

RESOLUTION

CASE NO. SUP-26-0006. 496 MCLAWS CIRCLE DUTCH BROS COFFEE

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

WHEREAS, Mr. Devlin Calhoun, Foresite Group, on behalf of Dutch Bros Coffee has applied for an SUP to allow for a coffee shop with drive-through located at 496 McLaws Circle and further identified as James City County Real Estate Tax Map Parcel No. 5020900005 (the "Property"); and

WHEREAS, the Planning Commission, following its public hearing on August 5, 2026, recommended approval of Case No. SUP-26-0006 by a vote of 7-0; 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 (the "County Code"), does hereby approve the issuance of Case No. SUP-26-0006 as described herein with the following conditions:

1. Master Plan. This SUP shall permit the coffee shop with drive-through which generates, or would be expected to generate, a total of 100 or more trips to and from the site during the peak hour of operation, on property located at 496 McLaws Circle and further identified as a portion of James City County Real Estate Tax Map Parcel No. 5020900005 (the "Property"). The use and layout of the Property shall be generally as shown on the document entitled "Master Plan, Dutch Bros Coffee VA203, 496 McLaws Circle Williamsburg, VA 23185" and dated July 1, 2026 (the "Master Plan"), and the building exterior elevations entitled "Exterior Elevations - Color" prepared by Castles Design Group, dated March 6, 2026, revised June 29, 2026, with any deviations considered per Section 24-23(a)(2) of the Zoning Ordinance, as amended.
2. Signage. There shall be no more than one freestanding sign provided along each street frontage of the Property. Any proposed freestanding signage within James City County shall be externally illuminated, monument-style sign, not to exceed 8 feet in height. The base of the signs shall be no less than 3 feet in height and constructed of brick or materials similar in type and color with the site architecture. The design and materials of the signs shall be approved by the Director of Planning prior to final Site Plan approval.
3. Screening of Site Features. All dumpsters, ground-mounted HVAC, and mechanical units shall be screened by an enclosure composed of masonry, closed-cell PVC, prefabricated metal, cementitious panels, or similar approved material, in detail and colors to blend with the coffee shop. Such features shall be shown on the Site Plan and shall be reviewed and approved by the Director of Planning.

4. Drive-Through Screening. The menu order board and drive-through pick-up window(s) shall be screened from Pocahontas Trail with landscaping and/or fencing, as approved by the Director of Planning or designee.
5. Lighting. All new exterior light fixtures, including building lighting, on the Property shall have recessed fixtures with no lens, bulb, or globe extending below the casing. A lighting plan shall be submitted to and approved by the Director of Planning or designee prior to final Site Plan approval. All light poles must not exceed twenty (20) feet in height and the lighting plan must indicate no light trespass as defined within the Zoning Ordinance outside the boundary lines of the Property unless otherwise approved in writing by the Director of Planning or designee.
6. Intercom and Speaker Noise. All intercom and other speaker systems on the Property shall operate in such a manner that they shall not be audible from adjacent properties.
7. Outside Display, Sale, or Storage. No outside display, sale, or storage of merchandise shall be permitted on the Property.
8. Landscaping. Landscaping shall be generally as shown on the document entitled "Landscape Plan, Dutch Bros Coffee VA203, 496 McLaws Circle, Williamsburg, VA 23185" and dated July 1, 2026 (the "Landscape Plan"), with any deviations considered per Section 24-23(a)(2) of the Zoning Ordinance, as amended. At least 50% of new vegetation shall be native to southeast Virginia, and any vegetation required to achieve the buffering effect required by Condition No. 4 shall be installed within 12 months of Site Plan approval, unless an extension is requested of and approved by the Director of Planning due to unforeseen circumstances or inappropriate weather conditions for installation of vegetation.
9. Water Conservation Standards. Prior to final Site Plan approval, water conservation standards shall be submitted to, and approved by, the James City Service Authority. The standards may 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-tolerant plants where appropriate, and the use of water-conserving fixtures and appliances to promote water conservation and minimize the use of public water resources. The standards shall also include enforcement measures and responsibilities.
10. Special Stormwater Criteria (SSC). The plan of development is subject to the SSC as adopted by the Board of Supervisors in March 2025. Measures to be used for SSC credits must be approved by the Director of Stormwater and Resource Protection.
11. Virginia Runoff Reduction Method. The Forested Open Space (FOS) land use category may be used to account for a maximum of 25% of the required water quality associated with the proposed development. The purchase of offsite nutrient credits toward needed water quality associated with site development will not be allowed.
12. Commencement. Evidence of an approved Site Plan for this use shall be provided to the Director of Planning within twenty-four (24) months from the issuance of the SUP, or this SUP shall automatically be void.
13. Severance Clause. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.



John J. McGlennon

John J. McGlennon
Chair, Board of Supervisors

ATTEST:

Teresa J. Saced

Teresa J. Saced
Deputy Clerk to the Board

WAINWRIGHT
NULL
ICENHOUR
LARSON
MCGLENNON

VOTES

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
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Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of September, 2026.

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