

## **VOLUNTARY PROFFER STATEMENT**

Case: R18-0003

March 5, 2019

(Revised April 8, 2019)

### **Applicants & Property Owners**

Cleil Albrite and Christie Albrite ("Albrites")

10405 Nokesville Road

Manassas, Va. 20110

### **Project Name & Number**

ALBRITE PROPERTY

R18-0003

### **Tax Map Parcels**

TM 49-A-84A 1.0012 AC. (8309 Jefferson Davis Hwy., Fredericksburg, VA 22407)

TM 49-A-84J 4.9968 AC. (8305 Jefferson Davis Hwy., Fredericksburg, VA 22407)

(Collectively, the "Property")

### **Rezoning Request**

RU & C-3 to I-1

### **I. General Information**

The Albrites, and their successors and assigns, hereby agree that the development of the Property, subsequent to approval of the rezoning application to which these proffers are attached, will be in conformance with the GDP and the following proffered conditions (the "Proffers") pursuant to Sections 15.2-2303, et al. of the Code of Virginia (1950) as amended, and Section 23-4.6.3, et al. of the Zoning Ordinance of Spotsylvania County (1995) as amended. The Proffers are the only conditions offered in this rezoning application, and any prior proffers affecting the Property, whether by prior proffer offers, are hereby superseded by these Proffers. All previous proffers associated with the Property, whether of record or not, are hereby void and of no further force and effect. The Proffers will be in effect only upon the Spotsylvania County Board of Supervisors' full and final approval of the rezoning application R18-0003 submitted by the Albrites for the reclassification of the Property from Rural ( RU ) and Commercial-3 ( C-3 ) to Industrial 1 (I-1).

## **II. Proffers**

### **A. Land Use**

#### **1) Generalized Development Plan.**

- a) The Generalized Development Plan is attached hereto and incorporated herein by reference and marked as Exhibit A, which is entitled "Rezoning, Generalized Development Plan, Albrite Property, Tax Map 49-A-84A & 49-A-84J," dated January 30, 2018, and last revised on September 24, 2018, prepared by W.W. Webb & Associates, PLLC (the "GDP"). For purposes of the final site plans, the Property will be developed in conformance with the GDP. Notwithstanding the foregoing, all parcel sizes, building envelopes, building sizes, public road locations, private driveway and travelway locations, utility locations, storm water management facilities, and dimensions of undeveloped areas shown on the GDP may be reasonably adjusted for the purposes of the final site or subdivision plans to allow the Albrites to address final development engineering and design requirements, fulfill compliance with state and federal agency regulations including, but not limited to, DHR, VDOT, DEQ, DCR, and Army Corps., and compliance with the requirements of the County's Zoning, Subdivision and Design Standards Manual. Notwithstanding the foregoing, any required adjustments are subject to the approval of the County's Zoning Administrator. Moreover, notwithstanding anything to the contrary under these Proffers, in no event shall any amendments or adjustments to formal plans, as authorized herein, relieve the Albrites from constructing the infrastructure improvements shown on the GDP, or from providing any of the Proffers.

### **B. Design Standards**

#### **1) Highway Corridor Overlay District ("HCOD").**

- a) Any buildings that are built within 100' of the right-of-way fronting U.S. Route 1 (Jefferson Davis Hwy.) under an Industrial Use are to conform to the HCOD standards as specified in the Spotsylvania County Design Standards Manual, Section 8-3- Required Architectural/Design Standards Applicable To All Building Designs, 1. Design Standards for Development or Redevelopment within Any HCOD.



- b.) Any outside open storage shall be setback a minimum of 50' from the right-of-way fronting U.S. Route-1 (Jefferson Davis Hwy.) unless completely shielded by a vegetative screening or constructed solid surface.

#### C. Transportation

##### 1) Product Deliveries.

- a) All deliveries by tractor trailers are to be prohibited during school openings and dismissals at Massaponax High School while the caution lights are in flash mode in order to limit the interaction of student drivers with tractor trailer movements entering and exiting the subject Property. This prohibition shall be in effect during the hours of 7:05am to 8:05am and 1:50pm to 2:50pm Monday through Friday when school is in session or as altered by the School Board in the future. There will be no hourly limitations during weekends or when schools are not in session during the week or for holidays and summer recess.

Albrites make these Proffers voluntarily, in support of their rezoning application.

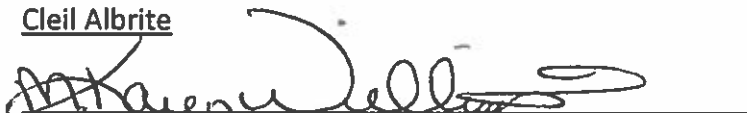
 5.10.19  
Cleil Albrite Date  
 5.10.19  
Christie Albrite Date

**Certificate of Acknowledgment:**

City/County of Prince William  
Commonwealth of Virginia

The foregoing instrument was acknowledged before me  
this 10 day of May, 20 19 by

Cleil Albrite



Notary Public's signature

Notary registration number: 7070962

My commission expires: 10/31/2022

**Certificate of Acknowledgment:**

City/County of Prince William  
Commonwealth of Virginia

The foregoing instrument was acknowledged before me  
this 10 day of May, 20 19 by

Christie Albrite



Notary Public's signature

Notary registration number: 7070962

My commission expires: 10/31/2022