

**RESOLUTION**

**CASE NO. Z-0002-2016. THE VILLAGE AT CANDLE STATION PROFFER AMENDMENT**

WHEREAS, Mr. Timothy Trant of Kaufman and Canoles has applied for a change in zoning for +/-64.45 acres owned by Candle Development, LLC, Candle Factory Building LLC, NVR, Inc, Poplar Creek, LLC, and John and Judith Barnett, from PUD, Planned Unit Development with proffers to PUD, Planned Unit Development with amended proffers; and

WHEREAS, the properties subject to the application can be further identified as James City County Real Estate Tax Map Parcel Nos.:

2321100001D, 2321100001E, 2321100003A, 2321100003B, 2321100002, 2321100003, 2321100001, 2321100004, 2321100005, 2321100006, 2321100007, 2321100008, 2321100009, 2321100023, 2321100024, 2321100025, 2321100026, 2321100027, 2321100028, 2321100030, 2321100058, 2321100059, 2321100060, 2321100061, 2321100062, 2321100063, 2321100064, 2321100065, 2321100066, 2321100067, 2321100068, 2321100069, 2321100070, 2321100071, 2321100072, 2321100073, 2321100074, 2321100075, 2321100076, 2321100077, 2321100124, 2321100125, 2321100126, 2321100127, 2321100128, 2321100129, 2321100130, 2321100131, 2321100132, 2321100133, 2321100134, 2321100135, 2321100136, 2321100137, 2321100138, 2321100139, 2321100140, 2321100141, 2321100142, 2321100143, 2321100144, 2321100145, 2321100146, 2321100147, 2321100148, 2321100149, 2321100150, 2321100151, 2321100029, 2321100034, 2321100035, 2321100036, 2321100037, 2321100041, 2321100043, 2321100045 (together, the "Property");and

WHEREAS, on June 23, 2015, the Board of Supervisors approved Case No. Z-0008-2014/MP-0004-2014, which rezoned the Property from MU, Mixed Use with proffers, and M-1, Limited Business/Industrial, to PUD, Planned Unit Development with proffers (the "Existing Proffers"); and

WHEREAS, Case No. Z-0002-2016 proposed to amend Condition No. 4, Housing Opportunities, from the existing proffers, which does not affect the use or density of the Property, and retain all other proffers contained in the Existing Proffers; and

WHEREAS, in accordance with Section 24-20 of the County Code and § 15.2-2302 of the Code of Virginia, which allow for waiver of public hearings for amendment of conditions that do not affect use or density, the Planning Commission and Board of Supervisors have considered Case No. Z-0002-2016; and

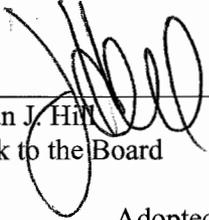
WHEREAS, the Planning Commission of James City County, Virginia, following its consideration on March 2, 2016, recommended approval of Case No. Z-0002-2016, by a vote of 7 to 0; and

WHEREAS, the Board of Supervisors of James City County, Virginia, finds Case No. Z-0002-2016 to be required by public necessity, convenience, general welfare and good zoning practice.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Case No. Z-0002-2016 as described herein and accept the amended voluntary proffers.

  
Michael J. Hipple  
Chairman, Board of Supervisors

ATTEST:

  
Bryan J. Hill  
Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCLENNON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LARSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ONIZUK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SADLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HIPPLE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of April, 2016.

Z-02-16CndleStnAmd-res