

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 adopts the following ordinance:

AN ORDINANCE No. R17-0001

Approval – Rezoning R17-0001 SH Development Company, Inc. (Sheetz) subject to the proffered conditions dated March 17, 2017 and last revised May 30, 2017

To amend the zoning map and rezone the properties known as Tax Parcel 12B-A-3, 0 Plank Rd. from Office 1 (O-1) to Commercial 2 (C-2) and Tax Parcel 12B-3-A, 12100 Spotswood Furnace Rd.; 12B-A-6, 12224 Spotswood Furnace Rd.; and 12B-A-5, 12228 Spotswood Furnace Rd. from Rural (RU) to Commercial 2 (C-2), subject to the proffered conditions dated March 17, 2017 and last revised May 30, 2017, attached hereto, incorporated herein, and made a part hereof.

PUBLIC HEARING: August 8, 2017 6:30PM

WHEREAS, SH Development Company, Inc., requests an amendment to the zoning map rezoning 2.05 acres from Office 1 (O-1) to Commercial 2 (C-2), and rezoning 1.26 acres from Rural (RU) to Commercial 2 (C-2), with proffers to allow certain uses permitted in the C-2 zoning district with proffers to allow certain uses permitted in the C-2 zoning district as well as the development of a fuel dispensing service use being requested via a concurrent Special Use application (SUP17-0001). 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 zoning map amendment request is a companion to a request for a Special Use Permit for a Fuel dispensing service; 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 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 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 12B-A-3, 0 Plank Rd. is hereby removed from the Office 1 (O-1) zoning district and that the same is now included in the Commercial 2 (C-2) zoning district, and Tax Parcels 12B-3-A, 12100 Spotswood Furnace Rd., 12B-A-6, 12224 Spotswood Furnace Rd., and 12B-A-5, 12228 Spotswood Furnace Rd are removed from the Rural (RU) zoning district and those same are now included in the Commercial 2 (C-2) zoning district, and that those properties and this rezoning action are hereby subject to the proffered conditions dated March 17 2017 and last revised May 30 2017 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: _____