

Proposed PUP Conditions – Pouncey Place

1. The outdoor, dining area(s) shall not be in operation between the hours of 11:00 p.m. and 7:00 a.m.
2. Prior to the construction of the outdoor dining area(s), the applicant shall submit an administrative site plan of the outdoor dining area(s) and obtain approval from the Planning Department or Plan of Development approval from the Planning Commission. The site plan shall show the design and layout of the outdoor dining area(s). Proffered conditions of rezoning case _____ shall apply. Such site plan shall show required and provided parking on the property.
3. The operator shall not permit food preparation outside the enclosed building(s).
4. The outdoor dining enclosure(s) shall be limited in height to 48".
5. Access to the outdoor dining area(s) shall be available only through the interior of the restaurant(s), except during an emergency when a patio fence exit gate may be utilized.
6. Unless otherwise approved by the Planning Commission at the time of Plan of Development approval, a clear, continuous and unobstructed pedestrian path not less than five feet (5') in width shall be required for pedestrian circulation outside any outdoor dining area.
7. Trash receptacles shall be provided and properly serviced to control litter generated by this use.
8. Outdoor dining furniture, fencing, and/or canopies shall be of durable material and complementary to exterior features of the building(s).
9. 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.
10. Unless otherwise approved by the Planning Commission at the time of Plan of Development approval, televisions and other video display devices shall not be visible from adjacent drive aisles and parking areas.
11. 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.

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. No 3 bedroom units shall be permitted.
14. The following commercial uses shall not be permitted:
 - a. automatic filling and service stations including towing service;
 - b. billiard, bagatelle, video game or a bingo parlor, unless accessory to a permitted use;
 - c. flea markets or antique auctions;
 - d. billboards;
 - e. recycling facilities;
 - f. funeral homes, mortuaries, crematories and/or undertaking establishments;
 - g. dance halls;
 - h. truck stops;
 - i. gun shop, sales and repair;
 - j. sign painting shops;
 - k. communication towers, not to include small cells;
 - l. general hospitals, sanatoriums and charitable institutions for human care;
 - m. adult businesses as defined by Section 24-3 of the Henrico County Code;
 - n. establishments whose primary business is check cashing and/or the making of payday loans as defined and regulated by Sections 6.1-432 et seq. and 6.1-444 et. Seq. of the Code of Virginia (the foregoing shall not preclude banks, savings and loans or similar financial institutions that are not regulated by the foregoing Virginia Code sections);
 - o. car title loan operations;
 - p. fuel pumps associated with permitted uses; and
 - q. motels or motor lodges.
15. Parking may be reduced in accordance with the letter from Bohler. Any plan of development submitted for the property shall include a tabulation of all parking required per a licensed engineer's determination. Shared parking information, including updates to the parking calculations demonstrating the parking rate is meeting the needs of approved development on the property, shall be provided with each plan of development or as requested by the Director of Planning.
16. The existing uses on Phase II of Property shown on the Concept Plan shall be grandfathered until such time as the proposed building is constructed on Phase II.