

RESOLUTION

CASE NO. SUP-0015-2014. 3116 IRONBOUND ROAD, BRANSCOME BUILDING

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. Vernon Geddy of Geddy, Harris, Franck & Hickman, has applied for an SUP on behalf of Mr. Henry Branscome (the "Owner") for a building in excess of 5,000 square feet on property located at 3116 Ironbound Road (the "Property"); and

WHEREAS, the proposed development is depicted on the plan prepared by LandTech Resources, Inc., dated December 29, 2014, and entitled "Landscape Exhibit;" and

WHEREAS, the proposed development is located in its entirety on property zoned R-8, Rural Residential, further identified as James City County Real Estate Tax Map Parcel No. 4710100056; and

WHEREAS, the applicant has submitted an application to rezone the above-mentioned property to the LB, Limited Business, district; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case SUP-0015-2014; and

WHEREAS, the Planning Commission, following its public hearing on January 7, 2015, voted 7-0 to recommend approval of Application No. SUP-0015-2014.

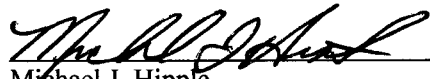
NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Case No. SUP-0015-2014, as described herein, pursuant to the following conditions:

1. Use: This SUP shall be valid for up to a 7,000-square-foot building with uses limited to those proffered by the Owner as part of James City County Case No. Z-0006-2014 (the "Development").
2. Master Plan: The site plan for the Development shall be generally consistent with the "Landscape Exhibit" prepared by LandTech Resources, Inc., and dated December 29, 2014 (the "Master Plan"), as determined by the Director of Planning. Configuration of entrances to eliminate one entrance and add a shared entrance from the adjacent parcel, which is further identified as James City County Real Estate Tax Map No. 4710100054 (the "Adjacent Parcel"), may be considered to be consistent with the Master Plan.
3. Site Plan: A site plan for a change in the use of the Development shall be submitted to the James City County Planning Division and shall be approved by the Director of Planning or his designee. The site plan shall include landscaping and lighting plans in accordance with the James City County Zoning Ordinance (the "Ordinance").

4. Entrances and Parking: The Development shall be limited to no more than one entrance and one exit on Ironbound Road with one-way traffic circulation through the Development and parking lot. The Development may include a shared entrance through the driveway of the Adjacent Parcel. Parking shall be located behind the existing building.
5. Storage of Materials: All storage of materials and/or heavy equipment shall be limited to within a fully enclosed building. No outdoor storage shall be permitted. The Owner shall remove all existing materials, equipment, and the storage container located in the rear of the Property within six months of approval of this SUP.
6. Screening: Privacy screening, such as, but not limited to, a fabric fence screen or landscaping, shall be installed in all areas of the existing perimeter fence. The fence or fabric screen shall be of a neutral color such as, but not limited to, dark green or brown, as approved by the Director of Planning prior to final site plan approval for the Development.
7. Urban and Suburban Community Character Corridor ("CCC") Buffer: The Owner shall provide a CCC landscaped buffer in the area shown as "Landscape Area" on the Master Plan. The buffer shall contain landscape material that exceeds Ordinance size requirements where appropriate in order to complement and supplement the existing foundation plantings in front of the building to create an urban and suburban CCC buffer consistent with the Five Forks village area and with the Community Character Corridor Buffer Treatment Guidelines and Map adopted by the Board of Supervisors on November 22, 2011. It is not the intent to completely screen the building from view but to enhance the visual appeal of this section of Ironbound Road with the addition of both new trees and shrubs. A landscape plan shall be submitted with the site plan and shall be reviewed and approved by the Director of Planning or his designee for consistency with this condition prior to site plan approval.
8. Ironbound Road Pedestrian and Bike Improvements: In accordance with the Regional Bikeways Map and the Pedestrian Accommodation Master Plan, a shoulder bike lane and sidewalk will be provided along the Property's frontage on Ironbound Road. 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 and sidewalk in a manner that would meet the Virginia Department of Transportation ("VDOT") requirements. Such analysis shall be submitted prior to or concurrent with the site plan submission and shall address opportunities for the provision of alternative bike and pedestrian accommodations constructed on the Property that would serve the community as well as, if not better than, a shoulder bike lane and sidewalk. 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. Pedestrian and bike accommodations shall be installed or bonded prior to final site plan approval for the Development.
9. Signs: New freestanding signs shall be of a ground-mounted monument type and shall not be larger than 32-square feet, not erected to a height greater than eight feet tall. If sign lighting is desired by the Owner, it shall consist of ground-mounted lighting concealed by landscaping. All signage, content, and materials shall be in accordance

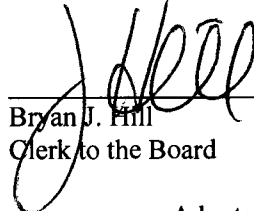
with the Ordinance and shall be approved by the Director of Planning for consistency with this condition prior to the issuance of a sign permit.

- 10. 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.
- 11. Commencement: Within 24 months of the issuance of this SUP, the Development shall receive a Certificate of Occupancy, or the SUP shall become void.
- 12. Severance Clause: This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.



Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:


Bryan J. Hill
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of February, 2015.

SUP-15-14Branscome-res