

COMMONWEALTH OF VIRGINIA



COUNTY OF HENRICO

December 17, 2019

Mr. B. Hunt Gunter 4901 Dickens Road, Suite 100 Richmond, VA 23230

Re: Provisional Use Permit PUP2019-00014

Dear Mr. Gunter:

The Board of Supervisors at its meeting on December 10, 2019, approved your request for a Provisional Use Permit under Sections 24-58.2(a), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow an extended hour of operation of a fitness facility on part of Parcel 762-753-9614 located on the southwest line of W. Broad Street (U.S. Route 250) approximately 540' east of its intersection with Old Parham Road, subject to the following conditions:

- 1. All proffered conditions accepted with case C-38C-92 shall be made a part of this Provisional Use Permit.
- 2. This permit shall apply only to the Victory Lady tenant space as shown on Exhibit A (see case file), located at 8099-A W. Broad Street.
- 3. The daily hours of operation shall be limited to 5:00 a.m. to midnight.
- 4. The owner and/or operator of the establishment shall allow the crime Prevention Unit of the Division of Police to conduct a security survey of the location to identify potential security risks and to recommend additional prevention measures, if any, to be implemented by the business.
- 5. The owner and/or operator shall be responsible for the installation, operation, and maintenance of exterior security camera(s) and video system of professional grade and quality and rated for the exterior surveillance of retail operations. This security system shall at a minimum include:
 - a. Exterior surveillance cameras monitoring the entrance(s), parking area(s), and any other areas deemed necessary by the Division of Police. Such security cameras shall provide clear imagery of the establishment's patrons and their vehicles.
 - b. Recordings of all activities under surveillance shall be preserved for a period of one (1) month by the applicant or owner/operator. Authorized representatives of the Henrico County Division of Police shall have full and complete access to all recordings upon request.

- 6. The owner and/or operator of the establishment shall provide adequate lighting or the entrances, exits, and parking areas serving the business. Adequate lighting shall be defined as lighting sufficient for clear visual and security camera surveillance.
- 7. Windows shall not be tinted or obscured by advertisements, posters, blinds, and/or visual obstructions that inhibit or hinder exterior surveillance. The installation and use of light blocking devices during daylight hours shall be permissible if approved by the Crime Prevention Unit of the Police Division.
- 8. Extended hours of operation shall not result in loitering, criminal activity, traffic or public nuisance in the area surrounding the business. In the event that evidence (i.e. police calls to the premises or complaints) indicates the extended hours of operation are having an adverse effect (i.e. increased public nuisance, loitering, excessive noise outside the building, criminal assault, traffic, etc.) on the surrounding area, the Board of Supervisors may hold a public hearing to consider revoking the provisional use permit.

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: Wilton Commercial II, LLC
Director, Real Estate Assessment
Police, Special Services

