

79-A-69

RESIDENTIAL COTTAGES FOR THE ELDERLY

THREE CHOPT DISTRICT

C-78C-97



HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

December 16, 1997

Virgil R. Hazelett, P.E.
County Manager

Re: Conditional Rezoning Case C-78C-97

Sunrise Development, Inc.,
a Virginia Corporation
9401 Lee Highway, Suite 300
Fairfax, VA 22031

Gentlemen:

The Board of Supervisors at its meeting on December 10, 1997, granted your request to conditionally rezone property from R-2 One Family Residence District to R-6C General Residence District (Conditional), Parcel 79-A-69, described as follows:

Beginning at a point on the eastern line of Parham Road at its intersection with Michael Road, said point being the True Point of Beginning; thence along a curve on Parham Road to the right having a radius of 1,382.69' for a length of 65.07' to a point; thence along a curve to the right having a radius of 2824.79' for a length of 59.35' to a point; thence N. 30° 07' 00" E., 177.67' to a point; thence leaving Parham Road S. 73° 32' 40" E., 275.23' to a point; thence N. 15° 57' 20" E., 77.00' to a point; thence S. 73° 32' 40" E., 206.72' to a point; thence S. 01° 32' 00" W., 519.02' to a point along the northern line of Michael Road; thence along Michael Road S. 87° 23' 40" W., 220.09' to a point; thence along a curve to the right having a radius of 141.52' for a length of 117.52' to a point; thence N. 45° 01' 40" W., 401.31' to the true point of beginning, containing 6.33 +- 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 24, Code of Henrico (Zoning Ordinance):

1. **Elevation and Site Plan.** The Property shall be developed in conformance with the Conceptual Site Plan and Conceptual Elevation entitled Sunrise Cottages prepared by Barry, Rio & Associates, Architects, Annandale, Virginia, dated August 25, 1997, last revised November 10, 1997, copies of which are attached as Exhibits A and B, respectively, (see case file), subject, however, to such traffic, engineering and other changes as may be requested by the County and approved by the Planning Commission at the time of Plan of Development review.
2. **Buffers.** For purposes of lessening the visual impact of the development on this Property on adjacent land, landscaped or natural areas, or combinations thereof shall be provided on the northern and northwestern boundaries of the Property as shown on Exhibit A and for a minimum of forty-five (45) feet in width along the eastern, western, southeastern and southwestern boundaries of the Property as shown on Exhibit A, (see case file), except to the extent necessary for utility easements, storm water facilities,

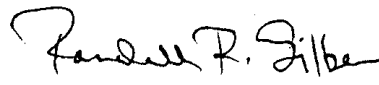
signage, access to and from public rights of way and other purposes required by the Planning Commission at the time of Plan of Development review or by any other governmental body. Healthy, mature trees shall, to the extent reasonably practical, be retained within the aforesaid buffer areas. Any utility easements or uses permitted within the aforesaid buffer area shall be generally perpendicular to the buffer area unless otherwise requested, and specifically permitted, or if required, by the Planning Commission at the time of Plan of Development review. Where permitted, areas disturbed for utility installation shall be restored in the manner required by the Planning Commission at the time of Landscape Plan review and shall thereafter be maintained by the owner of the Property.

3. Parking. Parking shall only be permitted in the southwestern portion of the Property in front of the residential cottages as shown on the Conceptual Site Plan attached as Exhibit A (See case file).
4. Use. The only principal use permitted on the Property shall be for assisted living and residential cottages for the aged and uses customarily accessory and incidental thereto.
5. Height. No building constructed on the Property shall exceed the lesser of one (1) story or twenty (20) feet in height.
6. Residential Units. No more than seventy (70) residential units consisting of no more than ninety-five (95) beds shall be permitted on the Property.
7. Screening. All heating and air conditioning equipment and trash receptacles shall be screened from public view at ground level at the boundaries of the Property in addition to the screening provided within the buffer areas set forth in Proffer No. 2.
8. Exterior and Parking Lot Lighting. Exterior and parking lot lighting fixtures shall not exceed fifteen (15) feet in height as measured from the grade at the base of the lighting standard, shall be produced from concealed sources of light (i.e., shoe box type), and shall not exceed one-half (1/2) foot candle at the boundaries of the Property. Lighting levels will be reduced to a security level after the close of visiting hours.
9. Access. Vehicular access to and from the Property shall be limited to Michael Road, unless otherwise required by any governmental body having jurisdiction with respect thereto.
10. Refuse Pickup and Deliveries. Refuse pickup from and delivery of supplies to the Property shall be limited to the hours of 8:00 a.m. to 6:00 p.m., Monday through Saturday, with no refuse pickup or delivery of supplies permitted on Sunday.
11. Site Coverage. No more than fifty percent (50%) of the Property shall be covered by buildings, driveways, sidewalks and parking areas.

12. Irrigation. Lawns and areas landscaped in conjunction with development of the Property shall be serviced by an irrigation system.
13. Food Preparation. All food preparation and cooking shall be conducted in such manner and with such equipment as will prevent any material adverse effect on the adjoining and surrounding community from heat, smoke or odors.
14. Fencing. In addition to the buffer provided in Proffer No. 2, a six (6) foot high, chain link, polyvinyl covered fence shall be constructed approximately parallel to, but not closer than five (5) feet away from, the eastern and northern boundaries of the Property.
15. Drainage Facilities. Any drainage facilities in the southwestern portion of the Property in front of the residential cottages shall be underground and any other drainage facilities shall be dry, landscaped facilities.
16. Refuse Facilities. After completion of the initial construction, there shall be no central trash facility or dumpster on the Property, unless required for maintenance or renovation purposes and then only for such periods of time as shall be reasonably required to complete same.
17. Laundry Facilities. A central laundry (but not dry cleaning) facility shall be provided on the Property, which shall not be supplemented or replaced by an off-site commercial laundry business.
18. Severance. The unenforceability, elimination, revision or amendment of any proffer set forth herein, all 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,


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

cc: Director, Real Estate Assessment
Conditional Zoning Index
Mr. Steven R. Isaac &
Misses Martha C. and Barbara C. Isaac
Mr. Jay M. Weinberg, Esquire