

January 5, 2000

Ms. Elaine Echols
Senior Planner
Department of Planning &
Community Development
County of Albemarle
401 McIntire Road
Charlottesville, Virginia 22902

RE: Pantops Place

Dear Ms. Echols:

The undersigned applicant makes the following proffers:

1. Development of the site will be in general conformity with the plan entitled, "Pantops Place Preliminary Plan", dated February 22, 1999 and revised October 18, 1999, herein referred to as the Application Plan.

2. Residential density limits will be as follows:

The building(s) containing the Assisted Living area and the Independent Living units will be no greater than 110,000 square feet. The total number of assisted living units and independent living units together shall not exceed 100; however, up to twelve of the assisted living units may be two-bedroom units.

Independent Living Cottages

Maximum 30 Units

3. A preliminary traffic analysis will be performed prior to preliminary site plan approval. The owner shall share in the cost of any comprehensive traffic study deemed necessary subsequent to the review of the preliminary traffic analysis. The amount of participation shall be based on a pro-rata share of the traffic volume contributed to the site as determined by the Albemarle County Engineering Department. At the request of VDOT, the owner will enter into an agreement among all parties whose property does or will contribute traffic to the Pantops Mountain Road/Route 250 intersection, to make a pro-rata financial contribution toward the installation of improvements related to the signalization of the intersection.

4.
 - (a) Vehicular access to the site from Route 250 East shall be limited to a single location, directly opposite the new entrance to the Martha Jefferson office building development on Pantops Mountain Road, as shown on the Application Plan.
 - (b) Prior to any development of the property, the applicant shall record an access easement to serve the adjoining property described as Albemarle County Tax Map 78, Parcel 55A3.
 - (c) The owner shall provide and maintain an asphalt path of no less than 5 feet to connect to an on-site trail system at Westminster Canterbury, if permission is granted by Westminster Canterbury for such a connection.
 - (d) The owner shall provide shuttle service at a minimum of three times a week to convey assisted living residents to appointments, shopping, and other destinations.
5. During construction of the first phase of the development, the owner shall perform grading in the r.o.w. for Route 250 or immediately adjacent to this r.o.w. to facilitate the future installation of a sidewalk which would be part of any reconfiguration of Route 250 to an "urban cross-section" roadway. If the grading for the sidewalk would result in the sidewalk being on the Pantops Place property, then the owner will grant the necessary easements for pedestrian access along this section of his property. The final site development plan shall reflect the grading to be performed with this proffer.
6. The owner shall provide a 15 foot buffer easement in width upon the property along its entire common boundary with the Glenorchy subdivision as shown on the Application Plan. The easement will be provided at construction of improvements. The purpose of this easement will be to ensure the preservation of an existing mature hedgerow and fieldstone wall along this common boundary line. No plant removal, other than dead, diseased or noxious vegetation, shall take place in this area. Only limited grading as shown on the approved site plans, and only that which does not require the removal of trees, shall be permitted. New beneficial plant material may be sensitively introduced to augment the efficacy of the hedgerow as a screening element. Pedestrian access to this area shall not be restricted.
7. The owner shall provide supplemental screening, to the satisfaction of the Albemarle County planning staff, in addition to that required in Section 32.7.9.8 of the Zoning Ordinance to ensure that the service areas for proposed buildings will be properly screened from the Glenorchy subdivision. This landscaping shall be shown on the Landscaping Plan to be submitted with the final site development plan for this section.

8. The owner will show the 25% open space on the preliminary and final site plans and preserve and/or improve, for recreational and amenity purposes, all of that land which lies east of the intermittent stream which transects the site. The land will remain in its current state except as deemed necessary for the potential construction of a pond, walking paths and other recreational features and installation of landscape treatments as shown on the preliminary site development plan.
9. A community association will be formed for ownership and maintenance of all areas outside of the building envelopes. Owners of the development shall be members of this community association.

Virginia Land Trust, Owner
Tax Map 78, Parcel 55-A-5

Date 1-6-2000

By:

Charles W. Hurt
Charles W. Hurt, M.D., Trustee

Individual Owners
Tax Map 78, Parcel 55-A-(1)

Date 1.5.2000

J. Todd Samperton
J. Todd Samperton

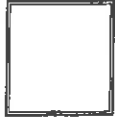
Date 1.5.2000

Novella D. Samperton
Novella D. Samperton
By J. Todd Samperton (Attorney in Fact)

Date 1.5.2000

Clive Duvall, III
Clive Duvall, III
By J. Todd Samperton (Attorney in Fact)

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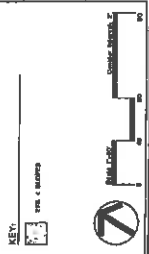
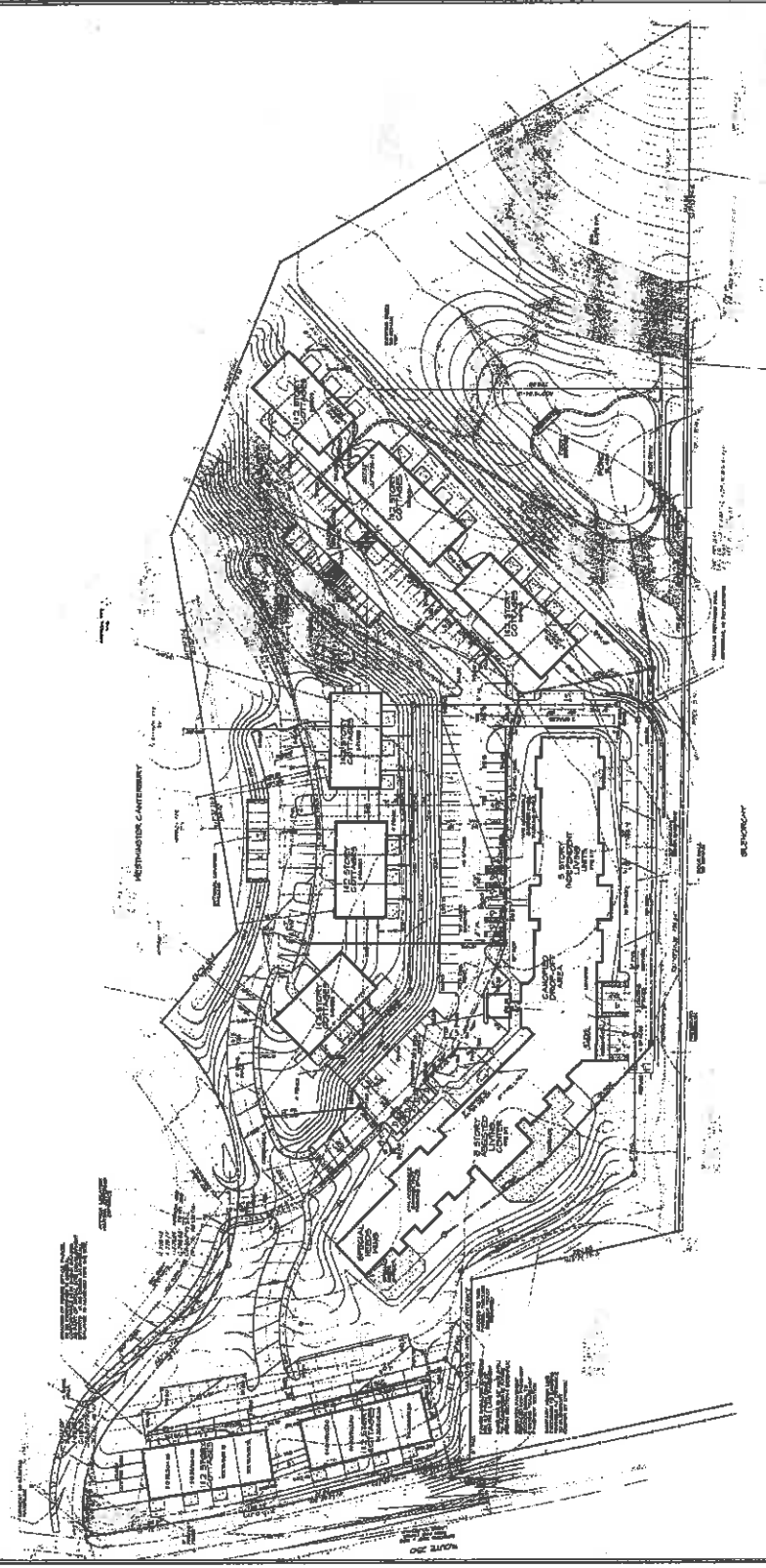


PANTOPS PLACE
 Albemarle County, Virginia
 PRELIMINARY PLAN

DATE: 11/10/09
 DRAWN BY: J. CARSON
 CHECKED BY: M. CARSON

Scale	1" = 20'
North Arrow	North Arrow
Legend	Legend
Notes	Notes

ATTACHMENT A



Original Proffers _____
Amendment X

PROFFER STATEMENT

ZMA No. 2015-00004 Commonwealth Senior Living Proffer Amendment

Tax Map and Parcel Number(s): **07800-00-00-055A1**

Owner(s) of Record: **Osprey/Pantops Place LLC**

Date of Proffer Signature: August __, 2015

3.851 acres zoned **PRD**

Osprey/Pantops Place LLC is the owner ("Owner") of Tax Map and Parcel Number **07800-00-00-055A1** which is subject to this zoning map amendment (the "Property"). The Property is a portion of the property that was the subject of rezoning applications ZMA 1999-001 and ZMA 2001-011, for a project then known as "Pantops Place," (the "Pantops Place Rezoning"). The portion of the overall Pantops Place Rezoning property affected by these Proffers consists of an existing building of approximately 110,000 square feet that will be internally reconfigured to convert various independent living units into assisted living units to result in a greater number of assisted living units than that which was envisioned in ZMA 2001-011 and will now be referred to as "Commonwealth Senior Living" (the "Project").

ZMA 1999-001 and ZMA 2001-011 also pertained to Tax Map and Parcel Number 07800-00-00-055A5. Pantops Place Limited Partnership is the owner of Tax Map and Parcel Number 07800-00-00-055A5 which consists principally as open space (the "Open Space"). The Property and the Open Space were subject to Proffers dated January 5, 2000 and August 28, 2001 (the "Previous Proffers") as part of the actions approving rezoning applications ZMA 1999-001 and ZMA 2001-011. These Proffers are intended to amend the Previous Proffers as they relate to the *Property* only; the Open Space therefore will still be subject to the Previous Proffers, to the extent applicable, unless or until the Previous Proffers are amended with respect to the Open Space.

Pursuant to Section 33 of the Albemarle County Zoning Ordinance, the Owner hereby voluntarily proffers the conditions listed below which shall be applied to the Property if it is rezoned to the zoning district identified above. These conditions are proffered as a part of the proposed rezoning, and the Owner acknowledges that the conditions are reasonable.

1. Development of the site will be in general conformity with the plan entitled, "Commonwealth Senior Living Application Plan", dated July 6, 2015, herein referred to as the Application Plan.
2. Residential density limits shall be as follows:

The building containing the Assisted Living units and the Independent Living units will be no greater than 110,000 square feet. The total number of Assisted Living units and Independent Living units together shall not exceed **140**.

This Proffer Statement may be executed in any number of counterparts, each of which shall be an original and all of which together shall constitute but one and the same instrument.

WITNESS the following signatures:

OWNER:

Osprey/Pantops Place LLC, a Delaware limited liability company

By: _____
Richard G. Corey, President