

Original Proffers ____X____
Amendment _____

PROFFER STATEMENT

Project Name: **2117 Ivy Road**

Date: December 19, 2023

Address: 2117 Ivy Road
Parcel Number: 070001200

Owner of Record: **RMD Properties, LLC** (the “Owner” and “Applicant”)

Proposal:

- Rezone 2117 Ivy Road, parcel 070001200 (1.02 acres) (the “Property”), from Urban Corridor (URB) district to Planned Unit Development (PUD) district with proffers (the “Project”)

Total land area: Approximately 1.02 acres

The Applicant hereby voluntarily proffers that if the City of Charlottesville City Council acts to rezone the property as requested, the Applicant shall develop the Property in general accord with the following proffers pursuant to Sections 15.2-2303 and 15.2-2303.4 of the Code of Virginia, 1950, as amended, and pursuant to Section 34-41.d.8 of the City of Charlottesville Zoning Ordinance. The Applicant specifically deems the following proffers reasonable and appropriate, as conclusively evidenced by the signatures below. This Proffer Statement shall run with the Property and each reference to the “Owner” within this Proffer Statement shall include within its meaning, and shall be binding upon, Owner’s successor(s) in interest and/or the developer(s) of the Property or any portion of the Property.

1. Affordable Housing

The Project is proposed to be student housing rented by the bedroom. The Applicant shall make a cash contribution to the City’s affordable housing fund in the amount equal to Three Million, Two Hundred Fifty Thousand Dollars (\$3,250,000), provided that the approved final site plan and approved building permit will permit a minimum of Six Hundred Thirty-Four (634) bedrooms. Otherwise, the amount will be equal to four and one-half (4 ½) times that which would be required under City Code Section 34-12(d)(2) in effect as of the date of this Proffer Statement, based on the approved final site plan. Such cash contribution shall be delivered to the City prior to the issuance of the first Certificate of Occupancy for the Project.

2. PUD Application Plan

- A. **Application Plan.** The Property is depicted on the plans entitled “2117 Ivy Road” dated May 15, 2023, last revised November 21, 2023, prepared by WDG Architecture and Timmons Group (the “Application Plan”). The Property will be developed in general accord with the essential elements of the Application Plan, as required by City Zoning Ordinance Section 34-518.
- B. **Exhibit A.** Notwithstanding the provisions of paragraph 2A above, the Property frontage along Ivy Road shall be developed to reflect the following major elements as shown and noted on attached plans entitled

“PUD Exhibit A – Conceptual Building Section” dated December 12, 2023, prepared by Dwell Design Studio (“Exhibit A”), attached, subject to Entrance Corridor Review Board Approval:

- 1) The green zone shall be a minimum of 8 feet in width.
- 2) The sidewalk shall be a minimum of 10 feet in width.
- 3) Floors 1-2 shall be recessed at least 2 feet from Ivy Road beyond that shown on the Application Plan.
- 4) Floors 3-8 shall be recessed 4 feet from Ivy Road beyond that shown on the Application Plan.
- 5) Floors 9-10 shall be recessed 2 feet beyond floors 3-8.
- 6) The rooftop architectural trellis shall be recessed 10 feet from the top edge of floor 10.
- 7) Street tree species will be coordinated with City staff, the Entrance Corridor Review Board, and the University.

With regard to any differences between the approved Application Plan and this proffer statement with Exhibit A, this proffer statement and Exhibit A shall govern.

- C. The Applicant shall submit a revised Application Plan incorporating the provisions of paragraph 2B within 30 days after City Council’s action on the Application.

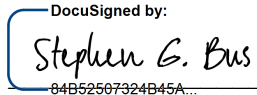
[SIGNATURE PAGE IMMEDIATELY FOLLOWS]

Signature Page for Proffer Statement for 2117 Ivy Road

OWNER and APPLICANT:

RMD Properties, LLC

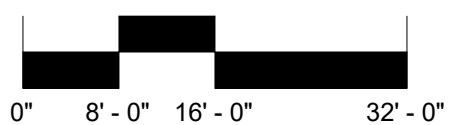
a Virginia limited liability company

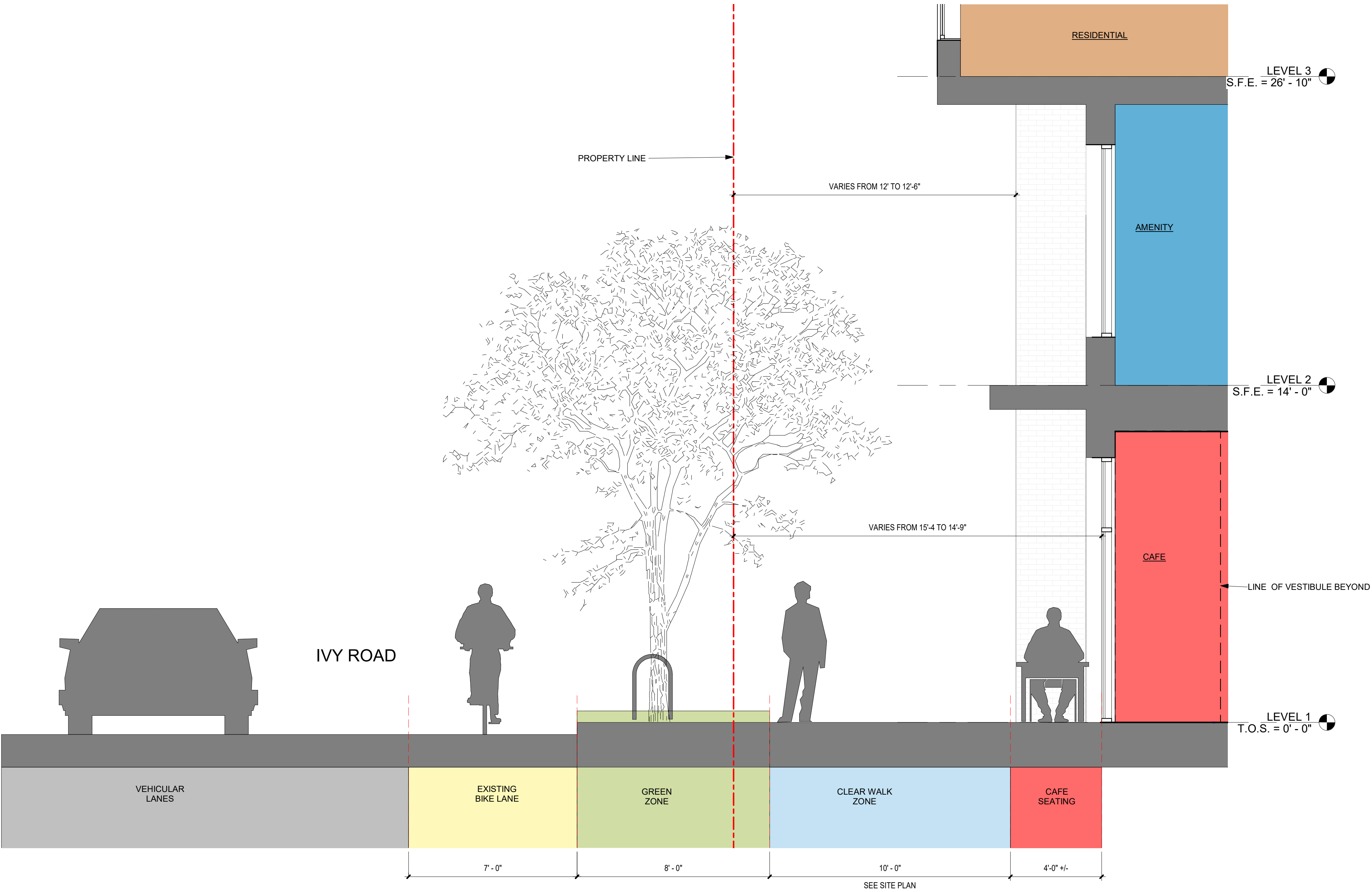
By:  DocuSigned by:
Stephen G. Bus
84B52507324B45A...

Printed Name: Stephen G. Bus

Title: Authorized Signatory

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1 REVISED CONCEPTUAL STREET SECTION
3/8" = 1'-0"

STREET TREE SPECIES WILL BE COORDINATED WITH CITY STAFF, ENTRANCE CORRIDOR REVIEW BOARD, AND UVA WITH A GOAL OF HAVING A REASONABLY CONSISTENT STREETScape ALONG IVY ROAD.

