

RESOLUTION

CASE NO. SUP-8-98. JAMES POINT NURSING FACILITY AND OFFICE DEVELOPMENT

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 process; and

WHEREAS, the Planning Commission of James City County, following its public hearing on June 1, 1998, recommended approval of Case No. SUP-8-98 by a vote of 6 to 0 to permit the operation of a skilled nursing facility and office development at 1811 Jamestown Road, further identified as Parcel No. (1-70) on James City County Real Estate Tax Map No. (47-3).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. SUP-8-98 as described herein with the following conditions:

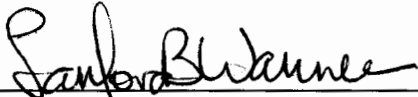
1. Construction. If construction has not begun on the project within 24 months of the issuance of the special use permit, it shall become void. Construction shall be defined as the obtaining of permits for the construction of foundations and/or footings.
2. Uses. The uses of the property shall be limited to a skilled nursing facility no greater than 50,000 square feet and an office development having a maximum total floor area of 20,000 square feet, and shall be developed in accordance with the master plan entitled, "1811 Jamestown Road Skilled Care," prepared by Rickmond Engineering, dated May 14, 1998.
3. Architecture. The developer shall submit with the first site plan for the skilled living facility, and for the first site plan for the office development, architectural elevations of the buildings to include colors and examples of external materials for the roofs and walls for review and approval by the Director of Planning. Colors and materials shall be used that make the structures blend in with the natural environment of the site. All structures shall have gable roofs. The skilled living facility shall be limited to one story in height. The proposed office development shall not be a single structure and shall consist of several structures of no more than two stories. There shall be no more than four structures that comprise the office development. No structure in the office development shall exceed 7,000 square feet in floor area.
4. Conservation Easement. The owner shall place in a conservation easement acceptable to the County all land, above and including the 50-foot contour as generally identified on the conceptual plan entitled "1811 Jamestown Road Skilled Care," prepared by Rickmond Engineering, dated May 14, 1998. No land disturbance or grading shall be permitted above the 50-foot contour unless approved by the Director of Planning. In no case shall any land disturbance or grading occur above the 55-foot contour.
5. Buffers and Enhanced Landscaping. There shall be a minimum 100-foot undisturbed wooded buffer between the development and abutting properties generally to the west of the skilled living facility. There shall be a minimum 50-foot undisturbed wooded buffer between the proposed office development and the residential properties to the east, supplemented with enhanced evergreen landscaping in a manner that provides an effective visual screen as approved by the Director of Planning.

6. Access. Access to the property shall be limited to a single entrance on Jamestown Road. There shall be no access to the property from Sandy Bay Road. The entrance drive shall not have a median strip.
7. Lighting. All light poles shall not exceed 20 feet in height unless otherwise approved by the Director of Planning prior to final site plan approval. Security lighting affixed to any building shall be directed downward and shall not glare on adjacent property. All external lighting fixtures shall have recessed fixtures with no bulb, lens, or globe extending below the casing, so as to prevent any view of the light source from the side of the fixture.
8. Accessory Structures. Any storage shed or structure housing utilities on the property shall be subject to Condition 3 above and shall be landscaped as determined by the Director of Planning.
9. Dumpsters. Dumpsters or refuse containers shall be screened from view with a wood fence and shall be located no less than 150 feet from adjacent properties.
10. Archaeological Study. The developer shall submit to the County and to the Virginia Department of Historic Resources (VDHR) an archaeological study prepared in accordance with the County Archaeological Condition Policy on all disturbed areas of the site. The study or studies shall be reviewed and approved by the Director of Planning prior to any land disturbance. The recommendations of the approved study or studies shall be implemented in accordance with the County's Archaeological Condition Policy.
11. Limits of Development. The property zoned LB, Limited Business on the master plan shall not be developed and shall be maintained as open space as defined in the James City County Zoning Ordinance, except for: The area labeled as "Future Office Development Not to Exceed 20,000 SF," the single access road generally shown on the plan, and the existing pond proposed for a BMP. The Director of Planning shall approve any and all land disturbance and building demolition activity in this area.
12. Jamestown Road Frontage Land Dedication. Except for the allowed development and land disturbance areas identified in Condition 11 above, and identified on the master plan entitled "1811 Jamestown Road Skilled Care," prepared by Rickmond Engineering, dated May 14, 1998, the remainder of the area zoned LB, Limited Business shall be dedicated in fee or by conservation easement, approved by the County Attorney to an organization acceptable to the Director of Planning prior to final site plan approval.
13. Single Legislative Act. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.



Jack D. Edwards
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
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SISK	AYE
MCLENNON	AYE
BRADSHAW	AYE
NERVITT	AYE
EDWARDS	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of July,
1998.

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