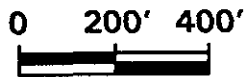


NURSING HOME
C-47C-93



PT. 72-B1-21
THREE CHOPT DISTRICT

HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

December 14, 1993

Re: Conditional Rezoning Case C-47C-93

The Most Reverend Walter F. Sullivan
Bishop of Catholic Diocese of Richmond
811 Cathedral Place
Richmond, Virginia 23220

The Most Reverend Sir:

The Board of Supervisors at its meeting on December 8, granted your request to conditionally rezone property from A-1 Agricultural District to R-6C General Residence District (Conditional), Part of Parcel 72-B1-21, described as follows:

Beginning at a point on the W. line of North Gayton Road 1085' +/- south of Broad Street Road; thence with the W. line of North Gayton Road S. 34° 34' 08" W., 667.76' to a point; thence leaving North Gayton Road N. 69° 20' 16" W., 520.00' to a point; thence N. 21° 12' 02" E., 516.89' to a point; thence S. 70° 26' 16" E., 250.00' to a point; thence N. 35° 32' 44" E., 342.30' to a point; thence S. 38° 22' 46" E., 108.38' to a point; thence S. 39° 34' 46" E., 100.00' to a point; thence S. 37° 17' 33" E., 186.41' to the point of beginning, containing 9.030 acres.

The Board of Supervisors accepted the following proffered conditions which further regulate the above described property in addition to all applicable provisions of Chapter 22, Code of Henrico (Zoning Ordinance):

1. Architectural Style. The buildings constructed on the Property shall be primarily brick masonry and substantially similar to that shown on the renderings marked Exhibit A (See case file).
2. Height. The height of any building constructed on the Property measured to the "mean center line of the highest pitched roof" will not exceed thirty-five (35) feet and the "highest point of the highest roof ridge" will not exceed forty-two (42) feet nor will any building exceed two stories.
3. Use. The Property shall only be used as a nursing home, convalescent home and/or home for the aged and may include an employee-related child care center for the facility.
4. Buffer. A buffer of natural or landscaped areas (consisting of dense pine trees or other evergreen trees a minimum of ten (10) feet high) will be provided at the time construction begins as set forth below, except for utility easements (which must run generally perpendicular through the buffer) and other purposes (specifically requested and permitted or required by the Planning Commission at the time of Plan of

Development review or by any other governmental body or agency);

A minimum of twenty-five (25) feet in width shall be provided along the southernmost boundary of Parcel A and the portion thereof adjoining the northern boundary of Gayton Station subdivision.

At the time of the development of the rezoned Parcel A, Owner will relocate the existing 10' wide farm road from the above 25' buffer area to an area adjacent to and north of the 25' buffer and will join said relocated farm road with the existing 10' farm road on Parcel B along the southern boundary of Parcel B by means of a connection running generally along the boundary between Parcel A and Parcel B.

5. Dedication of Right-of-Way. The owner agrees to dedicate 5' along the eastern boundary of the Property for the widening of North Gayton Road.
6. Setback. No building on the Property shall be constructed within one hundred (100) feet of the northern property line of Gayton Station subdivision. No building on the Property shall be constructed within sixty (60) feet of the new Gayton Road right-of-way line. No parking spaces shall be constructed within fifty (50) feet of the new Gayton Road right-of-way line.
7. Landscaping.
 - A. The owner will provide landscaping in the 35' setback area along the eastern boundary of the Property (next to Gayton Road) consisting of deciduous trees and ornamental plantings which allow for visibility of the building from Gayton Road. Owner retains the right to maintain this area; cross it with driveway entrances and utility easements; and place signs thereon.
 - B. The owner will provide landscaping in the 30' setback area along the boundary of the Property with tax Parcel #72-B1-22 for a distance of 100' north of a marker at the northwest corner and 100' west of a marker at the northwest corner of the Property. Landscaping will consist of a dense evergreen tree screen of 8' and 10' pines. The owner retains the right to maintain this area and make minor grading adjustments within said area. In addition, the owner reserves the right to cross this with a fire lane, if required by Henrico Fire Officials.
8. Screening. All heating and cooling equipment, all trash receptacles and areas designated for the unloading of supplies associated with the operation of a home for adults or nursing home facility shall be screened from public view at ground level at the boundaries of the Property.

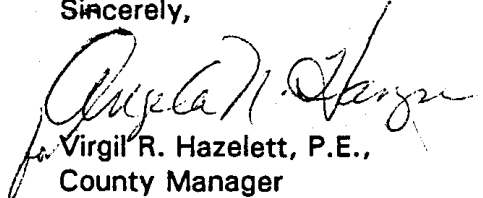
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9. Delivery Hours. Trash removal and service deliveries to the service area of the Property shall be limited to Monday through Friday between the hours of 7:00 a.m. and 8:00 p.m.
10. Parking Lot Lighting. Parking lot light fixtures shall not exceed twenty (20) feet in height as measured from the grade at the base of the lighting standard, unless otherwise requested, described and specifically permitted, or if required, by the Planning Commission at the time of Plan of Development review or by any other governmental body or agency. Except for decorative or period style lighting fixtures or tree-mounted lighting, parking lot lighting shall be produced from concealed sources of light and no lighting on the Property shall exceed one-half (1/2) foot candle at the boundaries of the Property.
11. Severance. The unenforceability or elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.

The Planning Office has been advised of the action of the Board of Supervisors and will revise its records and place a copy of the accepted proffered conditions in the Conditional Zoning Index.

Sincerely,



Virgil R. Hazelett, P.E.,
County Manager

cc: Clerk, Board of Supervisors
Director, Real Estate Assessment
Conditional Zoning Index
Mr. Nicholas A. Spinella, Esquire