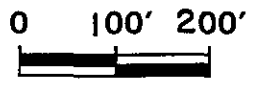


PT. OF 95A-B1-1
TUCKAHOE DISTRICT

OUTSIDE DINING AREA
C-51C-95





COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

VIRGIL R. HAZELETT, P.E.
County Manager

September 19, 1995

Re: Conditional Rezoning Case C-51C-95

Azzurro Corporation
6221 River Road
Richmond, Virginia 23229

Gentlemen:

The Board of Supervisors at its meeting on September 13, 1995, granted your request to conditionally rezone property from B-1 Business District to B-2C Business District (Conditional), Part of Parcel 95A-B1-1, described as follows:

Beginning at a point on the southern boundary of the right of way line of River Road, said point being on the northwest corner of the intersection of River road and Huguenot Road; thence along the southern boundary of the right of way of River Road in a northwesterly direction 401.05' to a point; thence leaving the southern boundary of the right of way line of River Road at an angle of 90° to the right and a distance of 16.01' to the northeast corner of the proposed patio area, said point being the actual point and place of beginning; thence along the eastern face of proposed patio area 14.00' to a point; said point being 2.00' west of the northeast corner of the existing building; thence in a northwesterly direction along the northern face of the existing building at an angle of 90° to the left and a distance of 42.60' to a point at the corner of a bay window; thence continuing in a northwesterly direction around the bay window and a distance of 16.80' to the corner of the existing building; thence in a northeasterly direction along the eastern face of the existing building at an angle of 90° to the left and a distance of 16.50' to a point; said point being the northwest corner of the proposed patio area; thence in a southeasterly direction along the northern face of the proposed patio at an angle of 90° to the left, 7.20' to a point; thence continuing along the northern face of the proposed patio with an angle of 159° to the left and 6.90' to a point; thence continuing along the northern face of the proposed patio area with an angle of 159° to the right and a distance of 42.00' to the point and place of beginning, containing .018 acre.

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

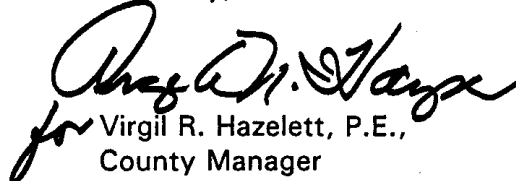
1. Trash Receptacles. Receptacles shall be provided for trash and shall be properly serviced in order to control outside litter that may be created by dining operations and activities.
2. Outside Sound System. Outside speakers and/or sound systems are permitted provided the following standards are met at all times:

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- a. Speakers and/or sound systems shall be designed and equipped with controls that can be adjusted to ensure volumes will not exceed allowable limits.
 - b. Speaker and/or sound systems shall be operated so as not to be audible beyond the western limits of the River Road Shopping Center and their use shall be limited to those periods when outdoor dining is permitted.
3. Live Entertainment. No outside amplified live music performances shall be permitted.
 4. Outside Dining Area. The outside dining area shall be limited to the area defined as the Property and shall be enclosed by a three (3) foot high brick wall which matches the color of the brick used on the building. The brick wall shall be reinforced with steel and constructed with a wide, steel-reinforced foundation in a manner approved by the Planning Commission.
 5. Permitted Use. Use of the Property shall be limited to any uses permitted and regulated under the B-1 Business district and an outside dining area for a restaurant.
 6. Hours of Operation. The hours of service for the outside dining shall not extend beyond 10:00 p.m.
 7. Severance. The unenforceability, illegality, 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 Office has been advised of the action of the Board of Supervisors and will revise its records and place a copy of the accepted proffered conditions in the Conditional Zoning Index.

Sincerely,


for Virgil R. Hazelett, P.E.,
County Manager

cc: Director, Real Estate Assessment
Conditional Zoning Index
River Road Shopping Center, Inc.