Parcels or Portions thereof identified on this sheet are within the Airport Safety Overlay District and are subject to Special Regulation.
August 19, 2008

Secure Hands Holdings, LLC
C/O Barketali Kabani
8322 Ryegate Place
Mechanicsville, VA 23111

Re  Conditional Rezoning Case C-9C-08

Dear Mr. Kabani,

The Board of Supervisors at its meeting on August 12, 2008, granted your request to conditionally rezone from R-4 One-Family Residence District to R-6C General Residence District (Conditional), Parcels 809-722-2386, 809-722-4093, 809-722-5489, 809-722-5792, 809-722-2108, 809-723-4307, 809-723-5011, 809-723-6216, and 809-723-5911, described as follows:

All those certain lots, pieces, or parcels of land containing tax parcels 809-723-6216, 809-723-5911, 809-723-5011, 809-722-5792, 809-722-5489, 809-723-4307, 809-722-4093, 809-722-2386, and 809-723-2108 lying and being along the North line of Nine Mile Road and the East line of E Richmond Road in the Fairfield district of Henrico County, Virginia containing 6.0308 acres of land beginning at a point on Nine Mile Road 174.08' West of Watson Lane, thence S 43°06'58" W for a distance of 75.08' to a point, thence S 43°08'20" W for a distance of 42.44' to a point, thence S 43°19'58" W for a distance of 292.92' to a point, thence along a curve to the right having a radius of 1364.40' and a length of 83.46' to a point, thence N 18°16'18" W for a distance of 136.40' to a point, thence S 71°43'46" W for a distance of 60.01' to a point, thence S 18°16'18" E for a distance of 2.50' to a point, thence S 71°43'42" W for a distance of 60.00' to a point, thence S 83°29'57" W for a distance of 76.40' to a point, thence S 70°59'13" W for a distance of 63.64' to a point, thence N 02°13'11" W for a distance of 459.61' to a point, thence N 87°46'42" E for a distance of 215.24' to a point, thence S 30°11'35" E for a distance of 28.56' to a point, thence N 55°53'29" E for a distance of 141.22' to a point, thence N 58°33'26" E for a distance of 35.80' to a point, thence N 56°22'08" E for a distance of 74.25' to a point, thence S 36°44'09" E for a distance of 373.60' to a point and place of beginning.

The Board of Supervisors accepted the following proffered conditions, dated June 18, 2008, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance)
Permitted Uses. The Property shall be developed in accordance with Article IX, R-6 General Residence District, Section 24-35 of the Henrico County Zoning Ordinance, and limited to the uses permitted therein. The improvements to be constructed on the property will provide assisted living accommodations and related services to patients requiring medical assistance, including patients diagnosed with Alzheimer's disease.

Prohibited Uses. Notwithstanding Paragraph 1, above, the following uses shall be prohibited:

a. Multifamily development in accordance with section 24-302,
b. Rooming houses and boarding houses,
c. Townhouses for sale as permitted and regulated in Article X,
d. A recycling collection facility operated by a not-for-profit or tax exempt organization,
e. Two-family dwellings,
f. Detached and semi-detached dwellings for sale with zero lot lines in an approved subdivision of five or more lots,
g. Churches and parish houses, schools, colleges and universities,
h. Farming, dairy farming, livestock, rabbit and poultry raising,
i. Public and private forests, wildlife preserves and similar conservation areas, and
j. Child care centers operated in a church.

Overall Layout. The Property shall be developed in conformance with the “Site Layout Golden Care Palace” dated June 18, 2008, prepared by Strange-Boston Associates, Architects and Engineers ("Site Layout"). (see case file), which illustrations and information are conceptual in nature and may vary in detail as approved by the Planning Commission during Plan of Development review.

Architecture. The Property shall be developed in conformance with the building elevations entitled "Building Elevations Golden Care Palace" dated June 18, 2008, prepared by Strange-Boston Associates, Architects and Engineers ("Building Elevations"). (see case file), which illustrations and information are conceptual in nature and may vary in detail as approved by the Planning Commission during Plan of Development review.

Exterior Materials. The buildings constructed on the Property shall be predominantly brick on the front, sides, and rear with synthetic stucco exterior finish system above the ground floor and shall have a metal or asphalt shingle roof to the extent depicted on the Building Elevations. The building exterior shall be constructed consistent with Building Elevations. No synthetic stucco exterior finish system shall be installed on the first floor but it may be installed on the second floor as depicted on the Building Elevations.
6 **Emergency Generator.** The emergency generator on site will be screened from public view by a brick wall a maximum of nine (9) feet in height, compatible with the building, with a gate made of synthetic wood slats positioned so as not to allow a view of the emergency generator. The emergency generator will only be used as follows: (a) as necessary during power outages, and (b) for no more than three (3) hours per month between the hours of 10:00 a.m. and 3:00 p.m. for periods of testing.

7 **Landscaping.** The landscaping on the Property shall be developed in conformance with the “Preliminary Landscape Plan Golden Care Palace” dated June 18, 2008, prepared by Strange-Boston Associates, Architects and Engineers (“Landscape Plan”), (see case file). Healthy trees will be preserved in areas indicated on the Landscape Plan, and will be supplemented with other plantings as determined to be appropriate by the Planning Commission during Plan of Development review.

8 **Security & Fire Safety.** The building will have signal monitors on exterior doors and closed circuit TV monitoring of building entrances with tape recording (tapes to be preserved for a period of six (6) months and made available to Hennco County Police and Planning authorities upon request). Additionally, a manual fire alarm system and heat detectors in selected spaces will be provided and the building will be fully outfitted with a sprinkler system. A licensed practical nurse will be on full-time duty at the facility twenty-four (24) hours a day, each day. Each unit will have an audio emergency response system, an audio-visual fire alarm and a smoke alarm. Each unit will have individually keyed entry doors with staff master key.

9 **Height.** No building constructed on the Property shall exceed thirty-five (35) feet in height, as measured under the Hennco Zoning Ordinance.

10 **Trash Pick-up, Deliveries, Parking Lot Cleaning, and Leaf Blowing.** Parking lot cleaning and leaf blowing on the Property will be limited to the hours of 7:00 a.m. to 8:00 p.m., Monday through Saturday. Trash pick-up on the Property will be limited to the hours of 7:00 a.m. to 8:00 p.m., Monday through Friday. Deliveries to the facility will be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. No deliveries or trash pick-up will be permitted on Saturday or Sunday.

11 **Hours of Construction.** The hours of exterior construction, including operation of bulldozers and other earthmoving equipment, shall only be between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours or utility connections that cannot be interrupted, and unless otherwise requested and specifically approved at the time of Plan of Development review.
12 **Pedestrian Access.** A sidewalk a minimum of four (4) feet in width shall be provided along the portion of the Property that abuts Nile Mile Road.

13 **Site Lighting.** Parking lot and driveway lighting fixtures shall be concealed source type ("shoe box") mounted on poles no higher than twenty (20) feet in height as measured from the grade at the base of the lighting standard, unless otherwise requested, described and specifically approved, or if required, at the time of Plan of Development review. Lighting shall be directed to minimize glare on public roads and adjacent properties and shall not exceed one-half (½) foot candle in those locations. At 10:00 p.m. the exterior parking lot and driveway lighting will be reduced to security levels by automatic timer.

14 **Resident Services.** The following services shall be provided to residents:

   a. Planned and organized activities in games, crafts, exercise, lectures, discussion groups, dances and field trips
   b. A management-operated van will be available for small group excursions
   c. Three (3) meals a day will be offered in a communal dining room
   d. Maid and linen service will be provided
   e. Periodic health screening will be provided by qualified health service personnel

15 **Emergency Plan.** All units will have alternative electrical service. The Applicant will submit a "shelter-in-place" plan to the County prior to the issuance of a Certificate of Occupancy. At least one (1) elevator at the facility will be hooked up to the emergency generator, so as to provide continuous service in the event of a power outage.

16 **Dwelling Units.** The Applicant will construct a residential facility with a maximum of 119 rooms, as follows:

   a. Approximately fifty-nine (59) units will be approximately 280 square feet
   b. Approximately thirty-two (32) units will be approximately 245 square feet
   c. Approximately twenty-eight (28) units will be approximately 313 square feet

17 **Screening.** Refuse disposal equipment and the strong waste trap on the Property shall be screened from public view by a brick wall a maximum of nine (9) feet in height, compatible with the building, with a gate made of synthetic wood slats positioned so as not to allow a view of such equipment, as deemed appropriate during Plan of Development review. Exterior HVAC equipment will not be located within any landscaped buffer area.

18 **Buffer.** A landscaped buffer no less than twenty-five (25) feet in width, including existing trees, planted to Transitional Buffer 25 standards, shall be installed along the northern Property line adjacent to GPIN No. 809-723-1731 and along East
Richmond Road and Nine Mile Road, as depicted on the Landscape Plan (see case file). A landscaped buffer no less than ten (10) feet in width, including existing trees, planted to Transitional Buffer 10 standards, shall be installed along the eastern property line. The landscaped buffer will have plantings in accordance with County landscape requirements. A synthetic wood fence a maximum of six (6) feet in height will be built along the portion of the Northern Property line adjacent to GPRIN No. 809-723-4635, as depicted on the Site Layout and Landscape Plan (see case file).

19 **BMP Facilities.** The Best management Practice detention facility shall be a Delaware sand filter or similar structure located beside the parking lot with a storage pipe array under the parking lot, as shown on the Site Layout.

20 **Signage.** Any detached signs on the Property shall be ground-mounted monument type signs no taller than six (6) feet in height with base landscaping. If lighted, such signs shall be lit with ground-mounted lights.

21 **Utilities.** All new and relocated utility lines will be underground.

22 **Right-of-Way Dedication.** The Applicant will dedicate to the County for public use a portion of the Property for road widening along East Richmond Road, together with a turn lane on Nine Mile Road, as determined to be necessary by the Department of Public Works during Plan of Development review. If the dedicated portion of the Property is not used by the County for the purposes specified herein within twenty (25) years of the date of the granting of the rezoning, ownership shall revert back to the Applicant or the Applicant's successor in title.

23 **Emergency Vehicle Access.** The Applicant will install a vehicle lane around the building, as depicted on the Site Layout (see case file), with a cut through into the courtyard in the center of the facility compound, subject to review and approval by the Division of Fire.

24 **Existing 1920s Residential Structure.** The Applicant will allow the Division of Recreation and Parks to document the existing 1920s residential structure on the Property prior to demolition.

25 **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.
The Planning Department 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,

[Signature]
Virgil R. Hazelett, P.E.
County Manager

pc  Lisa Murphy, Esquire
Dr. Martha G. Blumenthal, Dir., Research & Planning, Henrico County Schools
Director, Real Estate Assessment
Conditional Zoning Index