

COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

April 17, 2007

Mr. Walter Baietti
1709 Rolfield Way
Richmond, VA 23238

Re: Provisional Use Permit P-4-07

Dear Mr. Baietti:

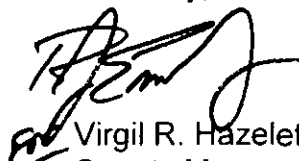
The Board of Supervisors at its meeting on April 10, 2007 granted your request for a Provisional Use Permit under Sections 24-58.2(d), 24-120 and 24-122.1 of the County Code to allow outside dining on part of Parcel 748-759-3503, located at the southeast intersection of Westerre Parkway and Cox Road (The Shoppes at Twin Oaks), 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 areas shall not be in operation between 10:00 p.m. and 7:00 a.m.
5. The outdoor dining area shall be limited to no more than 702 square feet.
6. Unless otherwise approved by the Planning Commission, the outdoor railing enclosure shall be consistent with the specifications and diagram attached as Exhibit B, and contained in the case file.

7. Access to the outdoor dining area shall be available only through the restaurant, except during an emergency when the patio fence gate may be utilized.
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 consult with the Special Services Unit within the Division of Police to discuss crime prevention recommendations.
12. 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,



Virgil R. Hazelett, P.E.
County Manager

pc: Cox Road, LLC c/o Mr. Nathan A. Shor
Director, Real Estate Assessment
Provisional Use Permit Index

PO-119
8000-100-100
100-100-100

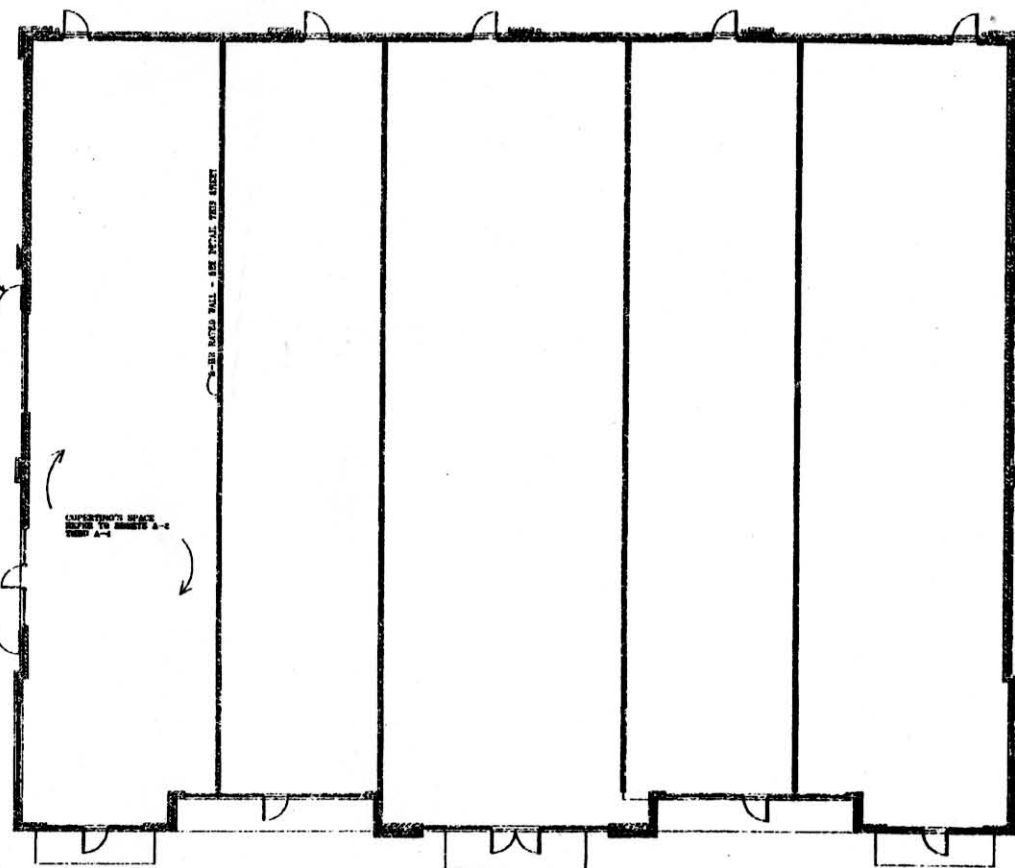
WESTERRE PARKWAY

COX ROAD

PREVIOUS PARKING: 206
CURRENT PARKING 197
PARKING REQUIRED: 157

TREE TAB
TREES FLAGGES: 31
TREES SAVED: 16

PROPOSED
OUTDOOR DINING AREA



OVERALL BUILDING PLAN
SCALE: 3/32"=1'-0"

CODE COMPLIANCE

ALL CONSTRUCTION TO COMPLY WITH THE LATEST EDITION OF THE VIRGINIA UNIFORM STATEWIDE BUILDING CODE (VUSBC), THE 2003 IBC W/ VIRGINIA AMENDMENTS.

INDEX OF DRAWINGS

- A1- OVERALL PLAN, ELEVATIONS
- A2- FLOOR PLAN SCHEDULES
- A3- REFLECTED CEILING PLAN, DETAILS
- A4- INTERIOR ELEVATIONS
- P-1 PLUMBING PLAN
- P-2 PLUMBING WASTE RISER
- P-3 PLUMBING WATER RISER
- P-4 PLUMBING DETAILS
- P-5 PLUMBING NOTES, LEGEND, & SCHEDULE
- M-1 MECHANICAL PLAN
- M-2 MECHANICAL NOTES, LEGEND, & SCHEDULES
- E-1 ELECTRICAL LIGHTING PLAN
- E-2 ELECTRICAL POWER PLAN
- E-3 ELECTRICAL NOTES, LEGEND, AND DETAILS
- E-4 ELECTRICAL PANEL SCHEDULES AND RISER

PROJECT TEAM

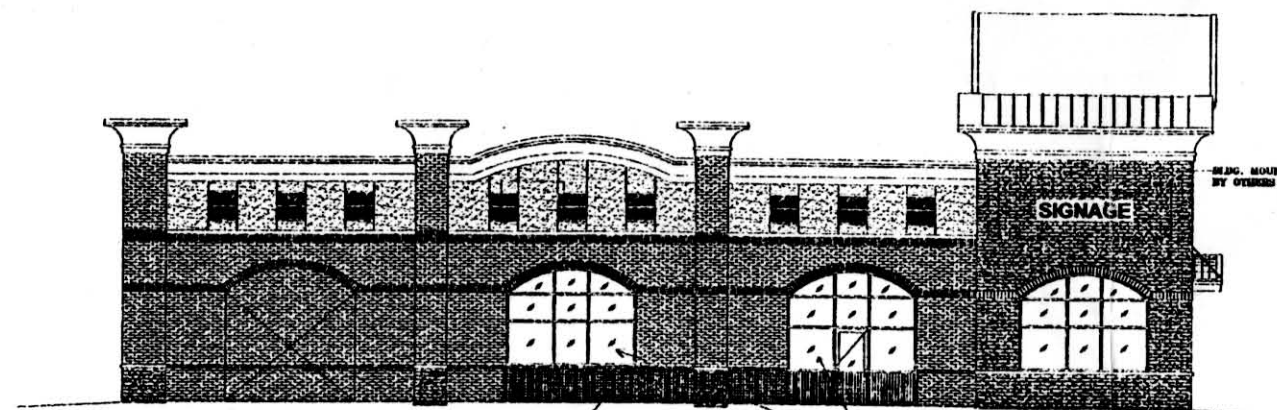
FOOD SERVICE CONSULTANT
MARK S. HERMAN
4711 HOPE VALLEY ROAD
BOX 214
DURHAM, NORTH CAROLINA 27707
PHONE 919 484 9100
EMAIL: MARK@MSHCONSULTANT.COM

ARCHITECT

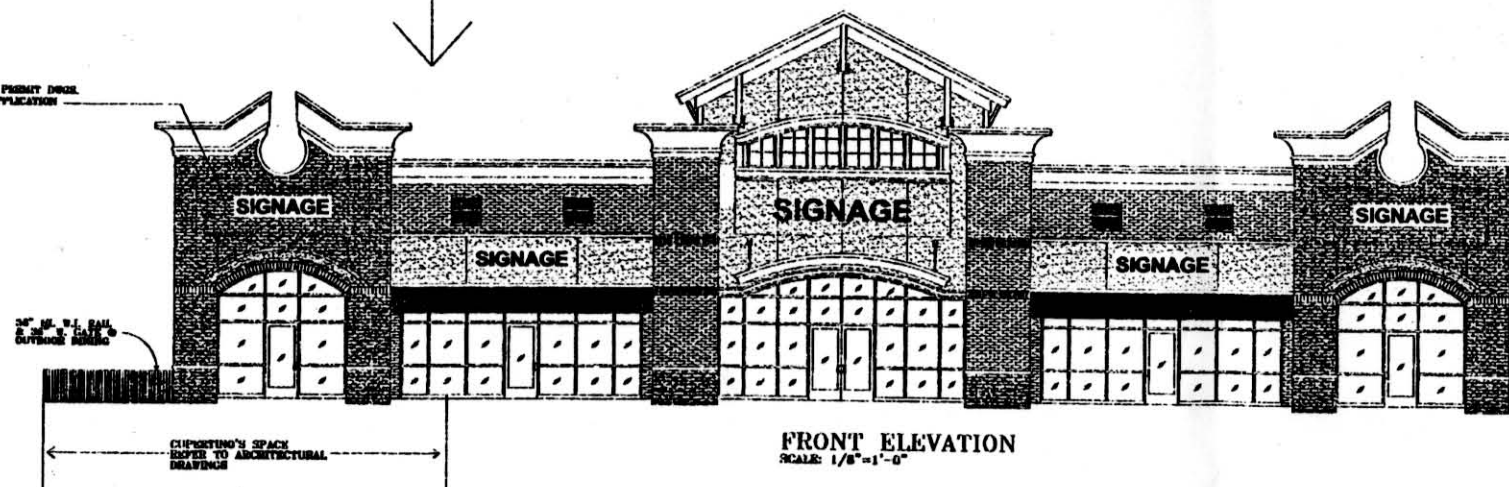
JOHN C. WILLIAMS, JR. AIA
PO BOX 1018
HILLSBOROUGH, NC 27278
PHONE 919 732 6811
EMAIL: JCW@AIA@KATHLINK.NET

P. E. & E. ENGINEER

JAMES D. DELPAPA, JR. PE
3221 BLUE RIDGE ROAD
RALEIGH, NC 27607
PHONE 919 571 1111
EMAIL: JIM@ATLANTEENGINEERS.COM



LEFT SIDE ELEVATION
SCALE: 1/8"=1'-0"



FRONT ELEVATION
SCALE: 1/8"=1'-0"



DATE
NOVEMBER 27, 2006

John C. Williams, AIA, PA
Architect
PO Box 1018
Hillsborough, NC 27278
919 732 6811

PROJECT
CUPERTINO'S
N.Y. BAGEL & DELI
TWIN HICKORY SHOPPING CENTER
3621-A COX ROAD, RICHMOND, VA 23233

OVERALL
PLAN,
ELEVATIONS

JOB NO. 0624

SHEET NO.

A-1

P-4-07

ALUMINUM HAND RAIL
POWDER COAT
SEMI-GLOSS BLACK (EXTERIOR)

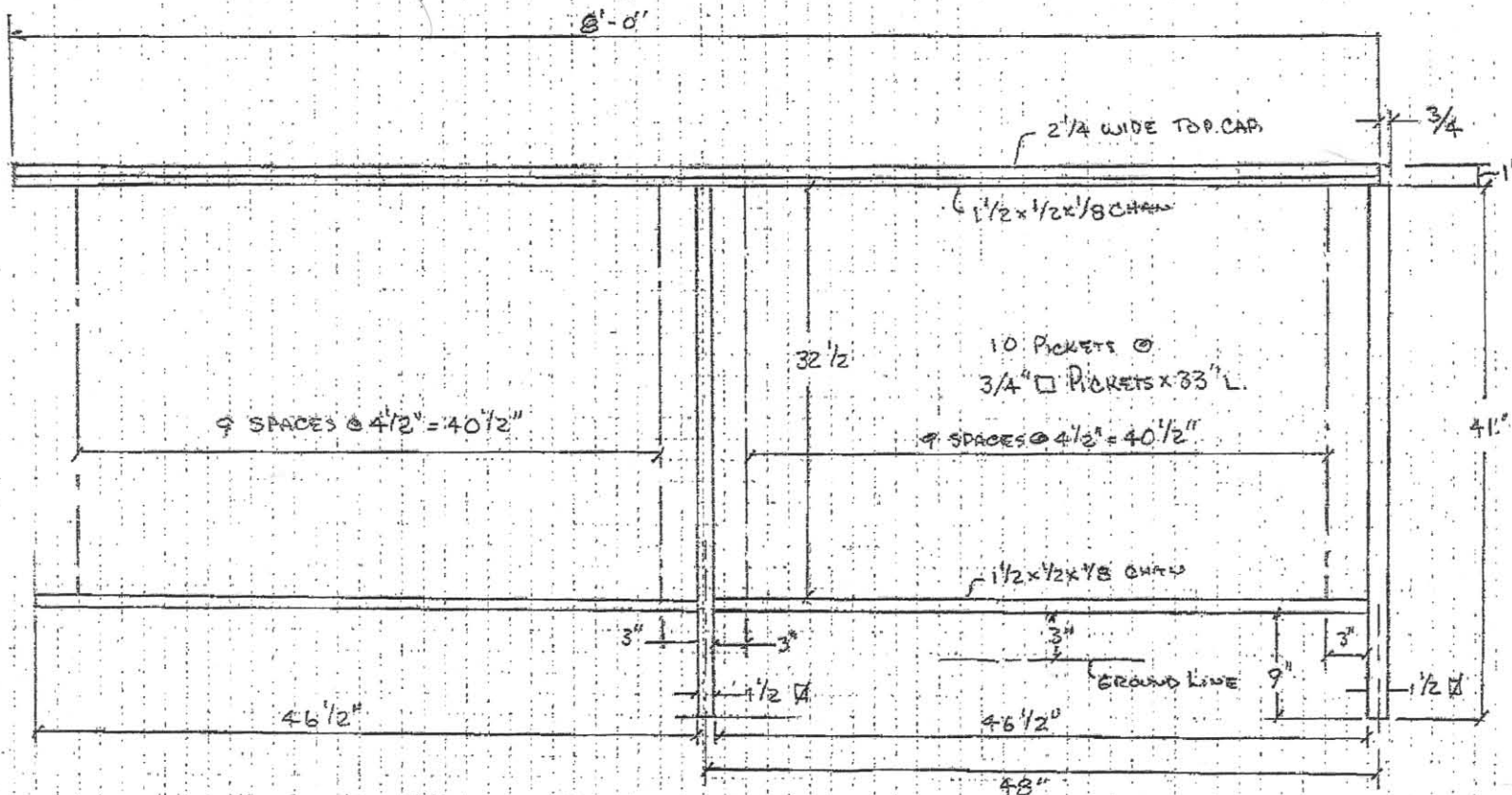
TYP RAIL SECTION

5K-1

QTY 3

12/19/06

OK



36" HIGH RAIL

6" EMBED - GROUT IN PLACE



We Make Metal Work.

2901 Commerce Road P.O. Box 24365 Richmond, Virginia 23224
(804) 231-1161 FAX (804) 230-4045

P-4-07