

RESOLUTION

CASE NO. SUP-20-0014 WILLIAMSBURG LANDING BOATWRIGHT CIRCLE

AMENDMENT

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, on June 11, 2013, the Board approved SUP-0002-2013, which permitted an additional dwelling unit on the parcel located at 5550 Williamsburg Landing Drive, further identified as James City County Real Estate Tax Map Parcel No. 4810100063 (the "Property"); and

WHEREAS, Mr. Paul Gerhardt has applied for an amendment to SUP-0002-2013 on behalf of the owner, Williamsburg Landing LLC, to permit an additional four independent living units within two new structures on the Property; and

WHEREAS, the Planning Commission, following its public hearing on September 2, 2020, recommended approval of Case No. SUP-20-0014 by a vote of 6-0; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-20-0014; and

WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with good zoning practices and the 2035 Comprehensive Plan Land Use Map designation for the Property.

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-20-0014 as described herein with the following conditions:

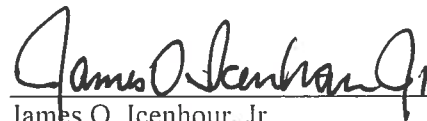
1. *Master Plan*. This SUP shall be valid for four (4) additional independent living facility units of approximately 2,400 square feet each (the "New Units"), and other minor improvements (all together, the "Project") on property located at 5550 Williamsburg Landing Drive and further identified as James City County Real Estate Tax Map Parcel No. 4810100063 (the "Property"). Development of the Project shall be generally in accordance with the Master Plan entitled "Williamsburg Landing Boatwright Circle Modification Conceptual Plan (2020)" prepared by AES Consulting Engineers, dated 09/23/20 (the "Revised Master Plan") with such minor changes as the Planning Director, or designee, determines do not change the basic concept or character of the Project, or the overall Williamsburg Landing development. In the event the Planning Director finds that the proposed change alters the basic concept or character of the Project, or the overall Williamsburg Landing development, the applicant may appeal the Planning Director's determination to the Development Review Committee.

2. Notification. All prospective residents of the New Units shall be formally notified by the developer and/or seller of the New Units' proximity to the Airport Approach (AA) Overlay District.
3. Architectural Review. Prior to site plan approval, the Planning Director shall review and approve the final architectural design of the New Units. Such architectural design shall be generally consistent, as determined by the Planning Director, with the surrounding development.
4. 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 and a lighting plan shall be submitted to and approved by the Planning Director or designee prior to final site plan approval. All light poles must not exceed twenty (20) feet in height and the lighting plan must indicate no glare outside the boundary lines of the Property unless otherwise approved in writing by the Planning Director or designee. "Glare" is defined as more than 0.1 foot-candle at the boundary of the Property or any direct view of the lighting source from adjoining properties.
5. Water Conservation. Water conservation standards shall be enforced on the Property. Water conservation standards shall be submitted to and approved by the James City Service Authority prior to site plan approval. The standards may include, but shall not be limited to, water conservation measures such as limitations on the installation and use of irrigation systems and irrigation wells, the use of approved landscaping materials including the use of drought-tolerant plants where appropriate, and the use of water-conserving fixtures and appliances to promote water conservation and minimize the use of public water resources.
6. Conservation Easement. Prior to site plan approval, a deed of exchange and a conservation easement plat showing the relocation of conserved acreage equal to or greater than the amount displaced by the Project shall be approved by the County. The relocated conservation acreage easement area shall be located on a parcel that is part of the Williamsburg Landing development and meet all requirements of the County's Stormwater and Resource Protection division (SRP).
7. Marclay Road Buffer. Prior to final site plan approval for the New Units, a landscaping plan for the Project shall be approved by the Planning Director. The landscaping plan shall include maintaining and supplementing a buffer of approximately seventy-five (75) feet in width along the southern boundary line of the Property starting at a point approximately 20 feet east of stormwater facility CC008 and running east parallel with Marclay Road to the eastern boundary line of the Property. Limited temporary construction access and future maintenance access and necessary utility crossings may be allowed in the buffer as shown in the final development plan. It is the intent of this condition to supplement gaps within the existing buffer at two trees and six shrubs per 400 square feet and, upon completion of the construction, to revegetate the temporary construction access areas with no fewer than two trees and six shrubs per 400 square feet so at maturity the plantings match or exceed the mature height and density of trees and shrubs of the existing buffer.
8. Master Stormwater Master Plan. In order to ensure enhanced environmental protection for the increase of density on the Property, as recommended for the Low

Density Residential land use designation, the Master Stormwater Master Plan (the "Stormwater Plan") must be revised and approved by SRP prior to site plan approval. Revisions must include updated total for impervious cover for Williamsburg Landing with updated layouts, natural open space easement update, and updated list of all included Special Stormwater Criteria (SSC) measures per Condition No. 10 of approved rezoning Z-02-2008. Generally, the overlap of SSC measures for water quality credits shall not be permitted, and the disconnection of impervious areas and use of sumped or bottomless inlets shall not be permitted. In order to be accepted as an SSC measure, the additional pollution load reduction must increase the 10-point plan by an entire two points.


- 9. Best Management Practices Access Route. Adequate access to stormwater facility CC008 shall be provided to the County. This access shall be at least twelve (12) feet wide, of a material that will withstand traffic by heavy maintenance vehicles, and permanently accessible to the County. The route must allow for vehicle access around at least one side of the facility to the principle spillway and emergency spillway. Adequate access shall be shown on the development plan prior to site plan approval.
- 10. Commencement of Construction: If construction has not commenced on the New Units within 36 months from the issuance of this SUP amendment, it shall automatically become void. Construction shall be defined as obtaining permits for building construction and footings and/or foundation has passed required inspections for any one of the New Units.
- 11. Severance Clause. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

BE IT FURTHER RESOLVED by the Board of Supervisors of James City County, Virginia, that this resolution shall supplement, and not replace or supersede, SUP-0002-2013.



James O. Icenhour, Jr.
Chairman, Board of Supervisors

ATTEST:


Teresa J. Fellows
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
SADLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MCGLENNON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LARSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HIPPLE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ICENHOUR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of October, 2020.

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