

RESOLUTION

CASE NO. SUP-0002-2013. WILLIAMSBURG LANDING, BOATWRIGHT CIRCLE

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 (the "SUP") process; and

WHEREAS, Mr. Paul Gerhardt has applied on behalf of Williamsburg Landing, Inc. to allow one additional independent living unit; and

WHEREAS, the proposed development is shown on a plan titled "Williamsburg Landing Boatwright Circle Modification Conceptual Plan" prepared by AES Consulting Engineers and dated March 14, 2013; and

WHEREAS, the property is located at 5550 Williamsburg Landing Drive and can be further identified as James City County Real Estate Tax Map Parcel No. 4810100063 (the "Property"); and

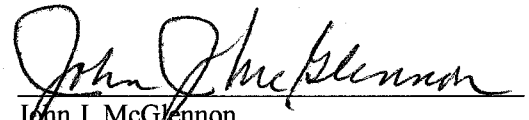
WHEREAS, the Planning Commission, following its public hearing on May 1, 2013, voted 6-0 to recommend approval of this application; and

WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with the 2009 Comprehensive Plan Use Map designation for this site.

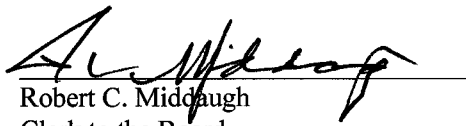
NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of SUP-0002-2013 as described herein with the following conditions:

1. Master Plan: This SUP shall be valid for the proposed development, existing buildings and accessory structures, the addition of one unit approximately 2,500 square feet, and other minor improvements on properties located at 5550 Williamsburg Landing Drive and further identified as James City County Real Estate Tax Map Parcel No. 4810100063. Development of the Property shall be generally in accordance with the Master Plan entitled "Williamsburg Landing Boatwright Circle Modification Conceptual Plan" prepared by AES Consulting Engineers, dated March 14, 2013 (the "Master Plan") with such minor changes as the Planning Director, or his designee, determines does not change the basic concept or character of the development. In the event the Planning Director finds that the proposed change alters the basic concept or character of the development the applicant may appeal the Planning Director's determination to the Development Review Committee.
2. Landscaping: An area of 100 feet from the edge of the existing Lake Powell Road right-of-way shall be left as buffer area and remain in its natural state except for necessary utility crossings or construction road entrances. A landscaping plan shall be approved by the Planning Director prior to final site plan approval for this project. The landscaping plan shall include landscaping approximately 15 feet in width starting at the existing fence found approximately 70 feet from the front property line and running the length of Williamsburg Landing Drive for 150 feet on the side adjacent to the proposed unit to help screen vehicular traffic from the entrance. Per Section 24-96 of the James City County Code, the applicant shall supplement the existing trees and

- shrubs with upright evergreen shrubs of a species that will achieve a height of at least 10 feet.
3. Notification: All potential residents of the residential structures shall be formally notified by the developer and/or seller the development's proximity to the Airport Approach (AA) Overlay District.
 4. Architectural Review: Prior to site plan approval, the Planning Director shall review and approve the final architectural design of the building. Such building shall be generally consistent, as determined by the Planning Director, with the surrounding units.
 5. Lighting: All new exterior light fixtures, including building lighting, on the Property shall have recessed fixtures with no lens, bulb, or globe extending below the casing. In addition, a lighting plan shall be submitted to and approved by the Planning Director or his designee which indicates no glare outside the property lines unless otherwise approved by the Planning Director or his designee. All light poles shall not exceed 20 feet in height unless otherwise approved by the Planning Director or his designee prior to final site plan approval. "Glare" shall be defined as more than 0.1 foot-candle at the boundary of the Property or any direct view of the lighting source from the adjoining properties.
 6. Commencement of Construction: If construction has not commenced on the project within 24 months from the issuance of the SUP, it shall become void. Construction shall be defined as obtaining permits for building construction and footings and/or foundation has passed required inspections for the new unit.
 7. Severance Clause: This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.


 John J. McGlennon
 Chairman, Board of Supervisors

ATTEST:


 Robert C. Middaugh
 Clerk to the Board

	<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>	___	___
BRADSHAW	<u>X</u>	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of June, 2013.

SUP02-13WLndBC_res