

RESOLUTION

CASE NO. SUP-21-0015. CROSSWALK COMMUNITY CHURCH DAYCARE AND SCHOOL

- WHEREAS, the Board of Supervisors of James City County, Virginia, (the “Board”) has adopted by Ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and
- WHEREAS, Crosswalk Church Holdings LLC (the “Owner”) own property located at 5100 John Tyler Highway further identified as James City County Real Estate Tax Map Parcel No. 4720100057 (the “Property”); and
- WHEREAS, on October 28, 2008, the Board approved Case No. SUP-0009-2008, which allowed the operation of a child daycare center and school within the existing church on the Property; and
- WHEREAS, Mr. Caleb Hurst (the “Applicant”) has applied for an SUP on behalf of the Owner to replace Case No. SUP-0009-2008 to allow for the operation of a child daycare center, school, place of public assembly, and two temporary classroom trailers on the Property, as shown on the master plan titled “Crosswalk Church - Modular Structures” prepared by Draper Aden Associates and dated July 27, 2021; and
- WHEREAS, the Planning Commission, following its public hearing on August 4, 2021, recommended approval of Case No. SUP-21-0015 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-21-0015; 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-21-0015 as described herein with the following conditions:
1. Master Plan: This SUP shall apply to property located at 5100 John Tyler Highway, which is further identified as James City County Real Estate Tax Map Parcel No. 4720100057 (the “Property”). The SUP shall be valid for a place of public assembly, school, child daycare center, and two temporary classroom trailers (the “Project”). All final development plans for the Project shall be consistent with the master plan entitled, “Crosswalk Church - Modular Structures” prepared by Draper Aden Associates and dated July 27, 2021, (the “Master Plan”), as determined by the Director of Planning with any deviations considered per Section 24-23(a)(2) of the Zoning Ordinance, as amended.

2. Validity of Temporary Classroom Trailers: The SUP for temporary classroom trailers on the Property shall be valid until September 1, 2022.
3. Hours of Operation: The child daycare center and school shall be limited to hours of operation from 7:00 a.m. to 6:00 p.m., Monday through Friday.
4. Enrollment: Enrollment of the child daycare center and school shall be limited to a total of 200 students in grades pre-kindergarten through eighth. On or before July 1 of each year, the Zoning Administrator shall be provided with actual student enrollment data for the previous school year and projected student enrollment data for the upcoming school year. The student enrollment data shall include the total number of students enrolled, the number of students per grade, and the number of staff employed.
5. Landscape Plan: A landscaping plan shall be reviewed and approved by the Director of Planning prior to final site plan approval for the permanent modular building and/or the playground as shown on the Master Plan, whichever shall occur first if submitted separately. Transitional screening shall be provided along the side and rear property lines in accordance with Section 24-100, Screening, of the Zoning Ordinance.
6. Exterior Lighting: Any new exterior lighting shall be shown on a lighting plan to be reviewed and approved by the Director of Planning. New exterior light fixtures shall be recessed fixtures with no bulb, lens, or globe extending below the casing. Any new pole-mounted light fixtures shall not exceed 15 feet in height as measured from finished grade. No light trespass, defined as 0.1 foot-candles or higher, shall extend across the side or rear property lines.
7. Outdoor Noise: No exterior bell or sound system associated with the school, daycare, or temporary classroom trailer(s) shall be audible from adjacent properties. The intent of the condition is not to limit bells typically associated with the place of public assembly.
8. Signage: Any new exterior signage advertising the child daycare center or school shall be combined with existing signage for the place of public assembly.
9. Water Conservation: Water conservation standards shall be enforced on the Property through an agreement with the James City Service Authority (JCSA). The standards shall be approved by the JCSA General Manager prior to site plan approval for the permanent modular building shown on the Master Plan and may include, but shall not be limited to, such water conservation measures 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. Any changes shall be submitted to and approved by the JCSA.
10. Fencing: A solid fence measuring a minimum of 6 feet in height shall be provided along the side and rear property lines to visually screen the temporary classroom

trailers, permanent modular building and playground from adjacent properties. The location and design of the fence shall be shown on a layout plan to be reviewed and approved by the Director of Planning prior to final site plan approval for the temporary classroom trailers, permanent modular building and/or the playground as shown on the Master Plan, whichever shall occur first if submitted separately. The fence shall be installed prior to the issuance of any Final Certificate of Occupancy for the temporary classroom trailers or the permanent modular building.

- 11. Commencement of Construction: A Final Certificate of Occupancy for the permanent modular building shown on the Master Plan shall be obtained within 36 months from the date of approval of this SUP, or this SUP shall automatically be void.
- 12. Severability: This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

BE IT FURTHER RESOLVED that Case No. SUP-21-0015 shall replace and supersede Case No. SUP-0009-2008, and Case No. SUP-0009-2008 shall no longer have any force or effect.



Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:



Teresa J. Fellows
Deputy Clerk to the Board

SADLER
ICENHOUR
LARSON
MCGLENNON
HIPPLE

VOTES

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
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Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of September, 2021.

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