



P-7-09

CC Short Pump Crossing, LLC

Staff Report for Board of Supervisors Public Hearing
Prepared June 23, 2009

This report is prepared by the Henrico County Planning Staff to provide information to the Planning Commission and the Board of Supervisors to assist them in making a decision on this application. It may also be useful to others interested in this zoning matter.

I. PUBLIC HEARINGS:

Planning Commission:	June 11, 2009	Recommended for Approval
Board of Supervisors	July 14, 2009	Pending

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Request:	Outdoor dining for Café Caturra at Short Pump Crossing Shopping Center
Existing Zoning:	B-2C, Business District (Conditional) West Broad Street Overlay District
Acreage:	9.81 acre parcel - part of shopping center 1,254 square feet – outdoor dining area
Proposed Use:	Restaurant with outdoor dining
Location:	On the west line of Pump Road approximately 500 feet north of its intersection with Three Chopt Road
Magisterial District:	Three Chopt
Land Use Plan Recommendation:	Commercial Concentration
Land Development Guide Recommendation:	Existing Area Far West Broad Street Corridor (FWB) Special Strategy Area
Parcel No:	Part of Parcel 738-760-8449
Zoning of Surrounding Property:	North: B-2C* Business District (Conditional) South: B-2C* Business District (Conditional) East: A-1* Agricultural District (Conditional) West: B-2C* Business District (Conditional)

III. SUMMARY OF STAFF REPORT COMMENTS:

The applicant is requesting approval of a provisional use permit to allow Café Caturra, a proposed restaurant at Short Pump Crossing Shopping Center, to operate an outdoor dining area. The outdoor dining area would be located along the northern and eastern exterior walls of the proposed restaurant.

The 2010 Land Use Plan recommends Commercial Concentration for the property which is also located in the West Broad Street Overlay District. Properly regulated this request would be compatible with the surrounding existing commercial uses of the shopping center and would provide a reasonable extension of Café Caturra's operation. Staff believes outdoor dining would be an appropriate use at this location and supports this request subject to the conditions outlined in Section IV of this staff report.

At their June 11, 2009 meeting, the Planning Commission recommended approval of this request with the thirteen conditions recommended in this report.

IV. LAND USE ANALYSIS AND IMPLICATIONS:

Café Caturra is a proposed restaurant at Short Pump Crossing, an established shopping center approved by the Planning Commission (POD-069-95) in 1995. The restaurant will be located in an 8,900 square foot multi-tenant building located on an outparcel in the lower southeast corner of the shopping center. The building is currently occupied by Einstein Bros. Bagels, Cozzoli's Pizza, Subway, and Natale's Alteration Express. Café Caturra will occupy the northern most tenant space occupying 3,214 square feet of interior space.

Surrounding uses to the north, south, and west are zoned B-2C Business District (Conditional) and contain retail, restaurant, and office uses. Parcels to the east across Pump Road are zoned A-1 Agricultural District. They are owned by the County of Henrico and have been partly developed as Short Pump Park. The subject site also lies within the County's West Broad Street Overlay District.

The applicant proposes to locate an outdoor dining area in two sections totaling 1,254 square feet; one along the eastern exterior wall facing Pump Road and the other extending along the northern exterior wall. The eastern section would be 370 square feet and the northern section would be 884 square feet. The applicant indicates there would be no outside table service or speakers; however, Café Caturra would allow the consumption of alcoholic beverages within the outdoor dining area.

The subject property is zoned B-2C, Business District (Conditional) and is governed by the proffers accepted with rezoning case C-21C-88. Proffer #1 of this case states that all exposed exterior walls on the Property be reddish brick. The applicant is aware of this proffer and is currently working with the Planning Department's Development Review and Design Division to submit an Administrative Plan of Development (POD). Any architectural changes to the elevation will need to be reviewed at time of POD submission. The proposed outdoor dining is not prohibited by any of the proffers.

The applicant has submitted "Exhibit A" which is a floor plan of the outdoor dining area. The exhibit illustrates that access to the outdoor dining area shall only be available through the interior of the restaurant, except during emergencies when the patio exit gates may be utilized. Condition #12 recommended in this staff report would also address this issue.

In addition to "Exhibit A", the applicant has submitted the following:

- "Exhibit B" indicates the 5' pedestrian path around the outdoor dining area as recommended by Condition #7 from this staff report;
- "Exhibit C" shows outdoor tables, chairs, railings, and umbrellas that are proposed;

- "Exhibit D" provides examples of the varied architectural elements proposed including outdoor lighting fixtures, an outdoor stone fireplace, and pergola covering.

The 2010 Land Use Plan designates this area as Commercial Concentration. The proposed outdoor dining area is consistent with this designation and the site's B-2C Business District (Conditional) zoning. Properly regulated the outdoor dining use would be compatible with surrounding uses. Staff recommends approval of this request subject to the following conditions:

1. No outdoor live music performances shall be permitted.
2. 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 100 feet from the source.
 - c. Sound systems may be used only when outside dining is permitted.
3. The operator shall not permit food preparation outside the enclosed building.
4. The outdoor dining area shall not be in operation between 10:00 p.m. and 7:00 a.m.
5. The outdoor dining area shall be constructed in general conformance with the floor plan attached as "Exhibit A".
6. The applicant shall obtain administrative approval from the Planning Department for the design and layout of the outdoor dining area. Any exterior alterations shall meet the proffered conditions of rezoning case C-21C-88.
7. 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 as shown in "Exhibits A and B".
8. Barriers to the sidewalk and parking area shall be installed and shall complement the building façade. The railing surrounding the outdoor dining area shall be limited to 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 be substantially similar to those illustrated in "Exhibits C and D".
9. 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.
10. Trash receptacles shall be provided and properly serviced to control litter generated by this use.
11. This permit shall apply only to the tenant space to be occupied by Café Caturra and shall not apply to any other business in the overall shopping center.
12. 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.
13. 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.

At their June 11, 2009 meeting, the Planning Commission recommended approval of this request with the thirteen conditions recommended in this report.

V. COMPREHENSIVE PLAN ANALYSIS:

Land Use Plan Recommendation:

The 2010 Land Use Plan recommends Commercial Concentration for this site. The proposed outdoor dining area would be consistent with this designation.

Land Development Guide:

This site lies within the Far West Broad Street Special Strategy Area and the West Broad Street Overlay District. The proposed use is consistent with these designations.

Goals, Objectives and Policies:

With adherence to the conditions recommended in Section IV of this report, this request is most consistent with the following Goals, Objectives, and Policies of the 2010 Land Use Plan:

- General Goal "III": To encourage land uses throughout the County which provide for the most efficient and desirable arrangement based on land use trends and area needs.
- Economic Development Policy "g": Encourage good site design which maximizes safe pedestrian movement to the site and within the site.
- Economic Development Policy "h": Promote site features which enhance the overall appearance of a development such as uniform architecture, sign and lighting restrictions, street trees and open space.

VI. PUBLIC SERVICE AND SITE CONSIDERATIONS:

Major Thoroughfare and Transportation:

The Department of Public Works has no objections to this request for a provisional use permit to allow outside dining for a proposed restaurant on part of parcel 738-760-8449, located on the west line of Pump Road approximately 500 feet north of its intersection with Three Chopt Road. Once a detailed plan is submitted, vehicle protection may be required along the drive aisle for protection for the dining patrons.

Drainage:

If more than 2500 square feet of land disturbance:

- The site must comply with applicable water quality requirements. The site is located in a Watershed Enhancement Area.
- All proposed improvements must comply with all applicable Public Works plan of development requirements.

Public Utilities Services:

There does not appear to be any conflict with utilities at the location of the proposed outdoor dining area.

Schools:

No comments.

Division of Fire:

No comments.

Division of Police:

The applicant is encouraged to contact and work with the Community Policing Unit within the Division of Police for crime prevention techniques and Crime Prevention Through Environmental Design (CPTED) concepts as a plan of development is drafted to be submitted for review.

The following crime prevention measures should be considered:

- The outdoor dining area should have some type of fencing to funnel entry into this space. Access should only be gained to this area from inside the restaurant. A proposed layout was provided, but no information was provided on the fence type.
- Visibility should be provided from the interior of the restaurant to the outdoor dining area. Provide an elevation plan showing the outdoor dining area and tenant space exterior wall details.
- A wide-angle peephole or one-way window should be installed on all exterior service or delivery doors.
- The following measures should also be in place to increase the security of all exterior doors:
 - a) Metal or solid core
 - b) Metal frames
 - c) Deadbolt locks
 - d) Reinforced strike plates
- Provide access control (physical security) on all exterior doors. Equip the exterior delivery or entrance doors with self-locking devices that will engage immediately when the door has been closed.
- A Video Surveillance System (VSS) and an alarm system should be installed in the interior of the tenant space.

Libraries:

No comments.

Recreation and Parks:

No park or recreation facilities, historical, archeological or battlefield impact.

Community Revitalization:

No comments.

Community Development:

No comments.

Topography and Land Characteristics Adaptability:

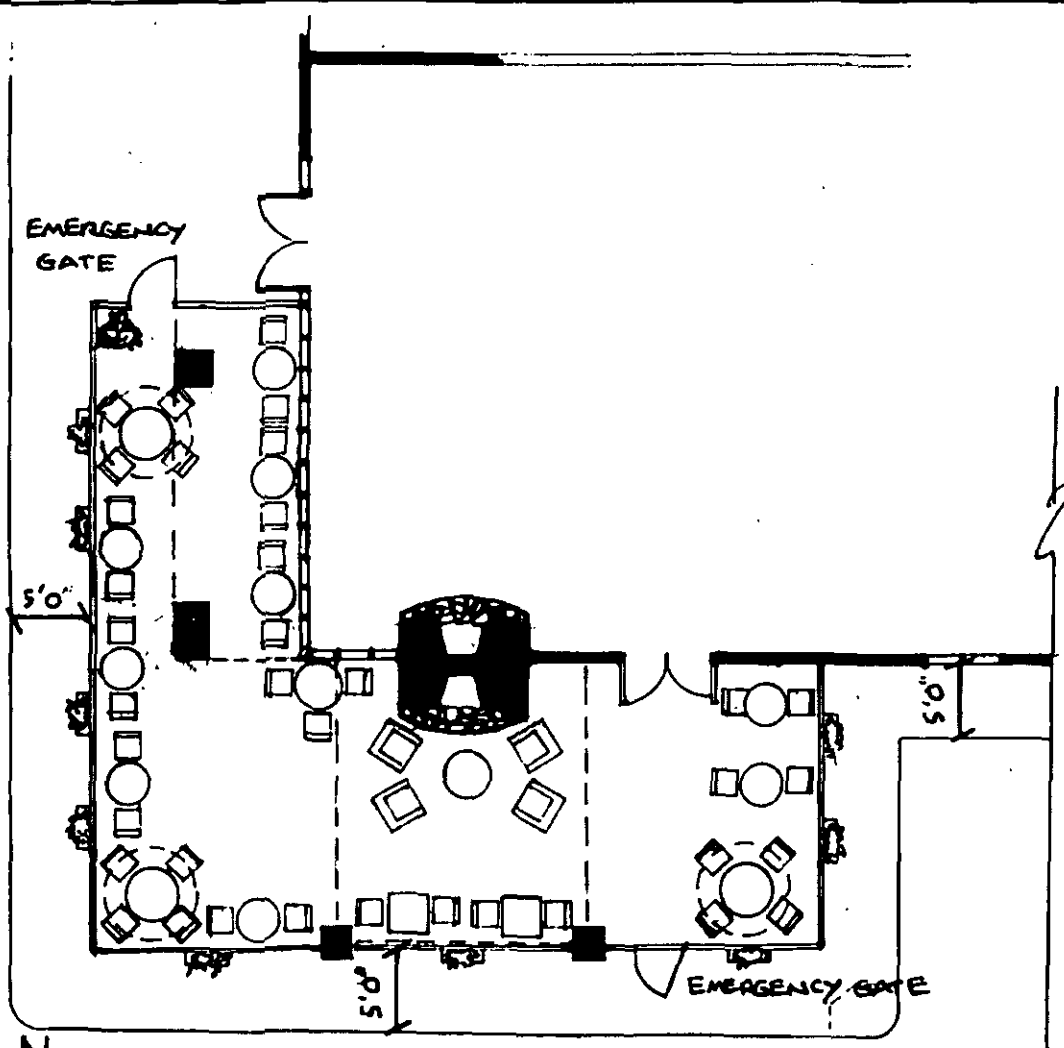
There are no known topographical constraints affecting this request.

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MAY 21 2009

PLANNING DEPARTMENT
COUNTY OF HENRICO

EMERGENCY
GATE



Café Caturra, MVP
Short Pump Crossing Shopping Center

EXHIBIT A
P-7-09

Granville Interiors LLC 2009
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 are the sole property of Granville Interiors LLC.
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 including without limitation the construction of
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 is expressed or implied from the delivery of plans.
 Permission to use these drawings or any interior design
 elements is expressly conditioned for use for
 Café Caturra Short Pump Crossing location only and is further
 conditioned on full and timely payment of all fees.
 Otherwise than Granville Interiors LLC and in the
 absence of any written agreement is limited to a
 one-time use on site indicated on these plans.

All interior design elements of Café Caturra,
 Short Pump Crossing, constitutes the 3-d branding of
 Café Caturra, and are the sole
 property of Granville Interiors LLC and may not be
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 of Granville Interiors LLC. Any attempt to reproduce
 the interior design or any intellectual property of
 Granville Interiors LLC is a violation of US Law.

Granville Interiors LLC.

SCALE 1/8" = 1'-0"	APPROVED BY	DRAWN BY MGP
DATE 5-20-09		REVISED
PATIO FURNITURE PLAN		
Commercial and Residential Interior Design		DRAWING NUMBER

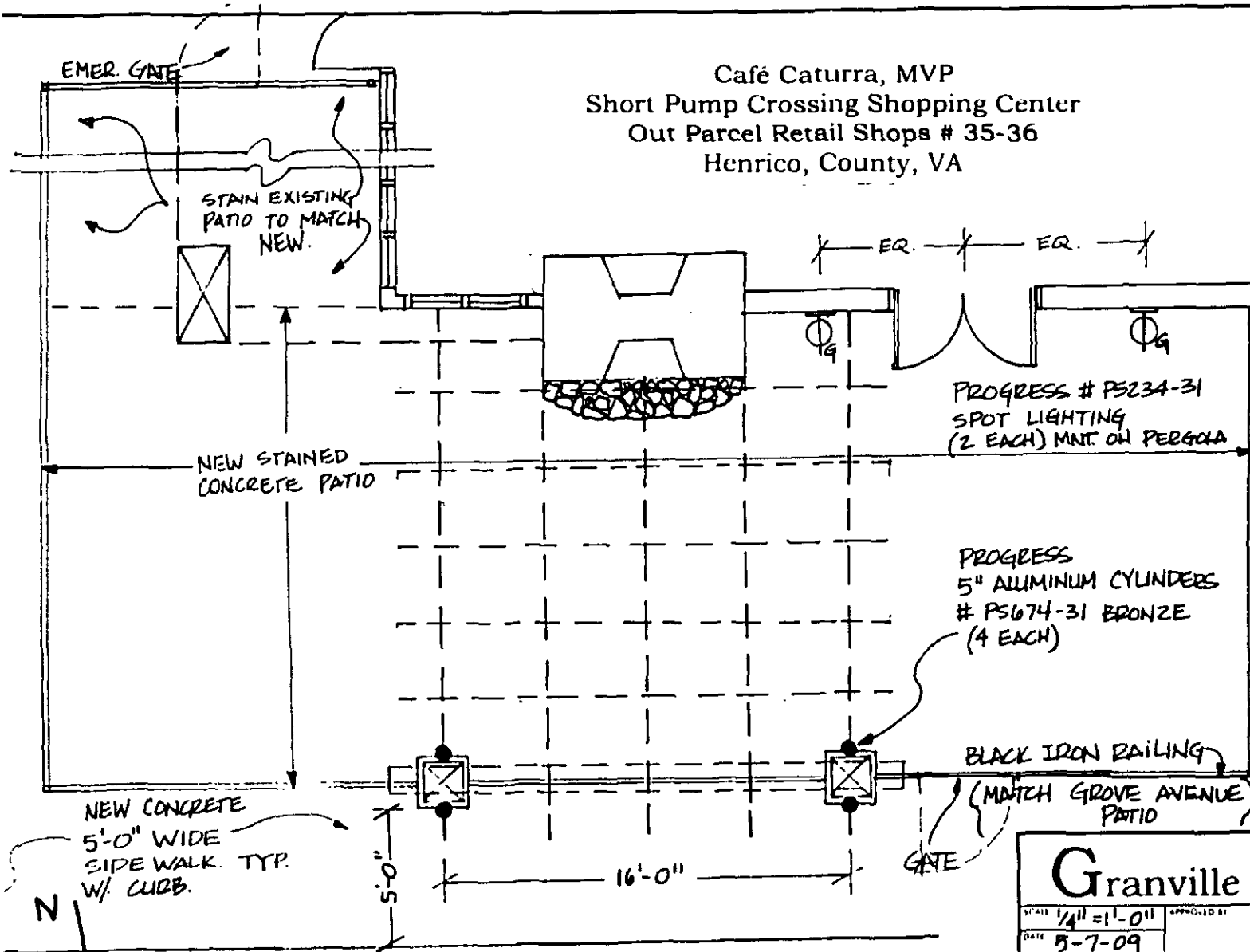
060209

Café Caturra, MVP
 Short Pump Crossing Shopping Center
 Out Parcel Retail Shops # 35-36
 Henrico, County, VA

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PLANNING DEPARTMENT
 COUNTY OF HENRICO



PROGRESS # PS234-31
 SPOT LIGHTING
 (2 EACH) MNT. ON PERGOLA

PROGRESS
 5" ALUMINUM CYLINDERS
 # PS674-31 BRONZE
 (4 EACH)

BLACK IRON RAILING
 (MATCH GROVE AVENUE
 PATIO)

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 expressed written permission. No permission to
 Modify or reproduce the interior design works
 including without limitation the construction of
 any project or use of any interior design elements
 is expressed or implied from the delivery of plans.
 Permission to use these drawings or any interior design
 elements is expressly conditioned for use for
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 (otherwise due Granville Interiors LLC) and in the
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All Structural Design and Fabrication by others.
 Drawing for Pergola and Patio location only.

EXHIBIT B
 P-7-09

Granville Interiors LLC.		
SCALE 1/4" = 1'-0"	APPROVED BY	DRAWN BY MGB
DATE 5-7-09		REVISED # 1
REVISED OUTDOOR PERGOLA & PATIO		
DRAWING NUMBER		

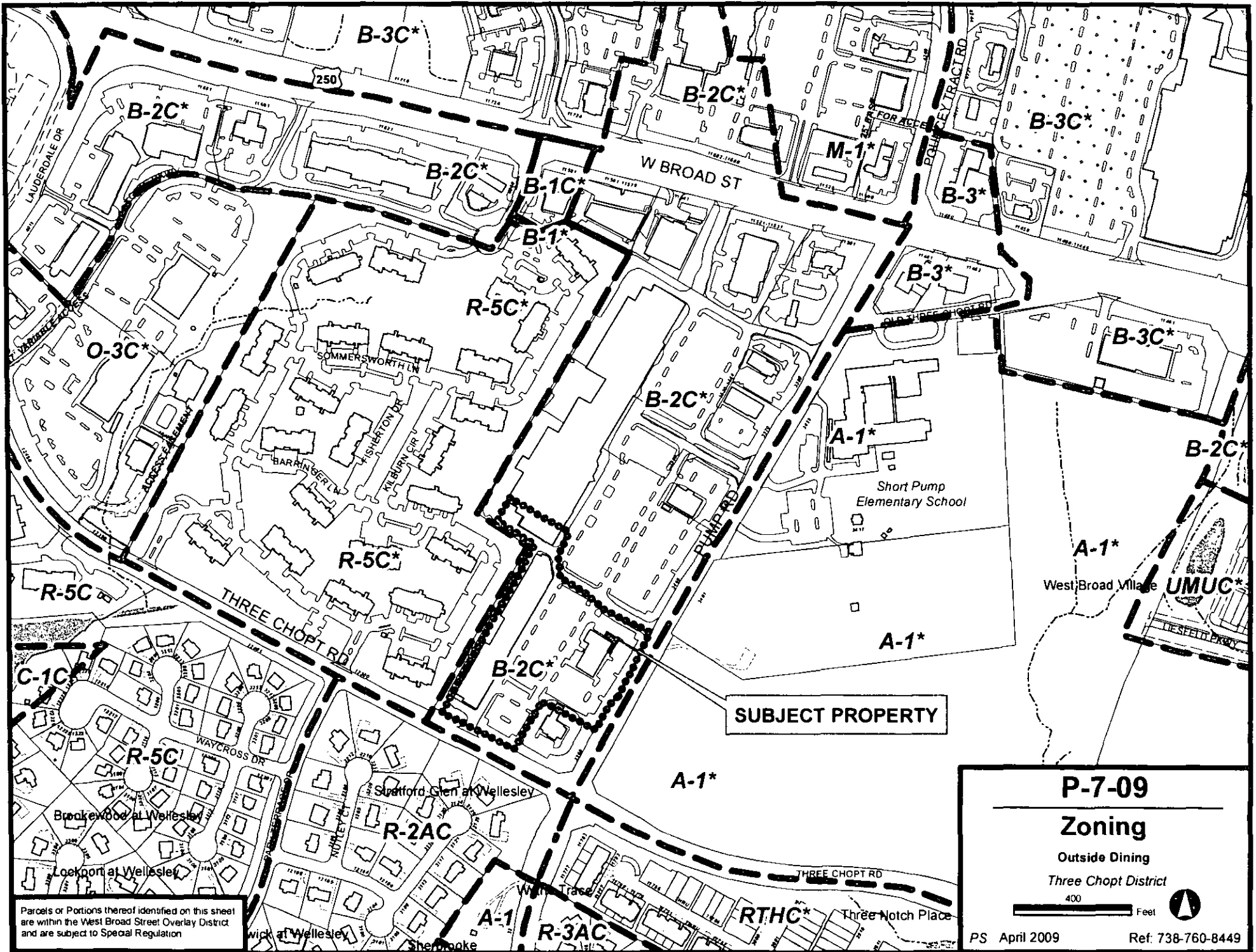


EXHIBIT C
P-7-09



EXHIBIT D

P-7-09

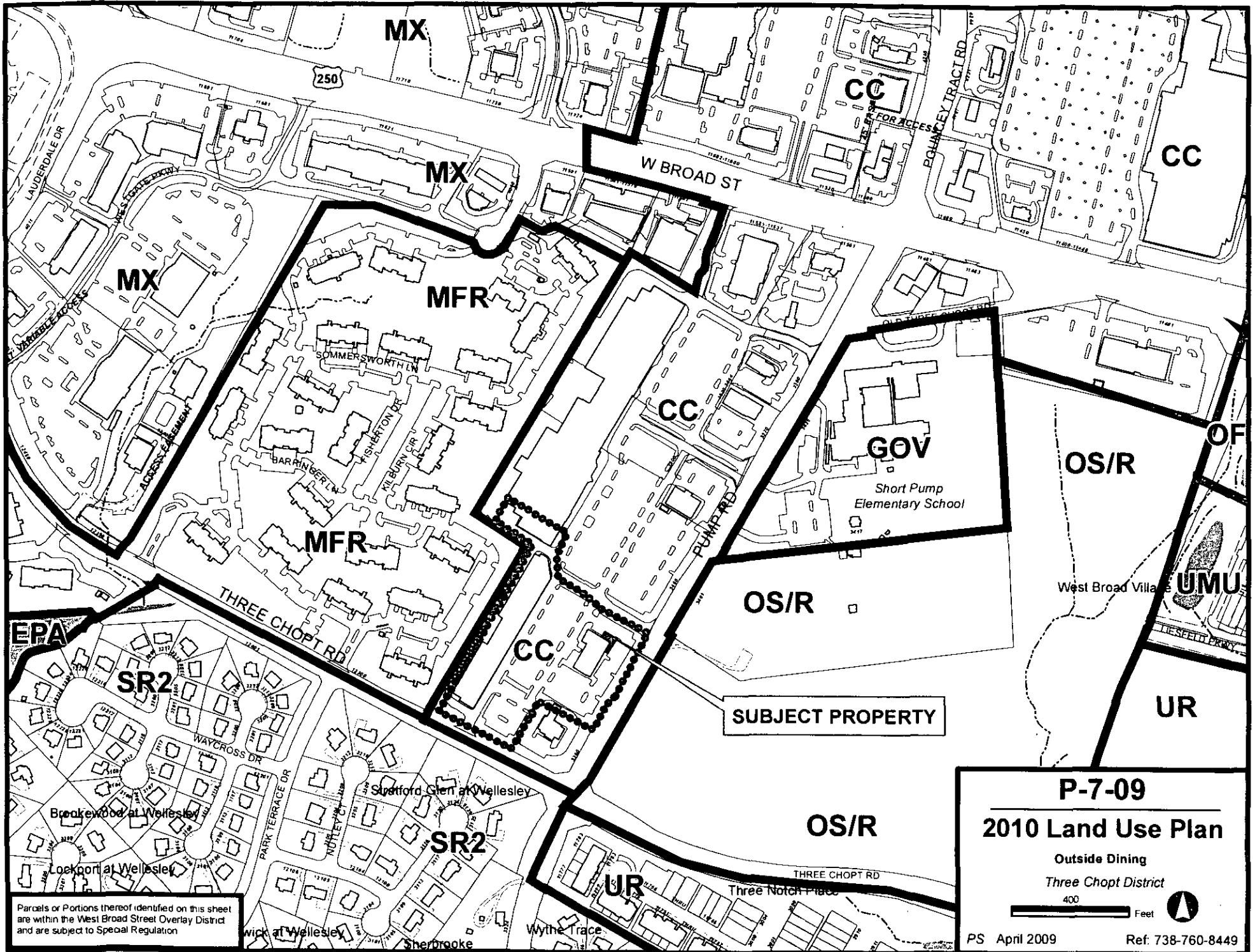


Parcels or Portions thereof identified on this sheet are within the West Broad Street Overlay District and are subject to Special Regulation

SUBJECT PROPERTY

P-7-09
Zoning
 Outside Dining
 Three Chopt District
 400 Feet

PS April 2009 Ref: 738-760-8449



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

P-7-09
2010 Land Use Plan
 Outside Dining
 Three Chopt District
 400 Feet

PS April 2009 Ref: 738-760-8449