

ORDINANCE NO. 16-A(7)
ZMA 2016-00007 HOLLYMEAD TOWN CENTER AREA A2
PROFFER AMENDMENTS

AN ORDINANCE TO AMEND THE PROFFERS APPROVED WITH ZMA 2016-00001
FOR TAX MAP AND PARCEL NUMBERS 03200-00-00-04500 and 03200-00-00-05000

WHEREAS, the application to amend the proffers that were approved with ZMA 2016-00001 for Tax Map and Parcel Numbers 03200-00-00-04500 and 03200-00-00-05000 (collectively, the "Property") is identified as ZMA 2016-00007, Hollymead Town Center Area A2 Proffer Amendments ("ZMA 2016-07"); and

WHEREAS, ZMA 2016-07 proposes to:

1. amend Proffer #1 to:
 - a. eliminate the minimum percentage of affordable units required to be for-sale; and
 - b. revise the banking/carry-over requirements;
2. amend Proffer #1 to revise how the percentage of affordable units are calculated, from the total number of units within the development to the total market rate units;
3. amend Proffer #4 to reduce the cash proffer amounts from \$12,400 per townhouse or condominium and \$11,900 per apartment to \$5,262 per unit (originally proposed at \$3,845 per unit);
4. amend Proffer #8 to remove the \$500 cash proffer payment for off-site recreation facilities to begin with the 913th building permit (originally proposed to entirely remove the \$500 cash proffer payment for off-site recreation facilities);
5. amend Proffer #11 to eliminate the requirement for a set ratio of commercial to residential square footage to be constructed over the life of the project (to amend the phasing plan); and
6. add Proffer #13 (to off-set the amendment to Proffer #8) to provide additional recreation amenities in Block D-2, C-2, or C-4 to include a minimum of 3,500 square foot pool and deck along with a 1,777 square foot clubhouse/exercise facility.

WHEREAS, staff recommended approval of 1, 5, and 6 above as originally proposed, and denial of 2, 3, and 4 above as originally proposed; and

WHEREAS, on August 23, 2016, after a duly noticed public hearing, the Planning Commission recommended approval of 1 and 6 above as originally proposed, approval of 4 as amended during the Planning commission meeting, and denial of 2, 3, and 5 above as originally proposed; and

WHEREAS, subsequent to the Planning Commission public hearing, the Applicant removed his proposal of 2 above; revised his proposal of 3 above to reduce the cash proffer amounts from \$12,400 per townhouse or condominium and \$11,900 per apartment to \$5,262 (instead of \$3,845); revised his proposal of 4 above to remove the \$500 cash proffer payment for off-site recreational facilities to begin with the 913th building permit (instead of removing it entirely); and revised his proposal of 5 above to amend the phasing plan as set forth in the Transmittal Summary prepared for the Board's October 5, 2016 meeting.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that upon consideration of the staff report prepared for ZMA 2016-07 and its attachments, including the proffers dated September 9, 2016, 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 2016-07 with the proffers dated September 9, 2016.

* * *

I, Claudette K. Borgersen, 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 _____.

Clerk, Board of County Supervisors

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