

Original Proffers X
Amendment

PROFFER STATEMENT

ZMA Number and Name: 2019-00003 Albemarle Business Campus

Tax Map Parcel Numbers: 07600-00-00-05400, 07600-00-00-046A0, and 07600-00-00-046F0 (portion)

Owner: 5th Street Forest LLC and Region Ten Community Services Board, Inc.

Date of Proffer Signature: August _____, 2020

10.17 acres to be rezoned from R-2 Residential to Planned Unit Development
2.88 acres to be rezoned from R-10 Residential to Planned Unit Development
0.58 acres to be rezoned from Commercial Office to Planned Unit Development
Total: 13.63 acres to be rezoned to Planned Unit Development

5th Street Forest LLC, a Virginia limited liability company is the owner of (the “Owner”) of Tax Map Parcels 07600-00-00-05400 and 07600-00-00-046A0 and is the contract purchaser of a 0.58 acre portion 07600-00-00-046F0 (collectively, the “Property”) which is the subject of rezoning application ZMA No. 2019-00003, a project known as “Albemarle Business Campus” (the “Project”). Region Ten Community Services Board, Inc. is the owner of Tax Map Parcel 07600-00-00-046F0.

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, Neighborhood Model District (NMD). 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. INFRASTRUCTURE IMPROVEMENTS:

- a.** Prior to the issuance of certificate of occupancy for any building with a use that solely would generate more than 487 vehicle trips per day or collectively, with other existing uses on the Property, would generate more than 487 vehicle trips per day, the Owner shall contribute Five Hundred Thousand Dollars (\$500,000.00) as a cash contribution (the “Cash Contribution”) to Albemarle County’s Capital Improvement Program (CIP) fund.

- b. Prior to or concurrent with the Cash Contribution payment, The Owner shall dedicate for public use a portion of the Property, as shown on the “Single-Lane Roundabout Exhibit” prepared by Shimp Engineering, dated March 18, 2019 with a revision date of March 16, 2020 (the “Roundabout Exhibit”), attached hereto.
- 2. **TRIP GENERATION:** Daily and peak hour vehicular trips shall be noted on all site plans and zoning clearances on the Property. Site plans and zoning clearances on the Property must contain a note that itemizes each proposed use, and if applicable, each previously approved use that is expected to continue, with its affiliated daily and peak vehicular trips. Neither a site plan nor a zoning clearance shall be issued if the combined uses on the Property are estimated to generate a number of daily vehicular trips exceeding 3,200 or a number of peak hour trips exceeding 509. Trip generation numbers shall be derived from the then-current edition of the Institute of Transportation Engineers Trip Generation Manual and shall account for internal trip capture for mixed-use developments, as determined to be applicable by the Director of Community Development or that individual’s designee.
- 3. **PERFORMANCE AGREEMENT:** The Owner shall develop the Property and the Project in accord with the terms and conditions of that certain Performance Agreement between Albemarle County, the Albemarle County Economic Development Authority, and the Owner dated as of April 15, 2020 (the “Performance Agreement”), as it may be amended in the future pursuant to the terms and conditions thereof.

(Signature Page Immediately Follows)

WITNESS the following signatures:

OWNER:

Owner of Tax Map Parcels 07600-00-00-05400 and 07600-00-00-046A0:

5TH STREET FOREST LLC,
a Virginia limited liability company

By: _____
Kyle Redinger, Manager

Owner of Tax Map Parcel 07600-00-00-046F0 (portion):

REGION TEN COMMUNITY SERVICES BOARD, INC.
a Virginia corporation

By: _____

Printed Name: _____

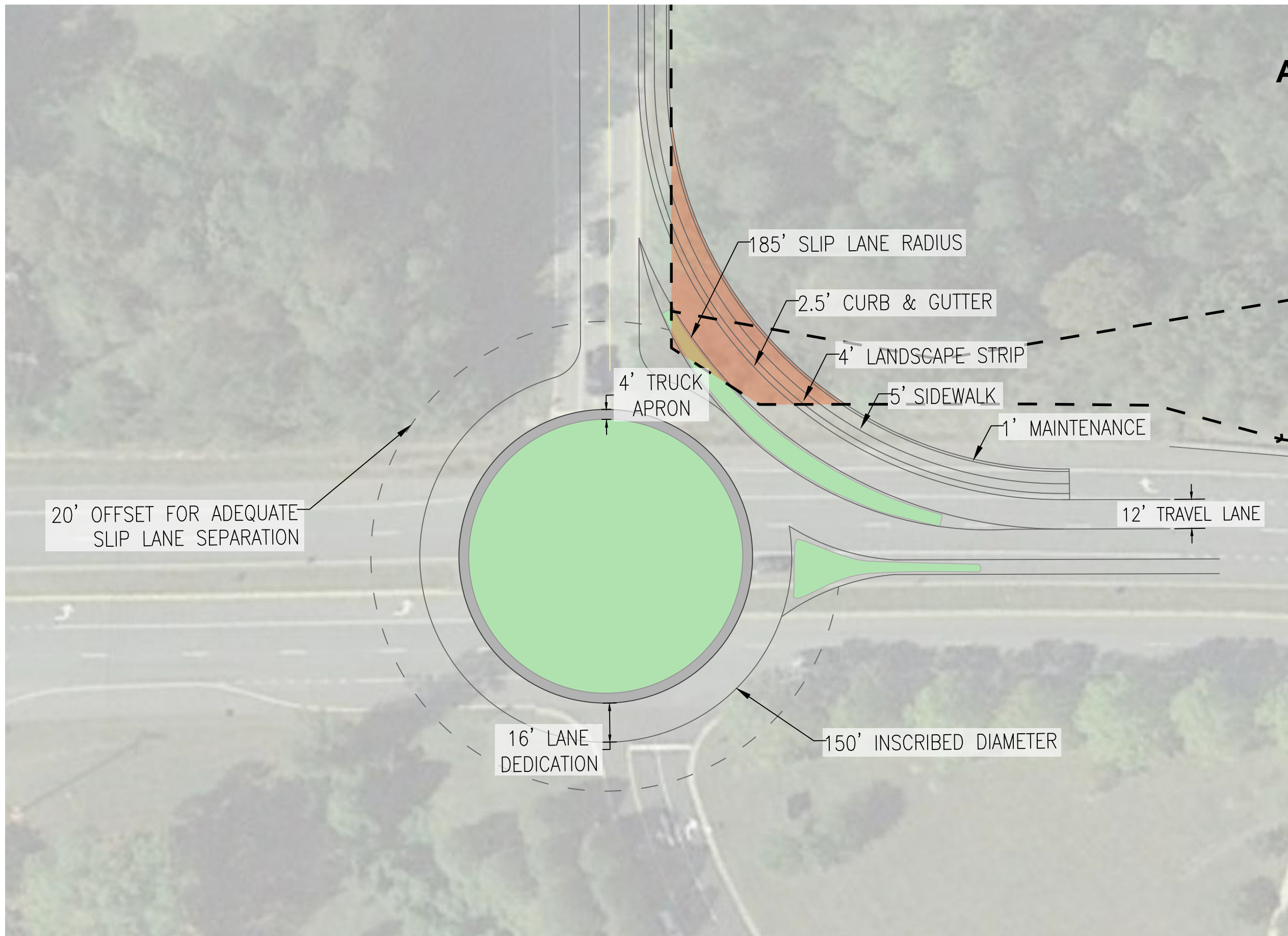
Title: _____

ALBEMARLE BUSINESS CAMPUS SINGLE-LANE ROUNABOUT EXHIBIT



Sheet 1 of 1

This exhibit is shown for roundabout feasibility purposes. This exhibit shows a roundabout with a 150' inscribed diameter, slip lane, and pedestrian improvements.

Approximately 0.05 AC (2350 SF) ROW dedication from the eastern portion of the project property may be required for a single-lane roundabout with a 150' inscribed diameter.



Key

-  Area on project property that may be required for roundabout improvements
-  Parcel boundary

TMP(s) 76-46A, 76-54, Portion of 76-46F

Submitted 18 March 2019
Revised 17 June 2019
Revised 29 July 2019
Revised 13 September 2019
Revised 16 December 2019
REVISED 16 MARCH 2020

project: 18.004

SHIMP ENGINEERING, P.C.

