

TUCKAHOE
LITTLE LEAGUE FIELD

A-1

**SUBJECT
PROPERTY**

John Rolfe Commons
Shopping Center

B-2C

A-1

B-2C

O-2C

R-3AC

Rolfe Wl
Rolfe Wl

O-2C

O-3C

R-3AC

A-1

R-4C

R-4C

R-5C

R-4

RTHCI

ZONING ® **P-10-04**
OUTDOOR DINING Tuckahoe District

Ref. 737-751-3748



June 2004

0 400 Feet



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

September 21, 2004

Mr. J. Phillip Cornett
2120 Staples Mill Road
Suite 300
Richmond, VA 23220

Re: Provisional Use Permit P-10-04

Dear Mr. Cornet:

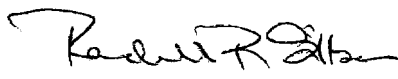
The Board of Supervisors at its meeting on September 14, 2004, granted your request for a Provisional Use Permit in order to allow outside dining for Max and Erma's restaurant, on part of Parcel 737-751-3748, subject to the following conditions:

1. No outside live music performances shall be permitted on site.
2. Any outside speakers or sound system shall comply with the following standards:
 - a. Sound systems must be equipped with controls permitting full volume adjustment.
 - b. Sound from the system shall not be audible beyond 100 feet from the source.
 - 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 outdoor dining area shall not be in operation between 10:00 p.m. and 7:00 a.m.
5. The outdoor area shall be limited to no more than 588 square feet. Unless otherwise approved by the Planning Commission, the arrangement of the outdoor dining area shall be constructed in conformance to the plan attached as Exhibit "C" (see case file).

6. Unless otherwise approved by the Planning Commission, the outdoor furniture and railing enclosure shall conform to the specifications attached as Exhibit "A" and "B" (see case file). The railings shall not exceed 36" in height and shall consist of commercial grade material for durability.
7. Outdoor lighting fixtures shall compliment the style of the building. Lighting fixtures shall not be glaring to motorists or pedestrians on the adjacent right-of-way and parking area and shall illuminate only the outdoor dining area.
8. Trash receptacles shall be provided and properly serviced to control litter generated by this use.
9. Access to the outdoor dining area shall be available only through the restaurant, except that an emergency exit may be provided.
10. A clear, continuous, and unobstructed pedestrian path not less than 5' shall be required for pedestrian circulation between the outdoor dining area and the curb of the end of the sidewalk.
11. 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,


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

pc: The Wilton Companies, LLC
Koontz-Bryant, P.C.
Director, Real Estate Assessment
Provisional Use Permit Index