

## RESOLUTION

### CASE NO. SUP-30-06. JAMESTOWN ROAD SERVICE STATION, LLC

WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific land uses that shall be subject to a special use permit (SUP) process; and

WHEREAS, Mr. Frank B. Gewet has applied for an SUP to allow for the expansion of fueling capacity under the existing canopy area. The expansion consists of installing two new gasoline dispensers; relocating two existing gasoline dispensers to new positions; and extending (4 foot by 4 foot concrete extension) two of the concrete fueling islands in order to accommodate the proposed number of fueling dispensers; and

WHEREAS, the proposed site is shown on a conceptual layout entitled "Exhibit for Special Use Permit Jamestown Road Service Station," dated January 9, 2007; and

WHEREAS, the property is currently zoned B-1, General Business, and is designated Community Commercial on the 2003 Comprehensive Plan Land Use Map; and

WHEREAS, the property is located at 1301 Jamestown Road on property more specifically identified as Parcel No. (9-65) on James City County Real Estate Tax Map No. (48-1); and

WHEREAS, on February 7, 2007, following a public hearing, the Planning Commission recommended approval of the application by a vote of 7-0; and

WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with the 2003 Comprehensive Plan Land Use Map designation for this site.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, following a public hearing, does hereby approve the issuance of SUP-30-06 as described herein with the following conditions:

1. This SUP shall be valid for the operation of a gasoline and service station and for the expansion of fueling capacity under the existing canopy. Expansion is hereby defined as the construction of two new gasoline dispensers, the relocation of two existing gasoline dispensers to new positions under the canopy, and for the extension of the concrete fueling islands necessary to accommodate these changes. There shall be no more than a total of seven vehicle-fueling stations permitted on the property. The fueling stations shall be arranged in a configuration generally consistent with the attached conceptual site layout entitled "Exhibit for Special Use Permit - Jamestown Road Service Station," dated January 9, 2007, herein, after referred to as the "Master Plan."
2. Prior to final site plan approval, the existing 16 parking spaces as shown on the Master Plan shall be restriped.
3. Parking shall only be allowed in the areas designated for vehicular parking as shown on the Master Plan.

4. The owner shall submit a landscape plan prepared by a professional landscape designer to the Planning Director for his review and approval. The landscape plan shall include landscaping that will screen the back of the service station building and service bay areas from Jamestown Road and the rear parking area from Winston Drive. The plant materials shall comply with the current landscape zoning ordinances for plant sizes. The plant materials shall be native evergreen species that can thrive in this area. The landscape design must be approved by the Planning Director or his designee during the site plan process and the landscaping must be installed or bonded prior to final site plan approval.
5. If construction has not begun on the property within 36 months of issuance of the SUP, it shall become void. Construction is hereby defined as the installation of the two new gasoline dispensers, the relocation of two existing gasoline dispensers to new positions under the canopy area, and the extension of the concrete fueling islands.
6. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.



John J. McGlennon  
 Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner  
 Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
HARRISON	AYE
BRADSHAW	AYE
GOODSON	AYE
ICENHOUR	AYE
MCGLENNON	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of March, 2007.

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