

## DRAFT APPROVAL

At a meeting of the Spotsylvania County Board of Supervisors held on May 9, 2017, on a motion by \_\_\_\_\_, seconded by \_\_\_\_\_ and passed \_\_\_\_\_, the Board adopts the following ordinance:

### **AN ORDINANCE No. RO16-0001**

To amend the zoning map to rezone the property known as Tax Parcel 35-A-119 – 10726 Courthouse Road from Residential 1 (R-1) to Commercial 2 (C-2), subject to the proffered conditions attached hereto, incorporated herein, and made a part hereof.

### **PUBLIC HEARING: May 9, 2017**

**WHEREAS**, Yonus Attai (Courthouse Road Auto Center), requests an amendment to the zoning map rezoning 2.36 acres from Residential 1 (R-1) to Commercial 2 (C-2) with proffers to allow certain uses permitted in the C-2 zoning district as well as the development of a Vehicle sales, rental, and ancillary service establishment use being requested via a concurrent Special Use application (SUP16-0003). The property is addressed as 10726 Courthouse Road, 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 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. Tax Parcel 35-A-119. Courtland Voting District; and

**WHEREAS**, the applicant's zoning map amendment request is a companion to a request for a Special Use Permit for a Vehicle sale, rental, and ancillary service establishment; and

**WHEREAS**, staff has reviewed the subject application and recommends approval as stated in the staff report and 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 general welfare and good zoning practice are served by approval of the application.

**NOW, THEREFORE, THE SPOTSYLVANIA COUNTY BOARD OF SUPERVISORS  
HEREBY ORDAINS:**

§ 1. That the zoning map is hereby amended to reflect that the property known as Tax Parcel 35-A-119 – 10726 Courthouse Road is hereby removed from the Residential 1 (R-1) zoning district and that the same is now included in the Commercial 2 (C-2) zoning district, and that this property and this rezoning action are hereby subject to the proffered conditions dated May 12, 2016, and last revised October 17, 2016, attached hereto which are incorporated herein and made a part hereof.

§ 2. This ordinance shall be in force and effect upon adoption.

AYES: \_\_\_\_\_ NOES: \_\_\_\_\_ ABSTAIN: \_\_\_\_\_

ADOPTED: \_\_\_\_\_ REJECTED: \_\_\_\_\_ STRICKEN: \_\_\_\_\_