

Original Proffer _____

Amendment _____

PROFFER FORM

Date of Proffer Signature: _____

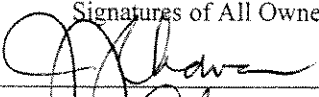
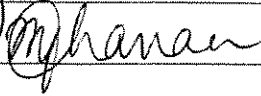
ZMA # 2007-00021

Tax Map and Parcel Number(s) 07800-00-00-03600

2.169 Acres to be rezoned from RA to HC

Pursuant to Section 33.3 of the Albemarle County Zoning Ordinance, the Owner hereby voluntarily proffers the conditions listed below which shall be applied to the property, if rezoned with the offered plans approved for development. These conditions are proffered as a part of the requested rezoning and the Owner acknowledges that the conditions are reasonable.

The use of the property shall be limited to those uses allowed by right under Section 24.2.1 (21) (35) and (36) of the Zoning Ordinance of Albemarle County, Virginia as Section 24.2 is in effect on April 9, 2008, a copy of which is attached as Exhibit A.

Signatures of All Owners	Printed Names of All Owners	Date
	John Chavan	3/27/08
	Meenakshi Chavan	3/27/08
_____	_____	_____
_____	_____	_____

OR

Signature of Attorney-in-Fact	Printed Name of Attorney-in-Fact	Date
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(Attach Proper Power of Attorney)

Attachment I

ALBEMARLE COUNTY CODE

CHAPTER 18

ZONING

SECTION 24

HIGHWAY COMMERCIAL - HC

Sections:

24.1	INTENT, WHERE PERMITTED
24.2	PERMITTED USES
24.2.1	BY RIGHT
24.2.2	BY SPECIAL USE PERMIT
24.3	MINIMUM FRONTAGE, SHAPE OF DISTRICT
24.4	ADDITIONAL REQUIREMENTS

24.1 INTENT, WHERE PERMITTED

HC districts are hereby created and may hereafter be established by amendment to the zoning map to permit development of commercial establishments, other than shopping centers, primarily oriented to highway locations rather than to central business concentrations. It is intended that HC districts be established on major highways within the urban area and communities in the comprehensive plan. It is further intended that this district shall be for the purpose of limiting sprawling strip commercial development by providing sites with adequate frontage and depth to permit controlled access to public streets.

24.2 PERMITTED USES

24.2.1 BY RIGHT

The following uses shall be permitted in any HC district subject to the requirements and limitations of these regulations. The zoning administrator, after consultation with the director of planning and other appropriate officials, may permit, as a use by right, a use not specifically permitted; provided that such use shall be similar to uses permitted by right in general character, and more specifically, similar in terms of locational requirements, operational characteristics, visual impact and traffic generation. Appeals from the zoning administrator's decision shall be as generally provided in section 34.0.

1. Automobile laundries.
2. Automobile, truck repair shops.
3. Automobile service stations (reference 5.1.20).
4. Building materials sales.
5. Churches, cemeteries.
6. Clubs, lodges, civic, fraternal, patriotic (reference 5.1.2).
7. Convenience stores.

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8. Educational, technical and trade schools.
9. Factory outlet sales - clothing and fabric.
10. Feed and seed stores (reference 5.1.22).
11. Financial institutions.
12. Fire extinguisher and security products, sales and service.
13. Fire and rescue squad stations (reference 5.1.09).
14. Funeral homes.
15. Furniture stores.
16. Food and grocery stores including such specialty shops as bakery, candy, milk dispensary and wine and cheese shops.
17. Home and business services such as grounds care, cleaning, exterminators, landscaping and other repair and maintenance services.
18. Hardware.
19. (Repealed 6-3-81)
20. Hotels, motels and inns.
21. Light warehousing.
22. Machinery and equipment sales, service and rental.
23. Mobile home and trailer sales and service.
24. Modular building sales.
25. Motor vehicle sales, service and rental.
26. New automotive parts sales.
27. Newspaper publishing.
28. Administrative, business and professional offices.
29. Office and business machines sales and service.
30. Eating establishment; fast food restaurants.
31. Retail nurseries and greenhouses.
32. Sale of major recreational equipment and vehicles.
33. Wayside stands - vegetables and agricultural produce (reference 5.1.19).
34. Wholesale distribution.

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35. Electric, gas, oil and communication facilities excluding tower structures and including poles, lines, transformers, pipes, meters and related facilities for distribution of local service and owned and operated by a public utility. Water distribution and sewerage collection lines, pumping stations and appurtenances owned and operated by the Albemarle County Service Authority. Except as otherwise expressly provided, central water supplies and central sewerage systems in conformance with Chapter 16 of the Code of Albemarle and all other applicable law. (Amended 5-12-93)
36. Public uses and buildings including temporary or mobile facilities such as schools, offices, parks, playgrounds and roads funded, owned or operated by local, state or federal agencies (reference 31.2.5); public water and sewer transmission, main or trunk lines, treatment facilities, pumping stations and the like, owned and/or operated by the Rivanna Water and Sewer Authority (reference 31.2.5; 5.1.12). (Amended 11-1-89)
37. Temporary construction uses (reference 5.1.18).
38. Indoor theaters.
39. Heating oil sales and distribution (reference 5.1.20).
40. Temporary nonresidential mobile homes (reference 5.8). (Added 3-5-86)
41. Uses permitted by right pursuant to subsection 22.2.1 of section 22.1, commercial, C-1. (Added 6-19-91; Amended 9-9-92)
42. Indoor athletic facilities. (Added 9-15-93)
43. Farmers' market (reference 5.1.36). (Added 10-11-95)
44. Stormwater management facilities shown on an approved final site plan or subdivision plat. (Added 10-9-02)
45. Tier I and Tier II personal wireless service facilities (reference 5.1.40). (Added 10-13-04)

(§ 20-24.2.1, 12-10-80; 6-3-81; 3-5-86; 11-1-89; 6-19-91; 9-9-92; 5-12-93; 9-15-93; 10-11-95; Ord. 02-18(6), 10-9-02; Ord. 04-18(2), 10-13-04)

24.2.2 BY SPECIAL USE PERMIT

The following uses shall be permitted only by special use permit approved by the board of supervisors pursuant to section 31.2.4:

1. Commercial recreation establishment including but not limited to amusement centers, bowling alleys, pool halls and dance halls. (Amended 1-1-83)
2. Septic tank sales and related service.
3. Livestock sales.
4. Veterinary office and hospital (reference 5.1.11).
5. Drive-in theaters (reference 5.1.08).
6. Electrical power substations, transmission lines and related towers; gas or oil transmission lines, pumping stations and appurtenances; unmanned telephone exchange centers, micro-

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wave and radio-wave transmission and relay towers, substations and appurtenances (reference 5.1.12).

7. Hospitals, nursing homes, convalescent homes (reference 5.1.13).
8. Contractors' office and equipment storage yard.
9. Auction houses.
10. Unless such uses are otherwise provided in this section, uses permitted in section 18.0, residential - R-15, in compliance with regulations set forth therein, and such conditions as may be imposed pursuant to section 31.2.4.
11. Commercial kennels - indoor only (reference 5.1.11). (Added 1-1-83)
12. Stand alone parking and parking structures (reference 4.12, 5.1.41). (Added 11-7-84; Amended 2-5-03)
13. Drive-in windows serving or associated with permitted uses. (Added 11-7-84; Amended 9-9-92)
14. Uses permitted by right, not served by public water, involving water consumption exceeding four hundred (400) gallons per site acre per day. Uses permitted by right, not served by public sewer, involving anticipated discharge of sewage other than domestic wastes. (Added 6-14-89)
15. Warehouse facilities not permitted under section 24.2.1 (reference 9.0). (Added 6-19-91)
16. Animal shelter (reference 5.1.11). (Added 6-16-99)
17. Tier III personal wireless service facilities (reference 5.1.40). (Added 10-13-04)

(§ 20-24.2.2, 12-10-80; 1-1-83; 11-7-84; 6-14-89; 6-19-91; 9-9-92; 6-16-99; Ord. 03-18(1), 2-5-03; Ord. 04-18(2), 10-13-04)

24.3 MINIMUM FRONTAGE, SHAPE OF DISTRICT

Minimum frontage required on a public street for the establishment of an HC district shall be one hundred and fifty (150) feet. Frontage of an HC district shall not exceed depth. This section shall not apply to HC districts established at the adoption of the zoning map.

24.4 ADDITIONAL REQUIREMENTS

In addition to the requirements contained herein, the requirements of section 21.0, commercial districts, generally, shall apply within all HC districts.