

## PROFFER STATEMENT

ZMA 2019-00008

Project Name: **Parkway Place**

Tax Map and Parcel Number(s): **06100-00-00-167C0 and 06100-00-00-16700**

Owner(s) of Record: **Thomas D. Wetsel, Clarence H. Wetsel, and Mary W. Hood**

Date: November 18, 2019

**Approximately 27.31 acres to be rezoned from R-4 Residential to PRD – Planned Residential Development**

**Thomas D. Wetsel, Clarence H. Wetsel, and Mary W. Wood** are the sole owners (collectively, the “Owner”) of Tax Map and Parcel Numbers 06100-00-00-167C0 and 06100-00-00-16700 (the “Property”), which is the subject of rezoning application ZMA 2019-00008, a project known as “Parkway Place” (the “Project”). The Project Application Plan, dated June 14, 2019, last revised November 18, 2019, prepared by Collins Engineering, is entitled, “Parkway Place Application Plan,” comprised of the PRD Plan (Sheets 1 and 1A of 3), Entrance Frontage Improvements (Sheet 2 of 3), and Grading, Stormwater Management & Utility Plan (Sheet 3 of 3).

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 it is rezoned to the zoning district identified above. These conditions are proffered as a part of the requested rezoning and the Owner acknowledges that the conditions are reasonable:

1. **Rio Road Improvements:**

(a) To mitigate traffic impacts, the Owner shall dedicate to public use approximately one acre of additional right-of-way along the frontage of the property for widening Rio Road East and shall construct road improvements, including turn lanes and associated widening, as shown on Sheet 2 of the Application Plan (the “Proposed Road Improvements”). The Proposed Road Improvements are conceptual and are subject to change based on County and VDOT recommendations. The Owner shall substantially complete the construction of the road improvements in accordance with final road plans approved by County (the “Rio Road Improvements”) prior to issuance of the first building permit for the Project. The Rio Road Improvements shall be deemed “substantially complete” by one or more of the following methods, whichever occurs first: (i) the Albemarle County Engineer or its designee determines them to be complete; (ii) they are constructed and inspected and the VDOT construction bond is released, or (iii) a VDOT official otherwise confirms that they are substantially complete.

(b) Notwithstanding the provisions of subparagraph (a), following approval of ZMA 2019-00008, should the County determine that the Proposed Road Improvements are not preferred, the County shall notify the Owner in writing of the County's election to receive a cash contribution in lieu of the Proposed Road Improvements, and the Owner shall contribute to the County's Capital Improvement Program (CIP) fund Seven Hundred and Fifty Thousand Dollars (\$750,000.00) as a cash contribution toward Rio Road improvements.

2. **Trailhead Park.**

(a) The Owner shall construct amenities in the trailhead park within the "Open Space, +/- 1.1 Acres," as noted on sheet 1 of the Application Plan and as approved by the County Parks and Recreation Department (the "Trailhead Park"). The Owner shall substantially complete the Trailhead Park amenities prior to issuance of the first certificate of occupancy.

(b) Upon written request by the County, the Owner shall dedicate to the County by special warranty deed of fee simple title or grant of perpetual easement, whichever is preferred by the County, for no consideration, the approximately 1.1-acre Trailhead Park, as shown on the Application Plan. Upon dedication, maintenance of the Trailhead Park will be the responsibility of the County (unless the County conveys its interest in the Trailhead Park to the City of Charlottesville, in which case the City shall maintain it). The Owner shall provide and maintain the public access easement to the Trailhead Park as shown on the Application Plan.

3. **Transit Stop.**

(a) The Owner shall construct a Charlottesville Area Transit (CAT) stop (the "Transit Stop") on the Property along the frontage of Rio Road East. The Transit Stop shall be designed and constructed in coordination with, and shall be approved by, the appropriate County authority and CAT and shall incorporate a shelter, a rest bench, pedestrian access, and signage consistent with similar existing CAT transit stops. The Transit Stop shall be installed and completed concurrently with the Rio Road Improvements. If any portion of the Transit Stop is located on the Property, the Owner shall dedicate it to public use or grant an easement as necessary to allow for the public access and usage of the Transit Stop.

(b) Notwithstanding the provisions of subparagraph (a), following approval of ZMA 2019-00008, should the City of Charlottesville prefer that a transit stop be constructed in the location of the current bus stop on City-owned property (Tax Map 06100-00-00-16900) on the north side of Rio Road East, or (b) should the City elect to receive funds for constructing the Transit Stop in lieu of the Owner's construction of the Transit Stop, the County shall notify the Owner in writing of the City's election to receive a cash contribution in lieu of the Transit Stop, and the Owner shall contribute Twenty Thousand Dollars (\$20,000.00) to the City of Charlottesville's Capital Improvement Program (CIP) as a cash contribution for construction of the Transit Stop in either location.

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**OWNERS:**

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Thomas D. Wetsel by his attorney-in-fact, Mary W. Hood

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Clarence H. Wetsel by his attorney-in-fact, Helena Wetsel

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Mary W. Hood