

## RESOLUTION

### CASE NO. SUP-0005-2014. CREATIVE KIDS CHILD DEVELOPMENT CENTER

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. Tracey Williams has applied for an SUP to operate a child day-care center for a maximum of 20 children on a parcel totaling 0.39 acres and zoned R-2, General Residential; and

WHEREAS, the subject parcel is located at 701 Mosby Drive and can be further identified as James City County Real Estate Tax Map Parcel No. 41403300103; and

WHEREAS, if approved, this SUP application will bring the use into conformance with the current Zoning Ordinance regulations; and


WHEREAS, the Planning Commission, following its public hearing on June 4, 2014, voted 4-3 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.

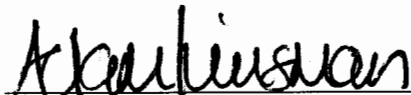
NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of SUP-0005-2014, as described herein with the following conditions:

1. Occupancy: No more than 20 children shall be cared for at the child day-care center at any one time, subject to approval by the State Department of Social Services.
2. Hours of Operation: Hours of operation shall be limited from 5:30 a.m. to midnight, Monday through Friday, and from 7 a.m. to midnight, Saturday through Sunday. Except for transportation provided directly by the owner/operator of the day care, all pick-ups and drop-offs to the day care shall be limited to between 6 a.m. to 8 p.m.
3. Residency: The owner/operator of the child day-care center shall reside on the property for the duration of the validity of the SUP.
4. Validity of SUP: This SUP shall be valid for a period of 36 months from the date of approval during which the child day-care center owner shall maintain (and renew or obtain as necessary) all needed County and State permits and licensure to operate the child day-care center.
5. Signage: No signage shall be permitted which relates to the use of the property as a child day-care center.
6. Lighting: No additional exterior lighting shall be permitted on the property, other than lighting typically used at a single-family residence.

- 7. Water Conservation Agreement: The applicant shall be responsible for enforcing the water conservation standards established in the signed and approved Water Conservation Agreement dated August 1, 2013. The standards address water conservation measures as limitations on the installation and use of approved landscaping design and materials to promote water conservation and minimize the use of public water resources.
- 8. Food preparation: No commercial food preparation or laundry services shall be provided aside from the operation of the child day-care center. For purposes of this condition, "commercial food preparation or laundry services" shall be defined as meaning any food preparation or laundry services provided at the center that are not directly related to, and intended to serve the needs of, the children being cared for and/or the day-care center staff.
- 9. Severance Clause: This SUP is not severable. Invalidation of any word, phrase, clause, sentences, or paragraph shall invalidate the reminder.

  
 \_\_\_\_\_  
 Mary K. Jones  
 Chairman, Board of Supervisors

ATTEST:

  
 \_\_\_\_\_  
 Adam R. Kinsman  
 Deputy Clerk to the Board

	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
KENNEDY	<u>X</u>	___	___
JONES	<u>X</u>	___	___
MCGLENNON	___	<u>X</u>	___
ONIZUK	<u>X</u>	___	___
HIPPLE	<u>X</u>	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of July, 2014.

Sup5-14CKidsCtr-res1