

RESOLUTION

CASE NO. SUP-23-05. TGI FRIDAY'S

WHEREAS, the Board of Supervisors of James City County has adopted ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and

WHEREAS, Mr. Vernon Geddy has applied for a commercial special use permit for the construction of a TGI Friday's restaurant; and

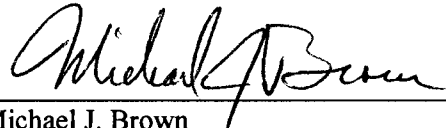
WHEREAS, the land is located on a parcel zoned B-1, General Business, and can be further identified as Parcel No. (1-5A) on James City County Real Estate Tax Map No. (33-3); and

WHEREAS, the Planning Commission of James City County, following its public hearing on August 1, 2005, recommended approval of Case No. Special Use Permit 23-05 by a 7-0 vote.

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-23-05 as described herein with the following conditions:

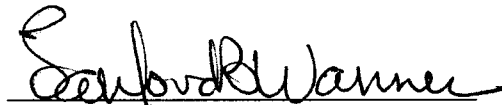
1. This SUP shall be valid for a restaurant no larger than 6,600 square feet and accessory uses thereto. Prior to final site plan approval, the Planning Director shall review and approve the final architectural design of the building. Such building shall be reasonably consistent, as determined by the Planning Director, with architectural elevations titled "Carlson Restaurants Worldwide, P6.2 Prototype" submitted with this special use permit and drawn by Carrell, Poole, and Yost Architecture and date-stamped "Received - Planning Department June 20, 2005.
2. If construction has not commenced on this project within 36 months from the issuance of an SUP, the SUP shall become void. Construction shall be defined as obtaining permits for building construction and footings, and foundation has passed required inspections.
3. Any new exterior site lighting shall be limited to fixtures which are horizontally mounted on light poles not to exceed 15 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.
4. Freestanding signage shall be limited to one monument style sign. For purposes of this condition, a "monument" style sign shall be defined as a freestanding sign with a completely enclosed base not to exceed 32 square feet in size and not to exceed eight feet in height from grade.
5. Building face signage shall be in accordance with Section 24-71 of the Zoning Ordinance. Projecting signs shall be prohibited.

6. A landscaping plan shall be approved by the Planning Director prior to final site plan approval for this project. The landscaping plan shall include enhanced landscaping within the 50-foot Community Character Corridor buffer along Richmond Road (Route 60 West) so that the required number of plants and trees equals, at a minimum, 125 percent of the landscaping otherwise required in Chapter 24, Article II, Division 4 of the James City County Code. A minimum of 50 percent of the plantings within the Community Character Corridor buffer shall be evergreen.
7. The applicant shall be responsible for developing and enforcing water conservation standards to be submitted to and approved by the James City Service Authority prior to final site plan approval. The standards may include, but shall not be limited to, such water conservation measures as limitations on the installation and use of irrigation systems, the use of approved landscaping materials including the use of drought-tolerant plants where appropriate and the use of water-conserving fixtures to promote water conservation and minimize the use of public water resources.
8. All dumpsters and heating and cooling units, whether on the ground or affixed on the rooftop, shall be screened by landscaping, fencing, or other alternative that provides similarly adequate screening, as determined and approved by the Planning Director prior to final site plan approval.
9. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.



Michael J. Brown
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
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-23-05.res