

B-1C to R-6C
5.48 Acres

Age Restricted
Assisted living Facility

C-30C-02

TUCKAHOE DISTRICT

Scale: 1" = 400'

June 2002 Ref. 745-751-3992

COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO



Virgil R. Hazelett, P.E.
County Manager

September 17, 2002

Re: Conditional Rezoning Case C-30C-02

HHHunt of North Carolina
c/o Mr. James M. Nicholson
117 Edinburgh South
Suite 100
Cary, NC 27511

Dear Mr. Nicholson:

The Board of Supervisors at its meeting on September 10, 2002, granted your request to conditionally rezone property from B-1C Business District (Conditional) to R-6C General Residence District (Conditional), Parcel 745-751-3992 (67-A-14B), described as follows:

Beginning at a point on the southern right-of-way line of Ridgefield Parkway, 29.62' from the intersection of the southern right-of-way line of Ridgefield Parkway extended and the eastern right-of-way line of Flintwood Drive extended; thence along the said southern right-of-way line of Ridgefield Parkway S62°36'54"E a distance of 656.41' to a point; thence departing the said southern right-of-way line of Ridgefield Parkway S38°03'30"E a distance of 99.64' to a point; thence S48°54'25"E a distance of 2.98' to a point; thence S83°44'00"W a distance of 300.00' to a point; thence S37°52'33"W a distance of 424.09' to a point on the said eastern right-of-way line of Flintwood Drive; thence along the said eastern right-of-way line of Flintwood Drive N26°35'35"W a distance of 8.97' to a point; thence along the said eastern right-of-way line of Flintwood Drive following a curve to the right having a radius of 1298.31', a delta of 28°41'00", an arc length of 649.96', a chord bearing of N12°15'05"W and a chord distance of 643.19' to a point; thence along the said eastern right-of-way line of Flintwood Drive following a curve to the right having a radius of 368.07', a delta of 15°38'34", an arc length of 100.49', a chord bearing of N09°54'42"E and a chord distance of 100.18' to a point; thence along the said eastern right-of-way line of Flintwood Drive following a curve to the right having a radius of 25.00', a delta of 99°40'08", an arc length of 43.49', a chord bearing of N67°33'02"E and a chord distance of 38.21' to a point on the said southern right-of-way line of Ridgefield Parkway, being the point of beginning, containing 5.48 acres of land.

The Board of Supervisors accepted the following proffered conditions, dated August 15, 2002, which further regulates the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. Architectural Treatment. Buildings constructed on the Property shall have an exterior architectural style generally consistent with the exterior elevation plans entitled "Spring Arbor Assisted Living - Henrico County, Virginia" prepared by Winks-Snowa Architects, P.C., dated April 30, 2002 and attached hereto as Exhibit A (see case file), unless otherwise specifically approved at the time of Plan of Development.
2. Conceptual Plan. The Property shall be developed substantially consistent with the layout plan entitled "Preliminary Grading Plan, Spring Arbor Assisted Living, Tuckahoe District, Henrico County, Virginia", prepared by Draper Aden Associates, dated May 21, 2002 and attached hereto as Exhibit B (see case file), unless otherwise specifically approved at the time of Plan of Development.
3. Building Height. No residence building constructed on the Property shall exceed one (1) story or twenty-eight (28) feet in height exclusive of architectural features.
4. Use Restriction. No rental apartment development shall be permitted on the Property; however, assisted living facilities, senior living facilities, convalescent homes or homes for the aged may be constructed on the Property provided that, except as otherwise prohibited by the Virginia Fair Housing Law, the federal Housing Law, and such other applicable federal, state, or local legal requirements, any such facility shall be administered in such a manner as to restrict occupancy of residential dwelling units to "housing for older persons" as defined in the Virginia Fair Housing Law and shall have no persons under 19 years of age residing therein.
5. Pedestrian Accessway. A pedestrian accessway shall be provided to allow internal circulation throughout the Property.
6. Parking Lot Lighting. Parking lot lighting standards shall not exceed twelve (12) feet in height, shall be non-glare, decorative in style, and residential in character, unless otherwise requested and specifically approved at the time of Plan of Development.
7. Exterior Materials. The exposed portion of each exterior wall surface (front, rear and sides) of any building (excluding rooftop screening materials for mechanical equipment) shall be similar to the exposed portions of other exterior walls of such building in architectural treatment and materials. Any building shall have exposed exterior walls (above finished grade) of brick, wood, E.I.F.S., cementitious, vinyl or composite-type siding, or a combination of the foregoing, unless different

architectural treatment and/or materials are specifically approved with respect to the exposed portion of any such wall, at the time of Plan of Development. No building shall be covered with or have exposed to view any painted or unfinished concrete block, sheet or corrugated aluminum or metal, unless otherwise requested and specifically approved at the time of Plan of Development.

8. Central Trash Receptacles. Central trash receptacles, not including convenience cans, shall be screened from public view at ground level in a manner approved at the time of Plan of Development. Refuse containers shall be constructed of finished masonry materials with the exception of gates and doors. Gates and doors shall be opaque, substantial, and oriented to minimize view of the enclosure from public rights-of-way. Concrete pavement shall be used where the refuse container pad and apron are located.
9. Mechanical Equipment. Mechanical equipment shall be screened from public view at ground level at the Property lines in a manner approved at the time of Plan of Development.
10. Underground Utilities. Except for junction boxes, meters and existing overhead utility lines and technical or environmental reasons, all utility lines shall be underground.
11. Severance. The unenforceability, 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.
12. Density. No more than eighty (80) residential units shall be constructed on the Property.
13. Signage. Any detached signs shall be ground-mounted, monolithic-type signs and shall not exceed six (6) feet in height. Landscaping shall be provided at the base of any such sign as determined at the time of landscape plan review. Other than the sign panel, any detached signs shall be predominantly of brick and if lighted, shall be externally lit employing ground-mounted lighting fixtures directed toward such signs and away from public rights-of-way.
14. Foundations. The exposed exterior portions of building foundations on the assisted living facility shall be constructed of brick.
15. Hours of Construction. The hours of exterior construction, including operation of bulldozers and other earthmoving equipment, shall be between 7:00 a.m. and 7:00 p.m., Monday through Friday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours or utility connections.


16. Screening of Through-Wall Air Conditioning Units. Through-wall air conditioning units shall be screened with materials of a color similar to that used in the building or trim, unless otherwise requested and specifically approved at the time of Plan of Development.
17. Landscape Strip. An irrigated landscaped strip shall be maintained a minimum of fifteen (15) feet in width along the western and northern boundary lines of the Property adjacent to the ultimate right-of-way lines of Flintwood Drive and Ridgefield Parkway, except to the extent necessary or allowed for sidewalks, utility easements, initial grading, drainage, signage, access driveways and other purposes requested and permitted at the time of Plan of Development. Such landscaped strip shall, at a minimum, contain five (5) large deciduous or evergreen trees, two and one-half (2.5) small trees and nineteen (19) shrubs for every one hundred (100) linear feet.
18. Buffer on Eastern Property Line. An irrigated, natural and/or landscaped buffer shall be provided on the eastern property line twenty (20) feet in width with supplemental plantings consisting of four (4) large deciduous or evergreen trees with an ultimate height of fifty (50) feet or greater plus two (2) small evergreen or deciduous trees with an ultimate height of twenty (20) feet or greater and sixteen (16) shrubs with an ultimate height of ten (10) feet or greater for every one hundred (100) linear feet or portion thereof, unless otherwise requested by the applicant and specifically approved at the time of Plan of Development. A six (6) foot tall solid board fence, the design of which shall be approved at the time of Plan of Development, shall be provided on the eastern property line.
19. Trash Pick Up and Service Deliveries. Trash pickup from, and service deliveries to, the Property shall be limited to the hours of 8:00 a.m. to 5:00 p.m. Monday through Saturday. There shall be no trash pickup or service delivery on Sundays.
20. Maintenance Building. Any maintenance building to be constructed on the Property shall be complimentary in design and materials as to the main building.
21. Storm Water Facilities. Any BMPs on the Property shall be a combination of underground detention facilities and above-ground, landscaped bio-retention facilities.
22. Construction Traffic on Flintwood Drive. The Developer shall incorporate language into its contract with the general contractor prohibiting construction traffic on Flintwood Drive beyond the Property through Raintree subdivision.

HHHunt of North Carolina
c/o Mr. James M. Nicholson
September 17, 2002

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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,


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

cc: Director, Real Estate Assessment
Conditional Zoning Index
Crown Central Petroleum Corp.
James W. Theobald, Esquire