

SUBJECT PROPERTY

PUP2017-00002

Zoning
Outdoor Dining
Three Chopt District

400 Feet

PS November 2016 Ref: 747-760-6472



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

John A. Vithoulkas
County Manager

February 21, 2017

Noodles & Company
520 Zang Street, Suite D
Broomfield, CO 80021

Re: Provisional Use Permit PUP2017-00002

Dear Sir/Madam:

The Board of Supervisors at its meeting on February 14, 2017, 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 to allow outdoor dining on part of Parcel 747-760-6472 located at the northeast intersection of W. Broad Street (U.S. Route 250) and Dominion Boulevard, subject to the following conditions:

1. This permit shall apply to the tenant located at 4101 Dominion Boulevard. Transfer of an outdoor dining area to another ownership/restaurant space must be requested in writing and approved by the Director of Planning.
2. The outdoor dining area shall not be in operation between 10:00 p.m. and 6:00 a.m.
3. 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 the property lines of the development.
 - c. Sound systems may be used only when outside dining is permitted.
4. Operators shall not permit food preparation outside the enclosed building.
5. Fencing enclosures of the outdoor dining areas shall be limited in height to 36 inches.
6. 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.
7. Access to the outdoor dining areas shall be accessed through the interior of the adjacent restaurant, except during an emergency when the patio fence exit gate may be utilized.

Noodles & Company

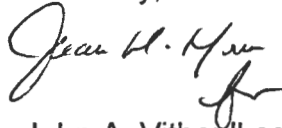
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8. A clear, continuous and unobstructed pedestrian path not less than five feet (5') in width shall be required for pedestrian circulation outside of each outdoor dining area.
9. Trash receptacles shall be provided and properly serviced to control litter generated by this use.
10. The outdoor dining areas shall be located in general conformance with the layout depicted in the case file.
11. The outdoor dining furniture and fencing shall be complementary to exterior features of the building as shown in the case file.
12. Televisions and other video display devices shall not be visible from adjacent drive aisles and parking areas.
13. 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. Vithoulkas
County Manager

pc: Dominion Properties, Inc.
Ms. Brittany Catania
Director, Real Estate Assessment
Police, Special Services