

## RESOLUTION

CASE NO. SUP-0010-2014. WILLIAMSBURG LANDING

### CONSTRUCTION COMMENCEMENT EXTENSION

WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific uses that shall be subject to a Special Use Permit (SUP) process; and

WHEREAS, Mr. Paul Gerhardt has applied to amend the SUP conditions for Case No. SUP-0005-2011 to allow for a 36-month extension to the construction time limit that is currently set to expire in January 2015; and

WHEREAS, the extension of the construction commencement condition will be valid through January 2018; and

WHEREAS, the extension will allow for additional time to construct the previously approved 100-bed nursing home facility, 100 assisted living units, and 87 independent units; and

WHEREAS, the property is located at 5560 Williamsburg Landing Drive, is zoned R-5, Multi-family Residential, and can be further identified as James City County Real Estate Tax Map/Parcel No. 4820100003; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-0010-2014; and

WHEREAS, the Planning Commission, following its public hearing on October 1, 2014, voted 6-0 to recommend approval of Case No. SUP-0010-2014; 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, does hereby approve Application No. SUP-0010-2014, as described herein, pursuant to the following conditions:

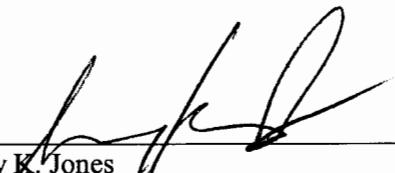
1. Development of the site shall be generally in accordance with the master plan entitled "Williamsburg Landing Conceptual Plan" and dated November 7, 2008, as determined by the Director of Planning. Minor changes may be permitted by the Director of Planning, as long as they do not change the basic concept or character of the development.
2. If construction has not commenced on the project by January 15, 2018, the SUP shall become void. Commencement of construction shall be defined as both obtaining permits for building construction and installation of footings and/or foundations.

3. This SUP shall be limited to the following specially permitted uses:

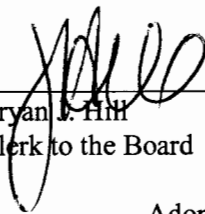
- a. Single-family dwellings
- b. Nursing homes and facilities for the residence and/or care of the aged

These specially permitted uses are in addition to those generally permitted uses specified in Proffer No. 1 of the Amended Proffers associated with Z-0002-2008. Nursing home facilities shall be limited to one 100-bed nursing home. Assisted living units shall be limited to 100 units. Independent units shall be limited to 87 units.

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

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

ATTEST:

  
 \_\_\_\_\_  
 Bryan J. Hill  
 Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of November, 2014.

SUP0010-14WmsbgLanding-res