

RESOLUTION

CASE NO. SUP-2-03. HANKINS INDUSTRIAL PARK READY MIXED CONCRETE PLANT

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 production of ready-mix concrete is a specially permitted use in the M-2, General Industrial, zoning district; and

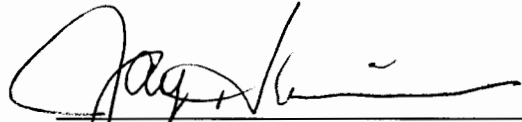
WHEREAS, the Planning Commission of James City County, following its public hearing on April 7, 2003, recommended approval of Case No. SUP-2-03 by a 6-1 vote to permit the construction and operation of a Ready Mixed Concrete facility on 16.22± acres at 190 Industrial Boulevard in the Hankins Industrial Park and further identified as Parcel No. (12-4) on James City County Real Estate Tax Map No. (1-13).

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-2-03 as described herein with the following conditions:

1. If construction has not commenced on the project within thirty-six months from the issuance of the special use permit, the permit shall become void. Construction shall be defined as securing permits for land disturbance, building construction, clearing and grading, and the pouring of footings.
2. Prior to the issuance of preliminary approval for the site plan, the applicant shall record an approved subdivision plat showing the subdivision of the 16.22± acre parcel from the currently existing Parcel No. (1-13) on James City County Real Estate Tax Map (12-4), generally in accordance with Parcel No. 2 as shown on the conceptual site plan titled "Ready Mixed Concrete Hankins Industrial Park," dated January 15, 2003.
3. The Ready Mixed Concrete facility shall be constructed generally as shown on the conceptual site plan titled "Ready Mixed Concrete Hankins Industrial Park" as drawn by AES Consulting Engineers on January 15, 2003. The proposed Ready Mixed Concrete facility to be constructed can be further identified as the Rustler II model or shall be an equivalent model as approved by the Planning Director, which can yield a batch size up to 12 yd³, up to four aggregate storage compartments with a capacity of up to 170 yd³ or 220 tons, and has up to two cement storage compartments with a capacity up to 2,484 ft³ or 621 barrels.
4. A Spill Prevention and Control Measure Plan shall be approved by the Director of the Environmental Division prior to final site plan approval for the Ready Mixed Concrete plant. The Spill Prevention and Control Measure plan shall be constructed and implemented prior to issuance of the certificate of occupancy.
5. A dust collection system, such as, but not limited to the Reverse Air Duct Collector RA140, shall be utilized on the Ready Mixed Concrete plant. The manufacturer's specifications for the system shall be submitted with the site plan and shall be approved by the Director of Planning prior to final site plan approval.

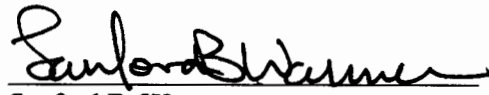
6. Rock, gravel, sand, cement, and/or similar materials shall be stored in bins to control runoff and scattering of such materials onto adjacent property. An erosion and sediment control and runoff management plan shall be approved by the Environmental Director prior to final site plan approval
7. No flags or signage on any silo, hopper, or any other piece of permanent external equipment shall be permitted.
8. All exterior light fixtures on the property shall be a recessed fixture 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 occur outside the property lines.
9. The "reverse warning beepers" on all equipment, which serves the Ready Mixed Concrete plant, shall be turned down to their lowest volumes as permitted by Federal or State law or regulations.
10. The Development Review Committee shall review and approve the site plan for this project.
11. A landscaping plan shall be approved by the Planning Director or his designee prior to final site plan approval. Enhanced landscaping, defined as at least 133 percent of the County's Landscaping Ordinance requirements, shall be planted and maintained along the eastern property line landscape buffer from the public right-of-way to the stormwater management plan to help screen and filter any noise and dust from the concrete plant.
12. A Phase I Archaeological Study for the entire site shall be submitted to the Director of Planning for review and approval prior to land disturbance. A treatment plan shall be submitted and approved by the Director of Planning for all sites in the Phase I study that are recommended for a Phase II evaluation and/or identified as eligible for inclusion on the National Register of Historic Places. If a Phase II study is undertaken, such a study shall be approved by the Director of Planning and a treatment plan for said sites shall be submitted to, and approved by, the Director of Planning for sites that are determined to be eligible for inclusion on the National Register of Historic Places and/or those sites that require a Phase III study. If in the Phase III study, a site is determined eligible for nomination to the National Register of Historic Places and said site is to be preserved in place, the treatment plan shall include nomination of the site to the National Register of Historic Places. If a Phase III study is undertaken for said sites, such studies shall be approved by the Director of Planning prior to land disturbance within the study areas. All Phase I, Phase II, and Phase III studies shall meet the Virginia Department of Historic Resources' *Guidelines for Preparing Archaeological Resource Management Reports* and the Secretary of the Interior's *Standards and Guidelines for Archaeological Documentation*, as applicable, and shall be conducted under the supervision of a qualified archaeologist who meets the qualifications set forth in the Secretary of the Interior's *Professional Qualification Standards*. All approved treatment plans shall be incorporated into the plan of development for the site and the clearing, grading or construction activities thereon.

- 13. 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 where appropriate, and the use of water-conserving fixtures and appliances to promote water conservation and minimize the use of public water resources.
- 14. A minimum 200-foot wide undisturbed wooded buffer shall be maintained along the northern property line adjacent to property outside of the Hankins Industrial. This buffer shall remain in its natural state with any activity in the buffer to be reviewed and approved prior to occurrence by the Director of Environmental Services and the Director of Planning.
- 15. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder



Jay T. Harrison, Sr.
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of June, 2003.

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