



P-17-12

Genghis Grill

Staff Report for Board of Supervisors Public Hearing
Prepared November 19, 2012

This report is prepared by the Henrico County Planning Staff to provide information to the Planning Commission and the Board of Supervisors to assist them in making a decision on this application. It may also be useful to others interested in this zoning matter.

I. PUBLIC HEARINGS:

Planning Commission:	November 8, 2012	Recommend for Approval
Board of Supervisors:	December 11, 2012	Pending

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Request: Outdoor dining for Genghis Grill located at The Corner at Short Pump shopping center

Existing Zoning: B-2C*, Business District (Conditional)

Acreage: 15.59 acre parcel – part of shopping center
500 square feet – outdoor dining area

Location: South line of W. Broad Street (U.S. Route 250) approximately 640' west of its intersection with Lauderdale Drive

Magisterial District: Three Chopt

2026 Comprehensive Plan Recommendation: Commercial Arterial

Parcel No: Part of Parcel 736-762-7338

Zoning of Surrounding Property:

North:	B-3C* Business District (Conditional)
South:	RTHC* Residential Townhouse District (Conditional)
	B-2C* Business District (Conditional)
East:	B-2C* Business District (Conditional)
West:	B-2C* Business District (Conditional)
	A-1* Agricultural District

**West Broad Street Overlay District*

III. SUMMARY OF STAFF REPORT COMMENTS:

This is a request for a Provisional Use Permit (PUP) to allow a restaurant (Genghis Grill) located within The Corner at Short Pump shopping center to operate an outdoor dining area. The outdoor dining area would be located on a concrete patio along the western exterior wall of the restaurant. The 2026 Comprehensive Plan recommends Commercial Arterial for the property, which is zoned B-2C Business District (Conditional) and is located within the West Broad Street Overlay District. Properly regulated this request would be compatible with surrounding uses and would be a reasonable extension of the restaurant's operation. Staff believes outdoor dining is an appropriate use at this commercial location and supports this request subject to the recommended conditions outlined in Section IV of this staff report.

At its November 8, 2012 public hearing, the Planning Commission recommended approval of this request.

IV. LAND USE ANALYSIS AND IMPLICATIONS:

Genghis Grill is a new restaurant located at The Corner at Short Pump. The restaurant occupies 3,805 square feet of Building 1 in The Corner at Short Pump shopping center. The building is located on the south line of West Broad Street (U.S. Route 250), approximately 640 feet west of its intersection with Lauderdale Drive and is located within the West Broad Street Overlay District. The shopping center was rezoned via C-57C-06, amended with case C-65C-07, and was approved and constructed via POD-025-08. An outdoor dining area would not be in conflict with accepted proffers.

The outdoor dining area at Genghis Grill was originally intended as convenience seating approved and constructed via POD-025-08. A Provisional Use Permit (PUP) is required before the restaurant can provide table service and serve alcohol in the dining area outside the restaurant. The outdoor dining would be 500 square feet and capable of accommodating approximately 30 restaurant patrons. It would be located along the western exterior wall of the restaurant. The area would be enclosed by a 48-inch high aluminum patio fence with a gate for emergency use. Public access to the dining area would be from the interior of the restaurant. Staff has included Condition #6 regarding access to the outdoor dining area. To regulate outdoor speakers, staff also recommends Condition #2 which prohibits such speakers from being audible beyond the property lines of the development.

The 2026 Comprehensive Plan designates this area as Commercial Arterial. The proposed outdoor dining area is consistent with this designation and the site's B-2C Business District (Conditional) zoning. Properly regulated, the outdoor dining use would be compatible with surrounding uses. Staff recommends approval of this request subject to the following recommended conditions:

1. The outdoor dining area shall not be in operation between 10:00 p.m. and 7:00 a.m.
2. Any outside speakers or sound system shall comply with the following standards:
 - a. Sound systems shall be equipped with controls permitting full volume adjustment.
 - b. Sound from the system shall not be audible beyond the property lines of the development.
 - c. Sound systems may be used only when outside dining is permitted.
3. The operator shall not permit food preparation outside the enclosed building.
4. The fence enclosing the outdoor dining area shall be limited in height to 48 inches.

5. Outdoor lighting fixtures shall complement the style of the building. Lighting fixtures shall not produce glare for motorists or pedestrians on the adjacent rights-of-way and parking areas and shall illuminate only the outdoor dining area.
6. Access to the outdoor dining area shall be available only through the interior of the restaurant, except during an emergency when the patio fence exit gate may be utilized.
7. This permit shall apply only to Genghis Grill and shall not apply to any other business in The Corner at Short Pump.
8. The outdoor dining area shall comply with proffered conditions of rezoning case C-65C-07.
9. Trash receptacles shall be provided and properly serviced to control litter generated by this use.
10. Outdoor dining furniture, fencing, and canopies shall be of durable material and complementary to exterior features of the building.
11. The outdoor dining area shall be constructed in general conformance with the elevations and layout depicted in "Exhibit A" and "Exhibit B."
12. Televisions and other video display devices shall not be allowed in the outdoor dining area.
13. Prior to operation, the applicant shall consult with the Special Services Unit within the Division of Police to discuss crime prevention recommendations and conduct a security survey of the property and restaurant operations. The applicant shall implement mutually agreed upon security recommendations.

At its November 8, 2012 public hearing, the Planning Commission recommended approval of this request.

V. COMPREHENSIVE PLAN ANALYSIS:

2026 Comprehensive Plan Recommendation:

The 2026 Comprehensive Plan recommends Commercial Arterial for this site. The proposed outdoor dining area would be consistent with this designation.

Goals, Objectives and Policies:

With adherence to the conditions recommended in Section IV of this report, this request is most consistent with the following Goals, Objectives, and Policies of the 2026 Comprehensive Plan:

- Land Use and Community Character Objective 4: Promote developments with facilities that provide a safe pedestrian environment.
- Land Use and Community Character Objectives 41: Promote public safety through the use of Crime Prevention Through Environmental Design (CPTED) methods.
- Retail/Commercial Keystone Policies 1: Strongly encourage all Retail/Commercial development to meet quality standards related to site layout; building configuration, materials, massing, shape and height; landscaping; signage; parking lot aesthetics and functional design; vehicular and pedestrian circulation; lighting; stormwater management; environmental protection; mass transit access; and others.

VI. PUBLIC SERVICE AND SITE CONSIDERATIONS:

Major Thoroughfare and Transportation:

The Department of Public Works has no objections for a Provisional Use Permit to allow outside dining for an existing restaurant (Genghis Grill).

Drainage:

No comments.

Public Utilities Services:

The restaurant is currently served with County water and sewer. The Department of Public Utilities has no objections to the applicant's request for outdoor dining.

Schools:

This case does not have adverse educational impacts.

Division of Police:

The Henrico Police Division supports and implements Crime Prevention Through Environmental Design (CPTED), which is the theory that the proper design and effective use of the built environment can lead to a reduction in the incidence and fear of crime and an improvement in the quality of life. The following crime prevention measures should be considered:

- Access into the outdoor dining area should only be gained from inside the restaurant.
- Visibility should be provided from the interior of the restaurant to the outdoor dining area. At a minimum the door into the outdoor dining area should be mostly glass with no tinting.

Fire:

No comments.

Libraries:

No comments.

Recreation and Parks:

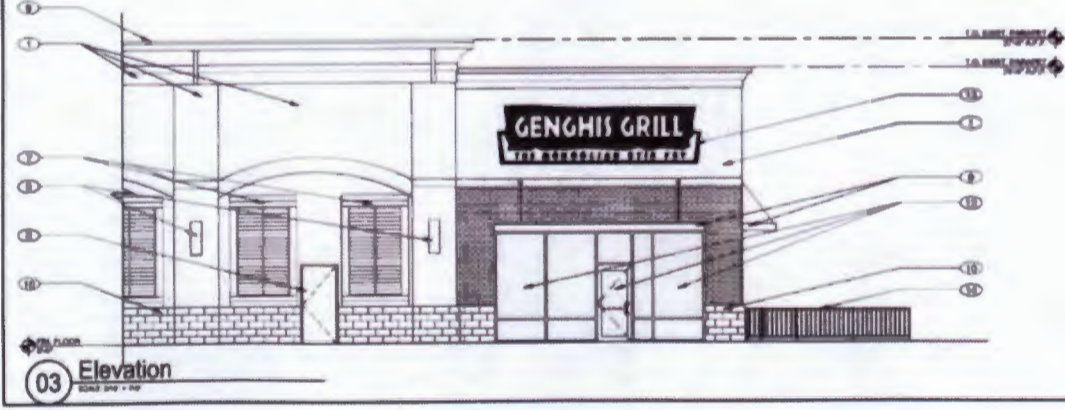
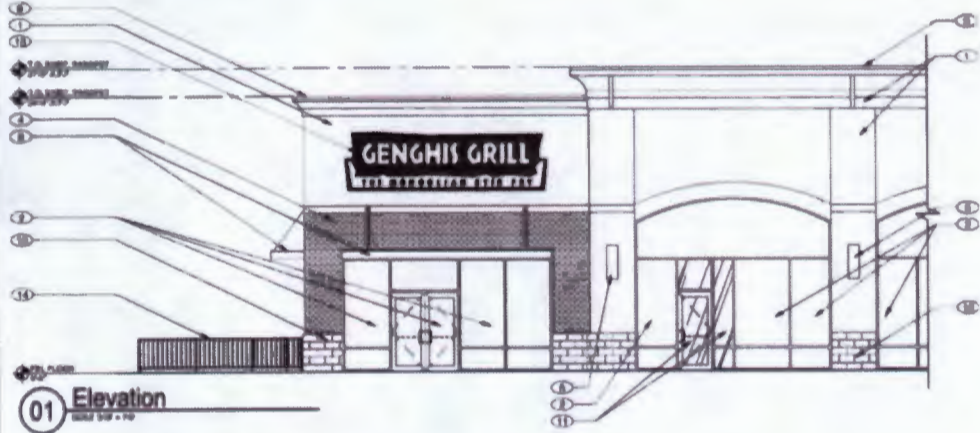
No park or recreation facilities, historical, archeological or battlefield impact.

Community Revitalization:

No comments.

Topography and Land Characteristics Adaptability:

There are no known topographical constraints affecting this request.



KEYNOTES

1. BRICK EXTERIOR WALLS TO BE MATCHED TO EXISTING
2. BRICK EXTERIOR WALLS TO BE MATCHED TO EXISTING
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14. BRICK EXTERIOR WALLS TO BE MATCHED TO EXISTING



801 N. RIVERSFRONT BLVD. SUITE 100A
DALLAS, TEXAS 75207
TEL. 214-343-8880 FAX 214-343-8881



**T.M. Morgan
Architect**
801 N. RIVERSFRONT BLVD.
SUITE 100A
DALLAS, TEXAS 75207

FOR REVIEW ONLY
THIS EXHIBIT AND FOR
OTHER USES AND
NOT BE USED FOR
PERMIT OR CONSTRUCTION
PURPOSES

XX/XX/2012



Sheet Pump
11800 W. Broad St.
Henrico County, VA

NO.	REVISION	DATE

DESCRIPTION	DATE
ISSUED FOR PERMIT	XX/XX/2012
ISSUED FOR CONSTRUCTION	XX/XX/2012

ISSUED FOR
EXTERIOR
ELEVATIONS

A3.0

EXHIBIT A
P-17-12

ISSUED FOR PERMIT & CONSTRUCTION XX-XX-2012

WELCOME TO GENGHIS GRILL!
HOW MANY IN YOUR PARTY?

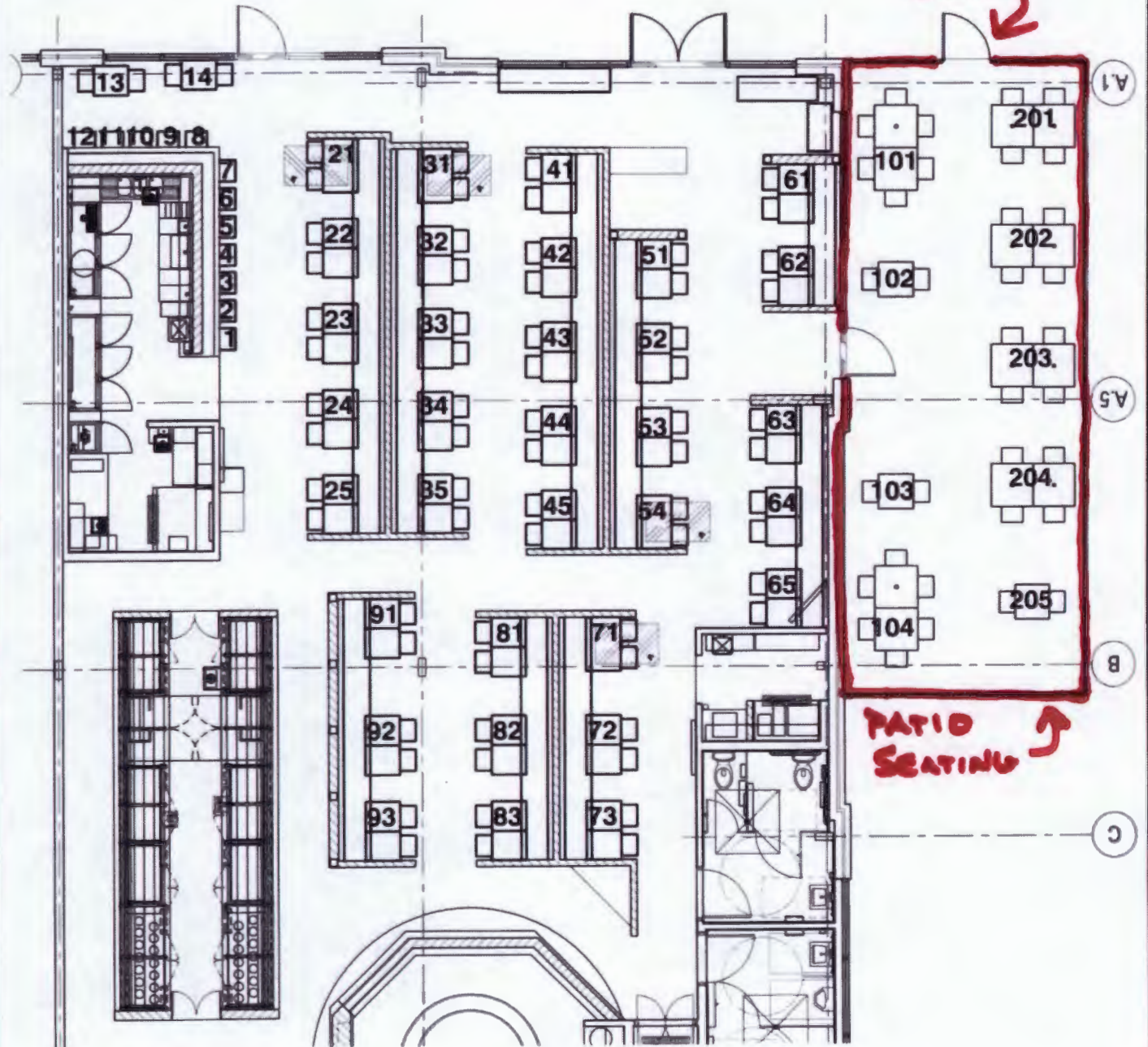
REMEMBER:

1. INFORM FAN OF SERVER'S NAME
2. SUGGEST OR UPSELL BY NAME.
3. SMILE!

THANK YOU FOR CALLING
GENGHIS GRILL, THE BUILD
YOUR OWN STIR FRY
LOCATED AT THE CORNER IN
SHORT PUMP, THIS IS

HOW MAY I HELP YOU?

**EMERGENCY
EXIT** ↘

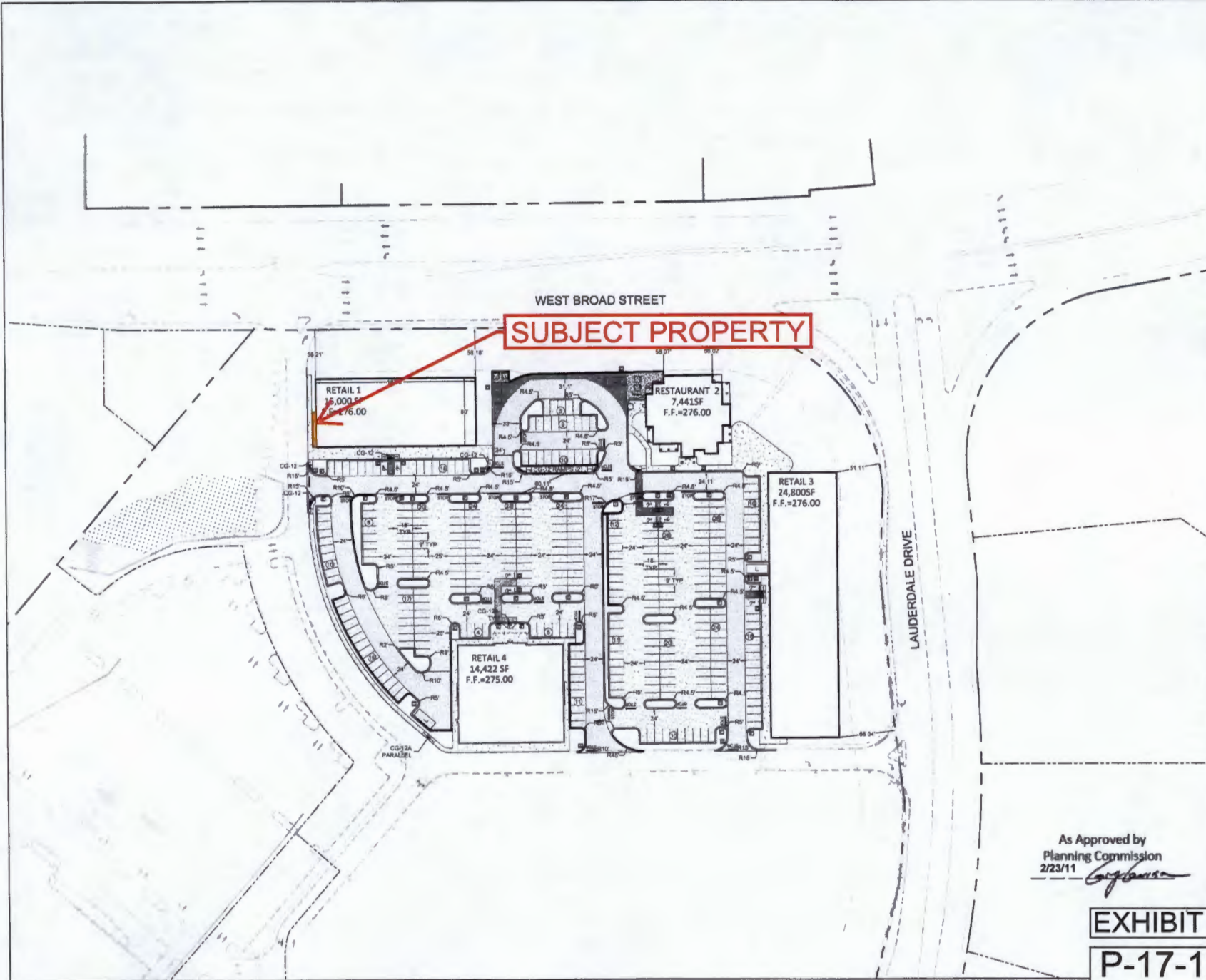


GENGHIS GRILL CORP.
18900 DALLAS PARKWAY #125
DALLAS, TX 75287
888-GENGHIS
INFO@GENGHISGRILL.COM

EXHIBIT B

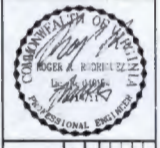
P-17-12

11895 W. Broad St.
Henrico County, VA 23233
P: 804-360-4206
shortpump@genghisgrill.com



NOTES

- 1 ALL DIMENSIONS ARE FROM THE FACE OF CURB, UNLESS NOTED OTHERWISE
- 2 ALL PROPOSED UTILITIES ARE TO BE INSTALLED UNDERGROUND INCLUDING ELECTRIC, TELEPHONE AND CATV
- 3 VDOT STANDARD DPTAS 5, AS REFERENCED, TO BE CONSTRUCTED IN ACCORDANCE WITH THE MOST RECENT VERSION OF VDOT ROAD AND BRIDGE STANDARDS
- 4 BUILDING FOOTPRINTS FOR PHASE 3 BUILDING AS RECEIVED FROM OWNER ON OR ABOUT NOVEMBER 11, 2010
- 5 ALL CURBS AND GUTTER IS TO BE HENRICO COUNTY STANDARD CURB AND GUTTER
- 6 ALL CURB RADI ARE 5' UNLESS OTHERWISE NOTED ON THE PLAN
- 7 A TRAFFIC SIGNAL EXISTS AT THE INTERSECTION OF LAUDERDALE DRIVE AND THREE CHOPT ROAD. THE CONTRACTOR SHALL CONTACT TRAFFIC ENGINEERING AT 804-777-8292 TO FIELD LOCATE TRAFFIC CONTROL EQUIPMENT AND CABLES AT LEAST 48 HOURS PRIOR TO BEGINNING WORK OR ADJACENT TO THE RIGHT OF WAY WITHIN 250 FEET OF THE INTERSECTION. THE CONTRACTOR OR DEVELOPER WILL BE RESPONSIBLE FOR THE OF REPAIR OR REPLACEMENT OF ANY DAMAGED TRAFFIC CONTROL EQUIPMENT IF THERE ARE ANY HENRICO COUNTY MAINTAINED SIGNS WITHIN THE CONSTRUCTION LIMITS THAT THE CONTRACTOR FEELS ARE IN THE WAY. PLEASE CONTACT TRAFFIC ENGINEERING AT 804-777-8292



THE DRAWING PREPARED AT THE CORNER AT SHORT PUMP, PHASE 3, 131225, HENRICO COUNTY, VA. 23225. TEL: 804.777.8292 FAX: 804.777.8111 www.timmons.com

DATE	1/14/11
DESIGNED BY	K. STANLEY
CHECKED BY	R. RODRIGUEZ
SCALE	1"=30'

LEGEND

- DENOTES HEAVY DUTY PAVEMENT SECTION. SEE DETAIL SHEET C4.1
- DENOTES LIGHT DUTY PAVEMENT SECTION. SEE DETAIL SHEET C4.1
- DENOTES CONCRETE SIDEWALK SECTION. SEE DETAIL SHEET C4.1
- DENOTES HEAVY DUTY CONCRETE SECTION. SEE DETAIL SHEET C4.1
- DENOTES PAVEMENT REPLACEMENT PER DRU STANDARD
- DENOTES WET CURB AND GUTTER. DRY CURB AND GUTTER IS UNSHOWN

SIGN LEGEND

- A STOP SIGN (MUTCD STD R1-1)
 - B PEDESTRIAN CROSSING SIGN (MUTCD R8-8)
 - C NO PARKING LOADING ZONE SIGN (MUTCD R7-6)
 - D DISABLED PARKING SIGN (MUTCD R7-8)
 - E VAN ACCESSIBLE PARKING SIGN (MUTCD R7-8.87-8-8)
 - F NO PARKING FIRE LANE SIGN
- * DENOTES ON PLAN SHEET THAT SIGN IS DOUBLE SIDED

As Approved by
 Planning Commission
 2/23/11
[Signature]

EXHIBIT C
P-17-12



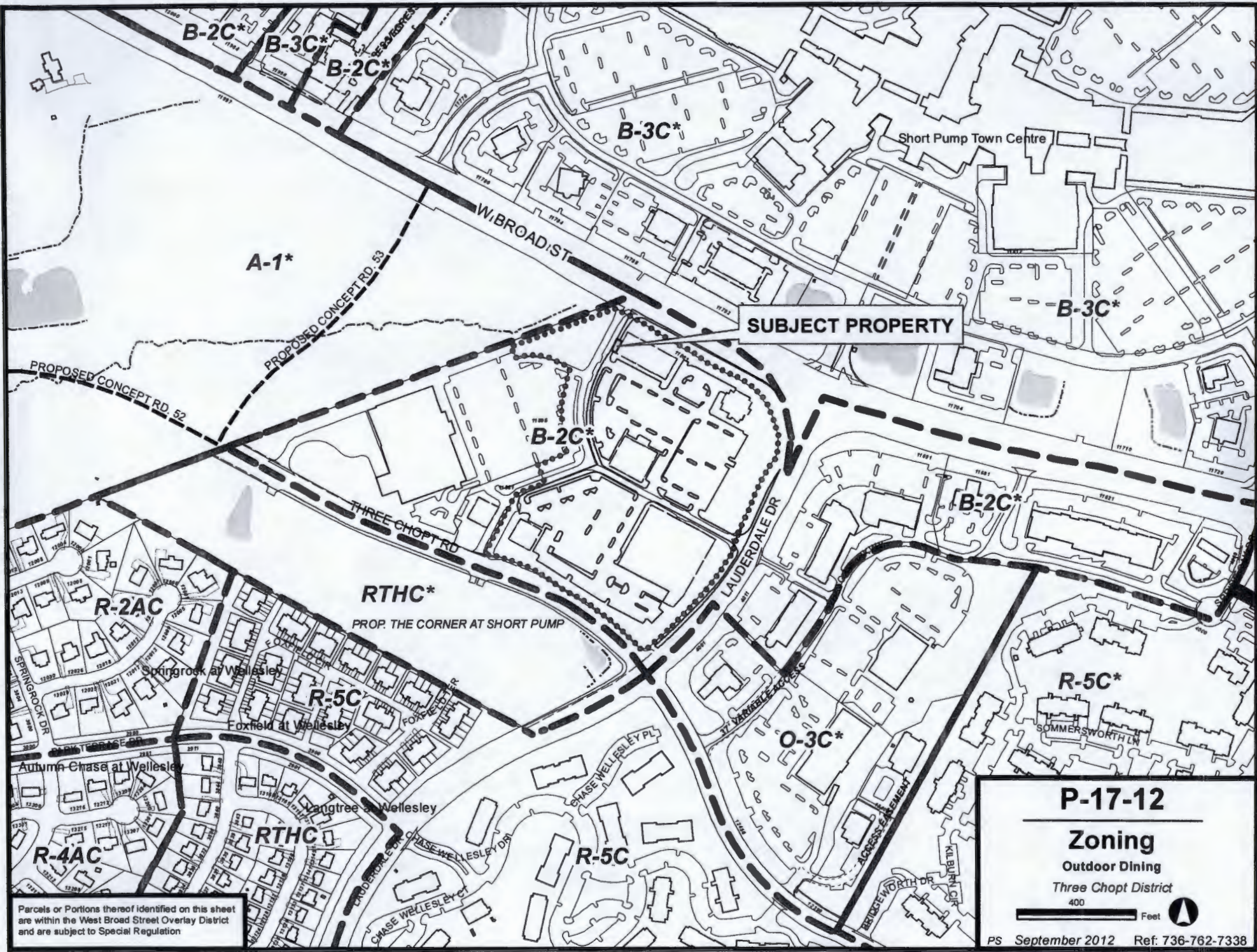
TIMMONS GROUP

THE CORNER AT SHORT PUMP ~ PHASE 3
 THREE CHOPT DISTRICT - HENRICO COUNTY - VIRGINIA
 LAYOUT PLAN

JOB NO: 28060
 SHEET NO: C4.0

DATE: 1/14/11
 DESIGNED BY: K. STANLEY
 CHECKED BY: R. RODRIGUEZ
 SCALE: 1"=30'

THESE PLOTS AND DIMENSIONS REPRESENT THE RECORD PROPERTY OF TIMMONS GROUP AND ARE NOT TO BE REPRODUCED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF TIMMONS GROUP. THESE PLOTS AND DIMENSIONS ARE NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF TIMMONS GROUP.



SUBJECT PROPERTY

RTHC*
PROP. THE CORNER AT SHORT PUMP

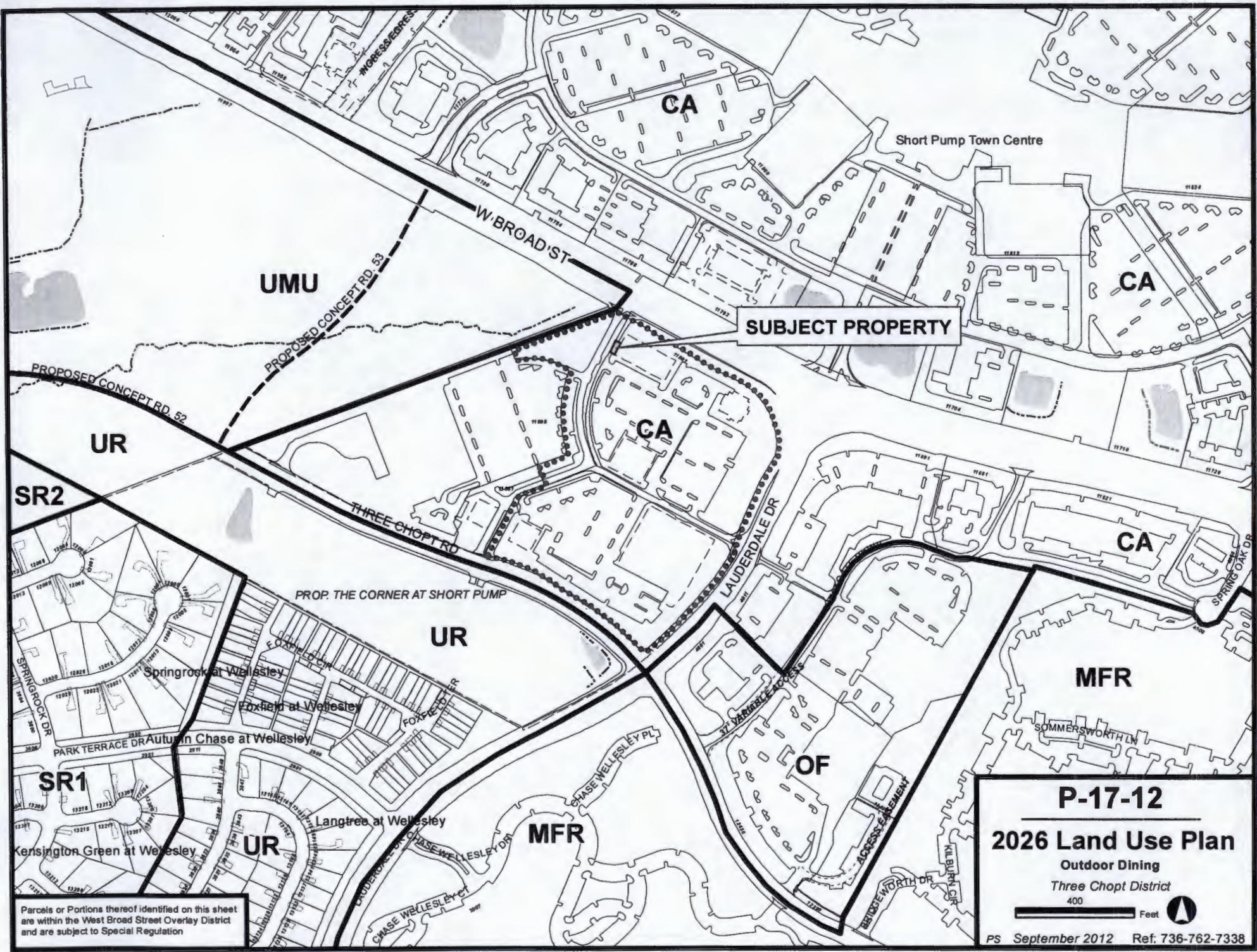
P-17-12

Zoning
Outdoor Dining
Three Chopt District

400 Feet

PS September 2012 Ref: 736-762-7338

Parcels or Portions thereof identified on this sheet are within the West Broad Street Overlay District and are subject to Special Regulation



SUBJECT PROPERTY

Parcels or Portions thereof identified on this sheet are within the West Broad Street Overlay District and are subject to Special Regulation

P-17-12

2026 Land Use Plan

Outdoor Dining

Three Chopt District

400 Feet

PS September 2012 Ref: 736-762-7338