

ADOPTED

FEB 09 2021

Board of Supervisors  
James City County, VA

ORDINANCE NO. 31B-7

AN ORDINANCE TO AMEND THE ZONING DISTRICT MAPS OF JAMES CITY COUNTY, VIRGINIA TO AMEND THE EXISTING PROFFERS APPLICABLE TO THE POWHATAN TERRACE DEVELOPMENT AS DESCRIBED IN CASE NO. Z-20-0005

WHEREAS, on March 25, 2008, the Board of Supervisors approved Case No. Z-0007-2007/MP-0005-2007/SUP-0020-2007, which rezoned ±16.5 acres located at 1676 and 1678 Jamestown Road and 180 Red Oak Landing Road, further identified as James City County Real Estate Tax Map Parcel Nos. 4730100036, 4730100037, and 4730100039, respectively (together, the “Properties”), from LB, Limited Business, and R-2, General Residential, to R-2, General Residential, with proffers (the “Original Proffers”); and

WHEREAS, on January 9, 2018, the Board of Supervisors approved Case No. Z-0004-2017, which amended Condition No. 1 of the Original Proffers to allow rental of units; and

WHEREAS, on March 12, 2019, the Board of Supervisors approved Case No. Z-19-0001, which amended Condition No. 19 of the Original Proffers to allow units to be offered for rent through the Low Income Housing Tax Credit Program (the Original Proffers as amended by Z-0004-2017 and Z-19-0001 referred to as the “Existing Proffers”); and

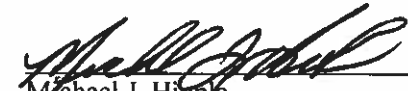
WHEREAS, on behalf of JTR Properties, LLC, Ms. Brandie Weiler of Housing Partnerships, Inc. has applied to amend Condition Nos. 2, 4, 8, 13, 15, 17, and 19 of the Existing Proffers to clarify obligations and responsibilities of the property owner, reduce cash proffers in accordance with the Housing Opportunities Policy, change the green building standard to the Energy Star Program, clarify future monitoring and mitigation requirements related to on-site petroleum contamination, and clarify affordable housing assurances for a 30-year period; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. Z-20-0005; and


WHEREAS, the Planning Commission of James City County, following its consideration on January 6, 2021, recommended approval of Case No. Z-20-0005, by a vote of 7-0; and

WHEREAS, the Board of Supervisors of James City County, Virginia, finds Case No. Z-20-0005 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-20-0005 is hereby approved as described therein and the amended voluntary proffers are accepted.

  
Michael J. Hipple  
Chairman, Board of Supervisors

ATTEST:

  
Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
SADLER	—	✓	—
ICENHOUR	✓	—	—
LARSON	✓	—	—
MCGLENNON	✓	—	—
HIPPLE	✓	—	—

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of February, 2021.

Z20-5-PowhatTrace-res