

**RESOLUTION DISAPPROVING
ZMA 2019-00002 HOLLYMEAD TOWN CENTER
AREA A1 PROFFER AMENDMENT**

WHEREAS, the application to amend the proffers, specifically Proffer #4, that were most recently accepted with ZMA 2012-00005 for Tax Map Parcels 03200-00-00-042A0, 03200-00-00-04400, 04600-00-00-00500, and 04600-00-00-005A0 (the "Property") is identified as ZMA 2019-00002 Hollymead Town Center Area A1 Proffer Amendment ("ZMA 2019-02"); and

WHEREAS, staff recommended denial of ZMA 2019-02 for reasons set forth in the May 28, 2019 Planning Commission staff report; and

WHEREAS, the Planning Commission held a duly noticed public hearing on ZMA 2019-02 on May 28, 2019 and recommended denial; and

WHEREAS, on July 3, 2019, the Albemarle County Board of Supervisors held a duly noticed public hearing on ZMA 2019-02.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Albemarle, Virginia, that upon consideration of the staff report prepared for ZMA 2019-02 and its attachments, including the proposed proffer amendment set forth in the applicant's application, entitled "Application for Amendment of Proffers, ZMA-2010-00014, Hollymead Town Center (Area A-1)," which was Attachment C to the May 28, 2019 Planning Commission staff report, the information presented at the public hearing, the factors articulated by the Planning Commission in its recommendation for denial for reasons stated in the Planning Commission staff report, the material and relevant factors in Virginia Code § 15.2-2284, the reasonableness and voluntariness of Proffer #4, originally accepted by the Board in conjunction with its approval of ZMA 2005-15, and because the applicant failed to otherwise provide evidence to demonstrate that the transportation impacts from the development approved by ZMA 2015-15 and subsequent approved rezonings pertaining to the Property, including ZMA 2010-14 and 2012-05, are addressed by the proposed reduced cash contribution under Proffer #4, and for the purposes of public necessity, convenience, general welfare, and good zoning practices, the Board hereby disapproves ZMA 2019-02.

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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 _____.

Clerk, Board of County Supervisors

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