

PROFFER STATEMENT

Ordinance No. 2021-_____

The undersigned, Riverfront Silos, LLC, a Virginia limited liability company (“Owner”), as owner of parcels designated by the City of Richmond, Virginia (the “City”) as Tax Parcel Nos. S0000101006 and S0000101005 (the “Property”), voluntarily agrees for itself, its agents, personal representatives, successors and assigns that in the event the Property is rezoned to B-4 Central Business District then the use of the subject Property shall be in substantial conformance with the following conditions. In the event the above-referenced rezoning is not granted by City Council as applied for by the undersigned, then these proffers shall be withdrawn and are null and void.

1. POD Design Criteria. In addition to the criteria by which all plans of development are evaluated, plan(s) of development for the Property shall be evaluated to determine if building design is in line with the following form elements:

a. *Hold the corner.* Spaces at the intersection of Manchester Road and Hull Street shall have active ground floors that promote pedestrian interest and engagement.

b. *Entrances face the street.* Main entrances to businesses and residences shall face the street to facilitate pedestrian activity.

c. *Transparency.* Façade fenestration shall be visible from the street. This is especially important on the ground floor, where fenestration should occupy a higher percentage of the building face.

d. *Façade articulation.* Long, monolithic non-glass façades shall be broken up and made more human-scale by varying the streetwall plane, colors, and materials.

e. *Screened parking/services.* Attractive landscaping shall extend to the sidewalk to help maintain a streetwall and mitigate the disruption caused by surface parking lots and utilitarian services.

2. Road Improvements. To provide for adequate access to the Property at the time of development, the Owner shall be responsible for certain road improvements (the “Road Improvements”). If any of the Road Improvements are provided by others, as determined by the Department of Public Works, then the specified Road Improvements shall no longer be required by the Owner. No final certificate of occupancy shall be issued for the Property prior to completion by the Owner and acceptance by the City of the following Road Improvements, to the extent deemed warranted by the Department of Public Works at the time of plan of development review:

A. Construction of intersection control (i.e. traffic signal or roundabout) at the intersection of Manchester Road and Hull Street, if warranted. The obligation of the Owner to construct intersection control shall expire upon the issuance of the final occupancy permit for the Property.

B. Construction of Decatur Street in conformance with the Right-of-Way Design and Construction Standards Manual, with modifications approved by the Department of

Public Works, as a two-lane undivided road section to include standard pedestrian accommodations from the E. 1st Street intersection to the Manchester Road intersection, including a bridge crossing over Manchester Canal to specifications approved by the Department of Public Works and Department of Public Utilities.

C. Dedication to the City, free and unrestricted, of any additional right-of-way (or easements) required for the Road Improvements. In the event that any such right-of-way is located on property not owned by Owner (an “Off-Site Right-of-Way”), the Owner may request, in writing, that City acquire such right-of-way as a public road improvement. All reasonable costs associated with the acquisition of Off-Site Right-of-Way(s) shall be borne by the Owner other than costs associated with acquisition of Off-Site Right-of-Way for a roundabout, if deemed necessary by the Department of Public Works, which shall be acquired at the City’s sole cost. In the event that the City elects not to assist the Owner in acquisition of Off-Site Right-of-Way, the Owner shall be relieved of the obligation to acquire the Off-Site Right-of-Way and shall only be obligated to provide the Road Improvements to the extent they can be constructed within available right-of-way, as determined by the Department of Public Works.

3. These proffers are in addition to any applicable City laws, policies, and requirements and in no way alter or abrogate such laws, policies, and requirements.

[Signature page follows]

Executed this 22nd day of April, 2021.

RIVERFRONT SILOS, LLC,
a Virginia limited liability company

A handwritten signature in blue ink, appearing to read "T. Preston Lloyd, Jr.", written over a horizontal line.

By: _____

T. Preston Lloyd, Jr., Acting Under Special
Land Use Power of Attorney