

DRAFT DENIAL

At a meeting of the Spotsylvania County Board of Supervisors held September 11, 2018, on a motion by _____, seconded by _____ and passed _____, the Board adopted the following resolution:

RESOLUTION NO. 2018-_____

Denial – R16-0009 Palmers Creek, LLC and Massaponax Land Company, L.L.C.

WHEREAS, Palmers Creek, LLC and Massaponax Land Company, L.L.C. request a rezoning of approximately 25.13 acres from Commercial 3 (C-3) and Rural (RU) to Mixed Use 5 (MU-5) with proffers to allow for a maximum of 400 multi-family units and a maximum of 40,000 square feet of commercial uses known as Palmers Creek. The property is located on the west side of Jefferson Davis Highway (Route 1) approximately one mile south of the Spotsylvania Parkway (Route 628) and Jefferson Davis Highway (Route 1) intersection. The property is located within the Primary Development Boundary. The property is identified for Mixed Use development on the Future Land Use Map of the Comprehensive Plan. Tax parcels 49-A-112, 49-A-114 and 49-A-114A(portion). Lee Hill Voting District; and

WHEREAS, staff has reviewed the subject application and recommends approval of the zoning as stated in the staff report and executive summary; and

WHEREAS, the Spotsylvania County Planning Commission held a public hearing on August 15, 2018, duly advertised in a local newspaper for a period of two weeks, 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 5-1; and

WHEREAS, the Spotsylvania County Board of Supervisors held a public hearing on September 11, 2018, duly advertised in a local newspaper for a period of two weeks, and interested citizens were given an opportunity to be heard; and

WHEREAS, the general welfare and good zoning practice are served by denial of the rezoning application.

NOW, THEREFORE, BE IT RESOLVED that the Spotsylvania County Board of Supervisors does hereby deny R16-0009 Palmers Creek, LLC and Massaponax Land Company, L.L.C.

(SEAL)

A COPY TESTE: _____

Aimee Mann

Deputy Clerk to the Board of Supervisors