

REZ2017-00025

Zoning

Commercial

Three Chopt District

400

Feet



PS September 2017

Ref: 754-747-0694



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

John A. Vithoulkas
County Manager

March 6, 2018

The Rebkee Company
C/O Mr. Jason Chinnis
2800 Patterson Avenue, Suite 200
Richmond, VA 23221

Re: Rezoning Case REZ2017-00025

Dear Mr. Chinnis:

The Board of Supervisors at its meeting on February 27, 2018, granted your request to conditionally rezone from R-3 One-Family Residential District and B-1 Business District to B-2C Business District (Conditional) on Parcel 754-747-0694 containing 2.59 acres located at the northwest intersection of N. Parham and Three Chopt Roads, described as follows:

Beginning at a point, marked P.O.B. being the intersection of the north line of Three Chopt Road and the west line of Parham Road; thence along the said north line of Three Chopt Road the following two courses: along a curve to the left having a radius of 1179.00', a length of 77.86', a chord bearing of N 49°52'10" W and a chord of 77.85' to a point; thence N 51°45'41" W, 338.29' to a point; thence leaving the said north line of Three Chopt Road N 57°08'14" E, 478.55' to a point; thence S 20°35'43" W, 99.49' to a point; thence S 14°02'34" W, 100.00' to a point; thence S 65°46'26" E, 152.20' to a point on the west line of Parham Road; thence along the said west line of Parham Road the following three courses: S 23°57'20" W, 120.26' to a point; thence S 17°31'52" W, 76.01' to a point; thence S 45°06'15" W, 119.35' to the Point and Place of Beginning containing 2.590 acres.

The Board of Supervisors accepted the following proffered conditions, dated December 1, 2017, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Conceptual Plan.** Development of the Property for a Wawa convenience store shall be in general conformance with the Conceptual Plan attached hereto entitled "Wawa, Concept Plan, Parham Road & Three Chopt Road" prepared by Kimley-Horn and Associates, Inc., dated December 1, 2017 (the "Conceptual Plan"), (see case file) which Conceptual Plan is conceptual in nature and may vary in detail, unless otherwise requested and specifically approved at the time of Plan of Development.
2. **Elevations.** Development of the Property for a Wawa convenience store shall be in general conformance with the architectural appearance shown on the elevations attached hereto entitled "Wawa U45" dated September 23, 2016 and "Gas Canopy Straight 6 - Trash Compound MASQ16-L" dated September 26, 2017 prepared by Cuhaci & Peterson (see case file), unless otherwise requested and specifically approved at the time of Plan of Development.

3. **Exterior Materials/ Architecture.** The exposed portion of each exterior wall surface (front, rear and sides) of any building (excluding rooftop screening materials for mechanical equipment) shall be similar to the exposed portions of other exterior walls of such building in architectural treatment and materials. Any building shall have exposed exterior walls (above finished grade and exclusive of trim) of brick, glass, stone, stone veneer, or a combination of the foregoing, unless different architectural treatment and/or materials are specifically approved with respect to the exposed portion of any such wall, at the time of Plan of Development. No building shall be covered with or have exposed to view any painted or unfinished concrete block, or industrial-grade metal, unless otherwise specifically approved at the time of Plan of Development.
4. **Buffer Area.** An eight (8) foot tall precast concrete (i.e. "Brickcrete" or "Fencecrete") wall shall be provided in the locations shown on the Conceptual Plan (see case file). Plantings within the required transitional buffer area shall be supplemented as determined at the time of Landscape Plan.
5. **Parking Lot Lighting.** Parking lot lighting fixtures shall not exceed twenty (20) feet in height as measured from the grade at the base of the lighting standard. Lighting shall be directed to minimize glare on public roads and adjacent properties. Direct embedded light poles and standards shall be prohibited. Any lighting over any fuel pumps shall be recessed, flat lens fixtures.
6. **Prohibited Uses.** The following uses shall be prohibited:
 - a. billiard, bagatelle, video game or a bingo parlor;
 - b. flea markets or antique auctions;
 - c. billboards;
 - d. recycling facilities;
 - e. funeral homes, mortuaries, crematories and/or undertaking establishments;
 - f. dance halls;
 - g. truck stops;
 - h. gun shop, sales and repair;
 - i. parking garages or commercial parking lots as a principal use;
 - j. sign painting shops;
 - k. free-standing communication towers;
 - l. car title loan operations;
 - m. adult businesses as defined by Section 24-3 of the Henrico County Code;
 - n. establishments whose primary business is check cashing and/or the making of payday loans as defined and regulated by Sections 6.2-2100 et seq. and 6.2-1800 et seq. of the Code of Virginia (the foregoing shall not preclude banks, savings and

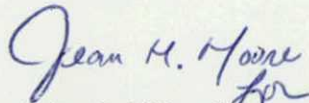
loans or similar financial institutions that are not regulated by the foregoing Virginia Code sections); and

- o. bars, which, for purposes of this restriction, shall mean a business establishment whose primary business is the sale of alcoholic beverages for on-premises consumption. This restriction shall not prohibit the sale of alcoholic beverages in restaurants as licensed by the Virginia Department of Alcoholic Beverage Control.
7. **Refuse Containers/Trash Receptacles/Recycling Activities.** Dumpsters, trash receptacles, not including convenience cans, and recycling receptacles shall be screened from public view with masonry enclosures compatible with the architectural design of the building at ground level at the Property lines as approved at the time of Plan of Development. The gates and doors on the masonry refuse screens shall be of a substantial and durable material as determined at the time of Plan of Development. Support posts, gate frames, hinges and latches shall be of a 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.
8. **Mechanical Equipment.** Mechanical equipment shall be screened from public view at ground level at Property lines as approved at the time of Plan of Development.
9. **Outside Speakers.** Any music being played over any outside speaker system shall be prohibited from 7:00 p.m. until 7:00 a.m.
10. **Underground Utilities.** All utility lines on the Property shall be underground, except for junction boxes, meters, gas meters, traffic control, irrigation backflow preventers, existing and/or relocated existing overhead utility lines and lines in wetland areas. Electrical junction boxes and meters shall be screened from public view at ground level at the perimeter of the tract with use of a wall, fencing, landscaping, or such other method as may be approved at the time of Plan of Development and/or subdivision review.
11. **Best Management Practice.** Any Best Management Practice structures shall be located underground.
12. **Outside Storage.** Except for ice coolers, no merchandise shall be displayed or stored outside of the building or on sidewalks.
13. **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.
14. **Hours of Trash Pickup; Parking Lot Cleaning.** Trash pickup from the Property shall be limited to the hours between 7:00 a.m. and 7:00 p.m. Monday through Friday and between 9:00 a.m. and 7:00 p.m. on Saturday. There shall be no trash pickup on Sundays. Parking lot cleaning on the Property shall be limited to the hours between 7:00 a.m. and 7:00 p.m. Monday through Friday, exclusive of snow removal. There shall be no parking lot cleaning on Saturdays or Sundays, exclusive of snow removal.

15. **Hours of Construction.** The hours of exterior construction shall be between 7:00 a.m. and 7:00 p.m. Monday through Saturday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours, utility connections and right-of-way improvements. Hours shall be posted in both English and Spanish until the roads are accepted by Henrico County for maintenance.

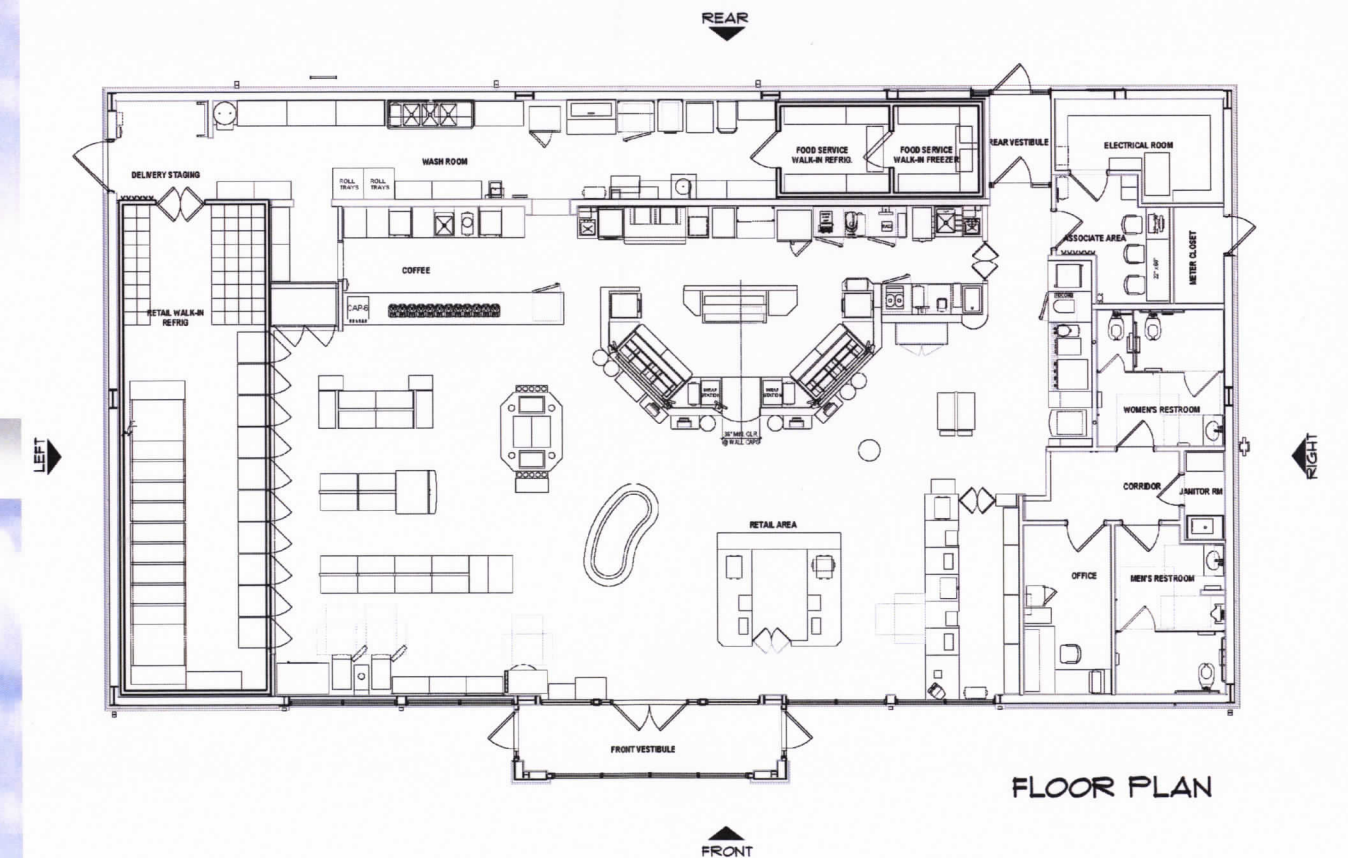
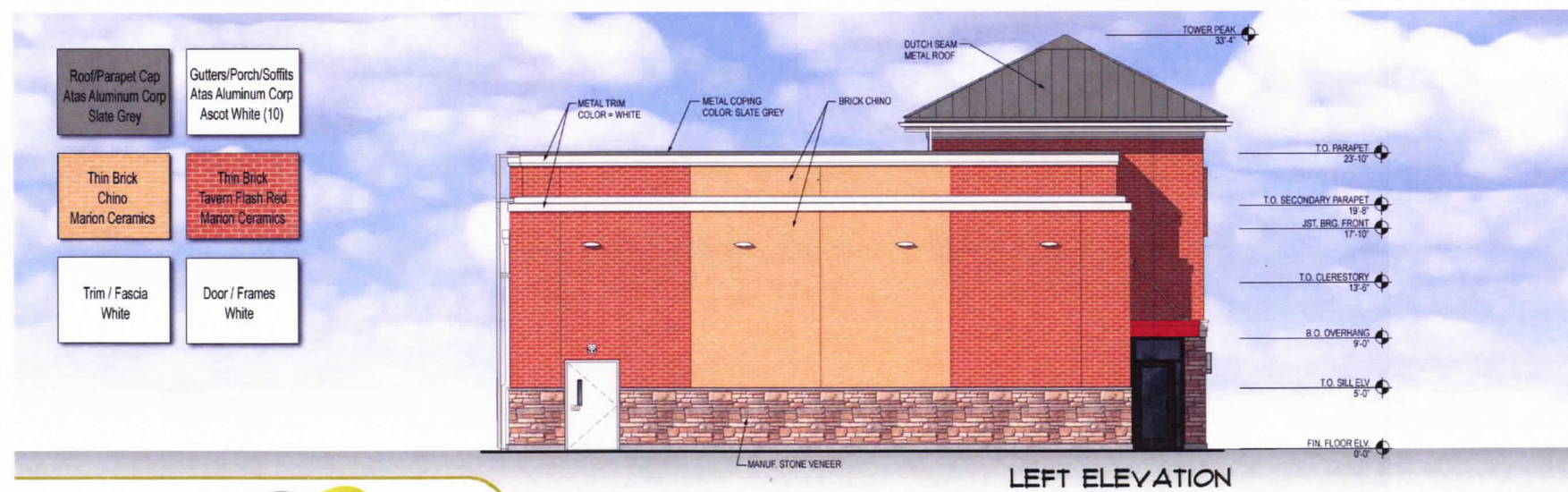
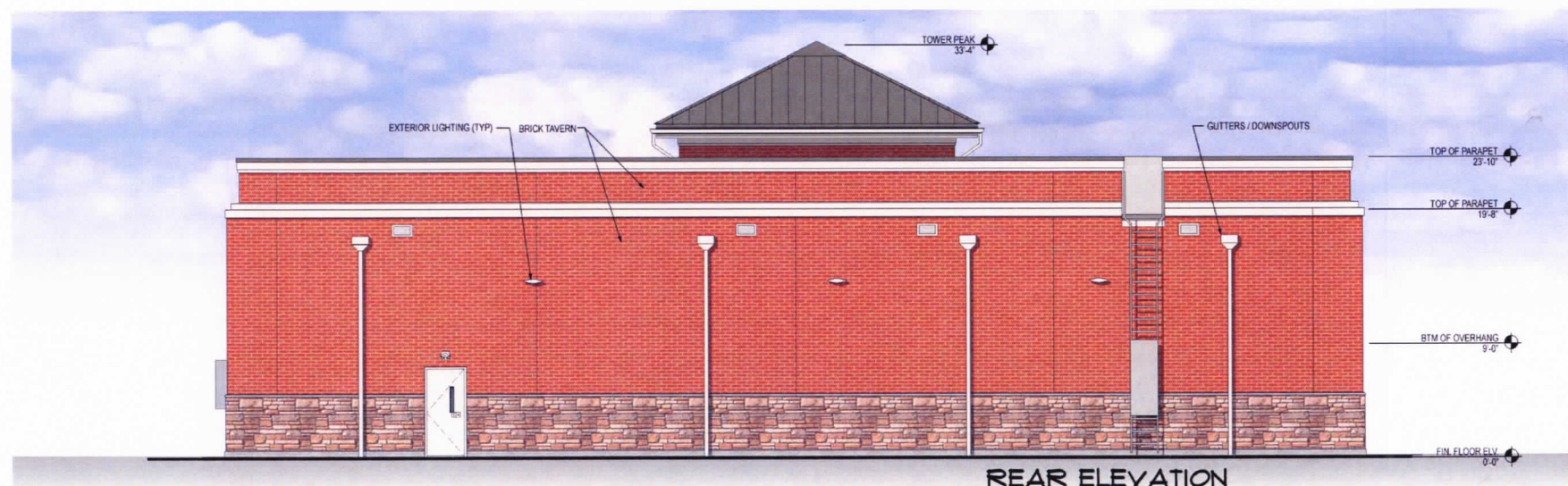
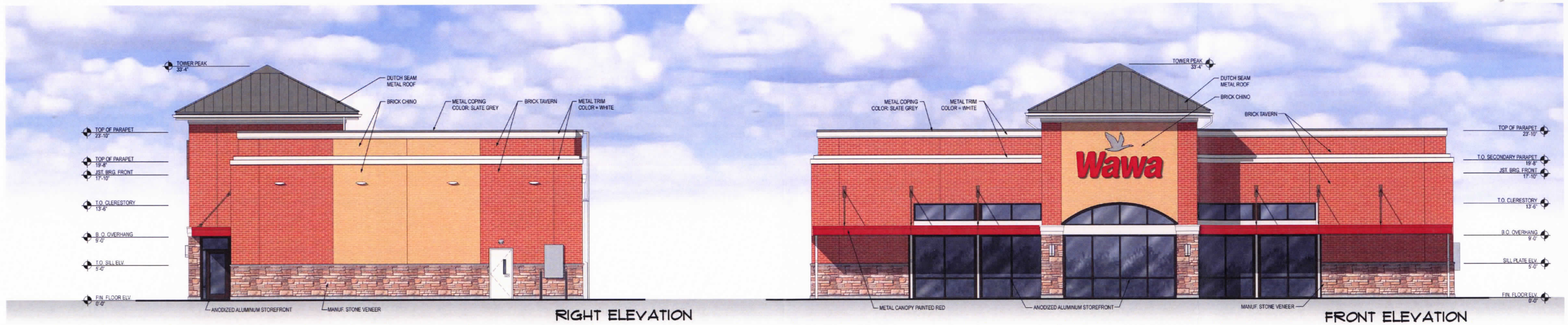
The Planning Department has been advised of the action of the Board of Supervisors and will revise its records.

Sincerely,

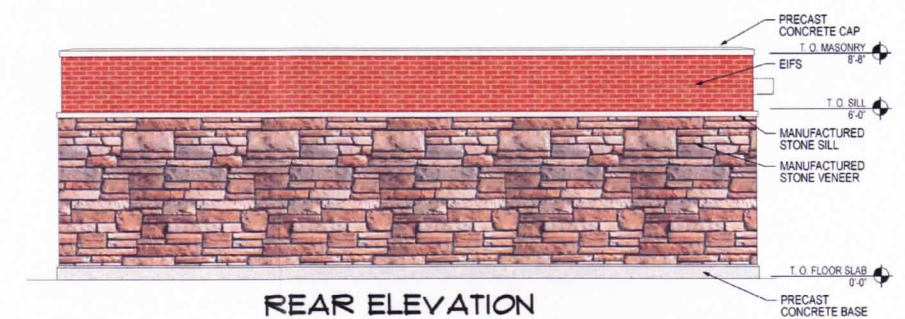
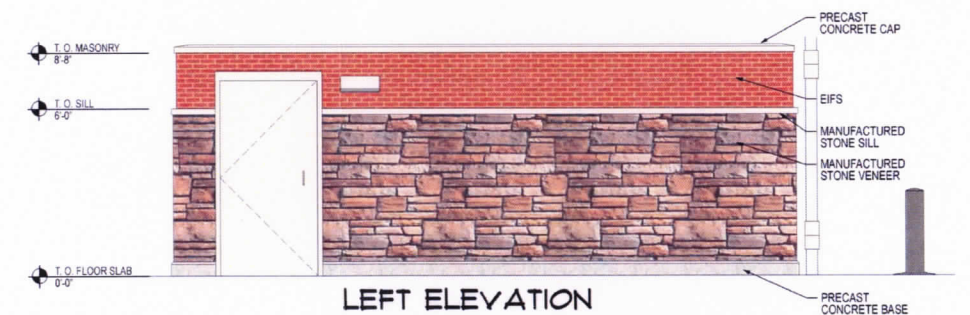
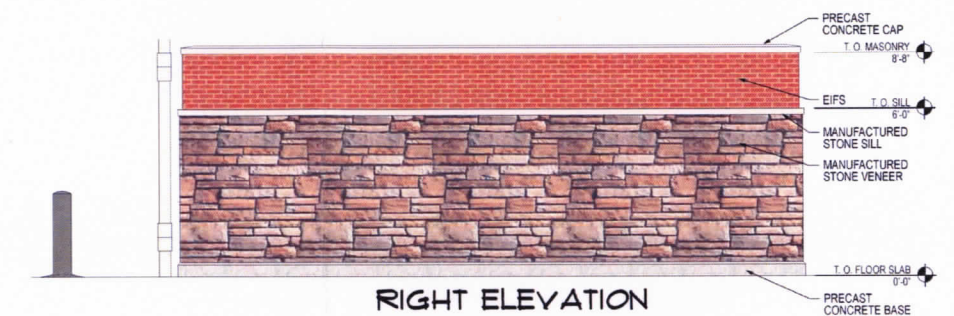
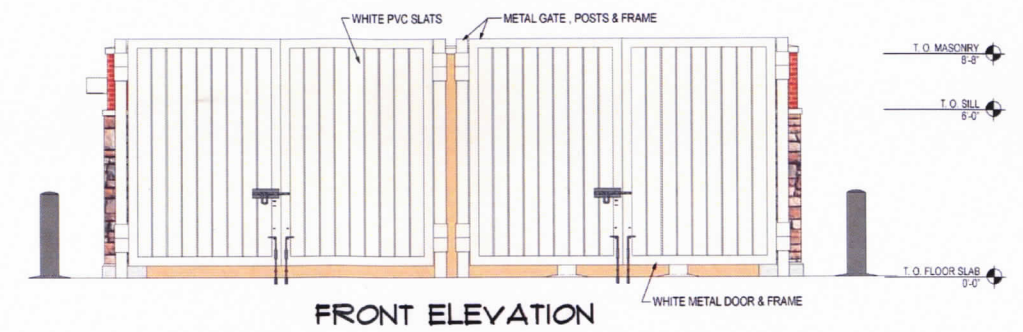
A handwritten signature in blue ink that reads "Jean H. Moore". The signature is fluid and cursive, with a small "for" written below the name.

John A. Vithoulkas
County Manager

pc: Bank of America, N.A., Investment Manager,
R.I. Pruitt Family Property V, LLC
James W. Theobald, Esquire
Director, Real Estate Assessment
Tiffany S. Hinton, Ph.D., Dir. Research and Planning - Schools



NOTE:
SIGNAGE IS SHOWN FOR REFERENCE ONLY
SEPARATE PERMIT REQUIRED



Metal Door Benjamin Moore 2121 - 60 White Diamond	Trim White
EIFS 'A' Dryvit Wawa011030	Quality Stone Ohio Drystack Provence