

P-3-10
Zoning
 Farmers' Market
 Tuckahoe District
 400

PS January 2010 Ref: 732-751-4078



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

April 20, 2010

West End Farmers' Market, LLC
Attn: Mrs. Kristine Riley
12321 Morning Creek Road
Glen Allen, VA 23059

Re: Provisional Use Permit P-3-10

Dear Mrs. Riley:

The Board of Supervisors at its meeting on April 13, 2010, granted your request to amend Conditions 1, 3, 5, and 15 approved with Provisional Use Permit P-4-09, on Parcels 732-751-4078, -0561 and 731-751-8088, subject to the following conditions:

1. The farmers' market shall not operate outside of the following parameters:
 - a) Market season – beginning the last Saturday in April, and ending the 2nd Saturday in December;
 - b) Market days – maximum of two days per week, only on Wednesdays and Saturdays;
 - c) Hours of operation –
 - Regular season (beginning of market season thru 2nd Wednesday in September)
 - Wednesdays (3:00 pm – 7:00 pm)
 - Saturdays (8:00 am – 12:00 noon)
 - Mid season (after 2nd Wednesday in September thru last Wednesday in October)
 - Wednesdays (3:00 pm – 6:00 pm)
 - Saturdays (8:00 am – 12:00 noon)
 - Late season (after last Wednesday in October thru end of market season)
 - Wednesdays (market closed, except for holiday market)
 - Saturdays (8:00 am – 12:00 noon, except for holiday market);

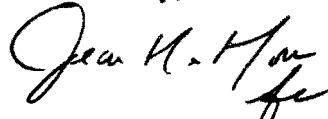
- Two holiday markets (4th Wednesday of November and 1st Saturday of December, or 2nd Saturday of December in case of rainout)
 - Wednesday and Saturday (10:00 am – 4:00 pm)
2. The farmers' market shall be no greater than 13,600 square feet in size and shall be located on the site as shown in Exhibit A (see case file). All market-related services shall take place only within this market boundary.
 3. Market operations shall abide by all rules and regulations set forth in Exhibit C, entitled "West End Farmers Market Rules & Regulations" and dated February 22, 2010 (see case file).
 4. The applicant shall designate a Market Manager to be in charge of the farmers' market operations, including vendor selection and implementation of the conditions of this permit. The Market Manager shall be responsible for ensuring market compliance with all applicable local, state and federal regulations.
 5. Other than temporary stands for vendors or the Market Manager, no structures or tents shall be erected on the property. All tents shall be solid in color, and neither text nor logo displays shall be permitted on any tent or similar temporary structure. No later than one hour after the closing of each market, any stands shall be removed from the site and the subject parcels shall be completely cleared of all market-related items and debris.
 6. No sales or outside storage shall be permitted except in designated vendor spaces during market hours.
 7. Vehicles shall not be permitted on the grass area of the parcel identified as GPIN 732-751-4078 for any reason.
 8. Trash receptacles shall be provided and properly serviced to control litter generated by this use.
 9. Generators, portable toilets, outside live music performances, or use of public address systems (including megaphones) shall not be permitted on the site.
 10. On-site food preparation and distribution of prepared meals shall not be permitted.
 11. The sale or consumption of alcohol shall be prohibited.
 12. The operation of the farmers' market shall not cause loitering, criminal assaults, public nuisance, or unsafe conditions for the adjacent area.
 13. Except for one temporary banner or board sign for market identification (no

greater than 25 square feet in size), any other signage or attention-getting devices related to the market shall be prohibited. Temporary individual vendor signage shall be permitted, but it shall not be attached to vendor tents, shall only be placed to face the interior of the market sales area, and must be removed at the close of each market.

14. Prior to each season, the Market Manager shall submit any necessary Plan of Development (POD) revisions to the Department of Planning for approval. The POD shall delineate the vendor sales areas, specific landscaping information for the proposed perimeter hedge, and details of any temporary tent structures, pedestrian walkways, drive aisles, and parking areas for the site. The perimeter of the vendor area shall be clearly defined by a barrier to discourage unauthorized access into the vendor area and to provide safe and orderly pedestrian access to and from the market.
15. This Provisional Use Permit shall expire on December 31, 2012. The Director of Planning shall review the operation of the farmers' market at the end of each market season to ensure compliance with the conditions imposed with this Provisional Use Permit. If the Director finds, based upon his review, that the permit holder has failed to comply with any of the conditions or that the operation of the outdoor farmers' market is having a deleterious effect on the surrounding area, then the Director shall initiate a show cause hearing on revocation of the permit pursuant to the provisions of Section 24-122.1(b) of the County Code.

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: The Wilton Companies
Director, Real Estate Assessment
Provisional Use Permit Index