

DRAFT APPROVAL

At a meeting of the Spotsylvania County Board of Supervisors held on October 23, 2018 on a motion by _____, seconded by _____ and passed _____, the Board adopts the following ordinance:

AN ORDINANCE No. RO18-0002

To amend the proffered conditions on the property known as Tax Parcels 47-25-1, 47-25-2, 47-25-3, 47-25-4, 47-25-5, 47-25-6, 47-25-7 and 47-25-8 ("Property") as stated in the proffered conditions attached hereto incorporated herein, and made a part hereof.

PUBLIC HEARING: September 25, 2018

WHEREAS, Keswick Land Development Corporation, Keswick Senior Apartments, LLC and Keswick Apartments I, LLC request amendments to the proffers approved with rezoning case R10-0005 Keswick which is a mixed-use development including single family detached, single family attached, multi-family units and a park. The requested amendments would eliminate the Keswick Architectural Guidelines, change the timing of completion of the park and the number and type of recreational fields to be provided within the park. The Keswick development is located on the east side of Lake Anna Parkway (Route 208) approximately one-half mile south of the Lake Anna Parkway/Courthouse Bypass (Route 208) and Brock Road (Route 613) 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 47-25-1, 47-25-2, 47-25-3, 47-25-4, 47-25-5, 47-25-6, 47-25-7 and 47-25-8. Berkeley Voting District; and

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

WHEREAS, the Spotsylvania County Planning Commission held a public hearing on September 5, 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 proffer amendment, with a vote of 6-1; and

WHEREAS, the Spotsylvania County Board of Supervisors held a public hearing on October 23, 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 approval of the rezoning application.

NOW, THEREFORE, THE SPOTSYLVANIA COUNTY BOARD OF SUPERVISORS

HEREBY ORDAINS:

§ 1. That the proffered conditions are hereby amended and the Property is now subject to the proffered conditions dated October 4, 2018, attached hereto, which are incorporated herein and made a part hereof.

§ 2. The Spotsylvania County Board of Supervisors' approval and adoption of any conditions does not relieve the applicant and/or subsequent owners from compliance with the provisions of any applicable Spotsylvania County Ordinances, rules, regulations, or adopted standards. To the extent anything in this rezoning is less restrictive than the County's Ordinances, or its rules, regulations, or adopted standards, the lessened restriction shall be void and the County's Ordinances, or its rules, regulations, or adopted standards shall control and be applicable to the rezoning.

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

AYES: _____ NOES: _____ ABSTAIN: _____

ADOPTED: _____ REJECTED: _____ STRICKEN: _____