

RESOLUTION

CASE NO. SUP-1-07. STAT RESTORATION SERVICES

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 (SUP) process; and

WHEREAS, Mr. Mark Kaisand has applied on behalf of Powhatan Springs LLC for an SUP to allow for a business, governmental, and professional offices on approximately 2.13 acres of land on parcels zoned R-8, Rural Residential; and

WHEREAS, the proposed site is shown on a conceptual layout, entitled "Special Use Permit Exhibit for Stat Services, Inc." and dated March 1, 2007; and

WHEREAS, the properties are located on land zoned R-8, Rural Residential, and can be further identified as a portion of James City County Real Estate Tax Map Parcel Nos. (46-2)(1-9) and (46-2)(1-9a); and

WHEREAS, the Planning Commission of James City County, following its public hearing on April 4, 2007, recommended approval of this application by a vote of 6-0.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of SUP-1-07 as described herein with the following conditions:

1. Master Plan. This SUP shall be valid for the operation of business, governmental, professional offices and accessory uses thereto (the "Project") as shown on the Master Plan titled "Special Use Permit Exhibit for Stat Services, Inc.," prepared by LandTech Resources and dated March 1, 2007, (the "Master Plan") on the two parcels identified as James City County Tax Map Nos. (46-2)(1-9) and (46-2)(1-9A) (collectively, the "Property"). Development of the Project shall be generally in accordance with the Master Plan as determined by the Development Review Committee (DRC) of the James City County Planning Commission. Minor changes may be permitted by the DRC, as long as they do not change the basic concept or character of the Project
2. Construction. If construction has not begun on the Project within 36 months of the issuance of the SUP, it shall become void. Construction shall be defined as securing permits for land disturbance and building construction.
3. Tank Removal. Prior to obtaining any Certificate of Occupancy, the owner shall remove the gas pump and underground fuel tank from the Property.
4. Lot Line Extinguishment. Prior to final site plan approval, the owner shall receive approval of and record a subdivision plat which extinguishes the lot line separating Parcels A and B on the property identified as Parcel No. (1-9) on James City County Real Estate Tax Map No. (46-2).

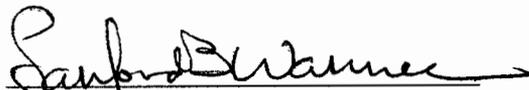
5. Landscaping. A landscaping plan shall be approved by the Planning Director or his designee prior to final site plan approval. The owner shall provide enhanced landscaping for the area along the Property frontage on Powhatan Springs Road, along the portions of the property adjacent to residential homes, and along areas designated on the Master Plan for parking. Enhanced landscaping shall be defined as 133 percent of the Zoning Ordinance landscape size requirements.
6. Signs. Signage on the Property shall be limited to a single ground-mounted, monument-style, freestanding sign further limited to a maximum of 16 square feet along the Powhatan Springs Road right-of-way. If the sign is to be illuminated, such illumination shall be external only. Both the sign and the illumination (if any) shall be approved by the Planning Director or his designee prior to final site plan approval.
7. Fence. Any existing perimeter fence, which is removed as part of the Project, shall be replaced with a black or dark green-colored chain-link fence or solid-wood fence, identified on the development plans, and approved by the Planning Director or his designee prior to final site plan approval.
8. Dumpsters. All dumpsters on the Property shall be screened by landscaping and fencing in a location approved by the Planning Director or his designee prior to final site plan approval.
9. Water Conservation. The owner shall be responsible for developing and enforcing water conservation standards to be submitted to and approved by the James City Service Authority (JCSA). The standards may include, but shall not be limited to, such water conservation measures as limitations on the installation and use of irrigation systems and irrigation wells, the use of approved landscaping materials, including the use of drought-tolerant plants if and where appropriate and the use of water-conserving fixtures and appliances to promote water conservation and minimize the use of public water resources. The water conservation standards shall be approved by the JCSA prior to final site plan approval.
10. Lighting. All exterior light fixtures, including building lighting, on the Property shall have recessed fixtures with no lens, bulb, or globe extending below the casing. In addition, a lighting plan shall be submitted to and approved by the Planning Director or his designee, which indicates no glare outside the boundaries of the Property. All light poles shall not exceed 20 feet in height unless otherwise approved by the Planning Director prior to final site plan approval. "Glare" shall be defined as more than 0.1 footcandle at the property line or any direct view of the lighting source from the adjoining residential properties.
11. Architecture. Prior to final site plan approval, the Planning Director shall review and approve the final building elevations and architectural design of the office building. Such approval as determined by the Planning Director shall ensure that the design, building materials, color, and scale of the office building and any future building additions are compatible with the surrounding residential area.
12. Severability. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.



John J. McGlennon
Chairman, Board of Supervisors

| <u>SUPERVISOR</u> | <u>VOTE</u> |
|-------------------|-------------|
| HARRISON | AYE |
| BRADSHAW | AYE |
| GOODSON | AYE |
| ICENHOUR | AYE |
| MCGLENNON | AYE |

ATTEST:



Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of June,
2007.

sup-1-07.res