

RESOLUTION

CASE NO. SUP-0007-2017. LIGHTFOOT MARKETPLACE AUTOMOTIVE SERVICE CENTER

WHEREAS, the Board of Supervisors of James City County, Virginia, has adopted by ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and

WHEREAS, Lightfoot Marketplace Shopping Center, LLC (the "Owner") owns property located at 6401 Richmond Road further identified as James City County Real Estate Tax Map Parcel No. 2430100038; and

WHEREAS, on behalf of the Owner, Mrs. Jennifer Harris, of Armada Hoffer, has applied for an SUP to allow for an automotive service center as shown on the master plan titled: "Master Plan Amendment Lightfoot Marketplace for Special Use Permit" and dated September 19, 2017; and


WHEREAS, a public hearing was advertised, adjoining property owners notified and a hearing conducted on Case No. SUP-0007-2017; and

WHEREAS, the Planning Commission, following its public hearing on November 1, 2017 recommended approval of this application by a vote of 7-0.

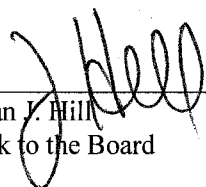
NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code, does hereby approve Case No. SUP-0007-2017, as described herein with the following conditions:

1. Master Plan. This SUP shall apply to that certain property located at 6401 Richmond Road and further identified as James City County Tax Parcel No. 2430100038 (the "Property"). The SUP shall be valid for the construction of an automotive service center as shown and designated on that certain master plan entitled "Master Plan Amendment Lightfoot Marketplace" dated September 19, 2017, and prepared by AES Consulting Engineers (the "Master Plan"). All final development plans shall be consistent with the Master Plan, but may deviate from the Master Plan if the Director of Planning concludes that the development plan does not: significantly affect the general location or classification of buildings as shown on the Master Plan; significantly alter the distribution of recreation or open space areas on the Master Plan; significantly affect the road layout as shown on the Master Plan; or significantly alter the character of land uses or other features or conflict with any building conditions placed on the corresponding legislatively-approved case associated with the Master Plan. If the Director of Planning determines that a proposed change would deviate from the approved Master Plan, the amendment shall be submitted and approved in accordance with Section 24-13. In the event the Director of Planning disapproves the amendment, the applicant may appeal the decision to the Development Review Committee which shall forward a recommendation to the Planning Commission.
2. Spill Prevention, Control and Countermeasures (SPCC) Plan. Prior to the issuance of a Land Disturbing Permit, a Spill Prevention, Control and Countermeasures Plan which addresses chemical handling, including but not limited to, oil, diesel and gasoline, shall be submitted to the Director of Stormwater and Resource Protection for review and approval.

3. Architectural Review. Prior to issuance of a building permit for the automotive service center the Director of Planning, or his designee, shall review and approve the final building elevations and architectural design and colors and materials, for such structure. The final building elevations shall specifically include the view of the building for all sides visible from Centerville or Richmond Road. Buildings shall be substantially consistent, with only minor changes, with the architectural elevations titled "Valvoline Instant Oil Change Lightfoot Marketplace - Proposed Exterior Elevations" dated September 15, 2017, prepared by Ceso, and submitted with this SUP application. Determination of substantial architectural consistency shall be determined by the Director of Planning or his designee. In the event the Director of Planning disapproves the architectural elevations, the applicant may appeal the decision to the Development Review Committee which shall forward a recommendation to the Planning Commission.
4. Enclosed dumpsters. Dumpsters shall be screened by an enclosure composed of masonry, closed cell PVC, prefinished metal or cementitious panels, in detail and colors to blend with adjacent building materials. Where present, such features shall be shown on the site plan and shall be reviewed and approved by the Director of Planning for consistency with this condition.
5. Landscaping. Prior to final site plan approval, a landscape plan shall be submitted to the Director of Planning, or his designee, showing evergreen screening of a minimum of five-foot-tall located along the Richmond Road side of the area where vehicles will be queuing in order to enter through the bay doors, as shown on the Master Plan. Landscaping of this area shall be installed and/or bonded before issuance of any Certificate of Occupancy for the proposed automotive service station.
6. Commencement of Construction. Construction on the automotive service station 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.
7. Severance Clause. This SUP is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.


 Kevin D. Onizuk
 Chairman, Board of Supervisors

ATTEST:


 Bryan J. Hill
 Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	_____	<input checked="" type="checkbox"/>	_____
SADLER	<input checked="" type="checkbox"/>	_____	_____
HIPPLE	<input checked="" type="checkbox"/>	_____	_____
LARSON	<input checked="" type="checkbox"/>	_____	_____
ONIZUK	<input checked="" type="checkbox"/>	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of December, 2017.