

SUBJECT PROPERTY



ZONING
 Outdoor Dining
 Ref. 738-762-3715

P-7-05
 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

September 20, 2005

Mr. Vincent J. Lamantia
11645 West Broad Street
Richmond, VA 23233

Re: Provisional Use Permit P-7-05

Dear Mr. Lamantia:

The Board of Supervisors at its meeting on September 13, 2005, granted your request for a Provisional Use Permit in order to operate a restaurant with outdoor dining, on part of Parcel 738-762-3715, subject to the following conditions:

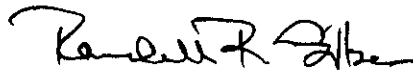
1. No outside live music performances shall be permitted on site.
2. Any outside speakers or sound system shall comply with the following standards:
 - a. Sound systems must be equipped with controls permitting full volume adjustment.
 - b. Sound from the system shall not be audible beyond 100 feet from the source.
 - c. Sound systems shall 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 608 square feet. Unless otherwise approved by the Planning Commission, the outdoor dining area shall be constructed in conformance to the plan attached as "Exhibit A" (see case file).
6. Barriers to the sidewalk and parking area shall be installed and shall compliment the building facade as well as any street furniture. Unless otherwise approved by the Planning Commission, the outdoor railing enclosure shall conform to the specifications and photos attached as "Exhibit B" and "Exhibit E". The railings shall not exceed 36" in height and shall consist of commercial grade material for durability.

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7. Unless otherwise approved by the Planning Commission, the outdoor furniture shall conform to the specifications and photos attached as "Exhibit C" and "Exhibit D" (see case file).
8. Outdoor lighting fixtures shall compliment the style of the building. Lighting fixtures shall not produce glare for motorists or pedestrians on the adjacent rights-of-way and parking areas 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' in width shall be required for pedestrian circulation between the outdoor dining area and the sidewalk curb.
11. The applicant shall obtain Administrative Approval from the Planning Department for the design and layout of the outdoor dining area.

The Planning Department 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: Mr. Marc Greenberg
Director, Real Estate Assessment
Provisional Use Permit Index