized Development Plan (GDP) shows this proposal completed in two phases. Phase I consists of the applicant demolishing the existing gas tanks, fueling stations and canopies, vacuum stations, bollards, a sign, and shed. This phase also includes the striping of 68 vehicle display spaces and 14 parking spaces provided for customers and the employees, the construction of a sidewalk and landscaping along Courthouse Road (Route 208). Phase II consists of the redesign of the existing stormwater management basin to allow for 18 additional vehicle display spaces.

The site has two points of access which are existing, one from Courthouse Road (Route 208) and one from Ewell Road (Route 636). The estimated daily vehicular trips generated by the development upon the completion of Phase II is approximately 80 trips per day which is significantly lower than the 252 estimated daily vehicular trips that are projected for the by-right use convenience store with fueling stations. This proposal is an expansion of an existing used car dealership adjacent to the subject parcel; therefore, no decrease in levels of service on Courthouse Road (Route 208) are anticipated as a result of this proposal. The applicant submitted within the GDP narrative a vehicle delivery statement that stock vehicles will be delivered by smaller hauling trucks (carrying three vehicles or less) and will utilize the entrance on Ewell Road, just past the intersection of Ewell Road and Courthouse Road.

The applicant has requested a modification to the required street buffer type C on an arterial road. The street buffer type requires a 10' landscape strip along Courthouse Road (Route 208). According to the GDP, a large grass island approximately 160' in length is bifurcated by the right of way line and the island is triangular in shape; therefore, there is approximately 60' that is less than 10' in width. The required 10' width is present within the remaining 100' of the island. The applicant's modification request is to modify the required buffer width only within the 60' area of the entire 160' grassed island. The applicant proposes to plant the required number of plant types per the DSM within the remaining 100' of the grassed island; therefore, staff supports the modification.

Staff has conducted a Comprehensive Plan analysis and determined the proposed project to be consistent with the goals and objectives on the Comprehensive Plan. Please see Appendix A for the complete Comprehensive Plan analysis.

II. Special Use Standards of Review

Section 23-4.5.7 of the County Zoning Ordinance 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.	The proposed vehicle sales, rental and ancillary service establishment is generally consistent with the Comprehensive Plan as detailed within Appendix A.
2. Proposed use or development of the land will be in harmony with the scale, bulk, coverage, density, and character of the area.	The proposal is generally consistent with the surrounding uses and development which primarily include commercial uses, particularly vehicle sales and vehicle-oriented uses. Redevelopment of this existing abandoned gas station will improve the character of the area with demolition of the existing unused canopies and the addition of landscaping and a sidewalk along Courthouse Road (Route 208).
3. Proposed use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.	The proposed facility should not hinder neighboring development nor impair values of neighboring land uses.
4. Proposed use will not adversely affect the health or safety of persons residing or working in the neighborhood.	The proposed use should not affect the health or safety of persons within adjacent neighborhoods.
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 the public welfare or to property or improvements within the neighborhood.
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 is appropriately sited with respect to these facilities.
7. Proposed use will not cause undue traffic congestion or create a traffic hazard.	The projected traffic generated from the proposed use is significantly lower than that of the traffic generated from the former use. The proposed use should not cause any significant additional congestion or hazards to the existing road network.
8. Proposed use will have no unduly adverse impact on environmental or natural resources.	No impacts to environmental or natural resources are expected during Phase I. During Phase II upgrades will be made to the existing stormwater management basin to mitigate impacts of the additional impervious area.

III. Key Findings

In Favor:

- The request is consistent with the Comprehensive Plan with respect to land use, public facilities and historic and natural resources goals and policies.
- The proposal satisfies all of the Special Use standards of review as established in Sec.23-4.5.7 of the County's Zoning Ordinance.
- The proposed use is consistent with surrounding commercial uses.
- The proposal allows for the reuse of an existing vacant commercial building, in addition the proposed landscaping and removal the existing accessory structures will provide for a much-needed revitalization that is consistent with the improvements to the east along Courthouse Road (Route 208).

Against:

- There are no findings against this request.

IV. Recommendation and Conditions

Based on staff's analysis and findings in favor noted above, staff recommends approval. Should the Commission recommend approval, staff recommends approval be accompanied with the following conditions:

1. The project shall be developed in conformance with the Generalized Development Plan titled, "Special Use Application – Mazari Motors" as revised on April 18, 2019 and prepared by Ryan K. Foroughi.
2. Display vehicles shall only be parked within display areas as depicted on the approved GDP.
3. There shall be no vehicle major service on site. Vehicle major service establishment shall be defined as major mechanical and body work, repair of transmissions and differentials, straightening of body parts, painting welding or other similar work is performed on vehicle.
4. Stock vehicles shall be delivered individually or via delivery trucks on the site utilizing the intersection of Ewell Road (Route 636) and Courthouse Road (Route 208), as depicted on the vehicle delivery plan within the GDP. No large commercial haulers are permitted to deliver vehicles to the site. Large commercial haulers shall be defined as delivery vehicles that can haul more than 3 vehicles. At no time shall delivery trucks block or park on the public street during delivery.
5. No loading and unloading shall occur between the hours of 6:00 a.m. - 9:00 a.m. and 3:30 p.m.- 6:30 p.m. on any day of the week.
6. Demolition/removal of the existing gas pumps, canopy, islands, bollards, vacuum station and existing sign (as depicted on the approved GDP) shall be applied for in conjunction with the application for zoning use permit. Such demolition/removal shall occur prior to the issuance of the zoning use permit.
7. Landscaping improvements within right-of-way shall be completed and installed prior to the issuance of the zoning use permit.

8. Submission of the easement plat to permit access to the existing BMP and to expand the existing 10' waterline easement to 20' shall be approved and recorded within 90 days of the approval of this Special Use Permit. Submission of a minor site plan shall be required prior to the commencement of Phase II (as depicted on the approved GDP).

Planning Commission Meeting Update:

The Planning Commission held public hearings on June 19th, 2019 and July 17, 2019. Three citizens spoke during the June 5th public hearing and one citizen submitted a letter to the Planning Commission prior to its July 17th public hearing. During the July 17, 2019 Planning Commission meeting they voted to recommend approval with conditions 5-2.