

ORDINANCE NO. 7929-23

AN ORDINANCE GRANTING CONDITIONAL USE PERMIT NUMBER CU-2023-0006 FOR THE HERINAFTER DESCRIBED PROPERTY FOR THE PURPOSE OF OPERATING A CAR WASH ON A SITE ZONED C2 GENERAL COMMERCIAL.

WHEREAS, application number CU-2023-0006 has been made by **WAVE PROPERTIES, LLC, owner and applicant**, for a conditional use permit for the hereinafter described property for the purpose of operating a car wash on a site zoned C2 General Commercial; and

WHEREAS, the application has been referred to the Planning Commission of the City of Newport News for recommendation and has been duly advertised as required by law and the said Planning Commission has made its recommendation.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newport News:

(a) That conditional use permit number CU-2023-0006 is hereby granted for the property described in paragraph (b) hereof for the purpose of operating a car wash on a site zoned C2 General Commercial; and

(b) That the property, hereinafter referred to as the "Property," to which the conditional use permit applies is particularly described below:

All that certain lot, piece or parcel of land situate, lying and being in the City of Newport News, Virginia, known and designated as Parcel Two, 1.3451 acres as shown on the certain Plat entitled, "Compiled Plat of the Property of Triple Feature Associates Parcels One and Two", Newport News, Virginia, made by Coenen and Associates Inc., Engineers-Planners-Surveyors, dated July 15, 1998, which said Plat is duly recorded in the Clerk's Office of the Circuit Court for the City of Newport News in Deed Book 1520 at Page 514.

Less and except therefrom that certain parcel which is the subject of a Certificate of Take dated June 25, 2003 to the Virginia Department of Transportation No. C-503028, recorded in the Clerk's Office aforesaid in Deed Book 1831 at Page 986 to which reference is here made for a more certain description.

The Property has a common street address of 12570 Warwick Boulevard and Real Estate Assessor's Tax I.D. # 202.00-03-02.

(c) That this conditional use permit is granted subject to the following conditions, each of which shall be implemented upon approval of this ordinance:

1. A class 1 site plan shall be submitted to and reviewed by the Site Plan Review Committee and approved by the Director of Planning. This site plan shall be in substantial conformance with the conceptual site plan prepared by AES, dated May 10, 2023 and found in Appendix A-4, which is attached hereto and made a part hereof. The class 1 site plan shall conform to this conditional use permit, the city's site regulations and the Zoning Ordinance.
2. A landscape plan which is in conformance with the requirements of the Zoning Ordinance, site regulations, as well as this conditional use permit shall be submitted to and approved by the Director of Planning prior to conditional site plan approval. This landscape plan shall be in general conformance with the conceptual landscape plan prepared by AES, dated May 10, 2023 and found in Appendix A-5, which is attached hereto and made a part hereof. All landscaping shall be installed in accordance with the approved plan and shall be maintained in a healthy condition in perpetuity.
3. The applicant shall submit to the Department of Planning building elevations and exterior building materials consistent with the conceptual elevation drawings found in Appendix A-6, which is attached hereto and made a part hereof, to be reviewed and approved by the Director of Planning prior to the issuance of a building permit.
4. The dumpster shall be screened from adjacent properties and rights-of-way with materials that complement those utilized on the proposed structure. The materials, style and design of the enclosure shall be reviewed and approved by the Director of Planning, prior to the issuance of a building permit.
5. The applicant shall erect an eight (8) foot high privacy fence along the rear Property line. The materials, design, and location shall be reviewed and approved by the Director of Planning prior to approval of the site plan.
6. Existing freestanding signs will be removed and only one freestanding sign shall be permitted on the Property. The sign shall be a monument style sign in accordance with the details in Appendix A-7, which is attached hereto and made a part hereof, and shall be no taller than seven (7) feet measured from the curb to the highest point of the sign structure. The sign area shall be no more than thirty-two (32) square feet. The sign placement, design and materials shall be reviewed and approved by the Director of Planning prior to the issuance of a sign permit.
7. Any proposed building signage shall be reviewed and approved by the Director of Planning prior to the issuance of a sign permit.
8. All outside storage and displays of saleable items shall be prohibited.

9. No temporary or portable signs shall be permitted on the Property. Signage placed in or on any window of the building shall be limited to no more than twenty-five (25) percent of each window.
10. The exterior of the car wash including the transitional buffer area shall be patrolled by the operator each day and all debris, litter and graffiti identified during this process must be removed immediately.
11. There shall be no outdoor speakers or sound systems. The playing of music on any speakers by the Property owner or operator in the car wash tunnel shall be prohibited.
12. The applicant shall cause a plan ("the Plan") to be prepared for the installation and operation of digital video equipment (the "Equipment") with recording devices and capability sufficient to include date and time the recording is made. The Equipment shall provide surveillance coverage encompassing the front, side and rear exteriors of the use permitted by this ordinance. The Plan shall be submitted for review and approval by the Police Department. The Plan shall include an operational period for the Equipment, which shall include all operating hours of the business and one hour or more after the close of business. Once the Plan is approved, the applicant shall install the Equipment in accord with the provisions of the Plan; and operate, record, and maintain the Equipment to provide for the required surveillance coverage. The Equipment and recordings made thereby shall be subject to periodic inspection by the Police Department at reasonable times. Commencement of the use authorized by this conditional use permit shall constitute acceptance of the conditions of this permit, including consent for such inspections. Surveillance tapes or recorded data must be maintained in a condition permitting review of the information recorded or stored therein or thereon for a period of time no less than thirty (30) days.
13. If approved, the ordinance approving this conditional use permit shall be prominently displayed within the establishment at all times until the use is abandoned.
14. The applicant, as well as successors, assigns and agents, if any, shall comply with all of the conditions stated herein, as well as all codes, ordinances and regulations of federal, state and local government.
15. The applicant, as well as successors, assigns, and agents, if any, shall obtain all necessary licenses, approvals, conditional approvals, and permits prior to commencing any use, which is authorized by this conditional use permit or law. Furthermore, the applicants, as well as successors, assigns, and agents shall maintain all necessary licenses, approvals, conditional approvals, and permits for the entire period of time during which the real property, whether improved or otherwise is put to a use which is authorized by this conditional use permit.
16. A Certificate of Use and Occupancy shall be obtained prior to the occupancy of, or the operation of, any use of the Property. If applicable, the use approved by this conditional use permit shall not begin until a site plan is approved and

fully implemented. If applicable, any landscaping component of the site plan shall be maintained in a healthy condition for the duration of the use authorized by this permit.

17. Violation of any of the above conditions or safeguards attached thereto shall be deemed a violation of the Zoning Ordinance, and, in addition, and notwithstanding any other provision of law, shall serve as grounds for revocation of the conditional use permit by City Council.
18. Notwithstanding any other provision of law, this conditional use permit is being approved due, in part, to the mitigating effects of each and every condition attached hereto; therefore, the conditions contained in this conditional use permit are not severable; in the event that any condition contained herein, or part thereof, is found by a court of competent jurisdiction to be invalid, unconstitutional, or otherwise unenforceable, then this conditional use permit shall be void and the use permitted by this conditional use permit shall cease. If this conditional use permit becomes void as a result of a condition or a part thereof, or conditions therein, being ruled invalid, unconstitutional or otherwise unenforceable, the property owner shall be afforded the right to reapply for a conditional use permit.
19. Notwithstanding any other provision of law, this conditional use permit is being approved due, in part, to the mitigating effects of each and every condition contained herein; as such, in the event an amendment to the zoning of the Property described in Section (b) hereof is produced by a comprehensive implementation of a new or substantially revised Zoning Ordinance, the conditions imposed by the conditional use permit shall continue in effect.

(d) That this conditional use permit shall be deemed to have been abandoned and shall be revoked:

1. If the construction of the improvements or occupancy authorized by this conditional use permit has not commenced within twenty-four (24) months of August 8, 2023, or,
2. In the event of the continuous nonuse of the property as herein permitted for a period of twenty-four (24) months.

PASSED BY THE COUNCIL OF THE CITY OF NEWPORT NEWS ON AUGUST 8, 2023

Mabel Washington Jenkins, MMC  
City Clerk

Phillip D. Jones  
Mayor

A true copy, teste:

City Clerk



SITE ADDRESS: 12570 WARWICK BLVD.

PARCEL ID: 202000302

ZONED: C2 GENERAL COMMERCIAL

EXISTING USE: CARWASH

PROPOSED USE: CARWASH

PARCEL AREA: 1.22 ACRES

EXISTING IMPERVIOUS AREA: 34,516 SF.

PROPOSED IMPERVIOUS AREA: 4,092 SF.±

BUILDING: 2,000 SF.±

DUMPSTER: 200 SF.±

ASPHALT: 24,113 SF.±

TOTAL: 30,413 SF.±

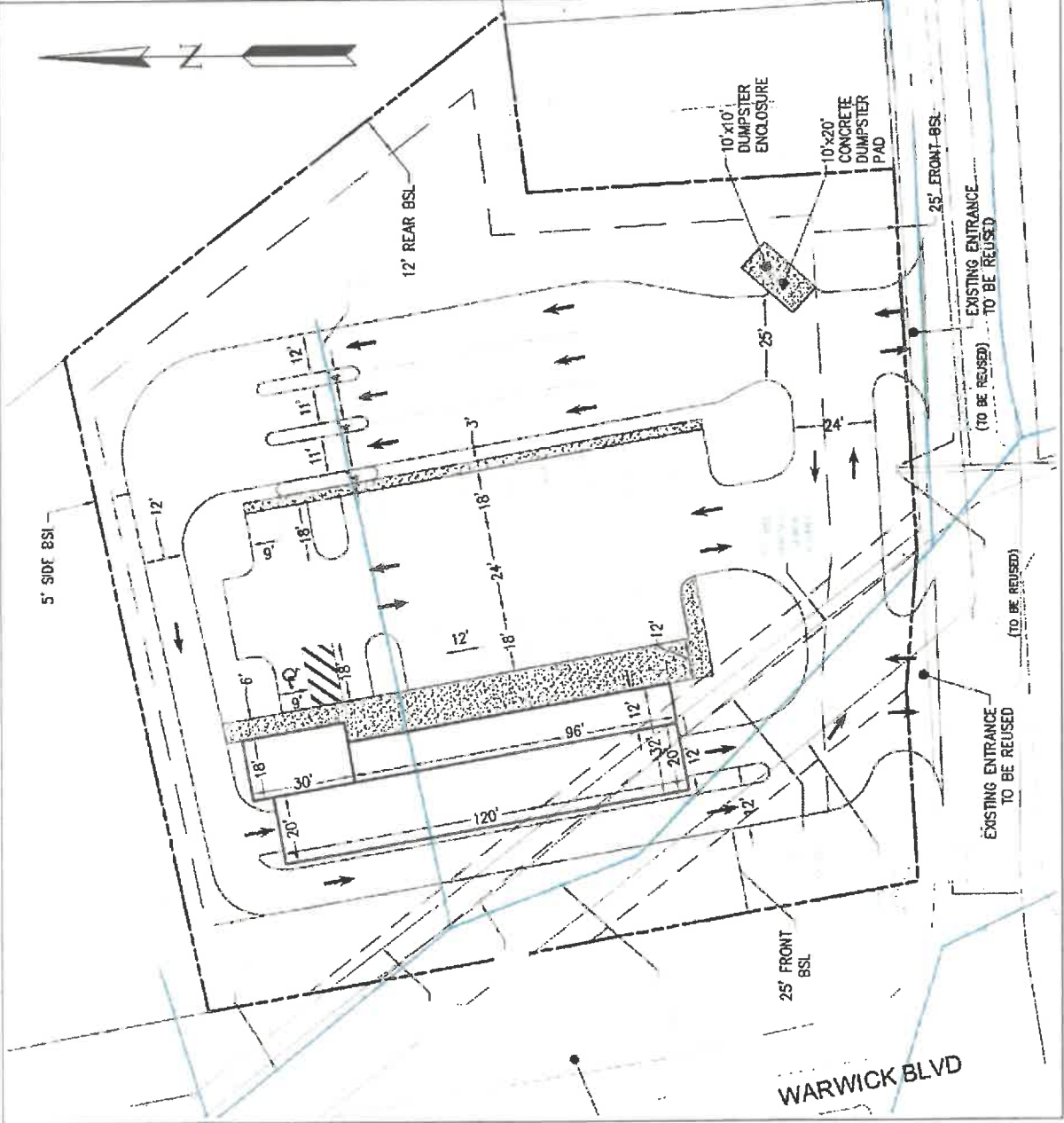
EXISTING PARKING SPACES: 13 SPACES (W/ 1 HC)  
PROPOSED PARKING SPACES: 4 SPACES (W/1 HC)  
16 VACUUM SPACES  
20 TOTAL SPACES

STORMWATER MANAGEMENT: IT IS ANTICIPATED THAT THERE WILL BE A DECREASE IN IMPERVIOUS AREA FOR THE SITE AFTER CONSTRUCTION. THEREFORE, WATER QUANTITY CONTROL WILL BE PROVIDED BY A DECREASE OF FLOW INTO AN EXISTING STORM SYSTEM DUE TO THE DECREASE IN IMPERVIOUS AREA. WATER QUALITY CONTROL IS ANTICIPATED TO BE MET THROUGH THE PURCHASE OF STORMWATER NUTRIENT CREDITS FROM AN APPROVED NUTRIENT CREDIT BANK.

GRAPHIC SCALE



SCALE: 1" = 30'

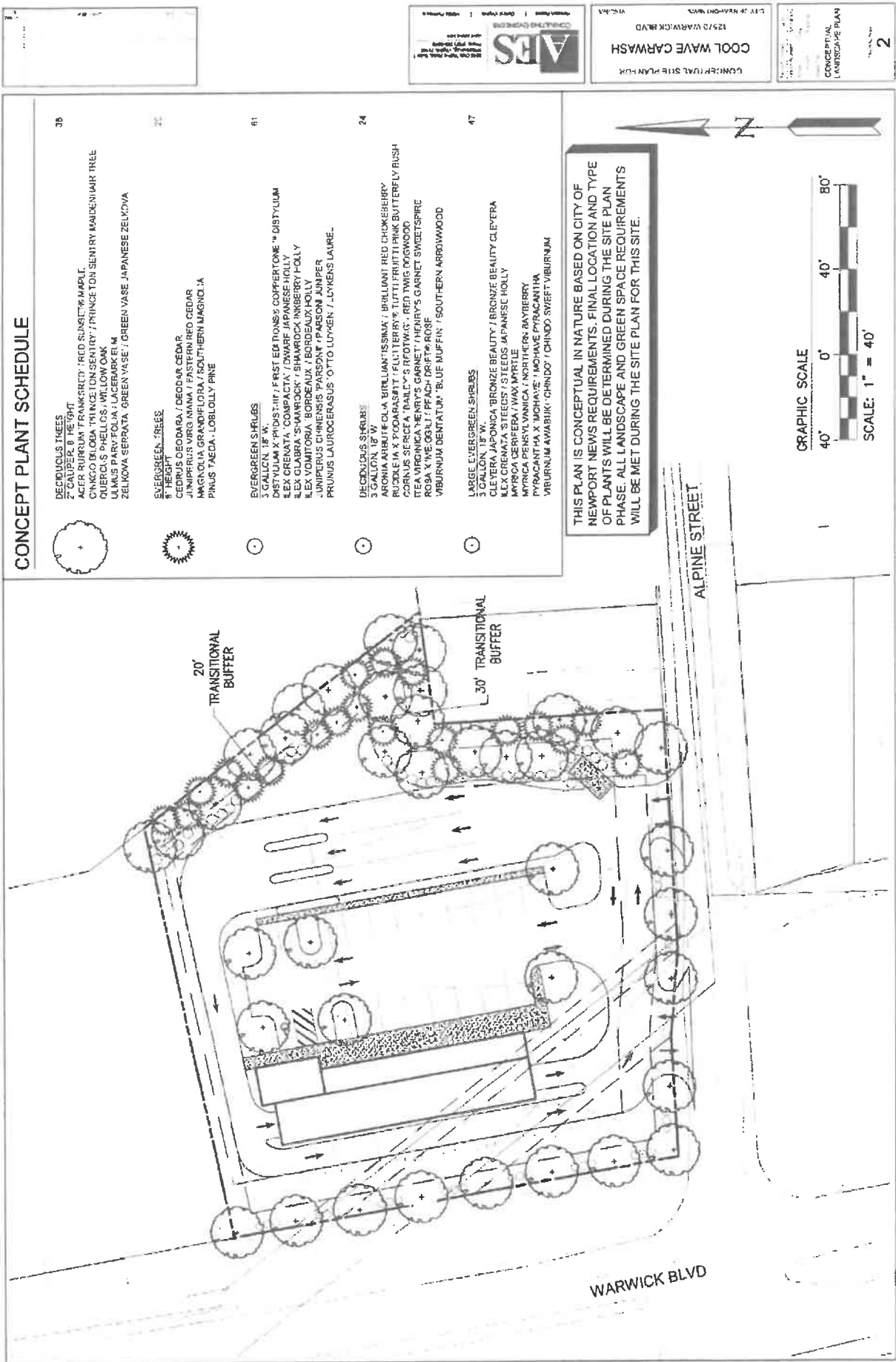


CITY OF WARWICK  
12570 WARWICK BLVD  
COOL WAVE CARWASH  
CONCEPTUAL SITE PLAN FOR

PROJECT: 12570 WARWICK BLVD  
DATE: 10/15/2020  
DRAWN BY: J. BROWN  
CHECKED BY: M. BROWN  
CONCEPTUAL SITE PLAN

WARWICK BLVD

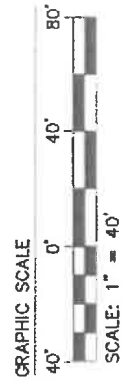
ALPINE STREET



**CONCEPT PLANT SCHEDULE**

DECIDUOUS TREES	EVERGREEN TREES
<p>2' CALIPER, 8' HEIGHT                      ACER RUBRUM FRANKFURT / RED SUNSET / MAPLE                      QUERCUS ROBUR / PRINCETON SENTINEL / MADEIRA / MAPLE TREE                      QUERCUS PHELLOS / LONGBOW                      ULMUS PARVIFOLIA / LACERNAK ELM                      ZELKOVA SEPRATA / GREEN VASE JAPANESE ZELKOVA</p>	<p>8' HEIGHT                      CEDRUS DEODARA / DEODAR CEDAR                      JUNIPERUS VIRG MAMA / EASTERN RED CEDAR                      AKRONIA GRANDIFLORA / SOUTHERN MAGNOLIA                      PINUS TAEDA / LOBLOLLY PINE</p>
<p>3' GALLON, 18" W.                      DISTYLUM X 'PIDST' / IT / FIRST ED ROMS / COPPERTONE " DISTYLUM                      ILEX GRENATA / COMPACTA / DWARF JAPANESE HOLLY                      ILEX GLABRA 'SHAROCK' / SHAROCK INKBERY HOLLY                      ILEX VOMITORIA / BORDEAUX / BORDEAUX HOLLY                      JUNIPERUS CHINENSIS 'PARSONS' / PARSONS JUNIPER                      PRUNUS LAUROCEGASUS 'OTTO LUTKEN' / LOTKENS LAURE.</p>	<p>3' GALLON, 18" W.                      ARONIA ARBUTICOLA 'BRILLIANTISSIMA' / BRILLIANT RED CHOKEBERRY                      RUDDLE IA X 'COARASAIT' / FLUTTERBY / TUTTI FRUTTI PINK BUTTERFLY BUSH                      CORNUS SERICEA 'DAILY'S BLOTWIG' / RED TWIG DOGWOOD                      ILEX VIRGINICA 'HENRY'S GARNET' / HENRY'S GARNET SWEETSPICE                      ROSA X 'WE GON' / PEACH DRIFT / ROSE                      VIBURNUM DENTATUM / BLUE BUFFEN / SOUTHERN ARROWWOOD</p>
<p>3' GALLON, 18" W.                      RUDDLE IA X 'COARASAIT' / FLUTTERBY / TUTTI FRUTTI PINK BUTTERFLY BUSH                      CORNUS SERICEA 'DAILY'S BLOTWIG' / RED TWIG DOGWOOD                      ILEX VIRGINICA 'HENRY'S GARNET' / HENRY'S GARNET SWEETSPICE                      ROSA X 'WE GON' / PEACH DRIFT / ROSE                      VIBURNUM DENTATUM / BLUE BUFFEN / SOUTHERN ARROWWOOD</p>	<p>LARGE EVERGREEN SHRUBS                      3' GALLON, 18" W.                      CLEYERA JAPONICA / BRONZE BEAUTY / BRONZE BEAUTY CLEYERA                      ILEX GRENATA 'STEEPS' / STEEPS JAPANESE HOLLY                      MYRTICA CERIFERA / WAX MYRTLE                      MYRTICA PENNSYLVANICA / NORTHERN BAYBERRY                      PYRACANTHA X 'MOHAVE' / MOHAVE PYRACANTHA                      VIBURNUM AWABUKI / CHINDO / CHINDO SWEET VIBURNUM</p>

THIS PLAN IS CONCEPTUAL IN NATURE BASED ON CITY OF NEWPORT NEWS REQUIREMENTS. FINAL LOCATION AND TYPE OF PLANTS WILL BE DETERMINED DURING THE SITE PLAN PHASE. ALL LANDSCAPE AND GREEN SPACE REQUIREMENTS WILL BE MET DURING THE SITE PLAN FOR THIS SITE.



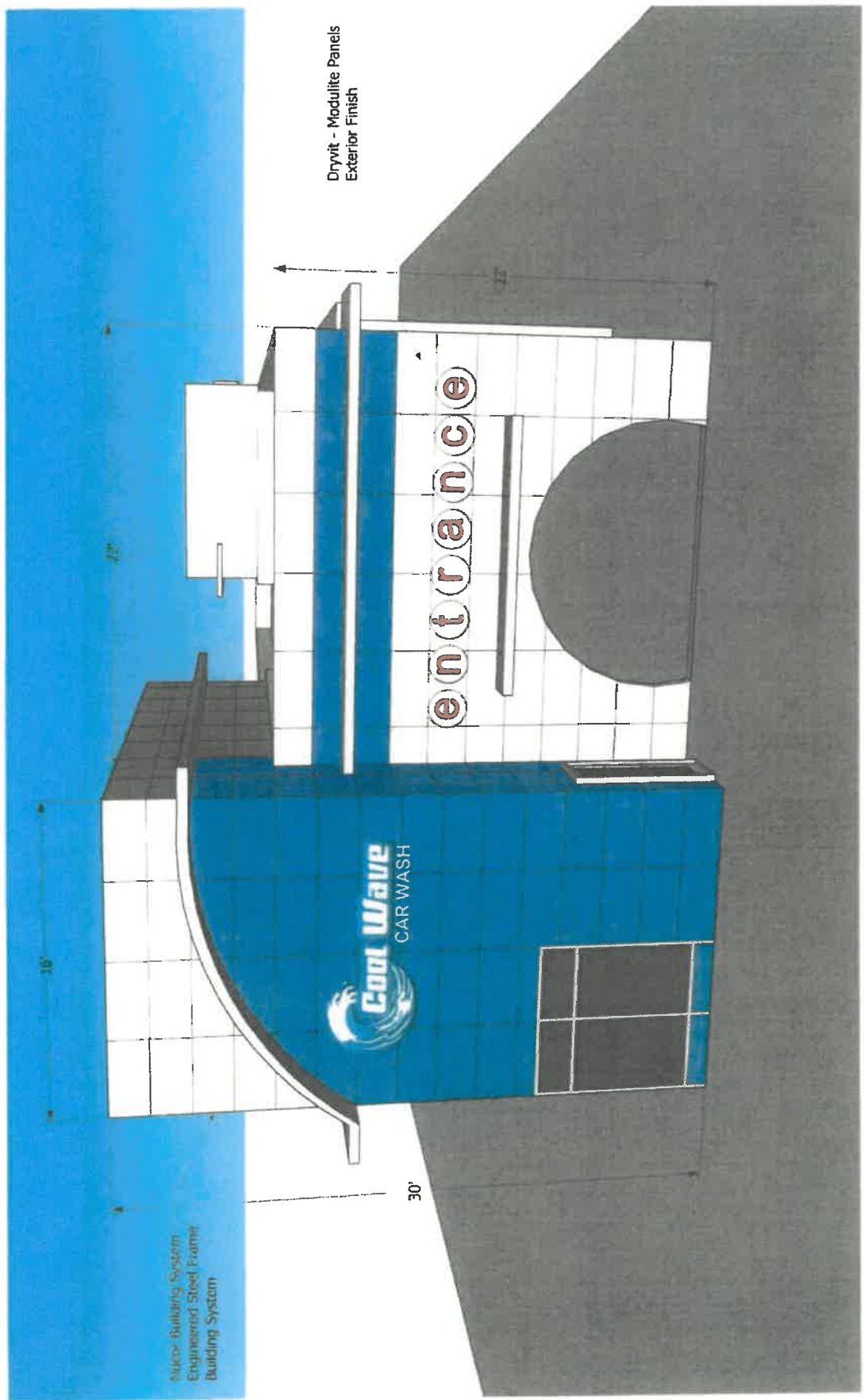
WARWICK BLVD

ALPINE STREET

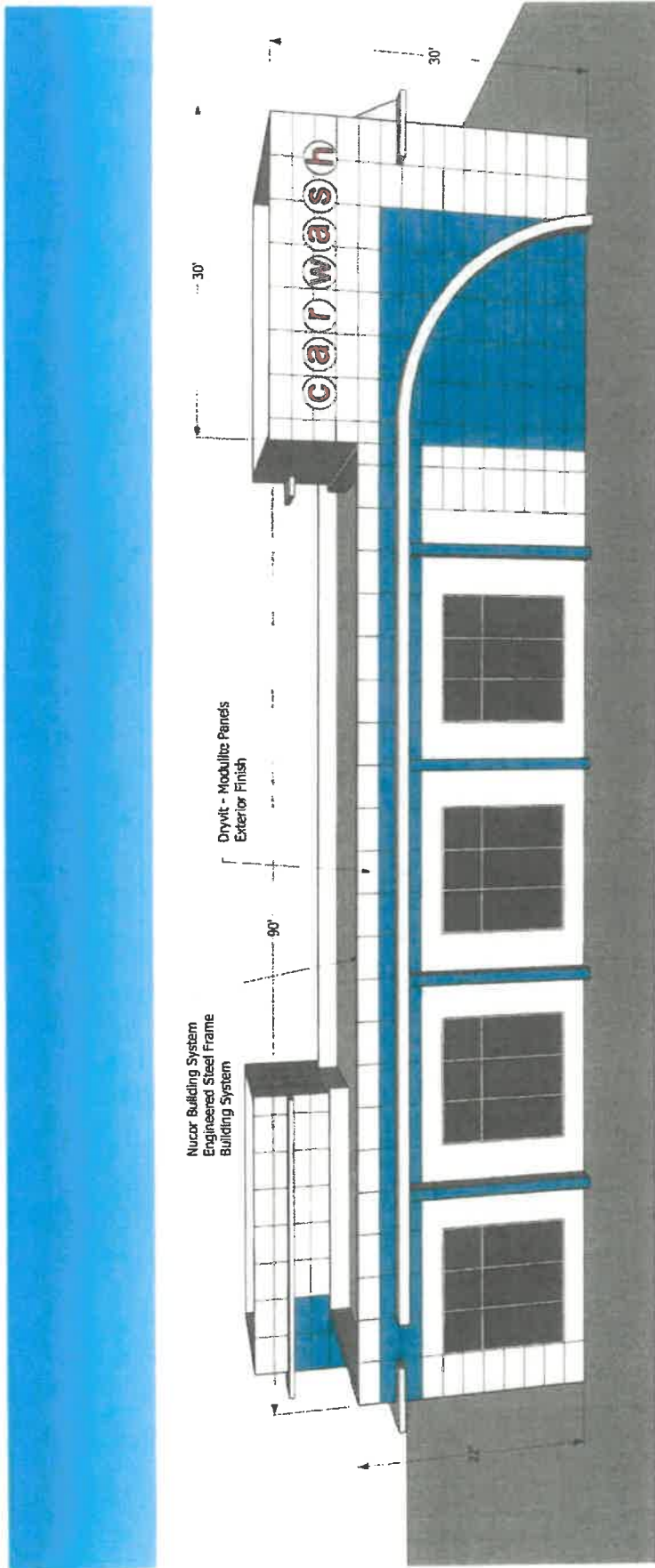


CONCEPTUAL SITE PLAN FOR  
**COOL WAVE CARWASH**  
 12570 WARWICK BLVD  
 CITY OF NEWPORT NEWS  
 V.A. 23606

2  
 CONCEPTUAL  
 LANDSCAPE PLAN



Conceptual Building Renderings for  
 12570 Warwick Blvd, Newport News, VA



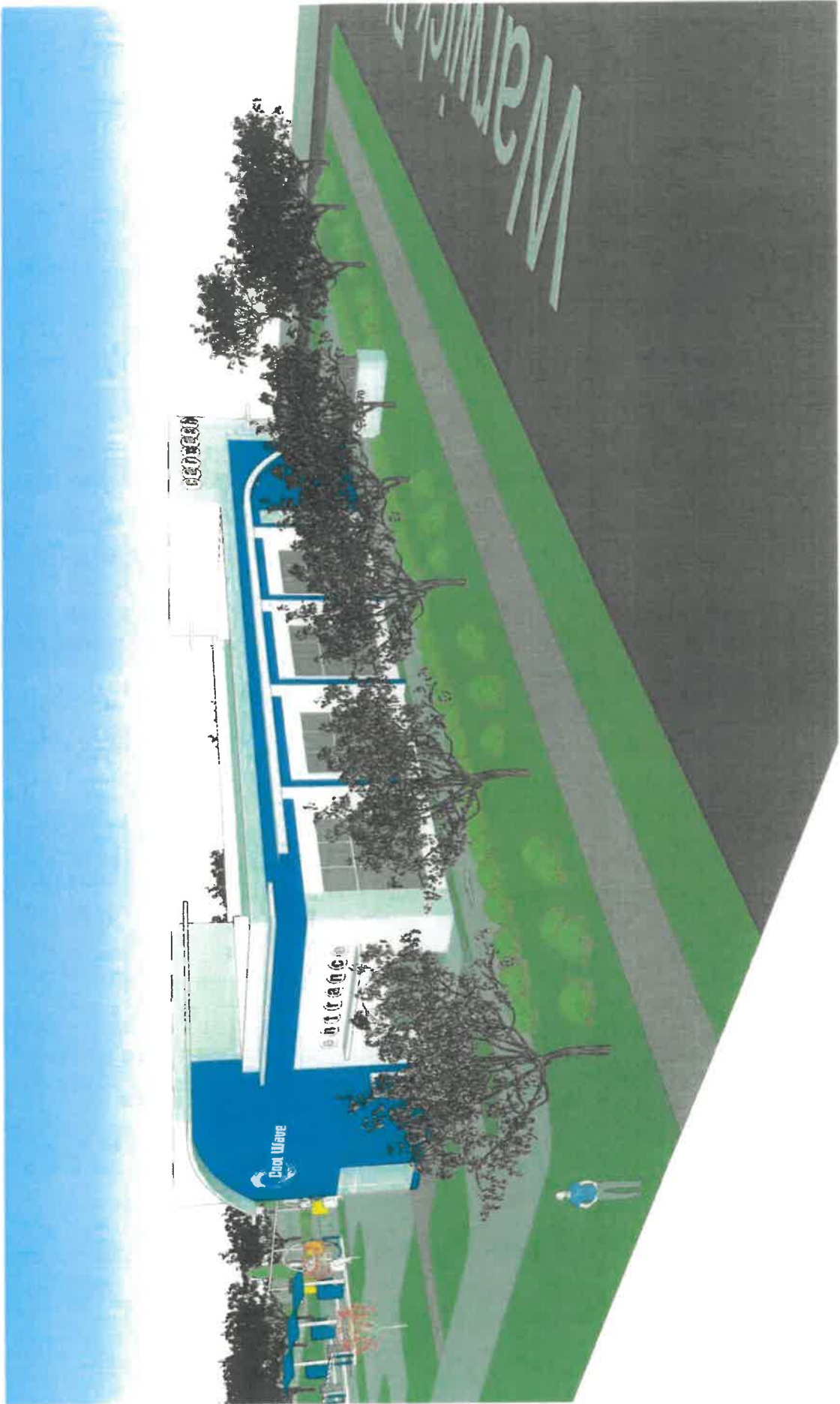
Conceptual Building Renderings for  
12570 Warwick Blvd, Newport News, VA





Conceptual Building Renderings for  
 12570 Warwick Blvd, Newport News, VA





**Proposed Cool Wave Car Wash  
Monument Sign  
12570 Warwick Blvd  
Newport News, VA 23606**

**SPECIFICATIONS:**

Fabricate and install one double sided flat faced LED monument sign on concrete footing with concrete base with 2'-10' X 11'-4" LED sign.



**CONSTRUCTION:**

Sign Base - 4' x 12' concrete pad  
Frame - Steel 1 1/2" angle  
Retainers - 1 1/2"  
Illumination - LED back light  
Voltage - 120

Face - .188" White Acrylic  
Graphics - Address # - vinyl overlay  
Metal finish - Gloss polyurethane  
Support - Steel Pipe  
Foundation - Concrete

**COLORS:**

Base - finished concrete, smooth  
Face Background - LED Panel

