

## RESOLUTION

### CASE NO. SUP-0020-2010. DIAMOND HEALTHCARE SUP AMENDMENT

- 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. Gregory Davis of Kaufman and Canoles has applied on behalf of Diamond Healthcare of Williamsburg, Inc. for an SUP to allow a 17-bed psychiatric care facility expansion on the site of Williamsburg Place; and
- WHEREAS, the proposed expansion is shown on a master plan, entitled "The Pavilion at Williamsburg Place" ("Master Plan") prepared by AES Consulting Engineers, dated August 20, 2010; and
- WHEREAS, the property is located at 5477 and 5485 Mooretown Road on land zoned M-1, Limited Business Industrial, and can be further identified as James City County Real Estate Tax Map/Parcel Nos. 3330100011B and 3330100011C; and
- WHEREAS, the Planning Commission of James City County, following its public hearing on October 6, 2010, recommended approval of this application by a vote of 7-0; and
- WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with the 2009 Comprehensive Plan Land Use Map designation for this site.

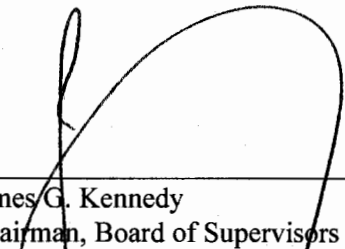
NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after a public hearing does hereby approve the issuance of SUP No. 0020-2010 as described herein with the following conditions:

1. Use: This SUP shall allow the establishment and/or continued operation of (i) a 57-bed inpatient psychiatric treatment services facility, (ii) a 30-bed intermediate care substance abuse treatment facility and transitional domiciliary facility, (iii) and a 48-bed domiciliary outpatient unit with four-bed residential unit for visitors. The facility shall maintain at all times a current Certificate of Public Need issued by the Commissioner of Health of the Commonwealth of Virginia.
2. Commencement of Construction: Construction on this project shall commence within 24 months from the date of approval of this SUP or this permit shall be void. Construction shall be defined as obtaining building permits and an approved footing inspection and/or foundation inspection.
3. Master Plan: As determined by the Director of Planning, the plan of development shall be in accordance with the "The Pavilion at Williamsburg Place" ("Master Plan") prepared by AES Consulting Engineers, dated August 20, 2010. Access to the two parcels shall be limited to the two entrances depicted, the shared main entrance and the service entrance.
4. Architectural Review: Prior to final site plan approval, the Director of Planning shall review and approve the final architectural design of the building. Such building shall

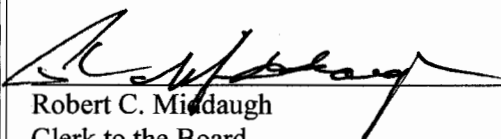
be generally consistent, as determined by the Director of Planning, with the architectural elevations titled "Front Perspective" and "Back Perspective" for Diamond Healthcare Williamsburg Place Expansion dated August 12, 2010, and drawn by Guernsey Tingle Architects.

5. Lighting: All exterior lighting on the property 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. Modifications to this requirement may be approved by the Director of Planning if it is determined that the modifications do not have any negative impact on the property or surrounding properties.
6. Runoff to CSX Property: There shall be no net increase in runoff to the CSX railroad right-of-way. No new impervious area shall drain to the CSX property without water quality treatment in a 10-point Best Management Practice (BMP) per the County BMP Guidelines. This shall be demonstrated on the plan of development and shall be approved by the County's Environmental Division Director prior to final plan of development approval.
7. Bioretention Facility: The proposed bioretention facility shall be sized to comply with the existing stormwater management master plan. At a minimum, the proposed bioretention facility will be sized for at least one inch per impervious acre for the net increase in impervious area developed in the currently proposed expansion as compared to the impervious area approved on James City County site plan SP-0097-2007. This shall be demonstrated on the plan of development and shall be approved by the County's Environmental Division Director prior to final site approval.
8. Landscaping: A landscaping plan shall be approved by the Director of Planning prior to final site plan approval for this project. The landscaping plan shall include enhanced landscaping 10 feet in width along the first 200 feet along both sides of the new proposed main entrance and enhanced landscaping 10 feet in width along the first 100 feet on both sides of the service entrance to help screen service activities from Mooretown Road. Enhanced landscaping shall be defined so that the required number of plants and trees equals, at a minimum, 125 percent of the requirements of the James City County Landscape Ordinance. A minimum of 50 percent of the trees within the landscape buffers shall be evergreen.
9. Water Conservation: The applicant shall be responsible for amending the existing water conservation standards to be submitted to and approved by the James City Service Authority prior to final site plan approval. The standards may include, but shall not be limited to such water conservation measures as limitations on the installation and use of irrigation systems, the use of approved landscaping materials including the use of drought tolerant plants where appropriate, and the use of water conserving fixtures to promote water conservation and minimize the use of public water resources.
10. Signage: Signage for the site shall be limited to one main entrance sign and "Service Only" entrance signage. The number, size and design of the "Service Only" signs will be approved by the Director of Planning prior to final site plan approval. The Director of Planning shall approve the location of all signage prior to final site plan approval that shall be in accordance with the County Zoning Ordinance.

11. Severance Clause: This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

  
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James G. Kennedy  
Chairman, Board of Supervisors

ATTEST:

  
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Robert C. Mindaugh  
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
MCGLENNON	AYE
GOODSON	AYE
ICENHOUR	AYE
JONES	AYE
KENNEDY	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of November, 2010.

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