

**PROFFER STATEMENT FOR THE APPLICATION OF
MIDTOWN REDEVELOPMENT PARTNERS, LLC and TOWN OF
BLACKSBURG**

Dated: February 28, 2019

Pursuant to Virginia Code § 15.2-2298 and Blacksburg Zoning Ordinance § 1160, MIDTOWN REDEVELOPMENT PARTNERS, LLC, and the TOWN OF BLACKSBURG, the owner(s) of the property (“Owner”) that is the subject of this Application (Tax Parcels #257-A 94, #257-A 94A, 257-A 217, 257-A 218, & 257-25 C) agree that the subject property will be developed in accordance with the following voluntarily proffered conditions in the event the subject property is rezoned from R-4 to DC and PRD as requested in the Rezoning Application (defined below) and in the event the Town Council for the Town of Blacksburg, VA approves the Development Agreement between the Town of Blacksburg, VA and Midtown Redevelopment Partners, LLC as submitted by Midtown Redevelopment Partners, LLC and with any changes approved by Midtown Redevelopment Partners, LLC.

1. The property shall be developed in:
 - a. Substantial conformance with the submitted rezoning package entitled “DOWNTOWN COMMERCIAL & PLANNED RESIDENTIAL DISTRICT FOR THE REDEVELOPMENT OF THE OLD BLACKSBURG MIDDLE SCHOOL PROPERTY” originally dated October 6, 2017 and last revised on February 8, 2019 (the “**Rezoning Application**”); and
 - b. Substantial conformance with the requirements labeled “Proffered Elements” included in the included in the OLD BLACKSBURG MIDDLE SCHOOL SITE PATTERN BOOK dated February 8, 2019 (the “**Pattern Book**” and collectively the “**Rezoning Package**”) and in general conformance with the guiding principles labeled “Guiding Elements” included in the Pattern Book. The Guiding Elements guide the general appearance and location of the features in the community, including public uses, and the form, scale and mass of the buildings in the community, unless otherwise requested and specifically approved pursuant to Proffered Condition 9 below. The illustrations and information contained in the Guiding Elements are conceptual in nature and may vary in detail.
2. To address the increased traffic resulting from the approved development, the Owner will construct at no cost to the town (i) a new traffic signal, including signal lights & poles, electrical signal boxes, engineering analysis and signal timing, and (ii) all associated road improvements at the intersection of South Main Street and Eheart Street, no later than the issuance of the first certificate of occupancy in the project.
3. New Church Street shall be paved, dedicated and submitted for acceptance no later than the issuance of the first certificate of occupancy for any one of the four (4) buildings adjoining New Church Street. The public roads, or sections thereof, within the Planned Residential District shall be paved, dedicated and submitted for acceptance prior to the issuance of a certificate of occupancy for any

residential unit that would be accessed from said public street or portion thereof.

4. The property shall be developed in substantial conformance with the street grid as shown on the concept plans included in the application.
5. The Owner shall maintain a running total of all site development items with each site plan as site plans are submitted to the Town. These items may include, but are not limited to, open space, parking spaces, number of units, and square footage of uses.
6. No more than seventy-five percent (75%) of the total unit number in the entire project area will be multi-family units, and at least twenty-five percent (25%) of the total unit number in the entire project area will be townhomes.
7. The Owner proffers that all PRD buildings in the Project shall be designed and constructed with consideration of environmentally responsible design principles, which shall be demonstrated by each building meeting a minimum of the "Earthcraft" green building standards shown in the attached list of design considerations in the areas of:
 - Site Planning,
 - Construction Waste Management,
 - Resource Efficiency,
 - Durability and Moisture Management,
 - Indoor Air Quality,
 - High Performance Building Envelope, and
 - Energy Efficient Systems,

sufficient to score in excess of 100 points using the Earthcraft Multifamily New Construction Equivalent Points scoring system, as set forth in the attached appendix.

Given the length of the anticipated phases of development, and the fact that new and improved green building and certification programs and standards may be developed over the 8-10 year anticipated build-out, Town staff may approve comparable green building standards which utilize a 3rd party certification process and/or scoring system. With housing affordability a consideration, it is the Owner's desire to avoid imposing additional certifications that are costly, or apply standards that may become outdated and limit options that may become available in the future with new building materials, updated design criteria and new energy saving technology.

Therefore, parcel owners may elect to:

- (i) obtain the applicable Earthcraft certification or an approved alternative for the building(s); or
 - (ii) retain a licensed architect or engineer, with demonstrated professional experience in green building methods acceptable to the Town, to provide adequate documentation to the Town to verify that the building(s), as designed and constructed, meet the Earthcraft scoring standard set forth above, or the applicable scoring criteria required for certification in an alternate program selected by the parcel owner and approved by the Town.
8. All surface parking spaces shall be screened from the public right of way of Eheart Street by way of evergreen plantings or fencing/site walls. Evergreen

- plantings must be 4' in height at time of planting and be spaced a maximum of 4' apart. Any fencing or wall must be constructed at a 4' height.
9. The final location, orientation and design of all proposed Downtown Commercial buildings shall be approved by the Blacksburg Town Council through a process agreed to by the Owner and the Town, except DC Parcel #1A and DC Parcel #1B must include input from the Planning Commission.
 10. The following uses shall be allowed per parcel within the Downtown Commercial District and the Planned Residential District.

DC Parcel #1A: Parking Facility.

DC Parcel #1B: Civic/Administrative Services. In the event such Civic use is not constructed, then the permitted uses shall be the same as DC Parcel #4A.

DC Parcel #2A: All uses listed in the Town of Blacksburg Zoning Ordinance Section 3141- Permitted Uses, but excluding Consumer Repair Service, Funeral Home, Pawn Shop and Tattoo Parlor; and including the following conditional uses and subject to the applicable use and design standards in the Town of Blacksburg Zoning Ordinance: General Office on the ground floor and Medical Office on the ground floor. No more than 25% of that ground floor area accessed by South Main Street shall be used for General Office and Medical Office. Any Multi-Family Dwelling use shall be located above the third floor, measured from and including the ground floor.

DC Parcel #2B: All uses listed in the Town of Blacksburg Zoning Ordinance Section 3141- Permitted Uses, but excluding Consumer Repair Service, Funeral Home, Pawn Shop and Tattoo Parlor; and including the following conditional uses and subject to the applicable use and design standards in the Town of Blacksburg Zoning Ordinance: General Office on the ground floor and Medical Office on the ground floor. No more than 25% of that ground floor area accessed by South Main Street shall be used for General Office and Medical Office. Any Multi-Family Dwelling use shall be located above the third floor, measured from and including the ground floor.

DC Parcel #3: Public Parks and Recreation Areas, and Public Recreations Assembly.

DC Parcel #4A: All uses listed in the Town of Blacksburg Zoning Ordinance Section 3141- Permitted Uses, but excluding Consumer Repair Service, Funeral Home, Pawn Shop and Tattoo Parlor; and including the following conditional uses and subject to the applicable use and design standards in the Town of Blacksburg Zoning Ordinance: General Office on the ground floor and Medical Office on the ground floor. No more than 50% of the ground floor area shall be used for General Office and Medical Office.

DC Parcel #4B: All uses listed in the Town of Blacksburg Zoning Ordinance Section 3141- Permitted Uses, but excluding Consumer Repair Service, Funeral Home, Pawn Shop and Tattoo Parlor; and including the following conditional uses and subject to the applicable use and design standards in the Town of Blacksburg Zoning Ordinance: General Office on the ground floor and Medical Office on the ground floor. No more than 50% of the ground floor area shall be used for General Office and Medical Office.

DC Parcel #4C: Parking Facility.

DC Parcel #5: All uses listed in the Town of Blacksburg Zoning Ordinance Section 3141- Permitted Uses, but excluding Consumer Repair Service, Funeral Home, Pawn Shop and Tattoo Parlor; and including the following conditional uses and subject to the applicable use and design standards in the Town of Blacksburg Zoning Ordinance: General Office on the ground floor and medical office on the Ground Floor. No more than 50% of the ground floor area shall be used for General Office and Medical Office.

DC Parcel #6: The conditional use Hotel/Motel listed in the Town of Blacksburg Zoning Ordinance Section 3141- Permitted Uses and subject to the applicable use and design standards in the Town of Blacksburg Zoning Ordinance.

PRD Parcel #1: Civic – Public Park and Recreation Area

PRD Parcel #2: Multi-Family Dwelling, Townhouse and Community Recreation

PRD Parcel #3: Multi-Family Dwelling and Townhouse

PRD Parcel #4: Multi-Family Dwelling and Townhouse

PRD Parcel #5: Townhouse, Two-Family Dwelling and Community Recreation

To the extent the boundary lines of one or more of the parcel designations in this proffer are adjusted as permitted in the Rezoning Application, the parcel area designated for particular uses in this proffer shall also adjust to correspond to the new boundary lines for the affected parcel. In the event one or more of the parcel designations in this proffer are combined as permitted in the Rezoning Application, the allowed uses in each of the parcels shall be combined with none of the designated uses being extinguished; provided, however, that in the DC zoned portion of the project only DC Parcel 1A may be combined only with DC Parcel 1B, DC Parcel 2A may be combined only with DC Parcel 2B and DC Parcel 4A may be combined only with DC Parcel 4B.

11. In addition to any other proffered elements set out in the Pattern Book applicable to the development of the parcel, the development of the allowed uses on the parcels in the Downtown Commercial District shall comply with the following parcel design restrictions:

DC Parcel #1A: Parking Structure or Surface Parking, see **Exhibit A**

DC Parcel #1B: Civic and Commercial, see **Exhibit A**

DC Parcel #2A: Multi-Use: Commercial, Office, Civic and Residential, see **Exhibit B**

DC Parcel #2B: Multi-Use: Commercial, Office, Civic and Residential, see **Exhibit B**

DC Parcel #3: Civic per Pattern Book

DC Parcel #4A: Multi-Use: Commercial, Office, Civic and Residential, see **Exhibit C**

DC Parcel #4B: Multi-Use: Commercial, Office, Civic and Residential, see **Exhibit D**

DC Parcel #4C: Surface Parking for Multi-Use buildings and Open Space

DC Parcel #5: Multi-Use: Commercial, Office, Civic and Residential, see **Exhibit E**

DC Parcel #6: Hotel, see **Exhibit F**

In the event of any conflict or ambiguity between the restrictions contained in Exhibits A-F and the Pattern Book, these Exhibits shall control, except for the landscaping requirements in these Exhibits which shall be met and interpreted in accordance with the landscape section of the Pattern Book.

To the extent the boundary lines of one or more of the parcel designations in this proffer are adjusted as permitted in the Rezoning Application, the parcel area designated for particular uses in this proffer shall also adjust to correspond to the new boundary lines for the affected parcel. In the event one or more of the parcel designations in this proffer are combined as permitted in the Rezoning Application, the allowed uses in each of the parcels shall be combined with none of the designated uses being extinguished; provided, however, that in the DC zoned portion of the project DC Parcel 1A may be combined only with DC Parcel 1B, DC Parcel 2A may be combined only with DC Parcel 2B and DC Parcel 4A may be combined only with DC Parcel 4B.

12. In addition to any other proffered elements set out in the Pattern Book applicable to the development of the parcel, the development of the allowed uses on the parcels in the Planned Residential District shall comply with the following parcel design restrictions:

PRD Parcel #1: Civic/Park Space per the Pattern Book

PRD Parcel #2: Multi-Family Residential. Townhomes and Community Recreation, see **Exhibit G**

PRD Parcel #3: Multi-Family Residential and Townhomes, see **Exhibit H**

PRD Parcel #4: Multi-Family Residential and Townhomes, see **Exhibit I**

PRD Parcel #5: Townhomes, Duplexes and Community Recreation, see **Exhibit J**

In the event of any conflict or ambiguity between the restrictions contained in Exhibits A-F and the Pattern Book, these Exhibits shall control, except for the landscaping requirements in these Exhibits which shall be met and interpreted in accordance with the landscape section of the Pattern Book.

To the extent the boundary lines of one or more of the parcel designations in this proffer are adjusted as permitted in the Rezoning Application, the parcel area designated for particular uses in this proffer shall also adjust to correspond to the new boundary lines for the affected parcel. In the event one or more of the parcel designations in this proffer are combined as permitted in the Rezoning Application, the allowed uses in each of the parcels shall be combined with none of the designated uses being extinguished; provided, however, that in the DC zoned portion of the project DC Parcel 1A may be combined only with DC Parcel 1B, DC Parcel 2A may be combined only with DC Parcel 2B and DC Parcel 4A may be combined only with DC Parcel 4B.

DC Parcel and PRD Parcel references in Proffered Conditions 10, 11 and 12 refer to the parcels shown on and designated on Appendix Sheet Z3 – Zoning Plan attached to the Rezoning Application.

13. The Owner shall construct improvements within DC Parcel 3 in accordance with Proffered Condition 1(b), and as approved by the Town, no later than the issuance of the first certificate of occupancy for either of the buildings adjoining

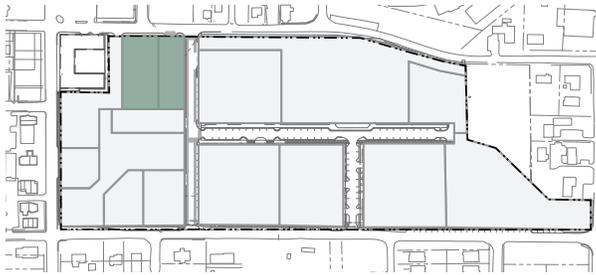
the Plaza to be located within the project at the corner of South Main Street and Eheart Street.

14. The initial signage standard for the PR zoned portion of the project shall be the signage requirements set forth in Section 5532 of the Town of Blacksburg Zoning Ordinance. Upon the Town Council's approval of a Special Signage District for the project, this initial signage standard shall be replaced by the Special Signage District.
15. No Community Recreation use on PRD Parcel #5 shall front on Eheart Street.
16. The Owner shall grant an access easement for use of the loop drive-aisle around the Old School Commons benefiting the DC parcels to permit access to such parcels, parking around the Old School Commons and the Parking Facility on DC Parcel 1A.

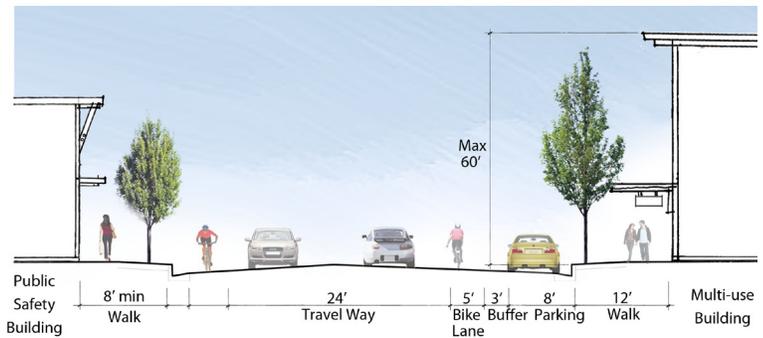
The undersigned hereby warrants that all of the owners of a legal interest in the subject property have signed this proffer statement, that they have full authority to bind the property to these conditions, and that the proffers contained in this statement are not "unreasonable" as that term is defined by Virginia Code § 15.2-2303.4, and that the proffers are entered into voluntarily. In the attached **Exhibit K** the owner has explained the following:

- a) How each proffered condition addresses an impact specifically attributable to the proposed new residential development; and/or
- b) Whether there are any offsite proffers and how they benefit the project.

In the attached **Exhibit L** the ownership interest of each Owner has been provided.



Key Map



New Church Street

Allowed Uses

- Civic, parking and other permitted uses if permitted.

Height

- Maximum 60' to top of roof or parapet

Setbacks

All buildings on New Church Street will have the following setback from the curb to face of structure.

- **Front**
 - East side of street 12' min.
 - West side of street 8' min.
- **Side**
 - Between buildings 10' min.
- **Corner**
 - Corner to parking /drive 5' min.
- **Rear**
 - Buildings may abut alley

Overhangs

- May extend a maximum of 48" into setback

Parking

- Parking Facility
- Shared parking allowed
- Required Parking 37 stalls

Entries

- Front doors must face the street or Old School Common and provide access from the public sidewalk.
- Entries shall feature weather protection for pedestrians.

Landscape

- Street tree species shall be consistent along both sides of the street and maintain a regular street pattern unless prohibited by conflicts such as driveways or utilities.
- Parking lots and structures shall be screened with shrubs and trees from all public and private streets. See Pattern Book for required landscape requirements.

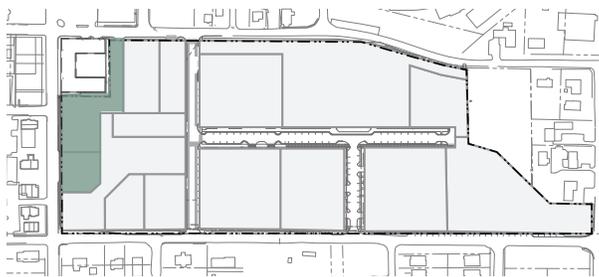
Architecture

- **Façade Materials**

Buildings shall be constructed with a minimum of 50% masonry materials such as brick, stone or high quality synthetic stone with a minimum 1 1/2" thickness as approved by the Town.
- **Alternative Materials**

The remaining 50% of façade materials may include cast materials, glass, metal and cement composite siding, smooth finished concrete or equivalents as approved by the town. A maximum of 20% of the facade can be EIFS used as accent panels. No EIFS may be used on first floor.
- **Foundations**

Foundations shall be monolithic slab or basement construction. All foundations visible on the exterior of the building shall be faced with brick, high quality synthetic stone with a minimum 1 1/2" thickness as approved by the Town, smooth finished concrete surfacing or parged/ painted concrete.
- **Vinyl Siding** is not permitted.



Key Map

Allowed Uses

- Multi-Use: Commercial, Office, Civic and Residential
- Multi-use commercial on ground related levels with residential allowed above the third level.
- No more than 25% of the ground floor accessed off South Main Street shall be office uses.

Height

- Height shall be calculated from the common side of the building.
- 60' maximum to top of roof or parapet

Setbacks

- **Front**
 - ROW to face of building 20' min.
 - ROW to outdoor eating 5' min.
 - Front facade to parking 10' min.
- **Side**
 - Between buildings 10' min.
- **Corner**
 - South corner opens to Midtown Plaza

Overhangs

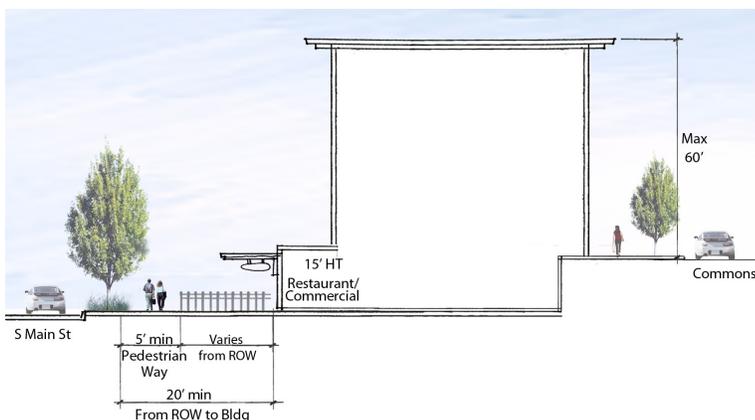
- May extend a maximum of 48" into setback

Parking

- Parking for uses fronting on South Main Street will be in the parking facility. Parking may also be located under the building or be surface parking.
- Drop-off and perpendicular parking for the Main Street building shall be provided in the Common.
- Shared parking allowed
- Parking required
 - Non-residential 1 stall per 300 sf
 - Residential 1 bedroom -1 stall per unit
 - 2 bedrooms or more -2 stalls per unit

Entries

- Front doors must face the street or common open space and provide access directly to a public sidewalk.
- Any ground floor uses shall have entries that face South Main Street.
- Entries shall be covered to provide weather protection for pedestrians.



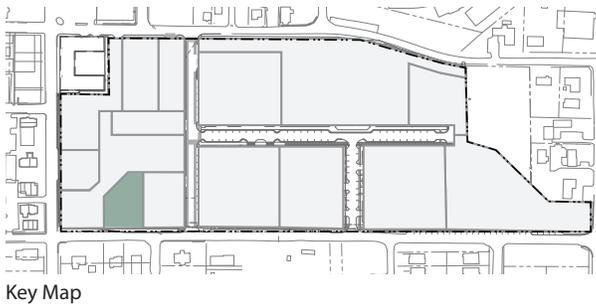
South Main Street Section

Landscape

- On the South Main Street frontage, Ginkgo Biloba shall be provided to match existing town street trees.
- Street trees shall maintain a regular street pattern where possible, except where conflicts exist with site distance, utilities and driveways.
- The landscaping on South Main Street shall be an urban treatment. The trees may be located in tree grates or urban planters. See Pattern Book for requirements.

Architecture

- **Office, commercial and hospitality building facades** shall present a pedestrian oriented streetscape using proportionate windows and entries following the requirements in the Pattern Book. See Pattern Book for requirements.
- **Building massing** The massing shall be consistent with existing urban downtown core.
- **Façade Materials** Buildings shall be constructed with a minimum of 50% masonry materials such as brick, stone or high quality synthetic stone with a minimum 1 1/2" thickness as approved by the Town.
- **Alternative Materials** The remaining 50% of façade materials may include cast materials, glass, metal and cement composite siding, smooth finished concrete or equivalents as approved by the town. A maximum of 20% of the facade can be EIFS used as accent panels. No EIFS may be used on first floor.
- **Foundations** Foundations shall be monolithic slab or basement construction. All foundations visible on the exterior of the building shall be faced with brick, high quality synthetic stone with a minimum 1 1/2" thickness as approved by the Town, smooth finished concrete surfacing or parged/painted concrete.
- **Vinyl Siding is not permitted.**



Allowed Uses

- Multi-Use: Commercial, Office, Civic and Residential, above first level
- No more than 50% of the ground floor shall be office uses

Height

- Maximum 60' to top of roof or parapet

Setbacks

- **Front**
Eheart- ROW to face of building 15' min.
Common- Parking to face of building 10' min.
- **Side**
Between buildings 10' min.

Overhangs

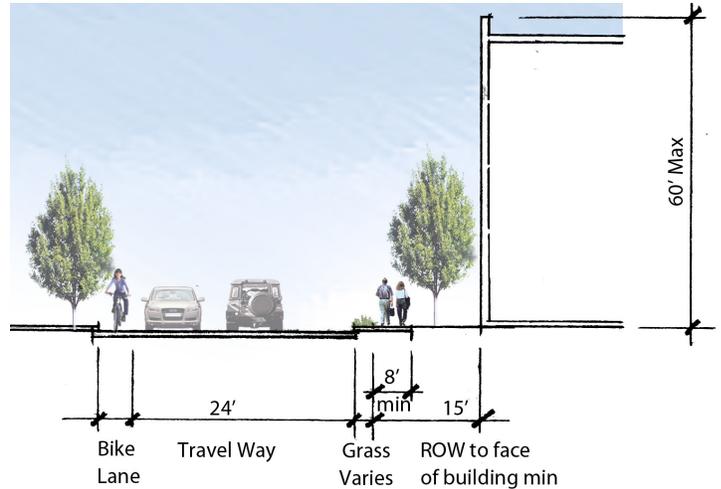
- May extend a maximum of 48" into setback

Parking

- Parking will be located behind the building and screened from Eheart Street.
- Parking will share the parking facility with the public safety building and be surface parking.
- Shared Parking allowed.
- Parking required
 - Non-residential 1 stall per 300 sf
 - Residential 1 bedroom -1 stall per unit
2 or more bedrooms -2 per unit

Entries

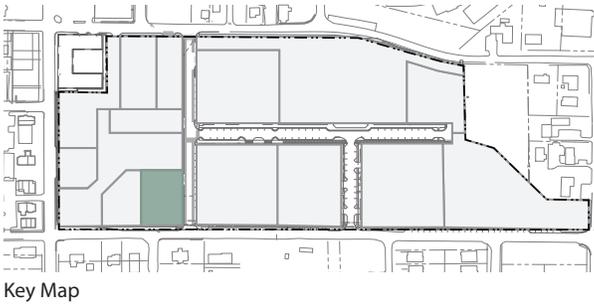
- Front doors must face Old School Common and Eheart Street. Access shall be provided from a public sidewalk.
- Entries shall feature weather protection for pedestrians.



Eheart Street Section

Architecture

- **Office, commercial and hospitality building facades** shall present a pedestrian oriented streetscape using proportionate windows and entries following the requirements in the Pattern Book. See Pattern Book for requirements.
- **Façade Materials**
Buildings shall be constructed with a minimum of 50% masonry materials such as brick, stone or high quality synthetic stone with a minimum 1 1/2" thickness as approved by the Town.
- **Alternative Materials**
The remaining 50% of façade materials may include cast materials, glass, metal and cement composite siding, smooth finished concrete or equivalents as approved by the town. A maximum of 20% of the facade can be EIFS used as accent panels. No EIFS may be used on first floor.
- **Foundations**
Foundations shall be monolithic slab or basement construction. All foundations visible on the exterior of the building shall be faced with brick, high quality synthetic stone with a minimum 1 1/2" thickness as approved by the Town, smooth finished concrete surfacing or parged/ painted concrete.
- **Vinyl Siding** is not permitted.



Allowed Uses

- Multi-Use: Commercial, Office, Civic and Residential above the first level.
- No more than 50% of the ground floor shall be office uses.

Height

- Maximum 60' to top of roof or parapet

Setbacks

- **Front**
 Eheart - ROW to face of building 15' min.
 Common- Parking to face of building 10' min.
- **Side & Corner**
 Between buildings 10' min.

Overhangs

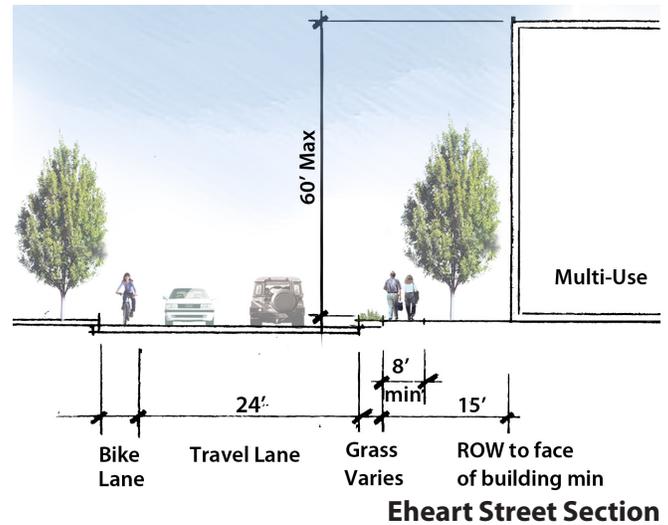
- May extend a maximum of 48" into setback

Parking

- Parking will be located behind the building and screened from Eheart Street.
- Parking will share the parking facility with the public safety building and be surface parking.
- Parking required
 - Non-residential 1 stall per 300 sf
 - Residential 1 bedroom -1 stall per unit
 2 or more bedrooms -2 stalls per unit
 Shared parking allowed

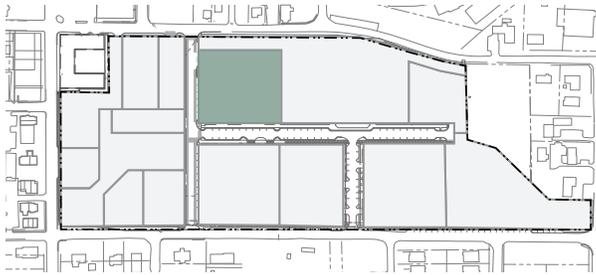
Entries

- Front doors must face Old School Common and Eheart Street. Access shall be provided from a public sidewalk.
- Entries shall feature weather protection for pedestrians.

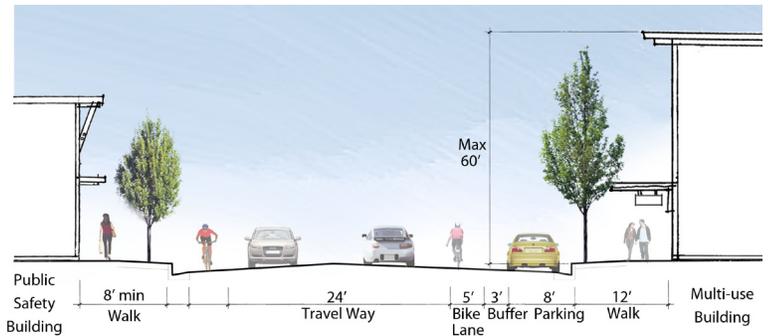


Architecture

- **Office, commercial and hospitality building facades** shall present a pedestrian oriented streetscape using proportionate windows and entries following the requirements in the Pattern Book. See Pattern Book for requirements.
- **Façade Materials**
 Buildings shall be constructed with a minimum of 50% masonry materials such as brick, stone or high quality synthetic stone with a minimum 1 1/2" thickness as approved by the Town.
- **Alternative Materials**
 The remaining 50% of façade materials may include cast materials, glass, metal and cement composite siding, smooth finished concrete or equivalents as approved by the town. A maximum of 20% of the facade can be EIFS used as accent panels. No EIFS may be used on first floor.
- **Foundations**
 Foundations shall be monolithic slab or basement construction. All foundations visible on the exterior of the building shall be faced with brick, high quality synthetic stone with a minimum 1 1/2" thickness as approved by the Town, smooth finished concrete surfacing or parged/painted concrete.
- **Vinyl Siding** is not permitted.



Key Map



New Church Street

Allowed Uses

- Multi-Use: Commercial, Office, Civic and Residential
- The floor with the entry at Midtown Way shall be the first floor with non-residential uses, where no more than 50% of such floor shall be office uses, and the floors above may be residential.

Height

- 60' maximum to top of roof or parapet

Setbacks

- **Front**
Midtown Way: No setback required from pedestrian way
New Church Street: Curb to face of structure 12' min.
Clay Street 30' from ROW
- **Side**
Between buildings 10' min.
Corner to parking /drive 5' min.
- **Rear** Buildings may abut alley

Overhangs

- May extend a maximum of 48" into setback

Parking

- Garage and parking lots shall be located behind or to the side of the building.
- Access to the parking and no more than one row of parking is allowed along Church Street.
- Shared parking allowed
- **Multi-family**
Parking shall be located within, under or behind the building.
- **Non-residential** 1 stall per 300sf
- **Residential**
1 bedroom units 1 stall per unit
2 or more bedroom units 2 stalls per unit

Entries

- Front doors must face the street and provide access from the public sidewalk.
- Entries shall feature weather protection for pedestrians.

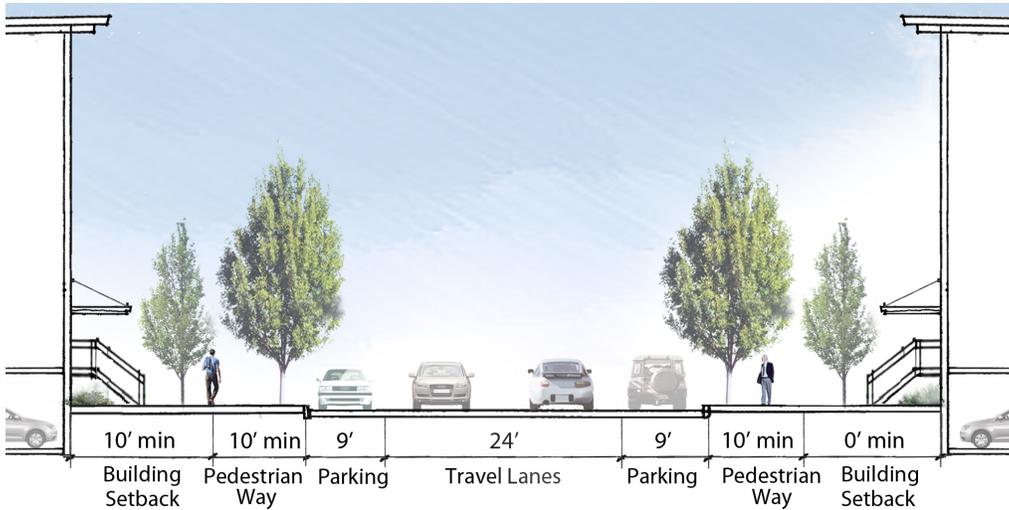
Landscape

Midtown Way

- The pedestrian portion will be 10' wide and located on both sides of the street. Street trees landscaping or street furniture such as bollards will provide separation between curb parked cars and pedestrians.
- Street trees shall be a consistent species on both sides of Midtown Way and maintain a regular street pattern unless prohibited by conflicts such as driveways or utilities.
- Tree species shall be unique from other streets and provide shade for Midtown Way.
- Street setbacks shall be landscaped and provide separation and privacy for the units facing Midtown Way.
- Pedestrian separation from moving and parked vehicles will be provided by a curb and the use of trees and landscaping.
- Entries will front the street and have direct access to sidewalks.
- Parking lots shall be screened with shrubs and trees from Midtown Way.
- Accent lighting with shields to prevent glare and light spillage will be provided for safety in outdoor public spaces.
- Lighting shall be provided at the entries to buildings.

New Church Street

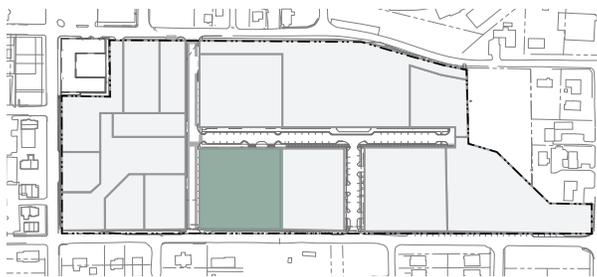
- Street tree species shall be consistent along both sides of the street and maintain a regular street pattern unless prohibited by conflicts such as driveways or utilities.
- Parking lots shall be screened with shrubs and trees from Church Street.



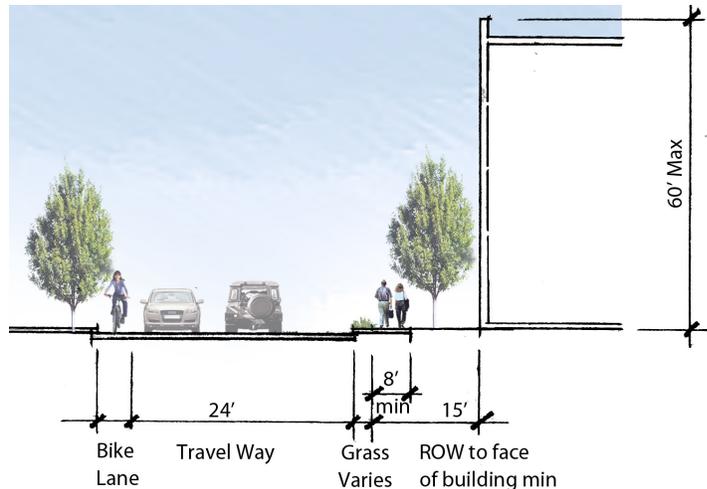
Midtown Way- Section Looking East in DC Zone

Architecture

- **Office, commercial and hospitality building facades** shall present a pedestrian oriented streetscape using proportionate windows and entries following the requirements in the Pattern Book. See Pattern Book for requirements.
- **Façade Materials**
Buildings shall be constructed with a minimum of 50% masonry materials such as brick, stone or high quality synthetic stone with a minimum 1 1/2" thickness as approved by the Town.
- **Alternative Materials**
The remaining 50% of façade materials may include cast materials, glass, metal and cement composite siding, smooth finished concrete or equivalents as approved by the town. A maximum of 20% of the facade can be EIFS used as accent panels. No EIFS may be used on first floor.
- **Foundations**
Foundations shall be monolithic slab or basement construction. All foundations visible on the exterior of the building shall be faced with brick, high quality synthetic stone with a minimum 1 1/2" thickness as approved by the Town, smooth finished concrete surfacing or parged/ painted concrete.
- **Vinyl Siding** is not permitted.



Key Map



Eheart Street Section

Allowed Uses

- Hotel

Height

- Maximum 60' to top of roof or parapet

Setbacks

- **Front**
Midtown Way: No setback required from pedestrian way
Eheart Street: ROW to face of building 15' min.
New Church Street: Curb to face of structure 12' min.
- **Side**
Between buildings 2-3 story - 10' min.
> 3 story - 20' min.
Building to parking /drive 10' min.
- **Rear** Buildings may abut alley

Overhangs

- May extend a maximum of 48" into setback

Parking

- The parking for the hotel may be visible from Midtown Way and from Eheart Street, but shall be screened with a combination of trees and shrubs.
- Hotel 1 stall per room
- Shared parking allowed
- Parking shall be provided in a garage or in a surface parking lot. No parking lot should be on Church Street.

Entries

- Front doors must face the street or Old School Common and provide access from the public sidewalk.
- Entries shall feature weather protection for pedestrians.

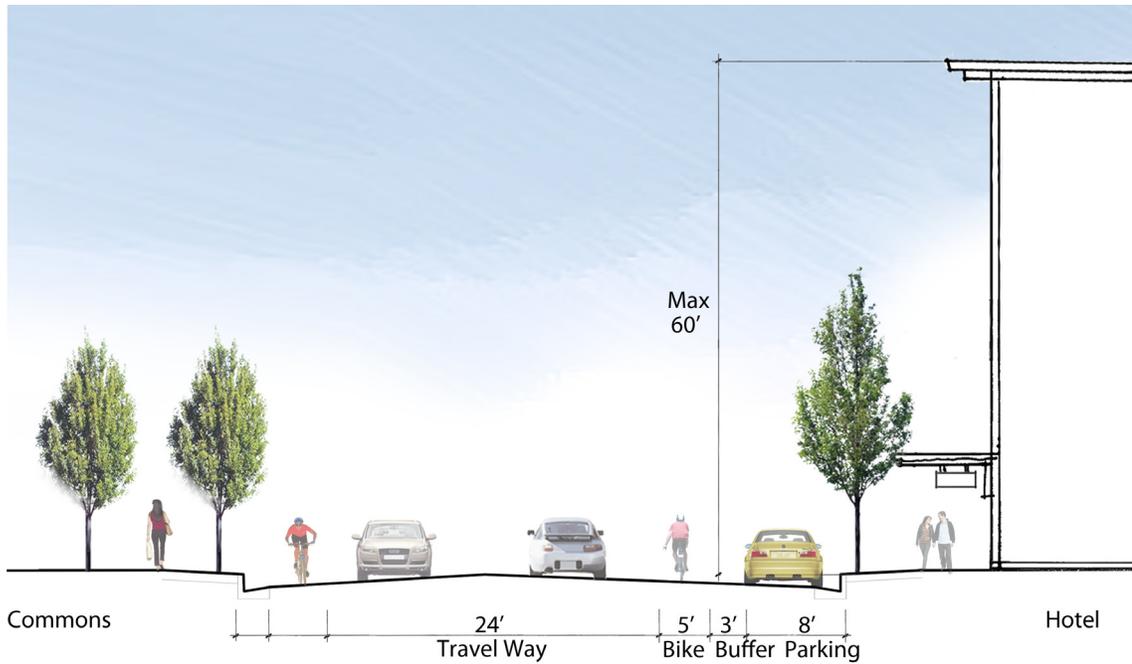
Landscape

Midtown Way

- The pedestrian portion will be 10' wide and located on both sides of the street. Street trees landscaping or street furniture such as bollards will provide separation between curb parked cars and pedestrians.
- Street trees shall be a consistent species on both sides of Midtown Way and maintain a regular street pattern unless prohibited by conflicts such as driveways or utilities.
- Tree species shall be unique from other streets and provide shade for Midtown Way.
- Street setbacks shall be landscaped and provide separation and privacy for the units facing Midtown Way.
- Pedestrian separation from moving and parked vehicles will be provided by a curb and the use of trees and landscaping.
- Entries will front the street and have direct access to sidewalks.
- Parking lots shall be screened with shrubs and trees from Midtown Way.
- Accent lighting with shields to prevent glare and light spillage will be provided for safety in outdoor public spaces.
- Lighting shall be provided at the entries to buildings.

New Church Street

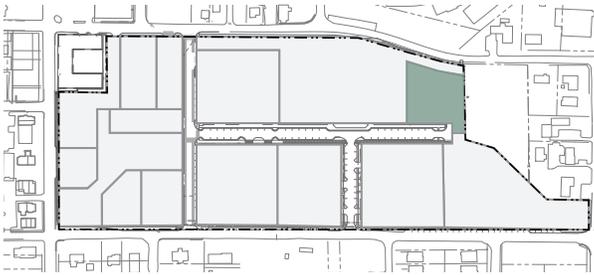
- Street tree species shall be consistent along both sides of the street and maintain a regular street pattern unless prohibited by conflicts such as driveways or utilities.
- Parking lots shall be screened with shrubs and trees from Church Street.



New Church Street- Section Looking North

Architecture

- **Façade Materials**
Buildings shall be constructed with a minimum of 50% masonry materials such as brick, stone or high quality synthetic stone with a minimum 1 1/2" thickness as approved by the Town.
- **Alternative Materials**
The remaining 50% of façade materials may include cast materials, glass, metal and cement composite siding, smooth finished concrete or equivalents as approved by the town. A maximum of 20% of the facade can be EIFS used as accent panels. No EIFS may be used on first floor.
- **Foundations**
Foundations shall be monolithic slab or basement construction. All foundations visible on the exterior of the building shall be faced with brick, high quality synthetic stone with a minimum 1 1/2" thickness as approved by the Town, smooth finished concrete surfacing or parged/painted concrete.
- **Vinyl Siding** is not permitted.



Key Map

Allowed Uses

- Multi-family residential, townhomes and community recreation.

Height

- **Multi-family** 60' maximum to top of the roof or parapet
- **Townhomes** 45' maximum to the top of the roof or parapet

Setbacks

- **Front**
 - * Porch may encroach into setback 5'
 - *Steps may encroach into setback as required

Clay Street

Townhomes min.	20' from R.O.W.
Multi-Family min.	30' from R.O.W.

Midtown Way

Building facade to pedestrian way	10' min.
-----------------------------------	----------

- **Side**

Between buildings	2-3 story - 10' min.
	> 3 story - 20' min.
Building to parking /drive	10' min.
- **Rear**
 - Multi-Family: Buildings may abut alley
 - Townhomes: Garage door to alley 4' min.

Overhangs

- May extend a maximum of 48" into setback

Parking

- Private garage and parking shall be screened from Clay Street and Midtown Way
- A minimum of 50% of all private parking will be in garage or under the building. The remaining parking may be in the driveway or surface parking.
- **Multi-Family**
 - Parking shall be located within, under and behind the building.
- **Townhomes**
 - Parking shall be in a garage, driveway or tucked under the building and accessed from an alley or parking court.

1 bedroom unit	1 stall per unit
2 or more bedroom units	2 stalls per unit

 - Tandem stalls are allowed

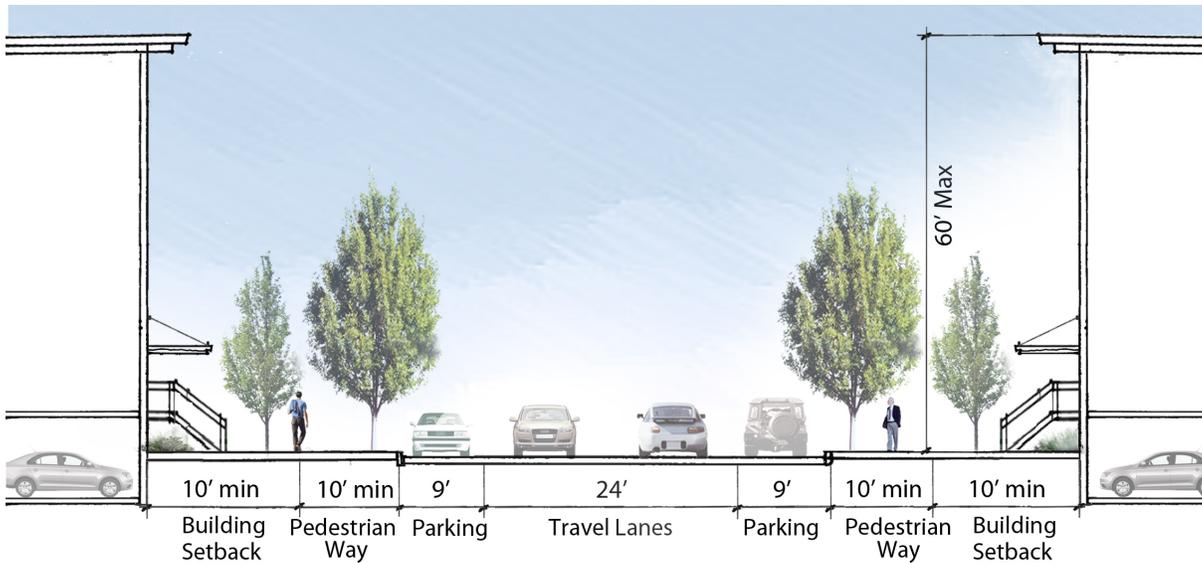
Entries

- Front doors must face the street or common open space and provide access from the public sidewalk
- Entries shall feature weather protection for pedestrians
- Private unit entrances in the PRD zoned shall be a minimum of 12" above finished grade.
- Entries such as porches, stoops or private terraces may project into the front setback in the PRD zone.
- Entry porches and terraces may project within 5' of the pedestrian sidewalk in the PRD zone.

Landscape

Midtown Way

- The pedestrian portion will be 10' wide and located on both sides of the street. Buildings will be set back an additional 10' from the pedestrian way in the PRD zone for a total of 20' curb to building face. Street trees landscaping or street furniture such as bollards will provide separation between curb parked cars and pedestrians.
- Street trees shall be a consistent species on both sides of Midtown Way and maintain a regular street pattern unless prohibited by conflicts such as driveways or utilities.
- Tree species shall be unique from other streets and provide shade for Midtown Way.
- Street setbacks shall be landscaped and provide separation and privacy for the units facing Midtown Way.
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- Lighting shall be provided at the entries to buildings.

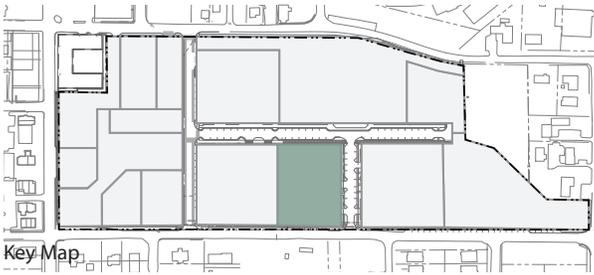


Midtown Way- Section looking east in PRD zone

Architecture

- **Façade Materials**
Buildings shall be constructed with a minimum of 50% masonry materials such as brick, stone or high quality synthetic stone with a minimum 1 1/2" thickness as approved by the Town.
- **Alternative Materials**
The remaining 50% of façade materials may include cast materials, glass, metal and cement composite siding, smooth finished concrete or equivalents as approved by the town. A maximum of 20% of the facade can be EIFS used as accent panels. No EIFS may be used on first floor.
- **Foundations**
Foundations shall be monolithic slab or basement construction. All foundations visible on the exterior of the building shall be faced with brick, high quality synthetic stone with a minimum 1 1/2" thickness as approved by the Town, smooth finished concrete surfacing or parged/painted concrete.
- **Vinyl Siding** is not permitted.
- **Building Articulation**
Shall be achieved through the incorporation of a tripartite vertical definition: base, mid-section and top, in order to articulate the various levels within the structure. Horizontal articulation shall include building bays and offsets. Such vertical and horizontal definition shall be visually characterized by differing materials and textures, or the use of the same material incorporating changes in color, texture and/or pattern. The building mass along Eheart Street shall maintain a visual connection into the OBMS site.

- **Building Features**
Building units shall feature balconies, terraces to differentiate the buildings as residential usage.
- **Exposed exterior walls of parking structures** shall be treated with architectural detail and materials such that parked vehicles will not be visible from the street or immediately adjacent properties.



Allowed Uses

- Multi-Family Residential and Townhomes

Height

Eheart Street

- 45' maximum from grade at building to top of roof or parapet

Midtown Way/ Internal Streets

- 60' maximum from grade at building to top of roof or parapet

Setbacks

• **Front**

- * Porch may encroach into setback 5'
- *Steps may encroach into setback as required

Eheart Street

ROW to building facade 15' min.

Midtown Way/ Internal Streets

Sidewalk to building facade 10' min.

• **Side**

Between buildings 2-3 story - 10' min.
> 3 story - 20' min.

Building to parking /drive 10' min

• **Setback from DC Zone**

5' min.

• **Rear**

Multi-Family: Buildings may abut alley

Townhomes: Garage door to alley 4' min.

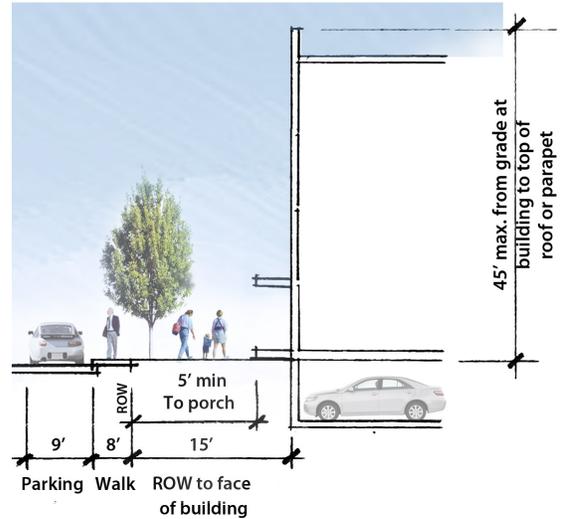
Overhangs

- May extend a maximum of 48" into setback

Parking

- Private garages and parking lots shall be screened from Eheart Street or Midtown Way
- A minimum of 50% of all private parking on site will be in garage or under the building.
- **Multi-Family**
Parking shall be located within, under or behind the building in surface parking.
- **Townhomes**
Parking shall be located in a garage, tucked under the building or in a driveway and accessed from the alley. Front loaded garages are not allowed on Eheart Street but may occur on internal circulation streets.

1 bedroom unit	1 stall per unit
2 bedrooms or more	2 stalls per unit
Tandem stalls are allowed	



Eheart - Section

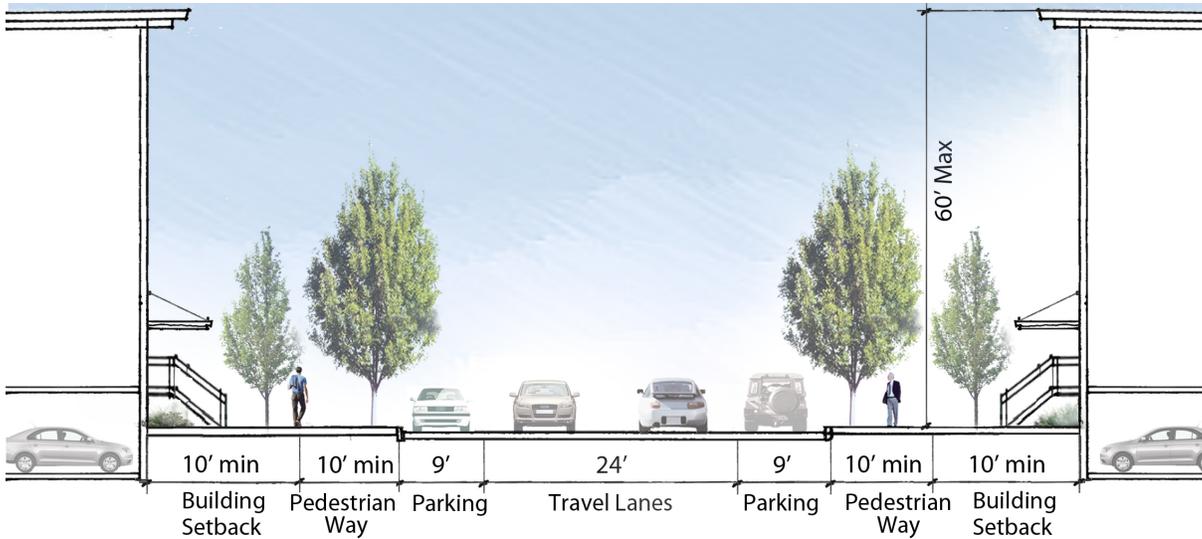
Entries

- Front doors must face the street or common open space and provide access from the public sidewalk
- Entries shall feature weather protection for pedestrians
- Entries such as porches, stoops or private terraces may project into the front setback in the PRD zone.
- Entry porches and terraces may project within 5' of the pedestrian sidewalk in the PRD zone.

Landscape

Midtown Way

- The pedestrian portion will be 10' wide and located on both sides of the street. Buildings will be set back an additional 10' from the pedestrian way in the PRD zone for a total of 20' curb to building face. Street trees landscaping or street furniture such as bollards will provide separation between curb parked cars and pedestrians.
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- Parking lots shall be screened with shrubs and trees from Midtown Way.
- Accent lighting with shields to prevent glare and light spillage will be provided for safety in outdoor public spaces.
- Lighting shall be provided at the entries to buildings.



Midtown Way- Section looking east in PRD zone

Architecture

• **Façade Materials**

Buildings shall be constructed with a minimum of 50% masonry materials such as brick, stone or high quality synthetic stone with a minimum 1 1/2" thickness as approved by the Town.

• **Alternative Materials**

The remaining 50% of façade materials may include cast materials, glass, metal and cement composite siding, smooth finished concrete or equivalents as approved by the town. A maximum of 20% of the facade can be EIFS used as accent panels. No EIFS may be used on first floor.

• **Foundations**

Foundations shall be monolithic slab or basement construction. All foundations visible on the exterior of the building shall be faced with brick, high quality synthetic stone with a minimum 1 1/2" thickness as approved by the Town, smooth finished concrete surfacing or parged/ painted concrete.

• **Vinyl Siding** is not permitted.

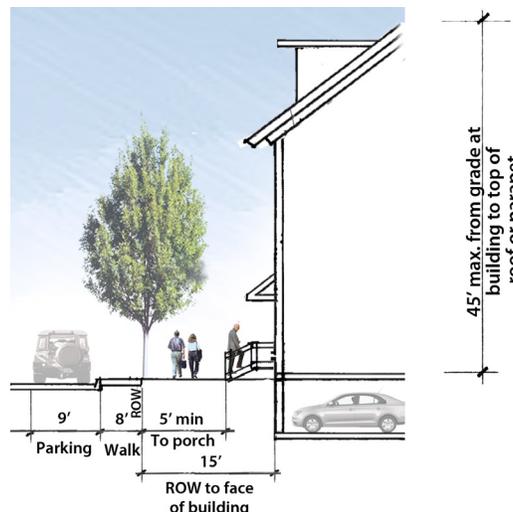
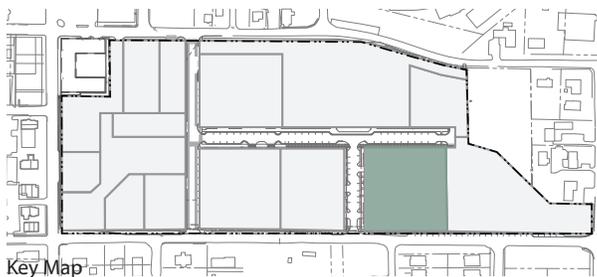
• **Building Articulation**

Shall be achieved through the incorporation of a tripartite vertical definition: base, mid-section and top, in order to articulate the various levels within the structure. Horizontal articulation shall include building bays and offsets. Such vertical and horizontal definition shall be visually characterized by differing materials and textures, or the use of the same material incorporating changes in color, texture and/or pattern. The building mass along Eheart Street shall maintain a visual connection into the OBMS site.

• **Building Features**

Building units shall feature balconies, terraces to differentiate the buildings as residential usage.

- **Exposed exterior walls of parking structures** shall be treated with architectural detail and materials such that parked vehicles will not be visible from the street or immediately adjacent properties.



Eheart - Section of Townhomes

Allowed Uses

- Multi-Family Residential and Townhomes

Height

Internal Streets/Midtown Way

- 60' maximum to top of roof or top of parapet

Eheart Street

- 45' maximum from grade at building to top of roof or parapet

Setbacks

Front

- * Porch may encroach into setback 5'
- * Steps may encroach into setback as required

Eheart Street

ROW to face of building 15' min.

Midtown Way / Internal Streets

Sidewalk to building facade 10' min.

Side

Between buildings 2-3 story - 10' min.
> 3 story - 20' min.

Rear

Alley ROW to face of garage 4' min.

Overhangs

- May extend a maximum of 48" into setback

Parking

- Private garages and parking lots shall be screened from Eheart Street and Midtown Way.
- A minimum of 50% of all private parking on site will be in garage or under the building.
- Front loaded garages are not allowed on Midtown Way and Eheart Street, but may occur on internal circulation streets.
- **Multi-Family**
Parking shall be predominately located within, under and behind the building. Surface parking is allowed.
- **Townhomes**
Parking shall be in a garage, tucked under the building, or in a driveway and accessed from the alley.

1 bedroom unit	1 stall per unit
2 or more bedrooms	2 stalls per unit
Tandem stalls are allowed	

Entries

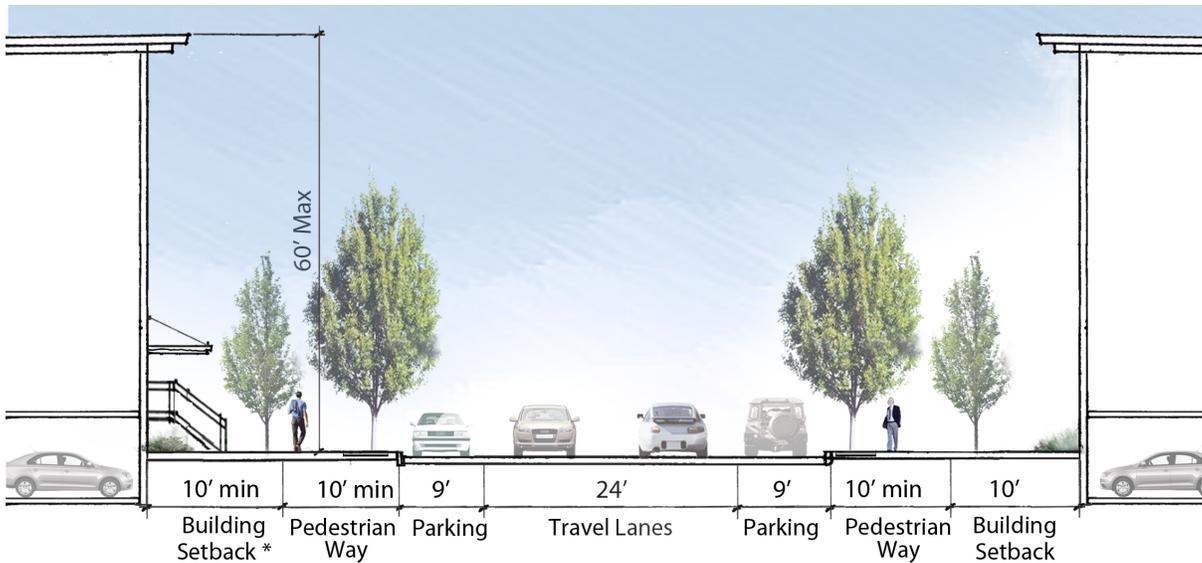
- Front doors must face the street or common open space
- A covered porch or stoop is required in the PRD zone
- Stoop minimum size: 4' x 4'
- Entrances in the Planned Residential District shall be a minimum of 12" above finished grade.
- Entries shall feature weather protection for pedestrians
- Entry porches and terraces may project within 5' of the pedestrian sidewalk in the PRD zone.

Landscape

- Entries and porches will be facing green streets and pocket parks to activate the spaces.
- Pedestrian connections will be provided to the Old School Common, Central Park and Neighborhood open space.

Midtown Way

- The pedestrian portion will be 10' wide and located on both sides of the street. Buildings will be set back an additional 10' from the pedestrian way in the PRD zone for a total of 20' curb to building face. Street trees landscaping or street furniture such as bollards will provide separation between curb parked cars and pedestrians.
- Street trees shall be a consistent species on both sides of Midtown Way and maintain a regular street pattern unless prohibited by conflicts such as driveways or utilities.
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- Parking lots shall be screened with shrubs and trees from Midtown Way.
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- Lighting shall be provided at the entries to buildings.



Midtown Way- Section looking east in PRD zone

Architecture

- **Façade Materials**

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- **Alternative Materials**

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- **Foundations**

Foundations shall be monolithic slab or basement construction. All foundations visible on the exterior of the building shall be faced with brick, high quality synthetic stone with a minimum 1 1/2" thickness as approved by the Town, smooth finished concrete surfacing or parged/ painted concrete.

- **Vinyl Siding** is not permitted.

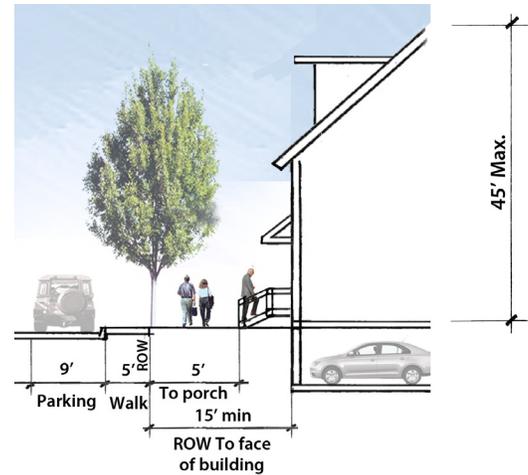
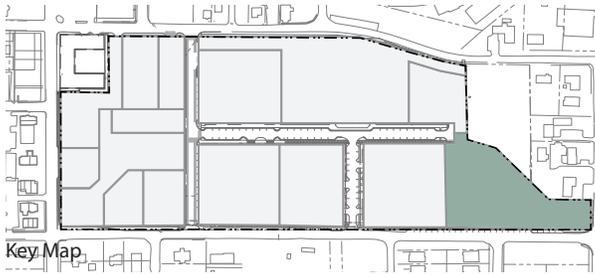
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- **Building Features**

Building units shall feature balconies, terraces to differentiate the buildings as residential usage.

- **Exposed exterior walls of parking structures** shall be treated with architectural detail and materials such that parked vehicles will not be visible from the street or immediately adjacent properties.



Eheart - Section

Allowed Uses

- Townhomes, Duplex or Community Recreation

Height

Internal Streets

- 45' maximum to top of roof or top of parapet

Eheart Street

- 45' maximum from grade at building to top of roof or parapet

Setbacks

Front

Eheart Street

ROW to face of building 15' min.

Midtown Way / Internal Streets

Sidewalk to building facade 10' min.

Rear

Alley ROW to face of garage 4' min.

Side

Between buildings 2-3 story - 10' min.
> 3 story - 20' min.

Overhangs

- May extend a maximum of 48" into setback

Parking

- Private garages and parking lots shall be screened from Eheart Street and Midtown Way
- A minimum of 50% of all private parking on site will be in garage or under the building.
- **Townhomes**
Parking shall be in garages, tucked under the building or in a driveway and accessed from the alley. Front loaded garages are not allowed on Eheart Street but may occur on internal circulation streets.

1 bedroom unit	1 stall per unit
2 or more bedroom units	2 stalls per unit
Tandem stalls are allowed	

Entries

- Front doors must face the street or common open space
- A covered porch or stoop is required in the PRD zone
- Stoop minimum size: 4' x 4'
- Entrances in the Planned Residential District shall be a minimum of 12" above finished grade.

Landscape

Midtown Way

- The pedestrian portion will be 10' wide and located on both sides of the street. Buildings will be set back an additional 10' from the pedestrian way in the PRD zone for a total of 20' curb to building face. Street trees landscaping or street furniture such as bollards will provide separation between curb parked cars and pedestrians.
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Building units shall feature balconies, terraces to differentiate the buildings as residential usage.

- **Exposed exterior walls of parking structures** shall be treated with architectural detail and materials such that parked vehicles will not be visible from the street or immediately adjacent properties.

**PROFFER STATEMENT FOR THE APPLICATION OF
MIDTOWN REDEVELOPMENT PARTNERS, LLC and TOWN OF
BLACKSBURG,**

Dated: February 28, 2019

EXHIBIT K

Proffer #1: The rezoning document package and Pattern Book contain the development details of the application. This proffer provides assurance to the Owner and the Town that the project will be developed in accordance with these documents.

Proffer #2: The additional density proposed with the Old Blacksburg Middle School Redevelopment rezoning request increases the trip generation in and out of the property. These additional trips create a necessity for a new traffic signal at the intersection of South Main Street and Eheart Street. In order for traffic to safely function at this intersection, the traffic signal must be installed at the time the warrant analysis indicates it is necessary as provided in the Traffic Study performed by Whitman, Requardt & Associate, LLP or as stated in the proffer; whichever occurs first.

Proffer #3: This proffer provides assurance to the Town and future tenants and residents that the road infrastructure serving their buildings will be complete prior to occupancy.

Proffer #4: The street grid is a defining part of the site layout to provide adequate vehicular ingress/egress for the site and to accommodate the pedestrian and bicycle facilities proposed.

Proffer #5: This proffer provides assurance to the Town that the individual site plans required for final development will meet the intent and the proffered conditions of the rezoning application and accompanying documentation.

Proffer #6: One of the development goals of this project is to provide a mix of residential building types in the Planned Residential District to encourage differing residential tenants. This proffer provides assurance to the Town that the residential portion of the project will not be developed as one singular residential use type.

Proffer #7: This proffer provides verification that certain environmentally sustainable building features are constructed within the buildings proposed in the project.

Proffer #8: This proffer provides screening of parking lots from public right of ways. This will allow for a visual break in the landscape and limit the visual impact of parking lots.

Proffer #9: This proffer provides certain specific approval criteria for the development of the DC zoned properties and Town Public Safety Building and parking facility.

Proffer #10: This proffer provides the use types allowed per parcel within the Downtown Commercial and the Planned Residential District. It also provides assurance to the adjacent neighborhoods in regard to the unit types proposed along Eheart Street and Clay Street.

Proffer #11: This proffer provides certain specific development criteria and restrictions, per parcel, within the Downtown Commercial District. This proffer provides assurance to the Town that the design criteria for each parcel, as described in the Pattern Book, will be met.

Proffer #12: This proffer provides certain specific development criteria and restrictions, per parcel, within the Planned Residential District. This proffer provides assurance to the Town that the design criteria for each parcel, as described in the Pattern Book, will be met.

Proffer #13: This proffer provides assurance to the Town and future tenants and residents that the public areas included in Old School Common and the Plaza will be constructed in a timely manner in relation to the construction and occupancy of adjacent buildings.

Proffer #14: This proffer provides the direction for the signage standards to be used within the Planned Residential district. It also provides the ability to allow the PRD to utilize a Special Signage District in the future.

Proffer #15: This proffer provides certain design criteria concerning the restriction of community recreational uses that would front on Eheart Street.

Proffer #16: This proffer provides assurance that access and parking along the loop road around Old School Commons will be permitted for the benefit of the DC zoned parcels.

**PROFFER STATEMENT FOR THE APPLICATION OF
MIDTOWN REDEVELOPMENT PARTNERS, LLC and TOWN OF
BLACKSBURG**

Dated: February 8, 28, 2019

Pursuant to Virginia Code § 15.2-2298 and Blacksburg Zoning Ordinance § 1160, MIDTOWN REDEVELOPMENT PARTNERS, LLC, and the TOWN OF BLACKSBURG, the owner(s) of the property (“Owner”) that is the subject of this Application (Tax Parcels #257-A 94, #257-A 94A, 257-A 217, 257-A 218, & 257-25 C) agree that the subject property will be developed in accordance with the following voluntarily proffered conditions in the event the subject property is rezoned from R-4 to DC and PRD as requested in the Rezoning Application (defined below) and in the event the Town Council for the Town of Blacksburg, VA approves the Development Agreement between the Town of Blacksburg, VA and Midtown Redevelopment Partners, LLC as submitted by Midtown Redevelopment Partners, LLC and with any changes approved by Midtown Redevelopment Partners, LLC.

1. The property shall be developed in:
 - a. Substantial conformance with the submitted rezoning package entitled “DOWNTOWN COMMERCIAL & PLANNED RESIDENTIAL DISTRICT FOR THE REDEVELOPMENT OF THE OLD BLACKSBURG MIDDLE SCHOOL PROPERTY” originally dated October 6, 2017 and last revised on February 8, 2019 (the “**Rezoning Application**”); and
 - b. Substantial conformance with the requirements labeled “Proffered Elements” included in the included in the OLD BLACKSBURG MIDDLE SCHOOL SITE PATTERN BOOK dated February 8, 2019 (the “**Pattern Book**” and collectively the “**Rezoning Package**”) and in general conformance with the guiding principles labeled “Guiding Elements” included in the Pattern Book. The Guiding Elements guide the general appearance and location of the features in the community, including public uses, and the form, scale and mass of the buildings in the community, unless otherwise requested and specifically approved pursuant to Proffered Condition 9 below. The illustrations and information contained in the Guiding Elements are conceptual in nature and may vary in detail.
2. To address the increased traffic resulting from the approved development, the Owner will construct at no cost to the town (i) a new traffic signal, ~~when warranted,~~ including signal lights & poles, electrical signal boxes, engineering analysis and signal timing, and (ii) all associated road improvements at the intersection of South Main Street and Eheart Street, no later than the issuance of the first certificate of occupancy ~~for either of the buildings adjoining the~~

~~Plaza to be located within the project at the corner of South Main Street and Eheart Street~~[in the project.](#)

3. New Church Street shall be paved, dedicated and submitted for acceptance no later than ~~sixty (60) days after~~ the issuance of the first certificate of occupancy for any one of the four (4) buildings adjoining New Church Street. The public roads, or sections thereof, within the Planned Residential District shall be paved, dedicated and submitted for acceptance prior to the issuance of a certificate of occupancy for any residential unit that would be accessed from said public street or portion thereof.
4. The property shall be developed in substantial conformance with the street grid as shown on the concept plans included in the application.
5. The Owner shall maintain a running total of all site development items with each site plan as site plans are submitted to the Town. These items may include, but are not limited to, open space, parking spaces, number of units, and square footage of uses.
6. No more than seventy-five percent (75%) of the total unit number in the entire project area will be multi-family units, and at least twenty-five percent (25%) of the total unit number in the entire project area will be townhomes.
7. The Owner proffers that all PRD buildings in the Project shall be designed and constructed with consideration of environmentally responsible design principles, which shall be demonstrated by each building meeting a minimum of the "Earthcraft" green building standards shown in the attached list of design considerations in the areas of:
 - Site Planning,
 - Construction Waste Management,
 - Resource Efficiency,
 - Durability and Moisture Management,
 - Indoor Air Quality,
 - High Performance Building Envelope, and
 - Energy Efficient Systems,

sufficient to score in excess of 100 points using the Earthcraft Multifamily New Construction Equivalent Points scoring system, as set forth in the attached appendix.

Given the length of the anticipated phases of development, and the fact that new and improved green building and certification programs and standards may be developed over the 8-10 year anticipated build-out, Town staff may approve comparable green building standards which utilize a 3rd party certification process and/or scoring system. With housing affordability a consideration, it is the Owner's desire to avoid imposing additional certifications that are costly, or apply standards that may become outdated and limit options that may become available in the future with new building materials, updated design criteria and new energy saving technology.

Therefore, parcel owners may elect to:

- (i) obtain the applicable Earthcraft certification or an approved alternative for the building(s); or

- (ii) retain a licensed architect or engineer, with demonstrated professional experience in green building methods acceptable to the Town, to provide adequate documentation to the Town to verify that the building(s), as designed and constructed, meet the Earthcraft scoring standard set forth above, or the applicable scoring criteria required for certification in an alternate program selected by the parcel owner and approved by the Town.
8. All surface parking spaces shall be screened from the public right of way of Eheart Street by way of evergreen plantings or fencing/site walls. Evergreen plantings must be 4' in height at time of planting and be spaced a maximum of 4' apart. Any fencing or wall must be constructed at a 4' height.
9. The final location, orientation and design of all proposed Downtown Commercial buildings shall be approved by the Blacksburg Town Council through a process agreed to by the Owner and the Town, [except DC Parcel #1A and DC Parcel #1B must include input from the Planning Commission.](#)
10. The following uses shall be allowed per parcel within the Downtown Commercial District and the Planned Residential District.

DC Parcel #1A: Parking Facility.

DC Parcel #1B: Civic/Administrative Services. In the event such Civic use is not constructed, then the permitted uses shall be the same as DC Parcel #4A.

DC Parcel #2A: All uses listed in the Town of Blacksburg Zoning Ordinance Section 3141- Permitted Uses, but excluding Consumer Repair Service, Funeral Home, Pawn Shop and Tattoo Parlor; and including the following conditional uses and subject to the applicable use and design standards in the Town of Blacksburg Zoning Ordinance: General Office on the ground floor and Medical Office on the ground floor. No more than 25% of that ground floor area accessed by South Main Street shall be used for General Office and Medical Office. Any Multi-Family Dwelling use shall be located above the third floor, measured from and including the ground floor.

DC Parcel #2B: All uses listed in the Town of Blacksburg Zoning Ordinance Section 3141- Permitted Uses, but excluding Consumer Repair Service, Funeral Home, Pawn Shop and Tattoo Parlor; and including the following conditional uses and subject to the applicable use and design standards in the Town of Blacksburg Zoning Ordinance: General Office on the ground floor and Medical Office on the ground floor. No more than 25% of that ground floor area accessed by South Main Street shall be used for General Office and Medical Office. Any Multi-Family Dwelling use shall be located above the third floor, measured from and including the ground floor.

DC Parcel #3: ~~Community Recreation~~, Public Parks and Recreation Areas, and Public Recreations Assembly.

DC Parcel #4A: All uses listed in the Town of Blacksburg Zoning Ordinance Section 3141- Permitted Uses, but excluding Consumer Repair Service, Funeral Home, Pawn Shop and Tattoo Parlor; and including the following

conditional uses and subject to the applicable use and design standards in the Town of Blacksburg Zoning Ordinance: General Office on the ground floor and Medical Office on the ground floor. No more than 50% of the ground floor area shall be used for General Office and Medical Office.

DC Parcel #4B: All uses listed in the Town of Blacksburg Zoning Ordinance Section 3141– Permitted Uses, but excluding Consumer Repair Service, Funeral Home, Pawn Shop and Tattoo Parlor; and including the following conditional uses and subject to the applicable use and design standards in the Town of Blacksburg Zoning Ordinance: General Office on the ground floor and Medical Office on the ground floor ~~and Financial Institutions (with drive-through) provided the use is incorporated into a multi-story building.~~ No more than 50% of the ground floor area shall be used for General Office and Medical Office.

DC Parcel #4C: Parking Facility.

DC Parcel #5: All uses listed in the Town of Blacksburg Zoning Ordinance Section 3141– Permitted Uses, but excluding Consumer Repair Service, Funeral Home, Pawn Shop and Tattoo Parlor; and including the following conditional uses and subject to the applicable use and design standards in the Town of Blacksburg Zoning Ordinance: General Office on the ground floor and medical office on the Ground Floor. No more than 50% of the ground floor area shall be used for General Office and Medical Office.

DC Parcel #6: The conditional use Hotel/Motel listed in the Town of Blacksburg Zoning Ordinance Section 3141– Permitted Uses and subject to the applicable use and design standards in the Town of Blacksburg Zoning Ordinance.

PRD Parcel #1: Civic – Public Park and Recreation Area

PRD Parcel #2: Multi-Family Dwelling, Townhouse and Community Recreation

PRD Parcel #3: Multi-Family Dwelling and Townhouse

PRD Parcel #4: Multi-Family Dwelling and Townhouse

PRD Parcel #5: Townhouse, Two-Family Dwelling and Community Recreation

To the extent the boundary lines of one or more of the parcel designations in this proffer are adjusted as permitted in the Rezoning Application, the parcel area designated for particular uses in this proffer shall also adjust to correspond to the new boundary lines for the affected parcel. In the event one or more of the parcel designations in this proffer are combined as permitted in the Rezoning Application, the allowed uses in each of the parcels shall be combined with none of the designated uses being extinguished; provided, however, that in the DC zoned portion of the project only DC Parcel 1A may be combined only with DC Parcel 1B, DC Parcel 2A may be combined only with DC Parcel 2B and DC Parcel 4A may be combined only with DC Parcel 4B.

11. In addition to any other proffered elements set out in the Pattern Book applicable to the development of the parcel, the development of the allowed

uses on the parcels in the Downtown Commercial District shall comply with the following parcel design restrictions:

DC Parcel #1A: Parking Structure or Surface Parking, see **Exhibit A**

DC Parcel #1B: Civic and Commercial, see **Exhibit A**

DC Parcel #2A: Multi-Use: Commercial, Office, Civic and Residential, see **Exhibit B**

DC Parcel #2B: Multi-Use: Commercial, Office, Civic and Residential, see **Exhibit B**

DC Parcel #3: Civic per Pattern Book

DC Parcel #4A: Multi-Use: Commercial, Office, Civic and Residential, see **Exhibit C**

DC Parcel #4B: Multi-Use: Commercial, Office, Civic and Residential, see **Exhibit D**

DC Parcel #4C: Surface Parking for Multi-Use buildings and Open Space

DC Parcel #5: Multi-Use: Commercial, Office, Civic and Residential, see **Exhibit E**

DC Parcel #6: Hotel, see **Exhibit F**

In the event of any conflict or ambiguity between the restrictions contained in Exhibits A-F and the Pattern Book, these Exhibits shall control, except for the landscaping requirements in these Exhibits which shall be met and interpreted in accordance with the landscape section of the Pattern Book.

To the extent the boundary lines of one or more of the parcel designations in this proffer are adjusted as permitted in the Rezoning Application, the parcel area designated for particular uses in this proffer shall also adjust to correspond to the new boundary lines for the affected parcel. In the event one or more of the parcel designations in this proffer are combined as permitted in the Rezoning Application, the allowed uses in each of the parcels shall be combined with none of the designated uses being extinguished; [provided, however, that in the DC zoned portion of the project DC Parcel 1A may be combined only with DC Parcel 1B, DC Parcel 2A may be combined only with DC Parcel 2B and DC Parcel 4A may be combined only with DC Parcel 4B.](#)

12. In addition to any other proffered elements set out in the Pattern Book applicable to the development of the parcel, the development of the allowed uses on the parcels in the Planned Residential District shall comply with the following parcel design restrictions:

PRD Parcel #1: Civic/Park Space per the Pattern Book

PRD Parcel #2: Multi-Family Residential. Townhomes and Community Recreation, see **Exhibit G**

PRD Parcel #3: Multi-Family Residential and Townhomes, see **Exhibit H**

PRD Parcel #4: Multi-Family Residential and Townhomes, see **Exhibit I**

PRD Parcel #5: Townhomes, Duplexes and Community Recreation, see **Exhibit J**

In the event of any conflict or ambiguity between the restrictions contained in Exhibits A-F and the Pattern Book, these Exhibits shall control, except for the landscaping requirements in these Exhibits which shall be met and interpreted in accordance with the landscape section of the Pattern Book. To the extent the boundary lines of one or more of the parcel designations in this proffer are adjusted as permitted in the Rezoning Application, the parcel area designated for particular uses in this proffer shall also adjust to correspond to the new boundary lines for the affected parcel. In the event one or more of the parcel designations in this proffer are combined as permitted in the Rezoning Application, the allowed uses in each of the parcels shall be combined with none of the designated uses being extinguished; provided, however, that in the DC zoned portion of the project DC Parcel 1A may be combined only with DC Parcel 1B, DC Parcel 2A may be combined only with DC Parcel 2B and DC Parcel 4A may be combined only with DC Parcel 4B.

DC Parcel and PRD Parcel references in Proffered Conditions 10, 11 and 12 refer to the parcels shown on and designated on Appendix Sheet Z3 – Zoning Plan attached to the Rezoning Application.

13. The Owner shall construct improvements within DC Parcel 3 in accordance with Proffered Condition 1(b), and as approved by the Town, no later than the issuance of the first certificate of occupancy for either of the buildings adjoining the Plaza to be located within the project at the corner of South Main Street and Eheart Street.
14. The initial signage standard for the PR zoned portion of the project shall be the signage requirements set forth in Section 5532 of the Town of Blacksburg Zoning Ordinance. Upon the Town Council's approval of a Special Signage District for the project, this initial signage standard shall be replaced by the Special Signage District.
15. No Community Recreation use on PRD Parcel #5 shall front on Eheart Street.
16. The Owner shall grant an access easement for use of the loop drive-aisle around the Old School Commons benefiting the DC parcels to permit access to such parcels, parking around the Old School Commons and the Parking Facility on DC Parcel 1A.

The undersigned hereby warrants that all of the owners of a legal interest in the subject property have signed this proffer statement, that they have full authority to bind the property to these conditions, and that the proffers contained in this statement are not “unreasonable” as that term is defined by Virginia Code. ~~In the attached Exhibit M the ownership interest of each Owner has been provided.~~ § 15.2-2303.4, and that the proffers are entered into voluntarily. In the attached **Exhibit LK** the owner has explained the following:

- a) How each proffered condition addresses an impact specifically attributable to the proposed new residential development; and/or
- b) Whether there are any offsite proffers and how they benefit the project.

~~Should any provision of this proffer statement be determined to be invalid by a court of competent jurisdiction, that determination shall not affect the validity of the remainder of the provisions in this document.~~

In the attached **Exhibit L** the ownership interest of each Owner has been provided.

MIDTOWN REDEVELOPMENT PARTNERS, LLC

By: _____

Printed Name: _____

Title: _____

STATE OF _____

COUNTY OF _____

Acknowledged before me this _____ day of _____, 20__.

Notary Public

My Commission Expires:

Registration No.:

TOWN OF BLACKSBURG

By: _____

Printed Name: _____

Title: _____

STATE OF _____

COUNTY OF _____

Acknowledged before me this _____ day of _____, 20__.

Notary Public

My Commission Expires:

Registration No.:

*The Town of Blacksburg is signing this proffer statement solely to provide consent to the rezoning.

**PROFFER STATEMENT FOR THE APPLICATION OF
MIDTOWN REDEVELOPMENT PARTNERS, LLC and TOWN OF
BLACKSBURG,**

Dated: January 14, 2019

EXHIBIT L

Proffer #1: The rezoning document package and Pattern Book contain the development details of the application. This proffer provides assurance to the Owner and the Town that the project will be developed in accordance with these documents.

Proffer #2: The additional density proposed with the Old Blacksburg Middle School Redevelopment rezoning request increases the trip generation in and out of the property. These additional trips create a necessity for a new traffic signal at the intersection of South Main Street and Eheart Street. In order for traffic to safely function at this intersection, the traffic signal must be installed at the time the warrant analysis indicates it is necessary as provided in the Traffic Study performed by Whitman, Requardt & Associate, LLP or as stated in the proffer; whichever occurs first.

Proffer #3: This proffer provides assurance to the Town and future tenants and residents that the road infrastructure serving their buildings will be complete prior to occupancy.

Proffer #4: The street grid is a defining part of the site layout to provide adequate vehicular ingress/egress for the site and to accommodate the pedestrian and bicycle facilities proposed.

Proffer #5: This proffer provides assurance to the Town that the individual site plans required for final development will meet the intent and the proffered conditions of the rezoning application and accompanying documentation.

Proffer #6: One of the development goals of this project is to provide a mix of residential building types in the Planned Residential District to encourage differing residential tenants. This proffer provides assurance to the Town that the residential portion of the project will not be developed as one singular residential use type.

Proffer #7: This proffer provides verification that certain environmentally sustainable building features are constructed within the buildings proposed in the project.

Proffer #8: This proffer provides screening of parking lots from public right of ways. This will allow for a visual break in the landscape and limit the visual impact of parking lots.

Proffer #9: This proffer provides certain specific approval criteria for the development of the Town Public Safety Building.

Proffer #10: This proffer provides certain specific approval criteria for the development of the Parking garage.

Proffer #11: This proffer provides the use types allowed per parcel within the Planned Residential District. This will also assist in assuring the project is not developed as one unit type. It also provides assurance to the adjacent neighborhoods in regard to the unit types proposed along Eheart Street and Clay Street.

Proffer #12: This proffer provides certain specific development criteria and restrictions, per parcel, within the Downtown Commercial District. This proffer provides assurance to the Town that the design criteria for each parcel, as described in the Pattern Book, will be met.

Proffer #13: This proffer provides certain specific development criteria and restrictions, per parcel, within the Planned Residential District. This proffer provides assurance to the Town that the design criteria for each parcel, as described in the Pattern Book, will be met.

Document comparison by Workshare 9.5 on Thursday, February 28, 2019
1:22:57 PM

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Document 2 ID	interwovenSite://HF_IMAN/IMAN/10830722/6
Description	#10830722v6<IMAN> - OBMS Draft Proffer Statement 1-14-19
Rendering set	Standard

Legend:	
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Deletion	
Moved from	
Moved to	
Style change	
Format change	
Moved deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	17
Deletions	8
Moved from	3
Moved to	3
Style change	0
Format changed	0
Total changes	31

Non-Permitted Uses

The following uses shall not be permitted by right within the proposed Downtown Commercial District:

Commercial

Consumer Repair Service

Funeral Home

Pawn Shop

Tattoo Parlor

3.1.4 Conditional Use Permits

The following uses are hereby requested to be allowed within the proposed Downtown Commercial District as Approved Conditional Use Permits:

Commercial

Hotel/Motel

Office

General Office on the ground floor

Medical Office on the ground floor

*No individual building within the proposed DC zoning district shall have more than 50% of the ground floor area used for office uses. Further, for structures that have a ground level entry on South Main Street, no more than 25% of that ground floor area accessed by South Main Street shall be used for office uses.

3.2 Planned Residential District – 10.54 acres**3.2.1 Structures**

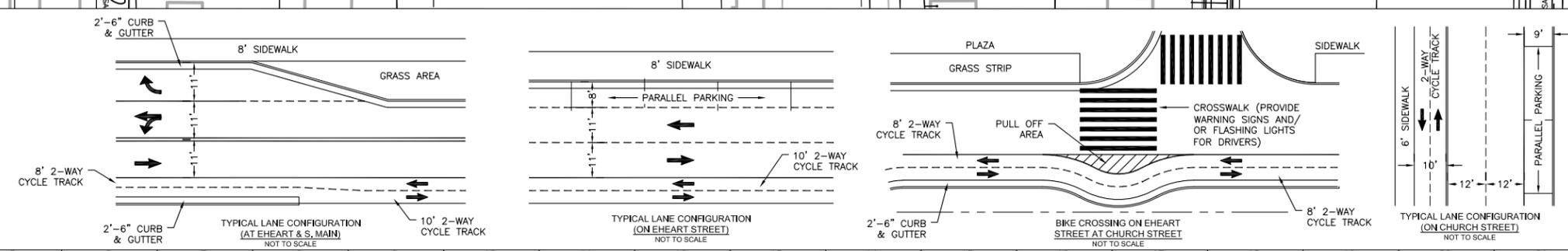
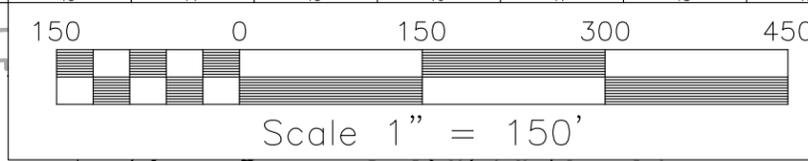
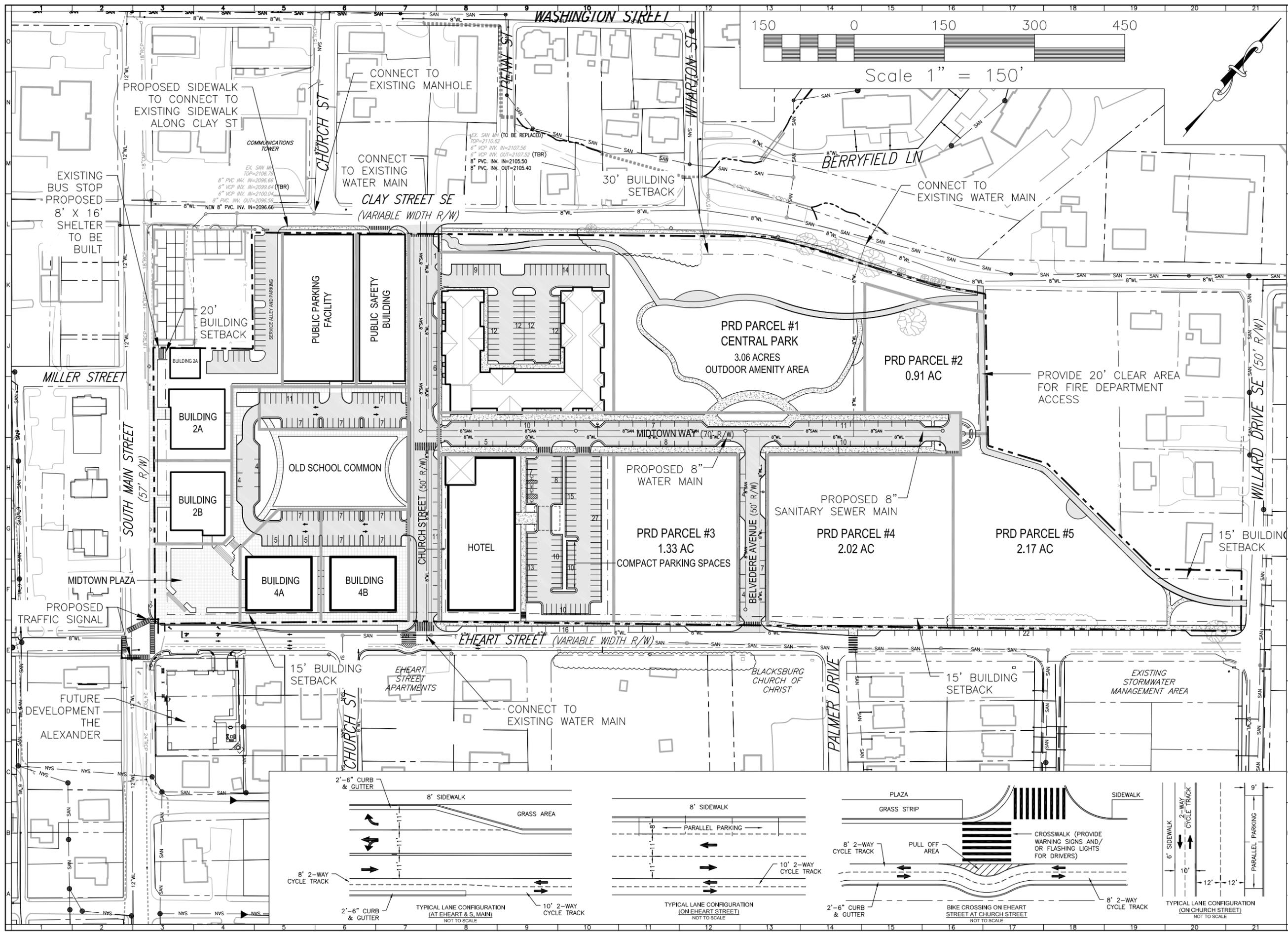
The square footage in the design of the buildings shall be devoted primarily to residential use but may have minor square footage area devoted to leasing management/office in clubhouse and community maintenance facility use. The residential structures will be a mixture of multi-level, multi-family buildings and multi-level townhome buildings. For detailed information on the building types, height, and setbacks, refer to the Old Blacksburg Middle School Property Pattern Book included with this application beginning on page 10.

3.2.2 Occupancy

The Planned Residential District shall have a maximum overall residential density of 24 units per acre and 48 bedrooms per acre; calculated over the entire district acreage of 10.54 acres. It shall have a maximum occupancy of a family, plus two unrelated to the family; or no more than three unrelated persons.

3.2.3 Permitted and Non-Permitted Uses*Permitted Uses*

Unless otherwise specified below, all uses listed in the Town of Blacksburg Zoning Ordinance Section 3111-Permitted Uses shall be allowed by right within the proposed Planned Residential District.



OLD BLACKSBURG MIDDLE SCHOOL SITE
501 SOUTH MAIN STREET

OVERALL CONCEPTUAL MASTER PLAN
MOUNT TABOR MAGISTERIAL DISTRICT
TOWN OF BLACKSBURG, VIRGINIA

DRAWN BY GLM
DESIGNED BY SMS
CHECKED BY SMS
DATE 10/6/17
SCALE 1"=150'

- REVISIONS:
- 4/13/18
 - 8/10/18
 - 1/15/19
 - 2/8/19
 - 2/28/19