

**RESOLUTION TO AUTHORIZE AN ALTERNATIVE USE
OF CASH PROFFERS RECEIVED FOR ZMA 2004-00007 BELVEDERE
FOR THE CONSTRUCTION OF A GREENWAY AND A GREENWAY BRIDGE**

WHEREAS, on October 12, 2005, the Board of Supervisors approved ZMA 2004-00007 Belvedere, which included proffers dated October 12, 2005; and

WHEREAS, the proffers included conditions that the owner contribute ten thousand dollars (\$10,000.00) toward the construction of a greenway trail in Belvedere and ten thousand dollars (\$10,000.00) toward the construction of a greenway bridge linking the trail along the Rivanna River Greenway in Dunlora to River Run, which funds would be refunded to the owner if not expended for the stated purpose within two (2) years of the owner's contribution of the funds; and

WHEREAS, the County received twenty thousand dollars (\$20,000.00) in cash payments from the owner on November 4, 2015; and

WHEREAS, Virginia Code § 15.2-2303.2 allows a locality to utilize cash payments proffered for capital improvements for alternative improvements of the same category within the locality if certain findings are made by the locality's governing body; and

WHEREAS, on September 13, 2017, the Albemarle County Board of Supervisors held a duly noticed public hearing on this matter.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the staff report prepared for this request and all of its attachments, and the information presented to the Board of Supervisors, the Albemarle County Board of Supervisors hereby makes the findings required by Virginia Code § 15.2-2303.2 as fully set forth in Attachment B to the staff report which is incorporated herein by reference and approves the alternative use of cash proffers received for ZMA 2004-00007 Belvedere for the construction of a greenway trail on County-owned property behind Still Meadows (TMP 046C0-00-00-000A1) that abuts the future Belvedere greenway parcel and the construction of a greenway bridge linking adjacent neighborhoods to the Rivanna River Greenway.

* * *

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of a Resolution 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

| | Aye | Nay |
|---------------|-------|-------|
| Mr. Dill | _____ | _____ |
| Ms. Mallek | _____ | _____ |
| Ms. McKeel | _____ | _____ |
| Ms. Palmer | _____ | _____ |
| Mr. Randolph | _____ | _____ |
| Mr. Sheffield | _____ | _____ |