

Original Proffers X
Amendment

PROFFER STATEMENT

ZMA Number: 2018-00019

Tax Map and Parcel Number: 03200-00-00-03500

Owner: Albemarle Land Development LLC

Date of Proffer Signature: June 26, 2019

Rezone 3.198 acres from R-1 to R-15

ALBEMARLE LAND DEVELOPMENT LLC, is the owner (the “Owner”) of Tax Map and Parcel Number **03200-00-00-03500** (the “Property”) which is the subject of rezoning application ZMA No. 2018-00019, a project known as “**3226 Proffit Road**” (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 ZMA 2018-00019 is approved. 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 they are an authorized signatory of the Owner for this Proffer Statement.

1. **CONCEPT PLAN:** The property shall be developed in general accord with the plans titled “Zoning Map Concept Plan 3226 Proffit Road” (the “concept plan”) prepared by Shimp Engineering P.C., dated December 17, 2018 and last revised June 24, 2019 and shall reflect the following major elements as shown and noted on the plans:
 - **Right of Way Dedication:** Concurrent with recordation of the first subdivision plat of the parcel, the property owner shall dedicate a portion of the property along Proffit Road, as shown on the concept plan, to public right of way.
 - **Right of Way Improvements:** Within 120 days of issuance of certificate of occupancy of the 20th dwelling unit on the property, the owner shall provide improvements within the right of way dedication in accordance with the “Right of Way Dedication Section” shown on the concept plan.
 - **Parking Standards:**
 - i. **Single Family Detached and Single Family Attached:** The front façade of single family detached and single family attached units shall face Proffit Road. No individual lot driveway shall enter directly onto Proffit Road; driveways shall only enter onto the internal road network.

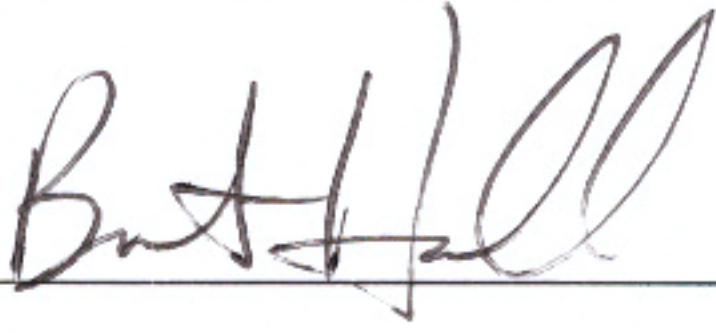
- ii. **Multi-Family:** Off street parking serving multi-family structures shall be relegated to the side or rear of buildings adjacent to Proffit Road and shall be accessed from the internal road network.
- **Residential Units:** A maximum of forty (40) dwelling units shall be built on the property.

2. **INTERCONNECTED STREETS AND TRANSPORTATION NETWORKS:**

Upon demand by the County, the property owner shall prepare and record, at its sole expense, a deed or other instrument (collectively, The “deed”) establishing an access easement for the purpose of providing interparcel interconnectivity. The access easement shall be for the benefit of Tax Parcel 03200-00-00-029D0 and Tax Parcel 046B4-00-00-005A0 and its owners and users and shall be located to provide access from Tax Parcel 03200-00-00-03500 to any future road on Tax Parcel 03200-00-00-029D0 or Tax Parcel 046B4-00-00-005A0. Before the deed is recorded, the property owner and the County shall agree to the terms of the deed, including the access easement its location, width, and maintenance.

OWNER:

Albemarle Land Development LLC

A handwritten signature in dark ink, appearing to read "Brent Hall", is written over a horizontal line.

By: Albemarle Land Development LLC

Title: LLC Member

Tax Map and Parcel Number: 03200-00-00-03500

The undersigned Owner hereby proffers that the use and development of the Property shall be in conformance with the proffers and conditions herein above. This document shall supersede all other agreements, proffers or conditions that may be found to be in conflict. The Owner agrees that all proffers shall be binding to the property, which means the proffers shall be transferred to all future property successors of the land.

WITNESS the following signature:

Albemarle Land Development LLC

By: *[Signature]*

COMMONWEALTH OF VIRGINIA

~~CITY~~/COUNTY OF Albemarle, to wit:

The foregoing instrument was acknowledged before me this 26th day of June 2019 by Albemarle Land Development LLC.

My Commission expires: March 31, 2020

Barbara U. Chumley

Notary Public



Barbara U. Chumley
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #187406
My Commission Expires
March 31, 2020