

PUP2014-00001

Zoning

Outside Dining

Brookland District

400

Feet



PS December 2013

Ref: 767-757-6829



John A. Vithoulkas
County Manager

COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

December 20, 2016

Mr. Robert L. Marchetti
1567 N. Parham Road
Henrico, VA 23229

Re: Provisional Use Permit PUP2014-00001

Dear Mr. Marchetti:

The Board of Supervisors at its meeting on December 13, 2016, approved your request for a Provisional Use Permit under Sections 24-58.2(d), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to allow outdoor dining for a proposed restaurant on part of Parcel 767-757-6829 located 95' east of the east line of Hungary Spring Road approximately 1,025' south of its intersection with Staples Mill Road (U.S. Route 33), subject to the following conditions:


1. The outdoor dining area shall not be in operation between 10:00 p.m. and 6:00 a.m.
2. There shall be no use of outdoor speakers.
3. The operator shall not permit food preparation outside the enclosed building.
4. The wall/fence enclosing the outdoor dining areas shall be limited in height to 36 inches.
5. Outdoor lighting fixtures shall complement 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 areas.
6. Access to the outdoor dining areas shall be available only through the interior of the restaurant, except during an emergency when patio fence exit gates may be utilized.
7. This permit shall apply only to the 1,322 square foot outdoor dining area for the proposed restaurant and shall not apply to any other business in Staples Mill Market Place. Transfer of this provisional use permit to another ownership/restaurant must be requested in writing and approved by the Director of Planning.

Mr. Robert L. Marchetti
December 20, 2016
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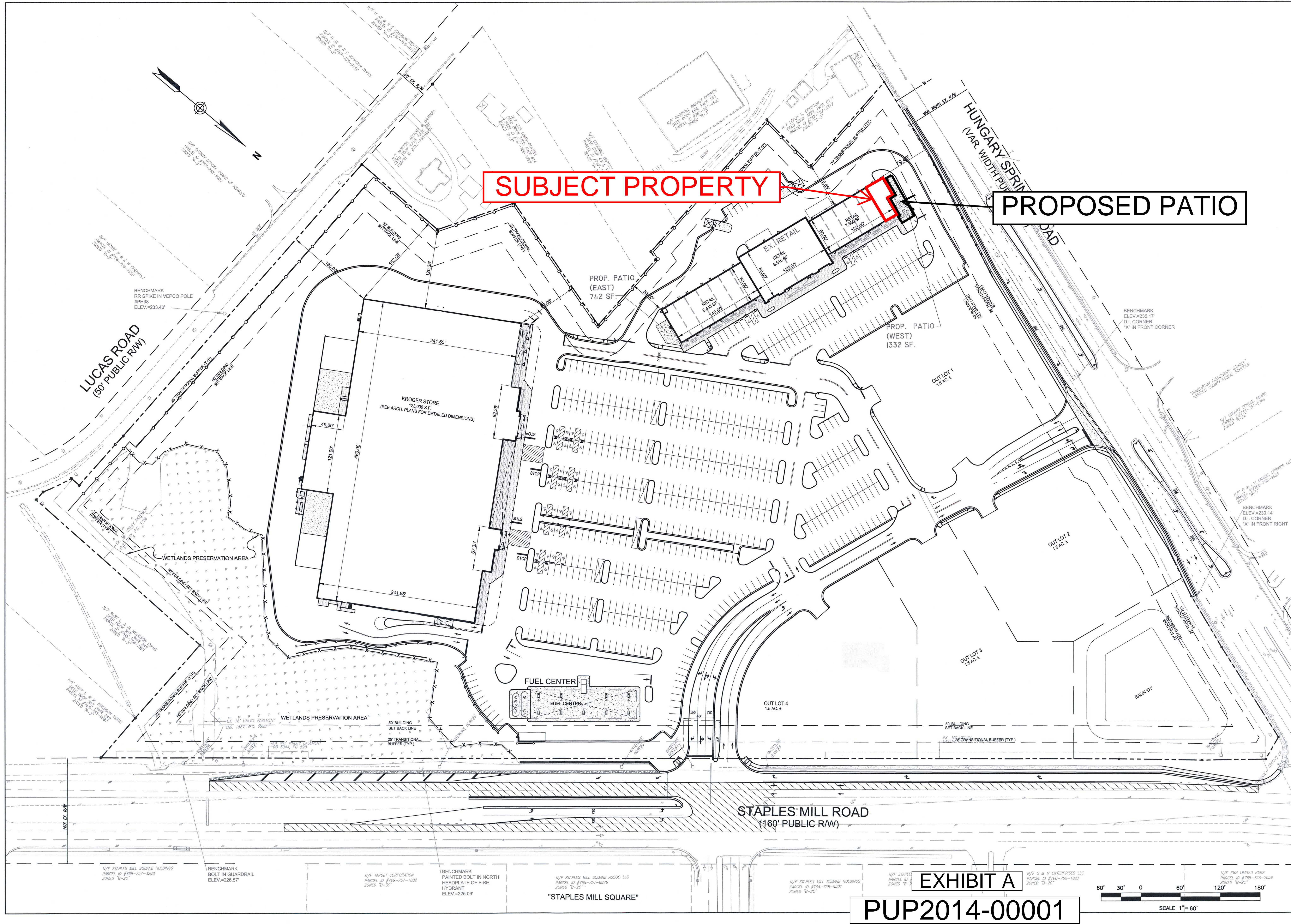
8. The outdoor dining area shall comply with proffered conditions of rezoning case C-3C-09.
9. Trash receptacles shall be provided and properly serviced to control litter generated by this use.
10. Outdoor dining furniture, fencing, and canopies shall be of durable material and complementary to exterior features of the building.
11. The outdoor dining areas shall be constructed in general conformance with Exhibits A and B (see case file).
12. Televisions and other video display devices shall not be allowed in the outdoor dining areas.
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 resulting from this review.
14. If a fire pit or other outdoor heating element is installed at a future time, details of its design and use shall be submitted to the Director of Planning and approved by the Fire Marshal and Planning Director to ensure safety features are in place.

The Planning Department has been advised of the action of the Board of Supervisors and requested to revise its records.

Sincerely,


John A. Vithoukakis
County Manager

pc: Staples Mill Marketplace, LLC
Maiachi M. Mills, P.E.
Director, Real Estate Assessment
Police, Special Services

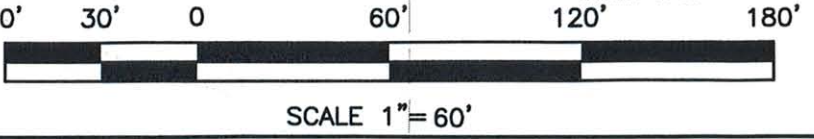


SUBJECT PROPERTY

PROPOSED PATIO

EXHIBIT A

PUP2014-00001



RK&K Engineers Construction Managers Planners Scientists	2100 EAST CARY STREET, SUITE 309 RICHMOND, VIRGINIA 23223 (P) 804 782-1903 (F) 804 782-2142		DATE: 12/16/13 ENGINEER: MMM CHECKED: SSR CAD: TJR JOB#: 06-025-07		STAPLES MILL MARKETPLACE HENRICO COUNTY, VIRGINIA PROVISIONAL USE PERMIT OVERALL LAYOUT PLAN		SHEET 1 OF 2 SCALE 1"=60'		PLAN REVISIONS -	

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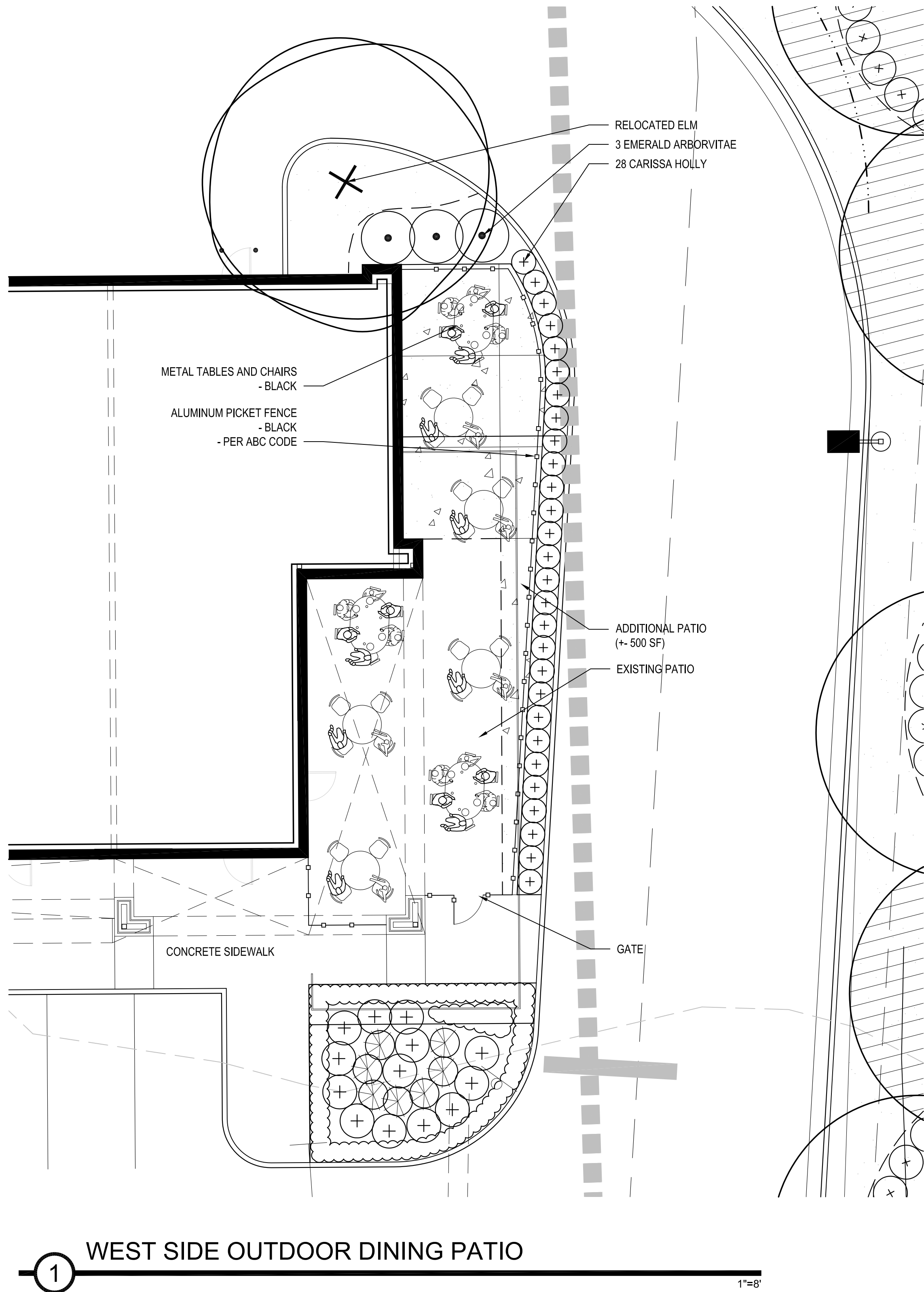
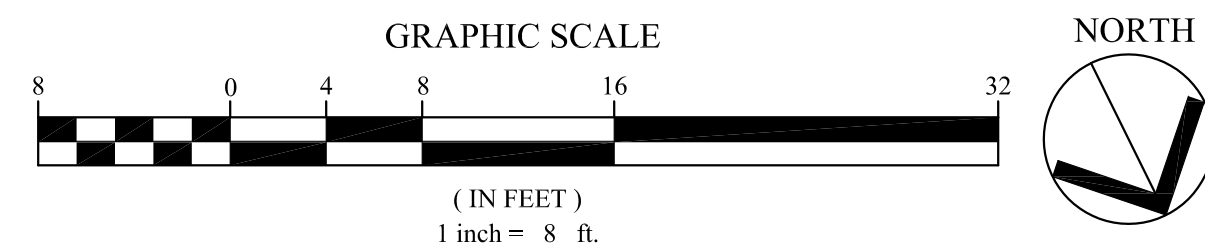


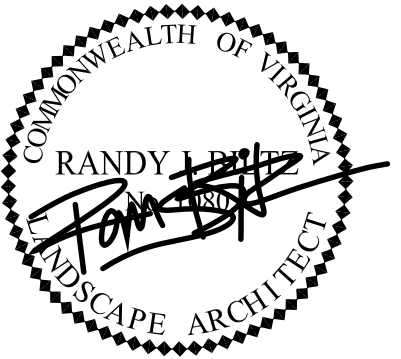
EXHIBIT B

PUP2014-00001



higgins & gerstenmaier
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a division of Gerstenmaier Design Studio, P.C.
8501 patterson avenue richmond va 23229
804.740.7500 www.lhg.net

landscape architecture
land planning
construction management



STAPLES MILL MARKETPLACE

Staple Mill Road
Brookland Magesterial District
Henrico County, Virginia

REVISIONS:		

No.	Description	Date
1	OUTDOOR DINING AREA	12/18/2013

OUTDOOR DINING AREA

COUNTY SUBMITTAL

Designed By:	RJB
Drawn By:	RJB
Checked By:	RJB
Date:	June 17, 2013
Project Number:	12023
Sheet Number	

L-101