

RESOLUTION

CASE NO. SUP-22-0003. 7683 RICHMOND ROAD

KETTLE CORN FOOD PROCESSING AND STORAGE

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, Mr. David Tuftee, property and business owner, has applied for an SUP on behalf of Uncle Dave's Kettle Korn to allow the use of the property for food processing and storage on property located at 7683 Richmond Road, further identified as James City County Real Estate Tax Map Parcel No. 1330100005 (the "Property"); and

WHEREAS, the Planning Commission, following its public hearing on June 1, 2022, recommended approval of Case No. SUP-22-0003 by a vote of 7-0; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-22-0003; and

WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with good zoning practices and the 2045 Comprehensive Plan Land Use Map designation for the Property.

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 the issuance of Case No. SUP-22-0003 as described herein with the following conditions:

1. Master Plan: This SUP shall permit the preparation, processing, packaging, and distribution of kettle corn and pork rinds on approximately 1.95 acres located at 7683 Richmond Road and further identified as James City County Real Estate Tax Map Parcel No. 1330100005 (the "Property"). All final development plans and use of this property shall be consistent with the master plan entitled "JCC SUP-22-0003, 7683 Richmond Road Kettle Korn Food Processing and Storage" dated May 6, 2022 (the "Master Plan"), as determined by the Director of Planning, with any deviations considered per Section 24-12 (a)(2) of the Zoning Ordinance, as amended.
2. Outdoor Storage: All storage of materials shall be limited to within a fully enclosed building. No outdoor storage shall be permitted.
3. Oils and Grease: A hydromechanical grease interceptor shall be installed that meets the requirements of the James City Service Authority (JCSA) Fats, Oils, and Grease Program prior to an issuance of Certificate of Occupancy.
4. Water Conservation: The Applicant shall be responsible for developing water conservation standards to be submitted to and approved by the JCSA. 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. The water conservation standards shall be approved by the JCSA prior to an issuance of Certificate of Occupancy.

- 5. Smoke (Dust)/Noise/Odor: To reduce smoke, noise, and odor associated with the preparation, heating, or processing of kettle corn and pork rind products, these activities shall be limited to a fully enclosed building. An activated carbon filtration system shall be installed prior to an issuance of Certificate of Occupancy.
- 6. Dumpster/HVAC: All dumpster and heating and cooling units visible from any public street or adjoining property shall be screened from view with landscaping or fencing approved by the Director of Planning or designee prior to an issuance of Certificate of Occupancy.
- 7. Hours of Operation: Hours of operation for food processing and storage use, including the loading or unloading of deliveries to/from the Property, shall be limited to 8 a.m. to 5 p.m., Monday through Friday.
- 8. On-site Sales: On-site sales of food or merchandise shall be prohibited.
- 9. Commencement of Use: A permanent Certificate of Occupancy shall be obtained within twenty-four (24) months from the date of approval of this SUP, or this permit shall be void.
- 10. Severance Clause: This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

BE IT FURTHER RESOLVED that the Special Use Permit conditions set forth herein shall supersede and replace all conditions set forth in Case No. SUP-0016-1997.


 John J. McGlennon
 Chairman, Board of Supervisors

ATTEST:


 Teresa J. Saged
 Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of July, 2022.

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