

SUBJECT PROPERTY

OLD NUCKOLS RD

PROPOSED BUILDING

Prop. Townes at Shady Grove

Prop. Hunter's Trace

ZONING

OUTSIDE DINING

Ref. 746-773-1046

P-9-03

Three Chopt District



August 2003

0 400 Feet



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

September 16, 2003

Goode Land Co., Twin Hickory LLC
Mr. Read Good
1205 W. Main Street
Suite 207
Richmond, VA 23220

Re: Provisional Use Permit P-9-03

Dear Mr. Goode:

The Board of Supervisors at its meeting on September 9, 2003, granted your request for a Provisional Use Permit in order to permit outside dining for a proposed restaurant, on part of Parcel 746-773-1046, subject to the following conditions:

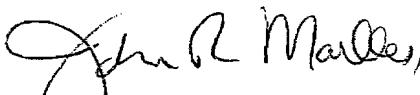
1. The outdoor dining area shall not be utilized past the hour of 10:00 p.m.
2. Customers shall be required by the management to leave the outside dining area immediately after the 10:00 p.m. hour.
3. No outside amplified music performances shall be permitted. Live performances shall consist of no more than (1) instrument.
4. Outside speaker or sound systems shall be prohibited.
5. The outdoor dining area shall be limited to no more than 1,000 square feet in size.
6. Trash receptacles shall be provided and properly serviced to control litter generated by this use.
7. Lighting on the site shall be installed or shielded to minimize glare onto the adjacent residential property located across Old Nuckols Road.
8. Access to the outdoor dining area shall be available only through the restaurant. Patrons may not gain access directly from the adjacent parking area, except that an emergency exit may be provided.

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9. Landscaping planters shall be provided along the perimeter of the outside dining area.
10. The outdoor dining area shall be constructed substantially similar to that shown on the "Retail Shops" drawings entitled "Patio 1" and "Patio 2" prepared by Perretz & Young Architects on August 6, 2003 (See exhibits "B" and "C") (see case file).
11. Any building materials used in the construction of the outdoor dining area shall match or be compatible with those used with the adjacent row of shops approved as part of POD 38-03.
12. The approval of this Provisional Use Permit (PUP) is subject to the applicant obtaining a Plan of Development (POD) for this site.

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

pc: Retlaw 100, LLC
Mr. Ben Lilly, P.E.
Director, Real Estate Assessment
Provisional Use Permit Index