

## RESOLUTION

### CASE NO. SUP-24-04. BASKETVILLE OF WILLIAMSBURG

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 process; and

WHEREAS, Mr. Rich Costello has applied on behalf of Basketville of Williamsburg for a special use permit to allow the expansion of the existing retail building by 7,500 square feet; and

WHEREAS, the proposed building is shown on the plan prepared by AES Consulting Engineers, dated August 23, 2004, and entitled "Master Plan for a Special Use Permit for Basketville of Williamsburg, Inc."; and

WHEREAS, the property is located on land zoned B-1, General Business District, and can be further identified as Parcel No. (1-45), on James City County Real Estate Tax Map No. (12-4); and

WHEREAS, the Planning Commission, following its Public Hearing on October 4, 2004, voted 5-0 to approve this application.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. 24-04 as described herein with the following conditions:

1. Prior to final site plan approval, architectural elevations, building materials, and colors shall be submitted to the Planning Director for review and approval. The intent of this condition is to ensure that the existing and proposed structures on the site are uniform and compatible in terms of design, materials, and colors, and are designed for minimal visual impact.
2. The plan of development shall be generally consistent with the "Master Plan For A Special Use Permit For Basketville of Williamsburg, Inc." prepared by AES Consulting Engineers, dated August 23, 2004, and revised September 24, 2004, as determined by the Planning Director.
3. A 20-foot buffer shall be provided along the rear property line, and 50-foot buffer shall be provided along the Bush Springs Road Property line from the rear property line to the existing asphalt entrance road. The buffer shall be undisturbed, unless otherwise approved by the Planning Director or his designee, except for any additional landscaping in accordance with the landscaping requirements of the Zoning Ordinance. A landscape plan depicting the buffer and any additional landscaping shall be approved by the Planning Director or his designee prior to final site plan approval.

4. The owner shall be responsible for developing water conservation standards to be submitted to and approved by the James City Service Authority (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. The water conservation standards shall be approved by JCSA prior to final site plan approval.
5. All dumpsters shall be screened by landscaping and fencing in a location approved by the Planning Director or his designee prior to final site plan approval.
6. All exterior lighting on the property shall be recessed fixtures with no bulb, lens, or globe extending below the casing. The casing shall be opaque and shall completely surround the entire fixture and light source such that all light will be directed downward and the light source is not visible from the side. Modifications to this requirement may be approved by the Planning Director if it is determined that the modifications do not have any adverse impact on the Property or surrounding property.
7. Construction on this project shall commence within thirty-six (36) months from the date of approval of this special use permit or this permit shall be void. Construction shall be defined as obtaining building permits and an approved footing inspection and/or foundation inspection.
8. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

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Bruce C. Goodson  
Chairman, Board of Supervisors

ATTEST:

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Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of November, 2004.

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