

Original Proffers X
Amendment

PROFFER STATEMENT

ZMA 2020-00011

Project Name: **Premier Circle**

Parcel Number: **061M0-00-00-00600**

Owner of Record: **Tiota, Ltd.**

Date: January 25, 2021

Approximately 3.75 acres to be rezoned from C-1 Commercial to NMD – Neighborhood Model Development

Tiota, Ltd. is the sole owner (the “Owner”) of Parcel Number 061M0-00-00-00600 (the “Property”), which is the subject of rezoning application ZMA 2020-00011, a project known as “Premier Circle” (the “Project”). The Project’s conceptual plan, dated September 21, 2020, last revised January 4, 2021, prepared by BRW Architects and Timmons Group, is entitled “Premier Circle, ZMA 2020-00011, County of Albemarle, Virginia, Rio District” (the “Concept Plan”). A Code of Development, drafted by BRW Architects in accordance with *County Code* § 18-204.5, specific to Parcel Number 061M0-00-00-00600, is entitled “Premier Circle, ZMA 2020-00011,” dated September 21, 2020, last revised January 15, 2021.

Pursuant to *Albemarle County Code* § 18-33.3, the Owner hereby voluntarily proffers the conditions listed below, which will apply to the Property if it is rezoned to the zoning district identified above. These conditions are proffered as a part of the requested rezoning. The owner and applicant specifically deem the following proffers reasonable and appropriate, as conclusively evidenced by the signature(s) below.

1. Premier Circle Improvements:

- (a) To contribute to traffic safety, the Owner must restripe the centerline and stop bars at each end of Premier Circle and repaint faded directional arrows or other traffic control striping in accordance with Virginia Department of Transportation (VDOT) standards. The Owner must complete such restriping before the County issues a Certificate of Occupancy for the building(s) constructed in Phase I of the Project.
- (b) Within thirty (30) days of the issuance of a land disturbance permit for the Project, the Owner must trim vegetation obstructing free vehicular passage over the Premier Circle right-of-way, and, throughout the existence of the Project, will ensure that Premier Circle is kept clear of limbs and other vegetation that may impede safe passage over the road.

- (c) No later than thirty (30) days following the issuance of a land disturbance permit for the Project, the Owner must install a stop sign at the southern terminus of Premier Circle, at its intersection with U.S. Route 29 North (Seminole Trail).
- (d) Prior to issuance of the first Certificate of Occupancy, the Owner must construct sidewalks in the Premier Circle right-of-way to connect the entrance of the Project to the existing sidewalk system along U.S. Route 29 North (Seminole Trail) and to the transit stop described in the proffer below. The general location of the sidewalks within the Premier Circle right-of-way is shown on Sheet 5 of the Concept Plan. If the transit stop is located in front of the Project, the Owner must connect the sidewalk along Premier Circle to that transit stop.
- (e) Commencing no later than thirty (30) days following site plan approval, the Owner must use commercially reasonable efforts to cause the Declaration, dated November 1, 1983, recorded in the Clerk's Office of the Circuit Court of Albemarle County in Deed Book 797, page 242 (the "Declaration") to be amended and/or restated to upgrade the applicable road standard, specify members' obligations to contribute to road maintenance, and add association governance provisions.

2. **Transit Stop.**

Following commencement of construction of Phase I of the Project, upon demand by the County of Albemarle, the Owner must construct a transit stop (the "Transit Stop") on the Property. The Transit Stop must be designed and constructed in coordination with, and is subject to the approval of, the appropriate County and transit authorities. The Transit Stop must incorporate pedestrian access and signage consistent with similar existing transit stops. The Owner must either (a) dedicate any portion(s) of the Transit Stop located on the Property to public use or (b) grant any easement necessary to allow public access and usage of the Transit Stop.

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Signature Page for Proffer Statement for Premier Circle, ZMA 2020-00011
TMP 061M0-00-00-00600

OWNER:

TIOTA, LTD.,
a Virginia corporation

By:


Christopher S. Tyler, President

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