

**PROFFER STATEMENT FOR THE APPLICATION OF**

To Amend Planned Commercial District (PCD) for Tax Parcel 254-A-18

**Dated** February 2, 2023

Pursuant to Virginia Code § 15.2-2298 and Blacksburg Zoning Ordinance § 1160, Blacksburgs Green Bld LLC c/o John Newcomb Ent Inc \_\_\_\_\_, the owner(s) of the property that is the subject of this Application (Tax Parcel # \_\_\_\_\_), will develop the property 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 Mini-Storage Development located at 1055 Plantation Road \_\_\_\_\_ (the "Application") dated February 2, 2023, 20<sup>23</sup>.
2. For the future 1.15± acre commercial development area, the development plan will permit the uses attached hereto in the document entitled "1055 Plantation Road CUP/RZN." However, before any of these uses may begin in that area, Broadstreet Partners, LLC, or its successors and assigns, must apply for approval of that use through a conditional use process as set out at Zoning Ordinance 1180, et seq. Broadstreet Partners, LLC acknowledges that this proffer is a material factor in this rezoning, that it shall not be severable, and that this proffer must be disclosed as part of any contract for the sale of the future 1.15± acre commercial development area property.
3. The applicant shall dedicate a cross-access easement and temporary construction easement along the proposed Crisp Road extension encompassing the entire proposed lot line between Lot 1 and Lot 2. Cross-access between these two parcels shall be evaluated at the time of development for Lot 2 as part of the required Conditional Use Permit (CUP) to develop the lot. If it is determined that the cross-access connection is both needed and warranted based on the desired use and traffic/access impacts, it shall be constructed with the development of Lot 2.

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. An analysis and justification for each proffered item is attached as Exhibit A.

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.

BLACKSBURG'S GREEN BUILDING LLC

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

By: John Newcomb, Partner

Acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires:  
Registration No.:

## EXHIBIT A

### 1055 Plantation Road CUP/RZN

Proposed Uses for 1.15 acre Commercial Parcel

The following uses are proposed to be allowed by Conditional Use Permit only for the 1.15 acre commercial parcel (Lot 2) of the 1055 Plantation Road Rezoning.

#### Uses Allowable by Conditional Use Permit:

- General Office
- Restaurant, General
- Restaurant, Small
- Retail Sales
- Medical Office
- Financial Institution (with a drive through window)
- Financial Institution (with no drive through window)
- Clinic or Urgent Care
- Day Care Center
- Automobile Parts/Supply
- Car Wash
- Brewpub
- Garden Center
- Fast Food Restaurant (with a drive through window)
- Fast Food Restaurant (without a drive through window)
- External speakers for any of the stated uses are also a use permitted with a CUP