

ORDINANCE NO. 17-A(10)
ZMA 2016-00023 BROWN TOYOTA

**AN ORDINANCE TO APPROVE ZMA 2016-00023 BROWN TOYOTA
TO AMEND THE COUNTY'S STEEP SLOPES OVERLAY DISTRICT BOUNDARIES
ON TAX MAP PARCEL NUMBERS 07800-00-00-01400 AND 07800-00-00-014E0**

WHEREAS, the application to amend the Steep Slopes Overlay District boundaries by removing .05 acres of managed slopes and approximately .20 acres of preserved slopes and to establish a new area of approximately .25 acres of managed slopes on Tax Map Parcel Numbers 07800-00-00-01400 and 07800-00-00-014E0 (the "Property") is identified as ZMA 2016-00023 Brown Toyota ("ZMA 2016-23"); and

WHEREAS, staff recommended approval of ZMA 2016-23 with proffers; and

WHEREAS, the Planning Commission held a duly noticed public hearing on ZMA 2016-23 on October 31, 2017, and recommended approval, conditioned on the staff-recommended proffers; and

WHEREAS, on December 13, 2017, the Albemarle County Board of Supervisors held a duly noticed public hearing on ZMA 2016-23.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that upon consideration of the staff report prepared for ZMA 2016-23 and its attachments, including the Rezoning Application Plan entitled "Brown Toyota & Mercedes Dealerships, 1357 and 1381 Richmond Road, Charlottesville, Virginia 22911, Re-Zoning Application Plan," prepared by B. Clark Gathright LLC, and dated September 26, 2017, proffers dated December 5, 2017, the information presented at the public hearing, the material and relevant factors in County Code §§ 18-30.7.6 and 18-33.6 and Virginia Code § 15.2-2284, the characteristics of managed slopes and preserved slopes stated in County Code § 18-30.7.1, and for the purposes of public necessity, convenience, general welfare and good zoning practices, the Board hereby approves ZMA 2016-23, with the Rezoning Application Plan entitled "Brown Toyota & Mercedes Dealerships, 1357 and 1381 Richmond Road, Charlottesville, Virginia 22911, Re-Zoning Application Plan," prepared by B. Clark Gathright LLC, and dated September 26, 2017, and the proffers dated December 5, 2017.

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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 _____, 2017.

Clerk, Board of County Supervisors

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