

## RESOLUTION

### CASE NO. SUP-12-02. MOUNT GILEAD BAPTIST CHURCH -

#### SUP AMENDMENT AND SUP FOR TEMPORARY SCHOOL TRAILERS

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 applicant has requested an amendment to the conditions of approval for SUP-9-01, which permitted the operation of a daycare and private school at the existing Mount Gilead church located at 8660 Pocahontas Trail. This property is more specifically identified as Parcel No. (2-34) on the James City County Real Estate Tax Map No. (52-3); and

WHEREAS, the applicant has also applied for a special use permit to allow for the placement of up to two temporary school trailers at 8672 Pocahontas Trail. This property is currently zoned R-2, General Residential, designated Low-Density Residential on the 1997 Comprehensive Plan Land Use Map and more specifically identified as Parcel No. (4-1) on the James City County Real Estate Tax Map No. (52-3); and

WHEREAS, on June 3, 2002, the Planning Commission 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, does hereby approve the issuance of SUP-12-02 as described herein with the following conditions:

*The following conditions shall apply to the portion of the property that contains the existing church (i.e., the church property as it exists prior to the re-subdivision required under Condition No. 7, below):*

1. This Special Use Permit shall be valid for the operation of a daycare and a school.
2. A certificate of occupancy for the daycare and school use within the existing church building shall be obtained within two years of SUP approval of SUP-9-01, or the SUP shall be void.

*The following conditions shall apply to that portion of the property where the proposed school trailers and playground are to be located, as generally described and illustrated in the staff report (i.e., that portion of the property which is located generally behind the existing residence at 8672 Pocahontas Trail and which will be added to the existing church property by plat entitled "Boundary Line Adjustment of property standing in the name of Trustees of Mount Gilead Baptist Church and William Harold Washington and Suzanne Washington," dated June 11, 2002, and prepared by Mitchell-Wilson Associates, P.C.):*

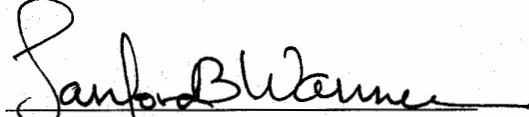
3. This Special Use Permit shall be valid for a maximum of two temporary school trailers.
4. The temporary school trailers shall be permitted for a period of five years from the date of SUP approval. The trailers shall be removed from the property within 30 days of the expiration date of the SUP.
5. A certificate of occupancy for at least one trailer shall be obtained within 18 months of SUP approval, or the SUP shall be void.
6. To better buffer and screen the trailers and playground from adjacent residentially zoned property, evergreen landscaping shall be provided along the east, west, and southern property lines that exceed the County's Landscape Ordinance requirements by an additional 15 percent.
7. Prior to any preliminary site plan approval, the area containing the school trailers and the playground shall be subdivided from the area where the single-family house currently exists, and a lot line extinguishment shall occur such that the area containing the school trailers and the playground is incorporated into the existing Mount Gilead church property.
8. No trailer or piece of playground equipment shall be located closer than 35 feet to the eastern or southern property lines. The entrances to the classroom trailers, and walkways to the trailers shall be generally oriented towards the interior of the property and shall not face the eastern or southern property lines. Furthermore, the playground shall be located generally adjacent to the existing church parking lot and the western property lines, in a final location as approved by the Director of Planning and shall be shown on the final site plan.

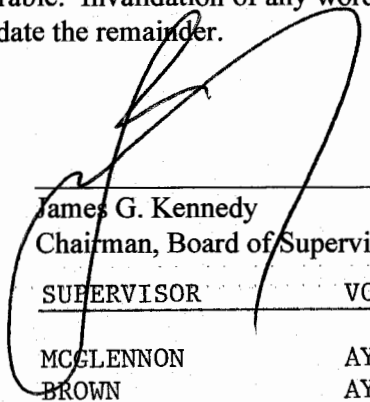
*The following conditions shall apply to both and all portions of the site:*

9. The daycare and school operations shall be limited to the following hours of operation, 6:00 a.m. - 6:00 p.m., Monday through Friday, and shall be limited to a total enrollment capacity of 104 children maximum. This condition shall not prohibit the operation of a daycare accessory to church functions on Sunday.
10. The children's drop-off and pick-up location for both the daycare and school shall be limited to the existing entrance located at the rear (north side) of the church.
11. Any new exterior, free standing signage advertising the daycare and/or school shall be combined with the existing free standing signage for the church and shall be in accordance with Article II, Division 3, of the James City County Zoning Ordinance.
12. No additional curb cuts shall be created on Route 60.

13. Any new exterior site lighting shall be limited to fixtures which are horizontally mounted on light poles not to exceed 15 feet in height and/or other structures and shall be recessed fixtures with no bulb, lens, or globe extending below the casing. The casing shall be opaque and shall completely surround the entire light fixture and light source in such a manner that all light will be directed downward and the light source is not visible from the side. No glare, defined as 0.1 footcandle or higher shall extend outside the property lines.
14. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

ATTEST:

  
Sanford B. Wanner  
Clerk to the Board

  
James G. Kennedy  
Chairman, Board of Supervisors

<u>SUPERVISOR</u>	<u>VOTE</u>
MCCLENNON	AYE
BROWN	AYE
GOODSON	AYE
HARRISON	ABSENT
KENNEDY	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of July, 2002.

sup-12-02.res