

RESOLUTION

CASE NO. SUP-13-99. WILLIAMSBURG CHRISTIAN ACADEMY

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, Mr. William Bidwell has applied on behalf of Williamsburg Christian Academy and Powhatan Enterprises for a special use permit to allow for a 73,000± square foot school, a 3,500± square foot kindergarten building, modular classrooms and additional accessory uses, and structures as shown on the Master Plan prepared by Langley and McDonald, P.C., dated April 23, 1999, and entitled "Illustrative Plan Williamsburg Christian Academy and Hospice Center, Zuzma Property"; and

WHEREAS, the special use permit and the conditions listed below shall apply to all uses and structures shown on the Master Plan referenced above except for the hospice center; and

WHEREAS, the property is located on land zoned R-8, Rural Residential, and can be further identified as parcel No. (1-1) on the James City County Real Estate Tax Map No. (38-3); and

WHEREAS, the Planning Commission, following its public hearing on August 2, 1999, voted 5-0 to recommend approval of this application.

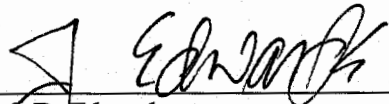
NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. SUP-13-99 as described herein with the following conditions:

1. The location of any Resource Protection Areas shall be identified by the developer and shall be indicated on any site plan of development which is submitted to James City County for approval. This identification must be approved by the James City County Environmental Division prior to the issuance of preliminary site plan approval.
2. No structure or parking area for the Williamsburg Christian Academy shall be located within 50 feet of an adjoining property line which abuts a residential lot that fronts on Jester's Lane (State Route 730), the Powhatan of Williamsburg Secondary planned community, or the New Town property.
3. A 50-foot undisturbed buffer shall be located parallel to the property line in between the athletic fields and the adjoining property. Furthermore, prior to the construction of the athletic fields, a minimum five-foot high berm shall be placed between the athletic fields and the 50-foot undisturbed buffer. All public address speakers used on the site shall be oriented generally towards the interior of the property and away from exterior property lines.
4. All new exterior light fixtures on the Property shall have recessed fixtures with no lens, bulb, or globe extending below the casing. A lighting plan shall be submitted to, and approved by, the Planning Director which indicates no glare outside the property lines. "Glare" shall be defined as more than 0.1 footcandle at the property line or any direct view of the lighting source from the street or adjoining residentially designated property.

5. Development of the site shall be generally in accordance with the Master Plan with such minor changes as the Development Review Committee determines does not change the basic concept or character of the development.
6. Before the issuance of preliminary site plan approval, all necessary right-of-way for the construction of the "Proposed subdivision roadway" and the "Proposed roadway extension," as shown on the Master Plan for JCC Case No. SUP-13-99, including all necessary right-of-way for the construction of a northbound left-turn lane from Old News Road (State Route 613) to the proposed subdivision street, shall be dedicated to the Virginia Department of Transportation (VDOT).
7. Prior to the issuance of a land disturbing permit, archaeological studies, consistent with County policy, shall be submitted to, and approved by, the Director of Planning for all areas on the site that will be disturbed. Unless otherwise approved by the Director of Planning, all recommendations of the approved study shall be implemented by the developer.
8. A four-foot wide sidewalk shall be provided on at least one side of the proposed subdivision road that connects the school site with Old News Road (State Route 613).
9. Unless otherwise required by VDOT, the proposed subdivision road that connects the school site with Old News Road (State Route 613) shall have a maximum posted speed of 25 miles per hour. Unless otherwise required by VDOT, "Stop" signs shall be posted at all approaches to street intersections along the proposed subdivision road indicated on the Master Plan for JCC Case No. SUP-13-99. Prior to the issuance of a certificate of occupancy for the Williamsburg Christian Academy, street trees shall be provided along the proposed subdivision road that connects the school site with Old News Road (State Route 613) in accordance with the "Streetscape Guidelines Policy," as adopted by the Board of Supervisors.
10. Prior to the issuance of a land disturbing permit, and until such time a permanent certificate of occupancy is issued, a sign meeting the requirements of VDOT shall be posted at the intersection of Old News Road (State Route 613) and the proposed subdivision road which states "This road to serve the future Williamsburg Christian Academy."
11. Prior to the issuance of preliminary site plan approval, a landscaping plan, which also shows all limits of clearing and grading, shall be reviewed and approved by the Development Review Committee.
12. The design and location of the BMP shall be approved by the James City County Environmental Division in accordance with the Chesapeake Bay Preservation Ordinance. In no case, however, shall the BMP or clearing or grading for the BMP, intrude more than 50 feet into the 100-foot RPA buffer.
13. With the exception of dead, diseased, poisonous, or invasive vegetation:
 - no tree clearing shall occur within the Landscape Preservation Zone (LPZ), as shown on the Master Plan without the approval of the Planning Director; and

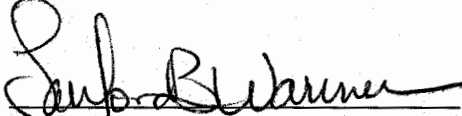
- for areas which are not designated LPZ on the Master Plan, no tree clearing of an area greater than 2,500 square feet shall occur without the approval of the Planning Director.

14. Unless otherwise required by condition No. 3 above, a 50-foot undisturbed buffer and/or a combination of buffer, berms and landscaping, as determined by the Planning Director, shall be maintained along adjoining property lines of residential lots that front on Jester's Lane (State Route 730), the Powhatan of Williamsburg Secondary planned community, or the New Town property.
15. A land disturbing permit shall be obtained by the developer for this project within three years from the date of approval of this special use permit or the permit shall become void.
16. 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>
NERVITT	AYE
SISK	AYE
MCGLENNON	AYE
BRADSHAW	AYE
EDWARDS	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of September, 1999.

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