

**PUP2019-00006**

**Zoning**  
 Outdoor Dining  
 Brookland District

400 Feet

PS February 2019 Ref: 773-747-8814



COMMONWEALTH OF VIRGINIA  
**COUNTY OF HENRICO**

John A. Vithoulikas  
County Manager

May 21, 2019

Mr. Daniel Winfree  
31 Oak Glen Street  
Richmond, VA 23225

Re: Provisional Use Permit PUP2019-00006

Dear Mr. Winfree:

The Board of Supervisors at its meeting on May 14, 2019, 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 for an existing restaurant on part of Parcel 773-747-8814 located on the east line of Staples Mill Road (U.S. Route 33) approximately 100' south of its intersection with Penick Road, subject to the following conditions:

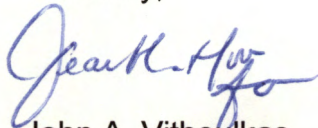
1. The outdoor dining area shall not be in operation between the hours of 10:00 p.m. and 7:00 a.m.
2. Any outside speakers or sound system shall comply with the following standards:
  - Sound systems shall be equipped with controls permitting full volume adjustment.
  - Sound from the system shall not be audible beyond the property lines of the development.
  - Sound systems may be used only when outside dining is permitted.
3. The operator shall not permit food preparation in the outdoor dining area.
4. The outdoor dining enclosure shall be limited in height to 48".
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 area.
6. 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.
7. This permit shall apply only to Terraza Restaurant and shall not apply to any other business.

Mr. Daniel Winfree  
May 21, 2019  
Page 2

8. Trash receptacles shall be provided and properly serviced to control litter generated by this use.
9. Outdoor dining furniture, fencing, and/or canopies shall be of durable material and complementary to exterior features of the building.
10. The outdoor dining area shall be located in the area depicted in the concept plan.
11. Televisions and other video display devices shall not be allowed in the outdoor dining area.
12. 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.
13. Prior to the construction of the outdoor dining area, the applicant shall submit an administrative site plan of the outdoor dining area and obtain approval from the Planning Department. The site plan shall show the design and layout of the outdoor dining area. Proffered conditions of rezoning case REZ2019-00010 shall apply. Such site plan shall show required and provided parking on the property.
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. Vithoukas  
County Manager

pc: Mr. Jose A. Benitez  
Director, Real Estate Assessment  
Police, Special Services