

RESOLUTION

CASE NO. SUP-34-04. VILLAS AT JAMESTOWN

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

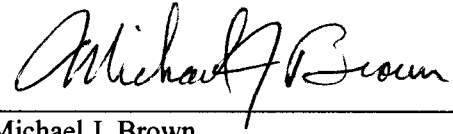
WHEREAS, Mr. Greg Davis and Mr. Tim Trant have applied for an SUP to allow for a density of up to three units per acre in a residential cluster; and

WHEREAS, the proposed residential cluster is shown on the master plan prepared by AES, dated April 18, 2005, and entitled "Master Plan for Rezoning of Villas at Five Forks for Villa Development, LLC"; and

WHEREAS, the Planning Commission of James City County, following its Public Hearing on May 2, 2005, recommended approval of Case No. SUP-34-04 by a 7-0 vote to permit the construction of a 92-unit development with a gross density not to exceed three units per acre at 248, 238, 230, 226 Ingram Road and further identified as Parcel Nos. (1-15), (1-11), and (1-10) on James City County Real Estate Tax Map No. (46-2) and Parcel No. (1-19) on James City County Real Estate Tax Map No. (47-1).

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. 34-04 as described herein with the following conditions:

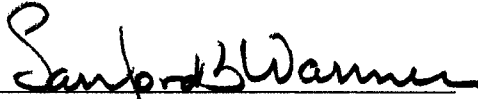
1. If construction has not commenced on this project within 36 months from the issuance of an SUP, the SUP shall become void. Construction shall be defined as obtaining a land-disturbing permit.
2. The applicant shall implement LID practices on the site in accordance with the Master Plan and compatible with existing conditions, proposed grading, and drainage patterns. Such LID practices shall be shown on the site plan and shall be consistent with the County's Comprehensive Plan, the goals and strategies of the Powhatan Creek Watershed Management Plan adopted by the County Board of Supervisors, the Primary Principles for Five Forks Area, and applicable laws, ordinances, and regulations.
3. Any site or other development plan for the Property shall provide for curb and gutter design of all internal streets as required by Section 24-549(a)(3)(a) of the County Code; provided, however, that if the County Zoning Ordinance is amended in the future to eliminate the requirement for curb and gutter design of internal streets or if authority to waive the same is otherwise granted by the Board of Supervisors, then this condition may be waived in accordance with any such future amendment or waiver provision.
4. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall not invalidate the remainder.



Michael J. Brown
Chairman, Board of Supervisors

<u>SUPERVISOR</u>	<u>VOTE</u>
HARRISON	AYE
GOODSON	AYE
MCGLENNON	NAY
BRADSHAW	AYE
BROWN	AYE

ATTEST:



Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of June,
2005.

SUP34-04.res