

REZ2019-00023

Zoning

Convenience Store w/ Gas Pumps

Varina District

400

Feet



PS May 2019

Ref: 801-703-1153



COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

John A. Vithoulkas
County Manager

September 19, 2019

7-Eleven, Inc.
3200 Hackberry Road
Irving, TX 75063

Re: Rezoning Case REZ2019-00023

Dear Sir/Madam:

This letter supercedes the letter dated September 17, 2019.

The Board of Supervisors at its meeting on September 10, 2019, approved your request to conditionally rezone from B-1 Business District to B-2C Business District (Conditional) Parcels 801-703-1153 and 801-703-0569 containing 1.043 acres located at the intersection of New Market Road (State Route 5) and Osborne Turnpike, described as follows:

Beginning at a point, a pin found, being at the intersection of the western right-of-way line of New Market Road, and the eastern right-of-way line of Osborne Turnpike, said point also being the terminus of a curve to the right having a radius of 21.88 feet; thence along said western right-of-way line of New Market Road, along a curve to the left having a radius of 241.75 feet, a central angle of 05°58'35", an arc distance of 25.22 feet, a chord bearing of S 25°30'30" E, and a chord distance of 25.20 feet, to a point, a nail found; thence continuing along said western right-of-way line of New Market Road, S 31°28'03" E, a distance of 111.54 feet, to a point; a nail found; thence continuing along said western right-of-way line of New Market Road, along a curve to the left having a radius of 513.00 feet, a central angle of 05°48'12", an arc distance of 51.96 feet, a chord bearing of S 34°22'09" E, and a chord distance of 51.94 feet, to a point, a nail found; thence continuing along said western right-of-way line of New Market Road, S 37°16'15" E, a distance of 65.99 feet, to a point; a nail found; thence continuing along said western right-of-way line of New Market Road, along a curve to the right having a radius of 145.00 feet, a central angle of 07°00'03", an arc distance of 17.72 feet, a chord bearing of S 33°46'13" E, and a chord distance of 17.71, to a point, a nail found; thence continuing along said western right-of-way line of New Market Road, S 23°52'03" E, a distance of 27.12 feet to a point, a pin found; thence continuing along said western right-of-way line of New Market Road, S 25°35'53" E, a distance of 75.25 feet to a point, a pin found; thence continuing along said western right-of-way line of New Market Road, S 50°35'54" east, a distance of 42.17 feet to a point, a pin found; thence departing said western right-of-way line of New Market Road, S 76°25'38" W to said eastern right-of-way line of Osborne Turnpike, a distance of 203.16 feet to a point, a cut cross set; thence along said eastern right-of-way line of Osborne Turnpike, N 10°23'37" W, a distance of 328.69 feet to a point, a nail set; thence continuing along said eastern right-of-way line of Osborne Turnpike, N 79°39'03" E, a distance of 15.62 feet to a point, a pin found; thence continuing along said eastern right-of-way line of Osborne Turnpike, N 10°18'17" W, 43.10 feet, to a point, a nail set; thence continuing along said eastern right-of-way line of Osborne

Turnpike, N 79°41'43" E, 10.00 feet, to a point, a nail set; thence continuing along said eastern right-of-way line of Osborne Turnpike, along a curve to the right having a radius of 21.88 feet to said western right-of-way line of New Market Road, said curve also having a central angle of 82°57'53", an arc distance of 31.68 feet, a chord bearing of N 31°10'40" E, and a chord distance of 28.99 feet, to a point, a nail found, the point of beginning. Containing 45,299 square feet or 1.040 acres more or less.

The Board of Supervisors accepted the following proffered conditions, dated August 27, 2019, 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 convenience store with fueling station shall be in general conformance with the New Market Conceptual Plan attached hereto prepared by Blakeway, dated March 27, 2019, last revised June 17, 2019 (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. **Sidewalk.** A sidewalk shall be provided along the portion of the Property fronting Osborne Turnpike as generally shown on the Conceptual Plan (see case file).
3. **Rest Area.** The portion of the Property east of the parking lot shall be improved with an extension of the above referenced sidewalk connecting to the Virginia Capital Trail as generally shown on the Conceptual Plan (see case file). A bike rack area shall be provided as generally shown on the Conceptual Plan (see case file). This portion of the property shall also be planted with four (4) large deciduous trees, seven (7) small deciduous trees, and a variety of shrubbery and ground cover as generally shown on the Conceptual Plan (see case file) and as determined at the time of Landscape Plan, unless otherwise requested and specifically approved at the time of Landscape Plan. The trees shall each be a minimum of two and one-half inch (2.5") caliper at the time of planting and the shrubbery shall each be a minimum of two (2) feet in height at the time of planting.
4. **Elevations.** Development of the Property for a convenience store with fueling station shall be in general conformance with the architectural appearance shown on the elevations attached hereto entitled "7-ELEVEN STORE NEW MARKET ROAD RICHMOND, VA" prepared by Forum, dated July 9, 2019 (see case file), unless otherwise requested and specifically approved at the time of Plan of Development. The rear elevation of the dumpster enclosure shall match the architectural appearance of the side elevation of the dumpster enclosure shown on the aforesaid elevations.
5. **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,

brick veneer, glass, stone, stone veneer, board and batten siding, stucco, metal, 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.

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);
- 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;
- p. attention getting devices used for longer than thirty (30) days;
- q. communication towers;
- r. car wash; and
- s. restaurant with drive-through.

7. **Pay Phones.** The installation of pay phones on site shall be prohibited.

8. **Outside Speakers.** Any outside speakers and/or sound system shall comply with the following standards:

- a. Sound systems shall be equipped with controls that permit full and complete volume control;
- b. Sound(s) emitted from the system shall not be audible beyond a distance of one hundred (100) feet measured from the source:

c. Any music being played over any outside speaker system shall be prohibited from 11:00 p.m. until 7:00 a.m., unless the use of music during those hours is: (1) part of the security plan required by proffer 9; (2) not plainly audible inside the confines of the dwelling unit, house or apartment of another person; and (3) not plainly audible in residential areas at 50 or more feet from the outside speaker.

9. **Security Plan; Security Survey.**

a. At the time of submission of a plan of development, the applicant shall submit a security plan to the Director of Planning and the Chief of Police for review and approval. The security plan shall contain details regarding the standard operating procedures pertaining to employees, facility security, security personnel and all other crime prevention measures (including: a security alarm, placement and views of interior and exterior security cameras, physical security measures (door locks, hinges, access control (ex. keycard access)) and describes how the security plan is designed to reduce crime from occurring during the extended hours of operation. Trespassing enforcement authorization, including the placement of "no trespassing" signage, shall be provided to the Police Division as part of the comprehensive security plan.

b. Prior to receiving a certificate of occupancy, the applicant and the Crime Prevention Unit of the Division of Police shall conduct a security survey of the Property and store operations. The owner/operator of the 7-11 shall implement the mutually agreed upon security measures affecting the Property.

10. **Exterior Security Cameras.** The owner or operator shall be responsible for the installation, operation, and maintenance of a functioning exterior security camera(s) and video system of professional grade and quality, and rated for the exterior surveillance of retail operations. This security system shall at a minimum include:

a. Exterior surveillance cameras shall monitor all entrance(s), fueling area(s), parking area(s), delivery area(s), and other areas determined necessary by the Crime Prevention Unit of the Division of Police. Such security cameras shall provide clear imagery of the establishment's patrons and their vehicles.

b. Recordings of all activities under surveillance shall be preserved for a period of one (1) month by the applicant or owner/operator. Authorized representatives of the Henrico County Division of Police shall have full and complete access to all recordings upon request.

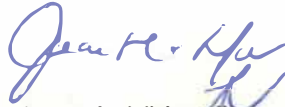
11. **Store Windows.** Store windows shall not be tinted or obscured by advertisements, posters, blinds, and/or visual obstructions (excluding mullions) that inhibit or hinder exterior surveillance. The installation and use of light blocking devices during daylight hours shall be permissible if approved by the Crime Prevention Unit of the Division of Police.

12. **Parking Lot Lighting.** Parking lot lighting fixtures shall not exceed eighteen (18) feet in height as measured from the grade at the base of the lighting standard. Parking lot lighting shall be produced from concealed source style fixtures and shall be directed in a way 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. Parking lot lighting shall be reduced or turned off after business hours with the exception of minimum lighting requirements for security purposes.
13. **HVAC Screening.** All heating and air conditioning and mechanical equipment shall be screened from public view at the ground level in a manner approved at the time of Plan of Development and as generally shown in the attached elevations (see case file).
14. **Trash Receptacles/Convenience Cans.** Dumpsters, trash receptacles, not including convenience cans and recycling receptacles, and compactors shall be screened from public view with masonry enclosures which are compatible with the architectural design of the building as approved at the time of Plan of Development. Convenience cans and/or recycling receptacles shall be within or part of a decorative container and shall be properly serviced to control litter generated by this use.
15. **Dumpster Service/Parking Lot Cleaning.** No dumpster service shall take place between the hours of 10:00 p.m. and 7:00 a.m. No mechanical means may be used to clean the parking lot between the hours of 10:00 p.m. and 7:00 a.m. In addition, the parking lot shall be cleaned of trash and debris at least twice a week.
16. **Outside Display of Merchandise.** Except for ice coolers and propane enclosure, no merchandise shall be displayed or stored outside.
17. **No Overnight Parking;** Idling of Trucks. Excluding employee parking, overnight parking shall not be permitted. No idling of delivery trucks shall be permitted between the hours of 12:00 midnight and 6:00 a.m.
18. **No Loitering.** The owner or operator shall not permit loitering on the premises during hours of operation, excluding use of the rest area on the Property referenced above.
19. **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.
20. **Signage.** The existing pylon sign will be removed and replaced with a monument style sign with a location to be determined at the time of the plan of development review. The use of digital signage shall be limited to advertising fuel prices.

21. **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. Vithoulkas
County Manager

pc: Jeffrey P. Geiger, Esquire
Julian A. Pedini, Esquire
Director, Real Estate Assessment
Police, Special Services

FILE NAME: C:\Users\jfronks\appdata\local\temp\kcpublisha_10348\New Market - Concept 6.dwg LAYOUT NAME: Layout1 PLOTTED: Monday, June 17, 2019 -- 11:08am



SITE ANALYSIS	
PROPOSED PARCEL AREA:	1.040 AC
EXISTING ZONING:	B-1
PROPOSED ZONING:	B-2C
SETBACKS:	REQUIRED
FRONT:	25'
SIDE:	25'
REAR:	40'
PARKING:	
REQUIRED:	15 SPACES 1 PER 200' SF
PROVIDED:	18 SPACES

GENERAL NOTES

- THE SITE IS DESIGNED IN ACCORDANCE WITH THE B-1 ZONING REQUIREMENTS OF THE HENRICO COUNTY ZONING ORDINANCE.
- BLAKEWAY ASSUMES BUT DOES NOT GUARANTEE THAT REQUIRED STORMWATER QUANTITY AND QUALITY IMPROVEMENTS WILL BE ACHIEVED WITH THE USE OF THE ON-SITE STORMWATER DETENTION AND/OR MANUFACTURED STORMWATER BMPs, AND THAT ADEQUATE STORMWATER INFRASTRUCTURE IS AVAILABLE WITHIN THE PUBLIC RIGHT OF WAY.
- ALL PROPERTY, RIGHT-OF-WAY, AND BUILDING SETBACK LINES ARE CONCEPTUAL IN NATURE AND WILL REQUIRE A SURVEY.
- THE PROPOSED ENTRANCES ARE CONCEPTUAL. BLAKEWAY RECOMMENDS FURTHER INVESTIGATION INTO TRAFFIC REQUIREMENTS.

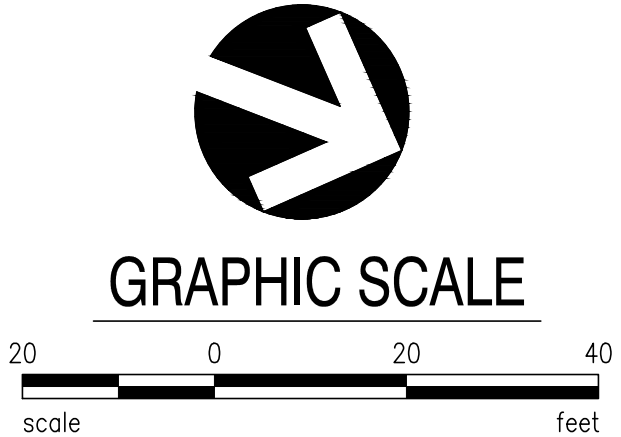
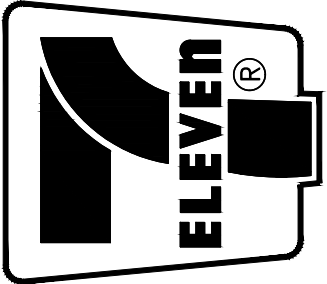


EXHIBIT A
REZ2019-00023



BLAKEWAY
surveying + engineering + environmental

630 N. WITCHDUCK RD. - VA BEACH, VIRGINIA 23462
P757.226.0081 - F757.226.8765
www.blakewaycorp.com

DATE ISSUED	REMOVED GAZEBO	REMOVED AGERAGE	REMOVED RED LINE TO SHOWN EXIST. R/W	REMOVED PER STAFF COMMENTS	DATE	DESCRIPTION
3/27/19						
DRAWN BY	GF					
REVIEWED BY	SMB					
DESIGNED BY	GF					
LOCATION	NEW MARKET					
SHEET NO.	6					
SHEET TITLE	CONCEPT PLAN					
SITE ID	1125 NEW MARKET RD RICHMOND, VA					

7/9/2019 9:25:08 AM

E

D

C

B

A

C:\Users\StillK\Documents\Revit Local\Revit Local 2016\BF2504600_RICHMOND_VA @ 11104 NEW MARKET_A_R16_Kevin_Skill.rvt



FORUM

THE ART & SCIENCE OF BUILDING

502 SW A STREET, SUITE 2
BENTONVILLE, AR 72712
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TEL: 479.633.8165

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Drawings and Specifications as instruments of service are and shall remain the property of the Architect. They are not to be used on other projects or extensions to this project except by agreement in writing and with appropriate compensation to the Architect.

Contractor is responsible for confirming and correlating dimensions at job site. The Architect will not be responsible for construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the project.

STORE #:

CONSTRUCTION MANAGER
VERDAD REAL ESTATE AND CONSTRUCTION SERVICES
1211 S WHITE CHAPEL BLVD
SOUTH LAKE, TX 76092
TENANT
7-ELEVEN, INC.
3200 HACKBERRY RD., IRVING, TX 75063

MEP CONSULTANT

STRUCTURAL CONSULTANT

PROTO:N/A

7-ELEVEN STORE
NEW MARKET RD.
RICHMOND, VA

VERDAD REAL ESTATE AND CONSTRUCTION SERVICES
1211 S WHITE CHAPEL BLVD
SOUTH LAKE, TX 76092

NOT FOR CONSTRUCTION

07/09/2019

Architect Name - RYAN M FAUST
Architect Number - 25444

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REVISIONS

NO.	DATE	DESCRIPTION
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PROJECT NUMBER: BF2504600

RELEASE DATE: 07/09/2019

REVIEW BOARD ELEVATIONS

R0.01

Total Sign Square footage Calculations:	
Allowed:	32.0 sqft
Proposed:	18.0 sqft
Overall Height:	
Allowed:	8 Feet
Proposed:	6 Feet
SetBacks:	
Requirements:	5 Feet
Proposed:	5 Feet

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sign of the future

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www.harbingersign.com

7-Eleven

#1044283
1125 New Market Road
Richmond, Virginia 23231

CONTACT: Ron Skarke

SALES ASSOC.: Rick Guarino

PROJECT MGR: Jordon Robson

DESIGNER: Michael Hopens / Ron Kimmel

SVE7468-R4

F:\Customers\7 Eleven\Art\SVE7468-R4 #1044283.cdr

Date	Rev.	Description
11.26.18	00	Original
11.27.18	R1	Revised sign A.
11.29.18	R2	Update elevations & site plan
12.17.18	R3	Updated orientation of monument
05.03.19	R4	Update Site plan, color elevations & Main ID

Site Notes:

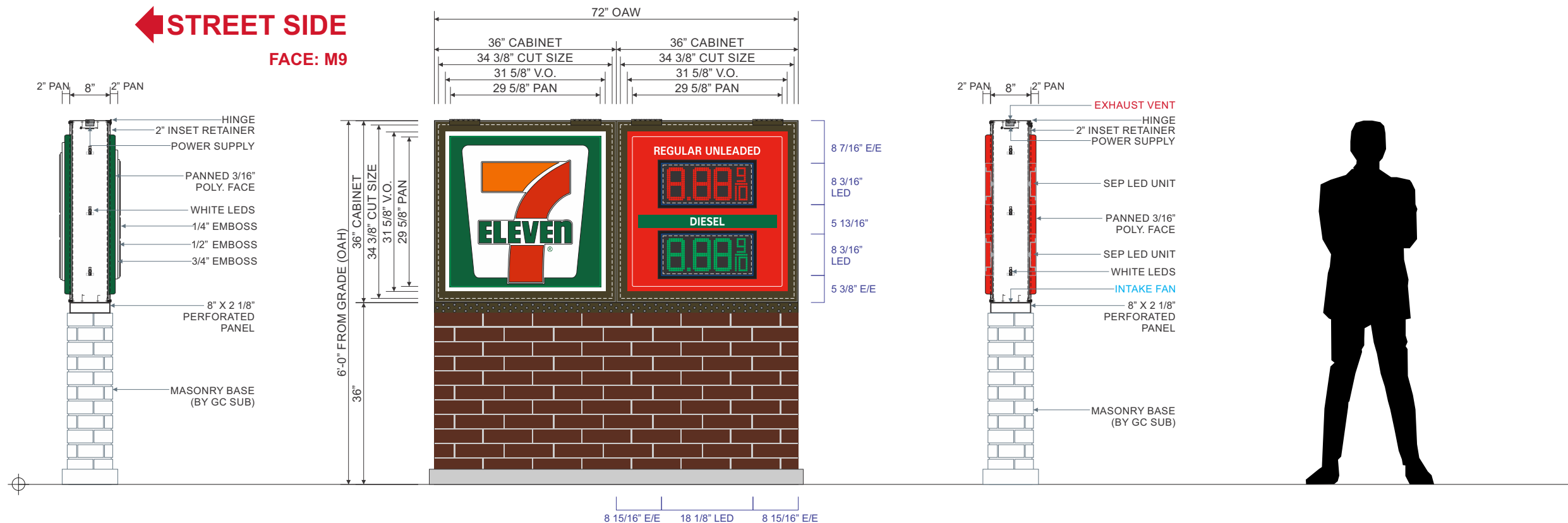
Customer Notes:

Customer Approval: _____ DATE: _____

Page: 2



THE STRUCTURAL DESIGN CONFORMS TO THE FOLLOWING CODES AND SPECIFICATIONS: THE FLORIDA BUILDING CODE SIXTH EDITION (2017), THE AMERICAN INSTITUTE OF STEEL CONSTRUCTION (MANUAL OF STEEL CONSTRUCTION, 9TH EDITION), THE AMERICAN WELDING SOCIETY (AWS D1.1), THE AMERICAN CONCRETE INSTITUTE BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE (ACI 318-14), THE SPECIFICATION FOR ALUMINUM STRUCTURES BY THE ALUMINUM ASSOCIATION (CURRENT EDITION).



ONE (1) **M9 / L9** D/F INTERNALLY ILLUMINATED SIGN CABINETS WITH RED & GREEN LED DIGITS.
8" DEEP EXTRUDED ALUM. CABINET W/ 2" INSET HINGED RETAINERS TO BE PAINTED **DURANODIC BRONZE**.
CABINET TO BE INTERNALLY ILLUMINATED W/ WHITE LEDS. 2" INSET RETAINERS TO BE HINGED ON ONE SIDE OF CABINET.

STANDARD 7-ELEVEN M9 FACES: 3/16" THICK PAN FORMED & EMBOSSED WHITE POLYCARBONATE FACES WITH TRANSLUCENT VINYL GRAPHICS APPLIED FIRST SURFACE.
STANDARD 7-ELEVEN L9 FACES: 3/16" THICK PAN FORMED CLEAR POLYCARBONATE FACES BACK SPRAYED **PMS 485 RED** THEN **PMS WHITE W/ 3M 7725-12 BLACK VINYL** TRIM AROUND LED WINDOW APPLIED SECOND SURFACE.

PROPOSED WITH 6" SEP PRICE-VISION RED & GREEN LED UNITS.

PROVIDE 2 1/8" PERFORATED PANEL SECTION FINISHED **DURANODIC BRONZE** TO FILL/PROVIDE VENTILATION SPACE UNDERNEATH CABINET FOR AIR FLOW VENTS

VINYL SPECS: 3M 3630-44 ORANGE, 3M 3630-33 RED, 3M 3630-26 GREEN, 3M 7725-12 BLACK
PAINT SPECS: DURANODIC BRONZE, PMS 485 RED, PMS WHITE

NOTE: MONUMENT BASE SIGN SHALL BE CONSTRUCTED OF THE SAME PRIMARY MASONRY MATERIALS AS THE FRONT BUILDING FACADE OR THE PRINCIPAL OR MAIN BUILDING ON THE SAME LOT OR SHALL BE STONE OR BRICK AND SHALL BE SIMILAR ARCHITECTURAL STYLE.

NOTE: ALL BRICK/MASONRY TO BE PROVIDED BY GC'S SUBCONTRACTOR.

NOTE: DEDICATED 20 AMP CIRCUIT REQUIRED FOR LED GAS PRICE CABINET, MUST BE PROVIDED BY CUSTOMER.

**7-ELEVEN LOGO
DIMENSIONS:**
OAH: 27 1/2"
OAL: 25 1/16"

SEP PRICE VISION LED UNITS:

LED UNIT SIZE:	8.198" X 18.099"
LED CHARACTER SIZE:	6.436"

Front Elevation & Side Detail - **M9 & L9 Monument Sign Structures - Sign A**

1/2" = 1'-0"

EXHIBIT C

REZ2019-00023

Display Square Footage (Cabinet): **18.0**

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