

Original Proffers X
Amendment

DRAFT PROFFER STATEMENT

ZMA Number: 2019-00003

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

Owner: 5th Street Forest LLC

Date of Proffer Signature: DRAFT CURRENT REVISION DATE SEPTEMBER 13, 2019

13.63 Acres from R-2, R-10, and CO to PUD

5th Street Forest LLC, is the owner (the “Owner”) of Tax Map and Parcels 07600-00-00-05400 and 07600-00-00-046A0 and is the contract purchaser of a portion of 07600-00-00-046F0 (collectively, the “Property”) which is the subject of rezoning application ZMA No. 2019-00003, a project known as “Royal Fern” (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, Planned Unit Development (PUD). 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:** Highway Commercial Uses: The use of the property within the “Shopping Center” designated area on the PUD Application Plan prepared by Shimp Engineering dated March 18, 2019 and last revised September 13, 2019 shall allow for all by right uses pursuant to Section 24.2.1 of the Albemarle County Zoning Ordinance, as in effect on September 5, 2019, except for the uses expressly provided for herein:
 - 24.2.1 (1.) Car washes.
 - 24.2.1 (2.) Automobile, truck repair shops
 - 24.2.1 (22.) Machinery and equipment sales, service, and rental
 - 24.2.1 (23.) Manufactured home and trailer sales and service
 - 24.2.1 (25.) Motor vehicle sales, service and rental
 - 24.2.1 (34.) Wholesale Distribution
 - 24.2.1 (32.) Sale of major recreational equipment and vehicles

- 24.2.1 (46.) Storage Yards
- 24.2.1 (50.) Drive-through windows

2. **TRANSPORTATION IMPROVEMENTS:** For the purposes of transportation improvements at the Old Lynchburg and 5th Street Intersection or within the corridor adjacent to the intersection, the property owner agrees to make monetary contributions to the County of Albemarle and right of way dedication to the Virginia Department of Transportation as stated in either Option A or Option B.

Option A: The property owner shall contribute \$200,000.00 to the County of Albemarle.

Option B: The property owner shall contribute \$100,000.00 to the County of Albemarle and dedicate a portion of the property, as shown on the “Single-Lane Roundabout Exhibit” prepared by Shimp Engineering and dated March 18, 2019 with a revision date of September 13, 2019, to public right of way.

Transportation improvements shall not be exclusive to a single transportation mode and may be multi-modal in scope, to include pedestrian, bike, and transit stop improvements. The owner shall make the contributions outlined in either Option A or Option B prior to the issuance of certificate of occupancy for any use or combination of uses that, in the aggregate, result in trip generation numbers in excess of 487 vehicle trips per day for the entire property. Trip generation numbers shall be derived from the Institute of Transportation Engineers Trip Generation Manual 10th edition.

WITNESS the following signature:

OWNER:

5th Street Forest LLC

(to be signed upon final submission of proffer statement)

By: Kyle Redinger

Title: Manager

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

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF _____, to wit:

The foregoing instrument was acknowledged before me this ____ day of _____ 2019 by Kyle Redinger, manager of 5th Street Forest.

My Commission expires: _____

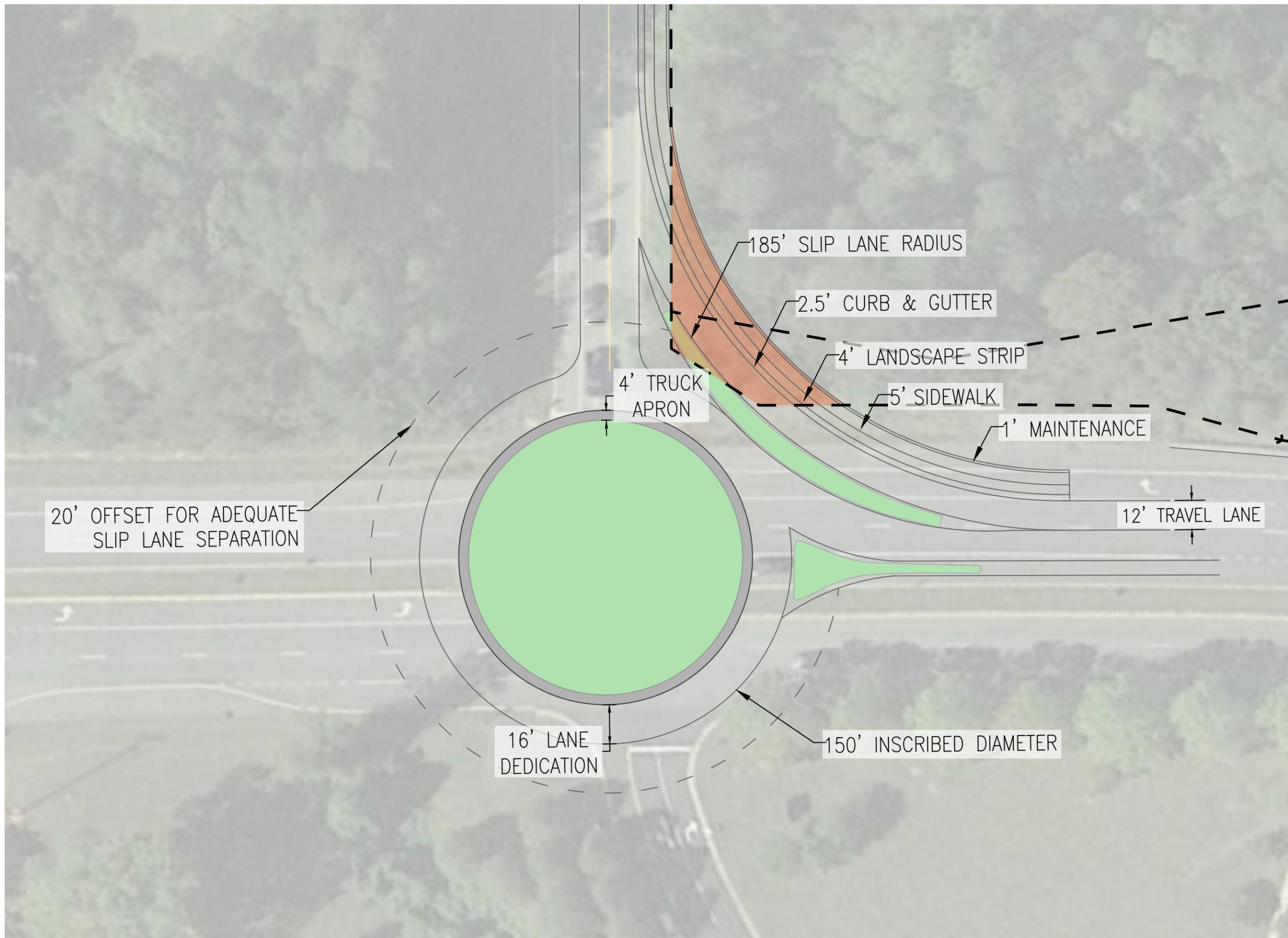
Notary Public

ROYAL FERN 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

project: 18.004

