

February 2004

# ZONING

OUTDOOR DINING  
Ref. 737-762-4724

# P-3-04

Three Chopt District



\* Zoning labeled with asterisk, included in the West Broad Street Overlay District



COMMONWEALTH OF VIRGINIA  
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.  
County Manager

May 18, 2004

Panera, LLC  
6710 Clayton Road  
Richmond Heights, MD 63117

Re: Provisional Use Permit P-3-04

Dear Sir:

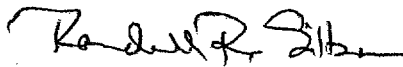
The Board of Supervisors at its meeting on May 11, 2004, granted your request for a Provisional Use Permit in order to provide an outdoor dining area for the restaurant, on part of Parcel 737-762-4724, subject to the following conditions:

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 450 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 "A" (see case file).

6. Bumper blocks will be installed in parking spaces facing the outdoor dining area in conformance to the plan attached as Exhibit "A" (see case file).
7. Barriers should be installed and compliment the building façade as well as any street furniture. Unless otherwise approved by the Planning Commission, the outdoor furniture and railing enclosure shall conform to the specifications and photos attached as Exhibit "B" and "C" (see case file). The railings shall not exceed 36" in height and shall consist of commercial grade material for durability.
8. Outdoor lighting fixtures should 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.
9. Trash receptacles shall be provided and properly serviced to control litter generated by this use.
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: Wellesley Center, LC.  
Director, Real Estate Assessment  
Provisional Use Permit Index  
Dr. Penny Blumenthal – Director, Research and Planning