

REZ2020-00022

Zoning
 Commercial
 Fairfield District

400 Feet

PS May 2020 Ref: 784-756-5766



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

September 15, 2020

John A. Vithoukas
County Manager

Green Clean Auto Wash, LLC
462 Lombard Street
San Francisco, CA 94133-0000

Re: Rezoning Case REZ2020-00022

Dear Sir/Madam:

The Board of Supervisors at its meeting on September 8, 2020 approved your request to conditionally rezone from B-3 Business District and B-3C Business District (Conditional) to B-3C Parcels 784-756-5766 and part of 784-756-4368 containing .98 acres located at the northeast intersection of E. Parham Road (State Route 73) and Brook Road (U.S. Route 1), described as follows:

Legal description of 784-756-5766

Beginning at a point at the intersection of the east line of Brook Road (U.S. Route 1) and the north line of Parham Road; thence along the north line of Parham Road N83°56'00"E 156.55' to the true point of beginning; thence leaving the north line of Parham Road N06°04'00"W 150.00' to a point; thence N83°56'00"E 100.00' to a point; thence S06°04'00"E 150.00' to a point on the north line of Parham Road; thence along the north line of Parham Road S83°56'00"W 100.00' to the true point of beginning and containing 0.344 acre.

Legal description of part of 784-756-4368

Beginning at a point at the intersection of the east line of Brook Road (U.S. Route 1) and the north line of Parham Road; thence along the east line of Brook Road N56°30'00"W 29.11' to a point; thence N08°14'13"W 135.13' to a point; thence N05°41'32"W 0.50' to a point; thence leaving the east line of Brook Road N83°56'00"E 184.11' to a point; thence S06°04'00"E 154.08' to a point on the north line of Parham Road; thence along the north line of Parham Road S83°56'00"W 156.55' to the point of beginning and containing 0.636 acre.

The Board of Supervisors accepted the following proffered conditions, dated August 27, 2020, 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 shall be in general conformance with the 8201 Brook Road Conceptual Plan attached hereto prepared by Kimley Horn, dated July 13, 2020 (the "Conceptual Plan"), 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.

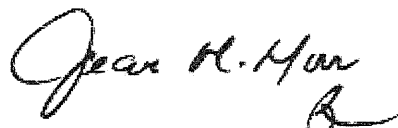
2. **Elevation.** The Property shall be developed in general conformance with the elevations filed herewith entitled "Green Clean Auto Wash", dated March 11, 2020, and prepared by Wavy Design, and by elevation entitled "Elevation – Green Clean Auto Wash" dated August 10, 2020. To the extent permitted by the Zoning Ordinance, wall mounted signage may be located on any building elevation, notwithstanding what is shown on the elevations.
3. **Exterior Materials.** The siding material used on the building shall be one or more of the following materials (above finished grade and exclusive of trim): brick, brick veneer, glass, stone, stone veneer, split face block, cementitious siding, composite-type siding, engineered wood (e.g. LP Smartside), architectural-grade metal panels, textured concrete tilt-up panels, tile, concrete tile, unless different architectural treatment and/or materials are specifically approved, 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. **Fence.** The owner shall install a wooden fence eight (8) feet in height, designed to match the appearance of the existing fence, at the time of rezoning, on the adjacent property identified as GPIN 784-756-4183, in the location shown on the Conceptual Plan.
5. **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. Parking lot lighting shall be reduced or turned off after business hours with the exception of minimum lighting requirements for security purposes.
6. **Hours of Construction.** Exterior construction, including operation of bulldozers and other earthmoving equipment, shall be between 7:00 a.m. and 8:00 p.m. Monday through Saturday, and there shall be no exterior construction on Sundays; provided, however, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as asphalt pours, concrete pours or utility connectors.
7. **Dumpster Service.** No dumpster service shall take place between the hours of 10:00 p.m. and 7:00 a.m.
8. **Hours of Operation.** The hours of operation for the car wash and associated vacuums shall be limited to between 8:00 a.m. and 8:00 p.m., Sunday through Saturday.

9. **Sidewalks.** Subject to all applicable governmental approvals, a five (5) foot sidewalk for pedestrian access shall be constructed along the Property's Brook Road frontage as development occurs where not constrained by existing steep grades, utilities, storm drainage, floodplain, RPA or wetlands. This sidewalk shall be dedicated to the Virginia Department of Transportation for maintenance.
10. **Access.** The GPIN 784-756-5766 will be primarily used for access, vehicular parking and circulation, sign location, and other accessory uses associated with (a) the use located on the adjacent parcel of land identified as GPIN 784-756-4368 and (b) the Hardee's Restaurant lying to the north of such adjacent parcel of land. Portions of the building or other structures associated with the primary use on GPIN 784-756-4368 may also be located on GPIN 784-756-5766.
11. **Vehicular Queuing.** The operator of the car wash will close a driveway access if vehicular queuing extends on to the public right of way. The driveway access will be reopened as the queue diminishes and vehicles are no longer queued in the public right of way.
12. **Prohibited Uses.** The following uses shall not be permitted on the property:
 - (a) Automobile service station.
 - (b) Automobile, truck, trailer, motorcycle or bus sales, rental and repair, including towing service and automotive body and paint shops.
 - (c) Automobile or truck tires or parts sales, wholesale or retail, service and/or installation.
 - (d) Automobile, truck or recreational vehicle, storage lot for new or used cars and other vehicles.
 - (e) Boat and boat trailer sales, service and storage.
 - (f) Exterminating establishment.
 - (g) Janitorial service establishment.
 - (h) Manufactured home sales display and storage or sales, rental, display and storage of travel trailer, travel vans, campers and truck camper tops.
 - (i) Public dancehalls.
 - (j) Rifle or pistol range.
 - (k) Shell houses or display houses.
 - (l) Shopping centers, regional.
 - (m) Permanent on-site recycling collection facility.
 - (n) Adult business.
 - (o) 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).
 - (p) Sheet metal shop or roofing companies.
 - (q) Sign shop.
 - (r) Gun shop, sales and repair.

12. **Vacuums.** Centralized vacuum motors shall not be located on GPIN 784-756-5766. Vacuum apparatus may be located on GPIN 784-756-5766 only if located within twenty feet (20') of the west property line of GPIN 784-756-5766.
13. **Signage.** Any existing pylon sign will be removed. The detached signs permitted under Ordinance Section 24-104.1(l)(2) shall be monument style.
14. **Sidewalk Dedication.** Upon written request from the County, the owner of the Property shall dedicate that portion of the Property located within 9 feet behind the existing curb (as of the time of rezoning) along the Property's Parham Road frontage to permit the County to build a sidewalk within the right-of-way. In the event the corner sidewalk cannot be located within this area, the County may request an easement from the owner of the Property to the extent the sidewalk is located outside of the right-of-way created by this dedication, and, upon receipt of this request, the owner shall provide such easement on terms mutually agreeable.
15. **B-2 Hours of Service.** Any other use on the Property shall comply with the B-2 hours of service contained in Ordinance Section 24-61(l), along with the ability to request a provision use permit for hours of service to the general public up to 24 hours per day in accordance with Ordinance Sections 24-120 and 24-122.1.
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.

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

Sincerely,



John A. Vithoukas
County Manager

pc: AMG National Trust Bank
Jeffrey P. Geiger, Esq.
Director, Real Estate Assessment
Police, Special Services



Green Clean auto-wash
Concept Building

Style 1
Elevation One 03.11.2020

REZ2020-00022

WAVY
DESIGN

Elevation – Green Clean Auto Wash

Dated – August 10, 2020



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