

Parcels or Portions thereof identified on this sheet are within the Airport Safety Overlay District and are subject to Special Regulation

REZ2020-00036

Zoning
Commercial
Fairfield District

400

Scale: 400 Feet

PS September 2020 Ref: 801-733-8844



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

John A. Vithoulikas
County Manager

February 2, 2021

Gouldin Properties, LLC
12111 W. Broad Street
Henrico, VA 23233

Re: Rezoning Case REZ2020-00036

Dear Sir/Madam:

The Board of Supervisors at its meeting on January 26, 2021 approved your request to conditionally rezone from B-1 and B-3 Business Districts and R-4 One-Family Residence District to B-3C Business District (Conditional) and C-1C Conservation District (Conditional) Parcels 801-733-8844, 802-733-0431, and 801-733-9618 containing 2.06 acres located on the east line of Mechanicsville Turnpike (U.S. Route 360) approximately 615' north of its intersection with Harvie Road, described as follows:

C-1C Zoning – (GPIN 801-733-9618 and Part of 802-733-0431)

Commencing at a point on the east line of Mechanicsville Turnpike, U.S. Route 360, being north 613.64 feet from the intersection of the east line of Mechanicsville Turnpike, U.S. Route 360, and the north line of Harvie Road; thence continuing along the east line of Mechanicsville Turnpike, U.S. Route 360, north 27°36'06" east a distance of 100.00 feet to a point; thence leaving the east line of Mechanicsville Turnpike, U.S. Route 360, south 60°02'54" east a distance of 333.27 feet to a point, being the point and place of beginning; thence continuing south 60°02'54" east a distance of 72 ± feet to a point at the centerline of a creek; thence in a southern direction along the centerline of said creek 336 ± feet to a point; thence leaving said creek south 03°48'59" east a distance of 22 ± feet to a point; thence north 71°47'18" west a distance of 160.96 feet to a point; thence north 27°36'06" east a distance of 189.71 feet to a point; thence south 60°02'54" east a distance of 138.11 feet to a point; thence north 27°36'06" east a distance of 150.00 feet to a point, said point being the point and place of beginning. Containing 1.1 ± acres of land, more or less.

B-3C Zoning – (801-733-8844 and Part of 802-733-0431)

Beginning at a point on the east line of Mechanicsville Turnpike, U.S. Route 360, being north 613.64 feet from the intersection of the east line of Mechanicsville Turnpike, U.S. Route 360, and the north line of Harvie Road; thence continuing along the east line of Mechanicsville Turnpike, U.S. Route 360, north 27°36'06" east a distance of 100.00 feet to a point; thence leaving the east line of Mechanicsville Turnpike, U.S. Route 360, south 60°02'54" east a distance of 333.27 feet to a point; thence south 27°36'06" west a distance of 150.00 feet to a point; thence north 60°02'54" west a distance of 178.27 feet to a point; thence north 27°36'06" east a distance of 55.00 feet to a point; thence north 61°53'49" west a distance of 154.88 feet to a point on the east line of Mechanicsville Turnpike, U.S. Route 360, said point being the point and place of beginning. Containing 0.96 acres of land, more or less.

The Board of Supervisors accepted the following proffered conditions, dated January 22, 2021 which further regulate the above-described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

Applicable to All

1. **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.

Applicable to B-3C

2. **Exterior Materials/Architecture.** The exposed portion of the front and side exterior wall surface of any building (excluding rooftop screening materials for mechanical equipment) shall be similar to the exposed portions of other front and side 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, dryvit or other simulated stucco (E.I.F.S.), stone, stone veneer, split face block, cementitious siding, composite-type siding, high-grade vinyl (a minimum of .042" nominal thickness as evidenced by manufacturer's printed literature), engineered wood (e.g. LP Smartside), architectural-grade metal panels, insulated panels, textured concrete tilt-up panels, tile, concrete tile, or a combination of any 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. The front facade of a building and any side facade visible to Mechanicsville Turnpike shall be constructed with a minimum of thirty (30) percent of each such facade, excluding windows, doors, breezeways, gables and architectural design features, containing brick, brick veneer, stone, stone veneer, textured concrete tilt-up panels, tile, concrete tile, or any combination thereof. 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. Any sloped roofs shall be constructed of standing seam metal or textured fiberglass shingles, architectural shingles, cedar shakes, concrete or composition shingles. Retail users will be permitted to include prototypical or corporate identification architectural elements in the design of their building or space.
3. **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. 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.
4. **Prohibited Uses.** The following uses shall be not be permitted on the property:
 - (a) Private club or lodge.
 - (b) Funeral home.

- (c) Laundry mat.
 - (d) Gun Sales.
 - (e) Flea Market.
 - (f) Antique Auctions.
 - (g) Gun shop.
 - (h) Public dancehalls.
 - (i) Fortune teller.
 - (j) Palmist.
 - (k) Spiritual Reader.
 - (l) Permanent on-site recycling collection facility.
 - (m) Landscape contracting and tree service.
 - (n) Sheet metal shop.
 - (o) Adult business.
 - (p) Rifle/pistol range.
 - (q) Hotel and motel.
 - (r) Outside storage of vehicular and boat parts, junk vehicles and boats, tires.
 - (s) Auto body shop.
 - (t) Self-serve car wash.
 - (u) Bingo hall, video game rooms and similar uses.
5. **B-2 Hours of Service.** Any 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.
6. **Sidewalk Dedication.** After plan of development approval for a new business use on the Property and upon written request from the County, the owner of the Property shall dedicate that portion of the Property located within ten (10) feet behind the existing curb (at the time of rezoning) along the Property's frontage on Mechanicsville Turnpike to permit the County to build a sidewalk within the right-of-way.
7. **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; and
 - (c) Any music being played over any outside speaker system shall be prohibited from 11 :00 p.m. until 6:00 a.m., unless the use of music during those hours is: (1) not plainly audible inside the confines of the dwelling unit, house or apartment of another person; and (2) not plainly audible in residential areas at 50 or more feet from the outside speaker.
8. **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.

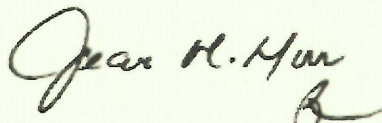
9. **Trash Receptacles.** Dumpsters, trash receptacles, not including convenience cans and recycling receptacles, and compactors shall be screened from public view with masonry enclosures which are compatible with the architectural design of the building as approved at the time of Plan of Development.
10. **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.
11. **Repair Services.** Any repair service conducted on the property shall be provided within an enclosed building.
12. **Outside Storage.** Any outside storage of vehicles under repair and inventory stored outside shall be screened from view with screening determined at the time of plan of development review.

Applicable to C-1C

13. **Buffers.** The portions of the Property zoned C-1C shall remain in their natural state to serve as a buffer area between the B-3C portions of the Property and adjoining residential lots (as of the time of rezoning). The C-1C portions of the Property may only be disturbed for (i) construction of stormwater facilities as required for compliance with local and state stormwater and erosion and sediment control laws; (ii) the removal of fallen, diseased or dead plant growth; or (iii) any other purpose requested and specifically approved at the time of plan of development review. In addition, if the existing vegetation does not screen the B-3C portion of the Property, supplement evergreen trees may be planted on the C-1C portion of the Property in areas along the zoning line shared with the B-3C portions of the Property where additional screening is needed, as may be approved or required at the time of plan of development review and approval.

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

Sincerely,



John A. Vithoukias
County Manager

pc: Jeffrey P. Gieger, Esquire

Gouldin Properties, LLC
February 2, 2021
Page 5

Director, Real Estate Assessment
Police, Special Services