

A-1
A-1 & R-6C to R-6C
10.8 Acres



February 2004

ZONING
SENIOR RETIREMENT
RESIDENCES
Ref. 749-755-9136



C-16C-04
Three Chopt District

0 400 Feet



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

February 15, 2005

Colson & Colson Construction Co.
P.O. Box 14111
Salem, OR 97309

Re: Conditional Rezoning Case C-16C-04

Dear Sir:

The Board of Supervisors at its meeting on February 8, 2005, granted your request to conditionally rezone property from A-1 Agricultural District and R-6C General Residence District (Conditional) to R-6C General Residence District (Conditional), Parcels 749-755-4576, 749-755-9136, 749-755-8188, and part of Parcel 749-756-0252, described as follows:

Parcel A:

Beginning at an iron rod found on the north line of Three Chopt Road, said rod being located approximately 485' west along said north line from its intersection with the west line of Gaskins Road; thence along the north line of Three Chopt Road, along a curve to the left having a Delta of $17^{\circ}00'23''$, radius of 1465.40', length of 434.96', tangent of 219.09' and chord of $N34^{\circ}35'26''W$ 433.36' to a point; thence departing the north line of said Three Chopt Road, $N46^{\circ}54'23''E$ 7' to a point; thence $N43^{\circ}05'37''W$ 462.70' to a point; thence $N77^{\circ}43'15''E$ 76.80' to a point on Deep Run Creek; thence with Deep Run Creek in a northeasterly direction for a distance of approximately 180' thence departing said Deep Run Creek and with the lands of "Parcel C", $S28^{\circ}35'13''E$ 266.37' to a point; thence $N56^{\circ}56'34''E$ 313.18' to a point; thence $N15^{\circ}37'16''W$ 294.62' to a point on Deep Run Creek; thence departing the lands of "Parcel C", with the lands of "Parcel B" and with the meanders of Deep Run Creek, in a northeasterly direction for a distance of approximately 145' to a point on the west line of Interstate 64 ramp to Gaskins Road South; thence with the west line of said I-64 ramp, $S08^{\circ}42'57''E$ 323.81' to a point; thence $S27^{\circ}42'32''E$ 115.34' to a point; thence along a non tangent curve to the left, having a delta of $24^{\circ}57'07''$, radius of 818.63', length of 356.61', tangent of 181.13' and chord of $S28^{\circ}42'21''E$ 353.70' to a point; thence departing the west line of I-64 ramp, with the lands of Irene N. Houston, $S48^{\circ}19'20''W$ 519.45' to a point on the north line of Three Chopt Road, said point being the point and place of beginning, containing 8.29± acres.

Parcel B:

Commencing at an iron rod found on the north line of Three Chopt Road, said rod being located approximately 485' west along said north line from its intersection with the west line of Gaskins Road; thence along the north line of Three Chopt Road, along a curve to the left having a delta of 17°00'23", radius of 1465.40', length of 434.96', tangent of 219.09' and chord of N34°35'26"W 433.36' to a point; thence departing the north line of said Three Chopt Road, N46°54'23"E 7' to a point; thence N43°05'37"W 462.70' to a point; thence N77°43'15"E 76.80' to a point on Deep Run Creek; thence with Deep Run Creek in a northeasterly direction for a distance of approximately 561' to a point, said point being the point of beginning for this parcel; thence departing Deep Run Creek, and with the lands of Three Chopt Village, N55°15'36"W 156.21' to a point; thence N83°00'53"W 246.63' to a point; thence N20°02'05"W 118.68' to a point; thence N86°10'27"E 54.35' to a point; thence S64°44'33"E 107.43' to a point; thence N84°10'57"E 59.97' to a point; thence N41°35'04"E 60.89' to a point; thence N58°19'30"E 30.56' to a point; thence N73°46'19"E 59.49' to a point; thence N81°13'28"E 72.77' to a point; thence N51°53'19"E 35.03' to a point; thence N42°31'36"E 110.29' to a point on the west line of Interstate 64; thence with said I-64 line, S21°55'59"E 85.35' to a point; thence S06°14'43"W 157.96' to a point; thence S08°45'15"E 71.57' to a point; thence departing the west line of I-64, with the meanders of Deep Run Creek, in a southwesterly direction, for a distance of approximately 145' to a point, said point being the point and place of beginning, containing 2.17± acres.

Parcel C:

Commencing at an iron rod found on the north line of Three Chopt Road, said rod being located approximately 485' west along said north line from its intersection with the west line of Gaskins Road; thence along the north line of Three Chopt Road, along a curve to the left having a delta of 17°00'23", radius of 1465.40', length of 434.96', tangent of 219.09' and chord of N34°35'26"W 433.36' to a point; thence departing the north line of said Three Chopt Road, N46°54'23"E 7' to a point; thence N43°05'37"W 462.70' to a point; thence N77°43'15"E 76.80' to a point on Deep Run Creek; thence with Deep Run Creek in a northeasterly direction for a distance of approximately 180' to a point, said point being the point of beginning for this parcel; thence along Deep Run Creek, in a northeasterly direction for a distance of approximately 381' to a point; thence departing Deep Run Creek, and with the lands of "Parcel A" S15°37'16"E 294.62' to a point; thence S56°56'34"W 313.18' to a point; thence N28°35'13"W 266.37' to a point on Deep Run Creek, said point being the point and place of beginning, containing 2.17± acres.

The Board of Supervisors accepted the following proffered conditions, dated February 3, 2005, which further regulates the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

Parcel A and Parcel B

The areas of the Property marked (a) "PARCEL A" on the plat prepared by Bay Design Group, dated December 22, 2004, entitled "COMPILED PLAT OF REZONING EDESCO PROPERTY AND A PORTION OF THREE CHOPT VILLAGE" and made a part of the case file (the "Plat") (see case file), shall be subject to the following proffers, and (b) "PARCEL B" were subject to the proffers from Case C-45C-99 and such proffers, for PARCEL B, shall be replaced in their entirety and replaced with the following proffers:

1. **Conceptual Plan**

The site shall be developed in substantial conformance with the Conceptual Site Plan dated 1/12/05 prepared by Bay Design Group, a copy of which is attached hereto and labeled Exhibit A (the "Site Plan") (see case file), with revisions as approved by the Planning Commission at the time of Plan of Development review.

2. **Future Shared Access**

Future shared access shall be made available to the adjacent property to the east of Parcel A as generally shown on the Site Plan.

3. **Use Restrictions**

The uses on Parcel A shall be restricted to a Retirement Residence for seniors and its associated uses. The uses on Parcel A shall be restricted to "housing for older persons" as that term is defined in § 36-96.7 of the Code of Virginia, 1950, as amended.

4. **C-1 Zoning**

An application for C-1 zoning shall be filed for the areas within Parcel A that are within the 100 year flood plain, unless such areas are needed for roads, access ways or other purposes as approved by the Planning Commission at the time of Plan of Development review. Such rezoning application shall be filed as soon as reasonably practical, but in any event, prior to the issuance of a certificate of occupancy for Parcel A.

5. **Trash Enclosures**

Enclosure areas for dumpsters on Parcel A shall be constructed of materials similar to that which is utilized in the primary building. The enclosure shall be gated with an opaque material.

6. **Mechanical Equipment**

All rooftop equipment shall be screened from view and shall be painted to match the building. Mechanical equipment located at ground level shall be screened from view in a manner approved at the time of Plan of Development review.

7. **Parking Lot Lighting**

Parking lot lighting shall be provided for the Retirement Residence and produced from concealed sources of standard metal halide. Parking lot lighting standards shall not exceed fifteen (15) feet in height and shall be positioned in such a manner as to minimize the impact of such lighting offsite. The parking lot lighting shall be shielded to be non-glare.

8. **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 hardi-plank horizontal siding excluding windows, doors, breezeways and other architectural design features. The Retirement Residence shall be built in substantial conformance with the attached building elevation labeled as Exhibit B (see case file), except as otherwise approved by the Planning Commission at the time of Plan of Development review.

9. **Noise Levels**

The Retirement Residence shall have a sound coefficient of 55 or greater for the exterior building walls exclusive of windows. A wall cross-section, demonstrating an adequate sound coefficient and certified by an architect or engineer, will be provided prior to issuance of a building permit.

10. **Height Limitations**

The Retirement Residence shall be restricted to a maximum of three (3) stories and thirty-five (35) feet measured to the midpoint of the gabled roof or as may otherwise be approved by the Planning Commission at time of Plan of Development review.

11. **Buffers**

a. **Three Chopt Road Buffer**

A buffer a minimum of 50 feet in width which is landscaped and/or contains existing vegetation equivalent to a minimum of transitional buffer 50, as referenced in the County Zoning Ordinance shall be provided along Three Chopt Road as measured from the ultimate right-of-way. Only the front or sides of the building shall face Three Chopt Road. An earthen berm, outside the One Hundred (100) foot RPA buffer, of approximately four (4) feet in height, shall be provided within the Buffer. Evergreen shall be planted along the top of the berm.

16. **Sidewalks**

A meandering walkway shall be provided within the buffer along Three Chopt Road at a location to be determined by the Planning Commission at the time of Plan of Development review.

17. **Existing Trees**

Existing mature trees within the wetlands and flood plain areas shall be preserved whenever possible and disturbance in these areas shall be as minimal as possible.

18. **Underground Utilities**

Except for junction boxes, meters and existing overhead utility lines and technical or environmental reasons, all utility lines shall be underground.

19. **Severance**

The unenforceability, eliminations, 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.

20. **Three Chopt Road Improvements**

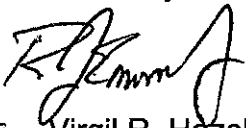
At the time of construction of the improvements on the Property, Three Chopt Road, as it adjoins the Property, shall be improved to the typical road standards of the County or if agreeable to the Director of Public Works the amount necessary to complete such improvements may be placed in escrow with the County by cash deposit, bond or other equivalent security.

Parcel C

The area of the Property marked "PARCEL C" on the Plat shall be subject to all proffers from Case C-45C-99.

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,


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

Colson & Colson Construction Co.
February 15, 2005
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pc: A. R. Tedesco Trust
Three Chopt Village, LLC
Ms. Kristin Newland
Director, Real Estate Assessment
Conditional Zoning Index
Dr. Penny Blumenthal – Director, Research and Planning



View of Main Entrance


Curry Brandaw Architects
ARCHITECTS
1000 COMMONWEALTH BLVD., SUITE 200
HENRICO, VA 23154

Henrico Retirement Residence

HENRICO COUNTY, VIRGINIA

C-16C-04

Holiday
RETIREMENT CORP.
220 COMMONWEALTH BLVD., SUITE 200
HENRICO, VA 23154
PHONE 758-7000 FAX 758-7001