

160 007754

**RIVERSIDE HEALTHCARE**

**ASSOCIATION, INC. PROFFER AGREEMENT**

This Proffer Agreement is made as of this 25 day of ~~February~~ <sup>APRIL</sup>, 2016, by RIVERSIDE HEALTHCARE ASSOCIATION, INC., a Virginia corporation (“Owner”) (to be indexed as grantor), and JAMES CITY COUNTY VIRGINIA, a political subdivision of the Commonwealth of Virginia (the “County”) (to be indexed as grantee) and provides as follows:

**RECITALS:**

R-1 Owner is the owner of certain real property containing 88.59 ± acres, more or less, located at 3400 John Tyler Highway and further identified as James City County Tax Map Parcel No. 4520100013, being the same property described in the deed dated February 9, 1995 recorded in the Clerk’s Office of the Circuit Court for the City of Williamsburg and the County of James City, Virginia (the “Clerk’s Office”) as Deed Book 726, page 629 (the “Boundary Deed”) as more particularly set forth in Exhibit A (the “Property”).

R-2 Prior to Greensprings Plantation, Inc. (“Greensprings”) conveying to Owner the Property, Greensprings applied for and the Board of Supervisors of James City County, Virginia (the “Board”) granted a rezoning of the Greensprings property (including the Property) from Limited and General Agricultural Districts, A-2 and A-1 to Residential Planned Community District R4, with a master plan and proffered conditions as set forth in that certain Greensprings Proffer Agreement dated February 6, 1989 and recorded in the Clerk’s Office in James City County Deed Book 427, page 466 (the “Original Proffer Agreement”). The Original Proffer Agreement and the original master plan have been amended from time to time and all such amendments are recorded in the Clerk’s Office of James City County.

R-3 Owner applied to the County for a fourth amendment to the master plan and the provisions of the Original Proffer Agreement as modified by the amendments referenced above. The Fourth Amendment to the Amended and Restated Greensprings Proffer Agreement is dated October 29, 1999 and recorded in the Clerk's Office as James City County Instrument No. 990025600 (the "Fourth Amendment"). Owner sought the Fourth Amendment in connection with approval of Phase II of the Patriot's Colony Continuing Care Retirement Community, as shown on the conceptual plan attached hereto as Exhibit B entitled "Patriot's Colony, Phase II, Continuing Care Retirement Community, Developer; Riverside Retirement Services, Inc., Berkeley District, James City County, Virginia" made by AES, Consulting Engineers (the "Conceptual Plan").

R-4 Owner has applied to the County for an amendment to the existing master plan and the provisions of the proffers. The amendments requested by Owner are sought in connection with approval of the updated Master Plan for Patriot's Colony Continuing Care Retirement Community as shown on the plan attached hereto as Exhibit C entitled "Master Plan for Patriot's Colony (Land Bay M-10 of Greensprings) Jamestown Magisterial District, James City County, Virginia" made by Bowman Consulting and dated February 16, 2016 (the "Master Plan").

R-5 This Proffer Agreement modifies certain proffers as they pertain to the Property and restates other proffers as they pertain to the Property. References to Owner in proffers below shall be read to refer to the record titleholder of the property affected by such proffers, whether Owner or its successors and assigns.

NOW, THEREFORE, and pursuant to Section 15.2-2303 of the Virginia Code Owner agrees that it shall meet and comply with the following proffers in developing the Property.

**PROFFERS:**

1. Master Plan The Master Plan for the Property shall be as set forth within that certain plan entitled “Master Plan for Patriot’s Colony (Land Bay M-10 of Greensprings) Jamestown Magisterial District, James City County, Virginia” made by Bowman Consulting and dated February 16, 2016 (the “Master Plan”) and attached hereto as Exhibit C.

2. Number of Dwelling Units Land Bay M-10 The number of residential units within the Property as shown on the Master Plan as amended and submitted herewith shall be as follows:

<u>Project Land Bay</u>	<u>R-4 Master Plan Designation</u>	<u>Maximum Number Of Dwelling Units</u>
M-10	A	24
M-10	B	8
M-10	C	60
M-10	D	170

In addition in Project Land Bay M-10 there will be Institutional Uses not to exceed 236 Assisted Living Beds, Memory Care Beds, and Skilled Nursing Beds combined.

3. Height Limitations Any structure on the Property within 600 feet from the centerline of Route 5 (John Tyler Highway) shall not exceed 35 feet in height. On the Property, any structure located in that area in between 600 feet from the centerline of Route 5 (John Tyler Highway) and 900 feet from the centerline of Route 5 (John Tyler Highway) shall not exceed a maximum height of 45 feet. Provided, however, if Owner applies for and receives a height limitation waiver from the Board, the limitations set forth above shall not be applied.

4. Historical Site Buffer There shall be a 50-foot buffer (undisturbed and exclusive of any lots) along the eastern and western boundaries of the Greensprings National Historic Site subject only to appropriate stormwater management and utility improvements/easements as approved by the Development Review Committee (the “Historical Site Buffer”). During any construction on the Property that is in close proximity to the Historical Site Buffer, the Owner shall provide temporary fencing along the Historical Site Buffer in order to avoid damage to the Historical Site Buffer.

5. Screening Landscaped areas have been created as a part of development of the Property under the Conceptual Plan, so as to create an evergreen buffer and visual screening between buildings one (1) through four (4) inclusive shown on the Conceptual Plan and the Greensprings Plantation National Historic Site (“Historic Site”) as shown on the Conceptual Plan. The landscaping and plantings within such areas shall be subject to approval by the County’s Director of Planning (the “Director of Planning”) prior to final site plan approval. Furthermore, landscaped areas shall be created as part of future development of the Property under the Master Plan, so as to create an evergreen buffer and visual screening between the buildings shown on Phase A, Phase B and Phase C of the Master Plan and the Historic Site. Lower ever-green plantings shall be integrated within the 50 foot Historical Site Buffer so as to provide additional screening. The landscaping and plantings within such area shall be subject to approval by the Director of Planning prior to final site plan approval.

6. Building Materials Exterior building/siding materials employed in buildings one (1) through six (6) inclusive shown on the Conceptual Plan shall be of brick or other non-glossy materials which are dark, naturally occurring colors, on such surfaces which front upon, face or are visible from the Historic Site. Samples of such building materials and colors shall be

approved by the Director of Planning prior to final site plan approval. Trim colors shall be a neutral color and shall be approved by the Director of Planning prior to site plan approval. Furthermore, exterior building/siding materials employed on the buildings shown as Phase A, Phase B and Phase C of the Master Plan shall be of brick or other non-glossy materials which are earth tone, naturally occurring colors on such surfaces which front upon, face or are visible from the Historic Site. Samples of such building materials and colors shall be approved by the Director of Planning prior to final site plan approval. Trim colors shall be a neutral color and shall be approved by the Director of Planning prior to site plan approval.

7. Changes in Conceptual Plan and Master Plan Owner may from time to time in final plats or site plans submitted to the County, relocate the specific uses shown on the Conceptual Plan and the Master Plan provided (a) that such uses are permitted by the County Zoning Ordinance, the Master Plan, and these Proffers, and (b) that the Director of Planning determines that such relocations do not alter the basic concept or character of the development shown on the Conceptual Plan and the Master Plan.

8. Commercial Uses in the Property Any accessory commercial uses located on the Property, such as bank offices, beauty salons, and barbershops, shall be located and designed to serve residents of the Property. Commercial uses shall not be advertised from any public right-of-way.

9. Residency Agreement Prior to the start of construction on the Property, Owner shall submit to the County a copy of the agreements between Owner and the future residents of the Property which agreements shall provide that permanent residents under the age of 18 (or such higher age determined by Owner) shall not be permitted on the Property.

10. Water Conservation Owner shall be responsible for developing and enforcing water conservation standards applicable to the Property, which standards shall be submitted to and approved by the James City Service Authority (the "JCSA") in accordance with the Water Conservation Guidelines adopted by the Board on November 27, 2007. The standards shall address, but not be limited to, such water conservation measures as limitations on the use of irrigation systems and irrigation wells, the use of approved landscaping materials including the use of drought resistant native and other low water use landscaping materials and warm season turf where appropriate, and the use of water conserving fixtures and appliances all in an effort to promote water conservation and to eliminate the use of public water resources. The standards shall be submitted to and reviewed by the County Attorney for general consistency with this proffer and shall be approved by the JCSA prior to final development plan approval.

11. Contributions to the JCSA A contribution shall be made to the JCSA in the amount of Five Hundred Dollars (\$500.00) for each new independent living unit, assisted living unit and nursing bed constructed as shown on the Master Plan (the "Per Unit Contribution"). The JCSA shall make these monies available for development of water supply alternatives, the need for which is generated by the development of the Property. In the event the monies are not used by the JCSA for the purpose designated within ten years from the date of receipt by the JCSA, the amounts not used shall be used at the discretion of the Board of Directors of the JCSA for any other project in the JCSA's capital improvement plan, the need for which is generated by the development of the Property.

A. Such Per Unit Contribution shall be payable for each of the independent living units, additional assisted living units and the additional nursing beds developed within the Property after the completion of final inspection and prior to the time of the issuance of a

certificate of occupancy by the County for any particular independent living unit, assisted living unit or bed or any grouping, phase, or section of assisted living units or beds.

B. The Per Unit Contribution(s) paid in each year shall be adjusted annually beginning January 1, 2017, to reflect any increase or decrease for the proceeding year in the Marshall & Swift Building Cost Index (the "MSI"). In no event shall the Per Unit Contribution be adjusted to a sum less than Five Hundred Dollars (\$500.00) per additional independent living unit, assisted living unit and nursing bed. The adjustment shall be made using Section 98, Comparative Cost Multipliers, Regional City Averages of the MSI. In the event a substantial change is made in the method of the establishing the MSI, then the Per Unit Contribution shall be adjusted based upon the figure that would have resulted had no changes occurred in the manner of computing MSI. In the event that the MSI is not available, a reliable government or other independent publication evaluating information heretofore used in determining the MSI, approved in advance by the County's Manager of Financial Management Services, shall be relied upon in establishing an inflationary factor for purposes of increasing the Per Unit Contribution to approximate the rate of annual inflation in the County.

12. Archaeological Sites A Phase I Archaeological Study of the Property was conducted which met the guidelines set forth in the Virginia Department of Historic Resource's Guidelines for Preparing Archaeological Resource Management Records and conducted under the supervision of a qualified archaeologist who met, at a minimum the qualifications set forth in the Secretary of the Interior's Professional Qualification Standards. The phase I Archaeological Study was prepared and previously submitted to and approved by the Director of Planning. Owner, at its expense, shall undertake a Phase II and/or, subject to the following sentence, a Phase III study of archeological sites identified in the Phase I study, if identified by the Phase I

study heretofore submitted as warranting any Phase II or Phase III study, and shall submit such studies to the Director of Planning for review and approval prior to any land disturbing on or adjacent to such sites. Owner may at its option leave undisturbed an archaeological site planned for development in lieu of performing a Phase III study thereon. The recommendations of such studies shall be incorporated into the plan of development for the site and the clearing, grading or construction activities thereon. If as a result of a Phase II study of a site, the Director of Planning determines the site is eligible for inclusion in the National Register of Historic Places based on the criteria established by the Department of the Interior, Owner shall develop and implement a plan for inclusion of the site on the National Register of Historic Places and for the mitigation of potential adverse impacts on the site. All sites to be left undisturbed or upon which a Phase III study is to be conducted shall be protected from development activities by temporary fencing until development activities adjacent to the site or the Phase III study, as the case may be, is complete.

If a previously unidentified archeological site is discovered during land disturbing activities, all construction work involving subsurface disturbance will be halted in the area of the site and in the surrounding area where further subsurface remains can reasonably be expected to occur and Owner will immediately notify the Director of Planning or his designee of the discovery. The Director of Planning or his designee, or an archeologist approved by him, will immediately inspect the work site and determine the area and the nature of the affected archeological site and its potential eligibility for inclusion on the National Register of Historical Places. Construction work may then continue in the project area outside the archeological site. Within 15 working days of the original notification of discovery, the Director of Planning or his designee shall determine the National Register eligibility of the site. The Director of Planning or



his designee may extend this 15 working day period for determining the National Register eligibility one time by an additional 5 working days by written to Owner prior to the expiration date of said 15 working day period.

If the site is determined to meet the National Register Criteria (36 CFR Part 60.0), Owner shall, at its expense, prepare a plan for its avoidance, protection, recovery of information, or destruction without data recovery. The plan shall be approved by the Director of Planning or his designee prior to implementation. Work in the affected area shall not proceed until either (a) the development and implementation of appropriate data recovery or other recommended mitigation procedures, or (b) the determination is made that the located remains are not eligible for inclusion on the National Register.

13. Route 5 Greenbelt Owner shall designate 150- foot greenbelt buffers along the Property's Route 5 frontage measured from the existing Route 5 right-of-way. The greenbelt buffers shall be exclusive of any lots and, except as set forth below, shall be undisturbed. Utilities, drainage improvements, community entrance roads as shown generally on the Master Plan (limited to one entrance to the Property), pedestrian/bicycle trails, and signs shall be allowed in the greenbelt buffer as approved by the Development Review Committee.

14. Multi-Family Neighborhood Recreation Centers Currently there are recreational facilities located within the Property. Any future recreational facilities on the Property shall be determined by the Owner following consultation with the residents of the Property. Any new recreational facilities shall be shown on the site plans for the Property and prior to approval of the site plan, the Owner shall provide evidence of consultation with the residents of the Property (in the form of meeting minutes or a letter) to the Director of Planning or his designee.

15. Lighting No building-mounted lighting shall be installed on the side of any of

the buildings shown on Phase B of the Master Plan that are adjacent to the Historical Site Buffer. Any parking lot lighting along the Historical Site Buffer shall be directed downward and shall not illuminate the vertical surfaces of the buildings shown on Phase B of the Master Plan. The Owner shall demonstrate compliance with this by submitting a lighting plan for review and approval by the Director of Planning or his designee prior to final site plan approval for any building in Phase B of the Master Plan adjacent to the Historical Site Buffer.

16. Restrictions on Timeshare Owner shall not create or operate a “time-share project” as defined in the Virginia Real Estate Time-Share Act, VA. Code 55-360 et. seq. on the Property.

17. Major Open Space Areas shown on the Master Plan listed as Dedicated Open Space and Proposed Dedicated Open Space (collectively “Open Space”) and within subdivisions or sites shown on the subdivision plat or site plan as green space areas shall be exclusive of any lots and undisturbed, except as provided below. With the prior approval of the Director of Engineering and Resource Protection or his designee on a case by case basis, (i) dead, diseased, and dying trees or shrubbery and invasive or poisonous plants may be removed from such areas; (ii) select hand clearing and pruning of trees shall be permitted in such areas to permit sight lines or vistas; and (iii) utilities, stormwater best management practices, roads, pedestrian and golf cart paths, trails, and bridges may intrude or cross such areas. If vegetation is removed from such areas it shall be replaced by vegetation that is equally or more effective in retarding runoff, preventing erosion, and filtering nonpoint source pollution. Utility crossings shall be generally perpendicular through such areas and Owner shall endeavor to design utility systems that do not intrude into such areas. All such Open Space and green space areas and other common areas shall be maintained by Owner.

18. Natural Resource Policy Owner has conducted a habitat study and determined that the habitat for the Northern long-eared bat (*Myotis septentrionalis*) currently is present on the Property. For so long as the habitat for the Northern long-eared bat is present on the Property, Owner shall comply with the tree clearing restrictions for the Northern long-eared bat as promulgated by the U.S. Army Corps of Engineers. In addition, Owner shall submit its conservation management plan with regard to the Northern long-eared bat to the Director of Planning for approval prior to the issuance of a land disturbing permit for Phase A, Phase B, or Phase C of development as shown on the Master Plan.

19. Conflicts In the event that there is any conflict between these Proffers and the Zoning Ordinance, the conflict shall be resolved by the County's Zoning Administrator subject to the appeal process to the Board of Zoning Appeals, Board of Supervisors, and the Courts, or as otherwise provided by law.

20. Successors and Assigns These Proffers shall be binding upon and shall inure to the benefit of the parties hereto, and their respective heirs, successors and/or assigns.

21. Severability In the event that any clause, sentence, paragraph, section or subsection of these Proffers shall be judged by any court of competent jurisdiction to be invalid or unenforceable for any reason, including a declaration that it is contrary to the Constitution of the Commonwealth of Virginia or of the United States, or if the application thereof to any owner of any portion of the Property or to any government agency is held invalid, such judgment or holding shall be confined in its operation to the clause, sentence, paragraph, section or subsection hereof, or the specific application thereof directly involved in the controversy in which the judgment or holding shall have been rendered or made, and shall not in any way affect the validity of any other such clause, sentence, paragraph, section or provision hereof.

22. Headings All section and subsection headings of Proffers herein are for convenience only and are not a part of this Agreement.

23. Conditions Applicable Only to the Property Notwithstanding anything in the Proffers, as hereby supplemented and modified, to the contrary, the failure to comply with one or more of the conditions herein in developing the Property shall not affect the rights of Owner or its successors in interest to develop its other property in accordance with the other applicable provisions of the Zoning Ordinance.

24. Recitals The Recitals set forth above shall be included and read as a part of these Proffers and are incorporated herein by reference.

WITNESS the following signatures, thereunto duly authorized:

[SIGNATURE PAGES TO FOLLOW]

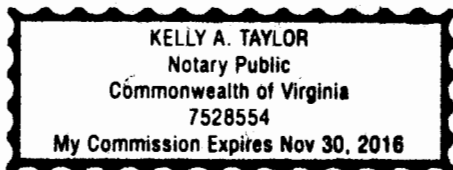
[Signature page to the Proffer Agreement.]

RIVERSIDE HEALTHCARE ASSOCIATION,  
INC., a Virginia corporation

By: Wade D. Broughman  
Name: Wade D. Broughman  
Title: Chief Operating Officer

COMMONWEALTH OF VIRGINIA  
AT LARGE, to-wit:

The foregoing instrument was acknowledged before me this the 16<sup>th</sup> day of February, 2016, by Wade D. Broughman, who  is personally known to me, or who  produced \_\_\_\_\_ as identification, as Chief Operating Officer of Riverside Healthcare Association, Inc., a Virginia corporation, in its behalf.



Kelly A. Taylor  
Notary Public

My commission expires: November 30, 2016

My registration number is: 7528554

[Signature page to the Supplemental and Amendatory Proffer Agreement.]

COUNTY OF JAMES CITY, VIRGINIA, a political subdivision of the Commonwealth of Virginia

By: [Signature]  
Name: BRYAN J. HILL  
Title: COUNTY ADMINISTRATOR

COMMONWEALTH OF VIRGINIA  
CITY/COUNTY OF JAMES CITY, to-wit:

The foregoing instrument was acknowledged before me this the 25<sup>TH</sup> day of APRIL, 2016, by BRYAN J. HILL, who  is personally known to me, or who  produced \_\_\_\_\_ as identification, as COUNTY ADMINISTRATOR of the County of James City, Virginia, a political subdivision of the Commonwealth of Virginia, in its behalf.

[Signature]  
Notary Public

My commission expires: 10/31/2017

My registration number is: 7566372



APPROVED AS TO FORM:  
[Signature]  
County Attorney

Exhibit A

All that certain lot, piece or parcel of land located in the Berkley District of the County of James City, and more particularly shown on the plat entitled "Plat of Subdivision, A Parcel Containing 89.404 Ac. Being a Portion of the Property Owned by Greensprings Plantation, Inc.", dated November 22, 1994, and made by AES, Consulting Engineers, Williamsburg, Virginia, of record in the Clerk's Office of the Circuit Court for the City of Williamsburg and the County of James City in Plat Book 60, page 100.

Exhibit B

Conceptual Plan

See Attached

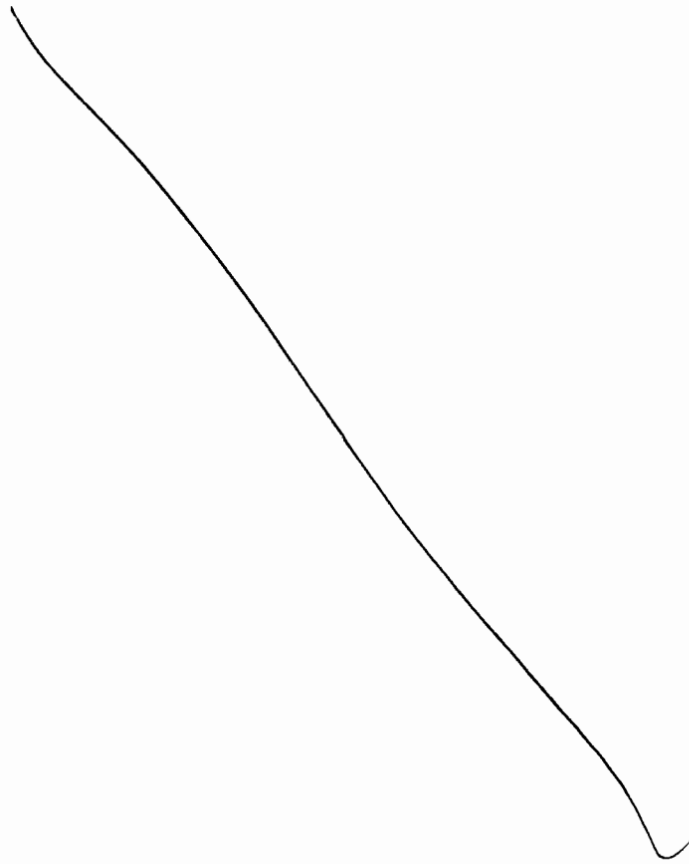




Exhibit C  
Master Plan  
See attached

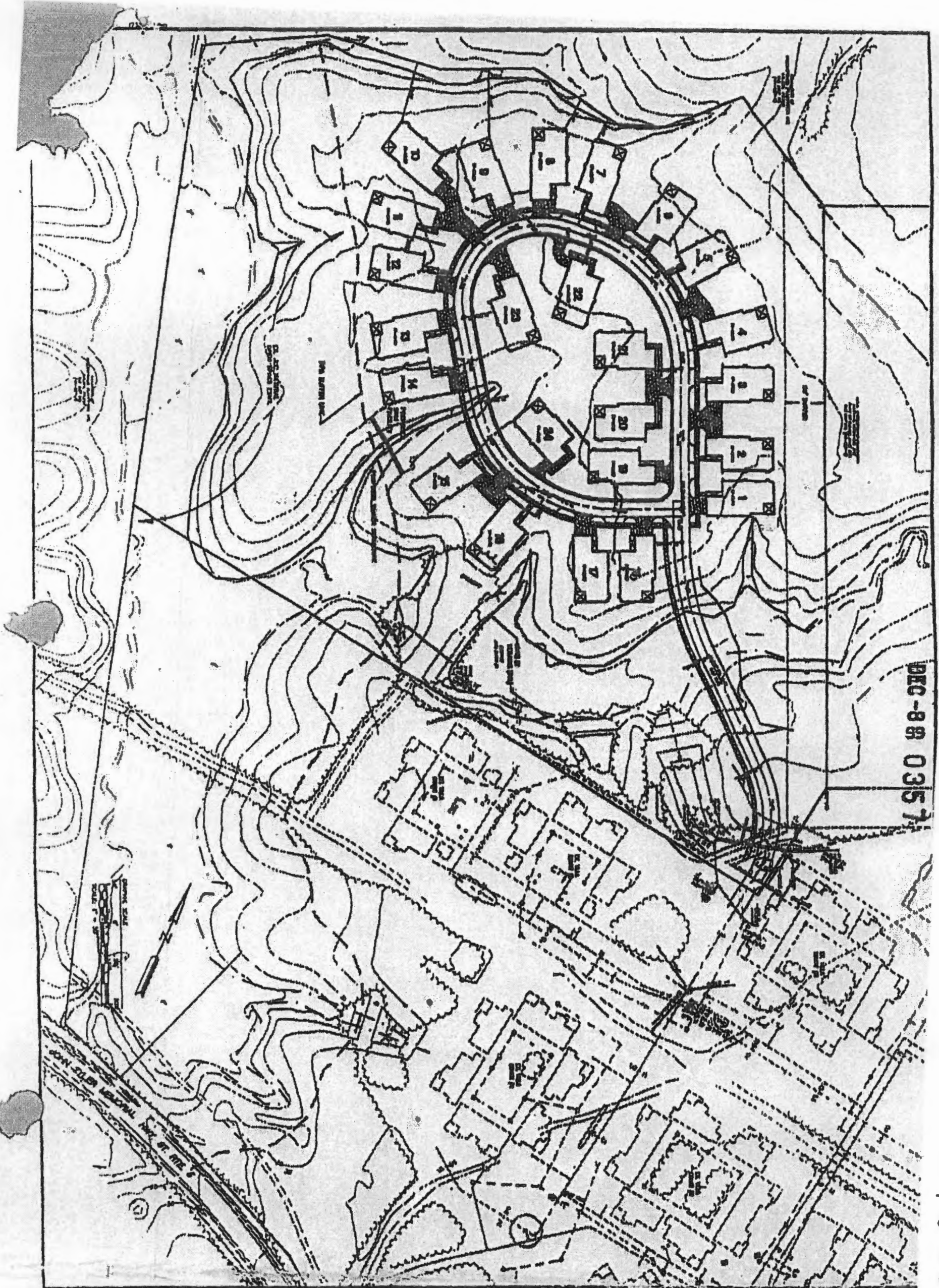
VIRGINIA: CITY OF WILLIAMSBURG & COUNTY OF JAMES CITY  
This document was admitted to record on 5-4-2016  
at 2:43 ~~AM~~ PM. The taxes imposed by Virginia Code  
Secion 58.1-801, 58.1-802 & 58.1-814 have been paid.

STATE TAX	LOCAL TAX	ADDITIONAL TAX
\$ <u>      </u>	\$ <u>      </u>	\$ <u>      </u>

TESTE: MONA A. FOLEY, CLERK

BY Monna A. Foley Clerk

3 Large ~~Small~~ Plat(s) Recorded  
herewith as # 160007754



DEC-88 0357

EXHIBIT #1  
**PATRIOTS COLONY, PHASE II**  
 CONTINUING CARE RETIREMENT COMMUNITY  
 DEVELOPER: PATRIOTS RETIREMENT SERVICES INC.  
 DESIGNED BY: [unclear] ENGINEER



2248 Old Town Road, Suite 1  
 Williamsburg, Virginia 23108  
 (757) 288-0040  
 Fax (757) 288-0044


160007754

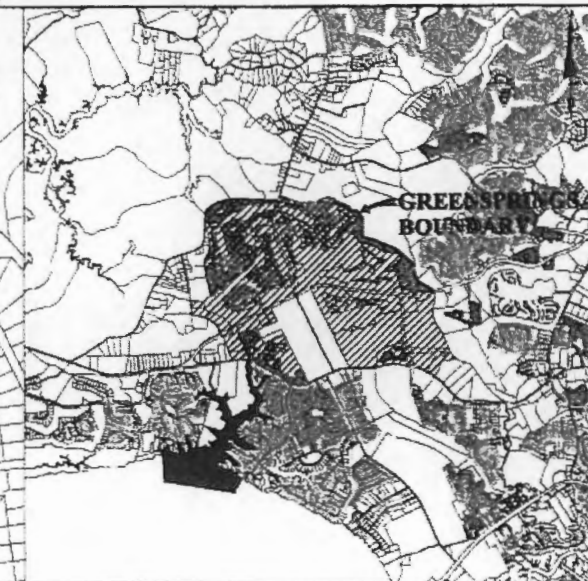
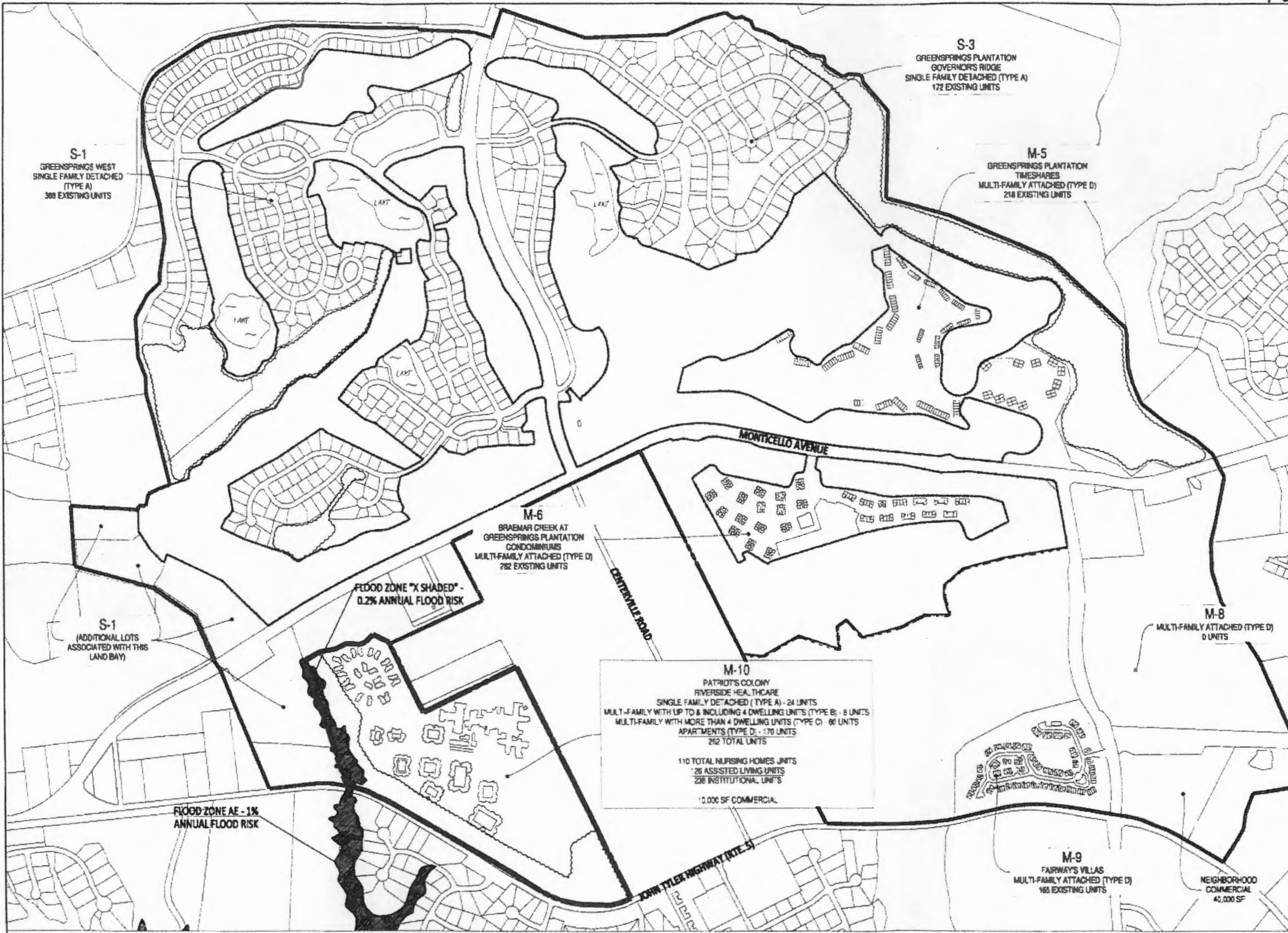
City of Williamsburg & County of James City  
 Circuit Court: This PLAT was recorded on  
5-4-2016  
 at 2:43 AM/PM, PB    PG     
 Document # 160007754  
 MONA A. FOLEY, CLERK  
Mona A. Foley, Clerk

3 Large/Small Plat(s) Recorded  
 herewith as # 160007754

**EXHIBIT B**



160007754



- General Notes:**
- Existing/Proposed Zoning: R-4
  - The information shown hereon reflects proposed changes in Land Bay M-10 per the Patriot's Colony Rezoning and master plan amendment. Please see rezoning case and master plan amendment documentation for Patriot's Colony for further information.
  - Please see 1999 Master Plan for Greensprings (MP-2-99) for existing master planned conceptual plan and details, including location of pedestrian trails, nature conservation parks, major open space, golf course limits and access points, neighborhood recreational centers, RPA boundaries, 100 year floodplain boundaries, road extensions, etc.)
  - Existing Unit Counts and acreage are based on 1999 Greensprings Plantation Master Plan and Proffer Amendment (MP-2-99, Z-11-99) and information from the unapproved Greensprings Master Plan Amendment dated 03/24/14 by Jamestown, LLC.
  - Lot lines and boundary shown are per James City County GIS.

Greensprings Unit and Area Matrix		Unit Count
<b>Land Bay M-10 Unit Matrix</b>		
Type A: Single-Family Detached		24
Type B: Multi-Family with up to and including 4 Dwelling Units		8
Type C: Multi-Family with more than 4 Dwelling Units		60
Type D: Apartments		170
<b>Total No. Dwelling Units</b>		<b>262</b>
<b>Greensprings Unit Matrix (Exclusion of Land Bay M-10)</b>		
Type A: Single-Family Detached		540
Type B: Multi-Family Attached with 2-4 Units per Building		-
Type C: Multi-Family Attached with more than 4 Units per Building and Under 3 Stories		-
Type D: Multi-Family Attached with more than 4 Units per Building and more than 3 Stories		665
<b>Total No. Dwelling Units</b>		<b>1205</b>

Unit Type	1999 Revised Master Plan		Proposed Master Plan Amendment (2015)	
	Unit Count	Units Lost (Units Added)	Units Lost (Units Added)	Total Proposed Unit Count
Institutional Units (Beds)	138	150	158	296
<b>Commercial (Request Rezone)</b>				
Neighborhood Commercial**	50000 sf			50000 sf
<b>Common Open Space Required in R-4</b>				
Provided Common Open Space***	500.8			500.8
Required Common Open Space***	902.3			902.3

**Note:** Unit types for Land Bay M-10 are changed to reflect R-4 zoning ordinance definitions as adopted Sept. 11, 2012. Greensprings Unit Matrix (exclusion of Land Bay M-10) uses unit type definitions in effect when original master plan was adopted and counts are not proposed to change through this amendment.

**Bowman**  
CONSULTING

Bowman Consulting Group, Ltd.  
2001 Williams Parkway  
Suite 100  
Richmond, Virginia 23220  
Phone: (804) 816-0940  
Fax: (804) 879-0008  
www.bowmanconsulting.com  
© Bowmar Consulting Group, Ltd.

MASTER PLAN  
**GREENSPRINGS**  
MASTER PLAN AMENDMENT  
JAMES CITY COUNTY  
JAMESTOWN MAGISTERIAL DISTRICT

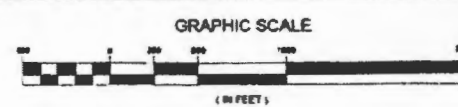
COUNTY PROJECT NUMBER

PLAN STATUS  
12/28/15 COUNTY COMMENTS

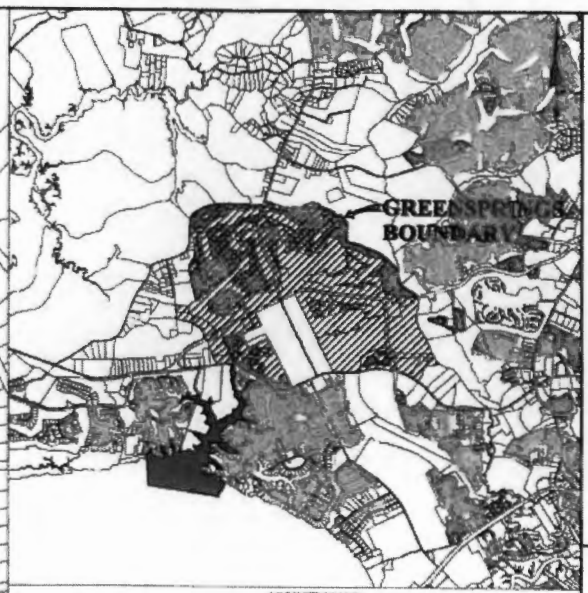
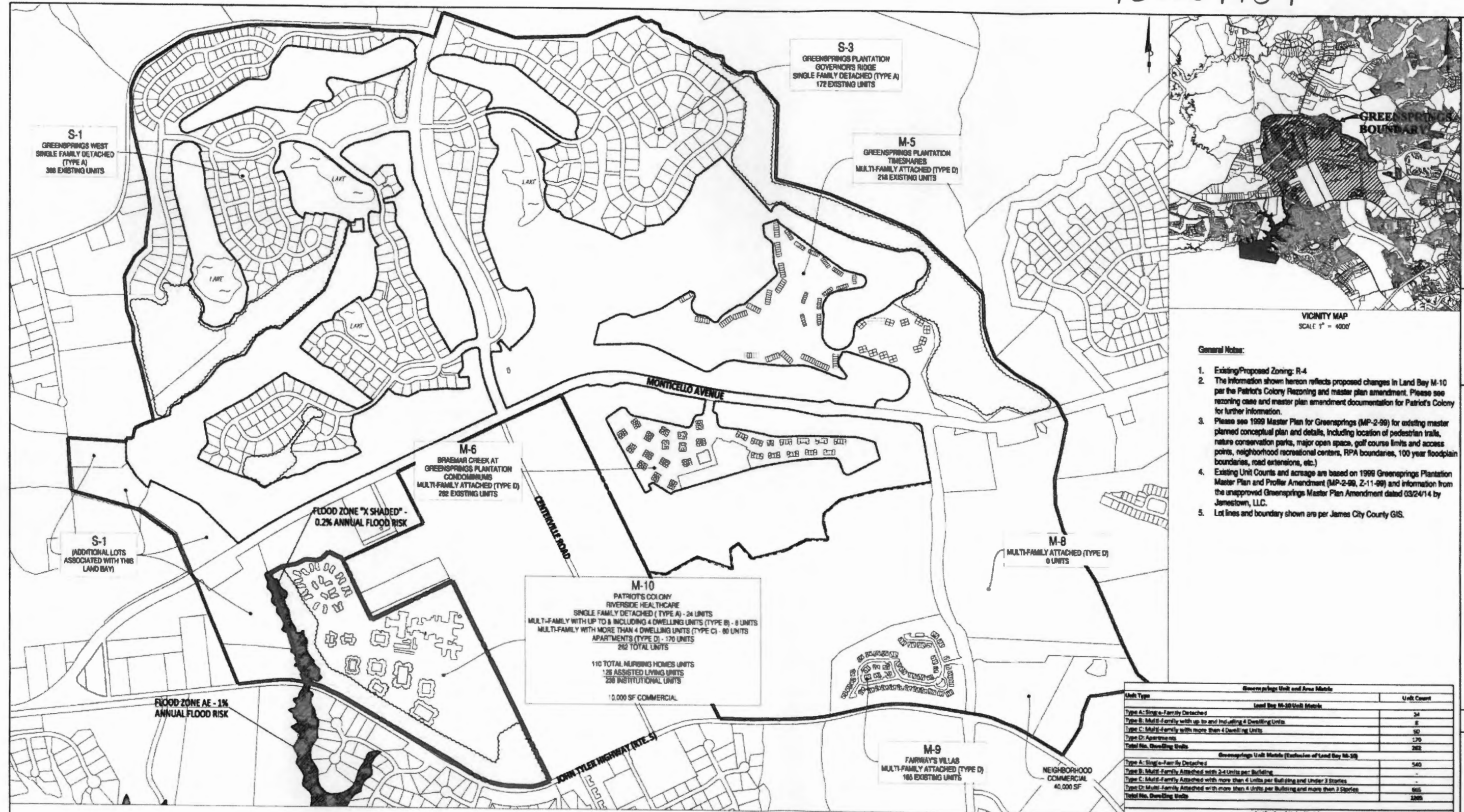
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DC/JW NC JJ  
DESIGN DRAWN C-HKD  
SCALE: 1" = 500'  
JOB No. \_\_\_\_\_  
DATE: Feb 16, 2016  
FILE No. \_\_\_\_\_

City of Williamsburg & County of James City  
Circuit Court: This PLAT was recorded on  
5-4-2016  
at 2:43 AM/PM, PB \_\_\_\_\_ PG \_\_\_\_\_  
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160007754



- General Notes:**
- Existing/Proposed Zoning: R-4
  - The information shown hereon reflects proposed changes in Land Bay M-10 per the Patriot's Colony Rezoning and master plan amendment. Please see rezoning case and master plan amendment documentation for Patriot's Colony for further information.
  - Please see 1999 Master Plan for Greensprings (MP-2-99) for existing master planned conceptual plan and details, including location of pedestrian trails, nature conservation parks, major open space, golf course limits and access points, neighborhood recreational centers, RPA boundaries, 100 year floodplain boundaries, road extensions, etc.)
  - Existing Unit Counts and acreage are based on 1999 Greensprings Plantation Master Plan and Proffer Amendment (MP-2-99, Z-11-99) and information from the unapproved Greensprings Master Plan Amendment dated 03/24/14 by Jamestown, LLC.
  - Lot lines and boundary shown are per James City County GIS.

Unit Type	Land Bay M-10 Unit Mix	Unit Count
Type A: Single-Family Detached		24
Type B: Multi-Family with up to and including 2 Dwelling Units		8
Type C: Multi-Family with more than 4 Dwelling Units		90
Type D: Apartments		170
<b>Total No. Dwelling Units</b>		<b>292</b>
Unit Type	Greensprings Unit Mix (Exclusion of Land Bay M-10)	Unit Count
Type A: Single-Family Detached		540
Type B: Multi-Family Attached with 2-4 Units per Building		-
Type C: Multi-Family Attached with more than 4 Units per Building and Under 3 Stories		915
Type D: Multi-Family Attached with more than 4 Units per Building and more than 3 Stories		288
<b>Total No. Dwelling Units</b>		<b>1743</b>

Unit Type	1999 Revised Master Plan	Proposed Master Plan Amendment (2015)	Total Proposed Units Count
Institutional Units (Beds)	128	150	278
<b>Total</b>			<b>296</b>

Neighborhood Commercial\*\* 50000 sf 50000 sf  
 Common Open Space Required by R-4 50000 sf 50000 sf  
 Provided Common Open Space\*\*\* 95000 sf 95000 sf

\*\*\*Note that assisted living, nursing homes, and memory care units are currently considered institutional and therefore do not fall under density requirements.  
 \*\*\*\*Neighborhood Commercial total includes original 10,000 sf allocated to Land Bay M-10.  
 \*\*\*\*\*No proposed change to dedicated/dedicated open space. Open space includes dedicated public land, recreational open space, set or open space (parks, lakes, woodlands, walkways, trails, playgrounds, recreational facilities, golf and sports facilities, interior right-of-way, surface easements for drainage, utilities outside of residential lots, road and parking areas).

Note: Unit types for Land Bay M-10 are changed to reflect R-4 zoning ordinance definitions as adopted Sept. 11, 2012. Greensprings Unit Mix (exclusion of Land Bay M-10) uses unit type definitions in effect when original master plan was adopted and counts are not proposed to change through this amendment.

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**Bowman**  
 CONSULTING

James Consulting Group, LLC  
 1800 Westover Parkway  
 Richmond, Virginia 23220  
 Phone: (804) 694-2800  
 Fax: (804) 670-8888  
 www.jamesconsulting.com

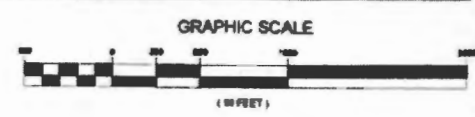
MASTER PLAN  
 GREENSPRINGS  
 MASTER PLAN AMENDMENT  
 JAMES CITY COUNTY  
 JAMESTOWN MAGISTERIAL DISTRICT

COUNTY PROJECT NUMBER

PLAN STATUS  
2/28/15 COUNTY COMMENTS

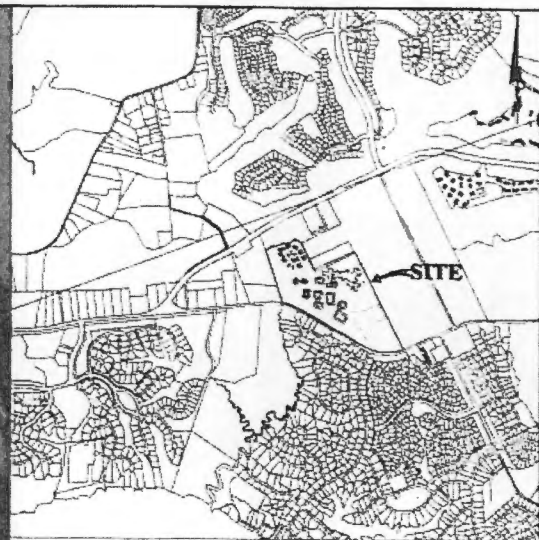
DATE	DESCRIPTION	BY	CHKD

SCALE: 1" = 500'  
 JOB No.  
 DATE: Feb 16, 2016  
 FILE No.





160007754



**Bowman**  
CONSULTING

VICINITY MAP  
SCALE 1" = 2000'

**SITE DATA:**

- SITE ADDRESS:** 3400 John Tyler Highway, Williamsburg, VA 23185-1457
- ACREAGE:** 88.59 acres (Per PB 62, PG 12 and County G5)
- PARCEL NUMBER:** GPM 04520100013, Parcel #: 0098
- OWNER/DEVELOPER:** Riverside Healthcare Assoc., Inc.
- ENGINEER:** Bowman Consulting Group, Contact: Jonathan Jackson, P.E., 3651 Western Parkway, Suite 150, Richmond, Virginia 23233, Phone: (804) 616-3240, Fax: (804) 270-2008, e-mail: jackson@bowmangroup.com
- PREVIOUS ZONING CASE:** MP-0002-1999 and Z-0011-1999
- CURRENT ZONING:** R-4, Residential: Planned Community District
- SETBACKS:** Front: 150' Drumbell buffer along Route 5, Side: 50' Historical Buffer (Eastern)

**OPEN SPACE:** See calculations, this sheet. 25.32/88.59 = 28.6% open space

**GROSS ACREAGE:** Non-developable land (WPA, steep slopes, FEMA floodzones) = 13.92 acres. Developable land = 88.59 - 13.92 = 74.67 ac. (15.7%). Since percent non-developable land < 20%, use total parcel acreage. Gross acreage = 88.59 ac.

**10. PROPOSED UNIT COUNT:**

UNIT TYPE	CURRENT	PLANNED EXPANSION	TOTAL	DENSITY
Greening Homes (Type A)	24	0	24	0.27/ac
Villa Homes (Type B & C)	8	0	8	0.09/ac
Villa Homes (Type C & D)	80	0	80	0.67/ac
Md. Living Apartments (Type D)	80	0	80	1.02/ac
<b>NEW CONSTRUCTION</b>				
Hybrid Homes (Type D)		80	80	0.90/ac
<b>Totals</b>	<b>182</b>	<b>80</b>	<b>262</b>	<b>2.95/ac</b>

Note that assisted living, nursing home, and memory care units are considered institutional uses and therefore do not fall under density requirements.

**INSTITUTIONAL UNIT COUNT:**

UNIT TYPE	CURRENT	PLANNED EXPANSION	PLANNED REMOVAL	TOTAL
Nursing (Skilled Nursing)	80	80	-30	130
Skilled Living/Memory Care	88	78	-20	146
<b>Totals</b>	<b>168</b>	<b>158</b>	<b>-50</b>	<b>276</b>

Note: The institutional unit counts shown are based on the number of proposed/existing beds.

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MASTER PLAN  
**PATROT'S COLONY**  
(LAND BAY M-10 OF GREENSPRINGS)  
JAMES CITY COUNTY  
JAMESTOWN MAGISTERIAL DISTRICT

**PARKING REQUIREMENTS**

UNIT TYPE	REQUIRED	EXISTING	PROPOSED	TOTAL
Single Family Detached (24, Type A) - 2 sp/unit	48	58	-	106
Attached Multi-Family (8 Villa, Type B) - 1.5 sp/unit	12	153	-	165
Multi-Family (80 units, Type C) - Min 0.78 sp/unit	46	121	-	167
Multi-Family (80 lower units, Type D) - 1.5 sp/unit	135	142	-	277
Multi-Family (80 hybrid units, Type D) - 1.5 sp/unit	120	-	139	259
Nursing Home (110 @ 1 sp/4 units + 1 sp/center) (28-30)	58	-	-	58
Assisted Living (126 @ 1 sp/4 units + 1 sp/center) (32-30)	62	-	-	62
Proposed Garden	-	6	-	6
Proposed Maintenance Building	-	9	-	9
Proposed Additional Parking Area	-	54	-	54
<b>Total</b>	<b>481</b>	<b>474</b>	<b>208</b>	<b>1163</b>

**OPEN AREA:**

AREA	ACRES
DEDICATED OPEN SPACE	11.94
PROPOSED DEDICATED OPEN SPACE	6.38
HISTORICAL BUFFER	4.37
GREEN BELT BUFFER	1.15
RECREATIONAL/SPORT AREA	0.82
SITE WALKWAY/BIKING NETWORK	0.68
<b>TOTAL</b>	<b>25.32</b>

**SITE COVER TABULATIONS:**

CONDITION	PREVIOUS AREA (AC)	PREVIOUS AREA (AC)	TOTAL (AC)
EXISTING CONDITION	16.74	71.85	88.59
SITE EXPANSION (SP-0108-2015)	12.24	71.85	84.09
FUTURE INSTITUTIONAL AND PARKING EXPANSION	17.78	76.81	94.59
REZONING (HYBRID UNITS AND ASSOCIATED PARKING)	19.94	68.65	88.59
REZONING (LONG TERM CARE UNITS AND PARKING)			

NOT YET DETERMINED AT THIS TIME.

3 Large ~~Small~~ Plat(s) Recorded  
herewith as # 160007754

City of Williamsburg & County of James City  
Circuit Court: This PLAT was recorded on  
5-4-2016  
at 2:43 AM/PM, PB PG  
Document # 160007754  
MONA A. FOLEY, CLERK  
Mona A. Foley, Clerk

**11. NOTES:**

- All streets shown within the MTD land bay are private.
- A height limitation waiver request has been submitted. Whereas, a portion of the property was proposed to restrict the maximum height permitted to 45 feet and two of the structures shown on the master plan exceed the 45 foot restriction and whereas the remainder of the property is in the R4 district where the maximum height permitted is 60 feet. Whereas, waivers are available for taller structures. Applicant is requesting a height limitation waiver to allow four buildings that will be five stories high that will exceed 70 feet above average finished grade. Please note that average height above mean sea level will range up to 111' based on existing grade, tentative finished floor elevations, and maximum building height permissible (under the proposed height waiver).
- Existing vegetation to be preserved and supplemented as needed, or replaced, with low, mid and high canopy vegetation so as to provide curb and shade screening of proposed buildings from Rte. 5/First Colony neighborhood.
- Clearing limits/proposed stormwater management limits for Phases A, B, C, and future parking area shown herein total approximately 12 acres. Note that these are calculations and are preliminary only.

COUNTY PROJECT NUMBER

DATE	DESCRIPTION
NOV 11 2015	NOV 11 2015
DESIGN	DRAWN
SCALE	1" = 150'
JOB No.	008318-01-004
DATE	Feb 17, 2016
FILE No.	008318-01-004