

RESOLUTION

CASE NO. SUP-22-05. SHOPS AT NORGE CROSSING

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, Mr. Gregory Davis of Kaufman and Canoles has applied for a commercial special use permit to allow for an eight-unit, 13,000-square-foot retail center; and

WHEREAS, the proposed expansion is shown on the master plan prepared by LandTech Resources, Inc., dated July 25, 2005, and entitled "Norge Center, Inc., Parcel 5"; and

WHEREAS, the property is zoned B-1, General Business, with proffers, and can be further identified as Parcel No. (1-71E) on James City County Real Estate Tax Map No. (23-2); and

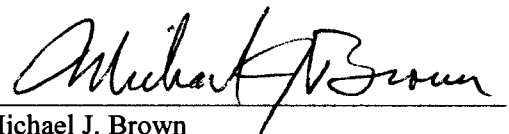
WHEREAS, the Planning Commission of James City County, following its public hearing on August 1, 2004, recommended approval of this application by a vote of 6 to 0, with one abstention.

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. 22-05 as described herein with the following conditions:

1. The site plan shall be substantially consistent with the development plan prepared by LandTech Resources entitled "Norge Center, Inc. Parcel 5" and dated July 25, 2005 (the "Master Plan"). This special use permit shall allow up to a 13,000-square-foot structure for commercial use as permitted in the B-1, General Business district, including, but not limited to, retail shops, service shops, and restaurants.
2. The retail center shall contain architectural features, colors, and materials that reflect the surrounding character of the Norge Community as described in the Comprehensive Plan. The architecture of the retail center shall be generally consistent with the elevations prepared by Hopke and Associates entitled "Johnston Shopping Center" and dated July 14, 2005 (the "Elevations") as determined by the Planning Director. The architectural design, color, and materials shall be approved by the Planning Director prior to final site plan approval for consistency with the Elevations and the character of the Norge Community.
3. An enhanced landscaping plan shall be provided for the area along Norge Lane and the area in front of the parking lot adjacent to Richmond Road. Unless reduced or waived by the Planning Director, the enhanced landscaping plan shall include a quantity of planting materials that is a minimum of 125 percent of the minimum ordinance requirements. A minimum of 50 percent of all trees and 50 percent of all shrubs shall be evergreen.
4. Any new exterior site lighting shall be limited to fixtures which are horizontally mounted on light poles not to exceed 30 feet in height and/or other structures and shall be recessed fixtures with no bulb, lens, or globe extending below the casing. The


casing shall be opaque and shall completely surround the entire light fixture and light source in such a manner that all light will be directed downward and the light source is not visible from the side. No glare, defined as 0.1 footcandle or higher, shall extend outside the property lines.

5. The dumpster pad and all heating, cooling, and electrical equipment shall be screened by fencing and landscaping in a manner approved by the Planning Director prior to final site plan approval.
6. The applicant shall be responsible for developing water conservation standards to be submitted to and approved by the James City Service Authority prior to final site plan approval. The applicant shall be responsible for enforcing these standards.
7. Prior to final site plan approval, the applicant shall demonstrate to the satisfaction of the Environmental Director that the existing infiltration basin (YC023) shown on the Master Plan is in sound working order and that it is performing at or above the design level of service. Should the basin not be performing at or above the design level of service, the applicant shall perform all necessary and required improvements and upgrades to bring the basin into compliance prior to the issuance of any certificate of occupancy.
8. Prior to the issuance of any certificate of occupancy, the applicant shall install a 4-foot wide sidewalk adjacent to the internal access road as shown on the master plan. This sidewalk shall connect the internal sidewalk in front of the shops to the required sidewalk along Norge Lane.
9. If construction has not begun on the project within thirty-six months of issuance of this special use permit, this special use permit shall become void. Construction shall be defined as obtaining permits for building construction and footings and/or foundation has passed required inspections.
10. This special use permit is not severable. Invalidation of any word, phrase, clause, sentences, or paragraph shall invalidate the remainder.



Michael J. Brown
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

SUPERVISOR	VOTE
HARRISON	AYE
GOODSON	AYE
MCGLENNON	AYE
BRADSHAW	AYE
BROWN	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of September, 2005.

Sup-22-05.res