

Proposed Special Use Permit Conditions:

1. **Master Plan:** This Special Use Permit (“SUP”) shall apply to property located at 6446 Richmond Road, which is further identified as James City County Real Estate Tax Map Parcel No. 2430100046 and unaddressed Tax Map Parcel No. 2430100067, (together, the “Property”). The SUP shall be valid for a convenience store of up to 5,850 square feet that sells and dispenses fuel (the “Convenience Store”). All final development plans shall be consistent with the Master Plan entitled, “Wawa 6446 Richmond Road” prepared by The Bay Company, dated January 10, 2019 (the “Master Plan”) as determined by the Director of Planning with any deviations considered per Section 24-23(a)(2) of the Zoning Ordinance, as amended.
2. **Existing Fueling Islands:** Prior to the issuance of a Certificate of Occupancy for the Convenience Store, all unused gasoline and diesel pumps, canopies and underground fuel tanks shall be removed from the Property.
3. **Spill Prevention, Control and Countermeasures (SPCC) Plan:** Prior to the issuance of a Land Disturbing Permit, an SPCC Plan which addresses chemical handling, including but not limited to oil, diesel and gasoline, shall be reviewed and approved by the Director of Stormwater and Resource Protection.
4. **Internal Pedestrian Accommodations:** The owner of the Property shall provide internal pedestrian connections to include, but not limited to, wherever sidewalk enters the parking area or crosses any entrance to the Property and shall provide safe connections from the multi-use path shown on the Master Plan to the convenience store. The connections shall be clearly delineated by use of a different color of pavement, brick pavers or some other method shown in a detail on the site plan and determined to be acceptable by the Director of Planning prior to site plan approval. These improvements shall be installed prior to any certificate of occupancy for the convenience store or gas station.
5. **Bicycle Accommodations:** In accordance with the Regional Bikeway Map, a bike lane shall be shown on the site plan along the Property’s Richmond Road frontage and must be guaranteed in a manner acceptable to the County Attorney prior to site plan approval.
6. **Screening of Site Features:** All dumpsters and ground-mounted HVAC and mechanical units located on the Property shall be screened by an enclosure composed of masonry, closed cell PVC, prefinished metal or cementitious panels in detail and colors to blend with adjacent building materials. Where present, such features shall be shown on the site plan and shall be reviewed and approved by the Director of Planning for consistency with this condition prior to site plan approval.
7. **Outside Display, Sale or Storage:** No outside display, sale or storage of merchandise shall be permitted on the Property.
8. **Intercom and Speaker Noise:** All intercom and other speaker systems on the Property shall operate in such a manner that they shall not be audible from adjacent properties.
9. **Architectural Review – Gas Pump Canopy:** The architecture of the canopy, including any columns, shall match the design and exterior building materials of the Convenience Store. The canopy shall have a maximum height of fifteen (15) feet measured from the finished grade to the underside of the canopy or have a pitched A-frame roof structure as shown in Attachment 8, Wawa Alternative Canopy Design. No more than two signs shall be allowed on the canopy. The canopy shall not

include gas pricing signs. The canopy architecture shall be approved by the Director of Planning prior to site plan approval.

10. **Signage:** No freestanding signs shall be permitted on the Property.
11. **Lighting:** There shall be no light trespass, defined as light intensity measured at .1 footcandle or higher extending beyond any property line or into the public right-of-way unless approved by the Director of Planning. All lights, including any lighting on the canopy, shall have recessed fixtures with no bulb, lens, or globe extending below the casing or the canopy ceiling. Light poles in the parking lot shall not exceed twenty (20) feet in height. The lighting for the Property, to include the canopy lighting, shall be reviewed and approved by the Director of Planning prior to final site plan approval.
12. **Water Conservation Plan:** Water conservation standards shall be enforced on the Property. Water conservation standards shall be submitted to and approved by the James City Service Authority prior to any Certificate of Occupancy for the Project. The standards may include, but shall not be limited to, such water conservation measures as limitations on the installation and use of irrigation systems and irrigation wells, the use of approved landscaping materials including the use of drought-tolerant plants where appropriate, and the use of water-conserving fixtures and appliances to promote water conservation and minimize the use of public water resources.
13. **Traffic Impacts:**
 - a. Prior the final site plan approval all recommended improvements and mitigation measures listed within the approved traffic study and access management exception as approved by the Director of Planning and Virginia Department of Transportation shall be guaranteed in a manner acceptable to the County Attorney.
14. **Commencement for Construction.** Construction of the canopy 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, an approved framing inspection for the canopy design approved under Condition No. 9 and an approved footing inspection and/or foundation inspection.
15. **Severance Clause.** This special use permit is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.