

RESOLUTION

CASE NO. SUP-34-94. GO-KARTS PLUS

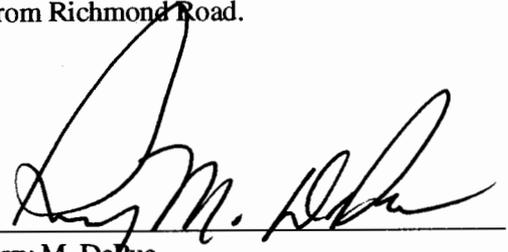
WHEREAS, the Board of Supervisors of James City County has adopted by Ordinance specific land uses that shall be subjected to a special use permit process; and

WHEREAS, the Planning Commission of James City County, following its public hearing on January 10, 1995, recommended approval of Case No. SUP-34-94, by a vote of 6 to 1, to permit the construction of an outdoor center of amusement, further identified as Parcel No. (1-18) on James City County Real Estate Tax Map No. (24-3).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. SUP-34-94 as described herein with the following conditions:

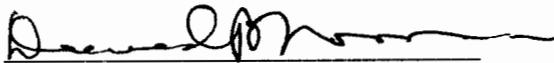
1. If construction has not commenced on the project within twelve months from the issuance of the special use permit, it shall become void. During this twelve month period all permits pertaining to the construction shall be secured, connections to water and sewer shall be made, clearing and grading of the site shall be completed and footings and/or foundations shall be installed.
2. Site plan approval by the Development Review Committee shall be required, including the submittal of a landscaping plan which protects adjacent properties and minimizes any adverse impacts on Richmond Road's function as a corridor within an historic area.
3. This special use permit shall expire in five years from its issuance unless the applicant constructs a new, commercial grade, main entrance at the crossover in front of the new amusement site within 5 years from the issuance of the special use permit. When the new entrance is opened, the existing main entrance which served the original Go Karts Plus site shall be closed. During the five-year period, the applicant can ask the Board of Supervisors to examine the need for a new entrance. It shall be the responsibility of the applicant to demonstrate to the Board of Supervisors that a new entrance at the crossover is not warranted.
4. The applicant shall show the future commercial main entrance located at the crossover on any future site plan details of the Go Karts Plus facility.
5. Parking lots and pedestrian facilities between the new and existing sites shall be connected.
6. One and only one entrance shall serve the entire Go Karts Plus outdoor amusement facility unless additional access points are required by fire or local law enforcement officials.
7. All statues, monuments and signs visible from Richmond Road shall be approved by the Director of Planning.

8. The use of this site shall be limited to structures, monuments, amusements devices and rides less than 35 feet in height considered part of or accessory to an outdoor center of amusement by the Zoning Administrator.
9. Final landscaping plan shall be approved by the Director of Planning.
10. Operation of the amusement center between 12:00 a.m. and 9:00 a.m. shall be prohibited.
11. All mini-race cars shall be equipped with mufflers, which are in good repair. Noise levels shall be less than that emanating from Richmond Road.



Perry M. DePue
Chairman, Board of Supervisors

ATTEST:



David B. Norman
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
SISK	AYE
EDWARDS	AYE
MAGOON	AYE
TAYLOR	AYE
DEPUE	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 21st day of February, 1995.

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