

RESOLUTION

CASE NO. SUP-0011-2014. McDONALD'S AT LIGHTFOOT REDEVELOPMENT

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. Steve Blevins of Blakeway Corporation has applied for an SUP on behalf of McDonald's (the "Owner") to demolish and rebuild an existing fast-food restaurant on property located at 6473 Richmond Road (the "Property"); and

WHEREAS, the proposed development is depicted on the plan prepared by Blakeway Corporation, dated February 26, 2014, revised September 15, 2014, and entitled "Preliminary Concept" ; and

WHEREAS, the proposed development is located in its entirety on property zoned M1, Limited Business/Industrial, further identified as James City County Real Estate Tax Map Parcel No. 2430100063; and

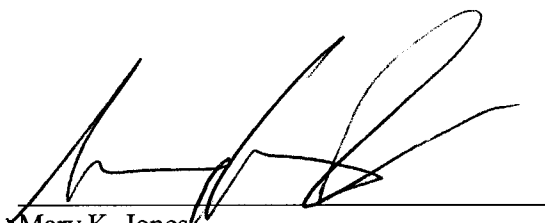
WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-0011-2014; and

WHEREAS, the Planning Commission, following its public hearing on October 1, 2014, voted 6-0 to recommend approval of Application No. SUP-0011-2014.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve SUP-0011-2014, as described herein, pursuant to the following conditions:

1. Use: This SUP shall be valid for a fast-food restaurant approximately 4,600 square feet in size (the "Development").
2. Master Plan: The site plan for the development shall be generally consistent with the "Preliminary Concept" prepared by Blakeway Corporation, dated February 26, 2014 and revised September 15, 2014 (the "Master Plan"), as determined by the Director of Planning.
3. Elevations: Final building elevations shall be generally consistent with the "Proposed McDonald's Restaurant Color Elevation Study" prepared by URSD and dated October 20, 2014 (the "Elevations"). Building materials and colors shall be similar to those used for the adjacent Lightfoot Marketplace development. Prior to issuance of site plan approval, the Director of Planning or his designee shall review and approve the final building elevations, materials, and color scheme for consistency with this condition.
4. Drive-thru Canopies and Dumpster Enclosure: The dumpster enclosure and the canopies and mounting structure for the drive-thru shall use neutral colors and building materials similar to the primary building elevation materials. No directional, informational, or menu board text shall be able to be read from beyond the property lines of the Development. Prior to issuance of site plan approval, the Director of Planning or his designee shall review and approve the final design and colors of the dumpster enclosure and drive-thru canopies for consistency with this condition.

5. Signage: In addition to building face signage as permitted by the James City County Zoning Ordinance (the "Ordinance"), the Development shall be limited to one externally illuminated freestanding monument-style sign on the Property not to exceed eight feet in height. The base of the sign shall be brick or shall use materials similar in type and color with the Elevations. All signage, content, and materials shall be in accordance with the Ordinance and shall be approved by the Director of Planning for consistency with this condition.
6. Richmond Road Buffer: The Community Character Corridor (CCC) buffer along Richmond Road shall be an average of 50 feet in width. The buffer shall contain enhanced landscaping in accordance with the County's Enhanced Landscaping Policy as adopted April 9, 2013, and shall use similar plant materials and placement to the 50-foot CCC buffer along the Richmond Road frontage of Lightfoot Marketplace. Street trees shall be provided along Richmond Road in substantial compliance with the guideline for street trees contained in the Streetscape Guidelines Policy. Landscaping shall be shown as part of the initial building site plan and shall be reviewed and approved by the Director of Planning or his designee for consistency with this condition.
7. Water Conservation Standards: The owner shall be responsible for developing water conservation standards to be submitted to and approved by the James City Service Authority (the "JCSA") and subsequently for enforcing these standards. The standards shall address such water conservation measures as limitations on the installation and use of approved landscaping design and materials to promote water conservation and minimize the use of public water resources. Standards shall be reviewed and approved by the JCSA prior to final site plan approval of the Development.
8. Richmond Road Bike Lane: In accordance with the Regional Bikeway Map, a bike lane shall be provided along the Property's Richmond Road frontage. However, this requirement may be waived by the Director of Planning should the owner demonstrate that existing pavement width or section, drainage, or other engineering constraints would restrict the ability of the owner to install the bike lane in a manner that would meet Virginia Department of Transportation requirements. Such analysis shall be submitted prior to or concurrent with the initial site plan submission. If a bike lane can be installed, it shall be completed concurrent with improvements to the Richmond Road/Lightfoot Road/Lightfoot Marketplace entrance intersection unless otherwise approved by the Director of Planning. In the event that the Director of Planning disapproves the waiver, the applicant may appeal the decision to the Development Review Committee, which shall forward a recommendation to the Planning Commission.
9. Internal Pedestrian Accommodations: The Development shall provide internal pedestrian connections wherever the sidewalk enters the parking area or crosses the entrance or drive-thru lane and shall provide safe connections from the existing bus stop and to the adjacent Lightfoot Marketplace area. The connections shall be clearly delineated by use of a different color of pavement, brick pavers, or some other method determined to be acceptable by the Director of Planning prior to final site plan approval.
10. Commencement: Construction on this project shall commence within 36 months from the date of approval of this SUP or this permit shall be void. Construction shall be defined as obtaining building permits and an approved footing inspection and/or foundation inspection.
11. Severance Clause: This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.



Mary K. Jones
Chairman, Board of Supervisors

ATTEST:


Bryan J. Hill
Clerk to the Board

	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
KENNEDY	<u>X</u>	---	---
HIPPLE	<u>X</u>	---	---
MCGLENNON	<u>X</u>	---	---
ONIZUK	<u>X</u>	---	---
JONES	<u>X</u>	---	---

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of November, 2014.

SUP11-14McDonalds-res