

Original Proffers X
Amendment

DRAFT PROFFER STATEMENT

ZMA Number and Name: 2019-000XX Our Neighborhood Child Development Center, Inc.

Tax Map Parcel Numbers: 07800-00-00-058K0

Owner: James A. Dettor, Jr. and Peggy W. Dettor

Date of Proffer Signature: XX XX, 20XX

3.607 acres to be rezoned from R-1 Residential to C-1 Commercial

James A. Dettor and Peggy W. Dettor are the owners (the “Owners”) of Tax Map Parcel 07800-00-00-058K0 (the “Property”) which is the subject of rezoning application ZMA No. 2019-000XX, a project known as “Our Neighborhood Child Development Center” (the “project”). Our Neighborhood Child Development Center, a Virginia corporation, is the contract purchaser of the property and has the Owners’ authorization to file land use applications for the property. Our Neighborhood Child Development Center is the applicant (the “applicant”) for the project.

Pursuant to Section 33 of the Albemarle County Zoning Ordinance (Chapter 18 of the Albemarle County Code), the Owner hereby voluntarily proffers the conditions listed below which shall be applied to the Property if it is rezoned to the requested zoning district, C-1 Commercial. These conditions are proffered as a part of the requested rezoning and the Owner acknowledges that the conditions are reasonable. Each signatory below signing on behalf of the Owner covenants and warrants that it is an authorized signatory of the Owner for this Proffer Statement.

1. FUTURE USES: Commercial C-1: The use of the property shall allow for all by right uses pursuant to Section 22.2.1 of the Albemarle County Zoning Ordinance, as in effect on October 28, 2019, and as set forth on the attached exhibit of County Code § 18-22.2.1, except for the following listed uses:

a. The following retail sales and service establishments:

- 22.2.1 (a) (3.) Department Store.
- 22.2.1(a)(17.) Laboratories/Research and Development/Experimental Testing; gross floor areas of the establishment does not exceed 4,000 square feet per site; provided that the gross floor area of the establishment may exceed 4,000 square feet per site by special exception approved by the board of supervisors.
- 22.2.1 (a.) (19.) Drive-through windows

b. The following services and public establishments:

- 22.2.1 (b.) (9.) Indoor theaters.
- 22.2.1 (b.) (10.) Laundries, dry cleaners.
- 22.2.1(b.) (22.) Automobile, truck repair shop excluding body shop.

c. If the use is served by either public water or an approved central water supply:

- 22.2.1(c.)(1.) Automobile service stations
- 22.2.1(c.)(2.) Convenience Stores

2. **COMMERCIAL SETBACKS:** Setbacks on the property shall comply with Section 4.20 of the Albemarle County Zoning Ordinance, as in effect on October 28, 2019, and as set forth on the attached exhibit of County Code § 4.20, except for the side and rear-minimum setback if the abutting lot is zoned residential, rural areas, or the Monticello Historic district where no portion of any structure, excluding signs, shall be located closer than 20 feet from the district boundary.

(Signature Page Immediately Follows)

WITNESS the following signatures:

OWNER:

Owner of Tax Map Parcels 07800-00-00-058K0:

JAMES A. DETTOR, JR. AND PEGGY W. DETTOR

By: _____
James A. Dettor Jr., Owner

By: _____
Peggy W. Dettor, Owner