

RESOLUTION

CASE NO. SUP-5-99. PENSKE TRUCK RENTAL AND AUTOMOTIVE REPAIR

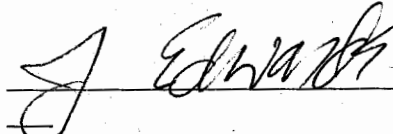
WHEREAS, the Board of Supervisors of James City County has adopted, by ordinance, specific land uses that shall be subjected to a special use permit process; and

WHEREAS, The Planning Commission of James City County, Virginia, following its public hearing on April 5, 1999, found Case No. SUP-5-99 to be consistent with the 1997 Comprehensive Plan and voted 7-0 to recommend approval of Case No. SUP-5-99 to permit a truck rental facility with accessory automotive repair at 7214 and 7218 Merrimac Trail.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Case No. SUP-5-99 as described herein, with the following conditions:

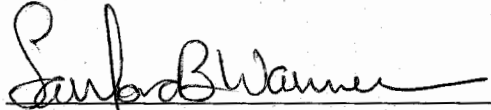
1. The applicant shall, within 60 days of approval of this special use permit, submit a site plan depicting the required gravel surface and designated parking area for the proposed rental vehicles and trailers as described in Condition 2, or the special use permit shall become void. This plan shall be approved by the Director of Planning and all improvements shall be installed prior to the issuance of a Certificate of Occupancy.
2. There shall be no more than fifteen (15) rental vehicles and trailers on the site at any one time. In order to minimize any increase in storm water runoff from the site, the amount of impervious cover shall be limited to that necessary to accommodate the fifteen rental vehicles plus any required parking. The vehicles shall be parked only in the location identified on the site plan required in Condition 1.
3. The applicant shall submit a landscape screening plan acceptable to the Director of Planning in accordance with the James City County Landscape Ordinance. All plantings shown on the plan shall be installed within ninety (90) days after approval of the site plan. If weather conditions are not conducive to planting the required material during this period, the applicant shall supply a bond or letter of credit prior to final approval of the site plan. The bond or letter of credit shall be acceptable to the Director of Planning in an amount sufficient to cover all planting materials and labor.
4. Prior to final site plan approval, the applicant shall screen the side of the existing building facing Adams Road with landscaping or paint it with a color approved by the Director of Planning.
5. Free-standing signs shall be ground-mounted, monument style, and shall be approved by the Director of Planning.
6. Should new exterior lighting be installed, such fixtures shall have recessed fixtures with no lens, bulb, or globe extending below the casing. A lighting plan shall be submitted, and approved, by the Director of Planning which indicates no glare will occur outside the property lines. "Glare" shall be defined as more than 0.1 footcandle at the property line or any direct view of the lighting source from the street or adjoining residentially designated property.

7. Automotive repair services shall be limited to the maintenance and repair of rental trucks and trailers and shall solely occur inside the area of the existing building designated on the site plan required in Condition 1.
8. If construction has not commenced on the project within twenty-four (24) months from the date of issuance of the special use permit, the permit shall become void. Construction shall be defined as the obtaining of permits for the grading of the parking lot and renovations to the rear of the building for the automotive repair facility.
9. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.



Jack D. Edwards
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

| <u>SUPERVISOR</u> | <u>VOTE</u> |
|-------------------|-------------|
| NERVITT | AYE |
| SISK | AYE |
| MCGLENNON | AYE |
| BRADSHAW | AYE |
| EDWARDS | AYE |

Adopted by the Board of Supervisors of James City County, Virginia, this 25th day of May, 1999.

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