



## COUNTY OF ALBEMARLE

Department of Planning & Community Development  
 401 McIntire Road, Room 218  
 Charlottesville, Virginia 22902-4596  
 (434) 296 - 5823  
 Fax (434) 972 - 4012

February 25, 2003

Katurah Roell  
 195 Riverbend Drive  
 Charlottesville, VA 22911

Dennis Minetos  
 1389 Richmond Road  
 Charlottesville, VA 22911

RE: ZMA-02-08 South Pantops Office; Tax Map 78, Parcel 73A and 13

Dear Mr. Roell and Mr. Minetos:

The Albemarle County Board of Supervisors, at its meeting on, February 12, 2003, approved by a vote of 6:0, to amend the application plan for ZMA 98-20 for the Tax Map 78, Parcel 73A as outlined below, and with acceptance of the applicant's proffers (attached).

**Tax Map 78-73A: Modification of the ZMA 98-20 Application Plan and Proffers:**

- A. The portion of the Application Plan for ZMA 98-20 (Attachment B), outlined in red, located generally west of Hansen Road, and comprised of the area designated as "Hotel # 7 - 100 Rooms" on the attached copy of the ZMA 98-20 Application Plan, is amended to allow "Office Space" instead of a hotel. The development of this Office Space area shall be in general accord with the "Preliminary Site Development Plans for Office at South Pantops", prepared by Rivanna Engineering, dated January 3, 2002 and revised January 7, 2003 (Attachment A).
- B. The portion of the Application Plan for ZMA 98-20 (Attachment B) outlined in blue, located generally east of Hansen Road, and comprised of the area designated as "Office Space # 5 - 45,000 SQ FT". is amended to reduce the permitted square footage of office space use from forty-five thousand (45,000) square feet to twenty thousand (20,000) square.
- C. The tree conservation area depicted by dotted lines on the "Preliminary Site Development Plans for Office at South Pantops", prepared by Rivanna Engineering, dated January 3, 2002 and revised January 7, 2003 (Attachment A) may be reduced in size so that its western boundary is moved in from the common property line with Tax Map 78 parcel 13A by up to fifty (50) feet.
- D. The three modifications listed in A, B and C above are in addition to those previously approved, and in all other respects the previously approved Application Plan and the modifications and requirements reflected in the October 28, 1998 letter (Attachment C) apply.
- E. The applicant shall provide the County with a modified application plan showing the changes authorized by the modifications, listed in A, B and C above, per section 8.5.5 of the Albemarle County Zoning Ordinance. However, the modified application plan can be limited to the area covered by this zoning request.
- F. Accept the proffer pertaining to the 120-foot "no build zone" (Attachment D).

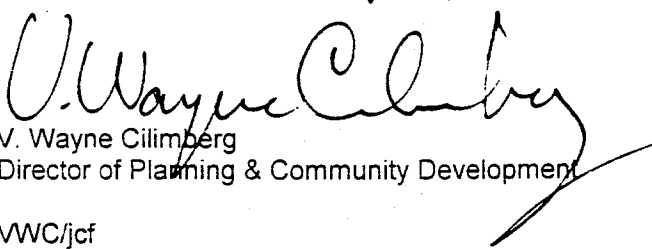
The Board also approved by a 6:0 vote to rezone a portion of Tax Map 78, Parcel 13 from the Planned Development Mixed Commercial District (PD-MC) to Highway Commercial (HC) as outlined below and with acceptance of the applicants proffer (see attached).

**Tax Map 78-13: Rezoning from PDMC to HC:**

- A. The portion of the Application Plan for ZMA 98-20 (Attachment B), outlined in green, which was added to Tax Map 78 parcel 13, is rezoned to HC (Highway Commercial) from PDMC (Planned Development-Mixed Commercial).
- B. Accept the proffer pertaining to the 120-foot "no build zone" (Attachment D).

If you should have any questions or comments regarding the above-noted action, please do not hesitate to contact me.

Sincerely,



V. Wayne Cilimberg  
Director of Planning & Community Development

WVC/jcf

Cc: Amelia McCulley  
Jack Kelsey  
Tex Weaver  
Steve Allshouse  
Matt Grimes, VDOT

Original Proffer 1/1/02  
Amended Proffer 2/12/03  
(Amendment # 3)

**PROFFER FORM**  
(For South Pantops Office)

Date: February 12, 2003  
ZMA # 2002-008  
Tax Map and Parcel Number(s) 78-73A

6.96+ Acre to be rezoned from PDMC to PDMC

Pursuant to Section 33.3 of the Albemarle County Zoning Ordinance, the owner, or its duly authorized agent, hereby voluntarily proffers the conditions listed below which shall be applied to the property, if rezoned. These conditions are proffered as a part of the requested rezoning and it is agreed that: (1) the rezoning itself gives rise to the need for the conditions; and (2) such conditions have a reasonable relation to the rezoning request.

- (1) The Owner hereby proffers not to construct any building within 120 feet of the common property line with Carriage Gate (TMP 78-20NN) for the purposes of the possibility of extending a road through that portion of the property for a period of TEN years. After such time this proffer will expire.

Hurt Investment Co.  
by [Signature] Pres. Charles W. Hurt 2-12-03  
Signatures of All Owners Printed Names of All Owners Date

OR

\_\_\_\_\_  
Signature of Attorney-in-Fact Printed Name of Attorney-in-Fact  
(Attach Proper Power of Attorney)

Original Proffer 1/7/02  
Amended Proffer 2/12/03  
(Amendment # 3)

**PROFFER FORM**  
(For Dennis Enterprises)

Date: February 12, 2003  
ZMA # 2002-008  
Tax Map and Parcel Number(s) 78-13

1+ Acre to be rezoned from PDMC to HC

Pursuant to Section 33.3 of the Albemarle County Zoning Ordinance, the owner, or its duly authorized agent, hereby voluntarily proffers the conditions listed below which shall be applied to the property, if rezoned. These conditions are proffered as a part of the requested rezoning and it is agreed that: (1) the rezoning itself gives rise to the need for the conditions; and (2) such conditions have a reasonable relation to the rezoning request.

- (1) The Owner hereby proffers not to construct any building within 120 feet of the common property line with Carriage Gate (TMP 78-20NN) for the purposes of the possibility of extending a road through that portion of the property for a period of TEN years. After such time this proffer will expire.

[Signature] Dennis Minetos 2-12-03  
Signatures of All Owners Printed Names of All Owners Date

\_\_\_\_\_  
Signature of Attorney-in-Fact Printed Name of Attorney-in-Fact