

ADOPTED


NOV 14 2023

Board of Supervisors
James City County, VA


ORDINANCE NO. 238

AN ORDINANCE TO AMEND EXISTING PROFFERS TO ALLOW FOR AN ENTRANCE TO SECTION 3 AS DESCRIBED IN CASE NO. Z-22-0002. 4399 JOHN TYLER HIGHWAY PROFFER AMEND FIVE FORK SELF-STORAGE FACILITY.

- WHEREAS, on May 16, 2005, the Board of Supervisors approved Case No. Z-0009-2005/MP-0006-2005, which rezoned approximately 23.26 acres located at 4310 John Tyler Highway, 4360 John Tyler Highway, 3181 Ironbound Road, and 3191 Ironbound Road, further identified as Parcel Nos. (1-14), (1-37), (1-35), and (1-36), on James City County Real Estate Tax Map Nos. (46-2), (46-2), (47-1), and (47-1), together (collectively, the "Property"), from R-8, Rural Residential, and B-1, General Business, to MU, Mixed Use, with Proffers (the "Existing Proffers"); and
- WHEREAS, Mr. Gregory Davis of Kaufman & Canoles, P.C., on behalf of Five Forks 2, LLC, Five Forks 3, LLC, and Stein Investment Group, (collectively, "the Applicant"), has applied to amend the Existing Proffers; and
- WHEREAS, the Existing Proffers require any entrance to Section 3 be from Ironbound Road and would only allow for an entrance from John Tyler Highway with prior approval from the Virginia Department of Transportation, Board of Supervisors, and Director of Planning, after demonstrating that the entrance would alleviate off-site congestion, delay, or safety problems at the Ironbound Road entrance and that the entrance would not increase congestion or delay to John Tyler Highway; and
- WHEREAS, the Applicant desires to amend the Existing Proffers to allow for an entrance to John Tyler Highway and include the extension of the existing left-turn lane on John Tyler Highway and the expansion of the eastbound travel lane; and
- WHEREAS, the Board of Supervisors finds the amended proffers proposed as part of Case No. Z-22-0002 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, does hereby approve Case No. Z-22-0003 as described therein and the voluntary proffers are accepted.


Michael J. Hipple
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>
SADLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ICENHOUR	<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"/>
LARSON	<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"/>

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of November, 2023.

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