

RESOLUTION

CASE NO. SUP-20-06. WYTHE-WILL COMMERCIAL EXPANSION

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. William LaVancher has applied for an SUP to allow 25,298 square feet of skateboard park ("Skatepark"); 16,828 square feet of office; 69,278 square feet of mini-storage; and 3,590 square feet of retail; and

WHEREAS, the building and uses are shown on the plan prepared by LandTech Resources, Inc., dated June 1, 2006, and entitled "Anti-Gravity Skateboard Park Expansion;" and

WHEREAS, the property is located on land zoned A-1, General Agricultural, and B-1, General Business, and can be further identified as Parcel No. (1-35A), on James City County Real Estate Tax Map No. (24-3); and

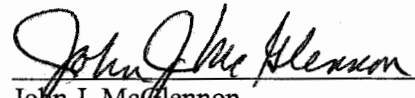
WHEREAS, the Planning Commission, following its Public Hearing on July 10, 2006, voted 6-0 to approve this application.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of SUP-20-06 as described herein, with the following conditions:

1. This SUP shall be valid for mini-storage, office, Skatepark and retail uses as shown on the Master Plan entitled "Anti-Gravity Skateboard Park Expansion" prepared by LandTech Resources, Inc. and dated June 1, 2006. Development of the site shall be generally in accordance with the above-referenced 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 development.
2. The existing detention pond (YC-014) shall be upgraded to meet the James City County guidelines for design and construction of stormwater management BMPs, as determined by the Environmental Director, including resizing of the dewatering orifice to provide the required 24-hour attenuation of the one-year, 24-hour runoff volume. Such upgrade shall either be completed or bonded prior to issuance of a Certificate of Occupancy for the 10,500 square foot portion of the Skatepark.
3. A right-turn taper shall be installed on eastbound Richmond Road into the western entrance to the property. The right-turn taper shall be designed and constructed in accordance with VDOT standards, and shall be completed or bonded prior to issuance of a Certificate of Occupancy for the 10,500 square foot portion of the Skatepark.
4. Owner shall reserve the areas shown on the Master Plan as "Possible Future Connections to Adjacent Parcel" for a possible future road connection to the adjacent parcels to the north [Tax Map (24-3)(1-34)] and to the south [Tax Map (24-3)(1-35)] of the property. Such connections shall be shown on all development plans associated with

the property and shall remain free of structures. Prior to issuance of a Certificate of Occupancy for the 10,500 square foot portion of the Skatepark, Owner shall either construct their portion of the road connection to [Tax Map (24-3)(1-35)] or, if an agreement on connection cannot be reached, shall furnish a letter which describes all efforts made to reach an agreement with Owners of such adjacent parcel to the Planning Director.

5. All existing signage shall be brought into conformance, with Article II, Division 3, of the Zoning Ordinance prior to any new sign permits being issued for the property.
6. Existing dumpster pads and heating, cooling, and electrical equipment shall be screened by fencing and landscaping as shown on a plan approved by the Planning Director prior to issuance of a Certificate of Occupancy for the 10,500-square-foot portion of the Skatepark. Such improvements must be completed or bonded prior to issuance of a Certificate of Occupancy for the 10,500 square foot portion of the Skatepark. All future dumpster pads and heating, cooling, and electrical equipment shall also be screened by fencing and landscaping as shown on a plan approved by the Planning Director prior to any final site plan approvals.
7. Landscaping shall be installed in the northern corner of the property which complies with requirements for Community Character Corridors found in Section 24-96 of the Zoning Ordinance. This requirement shall only apply to the northern corner of the property where there is enough room to have a 50-foot-wide landscape area. In addition, landscaping shall be installed to screen the front parking lot from Route 60. Such landscaping shall consist, at a minimum, of a row of three-foot-high shrubs and either ornamental or shade trees along the back of the fence in the middle island. A landscape plan shall be submitted to the Planning Division and approved by the Planning Director, and all landscaping shall be installed or bonded prior to issuance of a Certificate of Occupancy for the 10,500 square foot portion of the Skatepark.
8. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

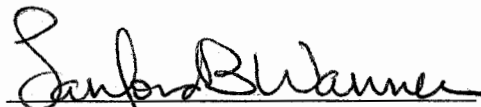


John J. McGlennon

Vice Chairman, Board of Supervisors

SUPERVISOR	VOTE
HARRISON	AYE
ICENHOUR	AYE
MCGLENNON	AYE
BRADSHAW	AYE
GOODSON	ABSENT

ATTEST:



Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of August, 2006.