Supplemental Information
provided by Chair after packet distribution

ORDINANCE NO. 21-A(3)
ZMA 2020-00011

AN ORDINANCE TO AMEND THE ZONING MAP
FOR TAX PARCEL 061M0-00-00-00600

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that upon consideration of the transmittal summary and staff report prepared for ZMA 2020-00011 and their attachments, including the code of development dated January 4, 2021, the application plan dated January 15, 2021, and the proffers dated January 25, 2021, the information presented at the public hearing, any comments received, the material and relevant factors in Virginia Code § 15.2-2284 and County Code §§ 18-20A.1 and 18-33.27, and for the purposes of public necessity, convenience, general welfare and good zoning practices, the Board hereby approves ZMA 2020-00011 with the code of development dated January 4, 2021, the application plan dated January 15, 2021, and the proffers dated January 25, 2021.

* * *

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of an Ordinance duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of six to zero, as recorded below, at a regular meeting held on February 17, 2021.

Clerk, Board of County Supervisors

	Aye	Nay
Mr. Gallaway	Y	____
Ms. LaPisto-Kirtley	Y	____
Ms. Mallek	Y	____
Ms. McKeel	Y	____
Ms. Palmer	Y	____
Ms. Price	Y	____

RESOLUTION TO APPROVE
SE202000023 PREMIER CIRCLE

NOW BE IT RESOLVED that, upon consideration of the staff reports prepared in conjunction with the special exception request and the attachments thereto, including staff's supporting analysis, all of the comments received, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-20A.8(a) and 18-33.49, the Albemarle County Board of Supervisors hereby approves SE202000023 Premier Circle to allow for one housing type in the development.

* * *

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of a Resolution duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of six to zero, as recorded below, at a regular meeting held on February 17, 2021.

Clerk, Board of County Supervisors

	Aye	Nay
Mr. Gallaway	Y	____
Ms. LaPisto-Kirtley	Y	____
Ms. Mallek	Y	____
Ms. McKeel	Y	____
Ms. Palmer	Y	____
Ms. Price	Y	____

PREMIER CIRCLE

ZMA 2020-00011

COUNTY OF ALBEMARLE, VIRGINIA

RIO DISTRICT

01/15/2021
4TH SUBMISSION

SITE DATA.

ENGINEER. TIMMONS GROUP
608 PRESTON AVENUE SUITE 200
CHARLOTTESVILLE, VA 22903
TELEPHONE 434-327-1681
CONTACT JONATHAN SHOWALTER, P E
JONATHAN.SHOWALTER@TIMMONS.COM

TAX MAP PARCEL 061M0-00-00-00600

MAGISTERIAL DISTRICT RIO

SOURCE TOPOGRAPHY· ALBEMARLE COUNTY GIS

DATUM HORIZONTAL NAD83 VIRGINIA STATE GRID SOUTH ZONE
VERTICAL. NAVD88 ESTABLISHED THROUGH LEICA SMARTNET

SITE AREA. 3 75 ACRES

WATER SUPPLY ACSA

SANITARY SEWER. ACSA

DRAINAGE DISTRICT RIVANNA RIVER - MEADOW CREEK

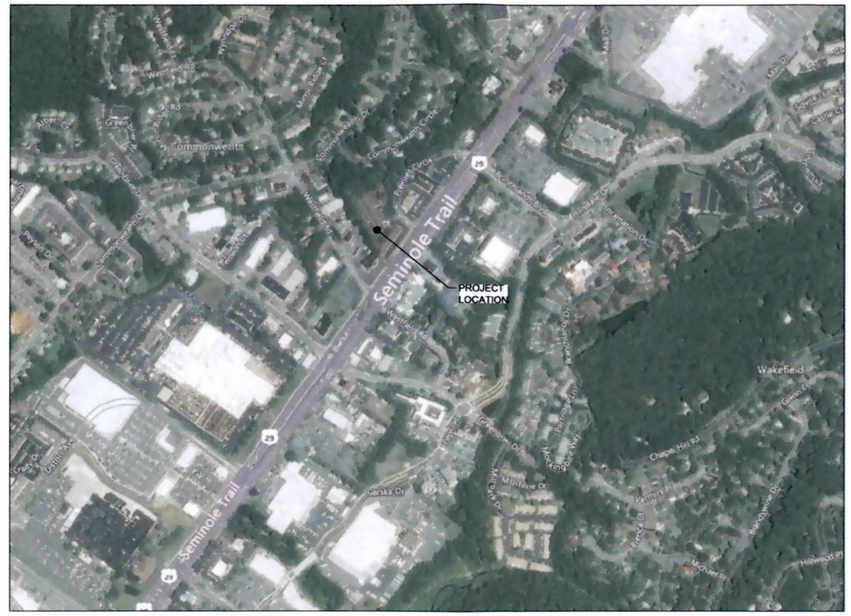
THE SITE IS NOT LOCATED IN A WATER SUPPLY PROTECTION DISTRICT

COMPREHENSIVE PLAN DESIGNATION OFFICE / FLEX / R+D / LI PER THE PLACES29 MASTER PLAN

ZONING OVERLAYS ENTRANCE CORRIDOR AND AIRPORT IMPACT AREA

CURRENT ZONING DISTRICT C1 COMMERCIAL

PROPOSED ZONING DISTRICT NEIGHBORHOOD MODEL DISTRICT



VICINITY MAP
SCALE 1"=500'

ENGINEER OF RECORD:
TIMMONS GROUP
608 PRESTON AVENUE, SUITE 200
CHARLOTTESVILLE, VA 22903
CONTACT: JONATHAN SHOWALTER, P.E.
TELEPHONE: 434-327-1681

Community Development Department
File# ZMA2020-11
Approved by the Board of Supervisors
Date 2/17/2021
Signature Planner

Sheet List Table

Sheet Number	Sheet Title
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SHEET 6	CONCEPTUAL AMENITY AND LANDSCAPE DIAGRAM
SHEET 7	CONCEPTUAL PHASING DIAGRAM
SHEET 8	CONCEPTUAL STREET SECTIONS

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Premier Circle

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TMP 61M-6

FOR

ZMA 2020-00011

TIMMONS GROUP
YOUR VISION ACHIEVED THROUGH OURS

JOB NUMBER	20031
DATE	09 21 2020
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APPROVED BY	

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ZMA 2020-00011

REVISIONS

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01.04.2021	3RD SUBMISSION
01.15.2021	4TH SUBMISSION

SHEET
1

COVER

PREMIER CIRCLE

ZMA 2020-00011

COUNTY OF ALBEMARLE, VIRGINIA

RIO DISTRICT

01/15/2021
4TH SUBMISSION

SITE DATA:

ENGINEER: TIMMONS GROUP
608 PRESTON AVENUE, SUITE 200
CHARLOTTESVILLE, VA 22903
TELEPHONE: 434-327-1681
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JONATHAN.SHOWALTER@TIMMONS.COM

TAX MAP PARCEL: 061M0-00-00-00600

MAGISTERIAL DISTRICT: RIO

SOURCE TOPOGRAPHY: ALBEMARLE COUNTY GIS

DATUM: HORIZONTAL: NAD83 VIRGINIA STATE GRID SOUTH ZONE
VERTICAL: NAVD88 ESTABLISHED THROUGH LEICA SMARTNET

SITE AREA: 3.75 ACRES

WATER SUPPLY: ACSA

SANITARY SEWER: ACSA

DRAINAGE DISTRICT: RIVANNA RIVER - MEADOW CREEK

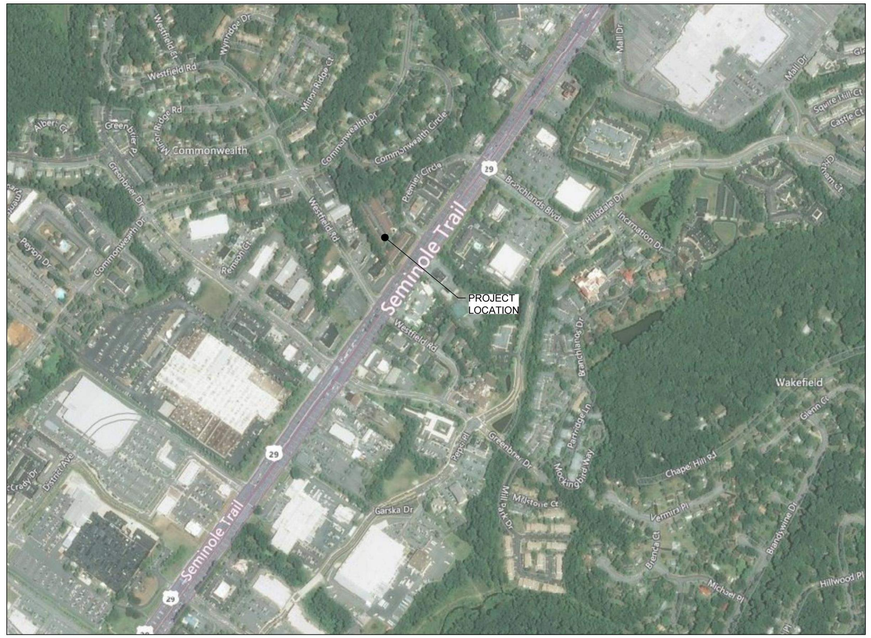
THE SITE IS NOT LOCATED IN A WATER SUPPLY PROTECTION DISTRICT.

COMPREHENSIVE PLAN DESIGNATION: OFFICE / FLEX / R+D / LI PER THE PLACES29 MASTER PLAN

ZONING OVERLAYS: ENTRANCE CORRIDOR AND AIRPORT IMPACT AREA

CURRENT ZONING DISTRICT: C1 COMMERCIAL

PROPOSED ZONING DISTRICT: NEIGHBORHOOD MODEL DISTRICT



VICINITY MAP
SCALE 1"=500'

ENGINEER OF RECORD:

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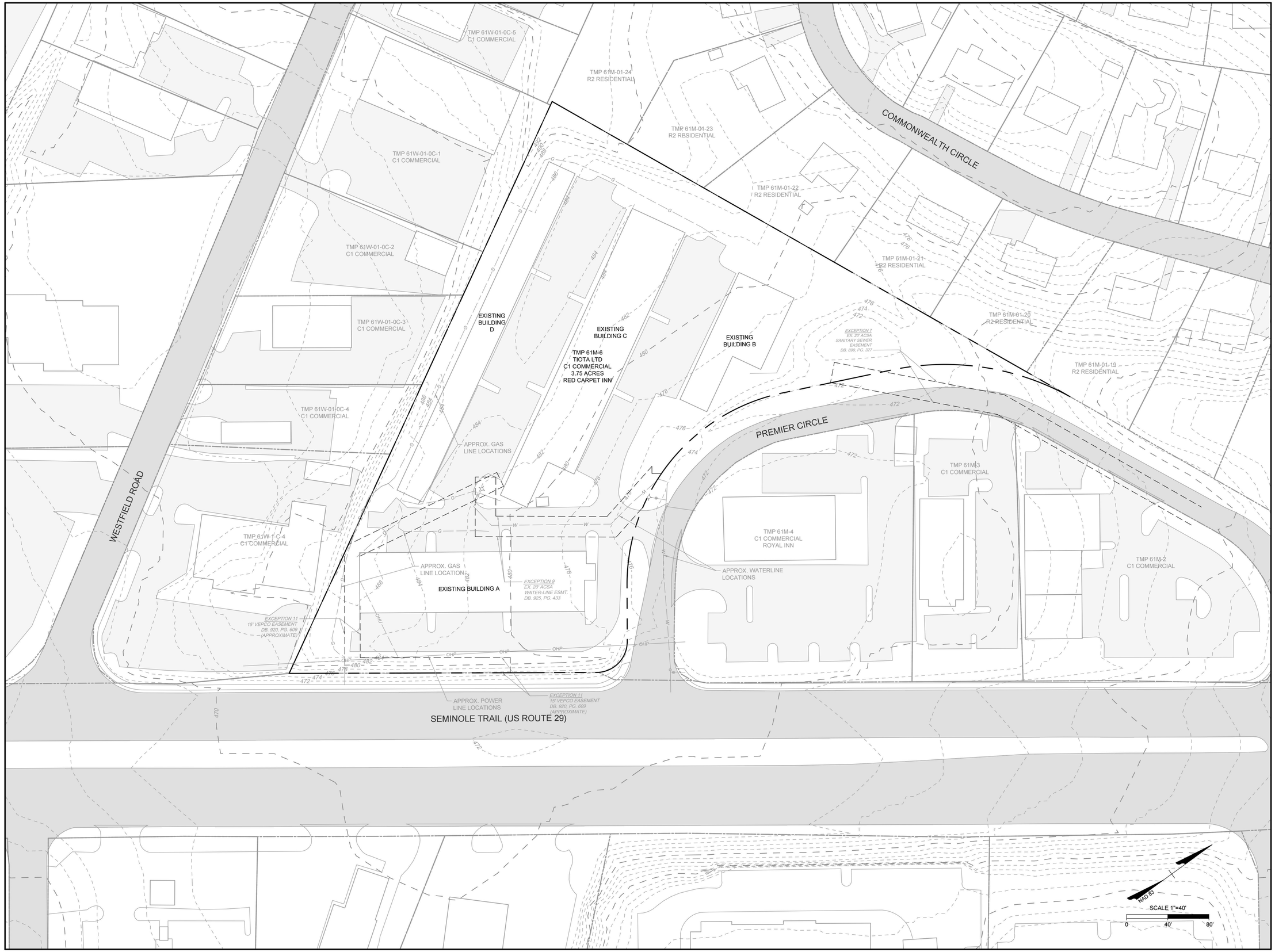
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SHEET
1

COVER



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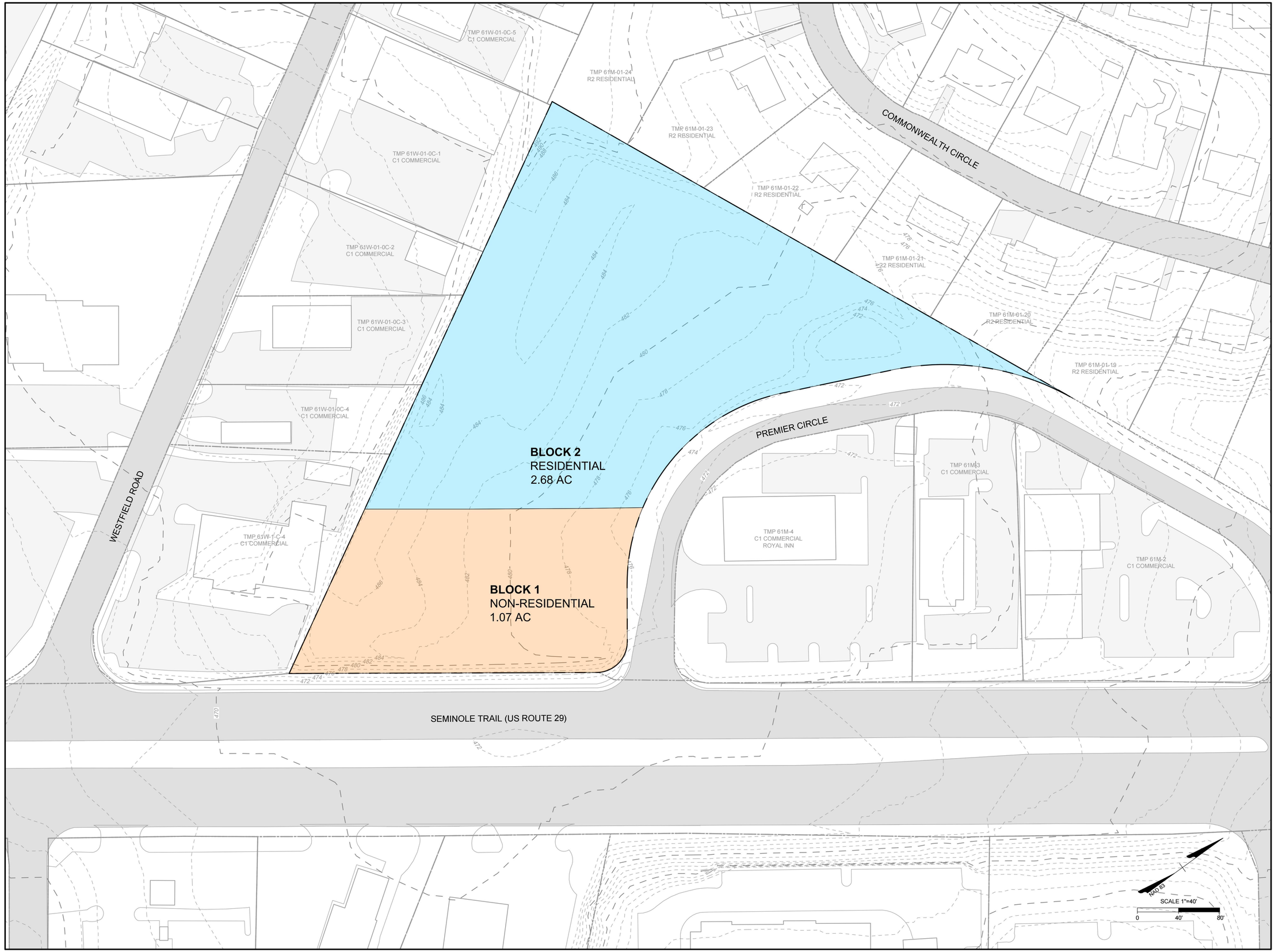
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SHEET
2

EXISTING CONDITIONS



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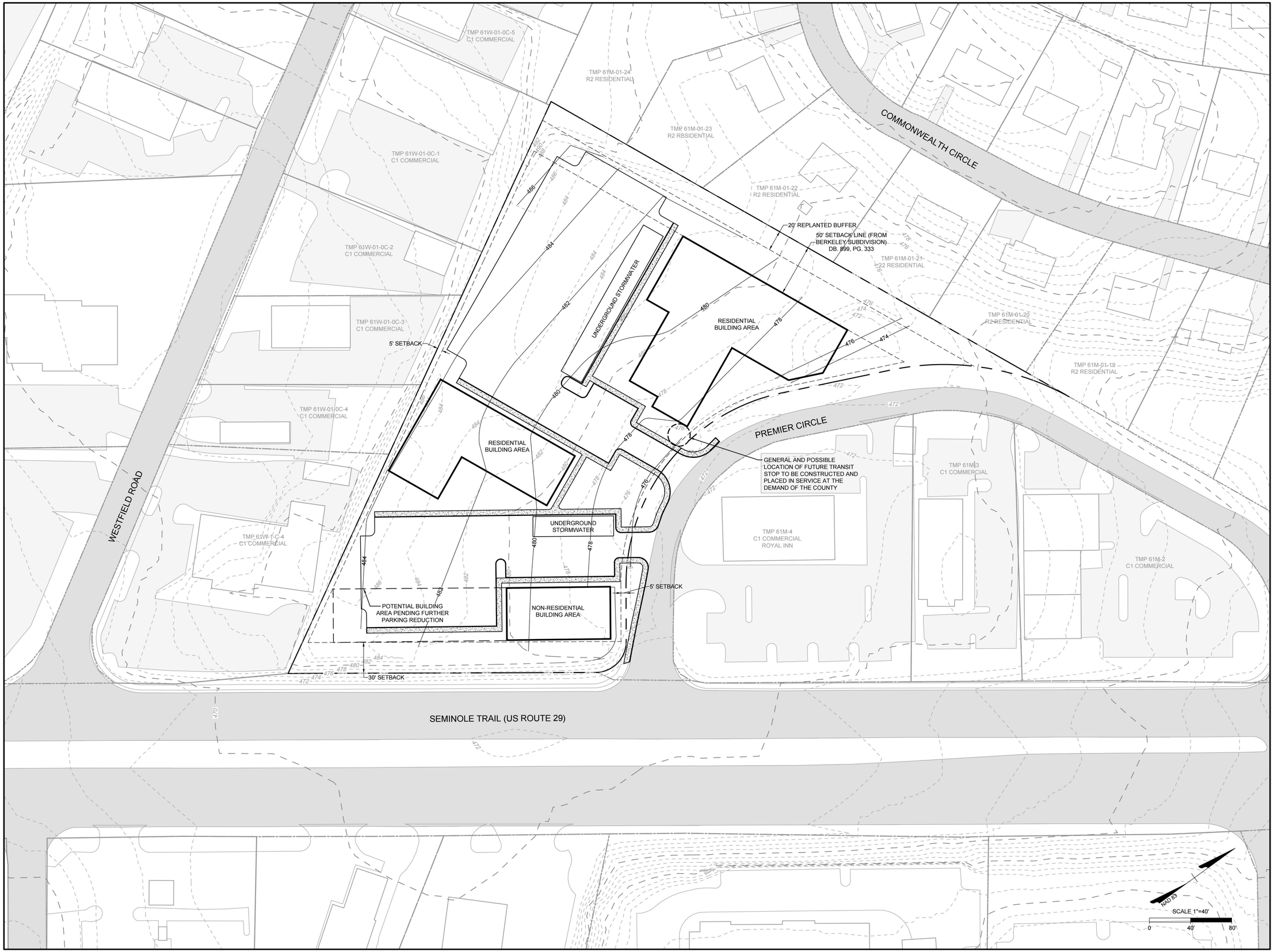
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SHEET
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BLOCK NETWORK



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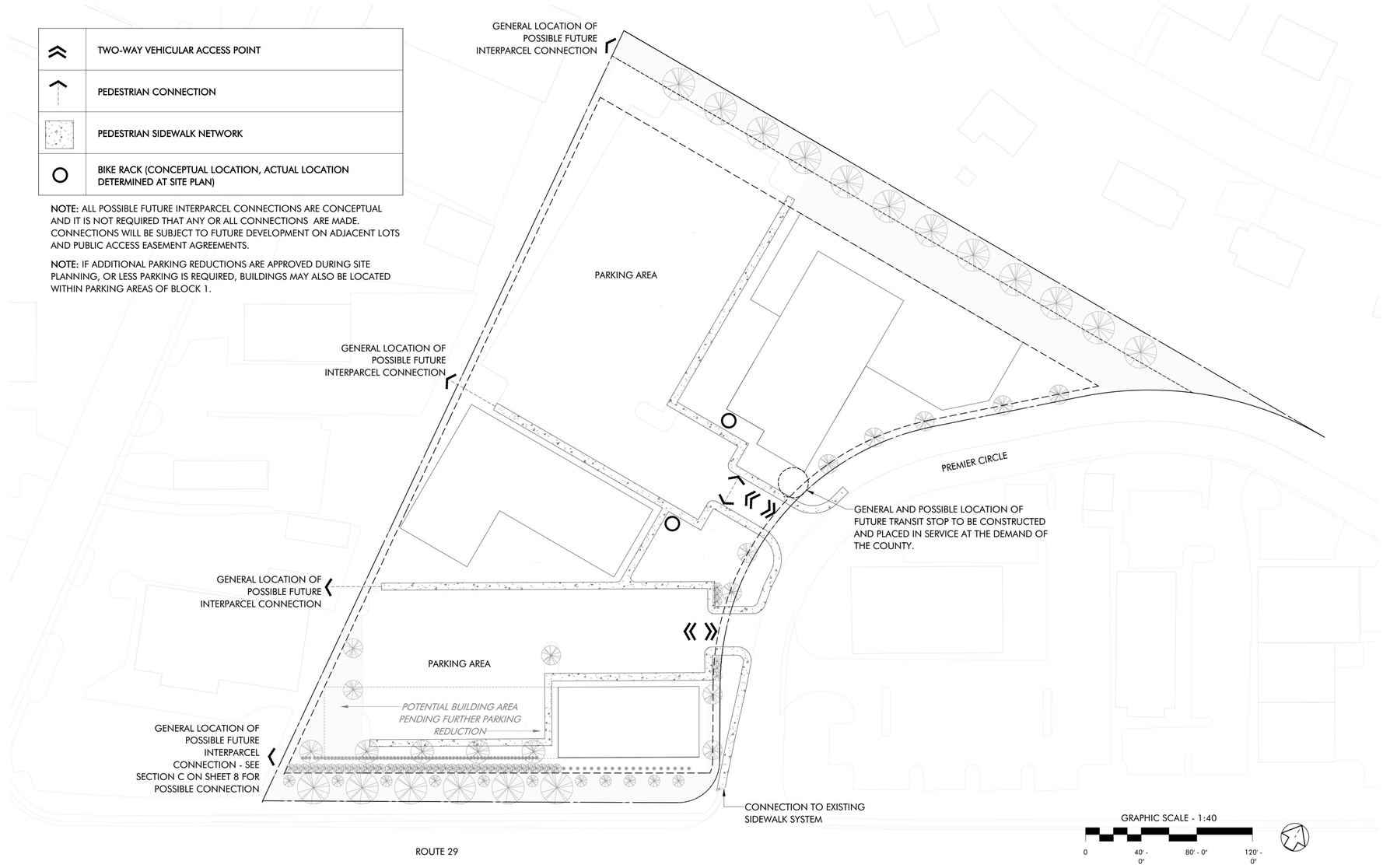
SHEET
4

BUILDABLE AREA + CONCEPTUAL STORMWATER & GRADING PLAN

	TWO-WAY VEHICULAR ACCESS POINT
	PEDESTRIAN CONNECTION
	PEDESTRIAN SIDEWALK NETWORK
	BIKE RACK (CONCEPTUAL LOCATION, ACTUAL LOCATION DETERMINED AT SITE PLAN)

NOTE: ALL POSSIBLE FUTURE INTERPARCEL CONNECTIONS ARE CONCEPTUAL AND IT IS NOT REQUIRED THAT ANY OR ALL CONNECTIONS ARE MADE. CONNECTIONS WILL BE SUBJECT TO FUTURE DEVELOPMENT ON ADJACENT LOTS AND PUBLIC ACCESS EASEMENT AGREEMENTS.

NOTE: IF ADDITIONAL PARKING REDUCTIONS ARE APPROVED DURING SITE PLANNING, OR LESS PARKING IS REQUIRED, BUILDINGS MAY ALSO BE LOCATED WITHIN PARKING AREAS OF BLOCK 1.



1 SHEET 5 **Site Plan - Proposed Circulation**

1" = 40'-0"

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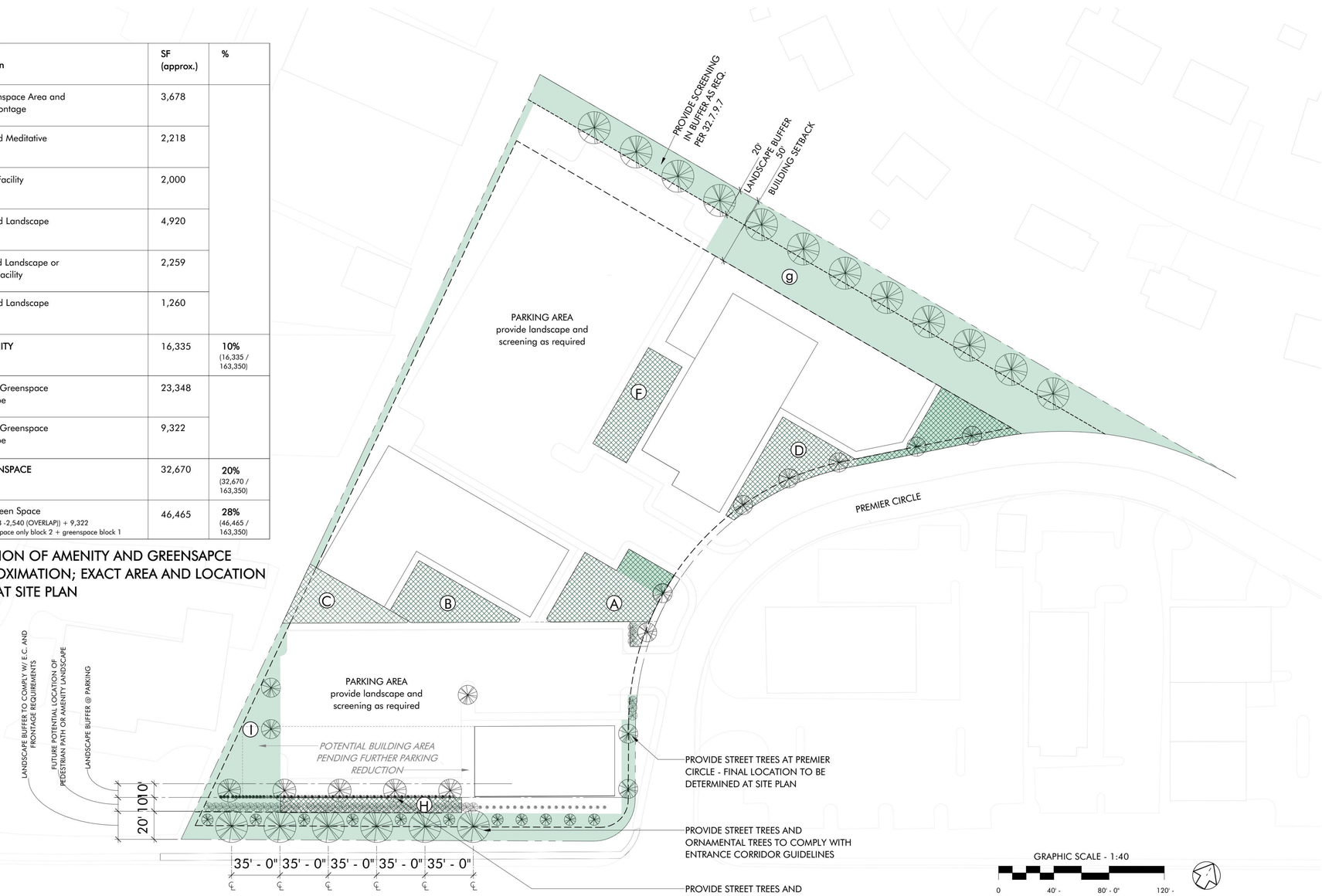
SHEET 5

CONCEPTUAL PROPOSED CIRCULATION

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Author

		Description	SF (approx.)	%
Amenity	A	Central Greenspace Area and Landscape Frontage	3,678	
	B	Courtyard and Meditative Garden	2,218	
	C	Recreational Facility	2,000	
	D	Courtyard and Landscape Frontage	4,920	
	F	Courtyard and Landscape or Recreational Facility	2,259	
	H	Courtyard and Landscape	1,260	
		TOTAL AMENITY	16,335	**10%** (16,335 / 163,350)
Greenspace	g	Site Block 2 - Greenspace and Landscape	23,348	
	I	Site Block 1 - Greenspace and Landscape	9,322	
		TOTAL GREENSPACE	32,670	**20%** (32,670 / 163,350)
		Amenity & Green Space (16,335 + (23,348 -2,540 (OVERLAP)) + 9,322 (amenity + greenspace only block 2 + greenspace block 1	46,465	**28%** (46,465 / 163,350)

NOTE: SF AND LOCATION OF AMENITY AND GREENSAPCE SHOWN ARE AN APPROXIMATION; EXACT AREA AND LOCATION WILL BE DETERMINED AT SITE PLAN



1 SHEET 6 **Site Plan - Landscape and Amenity Diagram**
1" = 40'-0"

NOTES ABOUT AMENITIES AND GREENSPACE:

1. BUILDING LAYOUT, PARKING LAYOUT, AND SIDEWALKS ARE CONCEPTUAL. EXACT LOCATION AND AREAS WILL BE DETERMINED AT SITE PLAN.
2. THE CODE OF DEVELOPMENT SHALL REGULATE REQUIRED GREEN & AMENITY SPACES AND LANDSCAPE. THERE, PROVIDED SUCH REQUIREMENTS ARE SATISFIED, NON-SUBSTANTIVE CHANGES TO THE DEPICTED DESIGN ARE ALLOWED. THERE WILL BE A MINIMUM OF 20% AMENITY AND GREEN SPACE.
3. IF ADDITIONAL PARKING REDUCTIONS ARE APPROVED DURING SITE PLANNING, OR LESS PARKING IS REQUIRED, BUILDINGS MAY ALSO BE LOCATED WITHIN PARKING AREAS OF BLOCK 1.

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FOR

ZMA 2020-00011

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SHEET 6

CONCEPTUAL PROPOSED AMENITY AND LANDSCAPE

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1. NEW ENTRANCE FOR CONSTRUCTION AND ACCESS TO EXISTING PARKING (CONCEPTUAL LOCATION SHOWN)
2. VARIOUS EXISTING EASEMENTS TO REMAIN - SEE EXISTING CONDITIONS
3. EXISTING PARKING TO REMAIN PHASE 1
4. EXISTING UNITS TO REMAIN FOR TJACH USE AS EMERGENCY SHELTER
5. EXISTING UNITS POSSIBLY TO REMAIN FOR TJACH USE AS EMERGENCY SHELTER
6. **BLOCK 2 BUILD-OUT BEGINS**
7. LANDSCAPE BUFFER - NEWLY PLANTED OR EXISTING TREES TO REMAIN TO MEET REQUIREMETNS PER COD
8. 2,500 SF MIN. OF NEW AMENITY AND GREENSPACE COMPLETE (CONCEPTUAL LOCATION SHOWN) BY THE CONCLUSION OF PHASE 1 CONSTRUCTION
9. EARLIEST POSSIBLY CONSTRUCTION OF SIDEWALK PAD FOR FUTURE BUS STOP BY THE CONCLUSION OF PHASE 1 CONSTRUCTION (CONCEPTUAL LOCATION SHOWN)

NOTE: PROVIDE TEMPORARY FIRE HYDRANT, SEWER, AND WATER AS NECESSARY TO KEEP EXISTING TRANSIENT OCCUPANCY BUILDINGS IN OPERATION AND TO BUILDING AND ZONING REGULATIONS AND STANDARDS.

1 Phase 1 - AFFORDABLE UNITS CONSTRUCTED

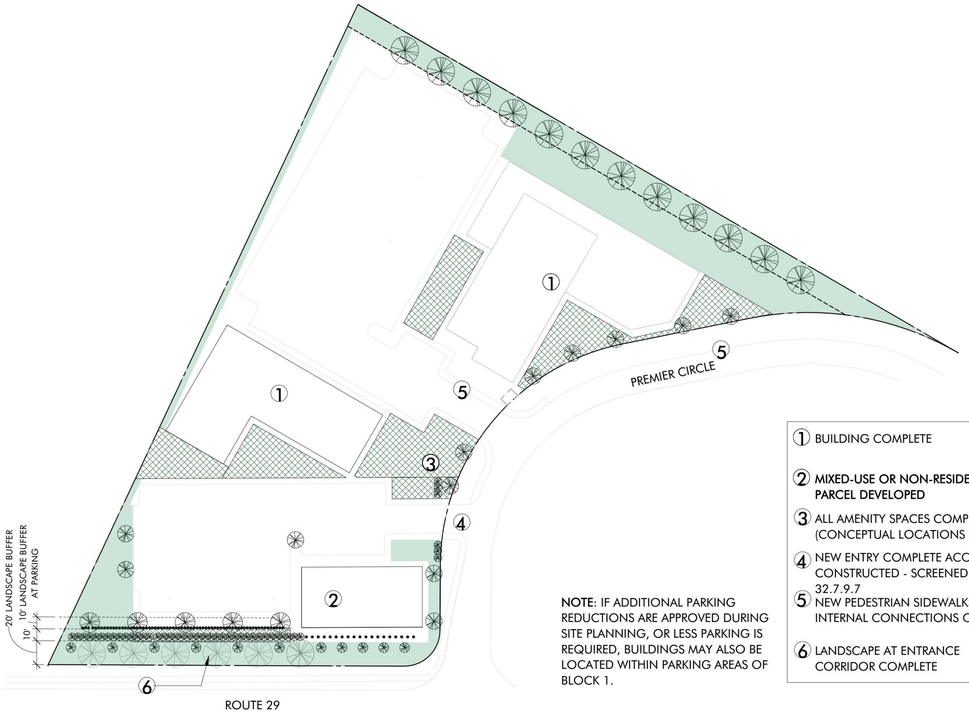
SHEET 7 — 1" = 60'-0"



1. BLOCK 2 BUILD-OUT PHASE 1 COMPLETE
2. **BLOCK 2 BUILD-OUT CONTINUES**
3. NEW PARKING FOR NEW BUILDING(S) CONSTRUCTED
4. TEMPORARY PARKING ACCESS ROAD WHILE 2ND ENTRANCE IS RENOVATED - SCREENED PER 32.7.9.7 (CONCEPTUAL LOCATION SHOWN)
5. RENOVATION OF 2ND ENTRANCE
6. **PREPARE LAND FOR SALE**
7. LANDSCAPE BUFFER MAINTAINED AND REPLANTED AS NECESSARY
8. NEW AMENITY AND GREENSPACE COMPLETE BLOCK 2 (CONCEPTUAL LOCATIONS SHOWN) BY THE CONCLUSION OF PHASE 2 CONSTUCTION
9. NEW ENTRANCE CORRIDOR STREET TREES

2 Phase 2 - RESIDIENTIAL BUILD-OUT CONTINUES

SHEET 7 — 1" = 60'-0"



1. BUILDING COMPLETE
2. **MIXED-USE OR NON-RESIDENTIAL PARCEL DEVELOPED**
3. ALL AMENITY SPACES COMPLETE (CONCEPTUAL LOCATIONS SHOWN)
4. NEW ENTRY COMPLETE ACCESS CONSTRUCTED - SCREENED PER 32.7.9.7
5. NEW PEDESTRIAN SIDEWALKS AND INTERNAL CONNECTIONS COMPLETE
6. LANDSCAPE AT ENTRANCE CORRIDOR COMPLETE

NOTE: IF ADDITIONAL PARKING REDUCTIONS ARE APPROVED DURING SITE PLANNING, OR LESS PARKING IS REQUIRED, BUILDINGS MAY ALSO BE LOCATED WITHIN PARKING AREAS OF BLOCK 1.

3 Phase 3 - NON-RESIDENTIAL/MIXED-USE CONSTRUCTION

SHEET 7 — 1" = 60'-0"

NOTES ABOUT PHASING:

1. BUILDING LAYOUT, PARKING LAYOUT, AND SIDEWALKS ARE CONCEPTUAL. EXACT LOCATION AND AREAS WILL BE DETERMINED AT SITE PLAN
2. THE PHASES ILLUSTRATED ARE INTENDED TO BE DIAGRAMMATIC AND THE SEQUENCE OF PHASING COULD VARY

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Premier Circle

405 PREMIER CIRCLE
TMP 61M-6

FOR

ZMA 2020-00011

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APPROVED BY	Approver
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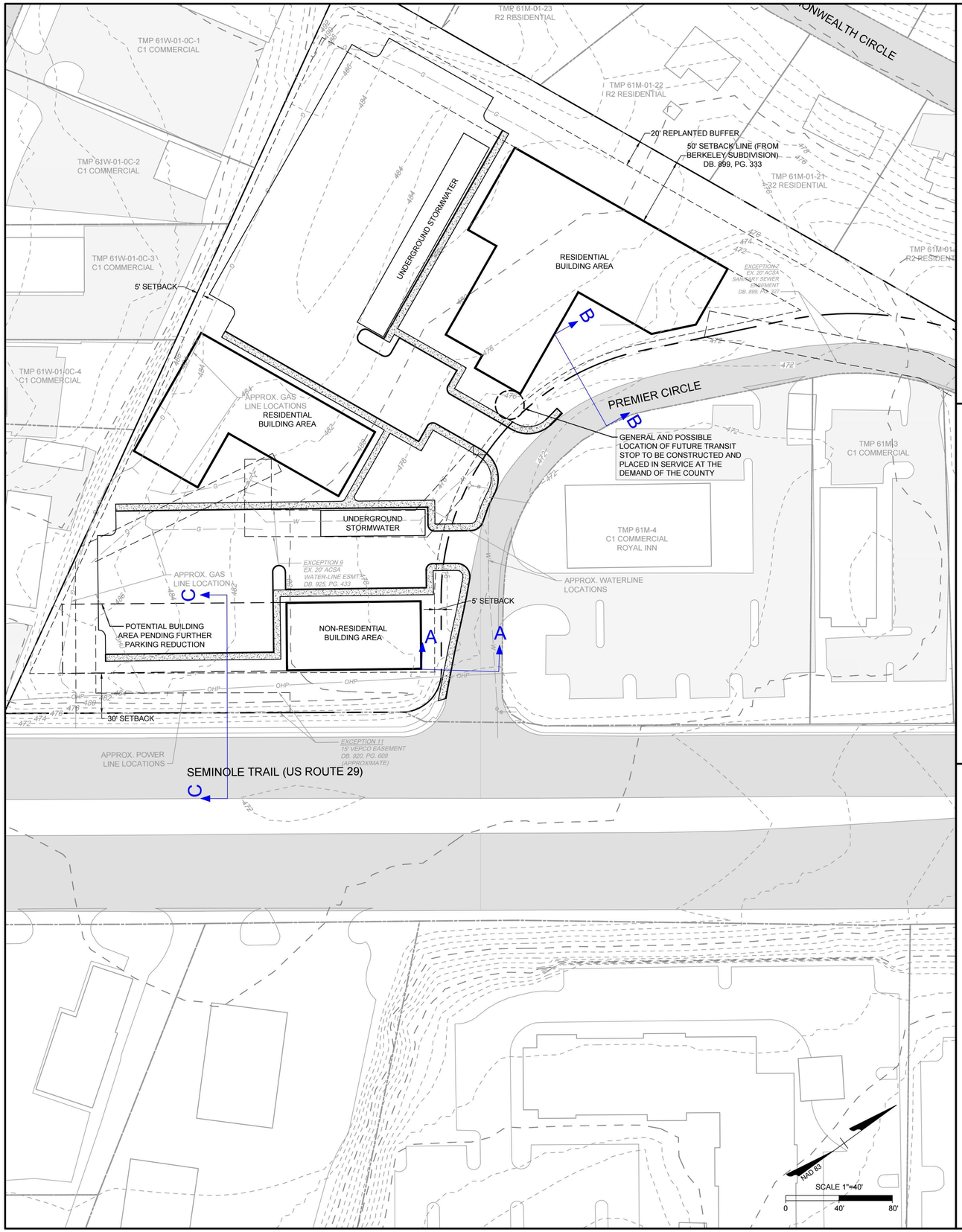
REVISIONS

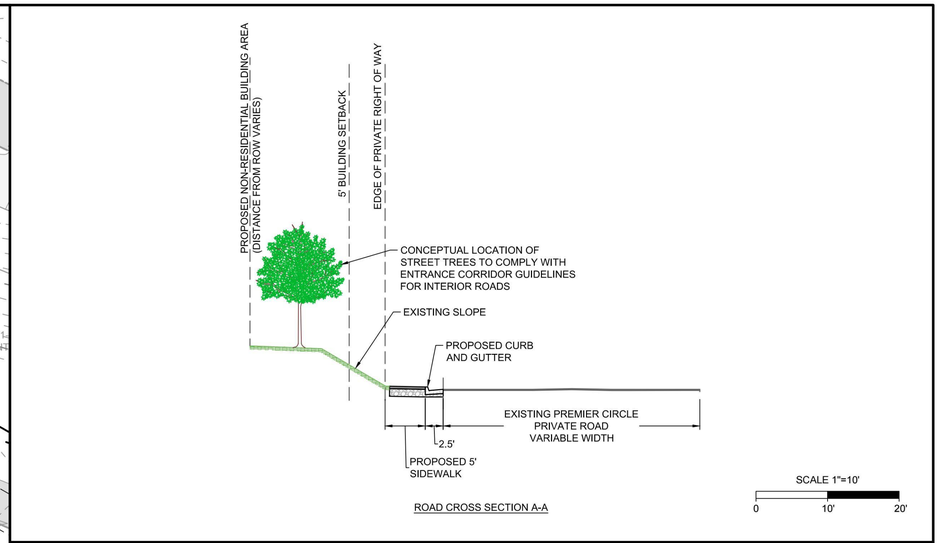
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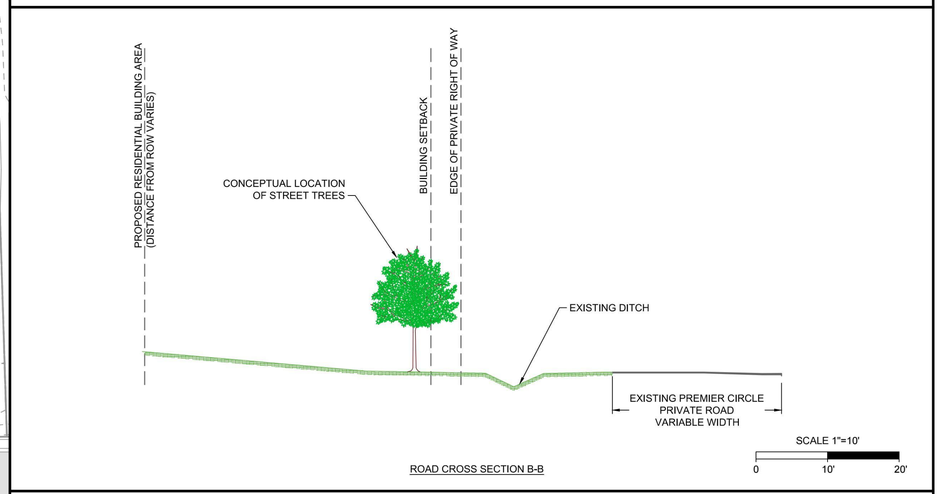
PHASING DIAGRAM

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Author

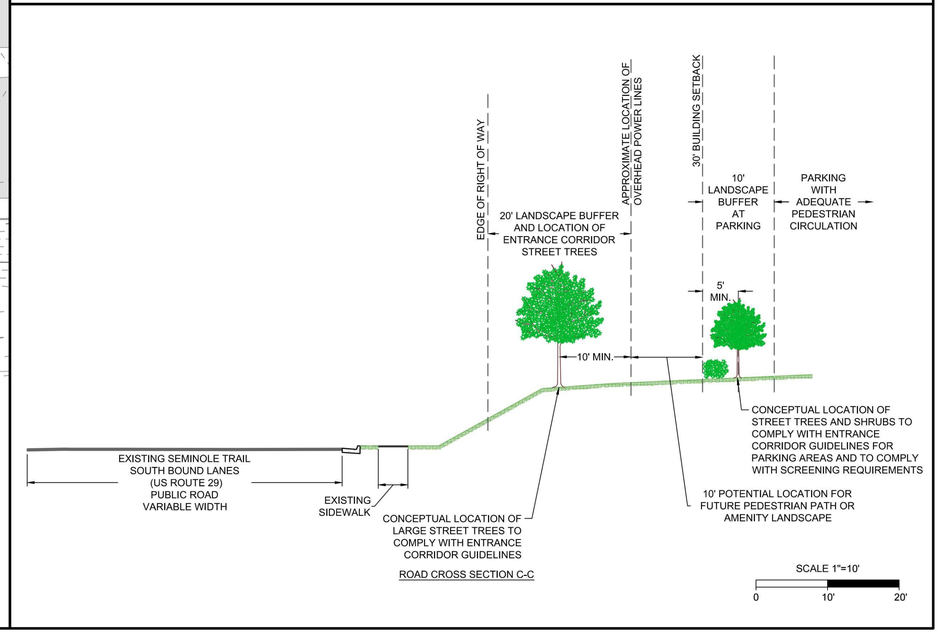




ROAD CROSS SECTION A-A



ROAD CROSS SECTION B-B



ROAD CROSS SECTION C-C

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SHEET
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CONCEPTUAL
STREET
SECTION

CODE OF DEVELOPMENT

The following is a Code of Development ("COD") drafted in accordance with Section 20A.5 of Chapter 18 of the Code of Albemarle, Virginia and specific to tax map parcel 061M0-00-00-00600. This Code of Development establishes the unifying design guidelines, specific regulations and block characteristics. The COD also provides certainty about permitted uses, locations and appearance of central features.

I. Table of Uses by Block (Section 20A.5a)

The table below establishes the permitted and prohibited uses by block.
"BR" = By-Right, "SP" = Special Permit, "N" = Not Permitted

TABLE A. USES: BY-RIGHT, by Special Permit, and Not Permitted

BLOCK	BLOCK 1	BLOCK 2
	Non-residential	Mixed-Use or Residential
Residential		
Single Family Detached	N	N
Single Family Attached	N	N
Multifamily	N [1]	BR
Assisted Living Facilities (20A.8a)	N	BR
Skilled Nursing Facilities (20A.8a)	N	BR
Group Homes (20A.8a)	N	BR
Transient Lodging	N [1]	BR
Home Occupation, Class A	N	BR
Accessory Uses and Buildings Including Storage	N	BR
Non-Residential		
Retail (Neighborhood, Community and Regional)	BR	BR
General Commercial Service	BR	BR
Office/R&D	BR	BR
Flex	BR	BR
Light Manufacturing / Storage / Distribution	BR	SP
Stand Alone Parking	N	N
Heavy Manufacturing / Storage / Distribution	N	N
Warehousing / Distribution	BR	N
Institutional	BR	SP
Public Uses (5.1.12)	BR	BR
Farmers' Markets (5.1.47)	BR	BR
Family Day Homes (5.1.56)	BR	BR
Childcare Center	BR	BR
Auto Service Uses	N	N
Electric, gas, oil, and communication facilities, excluding tower structures and including poles, lines, transformers, pipes, meters, and related facilities for distribution of local service and owned and operated by a public utility. Water distribution / sewage collection lines, pumping stations / appurtenances owned and operated by the ACSA. Except as otherwise expressly provided, central water supplies / central sewage systems in conformance with all applicable law.	BR	BR

BLOCK	BLOCK 1	BLOCK 2
	Mixed-Use or Non-residential	Mixed-Use or Residential
Temporary construction uses	BR	BR
SWM facilities shown on an approved final site plan or subdivision plat	BR	BR
Tier I and Tier II personal wireless service facilities	BR	BR
Accessory Uses and Buildings including home occupation, Class A and storage	BR	BR

Notes to Table A:

1. Use of all units within the existing buildings identified on the application plan as Buildings A, B, C, and Building D is permitted as multifamily housing or transient lodging until the redevelopment of the site occurs per the phasing plan outlined on the application plan.
2. Reference to uses not otherwise defined or listed in this Code of Development shall be defined as listed first, in the Albemarle County Zoning Ordinance, or second in the "Future Land Use Plan and Transportation Network" Section of the Places29 Master Plan adopted February 2, 2011, revised June 10, 2015. If no definition of the use is provided (Code of Development, Zoning Ordinance, Comprehensive Plan) or if there is uncertainty as to whether such use is included in the uses listed in Table A, then such use must be officially determined by the Zoning Administrator to be permitted in a particular Block.
3. The Project must contain at least two uses at final build-out.
4. The Owner shall provide affordable housing equal or greater than sixty percent (60%) of the total number of residential dwelling units constructed on the Property. See section VII of this Code of Development for Supplemental Regulations regarding Affordable Housing and Residential Uses.

II. Development Square Footage Proposed and Residential Density (Section 20A.b and c)

TABLE B. DENSITY, HOUSING TYPE, AND NON-RESIDENTIAL USE BY BLOCK

BLOCK	APPROX. BLOCK SIZE	MIN. DWELLING UNITS	MAX. DWELLING UNITS [1]	MAX PROJECT GROSS DENSITY	PERMITTED HOUSING TYPES	MAX NON-RESIDENT. SINGLE BUILDING FOOTPRINT (SF)	MIN NON-RESIDENT. GROSS BUILDING AREA	MAX NON-RESIDENT. GROSS BUILDING AREA
BLOCK 1 Non-Residential	46,609 SF (1.07 acres)	0	0 [1]	0 DUA	NA [1]	20,000 [5]	5,000	40,000
BLOCK 2 Mixed-Use or Residential	116,740 SF (2.68 acres)	80	140 [1]	37 DUA	Multifamily, Special Needs Housing	5,000	0	35,000
TOTAL	163,335 SF (3.75 acres)	80	140 [1]	37 DUA	MF, SNH	20,000 [5]	**5,000**	**40,000**

Notes to Table B:

1. Use of all units within the existing buildings identified on the application plan as Buildings A, B, C, and Building D is permitted as multifamily housing or transient lodging until the redevelopment of the site occurs per the phasing plan outlined on the application plan.
2. Total maximum non-residential square footage per the Project may not exceed the total however the total square footage may be allowed in Block 1 only.
3. Total maximum gross density may not exceed 140 dwelling units for the entire Project; however, the total density may be allowed in Block 2 only.
4. The size of the blocks may vary by 10%.
5. The maximum non-residential single building footprint area is 10,000 sf for retail-only uses.

III. Green Space, Amenities (Section 20A.5d) and Recreational Facilities

TABLE C. MINIMUM GREEN SPACE AND AMENITIES BY BLOCK

	AMENITY AREA MIN SF	AMENITY AREA %	AMENITIES	GREEN SPACE MIN SF	GREEN SPACE %	GREEN SPACE ELEMENTS	AMENITY & GREEN SPACE %
Block 1 Non-Residential	4,661	10% (4,661 of 46,609 total SF)	Courtyard/Plaza, Landscaping, Seating, Streetscape, Playgrounds	9,322	20% (9,322 of 46,609 total SF)	Entrance Corridor Landscape and Streetscape	20%
Block 2 Mixed-Use or Residential	11,674	10% (11,674 of 116,740 total SF)	Outdoor Courtyards/Plazas with Landscaping and Seating; Meditative Garden; Indoor Community Rooms; Indoor Computer Rooms, Playgrounds	23,348	20% (23,348 of 116,740 total SF)	Landscaped Buffer and Streetscape at Premier	20%
TOTAL	**16,335** [5]	**10% (16,335 of 163,350 total SF)**		**32,670**	**20% (32,670 of 163,350 total SF)**		**20%**

Notes to Table C:

1. Location of amenities and greenspace shall be assessed at the site plan stage of development.
2. The minimum amenity space and greenspace area per block may vary so long as the overall total is provided per the Project.
3. Amenity Space may be provided within buildings.
4. Amenity Space may be within Greenspace per the Zoning Ordinance Section 20A.9.d.
5. A minimum of 2,500 sf of Amenity Space must be provided by the end of Phase 1 redevelopment of the site per the phasing plan outlined on the Application Plan.

TABLE D: RECREATIONAL FACILITY REQUIREMENTS		
BLOCK	FACILITY	MIN. FACILITY AREA SF
Blocks 1 & 2	Recreational requirements will meet 4.16 unless substitutions are approved by the Planning Director at the site plan stage. If Planning Director approves the substitution, one (1) 2,000 sf **contiguous** community garden may be provided as substitution for the requirements of 4.16 per each residential multifamily building constructed. If a community garden is provided, the garden shall provide the following: • raised garden beds • a continuous perimeter fence • accessibility • adequate sun exposure • adequate size, location, shape, slope and condition of the land • a water source • a plan for long-term maintenance	Recreational requirements will meet 4.16 unless substitutions are approved by the Planning Director at the site plan stage. If approved, a 2,000 SF contiguous space must be provided per community garden with proportions adequate to the associated activity.
	Recreational requirements will meet 4.16 unless substitutions are approved by the Planning Director at the site plan stage. If Planning Director approves the substitution, one (1) 500 sf interior fitness room may be provided as substitution for the requirements of 4.16 per each residential multifamily building constructed. This fitness room shall provide equipment appropriate for the residents to whom it serves.	Recreational requirements will meet 4.16 unless substitutions are approved by the Planning Director at the site plan stage. If approved, a 500 SF min space per fitness room with proportions adequate to fitness and required clearances around equipment.

Notes to Table D:

1. Location of recreational facilities shall be assessed at the site plan stage of development and substitutions other than those listed above may be approved by the planning director to provide recreational space(s) appropriate to the population and demographic of this project.
2. Recreational facilities must be accessible to the residents whom they serve and are not required to be accessible to the public.

IV. Architectural Standards and Landscape Treatment (Sections 20A.5g and h)

Landscaped Buffer Next to Street

A Landscaped Buffer shall be provided adjacent to the Entrance Corridor as specified in the Entrance Corridor Design guidelines, subject to the following conditions:

1. Street trees shall be appropriate for the grade of the terrain.

2. Street trees shall be placed to avoid utility easements and overhead powerlines.
3. A row of vegetative screening as specified in Section 18-32.7.9.7 shall be used adjacent to parking along the Entrance Corridor.
4. The landscaping shall allow for future potential pedestrian paths or sidewalks to comply with Urban Frontage or Landscape Development Frontage as described in the Places29 Master Plan adopted February 2, 2011, revised June 10, 2015.

Landscaping Along Premier Circle

Landscaping along Premier Circle and any interior roads shall be provided as specified in Interior Roads section of the Entrance Corridor Design guidelines.

Landscaping of Buildings and Other Structures at Entrance Corridor

Landscaping along Buildings in Block 1 shall be provided as specified in the Entrance Corridor Design guidelines.

Landscaping of Parking Areas

Landscaping in parking areas in Block 1 adjacent to the Entrance Corridor shall be provided as specified in the Entrance Corridor Design guidelines.

Landscaped Buffer Next to UDA Boundary

A 20' minimum landscaped Buffer shall be provided adjacent to the UDA Boundary as described in the "Future Land Use Plan and Transportation Network" Section of the Places29 Master Plan adopted February 2, 2011, revised June 10, 2015 also described as the northwest property line between the Property and Berkley Subdivision. This buffer must contain a mixture of ever green or deciduous trees and shrubs and provide screening to comply with the Zoning Ordinance Section 32.7.9.7 where required. This buffer may be disturbed but must be replanted.

V. Lot and Building Height Regulations (Section 20A.5 i)

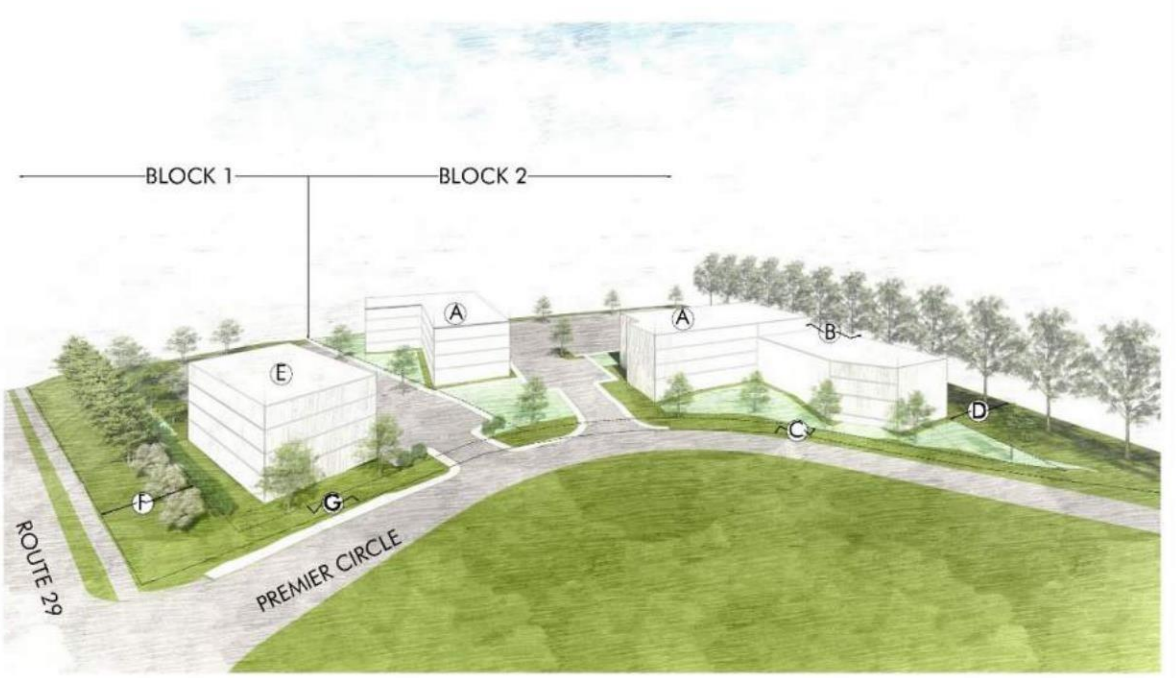
TABLE E. LOT AND BUILDING REGULATIONS		
	BLOCK 1	BLOCK 2
	Non-Residential	Mixed-Use or Residential
Building Height		
Stories Min. Max.	1 Min. 4 Max. [7]	1 Min. 4 Max.
Max. Height	50'	50'
Building Setbacks		
Front at Entrance Corridor	30' Min. – 50' Max.	NA
Front	10' Min. – 50' Max.	5' Min. (No. Max.)
Rear	10' Min. (No Max.)	5' Min. (No Max.)
Side	5' Min. (No Max.)	0' Min. (No Max.)
Along the UDA Boundary *(also described as the northwest property line between the Property and Berkley Subdivision)*	NA	50' Min. (No Max.)
Stepback along building face that directly faces UDA Boundary (*also described as the northwest property line between the Property and Berkley Subdivision)* Min. At Building Height Of	NA	15' 3 Stories (OR 40')
Other		
Lot Size (Min. or Max.)	None	None
Residential Units Allowable	See TABLE B	
Residential Unit Type		
Parking		
Min. Required	20 – 133, depending on mixture of uses	28 – 106, depending on unit count, etc.
Total Required	48 – 239, depending on mixture of uses	

Notes to Table E:

1. Porches, eaves, and awnings shall be considered part of the structure and shall not extend closer to the street than the required setbacks.
2. The precise number of minimum required parking spaces shall be determined at the site plan phase of development depending on density and types of residential units pursuant to Section VI of this Code of Development and non-residential uses pursuant to 18-4.12.6 . Minimum parking requirements may restrict some uses that historically require large amounts of parking. Multiple parking alternatives per 18-4.12 of the Zoning Ordinance may be utilized during the site plan phase of development as determined by the Zoning Administrator.
3. Minimum building separation shall be required pursuant to the Zoning Ordinance Section 4.11.

4. Any primary structure in Block 1 shall conform to provisions of the Entrance Corridor Design Guidelines.
5. Dumpsters and Dumpster Pads on the Property shall be screened pursuant to the Zoning Ordinance Section 4.12.19.
6. At the UDA Boundary as described in the "Future Land Use Plan and Transportation Network" Section of the Places29 Master Plan adopted February 2, 2011, revised June 10, 2015 also described as the NW property line between the Property and Berkeley Subdivision, a 20' minimum landscaped buffer shall be maintained as measured from the property line. See Section IV. of this Code of Development for more regulations regarding the Landscaped Buffer Next to the UDA Boundary.
7. Total building height may only be 3 stories for retail uses per the Places29 Master Plan adopted February 2, 2011, revised June 10, 2015.

Figure 1: LOT AND BUILDING REGULATIONS ILLUSTRATED



VI. Parking Regulations (Section 20A.5 i)

TABLE F. RESIDENTIAL PARKING REQUIREMENTS	
RESIDENTIAL USE	NUMBER OF PARKING SPACES
multifamily	
<500 sf	0.35
1 bedroom	1.3
2+ bedrooms	1.3
special needs housing	
<500 sf	0.35
1 bedroom	1.3
2+ bedrooms	1.3

Location of Parking

The precise number of minimum required parking spaces shall be determined at the site plan phase of development depending on density, types of residential units, and commercial uses pursuant to the uses described in Table E in section VI of this Code of Development and pursuant to the Zoning Ordinance Section 4.12.6. Multiple parking alternatives per Section 4.12 of the Zoning Ordinance may be utilized during the site plan phase of development as determined by the Zoning Administrator.

Screening

Pursuant to the Zoning Ordinance Section 32.7.9.7, the parking areas along Premier Circle and Route 29 boundaries of the Property are required to be screened as specified in the Zoning Ordinance Section 32.7.9.7(b).

VII. Supplemental Regulations for Affordable Housing and Residential Uses

The Owner shall provide affordable housing equal or greater than sixty percent (60%) of the total number of residential dwelling units constructed on the Property, subject to the following conditions:

1. These units may be created as for-sale or for-rent. The affordable housing objective may be met through any of the permitted housing types per Section I of this Code of Development.
2. "For-Sale Affordable Housing Units" shall be a residential unit offered for sale to Qualifying Families with evidence of incomes less than eighty percent (80%) of the area median income (as determined by the U.S. Department of Housing and Urban Development (HUD) from time to time) such that housing costs consisting of principal, interest, real estate taxes and homeowners insurance (PITI) do not exceed thirty percent (30%) of the gross household income. All purchasers of for-sale affordable units shall be approved by Albemarle County Community Development Department or its designee. The Owner shall provide the County or its designee a period of 120 days to identify and pre-qualify an eligible purchaser for the affordable units. The 120-day period shall commence upon written notice from the Owner that the units will be available for sale. This notice shall not be given more than 90 days prior to the anticipated receipt of the certificate of occupancy. If Albemarle County or its designee does not provide a qualified purchaser within this 120-day period for such For-Sale Affordable Housing Units, the Owner shall have the right to sell the unit(s) without any restriction on sales price or income of the purchaser(s).

3. "For-Rent Affordable Housing Units" shall be a residential unit offered for rent to Qualifying Families with evidence of incomes less than eighty percent (80%) of the area median income (as determined by HUD from time to time) at an initial rent that does not exceed the then-current and applicable U.S. Department of Housing and Urban Development (HUD) Fair Market Rents minus an allowance for any tenant-provided utilities. The designated affordable rental units shall remain affordable for a minimum of 15 years after initial occupancy.
4. Affordable Units shall also be defined as a for-rent or for-sale dwelling unit for households with income less than 80% or below the Area Median Income (AMI) as determined by the U.S. Department of Housing and Urban Development such that housing costs do not exceed HUD's affordability standard of thirty percent (30%) of household income.
5. Each subdivision plat or site plan shall designate the number of affordable units provided and the minimum number of required affordable units per the Code of Development.

VIII. Pedestrian Circulation and Access to Public Transit

1. **On-site Bus Stop:** Following commencement of construction of Phase I of the Project, upon demand by the County of Albemarle, the Owner shall construct a Charlottesville Area Transit (CAT) stop (the "Transit Stop") on the Property. 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 pedestrian access and signage consistent with similar existing CAT transit stops. The Owner shall dedicate any such portion of the Transit stop located on the Property to public use or grant an easement as necessary to allow for the public access and usage of the Transit Stop.
2. **Inter-parcel Pedestrian Connection**: The Application Plan shows potential future pedestrian connections between the Property and the parcels along the northeast side of Westfield Road. Any such future pedestrian connection will be subject to future development and access easement agreements; therefore, it is not intended that any or all depicted connections will be made, rather that these are identified as potential points of connection to future development on the neighboring property(ies). The connections may provide a direct route for residents to access the future development of a Neighborhood Service Center and to the existing bus stop on Commonwealth Drive. The Applicant will grant such inter-parcel easement(s) across the Property at the request of the County.

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-*20A*.5, specific to Parcel Number 061M0-00-00-0600, 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

44296587v1