



COMMONWEALTH OF VIRGINIA  
**COUNTY OF HENRICO**

Virgil R. Hazelett, P.E.  
County Manager

July 21, 2009

CC Short Pump Crossing, LLC  
Attn: Dan Brantingham  
P.O. Box 419  
Midlothian, VA 23113

Re: Provisional Use Permit P-7-09

Dear Mr. Brantingham:

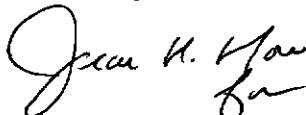
The Board of Supervisors at its meeting on July 14, 2009, granted your request for a Provisional Use Permit in order to allow outside dining for a restaurant on part of Parcel 738-760-8449, located on the west line of Pump Road approximately 500 feet north of its intersection with Three Chopt Road (Short Pump Crossing Shopping Center), subject to the following conditions:

1. No outdoor live music performances shall be permitted.
2. Any outside speakers or sound system shall comply with the following standards:
  - a. Sound systems shall 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 dining area shall be constructed in general conformance with the floor plan attached as "Exhibit A" (see case file).
6. The applicant shall obtain administrative approval from the Planning Department for the design and layout of the outdoor dining area. Any exterior alterations shall *meet the proffered conditions of rezoning case C-21C-88.*
7. 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 as shown in "Exhibits A and B" (see case file).

8. Barriers to the sidewalk and parking area shall be installed and shall complement the building façade. The railing surrounding the outdoor dining area shall be limited to 42" in height and shall consist of commercial grade material for durability. Unless otherwise approved by the Director of Planning, the outdoor railing enclosure shall be substantially similar to those illustrated in "Exhibits C and D" (see case file).
9. Outdoor lighting fixtures shall complement the style of building. Lighting fixtures shall be from a concealed source and 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.
10. Trash receptacles shall be provided and properly serviced to control litter generated by this use.
11. This permit shall apply only to the tenant space to be occupied by Café Caturra and shall not apply to any other business in the overall shopping center.
12. Access to the outdoor dining area shall be available only through the interior of the restaurant, except during an emergency when a patio fence exit gate may be utilized.
13. Prior to operation, the applicant shall consult with the Special Services Unit within the Division of Police to discuss crime prevention recommendations and conduct a security survey of the property and restaurant operations. The applicant shall implement mutually agreed upon security recommendations.

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: Pump Road Center Associates, L.C.  
Director, Real Estate Assessment  
Provisional Use Permit Index