

RESOLUTION

CASE NO. SUP-0001-2013. CAROLINA FURNITURE

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 (the "SUP") process; and

WHEREAS, Mr. Joseph H. Steele, II, has applied for an SUP to allow for the construction of an up to 5,000-square-foot retail addition to an existing building and other minor improvements; and

WHEREAS, if approved, this SUP application will bring the existing furniture showroom/retail structures into conformance with the current commercial SUP regulations; and

WHEREAS, the proposed development is shown on a plan titled "Master Plan Carolina Furniture" and dated January 11, 2013, and revised March 21, 2103; and

WHEREAS, the properties are located at 5431 and 5425 Richmond Road and can be further identified as James City County Real Estate Tax Map Parcel Nos. 3330100016 and 3330100019; and

WHEREAS, the Planning Commission following its public hearing on February 6, 2013, voted 7-0 to recommend approval of this application; and

WHEREAS, the Planning Commission, following its public hearing on April 3, 2013, voted 3-0-1 to recommend approval of this application; and


WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with the 2009 Comprehensive Plan Use Map designation for this site.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of SUP-0001-2013 as described herein with the following conditions:

1. Master Plan. This SUP shall be valid for the proposed development approved as part of James City County Site Plan SP-0146-2006, existing buildings and accessory structures, the addition of a showroom up to 5,000 square feet and other minor improvements on properties located at 5425 and 5431 Richmond Road and further identified as James City County Real Estate Tax Map Parcel Nos. 3330100019 and 3330100016 respectively (together, the "Properties"). Development of the Properties shall be generally in accordance with the Master Plan entitled "Master Plan Carolina Furniture" prepared by Bowman Consulting dated January 11, 2013 (the "Master Plan") and revised March 21, 2013, with such minor changes as the Planning Director, or his designee, determines does not change the basic concept or character of the development. In the event the Planning Director finds that the proposed change alters the basic concept or character of the development the applicant may appeal the Planning Director's determination to the Development Review Committee.
2. Boundary Line Extinguishment. Prior to final site plan approval, a plat showing the extinguishment of the common property line between the Properties located at 5425 and 5431 Richmond Road must be submitted and approved by the County.
3. Shared Parking Agreement. Prior to final site plan approval, a shared parking agreement between the Carolina Furniture property and adjacent parcel identified as

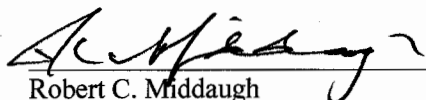
James City County Real Estate Tax Map Parcel No. 3330100017 (the "Moose Lodge") must be submitted for the review and approval by the Planning Director or his designee.

4. Architectural Elevations. Prior to final site plan approval, the Planning Director or his designee shall review and approve a final building elevation and architectural design, including colors and materials for the proposed addition. The proposed addition shall be reasonably consistent, as determined by the Planning Director or his designee, with the architectural elevations date stamped March 12, 2013, and kept in the application file.
5. Water Conservation Agreement. The Owner(s) shall be responsible for developing and enforcing water conservation standards for the Properties to be submitted and approved by the James City Service Authority prior to final site plan approval. The standards shall 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 resistant native and other adopted low water use landscaping materials and warm season turf where appropriate, and the use of water conserving fixtures and appliances to promote water conservation and minimize the use of public water resources.
6. Lighting. All new exterior light fixtures, including building lighting, on the Properties shall have recessed fixtures with no lens, bulb, or globe extending below the casing. In addition, a lighting plan shall be submitted to and approved by the Planning Director or his designee which indicates no glare outside the property lines unless otherwise approved by the Planning Director or his designee. All light poles shall not exceed 20 feet in height unless otherwise approved by the Planning Director or his designee prior to final site plan approval. "Glare" shall be defined as more than 0.1 foot-candle at the boundary of the Properties or any direct view of the lighting source from the adjoining properties.
7. Signs. All new signs and new sign locations shall be reviewed and approved by the Planning Director or his designee prior to final site plan approval.
8. Commencement of Construction. If construction has not commenced on this project within 24 months from the issuance of an SUP, the SUP shall become void.
9. Severance Clause. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.



 John J. McGlennon
 Chairman, Board of Supervisors

ATTEST:



 Robert C. Middaugh
 Clerk to the Board

	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	<u>X</u>	___	___
JONES	<u>X</u>	___	___
KENNEDY	<u>X</u>	___	___
ICENHOUR	<u>X</u>	___	___
BRADSHAW	<u>X</u>	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of April, 2013.

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