

# INITIAL SITE DEVELOPMENT PLAN FOR OLD TRAIL BLOCKS 5, 20, & 21

TMP 055EO-01-00-000A1

WHITE HALL DISTRICT, ALBEMARLE COUNTY, VIRGINIA

## LEGEND

EXIST	NEW	DESCRIPTION
16" TC	x 12" TC	TOP OF CURB ELEVATION
16"	x 12"	SPOT ELEVATION
16" TW	x 12" TW	TOP OF WALL ELEVATION
16" BW	x 12" BW	BOTTOM OF WALL ELEVATION
		BENCHMARK
		STORM SEWER
		ROOF DRAIN
		SEWER LINE
		WATER LINE
		GAS LINE
		OVERHEAD ELECTRIC WIRE
		UNDERGROUND ELECTRIC
		OVERHEAD TELEPHONE LINE
		UNDERGROUND TELEPHONE LINE
		DRAIN INLET (DI)
		STORM/SANITARY MANHOLE
		PLUG
		WATER VALVE & BOX
		FIRE HYDRANT
		WATER METER
		LIGHT POLE
		UTILITY POLE
		PROPERTY LINE
		ADJACENT PROPERTY LINE
		VACATED PROPERTY LINE
		BUILDING SETBACK
		PARKING SETBACK
		SANITARY EASEMENT
		GRADING EASEMENT
		DRAINAGE EASEMENT
		UTILITY EASEMENT
		WATER EASEMENT
		ACCESS EASEMENT
		STORM DRAINAGE EASEMENT
		TREE LINE
		FENCE
		STREAM
		INTERVAL CONTOUR
		INDEX CONTOUR
		STANDARD 6" CURB
		COMBINATION 6" CURB & GUTTER
		CONCRETE PAVEMENT / SIDEWALK
		RIPRAP
		ASPHALT
		GRASS
		EC-2 MATTING
		EC-3 MATTING
		WETLAND
		PARKING COUNT
		CROSSWALK
		HANDICAP ACCESSIBLE AISLE
		CG-12
		HANDICAP PARKING

### NOTE:

1. THE SIZE OF THE SYMBOLS MAY VARY FROM WHAT IS SHOWN.

## VICINITY MAP SCALE: 1"=1,000'

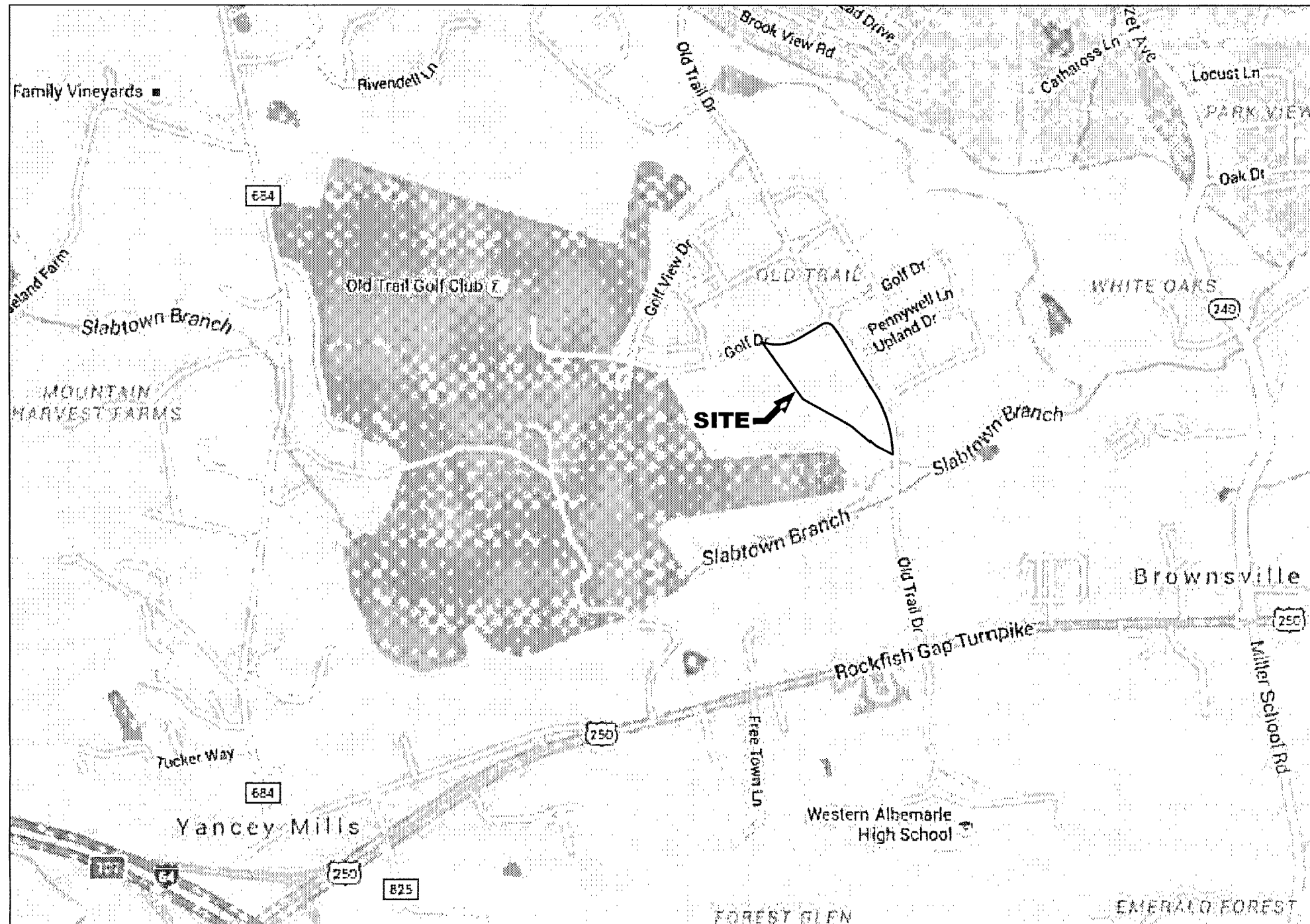


IMAGE PROVIDED BY GOOGLE MAPS

## SHEET INDEX

- C1 - COVER SHEET
- C2 - PROFFERS
- C3 - EXISTING CONDITIONS & DEMO PLAN
- C4 - SITE OVERVIEW
- C5 - PRELIMINARY SITE PLAN AND UTILITIES
- C6 - PRELIMINARY SITE PLAN AND UTILITIES
- C7 - PRELIMINARY SITE PLAN AND UTILITIES
- C8 - PRELIMINARY GRADING PLAN
- C9 - PRELIMINARY GRADING PLAN
- C10 - PRELIMINARY GRADING PLAN

## SIGNATURE BLOCK

CURRENT DEVELOPMENT PLANNER

CURRENT DEVELOPMENT ENGINEER

ALBEMARLE COUNTY SERVICE AUTHORITY

FIRE OFFICIAL

ARCHITECTURAL REVIEW BOARD

BUILDING OFFICIAL

VIRGINIA DEPARTMENT OF TRANSPORTATION

## DATE

## GENERAL CONSTRUCTION NOTES

- PRIOR TO ANY CONSTRUCTION WITHIN ANY EXISTING PUBLIC RIGHT-OF-WAY, INCLUDING CONNECTION TO ANY EXISTING ROAD, A PERMIT SHALL BE OBTAINED FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT). THIS PLAN AS DRAWN MAY NOT ACCURATELY REFLECT THE REQUIREMENTS OF THE PERMIT. WHERE ANY DISCREPANCIES OCCUR THE REQUIREMENTS OF THE PERMIT SHALL GOVERN.
- ALL MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO CURRENT SPECIFICATIONS AND STANDARDS OF VDOT UNLESS OTHERWISE NOTED.
- EROSION AND SILTATION CONTROL MEASURES SHALL BE PROVIDED IN ACCORDANCE WITH THE APPROVED EROSION CONTROL PLAN AND SHALL BE INSTALLED PRIOR TO ANY CLEARING, GRADING OR OTHER CONSTRUCTION.
- ALL SLOPES AND DISTURBED AREAS ARE TO BE FERTILIZED, SEEDED AND MULCHED.
- THE MAXIMUM ALLOWABLE SLOPE IS 2:1 (HORIZONTAL:VERTICAL). WHERE REASONABLY OBTAINABLE, LESSER SLOPES OF 3:1 OR BETTER ARE TO BE ACHIEVED.
- PAVED, RIP-RAP OR STABILIZATION MAT LINED DITCH MAY BE REQUIRED WHEN IN THE OPINION OF THE COUNTY ENGINEER, OR DESIGNER, IT IS DEEMED NECESSARY IN ORDER TO STABILIZE A DRAINAGE CHANNEL.
- ALL TRAFFIC CONTROL SIGNS SHALL CONFORM WITH THE VIRGINIA MANUAL FOR UNIFORM TRAFFIC CONTROL DEVICES.
- UNLESS OTHERWISE NOTED ALL CONCRETE PIPE SHALL BE REINFORCED CONCRETE PIPE - CLASS III.
- ALL EXCAVATION FOR UNDERGROUND PIPE INSTALLATION MUST COMPLY WITH OSHA STANDARDS FOR THE CONSTRUCTION INDUSTRY (29 CFR PART 1926).
- WORK WITHIN THE LOCAL RIGHTS-OF-WAY SHALL CONFORM TO LOCAL MUNICIPAL STANDARDS. WORK WITHIN STATE RIGHTS-OF-WAY SHALL CONFORM TO THE LATEST EDITION OF THE VIRGINIA DEPARTMENT OF TRANSPORTATION STANDARDS AND SPECIFICATIONS FOR HIGHWAYS AND BRIDGES.
- USE SELECT MATERIAL UNDER BUILDINGS AND STRUCTURES; USE FILL AND BACKFILL MATERIAL UNDER PARKING AREAS, ROADS, SIDEWALKS, AND OTHER CONCRETE AND PAVED SURFACES; USE COMMON FILL MATERIAL FOR GENERAL SITE GRADING. PLACE MATERIAL IN 6" LIFTS.
- COMPACT LAYERS OF FILL TO 95 PERCENT BY MODIFIED PROCTOR METHOD PER ASTM D 1557 BENEATH AND WITHIN 15 FEET OF BUILDINGS AND BY STANDARD PROCTOR METHOD PER ASTM D 698 BENEATH AND WITHIN DETENTION POND EMBANKMENTS, PAVEMENTS, WALKS, AND ROAD SHOULDERS, INCLUDING AREAS THAT MAY BE USED FOR FUTURE CONSTRUCTION. IN OTHER UNPAVED AREAS, COMPACT 90 PERCENT BY STANDARD PROCTOR METHOD PER ASTM D 698. IF THE DENSITY OF THE ADJACENT SOIL IS MORE THAN THE DENSITY SPECIFIED, THEN COMPACT TO A DENSITY NOT LESS THAN THE DENSITY OF THE ADJACENT SOIL.
- AREAS ON WHICH FILL IS TO BE PLACED SHALL BE CLEARED, GRUBBED, AND STRIPPED OF TOPSOIL. SOIL MATERIALS SHALL BE FREE OF DEBRIS, ROOTS, WOOD, SCRAP MATERIAL, VEGETATION, REFUSE, SOFT UNSOUND PARTICLES, AND FROZEN DELETERIOUS OR OBJECTIONAL MATERIALS. THE MAXIMUM PARTICLE DIAMETER SHALL BE ONE-HALF THE LIFT THICKNESS. COMMON FILL MATERIAL SHALL BE UNCLASSIFIED SOIL MATERIAL WITH THE CHARACTERISTICS REQUIRED TO COMPACT TO THE SOIL DENSITY SPECIFIED FOR THE INTENDED LOCATION. BACKFILL AND FILL MATERIAL: ASTM D 2487. CLASSIFICATION GW, GP, GM, GC, SW, SP, SM, SC WITH A MAXIMUM ASTM D 4318 LIQUID LIMIT OF 35, MAXIMUM ASTM D 4318 PLASTICITY INDEX OF 12, AND MAXIMUM OF 25 PERCENT BY WEIGHT PASSING ASTM D 1140, NO. 200 SIEVE. SELECT MATERIAL: ASTM D 2487, CLASSIFICATION GW, GP, SW, SP WITH A MAXIMUM OF 10 PERCENT BY WEIGHT PASSING ASTM D 1140, NO. 200 SIEVE.
- ALL FINISHED GRADING, SEEDING AND SODDING SHALL BE DONE IN SUCH A MANNER TO PRECLUDE THE PONDING OF THE WATER ON THE SITE, PARTICULARLY ADJACENT TO THE BUILDINGS OR STORM INLETS.
- CUT AND PATCH WORK IN EXISTING PUBLIC STREETS MUST BE PERFORMED IN ACCORDANCE WITH VDOT AND ALBEMARLE COUNTY STANDARDS AND SPECIFICATIONS.
- ALL EXISTING CURB AND GUTTER ALONG THE FRONTAGE OF THIS SITE IN POOR CONDITION OR DAMAGED DURING CONSTRUCTION SHALL BE REMOVED AND REPLACED TO THE STANDARDS AND SPECIFICATIONS OF ALBEMARLE COUNTY.
- IN THE EVENT THAT SUSPECTED CONTAMINATED SOIL, GROUNDWATER, AND OTHER MEDIA ARE ENCOUNTERED DURING EXCAVATION AND CONSTRUCTION ACTIVITIES BASED ON VISUAL, OLFACTORY, OR OTHER EVIDENCE, THE CONTRACTOR SHALL STOP WORK IN THE VICINITY OF THE SUSPECT MATERIAL TO AVOID FURTHER SPREADING OF THE MATERIAL, AND SHALL NOTIFY THE OWNER IMMEDIATELY SO THAT THE APPROPRIATE TESTING AND SUBSEQUENT ACTION CAN BE TAKEN.

## OWNER / DEVELOPER

Owner: March Mountain Properties, LLC.  
1005 Heathercroft Circle, STE 100  
Crozet, VA 22932

Developer: Denico Development Co.  
1430 Rokin Court, Suite #301  
Charlottesville, VA 22911

## ZONING

NMD - Neighborhood Model District  
(For Portion of Parcel Subject To Site Plan)

Original Approved ZMA 2004-024  
Amended ZMA 2008-05  
Amended ZMA 2015-01

## LEGAL REFERENCE

TMP 055EO-01-00-000A1 - DB 3812 PG 187  
- DB 4726 PG 638 (Plat)

## BENCHMARK

USGS NAVD88

## SOURCE OF BOUNDARY & TOPO

Boundary survey information provided by:  
Roudabush, Gale, & Associates, Inc.  
914 Monticello Road, Charlottesville, VA 22902  
(434) 977-0205

Topographic survey provided by:  
Roudabush, Gale, & Associates, Inc.  
914 Monticello Road, Charlottesville, VA 22902  
(434) 977-0205

Proposed development will be subdivided from  
TMP 55E-01-A1.

A title report was not provided. All easements and  
encumbrances may not be shown on this plan.

## BUILDING HEIGHT

Maximum: 4 Stories or 60'

## SETBACKS

Block 5: Front: Min=0' Max=25', Side: Min=0', Rear: Min=0'  
Block 20: Front: Min=5' Max=25', Side: Min=0', Rear: Min=5'  
Block 21: Front: Min=5' Max=25', Side: Min=0', Rear: Min=5'

## EXISTING USE

Vacant Land

## PROPOSED USE

Multi-family & Townhome Units

70 - 1 Bedroom Apartment Units  
102 - 2 Bedroom Apartment Units  
7 - 2 Bedroom Townhome Units  
11 - 3 Bedroom Apartment Units

190 Total Residential Units  
16.3 Units Per Acre Density

## FLOOD ZONE

According to the FEMA Flood Insurance Rate Map, effective date February 4, 2005  
(Community Panel 51003C0237D), this property does not lie within the Zone AE  
100-year flood plain.

## PARKING SCHEDULE

Proposed Use: Required  
Multi-Family Units/Townhomes: 1.5 Spaces Per 1 Bedroom Unit  
2 Spaces Per 2+ Bedroom Unit  
1.5 X 70 Units = 105 Spaces  
2 X 120 Units = 240 Spaces = 345 Total Spaces Required

Total Number of Spaces Provided: 345 Spaces (includes 11 van handicap accessible)

## WATER & SANITARY SERVICES

All water and sanitary sewer services are to be provided by the Albemarle County  
Service Authority.

## ELECTRIC / TELEPHONE / CABLE TV

If feasible, all new service lines for electricity, telephone and cable TV are to be installed  
underground. Care is to be taken to assure their location does not conflict with any other  
aspects of the proposed site plan amendment.

## LANDSCAPING CANOPY

Proposed landscaping will be shown with the final site plan submittal.

## CRITICAL SLOPES

There are preserved slopes shown within this property. Disturbance of the slopes are  
allowed per the approved Old Trail Master Plan. See sheet C3.

## WATERSHED

This site is located within the Lickinghole Creek Watershed.  
This site is located within a water supply protection area.

## LIGHTING

Proposed lighting and photometrics will be shown with the final site plan submittal.

## LAND USE SCHEDULE

EXISTING	Area	%
Building	0 SF	0.0%
Pavement	0 SF	0.0%
Sidewalk	3,309 SF	0.7%
Impervious area	3,309 SF	0.7%
Open space	503,465 SF	99.3%
Total=	506,774 SF (11.63 ac.)	

PROPOSED	Area	%
Building	76,886 SF	15.2%
Pavement	101,215 SF	20.0%
Sidewalk	19,025 SF	3.8%
Impervious area	197,126 SF	39.0%
Open space	309,648 SF	61.0%
Total=	506,774 SF (11.63 ac.)	

## SIGNS

All signs shall conform with the MUTCD Guidelines.

## ITE TRIP GENERATION

ITE Code #: 221 AM Peak TPH: 93 PM Peak TPH: 119  
Total Trips Per Day: 1,360

SHIMP ENGINEERING, P.C.  
ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT

PHONE: (434) 207-8086  
JUSTIN@SHIMP-ENGINEERING.COM



COVER SHEET

INITIAL SITE DEVELOPMENT PLAN FOR  
OLD TRAIL BLOCKS 5, 20, & 21  
ALBEMARLE COUNTY, VIRGINIA

Date: 05/23/16  
Scale:  
Sheet No.: C1 OF 10  
File No.: 16.020



PROFFER STATEMENT  
OLD TRAIL VILLAGE

Date: January 13, 2016  
ZMA #: ZMA 2015-00001 Old Trail Village Amendment #3  
Tax Map Parcel Numbers: 055E0-01-00-000A1 (excluding those portions that lie outside the zoning boundary for ZMA 2004-024), 055E0-01-00-000A2, 055E0-01-00-000A3, 055E0-01-00-000A4, 055E0-01-00-000A5, 055E0-01-3A-00100, 055E0012701100, 055E0012701100, 055E0012701200, 055E0012701300, 055E0012701400, 055E0012701500, 055E0012701600, 055E0012701700, 055E0012701800, 055E0012701900, 055E0012702000, 055E0012702100, 055E0012702200, 055E0012702300, 055E0012702400 and 055E0012702500.

The Owner of the parcels identified herein above (the "Property") is March Mountain Properties, L.L.C., a Virginia limited liability company (the "Owner"). This Proffer Statement shall relate to the Code of Development for Old Trail Village approved as part of ZMA 2004-024, as amended by ZMA 2008-05, as further amended by ZMA 2014-00004, and as further amended by ZMA 2015-00001, as such Code of Development may be amended from time to time in the future in accordance with the Albemarle County Zoning Ordinance (the "Code of Development"), and to the Application Plan prepared by Timmons Group entitled "Old Trail Village Rezoning ZMA 04-024 General Development Plan," last revised by Roudabush, Gale & Associates with a latest revision date of January 14, 2016, and including any previously approved amendments thereto (the "Application Plan").

The Owner hereby voluntarily proffers that if the Albemarle County Board of Supervisors acts to rezone the Property as requested, the Owner shall develop the Property in accord with the following proffers pursuant to Section 15.2-2303 of the Code of Virginia, 1950, as amended, and pursuant to Section 33.3 of the Albemarle County Zoning Ordinance. These conditions are voluntarily proffered as part of the requested rezoning, and the Owner acknowledges that (1) the rezoning itself gives rise to the need for the conditions; and (2) such conditions have a reasonable relation to the rezoning requested. This proffer statement shall supersede and replace in all respects the proffer statements approved by the Board of Supervisors in connection with ZMA 2004-024, ZMA 2008-05, and ZMA 2014-00004. If rezoning application ZMA 2015-00001 is denied, these proffers shall immediately be null and void and of no further force and effect.

1. **Green Space: Park Land and Greenway Dedication.** The Owner shall devote a minimum of twenty percent (20%) of the land within the Property to green space as shown on sheet 5 of 9 of the General Development Plan. Of this green space land, within five (5) years after the date that ZMA 2004-024 is approved by the County, or within thirty (30) days after the request of the County, whichever is sooner, the Owner shall dedicate to the County for public use for parks and open space resources and for a greenway, a 25-acre park, a 10.8-acre greenway area, and a 6.7-acre greenway area, each as further shown on sheet 5 of 9 of the General Development Plan (collectively, the "Park and Greenway Area"). After it is dedicated to public use, the Park and Greenway Area shall continue to be included in the total area of green space and amenities within the Property. At the time of the conveyance and dedication, the Park and Greenway Area land will be subject to the Architectural and Landscape Standards for Old Trail Village, as provided in the Code of Development. The remaining green space land within the Property that will not be dedicated to the County for public use shall be maintained by the Old Trail Owner's Association. The dedication of the Park and Greenway Area land shall be a fee simple interest in such land. If the Park and Greenway Area land is not dedicated as part of a site plan or subdivision plat, the Owner shall pay the costs of surveying the land and preparing the deed of dedication. The Owner shall construct the trail through the 6.7-acre Greenway Area, as shown on sheet 5 of 9 of the General Development Plan, within six (6) months after the approval by the County of the first subdivision plat or site plan applicable to any portion of block 30 or 31.

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site plan applicable to any portion of block 30 or 31. The trail shall be constructed to the County standards for a Class A trail, with a surface of compacted stone dust.

2. **Affordable Housing.** The Owner shall provide affordable housing units equal to fifteen percent (15%) of the total residential units constructed on the Property, in the form of for-sale units, for-rent units, "accessory units" (as defined in paragraph 2(C)(3) herein), and "carriage units" (as defined in paragraph 2(C)(3) herein) and subject to the terms herein ("Affordable Units"). The Affordable Units shall be reasonably interspersed throughout the Property as provided in this paragraph 2, subject to the requirements of the Application Plan and the Code of Development. If the Owner elects at its option to provide for-sale single family detached Affordable Units, such units shall be applied toward the 15% requirement. Each subdivision plat and site plan for land within the Property shall designate the lots or units, as applicable, that will, subject to the terms and conditions of this proffer, incorporate Affordable Units as described herein, and the aggregate number of such lots or units designated for Affordable Units within each subdivision plat and site plan shall constitute a minimum of fifteen percent (15%) of the lots in such subdivision plat or site plan. Notwithstanding the foregoing, however, the Owner may "carry-over" or "bank" credits for Affordable Units in the event an individual subdivision plat or site plan designates Affordable Units that in the aggregate exceed the fifteen percent (15%) minimum for such subdivision plat or site plan, and such additional Affordable Units may be allocated toward the fifteen percent (15%) minimum on any future subdivision plat or site plan, provided however, that the maximum number of Affordable Units that may be carried over or banked shall not exceed fifteen percent (15%) of the total units on any subdivision plat or site plan.

The Owner shall convey the responsibility of constructing the Affordable Units to the subsequent owners of lots within the Property and such subsequent owner/builders shall succeed to the duties of the Owner under this paragraph 3A, and the term "Owner" shall refer to such subsequent owner/builders. Such subsequent owner/builders shall create Affordable Units affordable to households with incomes less than eighty percent (80%) of the area median income 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.

A. **For-Sale Affordable Units.** All purchases of the for-sale Affordable Units shall be approved by the Albemarle County Housing Office or its designee. The subsequent owner/builders shall provide the County or its designee a period of ninety (90) days to identify and prequalify an eligible purchaser for the Affordable Units. The ninety (90)-day period shall commence upon written notice from the then-current owner/builders that the Affordable Unit(s) will be available for sale. If the County or its designee does not provide a qualified purchase during this ninety (90)-day period, the then-current owner/builders shall have the right to sell the Affordable Unit(s) without any restriction on sales price or income of the purchaser(s), and such Affordable Unit(s) shall be counted toward the satisfaction of this paragraph 2. This requirement shall apply only to the first sale of each of the for-sale Affordable Units.

B. **For-Rent Affordable Units.**

(1). **Rental Rates.** The initial net rent for each for-rent Affordable Unit shall not exceed the then-current and applicable maximum net rent rate approved by the County Housing Office. In each subsequent calendar year, the monthly net rent for each for-rent Affordable Unit may be increased up to three percent (3%). For purpose of this proffer statement, the term "net rent" means that the rent does not include tenant-paid utilities. The requirement that the rents for such for-rent Affordable Units may not exceed the maximum net established in this paragraph 2B shall apply for a period of five (5) years following the date the certificate of occupancy is issued by the County for each for-rent Affordable Unit, or until the units are sold as low or moderate cost units qualifying as such under either the Virginia

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C. All proposed grading shall be shown with contour intervals not greater than two (2) feet. All concentrated surface drainage over lots shall be clearly shown with the proposed grading. All proposed grading shall be shown to assure that surface drainage can provide adequate relief from flooding of dwellings in the event a storm sewer fails.

D. Graded slopes on lots proposed to be planted with turf grasses (lawns) shall not exceed a gradient of three (3) feet of horizontal distance for each one (1) foot of vertical rise or fall (3:1). Steeper slopes shall be vegetated with low maintenance vegetation as determined to be appropriate by the County's program authority in its approval of an erosion and sediment control Plan for the land disturbing activity. These steeper slopes shall not exceed a gradient of two (2) feet of horizontal distance for each one (1) foot of vertical rise or fall (2:1), unless the County Engineer finds that the grading recommendations for steeper slopes have adequately addressed the impacts.

E. Surface drainage may flow across up to three (3) lots before being collected in a storm sewer or directed to a drainage way outside of the lots.

F. No surface drainage across a residential lot shall have more than one-half (1/2) acre of land draining to it.

G. All drainage from streets shall be carried across lots in a storm sewer to a point beyond the rear of the building site.

H. INTENTIONALLY OMITTED.

I. The Plan shall demonstrate that an area at least ten (10) feet in width, or to the lot line if it is less than (10) feet, from the portion of the structure facing the street, has grades no steeper than ten (10) percent adjacent to possible entrances to dwellings that will not be served by a stairway. This graded area also shall extend from the entrances to the driveways or walkways connecting the dwelling to the street.

J. Any requirement of this condition may be waived by the County Engineer by submitting a waiver request with the preliminary plat. If such a request is made, it shall include: (i) a justification for the request contained in a certified engineer's report; (ii) a vicinity map showing a larger street network at a scale no smaller than one (1) inch equals six hundred (600) feet; (iii) a conceptual plan at a scale no smaller than one (1) inch equals two hundred (200) feet showing surveyed boundaries of the property; (iv) topography of the property at five (5) foot intervals for the property being subdivided and on abutting lands to a distance of five hundred (500) feet from the boundary line or a lesser distance determined to be sufficient by the agent; (v) the locations of streams, stream buffers, steep slopes, floodplains, known wetlands; and (vi) the proposed layout of streets and lots, unit types, uses, and location of parking, as applicable. In reviewing a waiver request, the County Engineer shall consider whether the alternative proposed by the Owner satisfies the purpose of the requirement to be waived to at least an equivalent degree. In approving a waiver, the County Engineer shall find that requiring compliance with the requirement of this condition would not forward the purposes of the County's Subdivision and Water Protection Ordinances or otherwise serve the public interest; and granting the waiver would not be detrimental to the public health, safety or welfare, to the orderly development of the Project, and to the land adjacent thereto.

K. The Owner may request that the Plan be amended at any time. All amendments shall be subject to the review and approval by the County Engineer.

L. In the event that the County adopts overlot grading regulations after the date ZMA 2004-024 is approved, any requirement of those regulations that is less restrictive than any requirement of this

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Housing Development Authority, Farmers Home Administration, or Housing and Urban Development, Section 8, whichever comes first (the "Affordable Term").

(2). **Conveyance of Interest.** All deeds conveying any interest in the for-rent Affordable Units during the Affordable Term shall contain language reciting that such unit is subject to the terms of this paragraph 2. In addition, all contracts pertaining to a conveyance of any for-rent Affordable Unit, or any part thereof, during the Affordable Term shall contain a complete and full disclosure of the restrictions and controls established by this paragraph 2B. At least thirty (30) days prior to the conveyance of any interest in any for-rent Affordable Unit during the Affordable Term, the then-current owner shall notify the County in writing of the conveyance and provide the name, address and telephone number of the potential grantee, and state that the requirements of this paragraph 2B(2) have been satisfied.

(3). **Reporting Rental Rates.** During the Affordable Term, within thirty (30) days of each rental or lease term for each for-rent Affordable Unit, the then-current owner shall provide to the Albemarle County Housing Office a copy of the rental or lease agreement for each such Affordable Unit rented that shows the rental rate for such Affordable Unit and the term of the rental or lease agreement. In addition, during the Affordable Term, the then-current Owner shall provide to the County, if requested, any reports, copies of rental or lease agreements, or other data pertaining to rental rates as the County may reasonably require.

C. **Mixture of Types of Affordable Units.** No more than fifty percent (50%) of the Affordable Units may be accessory units and/or carriage units. For purposes of this proffer statement, "accessory units" shall mean Accessory Apartments as defined in the Albemarle County Code, Chapter 18, Section 3.1, and as regulated by the Albemarle County Code, Chapter 18, Section 5.1.34, and a unit within a two-family dwelling as a two-family dwelling is defined in the Virginia Uniform Statewide Building Code. For the purposes of this proffer statement, "carriage units" shall mean any separate, independent, accessory dwelling unit detached from, but located on the same parcel as the structure of and clearly subordinate to a single family detached dwelling, as distinguished from a duplex or other two-family dwelling.

3. **Cash Proffer for School Projects.** For each dwelling unit constructed on the Property that is not an Affordable Unit, the Owner shall contribute cash to Albemarle County for funding school projects within the Community of Crozet and shown on the County's Capital Improvements Program, as follows: one thousand dollars (\$1,000.00) for each single family detached unit, five hundred dollars (\$500.00) for each townhouse unit, and two hundred fifty dollars (\$250.00) for each multifamily unit. The cash contribution for each dwelling unit shall be paid at the time of the issuance of the building permit for such dwelling unit, unless the timing of the payment is otherwise specified by state law. If the cash contribution has not been exhausted by the County for the stated purposes within ten (10) years from the date of the issuance of the last residential building permit within the Property, all unexpended funds shall be refunded to the Owner.

4. **Cash Proffer for Park Master Plan.** Within one (1) year after the date that ZMA 2004-024 is approved, or within thirty (30) days after the request by the County, whichever is sooner, the Owner shall make a cash contribution to the County in the amount of fifty thousand dollars (\$50,000.00) for the purpose of funding a master plan for the 25-acre park land shown on sheet 5 of 9 of the General Development Plan (the "Park Master Plan"). If the Park Master Plan is completed for less than fifty thousand dollars (\$50,000.00), any remaining funds may be retained by the County and used to fund parks and recreation projects and improvements as described in paragraph 5. If such case contribution is not expended for the Park Master Plan within two (2) years from the date of the contribution, all unexpended funds shall be refunded to the Owner, provided that any portion of the cash contribution note

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paragraph 7 shall supersede the corresponding requirement of this paragraph, subject to the approval of the Director of the Department of Community Development.

8. **Construction of School Connections.** The Owner shall construct the pathway connections to the schools, shown as "Pathway Connection to Schools," and "Road and Sidewalk Connection to Schools" on sheet 5 of 9 of the General Development Plan, within six (6) months after the approval by the County of the first subdivision plat or site plan applicable to any portion of a block that either includes or is adjacent to any such connection.

WITNESS the following signature:

MARCH MOUNTAIN PROPERTIES, L.L.C.

By: *James V. Venable*

Printed Name: *James V. Venable*

Title: *Manager*

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required to fund the Park Master Plan that is retained by the County as provided herein, shall be refunded to the Owner as provided in paragraph 5 if such funds are not expended within the time provided therein. THE REQUIREMENTS OF THIS PARAGRAPH FOUR HAVE BEEN SATISFIED.

5. **Cash Proffer for Park Projects.** For each dwelling unit constructed on the Property that is not an Affordable Unit, the Owner shall contribute cash to Albemarle County for funding parks and recreation projects and improvements identified on the County's Capital Improvements Program within the Park and Greenway Area in general accord with the Park Master Plan as available funding allows, as follows: one thousand dollars (\$1,000.00) for each single family detached unit, five hundred dollars (\$500.00) for each townhouse unit, and two hundred fifty dollars (\$250.00) for each multifamily unit. Notwithstanding the terms of this paragraph 5 to the contrary, however, the Owner shall receive a "credit" against the first fifty thousand dollars (\$50,000.00) that would otherwise be owed to the County pursuant to this paragraph 5, in recognition of the cash proffer referenced in paragraph 4. In the event the cash proffer referenced in paragraph 4 is not sufficient to fund the Park Master Plan, the County may apply a portion of the cash proffer described in this paragraph 5 as required to fully fund the Park Master Plan. If the County determines it to be a more reasonable use of funds, the County may substitute facilities shown on the Park Master Plan or locate facilities shown on the Park Master Plan elsewhere in the Community of Crozet. The cash contribution for each dwelling unit shall be paid at the time of the issuance of the building permit for such dwelling unit, unless the timing of the payment is otherwise specified by state law. If the cash contribution has not been exhausted by the County for the stated purpose within ten (10) years from the date of the issuance of the last residential building permit within the Property, all unexpended funds shall be refunded to the Owner.

6. **Phasing of Retail Development.** Prior to the issuance of a building permit for the five hundredth (500<sup>th</sup>) dwelling unit within the Property, the aggregate retail space within the Property shall not exceed forty-eight thousand (48,000) square feet. Prior to the issuance of a building permit for the one thousandth (1,000<sup>th</sup>) dwelling unit within the Property, the aggregate retail space within the Property shall not exceed ninety-six thousand (96,000) square feet. Prior to the issuance of a building permit for the one thousand five hundredth (1,500<sup>th</sup>) dwelling unit within the Property, the aggregate retail space within the Property shall not exceed one hundred forty-four thousand (144,000) square feet. Prior to the issuance of a building permit for the two thousandth (2,000<sup>th</sup>) dwelling unit with the Property, the aggregate retail space within the Property shall not exceed one hundred ninety-two thousand (192,000) square feet. Retail space shall not include office space or any health and fitness facility.

7. **Overlot Grading Plan.** The Owner shall submit an overlot grading plan meeting the requirements of this section (hereinafter, the "Plan") with the application for each subdivision of the single family detached and single family attached dwelling units shown on the General Development Plan. The Plan shall show existing and proposed topographic features to be considered in the development of the proposed subdivision. The Plan shall be approved by the County Engineer prior to final approval of the subdivision plat. The subdivision shall be graded as shown on the approved Plan. No certificate of occupancy shall be issued for any dwelling on a lot where the County Engineer has determined the lot is not graded consistent with the approved grading Plan. The Plan shall satisfy the following:

A. The Plan shall show all proposed streets, building sites, surface drainage, driveways, trails and other features the County Engineer determines are needed to verify that the Plan satisfies the requirements of this paragraph 7.

B. The plan shall be drawn to a scale not greater than one (1) inch equals fifty (50) feet.

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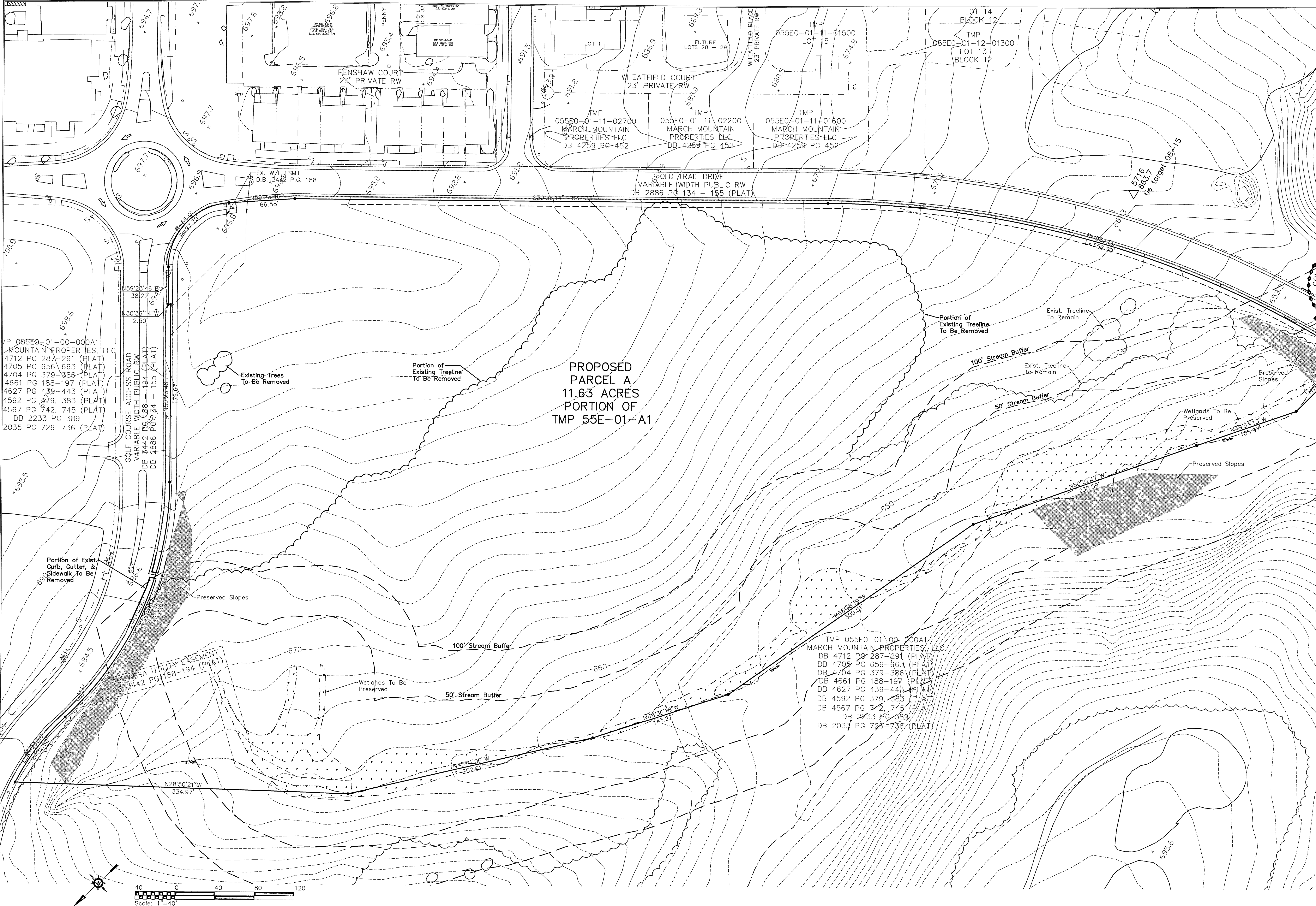


PROFFERS

INITIAL SITE DEVELOPMENT PLAN FOR  
OLD TRAIL BLOCKS 5, 20, & 21  
ALBEMARLE COUNTY, VIRGINIA

Date: 05/23/16  
Scale:  
Sheet No.: C2 OF 10  
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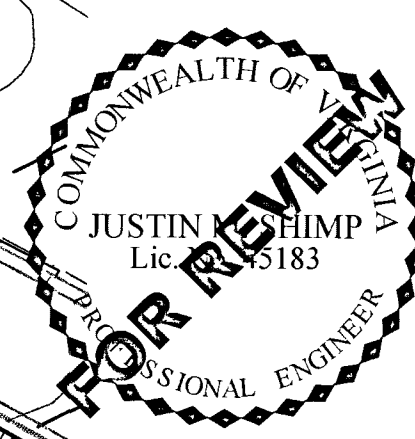


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4705 PG 656-663 (PLAT)  
4704 PG 379-386 (PLAT)  
4661 PG 188-197 (PLAT)  
4627 PG 439-443 (PLAT)  
4592 PG 379, 383 (PLAT)  
4567 PG 742, 745 (PLAT)  
DB 2233 PG 389  
2035 PG 726-736 (PLAT)

2035 PG 726-736 (PLAT)  
DB 3442 PG 188-194 (PLAT)  
DB 3442 PG 188-194 (PLAT)

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DB 4704 PG 379-386 (PLAT)  
DB 4661 PG 188-197 (PLAT)  
DB 4627 PG 439-443 (PLAT)  
DB 4592 PG 379, 383 (PLAT)  
DB 4567 PG 742, 745 (PLAT)  
DB 2233 PG 389  
DB 2035 PG 726-736 (PLAT)

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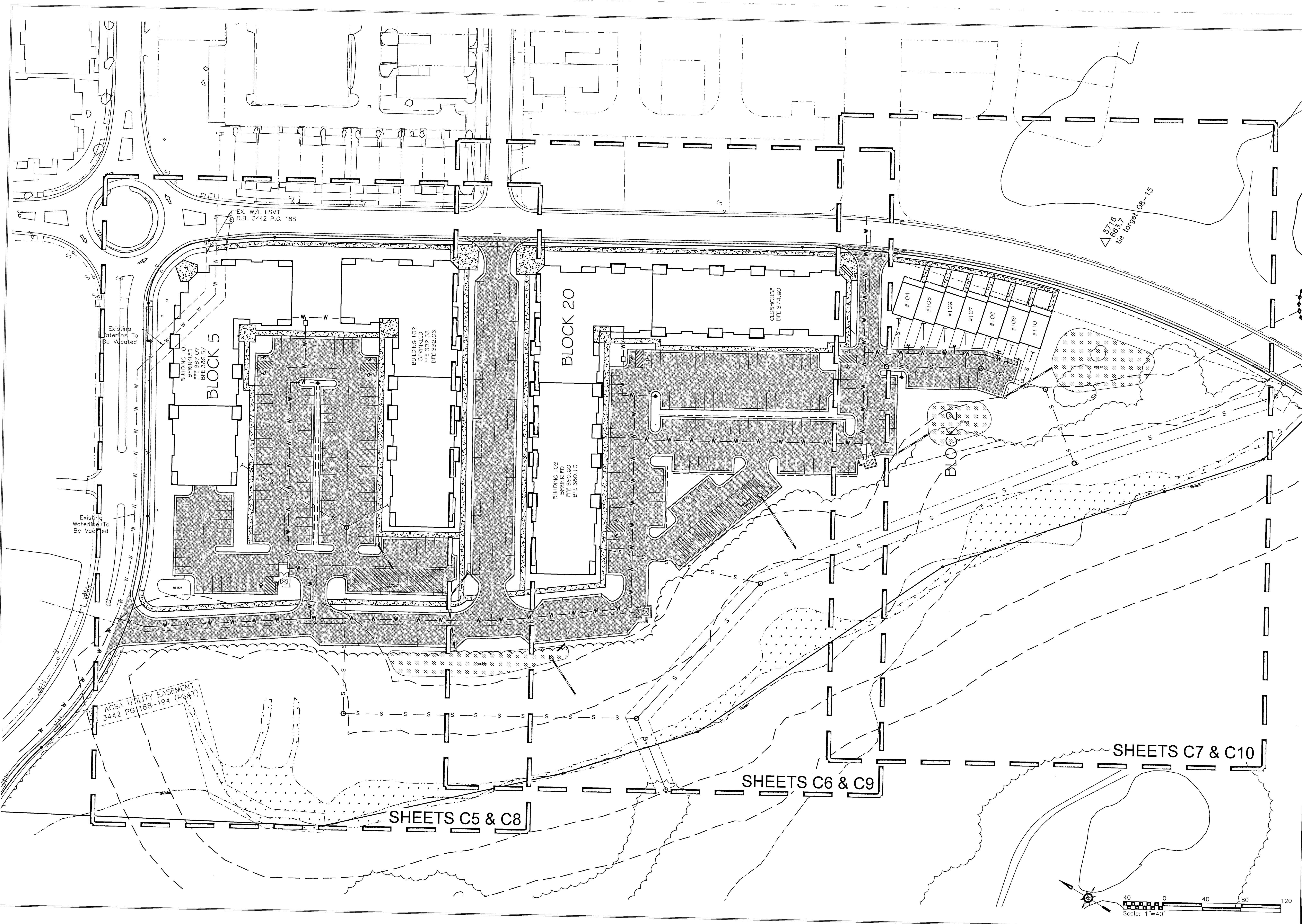
**EXISTING CONDITIONS  
& DEMO**

Rev #	Date	Description

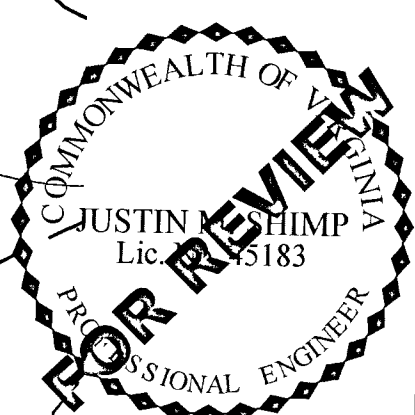
**INITIAL SITE DEVELOPMENT PLAN FOR  
OLD TRAIL BLOCKS 5, 20, & 21  
ALBEMARLE COUNTY, VIRGINIA**

Date: 05/23/16  
Scale: 1" = 40'  
Sheet No.: C3 OF 10  
File No.: 16.020





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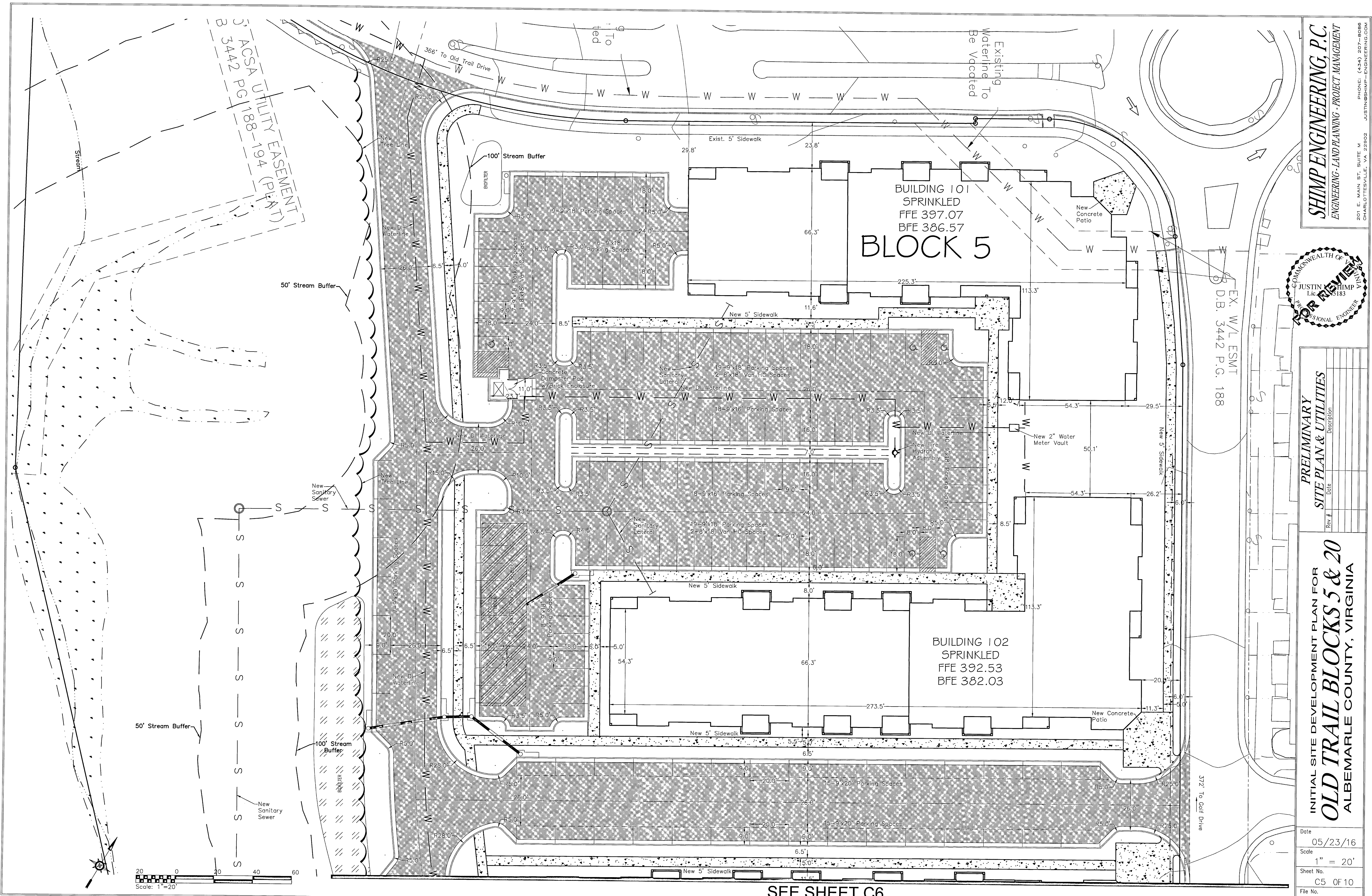
**SITE OVERVIEW**

Rev #	Date	Description

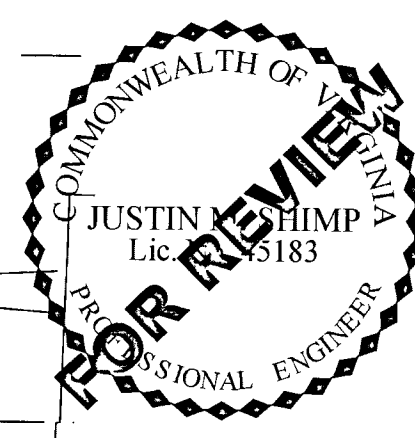
INITIAL SITE DEVELOPMENT PLAN FOR  
**OLD TRAIL BLOCKS 5 & 20**  
ALBEMARLE COUNTY, VIRGINIA

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Scale	1" = 40'
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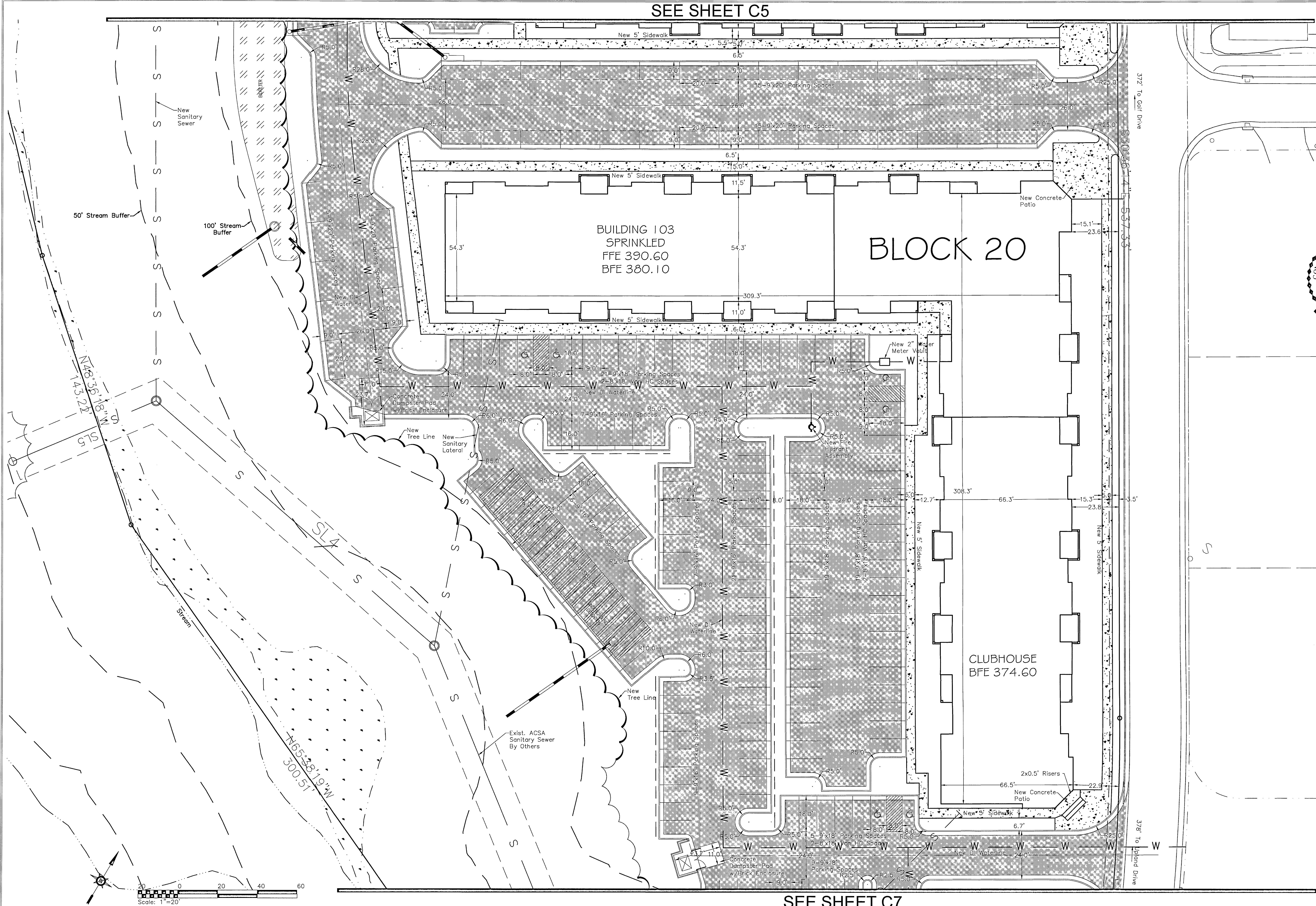
**PRELIMINARY**  
**SITE PLAN & UTILITIES**

**INITIAL SITE DEVELOPMENT PLAN FOR**  
**OLD TRAIL BLOCKS 5 & 20**  
 ALBEMARLE COUNTY, VIRGINIA

Date	05/23/16
Scale	1" = 20'
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SEE SHEET C6





SEE SHEET C5

SEE SHEET C7

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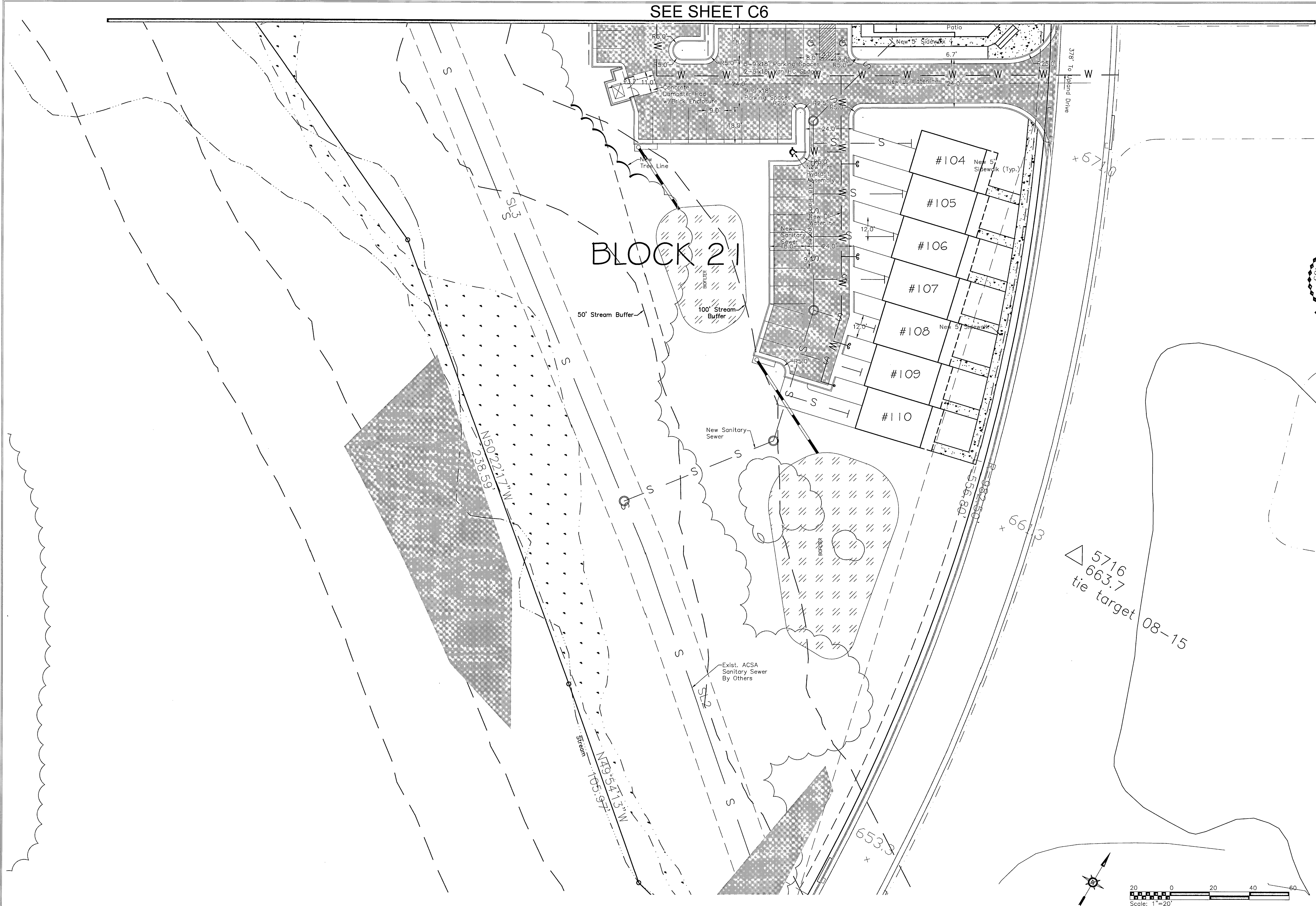
PRELIMINARY  
SITE PLAN & UTILITIES

Rev #	Date	Description

INITIAL SITE DEVELOPMENT PLAN FOR  
**OLD TRAIL BLOCKS 5 & 20**  
ALBEMARLE COUNTY, VIRGINIA

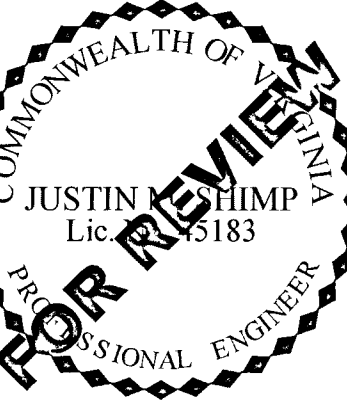
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SEE SHEET C6

BLOCK 21



PRELIMINARY		
SITE PLAN & UTILITIES		
Rev #	Date	Description

INITIAL SITE DEVELOPMENT PLAN FOR  
**OLD TRAIL BLOCKS 5 & 20**  
ALBEMARLE COUNTY, VIRGINIA

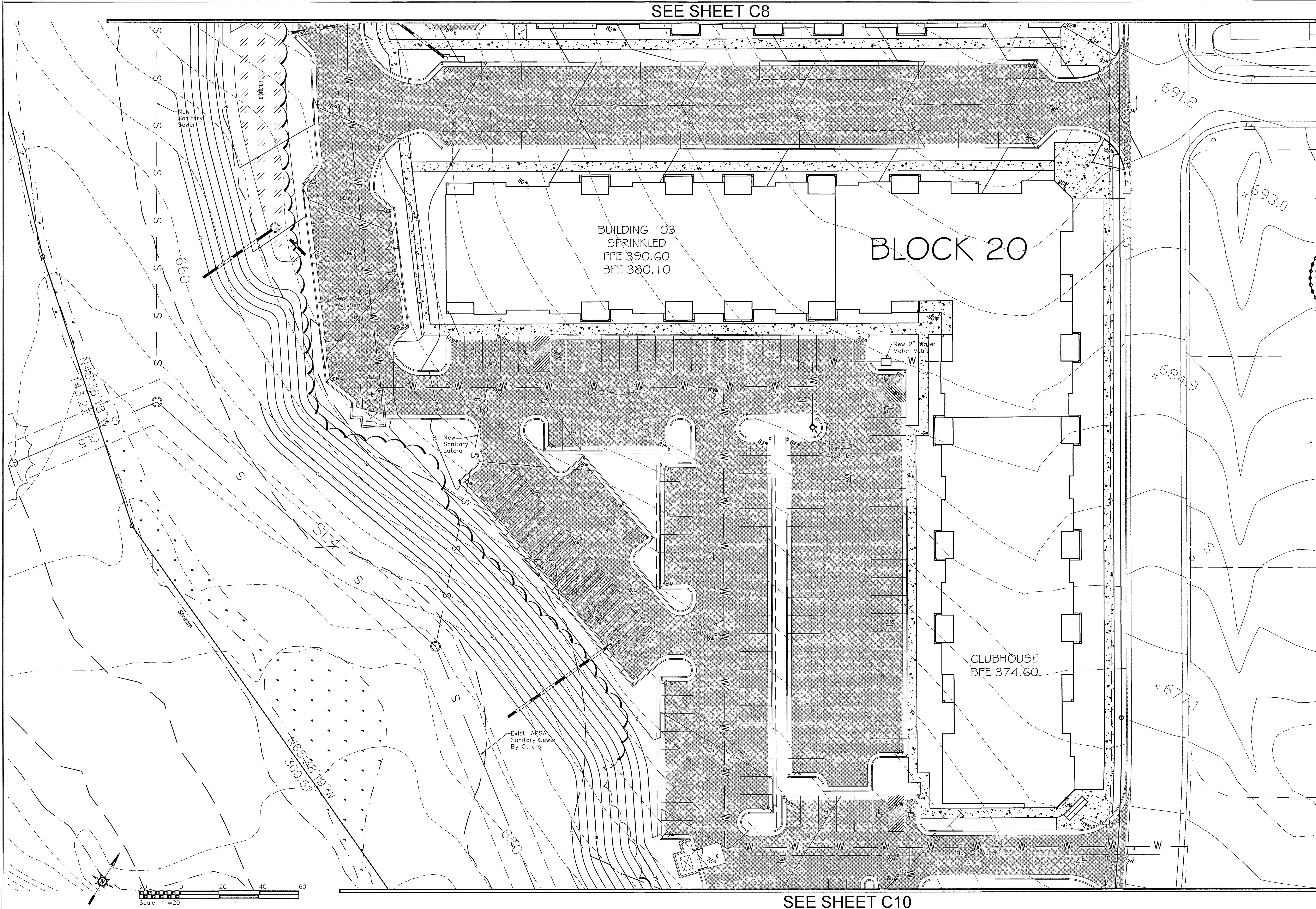
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File No.	16.020

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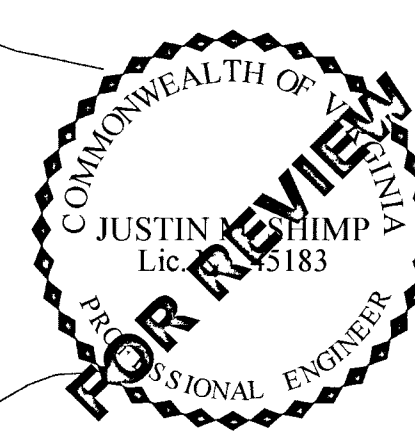






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PRELIMINARY GRADING PLAN	
Rev #	Description

INITIAL SITE DEVELOPMENT PLAN FOR  
**OLD TRAIL BLOCKS 5 & 20**  
ALBEMARLE COUNTY, VIRGINIA

Date	05/23/16
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SEE SHEET C9

BLOCK 21

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PRELIMINARY GRADING PLAN	
Rev #	Description

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Date: 05/23/16  
Scale: 1" = 20'  
Sheet No.: C10 OF 10  
File No.: 16.020