

**PROFFER STATEMENT FOR THE APPLICATION OF
CDE PROPERTIES, LLC.**

Dated: May 19, 2020

Pursuant to Virginia Code § 15.2-2298 and Blacksburg Zoning Ordinance § 1160, CDE Properties, LLC, the owner(s) or contract purchaser(s) of the property that is the subject of this Application (Tax Parcel #'s 196-A 21, 196-A 22, 196-A 23, 197-A 37, 196-A 22A and 196-A 29 (portion of)) state that this property will be developed in accordance with the following voluntarily proffered conditions.

1. The property shall be developed in substantial conformance, as determined by the Zoning Administrator, with the submitted rezoning application entitled 1310 N. Main Street Planned Residential Development (the "Application") dated July 1, 2019 and revised February 11, 2020.
2. An evergreen buffer shall be planted along the southern property line below Building C as shown on the master plan. Evergreen trees shall be a minimum of 8' height at the time of planting and spaced 12' on center.
3. A 4'x8' covered bus shelter and a bus pull-off lane along North Main Street, as well as a 4'x8' covered bus shelter at the existing bus stop location at the southeastern corner of Giles Road and Patrick Henry Drive will be constructed prior to the first certificate of occupancy being issued for the development.
4. The property will be managed by an on-site property management company and there will also be a 24 hour on call maintenance and emergency contact.
5. The rental units shall be Earthcraft Multi-Family Certified.
6. For the leased communities in the PRD the following shall be required:
 - a. A resident and guest parking policy shall be adopted for the development which shall issue parking permits/stickers to residents and visitor passes for visitors. Parking passes shall be visibly displayed in a location determined by the parking policy.
 - b. All leases shall be rented by the unit, not by the bedroom.
7. For all "for sale" residential units in the PRD, a HOA or POA will be formed and will adopt the following regulations specific to this development prior to the sale of any units:
 - a. In the event a residential unit is rented, the owners shall provide to the HOA/POA, a copy of the lease, with the name and contact information of each tenant and each person residing in the unit.
 - b. The occupancy of each residential unit shall comply, at all times, with the applicable provisions of the Town of Blacksburg Zoning Ordinance.

- c. All leases must contain a clause notifying the tenants of the obligations to abide by all covenants and bylaws, as well as the Town's occupancy limitations.
- d. If any townhouses are leased, they must be leased by the unit, not by the bedroom.

8. The townhomes shall be Earthcraft Multi-Family Certified.

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, 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 A 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.

CDE PROPERTIES, LLC

By: _____

Printed Name: _____

Title: _____

STATE OF _____

COUNTY OF _____

Acknowledged before me this _____ day of _____, 2020.

Notary Public

My Commission Expires:

Registration No.:

JJB PROPERTIES, LLC

By: _____

Printed Name: _____

Title: _____

STATE OF _____

COUNTY OF _____

Acknowledged before me this _____ day of _____, 2020.

Notary Public

My Commission Expires:

Registration No.:

BCCS LLC

By: _____

Printed Name: _____

Title: _____

STATE OF _____

COUNTY OF _____

Acknowledged before me this _____ day of _____, 2020.

Notary Public

My Commission Expires:

Registration No.:

RICKY D. & DEBRA H. ARGABRIGHT

By: _____

Printed Name: _____

Title: _____

By: _____

Printed Name: _____

Title: _____

STATE OF _____

COUNTY OF _____

Acknowledged before me this _____ day of _____, 2020.

Notary Public

My Commission Expires:

Registration No.:

**PROFFER STATEMENT FOR THE APPLICATION OF
CDE PROPERTIES, LLC.**

Dated: May 19, 2020

EXHIBIT A

Proffer #1: The masterplan and accompanying rezoning documents contain the details of the application. This proffer provides assurance to the Applicant and the Town that the project will be developed in accordance with these documents.

Proffer #2: To offset potential impacts of sound and light pollution and to provide additional screening for the project, building and retaining wall.

Proffer #3: With an increased number of commercial uses, customers and residents on site, it is expected that the number of people utilizing the transit service will increase. Providing a bus shelter at this location will promote use of the stop.

Proffer #4: This proffer addresses concerns of the long-term maintenance and management of the complex and provides assurance that maintenance and emergencies can be addressed immediately.

Proffer #5: This proffer addresses the Town of Blacksburg's sustainability goals and limits the long-term environmental impact of new construction.

Proffer #6a: This proffer provides a parking policy that will ensure that residents and their guests are parking appropriately, and that the overall development maintains parking ratios that are in keeping with current and future business and residential expectations within the development as approved with this rezoning request.

Proffer #6b: This proffer assists in promoting the Town of Blacksburg's goals for providing housing opportunities for housing types other than purpose built, undergraduate student housing.

Proffers #7a-7d: This proffer assists in promoting the Town of Blacksburg's goals for providing housing opportunities for housing types other than purpose built, undergraduate student housing.

Proffer #8: This proffer addresses the Town of Blacksburg's sustainability goals and limits the long-term environmental impact of new construction.