

REZ2018-00029

Zoning
 Car Wash
 Brookland District

400 Feet

PS April 2018 Ref: 766-749-2740



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

John A. Vithoukas
County Manager

September 18, 2018

Mr. Jeff Small
70 Sebring Drive
Fredericksburg, VA 22406

Re: Rezoning Case REZ2018-00029

Dear Mr. Small:

The Board of Supervisors at its meeting on September 11, 2018, approved your request to conditionally rezone from B-3 Business District and R-6 General Residence District to B-3C Business District (Conditional) Parcel 766-749-2740 containing 1.78 acres located on the east line of W. Broad Street (U.S. Route 250) approximately 480' south of its intersection with Sunnybrook Road, described as follows:

Beginning at a rod found on the east line of W. Broad Street, U.S. Route 250, said rod being ± 970 feet from the north line of Bethlehem Road and the point of beginning; thence continuing along the east line of W. Broad Street N $23^{\circ}18'18''$ W, 133.85 feet to a rod found; thence departing the east line of W. Broad Street N $66^{\circ}41'42''$ E, 270.00 feet to a rod found; thence S $23^{\circ}18'18''$ E, 9.65 feet to a point; thence N $55^{\circ}07'49''$ E, 231.95 feet to a rod found on the west line of Bowler Street (unimproved); thence continuing along the west line of Bowler Street S $43^{\circ}03'52''$ E, 144.99 feet to a rod found; thence departing the west line of Bowler Street S $53^{\circ}39'19''$ W, 276.94 feet to a bent rod found; thence S $72^{\circ}31'33''$ W, 277.90 feet to a rod found on the east line of W. Broad Street; thence continuing along the east line of W. Broad Street N $23^{\circ}18'18''$ W, 133.85 feet to a rod found and the point of beginning.

Containing 77,752 square feet or 1.785 acres of land more or less.

The Board of Supervisors accepted the following proffered conditions, dated August 9, 2018, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Vehicular Access.** Unless otherwise and specifically permitted at the time of Plan of Development, there shall be no more than one (1) direct vehicular access point to the Property from West Broad Street.
2. **Trash Receptacles.** Dumpsters and trash receptacles, not including convenience cans, shall be screened from public view at ground level with architectural material similar to the main building using such dumpster or trash receptacle and as otherwise approved at the time of Plan of Development.

3. **Trash Removal.** Trash removal on the Property shall be limited to the hours between 7:00 a.m. and 8:00 p.m.
4. **Drainage and Utilities.** 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.
5. **Parking Lot and Exterior Lighting.**
 - a. Parking lot lighting standards within the Property shall not exceed twenty-five feet in height as measured from the grade of the lighting standard, except as otherwise permitted at the time of Plan of Development.
 - b. Parking lot lighting standards shall not exceed twenty (20) feet in height within three hundred (300) feet of the boundary line of the Property along West Broad Street. Parking lot lighting on the Property shall be produced from concealed lighting sources to minimize the impact of such lighting on adjacent properties, unless otherwise permitted at the time of Plan of Development. Exterior light fixtures shall be produced from concealed sources of light unless other low light intensity decorative ornamental fixtures such as gas style lamps are approved at the time of Plan of Development. Such lighting shall be reduced to no more than a security level following the close of business operations each day. At no time shall the parking lot lighting exceed one-half (1/2) foot-candle at the right-of-way lines along West Broad Street.
 - c. The exterior lighting on the Property shall be designed with a cohesive plan so that all exterior lighting shall use compatible design elements.
6. **Uses.** The following uses shall be prohibited:
 - a. Automotive filling and service stations;
 - b. Gun shop, sales, and repair;
 - c. Permanent on-site recycling facility;
 - d. Flea markets or antiques auctions;
 - e. 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 (1950), in effect as the date of the approvals of these proffers (the foregoing shall not preclude banks, savings and loans or other financial institutions that are not regulated by the foregoing Virginia Code Sections);
 - f. Private club, lodge, meeting hall and fraternal organizations;
 - g. Establishments whose primary business is the making of motor vehicle title loans as defined and regulated by Section 6.2-2200 et seq. of the Code of Virginia;
 - h. Fortuneteller, palmist, astrologist, numerologist, clairvoyant, craniologist, phrenologists, card reader, spiritual reader or similar activity;

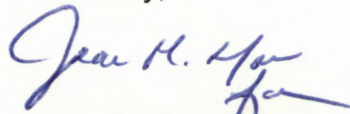
- i. Manufactured home sales, display and or storage or sales, rentals, display and storage of travel trailers, travel vans, campers and truck camper tops;
 - j. Rifle or pistol range;
 - k. Adult businesses as defined in the Henrico County Zoning Ordinance;
 - l. Billiard, bagatelle, video game or a bingo parlor;
 - m. Dance halls;
 - n. Truck stops;
 - o. Bars, which, for purposes of this restriction, shall mean a business establishment whose primary business is the sale of alcoholic beverages for on-premise consumption. This restriction shall not prohibit the sale of alcoholic beverages in restaurants as licensed by the Virginia Department of Alcoholic Beverage Control;
 - p. Recording studios; and
 - q. Carnivals, fairs, and circuses.
7. **Hours of Operation.** Hours of operation for any carwash use shall be limited to 7:00 a.m. to 9:00 p.m. Hours of operation for all other permitted uses shall be as regulated in the B-2 zoning district.
8. **Exterior Elevations.**
- a. Any car wash developed on the Property shall be consistent in quality and architectural appearance with the attached architectural drawing titled "RIO CARWASH EXTERIOR ELEVATIONS" prepared by Balzer and Associates, Inc. dated 6-27-18 (see case file).
 - b. The exposed portion of each exterior wall surface (front, rear and sides) of any building on the Property shall be similar in high quality of construction and shall have compatible architectural design (incorporating compatible, but not necessarily the same, design elements, color and architectural styles).
 - c. All buildings on the Property shall have exposed exterior walls (above finished grade and exclusive of architectural features, windows and doors) constructed of brick, stone, pre-cast concrete, exterior insulating finishing systems (E.I.F.S.) and/or glass and may have varying amounts of these exterior materials or an equivalent permanent architecturally finished material, unless different architectural treatment and/or materials are requested and specifically approved with respect to the exposed portion of any such wall, at the time of Plan of Development. Wood or composite siding, natural or cultured stone, marble, pre-cast or cast-in-place architectural concrete, exposed aggregate concrete, E.F.I.S., and/or glass, or an equivalent, permanent, architecturally finished material may be utilized as accent materials on such buildings and any car wash.
 - d. No building on the Property shall be covered with or have exposed view to any painted or unfinished concrete block, sheet or corrugated aluminum, iron and/or

steel or other materials unless requested and specifically permitted at the time of Plan of Development.

- e. Any shade structures associated with any car wash developed on the Property shall generally be consistent with the main building roof color(s).
9. **HVAC Equipment.** HVAC equipment shall be screened from public view at ground level at the property line as approved at the time of Plan of Development.
10. **Outside Speaker.** No outside loud speakers, which can be heard beyond the boundaries of the Property, shall be permitted on the Property.
11. **Carwash Development.** Any carwash use developed on the property shall be developed substantially similar to the layout as shown on the attached drawing titled "RIO CARWASH SCHEMATIC LANDSCAPE PLAN" prepared by Balzer and Associates, Inc. dated 4-19-2018 (see case file), unless otherwise approved by the Planning Commission at time of Plan of Development.
12. **Signage.** The existing freestanding sign that is nonconforming shall be removed. A new freestanding sign may be erected but such new sign shall not exceed 20 feet in height and the sign face shall not exceed 100 square feet. The design and location of the new freestanding sign shall be approved as part of Plan of Development.
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.

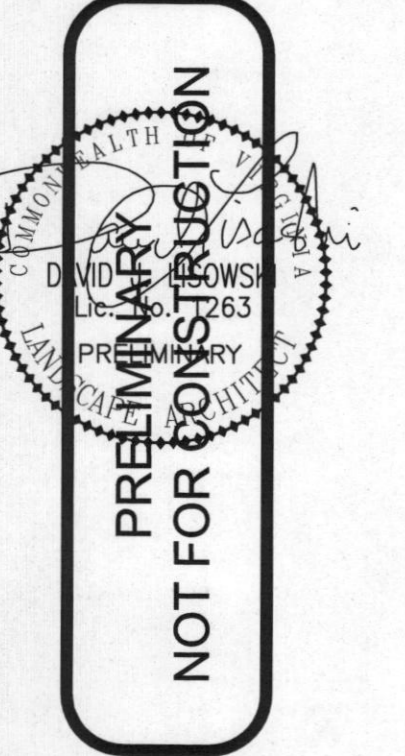
The Planning Department has been advised of the action of the Board of Supervisors and will revise its records.

Sincerely,



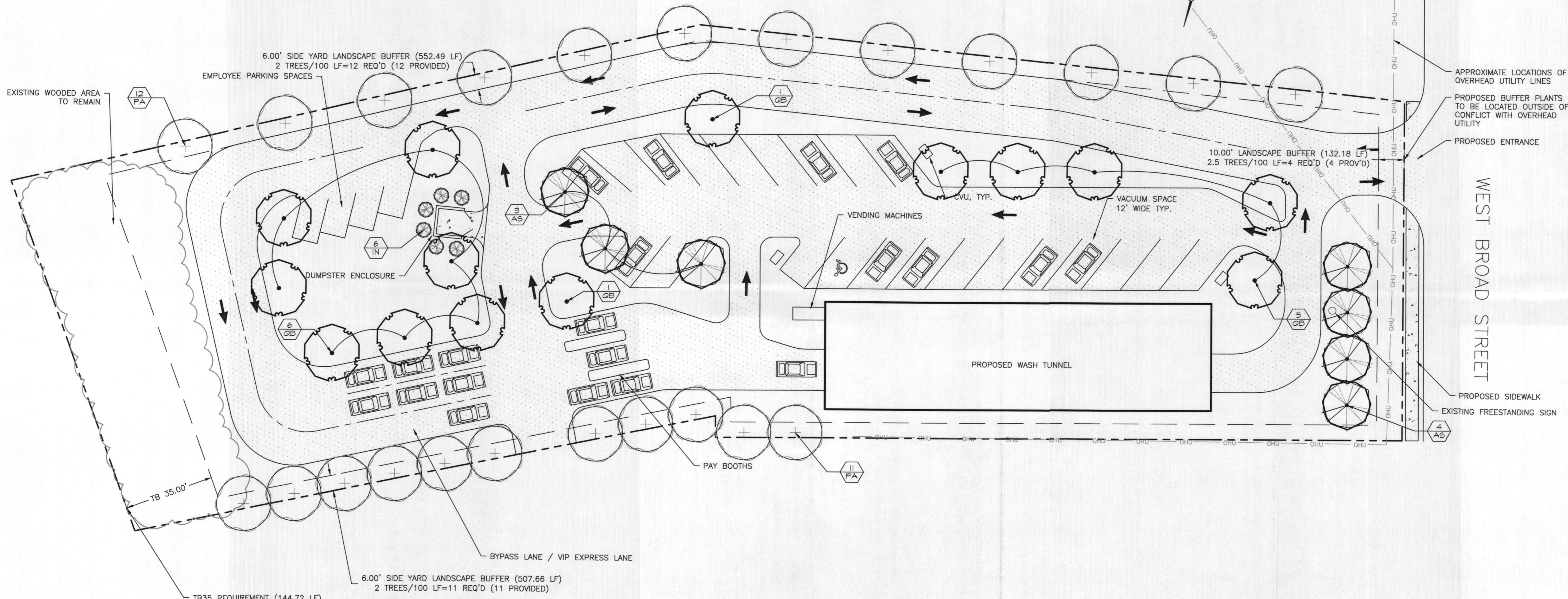
John A. Vithoukas
County Manager

pc: TKEB LLC
Mr. Aaron Breed, Esquire
Mr. Roger Bowers, Esquire
Director, Real Estate Assessment
Mr. Justin Briggs, School Planner



RIO CARWASH
7408 WEST BROAD STREET
SCHEMATIC LANDSCAPE PLAN
BROOKLAND DISTRICT
COUNTY OF HENRICO, VA

DRAWN BY WLJ
DESIGNED BY WLJ
CHECKED BY DJL
DATE 4/19/2018
SCALE 1"=20'
REVISIONS:



6.00' SIDE YARD LANDSCAPE BUFFER (552.49 LF)
2 TREES/100 LF=12 REQ'D (12 PROVIDED)

10.00' LANDSCAPE BUFFER (132.18 LF)
2.5 TREES/100 LF=4 REQ'D (4 PROVIDED)

6.00' SIDE YARD LANDSCAPE BUFFER (507.66 LF)
2 TREES/100 LF=11 REQ'D (11 PROVIDED)

TB35 REQUIREMENT (144.72 LF)
5 LARGE DECID/EVERGREEN TREES/100 LF=8 REQ'D
2.5 SMALL TREE/EVERGREEN TREE/100 LF=4 REQ'D
19 SHRUBS/100 LF=28 REQ'D

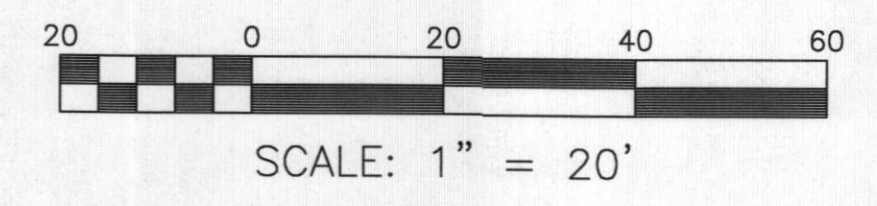
NOTE: EXISTING TREES/SHRUBS TO REMAIN. AFTER CLEARING AND GRADING, SCHEDULE A MEETING WITH THE LANDSCAPE ARCHITECT AND COUNTY PLANNER TO DETERMINE IF SUPPLEMENT TREES/SHRUBS WILL BE REQUIRED.

PLANT SCHEDULE

| TREES | QTY | BOTANICAL NAME / COMMON NAME | CONT | CAL | HT |
|-------|-----|--|-------|-----------------|---------|
| AS | 7 | Acer rubrum 'Sun Valley' / Sun Valley Red Maple 8 TREES X 200 SF = 1,600 SF CANOPY CREDIT | B # B | 2.50" CAL. MIN. | |
| IN | 6 | Ilex x 'Nellie R. Stevens' / Nellie Stevens Holly 6 TREES X 75 SF = 300 SF CANOPY CREDIT | B # B | | 8' MIN. |
| PA | 23 | Platanus x acenfolia / London Plane Tree 23 TREES X 200 SF = 4,600 SF CANOPY CREDIT | B # B | 2.50" CAL. MIN. | |
| QB | 14 | Quercus bicolor / Swamp White Oak 14 TREES X 200 SF = 2,800 SF CANOPY CREDIT | B # B | 2.50" CAL. MIN. | |

REQUIRED INTERIOR CANOPY CREDIT:

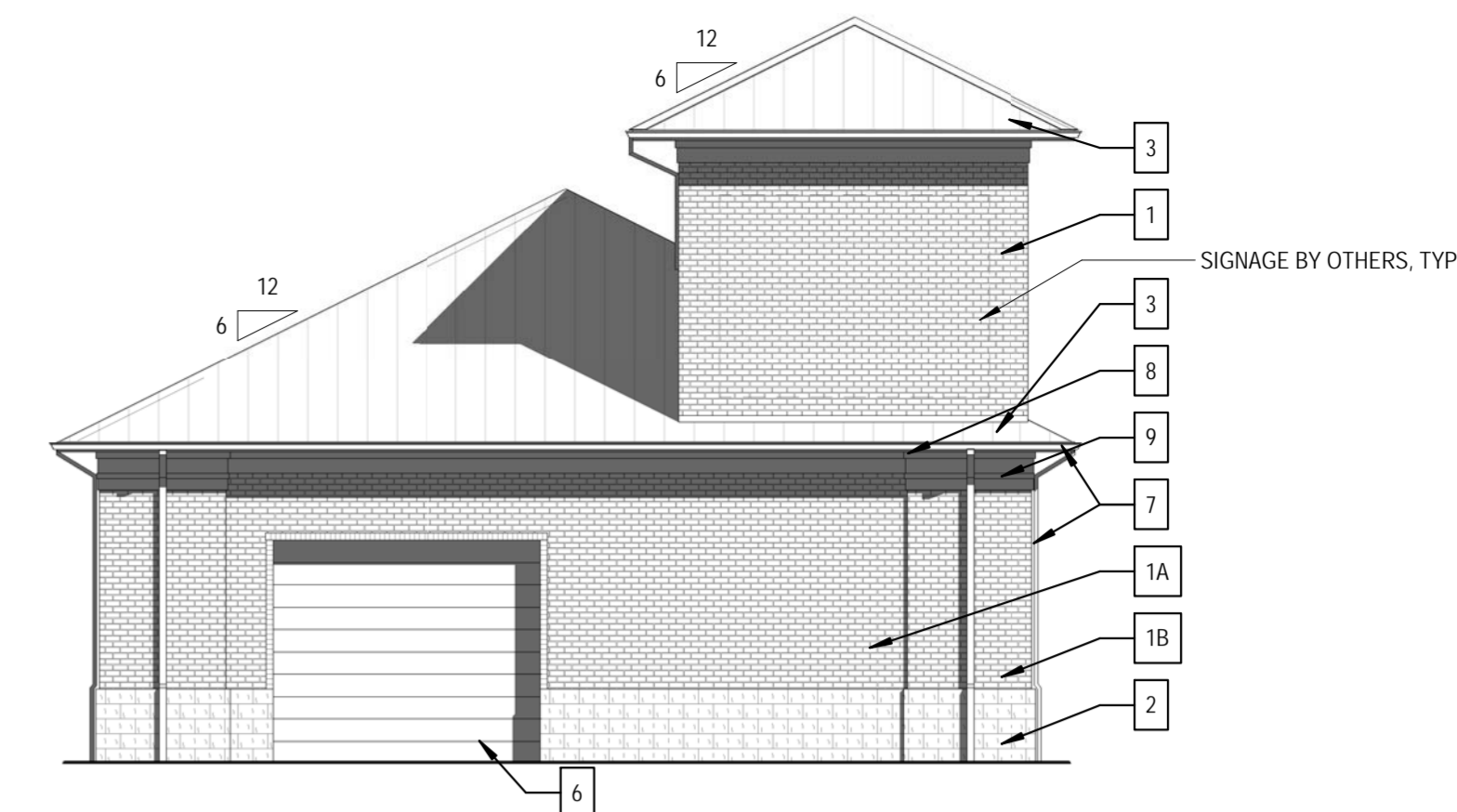
| | |
|---|-----------------------------|
| 1) TOTAL AREA: | 76,938 SF |
| 2) BUILDING AREA: | -6,342 SF |
| 3) IMPERVIOUS AREA: | -37,392 SF |
| 4) ADJUSTED AREA: | 33,204 SF |
| 5) CANOPY CREDIT REQUIRED: | 33,204 SF x 0.10 = 3,321 SF |
| 6) TOTAL PROPOSED INTERIOR CANOPY CREDIT= | 3,700 |



EXTERIOR FINISH SCHEDULE

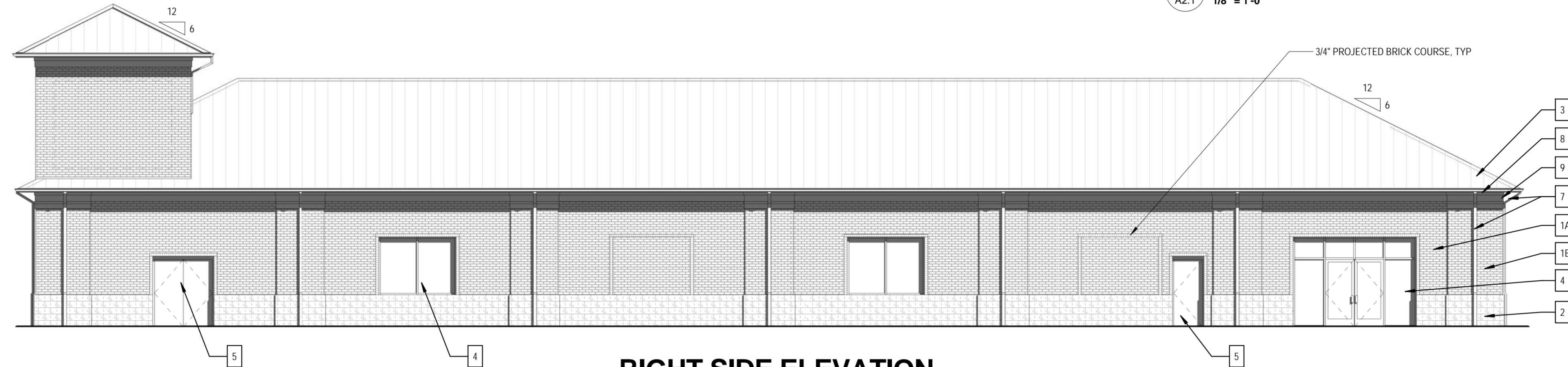
| NO. | MATERIAL | MATERIAL COLOR/FINISH | MFR. / MODEL |
|-----|--------------------------------|--------------------------------------|---------------------------------------|
| 1A | FIELD BRICK (ENGINEER SIZE) | SANTA FE (TAN/ORANGE) | LAWRENCEVILLE, SHADE & WISE |
| | BRICK MORTAR | STRAW | ROANOKE CEMENT COMPANY, SHADE & WISE |
| 1B | PILASTER BRICK (ENGINEER SIZE) | OLD ENGLISH TUDOR (RED) | GENERAL SHALE, SHADE & WISE |
| | BRICK MORTAR | GEORGIA RED | ARGOS, SHADE & WISE |
| 2 | SPLIT-FACE CMU | KHAKI, STANDARD SERIES | YORK, SHADE & WISE |
| | CMU MORTAR | STRAW | ROANOKE CEMENT COMPANY, SHADE & WISE |
| 3 | STANDING SEAM METAL ROOFING | FOREST GREEN | ATAS, 2" FIELD-LOK |
| 4 | ALUMINUM STOREFRONT WINDOW | MEDIUM BRONZE | KAWNEER 451-T |
| | STOREFRONT GLAZING | CLEAR, LOW-E | AGC GLASS COMPANY |
| 5 | STEEL DOOR & FRAME | PAINT TO MATCH ADJACENT CMU | - |
| 6 | COILING OVERHEAD DOOR | FACTORY FINISH TO MATCH ADJACENT CMU | MOTOR OPERATED, OVERHEAD DOOR COMPANY |
| 7 | DOWNSPOUTS & GUTTERS | BEIGE | - |
| 8 | FASCIA BOARD | BEIGE | AZEK |
| 9 | PVC TRIM | BEIGE | AZEK |

NOTES:
1. SEALANTS TO MATCH ADJACENT MATERIAL COLOR.



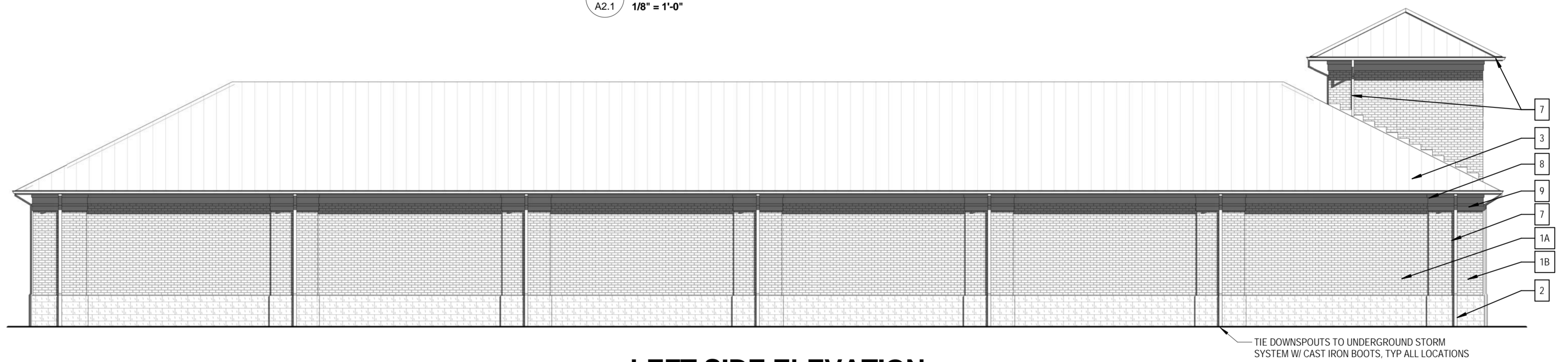
**FRONT ELEVATION
(WEST)**

1
A2.1
1/8" = 1'-0"



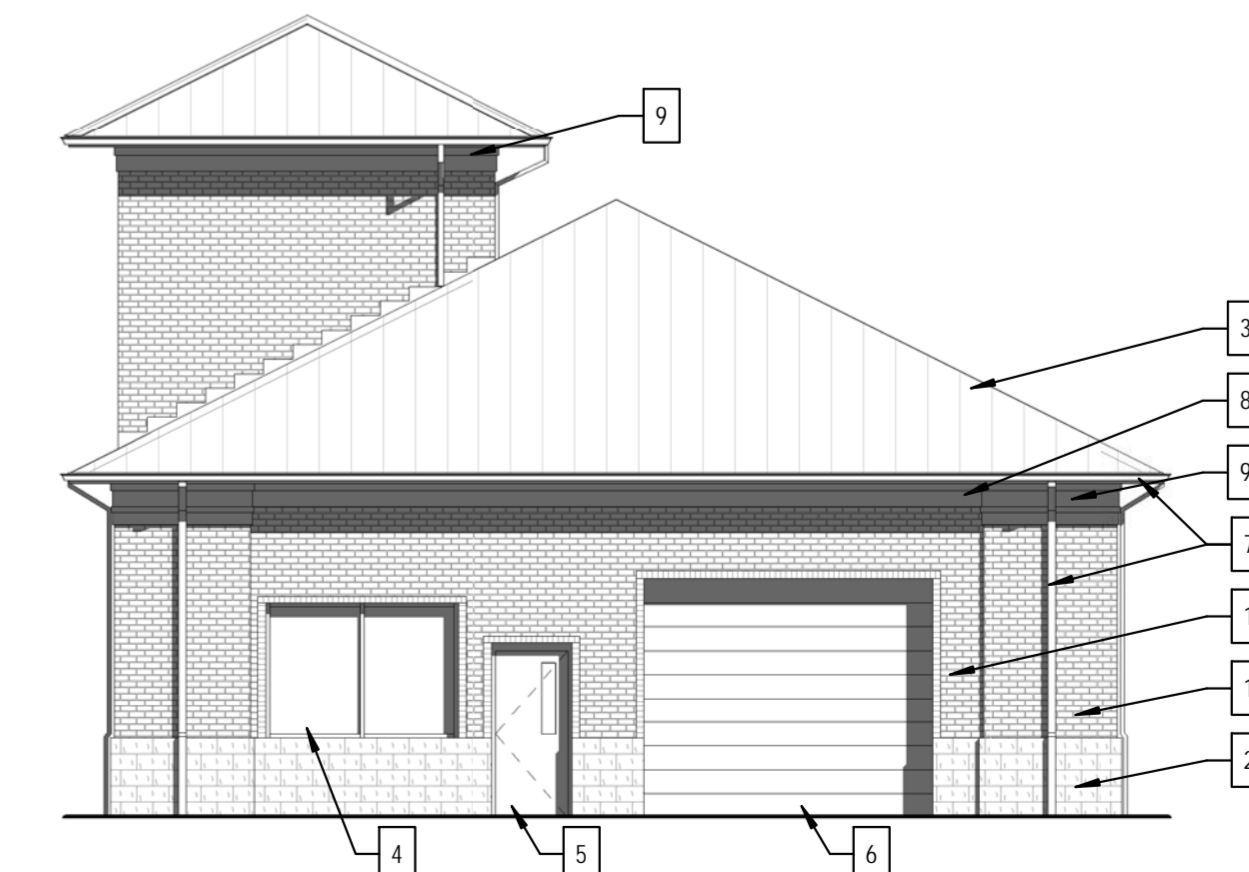
**RIGHT SIDE ELEVATION
(SOUTH)**

2
A2.1
1/8" = 1'-0"



**LEFT SIDE ELEVATION
(NORTH)**

3
A2.1
1/8" = 1'-0"



**REAR ELEVATION
(EAST)**

4
A2.1
1/8" = 1'-0"