

RESOLUTION

CASE NO. SUP-0008-2012. CHICKAHOMINY BAPTIST CHURCH DAY CARE

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, Ms. Alice Wilson has applied for an SUP to allow a child day-care center in an existing accessory building on the site of the Chickahominy Baptist Church (the "Center"); and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-0008-2012; and

WHEREAS, the proposed Center is depicted on the plan prepared by the James City County Planning Division, dated June 21, 2012, and entitled "JCC Case No. SUP-0008-2012, Chickahominy Baptist Church Day Care;" and


WHEREAS, the proposed Center is located in its entirety on property zoned R-8, Rural Residential, further identified as Parcel No. (1-9B) on James City County Real Estate Tax Map No. (22-3); and

WHEREAS, the Planning Commission, following its Public Hearing on July 11, 2012, voted 7-0 to recommend approval of Application No. SUP-0008-2012.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve SUP Application No. SUP-0008-2012, as described herein, pursuant to the following conditions:

1. **Master Plan:** This SUP shall be valid for the operation of a child day-care center. The Center and play areas shall be generally located as shown on the master plan titled "JCC Case No. SUP-0008-2012, Chickahominy Baptist Church Day Care" drawn by the James City County Planning Division dated June 21, 2012.
2. **Occupancy:** The total number of occupants at any time, including, but not limited to, staff and children, shall be determined by regulations of the Virginia Department of Social Services and by James City County Building Safety and Permits, whichever regulations are more restrictive. In no case shall the occupancy exceed 30 individuals at any time.
3. **Site Plan:** A site plan shall be submitted to the James City County Planning Division and shall be approved by the Planning Director.
4. **Drainfield Capacity:** Prior to final site plan approval, the applicant shall receive full approval from the Virginia Department of Health for septic tank and drainfield capacity in an amount sufficient to handle the Center.

5. **Lighting:** Should a new exterior site or building lighting be installed for the operation of the day care, such fixtures shall have recessed fixtures with no lens, bulb, or globe extending below the casing. The casing shall be opaque and shall completely surround the entire light source in such a manner that all light will be directed downward and the light source is not visible from any side. No glare greater than 0.1 footcandle shall extend beyond the property line unless it is lighting an adjacent pedestrian walkway or road.
6. **Licensure:** Prior to final site plan approval, the applicant shall provide evidence of licensure to operate a child day-care center from the appropriate State agencies.
7. **Enrollment Figures:** Beginning with the adoption date of this resolution and following at six month intervals, the Center shall provide the Zoning Administrator actual Center enrollment data for the previous six months. The Center enrollment data shall include, at a minimum, the total number of children enrolled and the age of each child at the time of the report. Enrollment shall be limited to children aged two years, six months, and one day or older unless a fire suppression system is installed in accordance with Building Safety and Permits requirements.
8. **Hours of Operation:** Hours of operation shall be limited to between 6 a.m. and 7 p.m. on Monday through Friday, and 7 a.m. and 5 p.m. on Saturdays.
9. **Water Conservation Guidelines:** The applicant shall be responsible for developing and enforcing 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. **Commencement and Severance Clause:** Within 36 months of the issuance of this SUP, the Center shall receive a Certificate of Occupancy, or the SUP shall become void.



 Mary K. Jones
 Chairman, Board of Supervisors

ATTEST:


 Robert C. Middaugh
 Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	<u>X</u>	_____	_____
JONES	<u>X</u>	_____	_____
KENNEDY	<u>X</u>	_____	_____
ICENHOUR	<u>X</u>	_____	_____
KALE	<u>X</u>	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of August, 2012.