

## RESOLUTION

### CASE NO. SUP-27-06. HOMESTEAD GARDEN CENTER

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

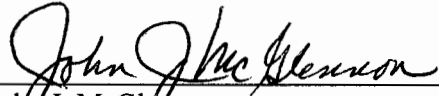
WHEREAS, the applicant has requested a SUP to allow for retail sale of plant material in an A-1, General Agricultural District, located at 4109 Rochambeau Drive, further identified as a Parcel No. (1-9B) on James City County Real Estate Tax Map No. (13-4); and

WHEREAS, the Planning Commission, following a public hearing on December 4, 2006, recommended approval of this application by a 7-0 vote.

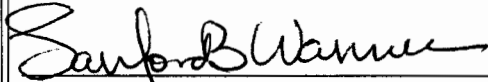
NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, following a public hearing, does hereby approve the issuance of SUP-27-06 as described herein with the following conditions:

1. Master Plan: The plan of development shall be generally consistent with the Master Plan of Development titled, "Homestead Garden Center" prepared by Mitchell-Wilson and Associates, P.C. sealed and dated July 3, 2006, and revised on November 11, 2006, as determined by the Director of Planning.
2. Lighting: Any new exterior site or building lighting shall be comprised of recessed fixtures with no bulb, lens, or globe extending below the fixture housing. The housing shall be opaque and shall completely enclose the light source in such a manner that all light is directed downward, and that the light source is not visible from the side of the fixture. Pole-mounted fixtures shall not be mounted in excess of 15 feet in height above the finished grade beneath them. Glare, defined as light intensity measured at 0.1 foot-candle or higher extending beyond any property line, shall be prohibited.
3. Hours of Operation: Hours of operation shall be limited to the hours between 7:00 a.m. and 9:00 p.m.
4. Deliveries: The daily hours for deliveries shall be limited to the hours between 7:00 a.m. and 7:00 p.m.
5. Outdoor Speakers: No outdoor loud speakers in connection with the operation of the Garden Center shall be audible outside the boundaries of the garden center property.
6. Waste Disposal: Dead plant material and containers must be disposed of through trash collection and shall not be stockpiled on the garden center property.
7. Plant Material: At any given time, a minimum of 75 percent of the plant material offered for sale must be grown on the site and limited to 3,450 square feet of retail sale area.

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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John J. McGlennon  
Chairman, Board of Supervisors

ATTEST:

  
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Sanford B. Wanner  
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
HARRISON	AYE
BRADSHAW	AYE
GOODSON	AYE
ICENHOUR	AYE
MCGLENNON	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of January, 2007.

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