

ADOPTED

MAY 12 2020

Board of Supervisors
James City County, VA

ORDINANCE NO. 31B-5

**AN ORDINANCE TO AMEND EXISTING PROFFERS TO CLARIFY THE DISTRIBUTION OF
REMAINING UNITS, ADDRESS TRAFFIC IMPROVEMENTS, AND REMAINING
OUTSTANDING PROFFERS**


CASE NO. Z-19-0003. FORD'S COLONY PROFFER AMENDMENT

- WHEREAS, on March 12, 1973, by the approval of Case No. Z-1-73, the Board of Supervisors rezoned certain property from A-1, General Agricultural District to R-4, Residential Planned Community District, which development was to be known as "Middle Plantation;" and
- WHEREAS, over the following decade, Middle Plantation transitioned into the development known as "Ford's Colony;" and
- WHEREAS, on March 16, 1987, the Board of Supervisors approved Case No. MP-0004-1986, which added 750 acres zoned R-2, General Residential to the existing R-4, Residential Planned Community District, with restated proffers (the "Original Proffers"); and
- WHEREAS, the Original Proffers have been amended and restated many times over the years, including by Amended and Restated Ford's Colony Proffers approved by the Board of Supervisors dated October 1, 1987, August 26, 1993, September 29, 1995, January 24, 1999, September 20, 2002, and January 6, 2005 which added properties, proffers related to impacts from those additions, and retained other proffers contained in the Original Proffers (all together the "Existing Proffers"); and
- WHEREAS, owners of the remaining developable tracts in Ford's Colony have requested to amend certain conditions of the Existing Proffers related to traffic, road improvements, and bike lanes associated with the build-out of Ford's Colony and to clarify the distribution of remaining approved units within Ford's Colony; and
- WHEREAS, the properties subject to the application are located at 100 Manchester Drive, 245 Ford's Colony Drive, 1000 Eaglescliffe, 185 Ford's Colony Drive and 1051 St. Andrews Drive and can be further identified as James City County Real Estate Tax Map Parcels Nos. 3620300291, 3130100053A, 3131700001, 3130100058, and 3130100053B, respectively; and
- WHEREAS, the Planning Commission of James City County, following its consideration on April 1, 2020, recommended approval of Case No. Z-19-0003, by a vote of 7-0; and
- WHEREAS, the Board of Supervisors of James City County, Virginia, finds Case No. Z-19-0003 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 No. Z-19-0003 is hereby approved as described herein and the amended voluntary proffers are accepted.

BE IT FURTHER ORDAINED that, because the amended proffers accepted herein remove the requirement for a transportation improvement phasing plan, the Board of Supervisors considers the agreement dated June 20, 1988, made between James City County and Realtec, Inc. to be moot and the County Administrator is authorized to sign those documents, if any, necessary to terminate such agreement.

BE IT FURTHER ORDAINED that the conditions of the Existing Proffers amended herein by approval of Case No. Z-19-0003 shall be deemed satisfied for those properties subject to the Existing Proffers.



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>
HIPPLE	✓	---	---
LARSON	✓	---	---
SADLER	✓	---	---
MCGLENNON	✓	---	---
ICENHOUR	✓	---	---

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of May, 2020.

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