

## **PROFFER STATEMENT**

**Project Name:** Crozet Square (J. Barnes Lumber, Phase 1)

**Date:** August 8, 2019

**ZMA #:** ZMA 2010-00018

**Tax Map Parcel #:** TMP 056A2-01-00-07100 and 056A2-01-00-071B0 (portion) and 056A2-01-00-02500(portion), (the "Property")

Rezone one parcel and portions of two additional parcels totaling 6.2407 acres, more or less, from Heavy Industry (HI) to Downtown Crozet District (DCD) and a portion of one from Commercial (C-1) to Downtown Crozet District (DCD).

Pursuant to Sections 33 of the Albemarle County Zoning Ordinance (Chapter 18 of the Albemarle County Code), the Owner hereby voluntarily proffers the conditions listed herein which shall be applied to the Property if the Zoning Map Amendment identified as ZMA 2010-00018 and referred to as "Crozet Square" (hereinafter the "ZMA"), is approved by the County of Albemarle (the "County"). These conditions are proffered as a part of the requested ZMA and the Owner acknowledges that the conditions are reasonable. These conditions are proffered as a part of the requested ZMA and it is agreed that: (1) the ZMA itself gives rise to the need for the conditions, and (2) such conditions have a reasonable relation to the rezoning requested.

The term "Owner" as referenced herein shall mean the owner of record and successors in interest of the Property.

The Phase 1 Plan shall refer to that certain Application Plan prepared by Timmons Group dated October 2, 2017, and revised July 22, 2019, labeled "Barnes Lumber – Phase 1 Concept Plan, Exhibit A" (hereinafter referred to as "Phase 1 Plan").

The headings of the proffers and conditions set forth below have been prepared for convenience or reference only and shall not control or affect the meaning or be taken as an interpretation of any provisions of the proffers.

This proffer statement shall supersede and replace in all respects the proffer statement approved by the Board of Supervisors on December 21, 2016 in connection with ZMA 2016-20, with regard to the Property.

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. Plan of Development**

The property shall be developed in general accord with Exhibit A, General Plan of Development for the subject property, titled "Barnes Lumber Phase 1 Concept Plan", prepared by the

Timmons Group, dated 10/2/17, and revised 7/22/19, and must reflect the following elements as shown and noted on the plan:

- Construction and dedication to the County for public use the civic plaza; and
- Construction of the roads shown on the plan (labeled Primary, High St. Ext, Road A, and the extension of existing Library Avenue to High St Ext.).


These elements will be constructed in accord with the terms of the Development Agreement between The County Of Albemarle, The Economic Development Authority of the County of Albemarle, And Crozet New Town Associates, LLC signed and executed as of \_\_\_\_\_, 2019, and/or their respective successors and assigns.

**2. Off Site Transportation Contribution.**

Upon demand by the County and approval by VDOT of the final road plans as shown in Exhibit A to be constructed under a revenue share agreement between VDOT and Albemarle County, Owner will undertake, or fund an amount not to exceed \$48,000 for a traffic study to, A) estimate traffic volumes for the 20 year horizon for Crozet Avenue, Eastern Avenue and Route 240, once the Eastern Avenue connection is made and additional residential density has been constructed, and B) prepare a detailed analysis for the 20 year planning horizon to determine what future road and intersection improvements will be helpful for reducing traffic congestion and improving connectivity. The Owner will contribute \$27,000 toward either A), the installation of the required traffic signal if, in the future, warrants are met for a traffic signal at the Crozet Avenue/Library Avenue intersection, or B) other transportation improvements identified that improve the Crozet Avenue/Library Avenue intersection, the Crozet Avenue/Jarmans Gap Road intersection, and/or the intervening section of Crozet Avenue. The contribution shall be paid by Owner when the balance of the funding has been allocated in the County's Capital Improvements Program or VDOT Six Year Improvement Program for either one of the improvements identified in A or B above.

**WITNESS** the following signature:

Crozet New Town Associates, LLC

By:   
Frank R. Stoner, Manager