

RESOLUTION

CASE NO. SUP-0001-2018. LIFEPOINTE CHRISTIAN CHURCH

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

WHEREAS, Ms. Victoria Mary Carmanica (the "Owner") owns property located at 8841 and 8851 Richmond Road, further identified as James City County Real Estate Tax Map Parcel Nos. 1110100029 and 1110100030A, respectively (together, the "Property"); and

WHEREAS, on behalf of the Owner, Mr. Gregory R. Davis, Esq. from Kaufman and Canoles representing LifePointe Christian Church, has applied for an SUP to allow a place of public assembly on the Property as shown on the exhibit titled "Master Plan LifePointe Christian Church" prepared by Vanasse Hangen Brustlin (VHB), dated March 2018; and

WHEREAS, a public hearing was advertised, adjoining property owners notified and a hearing conducted on Case No. SUP-0001-2018; and

WHEREAS, the Planning Commission, following its public hearing on March 7, 2018 recommended approval of the application by a vote of 7-0.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code, does hereby approve the issuance of Case No. SUP-0001-2018 as described herein with the following conditions:

1. *Master Plan*: This SUP shall be valid for a place of public assembly (the "Project") located at 8841 and 8851 Richmond Road, further identified as James City County Real Estate Tax Map Nos. 1110100029 and 1110100030A, respectively (together, the "Property"). Development of the Project on the Property shall occur generally as shown on the exhibit drawn by VHB entitled, "Master Plan LifePointe Christian Church," dated March 2018, (the "Master Plan"), with any deviations considered pursuant to Section 24-23(a)(2) of the James City County Code (the "County Code"), as amended.
2. *Architectural Elevations/Design*: Any future building expansion shown on the Master Plan shall use a design and materials that are substantially in accord with the existing structures on the Property as shown in Attachment A of the document entitled "Natural Resources Inventory" prepared by VHB and dated January 22, 2017. Such determination shall be made by the Director of Planning prior to site plan approval for the expansion.
3. *Archaeological*: A Phase I Archaeological Study for the Property, excluding the existing structures, shall be submitted to and approved by the Director of Planning prior to land disturbance approval for the Project. A treatment plan shall be submitted to and approved by the Director of Planning for all sites in the Phase I study that are

recommended for a Phase II evaluation and/or identified as being eligible for inclusion on the National Register of Historic Places. If a Phase II study is undertaken, such a study shall be approved by the Director of Planning and a treatment plan for said sites shall be submitted to, and approved by, the Director of Planning for sites that are determined to be eligible for inclusion on the National Register of Historic Places and/or those sites that require a Phase III study. If in the Phase III study, a site is determined eligible for nomination to the National Register of Historic Places and said site is to be preserved in place, the treatment plan shall include nomination of the site to the National Register of Historic Places. If a Phase III study is undertaken for said sites, such studies shall be approved by the Director of Planning prior to preliminary approval within the study areas. All Phase I, Phase II, and Phase III studies shall meet the Virginia Department of Historic Resources' Guidelines for Preparing Archaeological Resource Management Reports and the Secretary of the Interior's Standards and Guidelines for Archaeological Documentation, as applicable, and shall be conducted under the supervision of a qualified archaeologist who meets the qualifications set forth in the Secretary of the Interior's Professional Qualification Standards. All approved treatment plans shall be incorporated into the plan of development for the site and the clearing, grading or construction activities thereon.

4. *Ingress and Egress:* Only one ingress/egress point may be constructed from Richmond Road to the Property and it shall line up with the existing median opening. The intent of this condition is to limit the number of ingress/egress points along Richmond Road.
5. *Landscaping:* A landscape plan for the Property shall be submitted for review and approval by the Director of Planning with the initial plan of development for the Project and shall match the landscaping described in the text on the Master Plan. All landscaping on the landscape plan shall be installed or guaranteed prior to the issuance of the initial final Certificate of Occupancy (COP) for the Project. The amount of any surety guaranteeing installation of landscaping shall be determined by the Director of Planning or his designee. Any deviations to the landscape plan shall be considered pursuant to Section 24-23(a)(2) of the County Code, as amended.
6. *Signage:* The Property shall be allowed one exterior freestanding sign. The freestanding sign shall be externally illuminated, monument style, not exceed eight feet in height, and have a base of brick or other materials similar in type and color with the architecture of the Project. The Director of Planning shall approve the design of the freestanding sign prior to initial site plan approval and prior to any subsequent sign modifications.
7. *Traffic Analysis:* Turn lane warrant analyses, as determined by the Virginia Department of Transportation (VDOT), for the entrance and median opening improvements shall be submitted to and approved by the Director of Planning and VDOT prior to final site plan approval. If the approved analyses demonstrate that improvements are warranted, such improvements shall be shown on the initial site plan and shall be installed prior to the issuance of any COP for the Project.

8. *Traffic Management Plan:* Within 180 days after initial issuance of a COP for the Project, a Traffic Management Plan (the "TMP") addressing circulation and queuing of vehicles on the Property associated with peak occupancy periods for the Project shall be submitted to the Director of Planning for review and approval. The TMP shall be designed to limit the impact of traffic flows along Richmond Road and shall consist of measures such as, but not limited to, parking lot usage, signage, pavement markings or other vehicle control/directional devices, and manual traffic control (police officer or similar) at the intersection of Richmond Road and the Project entrance. The approved TMP shall be implemented on the Property for peak occupancy periods for the Project. The TMP shall be evaluated for its effectiveness within 180 days after initial implementation and, based on such evaluation, be revised as necessary to maintain consistency with this condition. Thereafter, the TMP shall be reevaluated and resubmitted to the Director of Planning by January 31 of each year for review and approval for consistency with this condition. The TMP shall be reevaluated and resubmitted until it accommodates the full occupancy of the Project as determined by the Director of Planning.
9. *Screening:* Dumpsters shall be screened with a brick enclosure or other materials substantially in accordance with the existing structures on the Property as shown in Attachment A of the document entitled "Natural Resources Inventory" prepared by VHB and dated January 22, 2017.
10. *Exterior Lighting:* All new exterior light fixtures on the Property, including new building lighting, shall have recessed fixtures with no lens, bulb, or globe extending below the casing. All new light poles shall not exceed 20 feet in height from finished grade unless otherwise approved by the Director of Planning. A lighting plan indicating no glare outside the boundaries of the Property shall be submitted for any new lighting. The lighting plan shall be approved by the Director of Planning or his designee prior to site plan approval. "Glare" shall be defined as more than 0.1 foot-candle at the property line or any direct view of the lighting source from the adjoining properties.
11. *Commencement of Construction:* Final site plan approval for the Project shall be obtained within 36 months from the date of approval of the SUP or the SUP shall be void. Prior to the site plan becoming invalid, a permanent COP shall be obtained for the "Main Church Building" shown on the Master Plan or the SUP shall be void.
12. *Severability:* The SUP is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

BE IT FURTHER RESOLVED that SUP-0001-2018 shall amend, replace and supersede SUP-0009-1999, which shall no longer have any force or effect.

Ruth M. Larson

Ruth M. Larson
Chair, Board of Supervisors

ATTEST:

Teresa J. Fellows

Teresa J. Fellows
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCLENNON	✓	—	—
SADLER	✓	—	—
HIPPLE	✓	—	—
LARSON	✓	—	—
ICENHOUR	✓	—	—

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of April, 2018.

SUP01-18LifePtCh-res