

ORDINANCE NO. 16-A(6)
ZMA 2012-00007

**AN ORDINANCE TO AMEND THE ZONING MAP FOR TAX MAP
AND PARCEL NUMBERS 07600-00-00-055A0, 076M1-00-00-00100, and 07600-00-00-055C0**

WHEREAS, the application to amend the zoning map for Tax Map and Parcel Numbers 07600-00-00-055A0 (“Parcel 76-55A”) (portion), 076M1-00-00-00100 (“Parcel 76M1-100”), and 07600-00-00-055C (“Parcel 76-55C”) (portion), collectively, the “Property”, is identified as ZMA 2012-000007 5th Street (“ZMA 2012-00007”); and

WHEREAS, Parcels 76-55A (portion), 76M1-100, and 76-55C (portion) are zoned Highway Commercial (HC), subject to the Proffers and a Plan, which were approved on July 3, 2002 in conjunction with ZMA 1999-00013; and

WHEREAS, ZMA 2012-00007 proposes to amend the Proffers and the Plan to allow commercial uses on the Property; and

WHEREAS, on June 21, 2016, after a duly noticed public hearing, the Planning Commission recommended approval of ZMA 2012-00007, subject to four conditions being met prior to the Board meeting, which have since been satisfactorily addressed; and

WHEREAS, on September 14, 2016, the Albemarle County Board of Supervisors held a duly noticed public hearing on ZMA 2012-00007.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that upon consideration of the transmittal summary and staff reports prepared for ZMA 2012-00007 and their attachments, including the proffers and the proffered plan, the information presented at the public hearing, the material and relevant factors in Virginia Code § 15.2-2284, and for the purposes of public necessity, convenience, general welfare and good zoning practices, the Board hereby approves ZMA 2012-00007 with the proffers dated September 1, 2016, and the proffered plan entitled “5th Street Development Application Plan” last revised July 28, 2016, and the zoning map for Tax Map and Parcel Numbers 07600-00-00-055A0 (portion), 076M1-00-00-00100, and 07600-00-00-055C0 (portion) are amended accordingly.

* * *

I, Travis O. Morris, do hereby certify that the foregoing writing is a true, correct copy of an Ordinance duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of _____ to _____, as recorded below, at a regular meeting held on _____.

Acting Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Dill	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Palmer	_____	_____
Mr. Randolph	_____	_____
Mr. Sheffield	_____	_____