

Parcels or Portions thereof identified on this sheet are within the Airport Safety Overlay District and are subject to Special Regulation

**PUP2022-00005**  
**Zoning**  
Marina With Accessory Resaurant  
Varina District  
400  
PS January 2022 Ref: 807-671-2121



COMMONWEALTH OF VIRGINIA  
COUNTY OF HENRICO

John A. Vithoukas  
County Manager

June 21, 2022

Foster's Reach, LLC  
Max/Karen Walraven, Managers  
9950 Hoke Brady Road  
Richmond, VA 23231

RE: Provisional Use Permit PUP2022-00005

Dear Mr. and Mrs. Walraven:

The Board of Supervisors, at its meeting on June 14, 2022, approved your request for a Provisional Use Permit under Sections 24-4205 and 24-2306 of Chapter 24 of the County Code to allow a marina and accessory uses, including a restaurant with outdoor seating, on Parcel 807-671-2121 located on the west line of Osborne Turnpike approximately 350' north of its intersection with Kingsland Road subject to the following conditions:

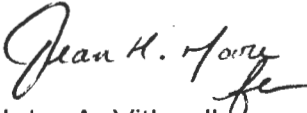
1. **Concept Plan.** The services and structures of the marina shall adhere to the plan prepared by RH Designs LLC, dated 4/28/2022, and titled "Kingsland Marina Concept Plan" (see case file) and shall be considered the marina's master plan. Other than normal maintenance, cosmetic enhancements, and internal configurations, there shall be no expansion of the gross square footage of the restaurant and no expansion of the existing outdoor dining area, waiting area, and stage area, collectively referred to as the "Outdoor Seating Area" as depicted on the master plan (see case file). This shall not prohibit additional tents within the outdoor seating area, other improvements to the exterior walls of the restaurant or within the restaurant, or the "Outdoor Seating Area". Any physical expansion of the marina and/or restaurant use, including the use of watercraft as dining or entertainment areas, shall require modification of this provisional use permit.
2. **Permitted Uses.** Uses shall be limited to those permitted by the zoning ordinance for a marina and include a restaurant with outdoor dining area/patio and accessory music.
3. **Plan and Permit Approvals.** The applicant shall obtain any outstanding permits with local, state, and federal agencies. Applications for such permits shall be made

within 60 days of the Board of Supervisors approval of the PUP request, unless an extension is requested in writing and approved by the Director of Planning.

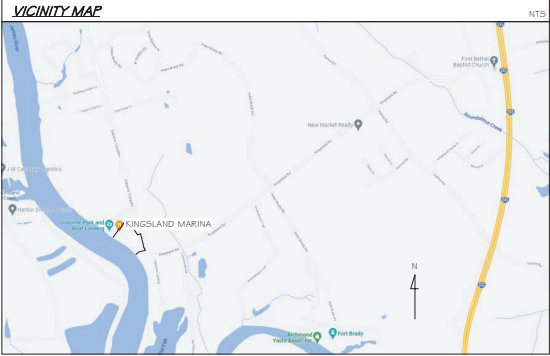
4. **Site Plan.** The applicant shall submit a site plan per Section 24-2315 that delineates, at a minimum, existing and proposed buildings, parking spaces, travel lanes, boat storage areas, and parking lot lighting. Such plan shall be in general conformance with the concept plan titled "Kingsland Reach Marina Concept Plan" (see case file) and shall be submitted within 60 days of the Board of Supervisors' approval of the PUP request unless an extension is requested in writing and approved by the Director of Planning.
5. **Special Events.** Any special events that would allow for dancing shall be limited to 250 square feet in floor area. If a larger floor area is required, the property owner shall obtain any necessary permits.
6. **Hours of Operation.** The restaurant and outdoor dining area shall not be in operation between 11:00 p.m. and 7:00 a.m. Any outdoor entertainment activity involving amplification, live or recorded, shall be limited to the following:
  - Wednesdays 5:00 p.m. to 9:00 p.m.
  - Thursdays through Saturdays 5:00 p.m. to 11:00 p.m.
  - Sundays 1:00 p.m. to 6:00 p.m.
7. **Location of Outdoor Music.** The location of any outdoor music (band or DJ) associated with the restaurant use shall be limited to the stage located in the outdoor dining area as shown on the Concept Plan (see case file).
8. **Sound Level Limiter.** Sound levels generated by equipment used for live music shall be controlled by a sound level limiter. The limiter shall set the maximum sound (decibel) level at the source of the amplified sound equipment to no more than 98 decibels. The enhanced sound of live entertainment shall not exceed 60 decibels at the perimeters of the property lines adjacent to residential property uses.
9. **Outside Speakers for Outside Dining.** Any outside speakers or sound system used for recorded, background music for outdoor dining and not associated with an event shall comply with the following standards:
  - a. Sound systems shall be equipped with controls permitting full volume adjustment.
  - b. Sound systems shall be used only when outdoor dining is permitted.
  - c. Sound systems shall not be audible at the perimeter of the property adjacent to residential property uses.

10. **Parking Conditions.** Parking on the property shall be located in the gravel parking areas designated for such on the concept plan (see case file). There shall be no parking on Osborne Turnpike. The property owners will take appropriate action to ensure the appropriate care and maintenance of the parking area and corrective action will be taken if dirt or mud are tracked onto public roads. The parking area and entrance drive must be maintained in an all-weather condition. The entrance shall be paved for a distance of 100 feet off Osborne Turnpike.
11. **Landscape Preservation.** A one hundred (100) foot tree buffer located along the southeastern boundary of the property adjacent to the parcel identified as GPIN 807-670-5469 shall be maintained and preserved. Access and utility easements (including drainage easements) and fencing adjacent to any drives shall be permitted within the buffer; provided any such easements shall be extended generally perpendicular through such buffer.
12. **Signage.** There shall be no more than one detached sign installed at the entrance of the property. The sign shall be a monument style and must not exceed 20 square feet in area or 5 feet in height. The sign shall only be externally lit by mounted floodlights aimed and controlled so that the light is substantially confined to the sign. In addition to the above, directional, and building identification signs may be permitted as regulated in Section 24- 5707 of the Code. Internally lit signs, changeable message signs, banners, or attention- getting devices shall be prohibited.
13. **Sanitary Facilities.** Sanitary facilities shall be maintained to the satisfaction of the Health Department.
14. **Crime Prevention.** The applicant and the Crime Prevention Unit of the Division of Police shall conduct a security survey of the property within 60 days of the Board of Supervisors' approval of the PUP request unless an extension is requested in writing and approved by the Director of Planning. The applicant shall implement mutually agreed upon security recommendations.

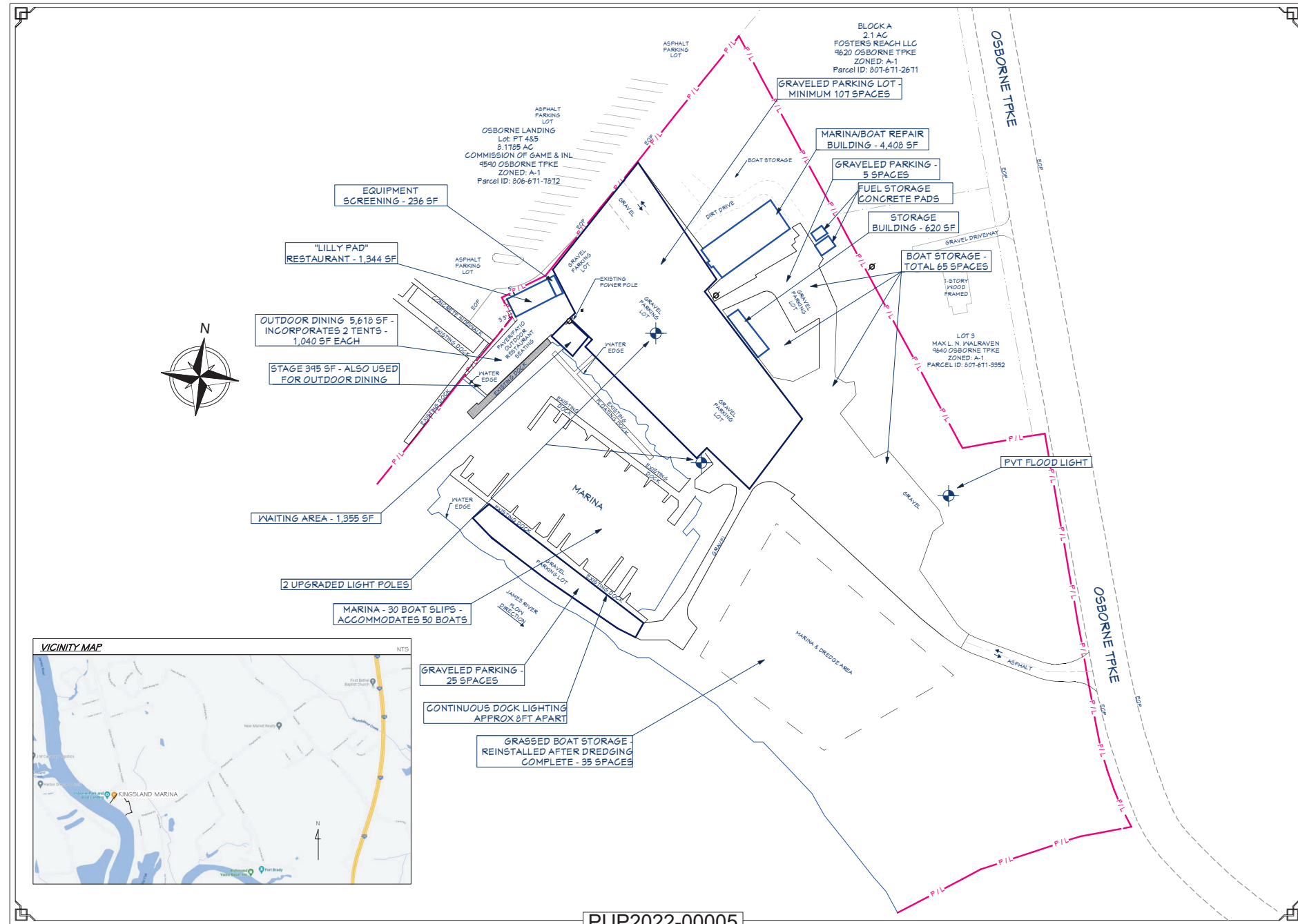
Sincerely,

  
John A. Vithoukas  
County Manager

pc: William Shewmake, Woods Rogers PLC  
Director, Real Estate Assessment



PUP2022-00005



THESE DRAWINGS ARE THE PROPRIETARY WORK, PRODUCT AND PROPERTY OF FRH DESIGNS. DEVELOPED FOR THE EXCLUSIVE USE OF SII DESIGNS. USE OF THESE DRAWINGS AND CONCEPTS CONTAINED THEREIN WITHOUT WRITTEN PERMISSION IS PROHIBITED. © SII DESIGNS, LLC. ALL RIGHTS RESERVED

KINGSLAND MARINA  
 CONCEPT PLAN  
 LOT: PT 5  
 10.7 AC  
 FOSTERS REACH, LLC  
 9680 OSBORNE TRKPE

DATE: 4/26/2022  
 DRAWN BY: FNR

SCALE: 1:50

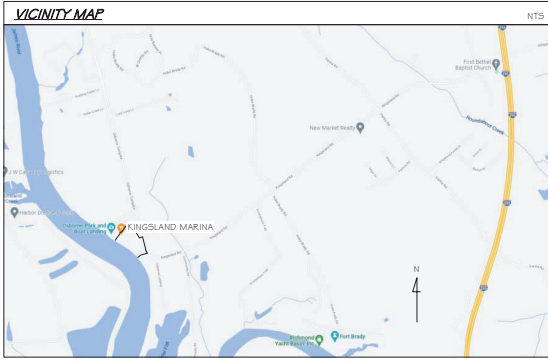
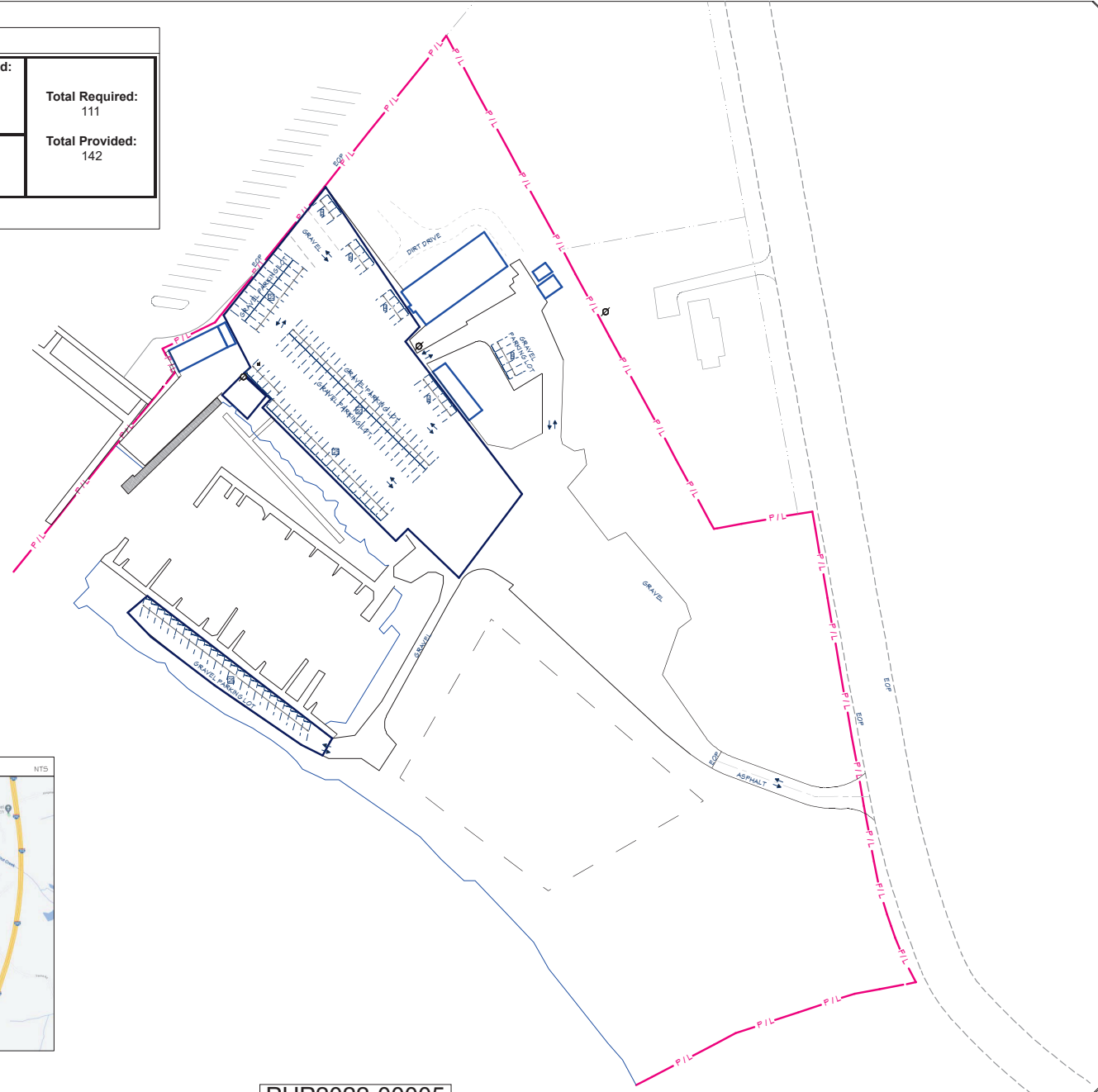
SITE PLAN

C-1

**PARKING TABULATION**

Uses	Minimum Parking:	Required:	Total Required: 111
Marina (as defined by Zoning Ordinance)	0.75 per boat slip (30 Slips)	23	
Accessory Restaurant (Including Outdoor Seating Area)	10 per 1,000 GFA (8,712 SF)	88	Total Provided: 142

DRIVE AISLE = 22'-0" MIN.



PUP2022-00005



THESE DRAWINGS ARE THE PROPRIETARY WORK, PRODUCT AND PROPERTY OF FRH DESIGNS. DEVELOPED FOR THE EXCLUSIVE USE OF FRH DESIGNS. USE OF THESE DRAWINGS AND CONCEPTS CONTAINED THEREIN WITHOUT WRITTEN PERMISSION IS PROHIBITED. © FRH DESIGNS, LLC. ALL RIGHTS RESERVED.

KINGSLAND MARINA  
CONCEPT PLAN  
LOT: PT 5  
10.7 AC  
FOSTERS REACH, LLC  
9680 OSBORNE TRKE

DATE: 4/26/2022  
DRAWN BY: FHR

SCALE: 1:50

**SITE PLAN**

C-2