

RESOLUTION

CASE NO. HW-22-0001. BUSCH GARDENS HEIGHT WAIVER EXTENSION

HEIGHT LIMITATION WAIVER

WHEREAS, the Board of Supervisors of James City County, Virginia, has adopted by Ordinance specific land uses that shall be subjected to a Height Limitation Waiver process; and

WHEREAS, on June 11, 2019, the Board of Supervisors approved HW-19-0001, authorizing a Height Limitation Waiver to allow for the installation of an attraction that is approximately 355 feet above finished grade (the "Attraction"); and

WHEREAS, the Attraction will be constructed in its entirety on property zoned M-1, Limited Business Industrial, further identified as James City County Real Estate Tax Map No. 5140100009, and commonly known as "Busch Gardens;" and

WHEREAS, Mr. Anthony Loubier of Vanasse Hangen Brustlin, Inc. has applied on behalf of SeaWorld Parks and Entertainment, LLC, to amend HW-19-0001 by amending Condition No. 4 of the approved resolution to extend the commencement of construction by 36 months from the original expiration date; and


WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. HW-22-0001.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors finds that the requirements of Section 24-418(c) of the James City County Zoning Ordinance have been satisfied, in order to grant a Height Limitation Waiver to allow for the erection of structures in excess of 60 feet in height.


BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Height Limitation Waiver HW-22-0001 as described herein with the following conditions:

1. Commencement of Construction: Construction on the Attraction shall commence within 72 months from the date of approval of HW-19-0001 or this Height Limitation Waiver shall be void. Construction shall be defined as the obtaining of permits for the construction of foundations and/or footings for the Attraction.

BE IT FURTHER RESOLVED that Case No. HW-22-0001 shall be supplemental to and not replace or supersede HW-19-0001.


John J. McGlennon
Chairman, Board of Supervisors

ATTEST:


Teresa J. Saeed
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of April, 2022.

HW22-1BGdnHWExt-res