

## RESOLUTION

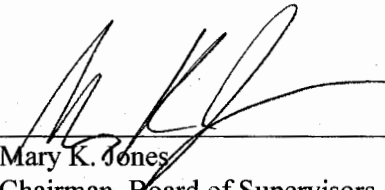
### CASE NO. SUP-0025-2010. COLONIAL TOWNE PLAZA FLEA MARKET

- 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. Timothy O. Trant, II has applied on behalf of Kaufman and Canoles, P.C. for an SUP to allow for the operation of a flea market on a portion of a 25-acre parcel of land zoned B-1, General Business; and
- WHEREAS, the proposed development is shown on a plan prepared by Kaufman and Canoles, P.C. dated September 24, 2010, (the "Master Plan") and entitled "SUP-0025-2010, Colonial Towne Plaza Flea Market"; and
- WHEREAS, the property is located at 6925 Richmond Road and can be further identified as James City County Real Estate Tax Map Parcel No. 2430100003 (the "Property"); and
- WHEREAS, the Planning Commission, following its public hearing on December 1, 2010, voted 7-0 to recommend approval of this application; and
- WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with the 2009 Comprehensive Plan Use Map designation for this Property.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of SUP-0025-2010 as described herein with the following conditions:

1. Master Plan and Use: This SUP shall be valid for a year-round flea market and accessory uses thereto, operating between the hours of 7 a.m. and 6 p.m. on Saturdays and Sundays only, on that portion of the Colonial Towne Plaza site designated as the "Special Use Permit Area" on the aerial picture prepared by "Kaufman and Canoles, P.C.," dated "September 24, 2010" and entitled "SUP-0025-2010 Colonial Towne Plaza Flea Market 6925 Richmond Road, Williamsburg, Virginia," for a copy of which is in the SUP file. Minor changes may be permitted by the Planning Director, as long as they do not change the basic concept or character of the development and do not exceed 35 vendors.
2. Parking: No customer parking shall be allowed on any unpaved surface. All unpaved areas shall be flagged and labeled with "No Parking" on the weekend.
3. Landscaping: A landscape plan (the "Landscape Plan") shall be submitted to the Planning Director or his designee for review and approval prior to site plan approval. The Landscape Plan shall show the existing hedgerow along the property frontage on Richmond Road and shall identify all plants and/or shrubs necessary to fill in portions of the hedge that are presently missing on the portion of the property north of Ware Lane. The replacement plants and/or shrubs shall be of the same species and size as

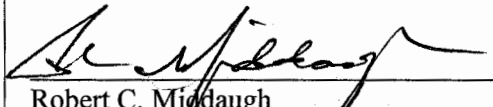
the existing hedgerow. The landscaping shall be installed within six months of site plan approval.

4. Site Plan Approval: A site plan for the Flea Market shall be approved within one year of the date of issuance of the SUP or the SUP shall become void.
5. Fire Extinguishers: At least two fire extinguishers shall be provided on the site of the Flea Market during all hours of operation of the Flea Market.
6. Public Restrooms: The Lightfoot Antique Mall must be open to provide public restrooms during the hours of operation of the Flea Market.
7. Term of Validity: This SUP shall be valid for a period of 96 months from site plan approval.
8. Severance Clause: This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

  
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Mary K. Jones  
Chairman, Board of Supervisors

<u>SUPERVISOR</u>	<u>VOTE</u>
KENNEDY	AYE
GOODSON	AYE
MCLENNON	AYE
ICENHOUR	AYE
JONES	AYE

ATTEST:

  
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Robert C. Middaugh  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 25th day of January, 2011.

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