

RESOLUTION

CASE NO. SUP-0021-2007. TIKI CLIMBING AND GRINDING

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 (SUP) process; and

WHEREAS, Mr. Timothy Soderholm has applied for a SUP to allow for a contractor's office and storage; and

WHEREAS, the proposed project is shown on a Master Plan, entitled "Tiki Contracting Master Plan" and date stamped September 3, 2007; and

WHEREAS, the property is located at 6293 Centerville Road on land zoned A-1, General Agricultural, and can be further identified as James City County Real Estate Tax Map/Parcel No. 2340200001; and

WHEREAS, the Planning Commission of James City County, following its public hearing on November 7, 2007, gave a neutral recommendation of this application by a vote of 6-0; 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, after a public hearing, does hereby approve the issuance of SUP No. 0021-2007 as described herein with the following conditions:

1. This SUP shall be valid for the operation of one contractor's warehouse, shed, office, and accessory uses thereto ("the Project") as shown on the Master Plan titled "Tiki Contracting Master Plan" date stamped September 3, 2007 (the "Master Plan") on the parcel, located at 6293 Centerville Road and identified as James City County Real Estate Tax Map No. 2340200001 (the "Property"). Development of the Project shall be generally in accordance with the Master Plan as determined by the Development Review Committee ("the DRC") of the James City County Planning Commission. Minor changes may be permitted by the DRC, as long as they do not change the basic concept or character of the Project.
2. All storage of equipment and parking of vehicles associated with the Project shall be located inside the "Storage Shed," under the "Car Port" or within the "Driveway/Outside Storage" as shown on the Master Plan. The driveway/outside storage shall be located as shown on the Master Plan and shall be limited to the side and rear of the dwelling (not the front). At a minimum the driveway/outside storage shall comply with the requirements of Section 24-41 of the Zoning Ordinance, and each of the following shall also be required:
 - a) A plan addressing stormwater drainage and management shall be submitted as a component of the site plan specified in Condition 8.
 - b) Maintenance of an all-weather surface of gravel, asphalt or better for the area shown on the Master Plan as "Driveway/Outside Storage."
 - c) Submission of a landscape and screening plan to be approved by the Planning

Director or his designee. The landscape and screening plan shall show, at a minimum, that such landscaping and/or fencing shall effectively screen the storage of Project equipment and motor vehicles associated with the Project from public roads and from adjacent properties. Specifically, there shall be provided an average 15-foot-wide landscape area along the property lines adjacent to James City County Real Estate Tax Map Parcel Nos. 3120100018 (northern property line only), 3120100004, and 2340200002, and the 15 feet shall be landscaped in accordance with the "General Landscape Area Standards (Section 24-94 of the Zoning Ordinance), except that the owner shall provide enhanced landscaping so that the required size of plants and trees equals, at a minimum, 125 percent of the requirements. In addition, a landscape area shall be provided along Centerville Road such that it meets the standards specified in the "Landscape area(s) along right(s)-of-ways" (Section 24-96 of the Zoning Ordinance), except that the owner shall provide enhanced landscaping so that the required size of plants and trees equals, at a minimum, 125 percent of the requirements. The applicant may use a fence to meet, in whole or in part, this screening requirement if specifically approved by the Planning Director after a finding that it would exceed the effectiveness of any such landscaping in screening the property and would not cause additional adverse impacts to adjacent properties. Any such fence shall be of a natural wood color and of a design and height to screen the outside storage area from the adjacent properties. The landscape and screening plan shall be submitted in conjunction with the site plan specified in Condition 8 and shall be installed or bonded in a manner satisfactory to the County Attorney within one year of issuance of this SUP.

3. There shall be no tree stumps, trunks, limbs, tree roots, chipped wood, mulch, sawdust, wood or plant by-products, or other related products, stored, placed, or processed on the property, except that material may be stored on-site on an occasional overnight basis.
4. Hours of operation shall be limited to 6 a.m. to 6 p.m. Monday through Friday. On Saturday, hours of operation shall be limited to 7:30 a.m. to 6 p.m.
5. Only one entrance shall be allowed for the Project, from the Property onto Settler's Lane, as shown on the Master Plan.
6. Signage shall be limited to one sign, not to exceed four square feet. Such sign shall be attached to the dwelling and shall not be illuminated.
7. Should new exterior site or building lighting be installed for the operation of the Project, any new exterior site or building lighting shall be comprised of recessed fixtures with no bulb, lens, or globe extending below the fixture housing. The housing shall be opaque and shall completely enclose the light source in such a manner that all light is directed downward and that the light source is not visible from the side of the fixture. Pole-mounted fixtures shall not be mounted in excess of 15 feet in height above the finished grade beneath them. No glare, defined as 0.1 footcandle or higher, shall extend outside the boundaries of the Property.
8. Site plan approval shall be obtained within one year of issuance of this SUP, or the SUP shall be void.
9. Any office use for this operation located in the residential dwelling on-site shall be

limited to not more than 25 percent of the first floor area.

10. Equipment associated with the Project shall be limited to the size and nature of the equipment stored on the Property at the time of SUP approval (including, but not limited to, trailers, pickup trucks, chipper, stump grinder, bobcat, mower, and various hand tools as shown in the photograph dated July 25, 2007, and included as attachment #3 to this staff report). Equipment such as bucket trucks, dump trucks, and other such equipment that in whole or in part exceeds approximately eight feet in height or exceeds approximately 6,500 pounds, shall be prohibited.
11. 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

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of December, 2007.

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