



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

P-5-10
Zoning
 Outdoor Dining & Extend Hours
 Three Chopt District

400 Feet

PS May 2010 Ref: 738-760-8449

COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO



Virgil R. Hazelett, P.E.
County Manager

August 17, 2010

RTF Sports and Entertainment, Inc.
Attn.: Bobby Walsh, President
3438 Pump Road
Henrico, VA 23233

Re: Provisional Use Permit P-5-10

Dear Mr. Walsh:

The Board of Supervisors at its meeting on August 10, 2010, granted your request for a Provisional Use Permit in order to allow outside dining for an existing restaurant (Short Pump Pour House) in Short Pump Crossing Shopping Center, and denied your request for extended hours of operation, on part of Parcel 738-760-8449, subject to the following conditions:

1. No outdoor live music performances shall be permitted.
2. The operator shall not permit food preparation outside the enclosed building.
3. The outside dining area shall not be in operation between 10:00 p.m. and 7:00 a.m.
4. Prior to operation of the outdoor dining area, the applicant shall submit a site plan of the restaurant and outdoor dining area and obtain administrative approval from the Planning Department. The site plan shall show the location of any relocated street furniture, trees/landscaping, lighting and utility lines.
5. A clear, continuous, and unobstructed pedestrian path not less than 5' in width shall be required for pedestrian circulation between the outdoor dining area and the sidewalk curb.
6. A method of enclosure to provide separation of the dining area from the parking area shall be installed and shall complement the building façade as well as any street furniture. The railings shall not exceed 42" in height and shall consist of commercial grade material for durability. Unless otherwise approved by the Director of Planning, the outdoor railing enclosure shall conform to Exhibit B (see case file), entitled "Proposed Railing."

7. Outdoor lighting fixtures shall complement the style of building. Lighting fixtures shall be from a concealed source and shall not produce glare for motorists or pedestrians on the adjacent rights-of-way and parking areas and shall illuminate only the outdoor dining area.
8. Trash receptacles shall be provided and properly serviced to control litter generated by this use.
9. This permit shall apply only to the tenant space to be occupied by Short Pump Pour House restaurant and shall not apply to any other business in the overall shopping center.
10. Access to the outdoor dining area shall be available only through the interior of the restaurant, except during an emergency when a patio fence exit gate may be utilized.
11. 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.
12. Any outside speakers and/or sound system shall comply with the following standards:
 - a) Sound systems shall be equipped with controls that permit full and complete volume control; and
 - b) Sound(s) emitted from the system shall not be audible beyond a distance of one hundred (100) feet measured from the source.
13. Televisions and other video display devices shall be prohibited in the outdoor dining area.

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,



Virgil R. Hazelett, P.E.
County Manager

pc: Pump Road Shopping Ctr. Associates, L.C.
Director, Real Estate Assessment
Provisional Use Permit Index

Example B

Equal or better grade railing to be used. Same as railing at Café Caturra which is also located in Short Pump Crossing Shopping Center. Railing is 38" high, post are 2" x 2", pickets are 1/2" and railings are 1 and 1/2".



PROPOSED RAILING

EXHIBIT B

P-5-10