

Parcels or Portions thereof identified on this sheet are within the West Broad Street Overlay District and are subject to Special Regulation

**SUBJECT PROPERTY**

**P-14-12**  
**Zoning**  
 Community/Demonstration  
 & Production Farm  
 Three Chopt District  
 400 Feet  
 PS May 2012 Ref: 744-760-7007



COMMONWEALTH OF VIRGINIA  
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.  
County Manager

August 21, 2012

Whole Foods Market  
c/o Ms. Linda Thomas  
2250 Old Brick Road, Suite 200  
Glen Allen, VA 23060

Re: Provisional Use Permit P-14-12

Dear Ms. Thomas:

The Board of Supervisors at its meeting on August 14, 2012, granted your request for a Provisional Use Permit under Section 24.32.1(t), 24-120, and 24-122.1 of the County Code to allow a continuation of community/demonstration gardens and production farm on part of Parcel 744-760-7007, subject to the following conditions:

1. The operator of the Whole Foods Village Garden shall comply with the following conditions:

Use: The Village Garden is for the specific use of: a demonstration garden, a community garden and a production farm and associated educational programming. No sales or vending is permitted, except that produce grown and harvested on the production farm component of the property may be sold to Whole Foods Market.

Hours of Operation: The Village Garden will be open from dawn to dusk.

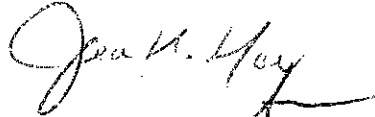
2. The community/demonstration gardens and production farm will be developed in substantial conformance with Exhibit 1, entitled "Whole Foods Market Community Village Garden", dated May 2012 (see case file).
3. All activities in the community/demonstration gardens and production farm will be in compliance with the "Garden Layout and Design Proposal" as submitted with P-6-10.
4. The area of the community/demonstration gardens and production farm will be as shown on Exhibit 1(see case file), and will encompass an area approximately .86 acres. The gardens and production farm will not exceed the area shown on Exhibit 1 unless written permission is obtained from the Director of Planning in advance of any changes to the area. A revised economic impact analysis for the

- West Broad Street Village project may be required prior to any authorized expansion of the community/demonstration gardens and production farm.
5. The gravel path will be maintained to provide a stable walking surface.
  6. No vehicles will be allowed on-site with the exception of a Backyard Farmer vehicle. All vehicles must park in one of the paved lots between the Whole Foods Market and the Village Garden.
  7. A gate will be maintained to prevent unauthorized access to the site. A fence, to secure the perimeter of the site, will also be maintained around the entire Village Garden area.
  8. Signage indicating the hours of operation will be posted to limit trespassing after hours.
  9. The Provisional Use Permit for the Village Garden will be effective for a period of 36 months. After 36 months, the applicant shall apply to the Planning Commission for a reissuance of the PUP.
  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. Trash receptacles shall be provided and properly serviced to control litter generated by this use. All refuse including produce boxes, etc. shall be removed from the premises at the end of each sales day.
  13. The operation of the farmers' market and Village Garden shall not cause loitering, criminal assaults or public nuisance or unsafe conditions for the surrounding area.
  14. Prior to the installation of any structures or alterations to the farmers' market or Village Garden area, the Market Manager shall submit any necessary Plan of Development (POD) revisions to the Department of Planning for approval. The POD shall delineate the specific vendor areas and details of pedestrian walkways, drive aisles, and parking stalls for the site. The vendor area shall be secured to prevent unauthorized access into the vendor area and to provide safe pedestrian access to and from the market.

Whole Foods Market  
August 21, 2012  
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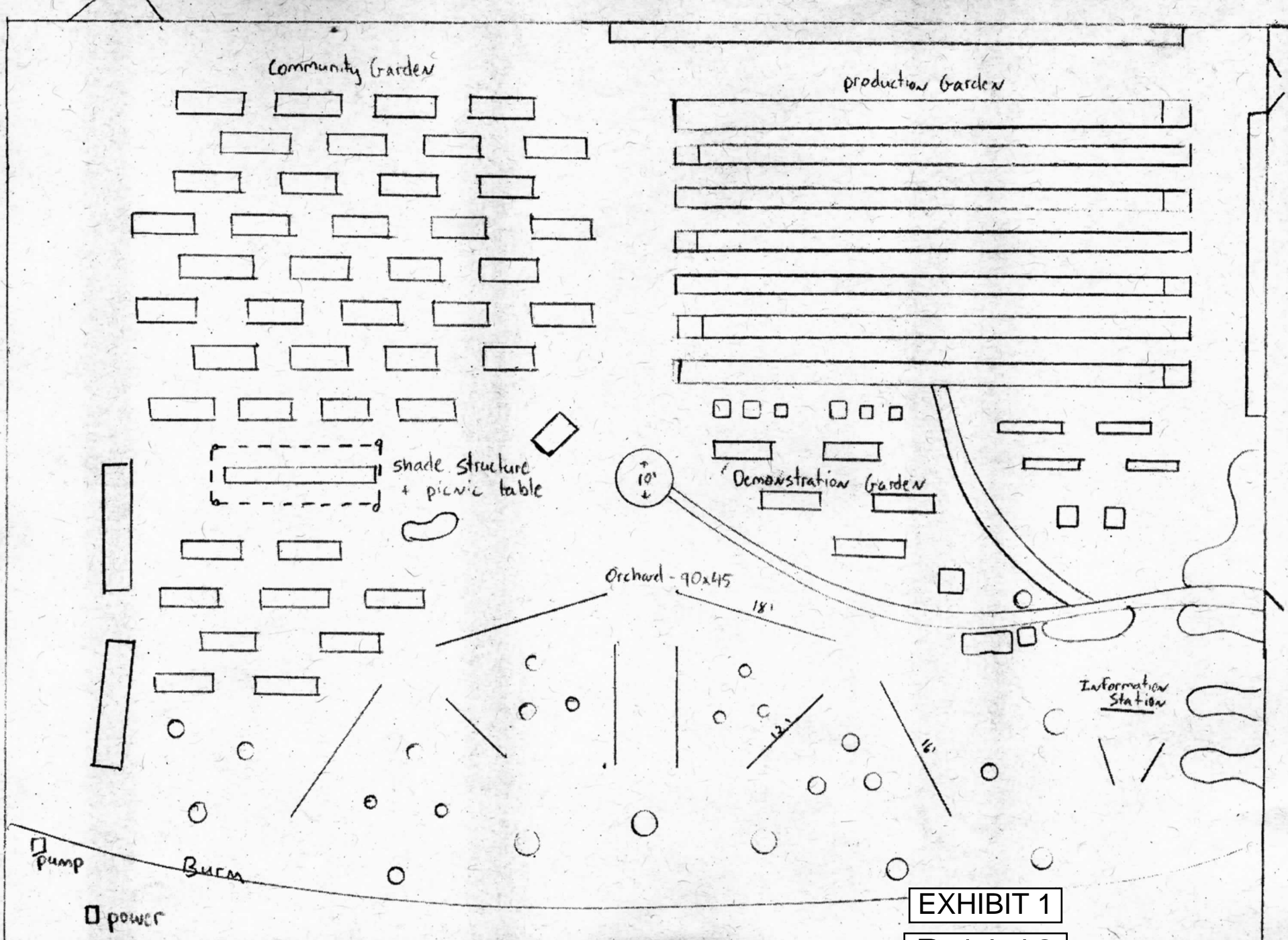
The Planning Department has been advised of the action of the Board of Supervisors and requested to revise its records and to place a copy of this notification in the Provisional Use Permit index.

Sincerely,

A handwritten signature in black ink, appearing to read "Virgil R. Hazelett". The signature is written in a cursive style with a prominent initial "V" and a long horizontal stroke at the end.

Virgil R. Hazelett, P.E.  
County Manager

pc: John Sheppard  
Director, Real Estate Assessment  
Provisional Use Permit Index  
Police, Special Services



Community Garden

production Garden

shade structure + picnic table

Demonstration Garden

Orchard - 90x45

Information Station

pump

Burn

power

10'

18'

12'

EXHIBIT 1

P-14-12

prepared by FSP, 5/12