

RESOLUTION

CASE NO. SUP-18-0027. 121 LEISURE ROAD, LUXTERA ELECTRIC INC.

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. Clifton Martian has applied for an SUP to allow a Contractor's warehouse shed and office on property zoned A-1, General Agricultural located at 121 Leisure Road, further identified as James City County Real Estate Tax Map Parcel No. 1120100006; and

WHEREAS, the proposed development is depicted on the master plan titled "Special Use Permit-18-0027, 121 Leisure Road, Luxterra Electric Inc." Dated January 28, 2019; and

WHEREAS, a public hearing was advertised, adjoining property owners notified and a hearing conducted on Case No. SUP-18-0027; and

WHEREAS, the Planning Commission, following its public hearing on February 6, 2019, recommended approval of the application by a vote of 7-0.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of factors in Section 24-9 of the County Code, does hereby approve Case No. SUP-18-0027, as described herein, subject to the following conditions:

1. **Master Plan:** This SUP shall be valid for a contractor's warehouse, shed, and office (the "Proposal") on property located at 121 Leisure Road and further identified as James City County Real Estate Tax Map Parcel No. 1120100006 (the "Property"). The location of the Proposal and associated storage shall be generally as shown on the Master Plan titled "Special Use Permit-18-0027. 121 Leisure Road, Luxterra Electric Inc. dated January 28, 2019, (The "Master Plan") with any deviations considered per Section 24-23(a)(2) of the Zoning Ordinance, as amended.
2. **Limitations:** No work associated with the Proposal, except for administrative/office work, storage, and loading of materials on trucks and trailers shall be conducted at the Property. No retail sales of products shall occur at the Property. No manufacturing, including the manufacture of any electrical products or electrical accessories, shall occur at the Property.
3. **Hours of Operation:** Transportation of equipment to and from the Property shall be limited to 6:30 a.m.-6:30 p.m., Monday through Saturday.
4. **Vehicle Storage:** Storage of vehicles, equipment, and electrical supplies shall be as follows:
 - a) All larger vehicles and equipment associated with the Proposal, including, but not limited to, trucks and trailers, shall be contained behind the residence in the laydown yard as shown on the Master Plan, and shall not be located in any required perimeter buffers or Resource Protection Areas (RPA).

- b) Electrical supplies and materials associated with the Proposal, including, but not limited to, power poles, wiring, conduits, fittings, and other miscellaneous supplies shall be stored in the 2,652-square-foot pole barn as shown on the Master Plan.
 - c) Smaller equipment associated with the Proposal, including, but not limited to, electrical diagnostic machines and other equipment used to work on off-site projects shall be stored in the 2,834-square-foot shop as shown on the Master Plan.
5. **Perimeter Buffer:** The existing vegetation on the Property and surrounding the storage of vehicle/equipment areas as shown on the Master Plan shall remain undisturbed. The existing gap in the Leyland Cypress hedge between the Property and the adjacent residential property to the west shall be supplemented with additional 8-foot Leyland Cypress trees to fill in the gap and screen the Proposal from the adjacent property. Additionally the gap in the buffer between the front portion of the property and the office/laydown yard shall be replanted with shrubs to complete the buffer and meet the requirements of Section 24-96 and Section 24-97 of the landscape section of the Zoning Ordinance. A landscape plan showing this landscaping shall be submitted as part of the site plan and approved by the Director of Planning and installed within 12 months of final site plan approval.
6. **Signage:** No outdoor signage associated with this SUP shall be allowed on the Property.
7. **Site Plan:** A site plan based on a current survey of the Property, shall be required for the Proposal. Final approval of the site plan shall be obtained within 12 months of issuance of this SUP, or the SUP shall become void. All buildings on the Property associated with the Proposal shall be brought into conformance with the appropriate building code regulations, as determined by the Director of Building Safety and Permits, within 12 months of site plan approval.
8. **Environmental Inventory:** The site plan submittal for the Proposal shall include a stormwater management plan per Section 8-24 of the James City County Code. Any necessary improvements for the pond, whether on-site or off-site as determined by the Director of Stormwater and Resource Protection, shall be depicted on the site plan prior to final approval. In addition, a maintenance plan for the upkeep of the pond shall be prepared and submitted for review and approval by the Director of Stormwater and Resource Protection prior to final site plan approval.
9. **Severance Clause:** This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate 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>
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____
SADLER	_____	_____	_____
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of March, 2019.

SUP18-27Luxterra-res