

Special Use Permit (SUP) Project Narrative – SUP-20-0017

Caroline's Creamery, LLC, dba Bruster's Ice Cream located at 5289 John Tyler Highway (PIN: 4812200010), Bruster's Ice Cream, who is celebrating 20 years in operation this year, is requesting a Special Use Permit amendment to accommodate a drive thru addition to their existing business operation. Due to the impact of Covid-19, Bruster's Ice Cream has had to modify its approach to delivering its products to the community. This drive thru expansion allows Bruster's to provide a new and safer way to continue to provide its excellent services, while maintaining a safe, socially distant and more convenient transaction.

Due to site constraints, the proposed drive thru wraps behind the existing building, approximately 15 feet into the 50' Community Character Corridor (CCC) Buffer adjacent to State Rt. 199. To offset this encroachment, the CCC Buffer will vary in width, as allowed in Sec. 24-98 of the James City County Zoning Ordinance, so that buffer shall be no less than 25' and no more than 65' in any area, and will be planted to meet the requirements set forth in Sec. 24-96. Helping further mitigate this encroachment are the existing plantings in the Rt. 199 right of way. The plantings are significant and in conjunction with the existing and proposed plantings provide a more than adequate buffer to mitigate the 15' drive thru encroachment. The drive thru expansion will require the removal of six (6) parking spaces directly adjacent to the existing building. However, the proposed condition will still provide seven (7) spaces, one (1) more than required for the site. A 5'x7' drive thru window will be built onto the existing building.

The proposed drive thru addition will help Bruster's continue to grow and flourish with varying delivery methods to serve the community, with virtually no impact to the buffer.

SUP Checklist Items

- There is no change to the impact of traffic with this project.
- There are no impacts to water and sewer with this project.
- There is not a need for a Historic and Archaeological Study with this project.
- There are no natural resources on site applicable to the James City County Natural Resources Policy.
- The proposed drive thru addition should increase the fiscal impact to James City County.
- There is no Parks and Recreation information associated with this project.