

C-56C-05

Zoning

WAWA Shopping Center / Auto Dealership

Three Chopt District

0 400
Feet

PS July 2005

Ref: 746-760-3696



March 7, 2006

Wms, LLC
c/o Mr. J. F. Williams
P. O. Box 11027
Richmond, VA 23230

Re: Conditional Rezoning Case C-56C-05

Dear Mr. Williams:

The Board of Supervisors at its meeting on February 28, 2006, granted your request to conditionally rezone property from A-1 Agricultural District to B-2C and B-3C Business Districts (Conditional), Parcels 746-760-6689, 746-760-3696 and part of Parcel 746-761-5525, described as follows:

All of two parcels and part of a third parcel of land with all improvements thereon and all appurtenances thereto, belonging, lying and being in the County of Henrico, known as 11052 W. Broad Street, a portion of 11044 W. Broad Street and 11040 W. Broad Street and more particularly as follows:

Parcel A to be Rezoned to B-2C: Beginning at a point on the eastern line of Old Sadler Road, approximately 50 north of the northern line of W. Broad Street the point of beginning for Parcel A; thence, (1) in a northwardly direction along the eastern side of Old Sadler Road, N 31°51'43" E - 236.89 feet to a point; thence, (2) in an eastwardly direction S 53°27'40" E - 245.96 feet to a point; thence, (3) in a southwardly direction S 36°32'20" W - 299.74 feet to a point on the north line of W. Broad Street; thence, (4) continuing along the north line of W. Broad Street in a westwardly direction N 47°52'57" W - 76.71 feet to a point; thence, (5) in a westwardly direction along the north line of W. Broad Street N 53°27'40" W - 98.64 feet to a point; thence, (6) in a northwardly direction N 6°03'28" W - 76.32 feet to the point of beginning. The herein parcel of land contains approximately 1.55 acres.

Parcel B to be rezoned to B-3C: Beginning at the previous point of beginning and continuing along the eastern line of Old Sadler Road in a northwardly direction N 31°51'43" E - 236.89 feet to a point and new point of beginning for Parcel B; thence, (1) in a northwardly direction along the eastern side of Old Sadler Road, N 31°51'43" E -

141.24 feet to a point; thence, (2) in an eastwardly direction S 54°26'44" E - 422.91 feet to a point; thence, (3) in a northwardly direction N 42°28'56" E - 426.33 feet to a point on the south line of Sadler Road; thence, (4) continuing along the south line of Sadler Road in a eastwardly direction S 74°10'24" E - 24.02 feet to a point; thence, (5) in a southwardly direction S 36°58'56" W - 874.36 feet to a point on the north line of West Broad Street; thence, (6) continuing along the north line of W. Broad Street in a westwardly direction N 55°49'44" W - 207.02 feet to a point; thence, (7) continuing along the north line of W. Broad Street in a westwardly direction N 47°52'57" W - 22.99 feet to a point. thence, (8) in a northwardly direction along the east line of Parcel A N 36°32'20" W - 299.74 feet to a point; thence (9) in an eastwardly direction along the north line of Parcel A N 53°27'40" W - 245.96 to the point of beginning for Parcel B. The herein parcel of land contains approximately 3.61 acres.

The Board of Supervisors accepted the following proffered conditions, dated February 27, 2006, which further regulates the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

Applicable to All Parcels

1. **Site Plan:** The property shall be developed substantially similar to the plan prepared by Grattan Associates, P.C. entitled Exhibit A and dated 2-13-06, unless revisions to this plan are specifically requested and permitted by the Planning Commission.
2. **Access:** The property shall be limited to one point of access from West Broad Street and one point of access from Old Sadler Road. The owner and/or developer shall construct a right hand turn lane along West Broad Street through the frontage of the property.
3. **Reciprocal Access:** In order to provide intra-parcel connectivity, a minimum of 24-foot wide, two-way access roadway will be constructed through the property. The alignment and configuration of this access roadway will be approved by the Planning Commission at the time of Plan of Development. The use of this access roadway will be subject to adjacent property owners granting similar access rights across the access roadway.
4. **Buffer on West Broad Street:** The required buffer area along West Broad Street shall be designed and landscaped in accordance with the streetscape buffer requirements in the West Broad Street Overlay District.
5. **Buffer along Eastern Property Line:** The buffer along the eastern property line shall be provided and screened in accordance with the transitional buffer TB-35 and shall include an eight foot high pre-cast concrete wall and shall be a minimum of 20 feet in width. The wall shall extend approximately 400 feet from the north line

of West Broad Street. The wall will not be required along the sliver of land extending between the CarMax site and the funeral home site.

6. **Buffer along Old Sadler Road:** The required buffer area along Old Sadler shall be in accordance with the transitional buffer TB-10 and shall be a minimum of 15 feet in width. Roads, sidewalks, utility easements, fencing/walls adjacent to any roads or drives, and signage shall be permitted within such buffer; provided, any such road or utility easements shall be extended generally perpendicular to Old Sadler Road through such a buffer.
7. **Site Coverage:** No more than seventy-five percent (75%) of the Property in the aggregate may be covered by building, parking areas and driveways.
8. **Exterior Materials:** The building front, sides and rear shall be constructed using a combination of brick, EIFS, glass, split-faced block and cementitious siding.
9. **Dumpster Containers:** Except for gates and doors, dumpster enclosures shall be constructed of the same materials as the principal structure and shall be painted to match the building. Gates and doors shall be opaque, substantial, and oriented to minimize views of the enclosures from public rights-of-way, unless otherwise requested and approved at the time of Plan of Development. Support posts, gate frames, hinges and latches shall be of sufficient size and strength to allow the gates to function without sagging or becoming a visual eyesore as determined at the time of Plan of Development. Concrete pavement shall be used where the refuse container pad and apron are located.
10. **HVAC Equipment:** Heating, air conditioning and other mechanical equipment shall be screened from public view at ground level at the property lines.
11. **Underground Utility Lines:** All utility lines on the Property shall be underground except for already existing utilities, junction boxes, meters, utility lines in wetland areas and utility lines required to be above ground by the utility company.
12. **Lighting:** All lighting shall be produced from concealed sources of lights. Parking lot lighting shall be reduced to a minimum level necessary for security purposes following the close of business conducted on the property. Any canopy lighting shall be recessed, flat lenses.
13. **Public Address:** No public address, paging or speaker system that is audible at the property line shall be permitted or installed outside of any building.
14. **Signage:** The property shall be limited to two (2) detached signs neither of which will be placed on Old Sadler Road. Sign area shall be permitted as regulated in the

B-2 District. Additionally the use of attention getting devices shall be prohibited as in the West Broad Street Overlay District.

15. **Prohibited Uses:** The following shall be prohibited:
 - a. Billiard, bagatelle, video game or bingo parlor;
 - b. Antique auctions;
 - c. Gun shops, sales and repairs;
 - d. Flea markets;
 - e. Sign painting shop;
 - f. Billboards or attention getting devices;
 - g. Bars or drive-thru restaurants;
 - h. Dance halls, private clubs, meeting halls or fraternal organizations;
 - i. Establishments whose primary business is check cashing and/or the making of payday loans as defined and regulated by Sections 6.1-432 et seq. and 6.1-444 et seq. of the Code of Virginia (this shall not preclude banks, savings and loans or similar financial institutions that are not regulated by the foregoing Virginia Code sections);
 - j. Self-service storage facilities;
 - k. Truck stop;
 - l. Adult businesses as defined in the Henrico County Zoning Ordinance
16. **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.
17. **Architecture:** The buildings shall be of a style and color substantially similar to the submitted elevations entitled "Proposed Range Rover Building" prepared by Freeman and Morgan Architects and "Proposed WaWa" prepared by LynchMartinez Architects, LLC., (see case file) unless an alternate elevation is specifically requested and approved by the Planning Commission with the plan of development, including;
 - a. Masonry shall be the primary building material along the base of the Range Rover Building especially along the base of the building under the windows.
 - b. The rear building shall be constructed predominately of brick and masonry materials consistent with WaWa and any garage doors will face away from Broad Street.
 - c. The WaWa Canopy (side elevation) shall be enclosed by an opaque building material that will be specifically requested and approved with the Plan of Development.
 - d. The Rover chimney structure shall be the same color as the brick color building materials approved on the side and rear elevations.

Applicable to the B-3C Parcel(s)

18. **Use:** Unless otherwise prohibited by Proffer 15, the use of the property shall be limited to a vehicle dealership selling primarily new vehicles and uses incidental or accessory thereto.
19. **Storage of Vehicles:** No Vehicles shall be parked, stored or displayed in areas not designed and constructed for such parking, storage or display and so designated on the Plan of Development.
20. **Indoor Repair and Servicing:** Vehicle repair and servicing shall be performed only within a fully enclosed building.
21. **Loading:** Loading and unloading of vehicle deliveries shall be performed only on site.
22. **Hours of Operation:** The hours of operation will be restricted and as regulated in the B-2 zoning district.
23. **Rear Building Signage:** Signage on the proposed rear building will be permitted as regulated in the B-1 district.

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,

Virgil R. Hazelett, P.E.
County Manager

VRH/RRS:tjh

pc: Mr. W. Douglas Elliott, Jr.
Morrell Family, LLC
Haywood B. Hyman, Jr.
Director, Real Estate Assessment
Conditional Zoning Index



2/13/06

SADLER ROAD

CARMAX STORAGE LOT

VEHICLE
STORAGE
AREA

OLD SADLER ROAD
15' BUFFER

24'

12,500 SF

PROPOSED B-3C
PROPOSED B-2C

PROPOSED WPM
6,940 S.F. +/-

PROPOSED B-3C
PROPOSED B-2C

20' TRANSITIONAL BUFFER W/ 8' WALL

746-761-8512
ZONED: R-6C

EXHIBIT A

NOTE: BOUNDARY COMPILED FROM
SEVERAL SOURCES WITHOUT THE
AID OF A SURVEY.

11052 W BROAD STREET

WEST BROAD STREET

SCALE: 1"=100'

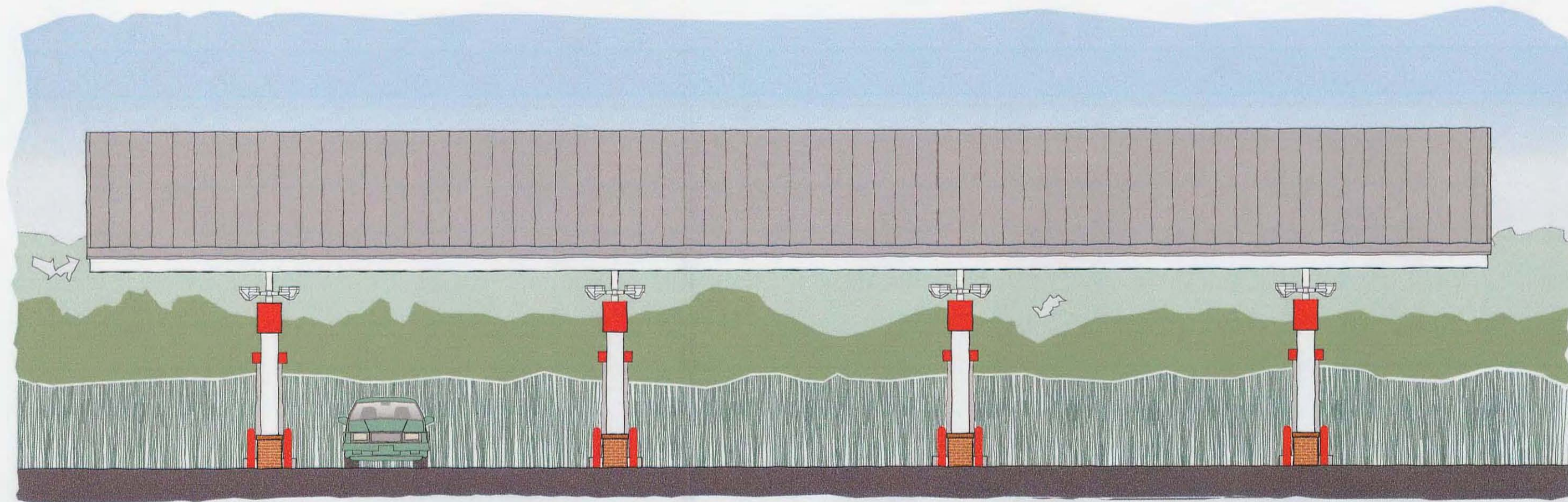
0' 100' 200' 300'



GRATTAN ASSOCIATES, P.C.
CONSULTING ENGINEER

P.O. BOX 17576
RICHMOND, VIRGINIA 23226
TEL: (804)346-4091 FAX: (804)346-4438

Exhibit accepted by the BoS with proffer #1
of C-56C-05



FRONT ELEVATION (CANOPY)



SIDE ELEVATION (CANOPY)



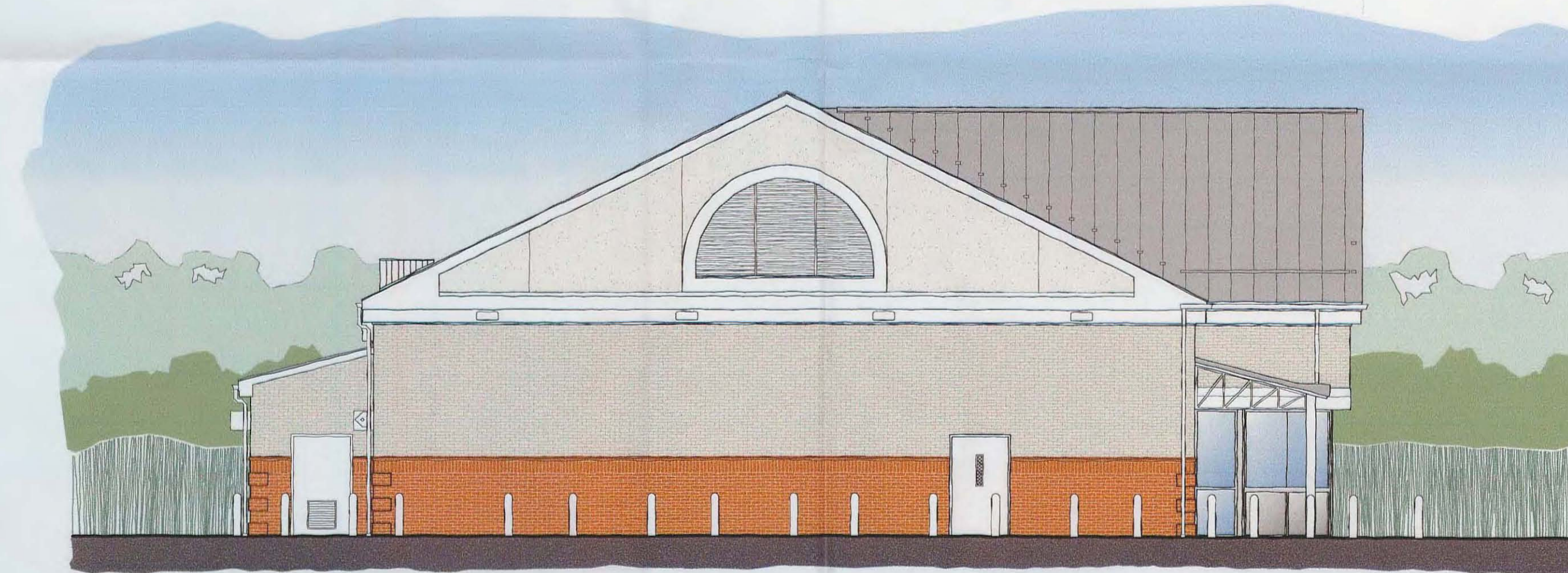
RIGHT SIDE ELEVATION



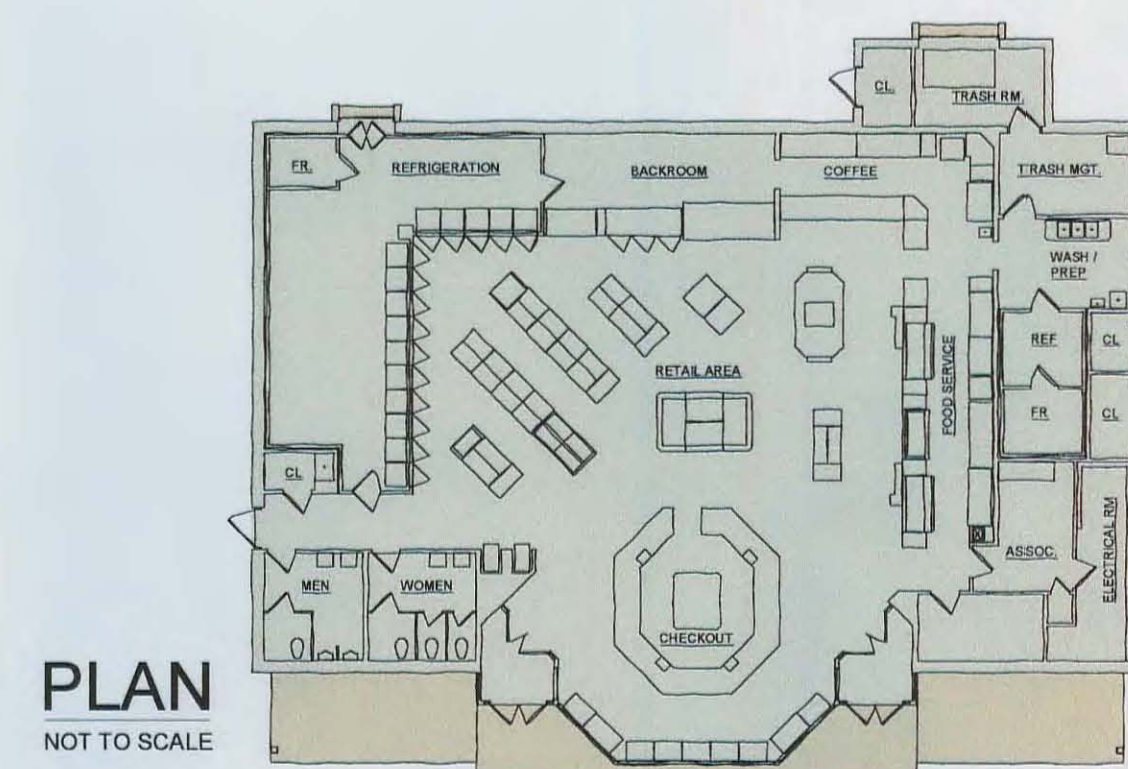
FRONT ELEVATION



REAR ELEVATION



LEFT SIDE ELEVATION



PLAN
NOT TO SCALE

EXTERIOR FINISH SCHEDULE			
MATERIAL	MANUFACTURER	COLOR	NOTES
METAL ROOF	"ATAS ALUMINUM CORP."	SLATE GREY	DUTCH SEAM/ 19.25" PANEL WIDTH
EIFS (AT FRONT & SIDE GABLES)	DRYVIT	NATURAL WHITE	SAND PEBBLE FINISH
GOOSE BACKGROUND	DRYVIT	BRIGHT WHITE	SAND BLAST FINISH
BRICK (GRADE TO 5'-7")	CUNNINGHAM	RED ROCKFACE	WATER COURSE AND BELOW
BRICK (5'-7" TO ABOVE)	CUNNINGHAM	SILVERSTONE VELOUR	ABOVE WATER COURSE
GUTTERS & DOWNSPOUTS	ATAS	WHITE	6" BOX 1.032 ALUM/CONT.
TRIM & FENCE AT REAR	AZEK TRIMBOARDS	WHITE	
NON-GLARE GLAZING PANELS	SCHOTT CORPORATION	CLEAR	UPPER GLASS
SPANDREL GLAZING	HPG INDUSTRIES	CHARCOAL GRAY	OPAQUE - LOWER GLASS
STOREFRONT ALUMINUM	YKK	CLEAR ANODIZED	
DOOR AND FRAME PAINT	BENJAMIN MOORE	BRILLIANT WHITE	SEMI-GLOSS
EPDM AT REAR DECK	DUROLAST	GREY	ROOF AND WALL EXTENSION



PROPOSED WAWA

11052 West Broad Street
Henrico County, Virginia

November 7, 2005

Scale: 1/8" = 1'-0"

C-56C-05

lynchmartinez • ARCHITECTS LLC

C-56C-05

20 South Maple Street Suite 200
Ambler PA 19002



FREEMAN MORGAN
architects

7110 FOREST AVENUE
SUITE 201
RICHMOND, VIRGINIA 23226
(804) 282-9700
FAX (804) 282-8267

Revisions
5-30-94

ELEVATIONS

PROPOSED RANGE ROVER BUILDING
11050 WEST BROAD STREET
HENRICO CO., VA.

Job 9331
Date FEB. 12, 1994
Sheet No.

A-3

C-56C-05