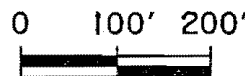


OUTSIDE DINING AREA

**P-5-95**



PT. OF 79-A1-35  
TUCKAHOE DISTRICT

HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA  
COUNTY OF HENRICO

May 16, 1995

Virgil R. Hazelett, P.E.  
County Manager

Re: Provisional Use Permit P-5-95

Shackleford's, Inc.  
10498 Ridgefield Pkwy., #1A & B  
Richmond, Va. 23233

Gentlemen:

The Board of Supervisors at its meeting on May 10, granted your request for a revocable Provisional Use Permit in order to construct and operate an outdoor dining area for Shackleford's Restaurant, Glen Eagles Shopping Center at 10498 Ridgefield Parkway, Part of Parcel 79-A1-35, subject to the following conditions:

1. The outdoor dining area shall not be utilized past the hour of 10 p.m.
2. Customers shall be required by the management to leave the premises, including parking areas, immediately after the close of business.
3. The addition of the outdoor dining area shall not result in loitering, criminal assaults or public nuisances in the areas surrounding the business.
4. No outside amplified music performances shall be permitted. Live performances shall consist of no more than (1) one instrument.
5. Any outside speakers or sound system shall comply with the following standards:
  - A. Be equipped with controls that permit full volume adjustment.
  - B. Be operated so as to be inaudible from approximately 100 feet away from the source.
  - C. Be used only when outdoor dining is permitted.
6. The outdoor dining area shall be limited to the area as described generally in the staff report and as contained in the sketch plan contained in the Planning Office case file; that is the area at the front of the restaurant.
7. A landscape plan, approved by the Planning Commission, shall be required in order to screen the shopping center's northwest boundary with the intent of screening the outdoor dining area from adjacent residential development. Landscaping shall be installed prior to issuance of a Certificate of Occupancy for the outside dining area.
8. The property shall be developed in accordance with POD-61-90, acknowledging that revisions may be needed to provide the outside dining area.

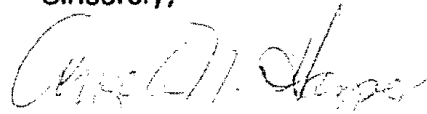
Shackleford's, Inc.  
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9. Proffered conditions accepted with the rezoning of the property (C-32C-89) and conditions accepted with the approval of POD-61-90 shall be incorporated into this approval and take precedence in the event of any conflict with conditions attached to the Provisional Use Permit.
10. Trash receptacles shall be provided and properly serviced to control, insofar as possible, outside litter generated by the requested use.

The Planning Office has been advised of the action of the Board of Supervisors and requested to revise its records and to place a copy of this notification in the Provisional Use Permit Index.

Sincerely,



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

cc: Clerk, Board of Supervisors  
Director, Real Estate Assessment  
✓ Provisional Use Permit Index  
Mr. James Cobb  
Mr. Terry L. Van Horn, Esquire  
Mr. A. Kirk Poore