

ORDINANCE NO. 17-A(5)
ZMA 2016-00015 OAKLEIGH

**AN ORDINANCE TO AMEND THE APPLICATION PLAN,
CODE OF DEVELOPMENT, AND PROFFERS APPROVED WITH
ZMA 2016-00015 FOR TAX MAP PARCEL NUMBER 04500-00-00-026A0**

WHEREAS, the application to amend the application plan, code of development, and proffers that were approved with ZMA 2007-00004 for Tax Map Parcel Number 04500-00-00-026A0 (the "Property") is identified as ZMA 2016-00015, Oakleigh ("ZMA 2016-15"); and

WHEREAS, ZMA 2016-15 proposes to amend the application plan, code of development, and proffers that were approved with ZMA 2007-00004 to permit the construction of a 140-bed assisted living facility on the rear half of the site and to revise the uses permitted on the Property, or to develop according to the existing application plan with a revised code of development to revise the uses permitted on the Property; and

WHEREAS, staff recommended approval of ZMA 2016-15 provided that revisions were made to the application plan and the proffers; and

WHEREAS, the Planning Commission held a duly noticed public hearing on ZMA 2016-15 on December 6, 2016, and recommended approval, conditioned on the applicant making the staff-recommended revisions; and

WHEREAS, subsequent to the Planning Commission public hearing, the applicant made all of the recommended revisions to the application plan, and all but two of the recommended revisions to the proffers, and provided written justification for those two unrevised items on December 19, 2016; and

WHEREAS, on February 8, 2017, the Albemarle County Board of Supervisors held a duly noticed public hearing on ZMA 2016-15.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that upon consideration of the staff report prepared for ZMA 2016-15 and its attachments, including the application plan and code of development dated June 30, 2016 and last revised on December 16, 2016, and the proffers dated January 30, 2017, the information presented at the public hearing, the material and relevant factors in County Code § 18-33.6, Virginia Code § 15.2-2284, and for the purposes of public necessity, convenience, general welfare and good zoning practices, the Board hereby approves ZMA 2016-15, with the application plan and code of development dated June 30, 2016 and last revised on December 16, 2016, and the proffers dated January 30, 2017.

* * *

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	_____	_____