

**STAFFORD COUNTY, VIRGINIA**

**CONDITIONAL USE PERMIT APPLICATION  
IMPACT STATEMENT**

---

Applicant: Samer E. Shalaby  
Property Owner: Nathan Properties LLC  
Property: Tax Parcel 45-15B  
Project Name: Noor Auto Repair & Sales  
CUP Request: Automotive Repair and Sales in B-2  
Date: July 20, 2018  
File No.: CUP 18 \_\_\_\_\_

---

**I. APPLICATION**

The Applicant, with authorization from the property owner, (the “Applicant”) hereby requests a conditional use permit (“CUP”) to develop the following property for an automotive service, repair and sales facility in the Urban Commercial (B-2) land use district in accordance with the Stafford County Zoning Ordinance (the “Zoning Ordinance”), including without limitation Article III, Section 28-35, Article IV, Section 28-59(e) and Article XI Section 28-185:

Tax Parcel 45-15B (of record in Instrument No. LR150016057) (the “Property”), consisting of approximately 0.8699-acres total, and generally located at South Gateway Drive within the George Washington Magisterial District, all as more particularly described on the attached generalized development plan, entitled “Noor Auto Repair & Sales (Generalized Development Plan)”, dated July 20, 2018, prepared by Bagby, Foroughi and Goodpasture, PLLC, which plan is attached hereto as Exhibit A and is incorporated as a material part of this application by this reference (the “GDP”)<sup>1</sup>.

The B-2 district requires a conditional use permit for any automotive service, repair and sales facility under County Ordinance Section 28-35.

---

<sup>1</sup>The GDP is a general overview of the proposed development and improvements to the Property in accordance with Article XIII, Section 28-221, et seq., of the Zoning Ordinance. The Applicant reserves the right to make modifications or amendments to the GDP in order to address final site engineering, architectural, and design issues, internal road placements and entry areas, RPA requirements, and to ensure compliance with applicable federal, state and county regulations, laws and ordinances.

## **II. OVERVIEW**

As noted above, the Property is zoned B-2. Section 28-34 of the County's Zoning Ordinance states the following concerning the B-2 district:

"The purpose of the B-2 district is to designate appropriate areas for high-intensity commercial uses intended to serve retail sales and service, business and professional service needs at a regional or countywide scale. These areas should be located at strategic nodes along arterial and major collector roads where there are adequate utilities and facilities to serve intense development."

Pursuant to Article III, Section 28-35 (B-2) of the Zoning Ordinance, a CUP is required in order to develop any uses which include automotive service, repair and sales facilities.

For purposes of this CUP a total 0.8699 acres of the Property is proposed to accommodate an approximately 3,400 square foot (sf) automotive service, repair and sales facility. The Property is located on South Gateway Drive. The site is currently vacant. Adjacent and nearby properties are generally developed as automotive service, repair and sales facilities and zoned as B-2. The Applicant's proposal will be compatible with existing and planned uses in the area.

As described below, the Applicant's proposal conforms to the policies established by the County's Comprehensive Plan, as amended June 20, 2017 (the "Comp Plan"). Adjacent properties will experience minimal impacts as this is a similar and compatible proposed use. Furthermore, the proposal will result in minimal impacts on public facilities and services.

## **III. COMPREHENSIVE PLAN**

### *Future Land Use Map*

The Comp Plan's Future Land Use Map classifies the Property as Planning Area.

The Planning designation encourages retail and business activities that complement existing residential communities. In addition, infill development is encouraged along existing commercial corridors, such as Warrenton Road.

### *Urban Service Area*

The Comp Plan includes the Property in the "Urban Services Area". This designation attempts to funnel new development in the County to the land around I-95 and other major transportation corridors in order to take advantage of existing public utilities in the area. The Urban Services Area supports any new development which is compatible with the Property's Future Land Use Map designation.

The Property's location in the Urban Services Area supports the project's utilization of existing public utilities. Based on nearby development patterns, water and sewer lines are located within the travelways adjacent to the Property.

Transportation

The Property is located directly off of South Gateway Drive which is a Local Road that has not yet been accepted by VDOT. This portion of South Gateway Drive is adequate to handle the proposed use.

**IV. CONDITIONAL USE PERMIT STANDARDS**

Section 28-185(d) of the County's Zoning Ordinance requires conditional use permit applications to meet the following standards:

1. *The use shall not tend to change the character and established pattern of development in the vicinity of the proposed use* – Since all nearby properties are developed for B-2 uses and there are similar uses nearby, the Applicant's proposal will not change the character and established pattern of development in the area and will provide adequate landscaping, through landscape strips, to neighboring properties, as shown on the GDP. Nearby uses include automotive service, repair and sales facilities and commercial/retail.
2. *The use shall be in harmony with the uses permitted by right under a zoning permit in the land use district and shall not adversely affect the use of adjacent properties* – The permitted uses in the B-2 district generally relate to relatively high density commercial development. The proposed use is an approximately 3,400 square foot automotive service, repair and sales facility, with hours of operation from 8 a.m. until 7pm Monday through Friday, 8am until 4pm Saturday and closed on Sunday. The proposal includes access locations from South Gateway Drive. The GDP provides for internal circulation. Surrounding developments consist of comparable density, and surrounding properties are also zoned B-2, which means the proposal will not adversely affect the use of adjacent properties. Adjacent properties include automotive service, repair and sales facilities and commercial/retail.
3. *The location and height of buildings, the location, nature and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof* – The Applicant's proposal will not hinder or discourage the appropriate development of adjacent land. As depicted on the GDP, the Applicant will provide appropriate screening, and open space around the Property's perimeter to ensure impacts on adjacent properties are minimized. Screening and buffering is required within B-2 and the Applicant proposes to screen The Property in three cardinal directions with a combination of landscape strips and landscape buffers.
4. *The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use* – Since the proposed development is compatible with surrounding development as described above, the proposed project will not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use.

5. *The use shall not be detrimental to the public welfare or injurious to property or improvements in the neighborhood* – Since the proposed development is compatible with surrounding development as described above, the proposed project will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood.
6. *The use shall be in accord with the purposes and intent of this chapter and the comprehensive plan of the county* – Since the proposed development is compatible with surrounding development as described above, the proposed project will be in accord with the purposes and intent of Zoning Ordinance and County Comprehensive Plan.

*Future Land Use Map*

The Comp Plan's Future Land Use Map classifies the Property as Suburban and within part of the Planning Area.

The Suburban designation encourages retail and business activities that complement existing residential communities. In addition, infill development is encouraged along existing commercial corridors, such as South Gateway Drive.

### Urban Services Area

The Comp Plan includes the Property in the “Urban Services Area”. This designation attempts to funnel new development in the County to the land around I-95 and other major transportation corridors in order to take advantage of existing public utilities in the area. The Urban Services Area supports any new development which is compatible with the Property’s Future Land Use Map designation.

The Property’s location in the Urban Services Area supports the project’s utilization of existing public utilities. Based on nearby development patterns, water and sewer lines are located adjacent to the Property.

### Transportation

The Property is located directly off of South Gateway Drive which is a Local Road that has not yet been accepted by VDOT. This portion of South Gateway Drive is adequate to handle the proposed use.

## **V. TRAFFIC AND TRANSPORTATION IMPACTS**

The Property is located on South Gateway Drive. The site is currently vacant. The proposed use, Automobile Care Center, will be classified as the proposed use/traffic. The proposed use has been studied within the ITE manual. A tabulation has been provided for the proposed use within the CUP application package. The proposed use is also shown on this tabulation. The average VPD Saturday generation is less than 100 and the AM and PM peak hour weekday is 10 and 12 trips, respective. In conclusion no TIA was required or provided because the minimum thresholds have not been met.

The proposed use will accommodate a single entrance; therefore satisfying VDOT access management principles.

No dedication will be provided as a result of this project.

No additional infrastructure is suggested.

## **VI. PUBLIC UTILITIES, FACILITIES AND SERVICES**

As noted above, the Property is located within the County’s Urban Services Area and has access to public water and sewer. The proposed project will have minimal impact on utility demands. Existing water and sewer lines are located in adjacent travelways. These utility lines and applicable water and sewer treatment facilities appear to have available capacity, or the reasonable ability to be upgraded, to provide adequate capacity.

The Property is located in the Falmouth water pressure zone. There is an existing 8-inch DIP water line in South Gateway Drive. The anticipated daily demand for water is less than 2,000 gallons.

The Property is located in the Falls Run Shed. There is an existing 8" sewer line in South Gateway Drive. The anticipated daily demand for sewer is less than 2,000 gallons.

The Applicant's proposed use will have no impacts on schools and recreational facilities, and minimal impacts on police and emergency services, or other public services and facilities.

## **VII. ENVIRONMENTAL IMPACTS, NOISE, DUST, AND SMOKE**

No sensitive environmental features are located on the Property. Additionally, the proposed use will not generate noise, dust, or smoke as all automotive service and repairs will be conducted inside of the service bays. Some noise and dust may be generated during construction, but all construction activity will conform with applicable County requirements.

The proposed development will incorporate low impact development techniques as well as conventional stormwater management techniques in order to reduce the post-developed runoff from the Property to pre-developed levels in accordance with County and State requirements. As a result, the proposed development will have minimal impacts downstream of the Property.

---

**EXHIBIT A**

Generalized Development Plan entitled “Noor Auto Repair & Sales (GDP)”, prepared by Bagby, Foroughi and Goodpasture, PLLC, dated July 20, 2018