

ADOPTED

JAN 14 2020

**Board of Supervisors
James City County, VA**


ORDINANCE NO. 31B-4

AN ORDINANCE TO AMEND THE EXISTING PROFFERS AND MASTER PLAN TO ALLOW FOR THE CONSTRUCTION OF AN ADDITIONAL TEN-PLEX BUILDING AND FOR CHANGES IN LAND USE DESIGNATIONS.


CASE NOS. Z-19-0014 AND MP-19-0016. THE PROMENADE AT JOHN TYLER

PROFFER AND MASTER PLAN AMENDMENT

- WHEREAS, on December 9, 2014, the Board of Supervisors approved Case Nos. Z-0003-2014/MP-0003-2014, which rezoned certain property from B-1, General Business to MU, Mixed Use, with proffers (the "Original Proffers") and permitted the development known as The Promenade at John Tyler; and
- WHEREAS, the Original Proffers were amended by the Board of Supervisors on April 12, 2016 (Case No. Z-0001-2016) and June 14, 2016 (Case No. Z-0005-2016), which amended Condition Nos. 2 and 8 of the Original Proffers, respectively, and retained all other proffers contained in the Original Proffers (all together the "Existing Proffers"); and
- WHEREAS, Mr. Jerry L. Bowman has submitted a request to amend the Existing Proffers and Master Plan for a portion of The Promenade at John Tyler to allow for the construction of an additional ten-plex building and for changes in land use designations in the Master Plan; and
- WHEREAS, the properties subject to the application are located at 5299, 5303, 5307, and 5311 John Tyler Highway and can be further identified as James City County Real Estate Tax Map Parcel Nos. 4812200025, 4812200026, 4812200027, and 4812200028, respectively; and
- WHEREAS, the Planning Commission of James City County, following its consideration on November 6, 2019, recommended approval of Case Nos. Z-19-0014 and MP-19-0016, by a vote of 5-0 with one abstention; and
- WHEREAS, the Board of Supervisors of James City County, Virginia, finds Case Nos. Z-19-0014 and MP-19-0016 to be required by public necessity, convenience, general welfare, and good zoning practice.
- NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of James City County, Virginia, that Case Nos. Z-19-0014 and MP-19-0016 are hereby approved as described herein and the amended voluntary proffers are accepted.


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 type="checkbox"/>	<input checked="" 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 14th day of January, 2020.

Z19-14MP19-16PromJT-res