

## RESOLUTION

### CASE NO. SUP-3-00. GREENSPRINGS GROCERY

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

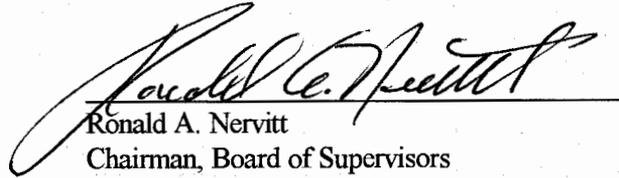
WHEREAS, convenience stores with the sale of fuel are a specially permitted use in the B-1, General Business, zoning district; and

WHEREAS, the Planning Commission of James City County, following its public hearing on April 3, 2000, recommended approval of SUP-3-00, by a vote of 7 to 0, to permit the sale of fuel at the existing convenience store located at 4197 Centerville Road and further identified as Parcel No. (1-1A) on James City County Real Estate Tax Map No. (36-4).

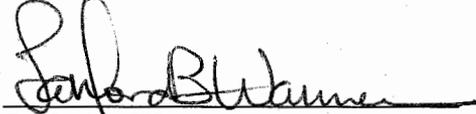
NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. SUP-3-00 as described herein with the following conditions:

1. The freestanding sign shall be ground mounted and shall not exceed a cumulative size of sixteen square feet or a height of six feet unless approved by the Planning Director. The location, design, materials, and lighting of such sign shall be approved by the Planning Director prior to the issuance of a sign permit.
2. A lighting plan for all lighting on the site, including the canopy lighting, shall be reviewed and approved by the Director of Planning prior to final site plan approval. The plan shall ensure that no glare extends outside the boundaries of the site. All lights shall have recessed fixtures with no bulb, lens, or globe extending below the casing or the canopy ceiling.
3. The daily hours of operation for both the convenience store and gas station shall be limited to the hours of 5:00 a.m. to 11:00 p.m.
4. The daily hours of fuel delivery and solid waste pickup shall be limited to the hours between 7:00 a.m. and 8:00 p.m.
5. Intercom systems designed to allow oral communication between employees inside the store and customers refueling their vehicles, shall operate in such a manner that they will not be audible by adjacent property owners.
6. If construction has not begun on the project within 36 months of the issuance of the special use permit, it shall become void. Construction shall be defined as the pouring of foundations and/or footings for the canopy.
7. The dumpster shall be completely screened on three sides with materials subject to the approval of the Director of Planning. The front of the dumpster enclosure shall be gated with a structure that conceals the dumpster. The gate shall be a dark color subject to the approval of the Director of Planning.

- 8. A landscaping plan shall be provided for the area at the south end of the parking lot and along the landscape buffer along Centerville Road. The landscaping shall be provided in a manner that minimizes the amount of headlight glare onto adjacent properties and minimizes views of vehicle parking and fueling areas on a year round basis, as determined by the Director of Planning.
- 9. There shall be no more than three gas pumps (vehicle fueling stations) permitted on the property. The pumps shall be arranged in a manner generally consistent with the attached conceptual plan (Attachment 4, Exhibit A).
- 10. No signs shall be allowed on the canopy, fascia or roof area covering the gas dispensers.
- 11. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

  
 Ronald A. Nervitt  
 Chairman, Board of Supervisors

ATTEST:

  
 Sanford B. Wanner  
 Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
MCGLENNON	AYE
HARRISON	AYE
GOODSON	AYE
KENNEDY	AYE
NERVITT	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of May, 2000.