

RESOLUTION

CASE NO. SUP-19-0012. TIKI TREE AND LANDSCAPE

CONTRACTOR'S STORAGE YARD

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, Hayden's Place, LLC owns property located at 6283 Centerville Road, further identified as James City County Real Estate Tax Map No. 3120100004 ("Parcel 1"); and

WHEREAS, Mr. Bruce M. Gilliam owns property located at 6289 Centerville Road, further identified as James City County Real Estate Tax Map No. 3120100018 ("Parcel 2"); and

WHEREAS, Mr. Timothy J. Soderholm and Ms. Ashley Marie Campbell own property located at 6293 Centerville Road, further identified as James City County Real Estate Tax Map No. 2340200001 ("Parcel 3"); and

WHEREAS, the owners have applied for an SUP to allow the operation of a contractor's warehouse, sheds, and accessory uses thereto (the "Project") on Parcels 1 and 2, and the operation of a contractor's office (the "Office") on Parcel 3; and

WHEREAS, development and operation of the Project and the Office shall be as shown on the Master Plan titled "Tiki Tree and Landscape SUP" and date stamped November 13, 2019, with any deviations considered per Section 24-23(a)(2) of the Zoning Ordinance, as amended; and

WHEREAS, the Planning Commission, following its public hearing on March 4, 2020, considered a motion to approve the application which passed by a vote of 5-2; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-19-0012.

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-19-0012 as described herein with the following conditions:

1. Master Plan. This SUP shall be valid for the operation of: (i) a contractor's warehouse, sheds, and accessory uses thereto (the "Project") on property located at 6283 Centerville Road, further identified as James City County Real Estate Tax Map No. 3120100004 ("Parcel 1") and property located at 6289 Centerville Road, further identified as James City County Real Estate Tax Map No. 3120100018 ("Parcel 2"); and (ii) a contractor's office (the "Office") on property located at 6293 Centerville Road, further identified as James City County Real Estate Tax Map No. 2340200001 ("Parcel 3") (Parcels 1, 2, and 3 referred to collectively as the "Property").

Development and operation of the Project and the Office shall be as shown on the Master Plan titled “Tiki Tree and Landscape SUP” and date stamped November 13, 2019 (the “Master Plan”), with any deviations considered per Section 24-23(a)(2) of the Zoning Ordinance, as amended.

2. Limitations. Only the following activities associated with the Project shall be conducted on Parcel 1: (i) maintenance of equipment and vehicles, and (ii) storage and loading of materials on trucks and trailers. Parcel 2 shall only be used for access to the Project. Parcel 3 shall only be used for activities consistent with a home occupation as defined by the Ordinance, and bathroom accessibility for the Project. No retail sales, including the sale of wood or wood-related products, shall occur on the Property. No mulching or stump grinding shall occur on the Property. Storage/stockpiling of soil, landscaping debris, gravel, stone, or other landscaping materials shall not be allowed on the Property.
3. Indoor Storage. Storage of all equipment, machinery, and materials associated with the Project, excluding trucks and other vehicles, shall be located inside the “shed,” “pole barn,” and “storage unit” structures as shown on the Master Plan. The storage unit shall be anchored.
4. Parking Areas. Vehicles and trailers associated with the Project, including employee and/or subcontractor vehicles and trailers, shall be parked in the areas labeled as “Subcontractor Parking” and “Parking for Business Use” as shown on the Master Plan.
5. SUP Amendment. An amendment to this SUP shall be necessary should the amount of equipment associated with the Project exceed the storage capacity of the ± 900-square-foot sheds, the ± 380-square-foot storage unit, and ± 980-square-foot pole barn, or if the vehicles associated with the Project exceed the parking capacity of the parking areas as shown on the Master Plan.
6. Landscape and Screening. As part of the site plan, a landscape and screening plan shall be submitted to the Director of Planning or designee for review and approval prior to final site plan approval. All components of the Project on Parcel 1 shall be screened from the adjacent properties to the east and west, as determined by the Director of Planning, by either a fence or landscaping buffer at least 15 feet in width. In addition, the Project shall be screened from Centerville Road, as determined by the Director of Planning, by either fencing, landscaping, or both. All fencing and/or landscaping shall meet the following standards:
 - a. Any fencing used to meet this condition shall be of a natural wood color and of a design and height to screen the Project from adjacent properties. Fence height shall be a minimum of six feet and a maximum of eight feet. The location of the fence shall be shown on the site plan, and the design of the fence shall be submitted to the Director of Planning for review and approval as a component of the site plan. No fencing shall be built within the Community Character Corridor along Centerville Road.
 - b. All landscape material installed to meet this condition shall be evergreen, and shall meet or exceed the applicable landscape standards contained in the Zoning Ordinance.

- c. All fence and landscape material installed to meet this condition shall be on the Parcel 1, and not be located on adjacent parcels. The structures on the Master Plan labeled "Storage of Tree Removal Tools" shall be reoriented or relocated within the area designated on the Master Plan for the use, if needed, in order to meet this condition.
 - d. Any gate built within the fence or any break in the landscaping shall be a maximum of six feet wide so as to preclude vehicle access. Any such gate or landscaping break shall be shown on the site plan, and the design shall be approved by the Director of Planning.
- 7. Vehicle Access. All vehicular access to the Project shall be limited to one vehicle entrance via Centerville Road only. There shall be no vehicular access permitted between the Project and Parcel 3, or any parcels on Settlers Lane.
 - 8. Ingress/Egress Easement. If access to the Project is through Parcel 2, an ingress/egress easement to allow vehicular access through Parcel 2 shall be recorded and evidence of recordation shall be submitted to the Director of Planning prior to final site plan approval. No operation (parking, storage, structures, etc.) of the Project other than access shall occur on properties other than Parcel 1.
 - 9. Spill Prevention and Containment Plan. Prior to final site plan approval, a spill prevention and containment plan that addresses chemical handling for the Project, including but not limited to oil, diesel, and gasoline, shall be submitted to the Director of Stormwater and Resource Protection and the Fire Chief for their respective review and approval.
 - 10. Signage. No outdoor signage advertising the Project shall be allowed on the Property.
 - 11. Hours of Operation. The hours of operation of the Project shall be limited from 7 a.m. to 7 p.m. Monday through Saturday, except for transportation related to occasional storm cleanup.
 - 12. Lighting. Any existing outdoor lighting on Parcel 1 shall be brought up to current Zoning Ordinance standards. Any new exterior lighting installed on the Property shall adhere to Article II, Division 7 Outdoor Lighting of the Zoning Ordinance. Lighting fixtures shall not be mounted in excess of 15 feet in height, as measured from finished grade.
 - 13. Revegetation. Storage of materials or vehicles on areas not presented as impervious in the SUP application shall be modified and accounted for with the site plan. Areas outside of impervious cover shall be shown as revegetation on the site plan. A revegetation plan shall be developed for any existing impervious cover which is not shown as impervious on the Master Plan. Such revegetation plan shall be included in the site plan and approved by the Director of Stormwater and Resource Protection prior to final site plan approval.
 - 14. Special Stormwater Criteria. The Director of Stormwater and Resource Protection shall allow certain Special Stormwater Criteria (SSC) measures to be employed to the satisfaction of the Virginia Runoff Reduction Management (VRRM) and the SSC

simultaneously as the current SSC guidelines pre-date the VRRM method. The following SSC practices shall not be accepted for use in the Project:

- a. Disconnection of Impervious Areas. The proposed layout for the Project is such that the intent of this measure to be applied to the Property cannot be achieved. If a different layout be desired, this measure may be allowed by the Director of Stormwater and Resource Protection.
 - b. Sumped or Bottomless Inlets.
 - c. Record Drawings of Storm Systems.
 - d. Additional Pollutant Load Reduction. This measure will only be accepted if the additional load reduction is at least 25% greater than the calculated load requirement. Additional nutrient credit purchase will not satisfy this measure. A constructed measure(s) must be applied.
15. Site Plan. A site plan for the Project shall be submitted within 12 months from the date of approval of the SUP, and final approval of the site plan shall be obtained within 24 months of issuance of this SUP, or the SUP shall automatically be void. Installation of all improvements shown on the approved site plan shall be completed, and a final inspection shall occur within 36 months of issuance of this SUP, or the SUP shall automatically be void.
16. Severability. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidated the remainder.

James O. Icenhour, Jr.
Chairman, Board of Supervisors

ATTEST:

Teresa J. Fellows
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
SADLER	_____	_____	_____
MCGLENNON	_____	_____	_____
LARSON	_____	_____	_____
HIPPLE	_____	_____	_____
ICENHOUR	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of July, 2020.

SUP19-12TikiTree-res