

**A-1 to R-6C  
38± Acres**

**SENIOR HOUSING & ASSISTED LIVING FACILITY**

**58-A-3,6,6A & Pts. 4 & 5**

**THREE CHOPT DISTRICT**

**C-45C-99**



HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA  
**COUNTY OF HENRICO**

July 20, 1999

Virgil R. Hazelett, P.E.  
County Manager

Re: **Conditional Rezoning Case C-45C-99**

**Carematrix Corporation**  
197 First Avenue  
Needham, Massachusetts 02194

Gentlemen:

The Board of Supervisors at its meeting on July 13, 1999, granted your request to conditionally rezone property from A-1 Agricultural District to R-6C General Residence District (Conditional), Parcels 58-A-3, 6 and 6A and part of Parcels 58-A-4 and 5, described as follows:

Commencing at a point on the west line of Gaskins Road, said point being the intersection of the west line of Gaskins Road and the north line of Three Chopt Road, thence along the north line of Three Chopt Road for a distance of 1424.85 feet to the point of beginning; Thence continuing along the north line of Three Chopt Road North 51 degrees 38 minutes 43 seconds West for a distance of 254.00 feet to a point; Thence along a curve to the right having a radius of 1399.40 feet and an arc length 472.40 feet, being subtended by a chord of North 41 degrees 58 minutes 28 seconds West for a distance of 470.16 feet to a point; thence North 32 degrees 18 minutes 13 seconds West for a distance of 316.62 feet to a point; thence along a curve to the left having a radius of 1465.40 feet and an arc length of 412.65 feet, being subtended by a chord of North 40 degrees 22 minutes 15 seconds West for a distance of 411.28 feet to a point; thence leaving the North line of Three Chopt Road North 10 degrees 54 minutes 20 seconds East for a distance of 801.18 feet to a point on the South line of Interstate 64; thence along the south line of Interstate 64 South 54 degrees 14 minutes 19 seconds East for a distance of 1817.62 feet to a point; thence South 21 degrees 55 minutes 59 seconds East for a distance of 205.13 feet to a point; thence South 06 degrees 14 minutes 43 seconds West for a distance of 158.80 feet to a point; thence South 08 degrees 47 minutes 36 seconds East for a distance of 79.60 feet to a point said point being the center line of Deep Run Creek; thence along the center line of Deep Run Creek in a southwesterly direction for a distance of 599 feet more or less, thence South 77 degrees 40 minutes 54 seconds West for a distance of 260.76 feet to the point of beginning; said property containing 38.3 acres more or less and being all of Parcel 58-A-3, and a portion of Parcels 58-A-4, 4A, 5, 6 and 6A as shown on Henrico County property identification map. Together with and subject to all covenants, easements and restrictions of record.

The Board of Supervisors accepted the following proffered conditions, dated June 10, 1999, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. Underground Utilities. Except for junction boxes, meters and existing overhead utility lines and technical or environmental reasons, all utility lines shall be underground.
2. Use Restriction. The improvements to be constructed on the Property shall provide multi-family assisted living accommodations and single family independent living residences for senior persons. For purposes, hereof; the term "senior" persons shall mean persons at least fifty-five (55) years of age for the single family independent living residences and at least sixty-two (62) years of age for the assisted living facility. The use shall comply with Virginia Fair Housing Act (VA Code §36-96.7), as it may be amended.
3. Trash Enclosures. Enclosure areas for dumpsters on the Property shall be constructed of materials similar to that which is utilized in the primary building. The enclosure shall be gated with an opaque material.
4. 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 review.
5. Lighting.
  - a. Parking Lot Lighting. Parking lot lighting shall be produced from concealed sources of light. Parking lot lighting standards shall not exceed twenty (20) feet in height as measured from the grade at the base of the lighting standard and shall be positioned in such a manner as to minimize the impact of such lighting offsite.
  - b. Exterior Lighting. Street light standards shall not exceed fifteen (15) feet in height. The street lights shall be non-glare and be residential in character.
6. 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 brick and vinyl siding excluding windows, doors, breezeways, and other architectural design features. A minimum of forty percent (40%) of each principal building, excluding the foundations, constructed on the Property shall be of brick. The visible portions of exterior building foundations shall be constructed of brick.
7. Density. The overall residential net density shall not exceed 6.8 units per acre. The number of single family independent living residences shall not exceed eighty-five (85) units and the balance of the unit count shall be assisted living beds contained in a single structure.

8. Buffers.

- a. Three Chopt Road Buffer. A buffer a minimum of fifty (50) feet in width which is landscaped and/or contains existing vegetation in such a manner to visually screen the rear of the single family independent living residences and any parking and service areas shall be provided along Three Chopt Road as measured from the ultimate right of way.
- b. Greenaire Wood Buffer. A buffer a minimum of twenty-five (25) feet in width, which may be landscaped and/or retains existing vegetation, shall be provided along the western Property line for a distance of approximately three hundred (300) feet measured from the ultimate right of way of Three Chopt Road. In the event, that grading requires the removal of existing trees in this twenty-five (25) foot buffer, the buffer shall be planted with the trees and shrubs required in the Henrico County Zoning Ordinance for a transitional buffer 25. A variable width buffer in a triangular area which begins at a point approximately 300 feet from the ultimate right of way of Three Chopt Road at the western Property line and extends approximately five hundred (500) feet to the northern Property line located to the east of the Greenaire Wood development, comprising approximately two (2) acres, and further described on the attached EXHIBIT A shall be preserved as a tree preservation area. This triangular buffer area may only be developed with paths, trails, pedestrian bridges, gazebos and picnic shelters for passive and recreational uses.
- c. Interstate 64 Buffer. A buffer a minimum of fifteen (15) feet in width, which may be landscaped and/or retain existing vegetation as determined at the time of Plan of Development review, shall be provided along the northern Property line adjacent to Interstate 64.

Roads, signage and utility easements may pass through the buffers in a generally perpendicular manner (unless currently existing). Other uses as may be required or permitted at the time of Plan of Development review may also pass through the buffers. Where permitted or practicable, areas disturbed for the placement of utilities within the buffer areas shall be restored. Existing vegetation and underbrush may, and fallen, diseased or dead plant growth shall be removed from such buffer areas, and if so removed additional plantings shall be added.

9. Detached Signage. Any detached signs on the Property shall be ground mounted, monolithic-type signs. Such signs shall not exceed ten (10) feet in height as measured from the grade of the base of the sign and shall be externally lit employing ground-mounted floodlight or spotlight-type fixtures directed toward such signs and away from public rights-of-way.
10. Conservation Areas. Notwithstanding the uses permitted and regulated by the zoning of the Property, such portion(s) of the Property which lie within a one hundred (100) year

flood plain as determined by definitive engineering studies approved by the Department of Public Works and/or such portion(s) of the Property which may be inundated by waters impounded to a maximum elevation determined in a controlled, regulated manner by a structure or structures approved by the Department of Public Works, may only be used for the uses permitted by the Henrico County Code and the Owner shall, prior to the approval of final construction plans, apply to rezone such portions of the Property to C-1 Conservation District.

11. **Right of Way Dedication.** The areas within the Property needed for the widening of Three Chopt Road, as determined at the time of Plan of Development approval, shall be dedicated at no cost to the County and/or the Virginia Department of Transportation.
12. **Construction Hours.** No land clearing, grading, road or water/sewer line construction or construction of the exterior shell of any building shall occur on Sunday or other days between the hours of 8:00 p.m. and 6:00 a.m., except in emergencies or where unusual circumstances require extending these specified hours in order to complete work such as concrete pours or utility connections, but in no case shall work extend beyond 10:00 p.m., unless required by any governmental agency with jurisdiction over the project.
13. **Burning Restrictions.** During the period of construction on the Property, there shall be no burning of natural materials or construction debris within 500' of an inhabited residence.
14. **Amenities.** At a minimum, a swimming pool, hospitality center and pedestrian walkways shall be provided as amenities to the development.
15. **Deep Run Railroad Grade.** The Property shall not be disturbed within twenty (20) feet of either side of the Deep Run Railroad Grade for thirty (30) days following approval of the rezoning to permit the Department of Parks and Recreation to photograph, map and document the location of the Deep Run Railroad Grade.
16. **Ownership.** The single-family independent living residences shall be marketed as owner-occupied.
17. **Garages.** Each single-family independent living residence shall have a garage.
18. **Height Limitations.** The hospitality center and the single-family independent living residences located along Three Chopt Road shall be restricted to one (1) story. The assisted living facility shall be restricted to four (4) stories not to exceed fifty-five (55) feet as measured at the ridge line, and shall be located at least six hundred (600) feet from Three Chopt Road in the northeast section of the Property.
19. **Site Coverage.** No more than sixty-five (65%) percent of the Property shall be covered by buildings, driveways, and parking areas.

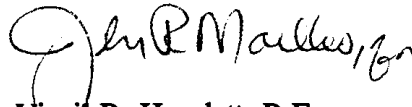
Carematrix Corporation  
July 20, 1999

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20. Architecture. The architectural design of all principal buildings constructed on the Property shall be coordinated in style with and be harmonious with each other.
21. Severance. The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity of enforceability of the other proffers or the unaffected part of any such proffer.

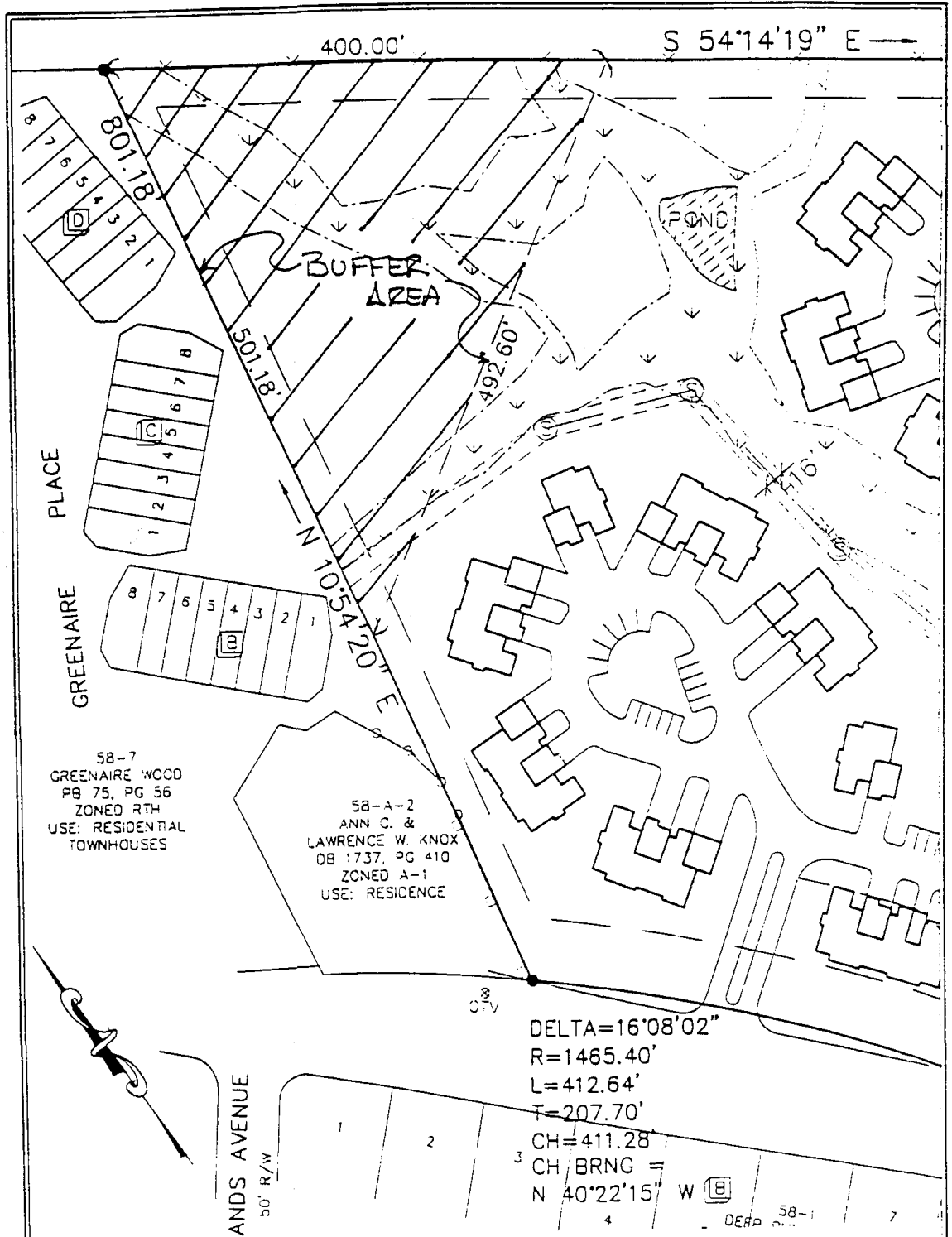
The Planning Office has been advised of the action of the Board of Supervisors and will revise its records and place a copy of the accepted proffered conditions in the Conditional Zoning Index.

Sincerely,



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

cc: Director, Real Estate Assessment  
Conditional Zoning Index  
A. R. Tedesco Trust  
Ms. Gloria L. Freye, Esquire



58-7  
 GREENAIRE WOOD  
 PB 75, PG 56  
 ZONED RTH  
 USE: RESIDENTIAL  
 TOWNHOUSES

58-A-2  
 ANN C. &  
 LAWRENCE W. KNOX  
 OB 1737, PG 410  
 ZONED A-1  
 USE: RESIDENCE

DELTA=16°08'02"  
 R=1465.40'  
 L=412.64'  
 T=207.70'  
 CH=411.28'  
 CH BRNG =  
 N 40°22'15" W

ANDS AVENUE  
 50' R/W

EXHIBIT A  
 GREENAIRE WOODS BUFFER  
 AREA = 2.09 AC

FOSTER & MILLER, P.C.  
 ENGINEERS • SURVEYORS • PLANNERS  
 1670 MOUNTAIN ROAD  
 GLEN ALLEN, VIRGINIA 23060  
 (804) 281-6784 • FAX (804) 281-6786

FILE: F:\44621\44621.DWG  
 SCALE: 1"=100' DATE: 06-08-99  
 COMPUTED BY: DRAWN BY:  
 CHECKED BY: 44621