

70-B2-1

DAY CARE CENTER/SING. FAM.

THREE CHOPT DISTRICT

C-32C-92



HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

October 20, 1992

Re: Conditional Rezoning Case C-32C-92

Mr. and Mrs. Thomas L. Browning
P. O. Box 187
Oilville, Virginia 23129

Dear Mr. and Mrs. Browning:

The Board of Supervisors at its meeting on October 14, granted your request to conditionally rezone property from A-1 Agricultural District to R-3AC One Family Residence District (Conditional) and R-5C General Residence District (Conditional), Parcel 70-B2-1, described as follows:

Parcel A:

Beginning a point in the S. line of Sunrise Road, said point being 191.06' west of the W. line of Pump Road; thence from said point of beginning S. $73^{\circ} 15' W.$, 147' to a point; thence S. $16^{\circ} 32' E.$, 395.15' to a point; thence N. $73^{\circ} 13' 50'' E.$, 147.00' to a point; thence N. $16^{\circ} 32' W.$, 395.10' to a point and place of beginning, containing 1.33 acres.

Parcel B:

Beginning at a point where the W. line of Pump Road intersects the southern line of Sunrise Road; thence from said point of beginning in a southerly direction along the W. line of Pump Road along a curve having a radius of 9,426.88', a length of 238.91' to a point; thence continuing along the W. line of Pump Road S. $16^{\circ} 29' 53'' E.$, 156' to a point; thence leaving Pump Road S. $73^{\circ} 13' 50'' W.$, 187.79' to a point; thence N. $16^{\circ} 32' W.$, 395.10' to a point; thence N. $73^{\circ} 15' E.$, 191.06' to a point and place of beginning, containing 1.71 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 22, Code of Henrico (Zoning Ordinance):

Parcel A - R-3AC

1. Single family residential homes shall have a minimum of 1,550 square feet of floor area as regulated by Sec. 22-94(u) of the Henrico County Code.
2. The exterior portions of all residential dwelling foundation walls shall be brick or stone. Any dwellings with a fireplace will have masonry chimneys faced with brick or stone similar to the foundation.

3. To the extent reasonably practical, the clearing of mature trees on residential lots by the developer shall be limited to trees in areas required to accommodate the structure in its normal and customary accessories, open areas and areas required to permit utility services and driveway.

Parcel B - R-5C

1. Use of the property shall be restricted to a childrens day care center or associated activities related to child care or uses permitted in the R-3A district of the Henrico County Code.
2. The location and configuration of the day care center shall be substantially similar to the conceptual plan prepared by E. D. Lewis & Associates, P.C., dated August 15, 1992, shown as Exhibit "A", a copy of which has been filed with this conditional rezoning case.
3. The architectural style and quality of the building constructed hereon shall be at least substantially equal to that which is shown on the elevation plan, dated 8/14/92, shown as Exhibit "B", a copy of which has been filed with this conditional rezoning case.
4. No exterior wall of any principal building on this property shall be constructed of exposed cinder block, metal, asbestos shingles or imitation brick or stone siding materials.
5. Operation of the childrens day care center shall be limited to 6:00 a.m. to 7:00 p.m. Monday through Saturday except some evening activities related to child care.
6. A minimum of 5' high fence shall be constructed around the children's play area. Said fence shall not be within the buffer area.
7. Any freestanding sign placed on the site shall be ground mounted and shall not exceed nine feet (9') in height. Any sign placed on the site, if lighted, shall be lighted from internal sources or by small spotlights located at ground level and projecting directly on the sign. Flood lights shall not be permitted for structure illumination.
8. All exterior lighting shall be limited to a maximum height of fifteen (15') as measured from the grade at the base. Exterior lighting shall be provided by directional fixtures which shall be positioned in such a manner as to minimize the impact of such lighting off-site and to produce a lighting intensity of a maximum of one-half (1/2) foot candle at the boundary of said property. Parking lot lighting shall be reduced to no more than security lighting following the close of business operations on the property.
9. The appropriate dedication for the widening of existing Pump Road as determined at the time of conditional approval or P.O.D. approval review shall be dedicated at no cost to the County of Henrico or the Virginia Department of Transportation. In the event

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that final road construction plans for Pump Road require temporary construction easements along this property such temporary construction easements shall be granted to the County. Should the Director of Public Works at some later date determine that the additional right-of-way is no longer needed, the subject property would be deeded back to and made a part of the original parcel of land.

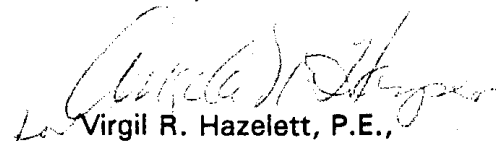
10. A landscape buffer shall be provided around the entire perimeter of this parcel. The buffer area shall consist of berms and landscaping except to the extent required for utilities and drainage easements, utility and drainage facilities and ingress and egress to this site as required by any governmental body or approved at the time of P.O.D. review by the Planning Commission. Treatment of the landscape strip shall be coordinated as a whole with a uniform design and appearance. The landscape plan shall be submitted and approved by the Planning Commission prior to application for a building permit.

The width of said buffer shall be thirty feet (30') along the south line; twenty feet (20') along the west line; fifteen feet (15') along the east line (Pump Road); and twenty-five (25') along the north line (Sunrise Road), except that the buffer may be reduced to ten feet (10') in width at the northeast corner of the property along the diagonal right-of-way line at the intersections of Pump Road and Sunrise Road.

11. There shall be no above ground detention/retention facilities constructed within the landscape buffers.

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: Clerk, Board of Supervisors
Director, Real Estate Assessment
Conditional Zoning Index
Mr. E. Delmonte Lewis