

## RESOLUTION

CASE NO. SUP-03-05/HW-02-05. JAMES CITY SERVICE AUTHORITY

ELEVATED WATER STORAGE FACILITY, WARHILL SPORTS COMPLEX

- WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific land uses that shall be subjected to a special use permit process and height limit restrictions; and
- WHEREAS, Mr. Michael Vergakis of the James City Service Authority has applied for a special use permit and height limitation waiver to construct and operate a 165-foot public water storage tank and associated water transmission mains located at 5700 Warhill Trail; and
- WHEREAS, the property is located on land zoned R-8, Rural Residential, and can be further identified as Parcel No. (32-1) on James City County Real Estate Tax Map No. (1-12); and
- WHEREAS, the Planning Commission, following its Public Hearing on March 7, 2005, voted 7-0 to recommend approval of Case No. SUP-03-05; and
- WHEREAS, a Public Hearing was advertised, adjoining property owners were notified, and a Board of Supervisors hearing was scheduled on Case No. HW-02-05; and
- WHEREAS, the Board of Supervisors finds that the requirements of Section 24-354 of the James City County Zoning Ordinance have been satisfied in order to grant a height limitation waiver to allow the erection of a public water storage facility in excess of 60 feet.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Case No. HW-02-05.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. 03-05 as described herein with the following conditions:

1. The proposed water storage facility and associated water mains shall be constructed in general accordance to the location map attached to this staff report.
2. Prior to final site plan approval, the Planning Director shall review and approve the color and style of the water storage facility. The color shall be a neutral white or sky blue shade, with no signage permitted on the tank. The tank style shall be spherical or composite as illustrated in Attachment Nos. 2b and 3b of the corresponding staff report.
3. Any new exterior site lighting shall be limited to fixtures which are horizontally mounted on light poles not to exceed 15 feet in height and/or other structures and shall be recessed fixtures with no bulb, lens, or globe extending below the casing. The casing shall be opaque and shall completely surround the entire light fixture and light source in such a manner that all light will be directed downward and the light source is not visible from the side. No glare, defined as 0.1 footcandle or higher, shall extend

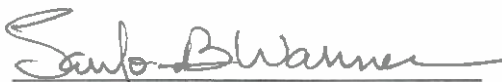
outside the property lines. Up-lighting of the water tank for aesthetic purposes only is prohibited. Any up-lighting of the water tank for security purposes only shall be approved by the Planning Director.

4. The owner shall be responsible for developing and enforcing water conservation standards to be submitted to and approved by the James City Service Authority prior to final site plan approval. The standards may include, but shall not be limited to, such water conservation measures as limitations on the installation and use of irrigation systems and irrigation wells, the use of approved landscaping materials including the use of drought-tolerant plants where appropriate, and the use of water-conserving fixtures and appliances to promote water conservation and minimize the use of public water resources.
5. If construction has not commenced on this project within 36 months from the issuance of a special use permit, the special use permit shall become void. Construction shall be defined as obtaining permits for building construction and footings and/or foundation has passed required inspections.
6. Hours of construction shall be Monday - Saturday from 7 a.m. to 7 p.m. for the new water storage facilities.
7. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder,



Michael J. Brown  
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner  
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
HARRISON	AYE
GOODSON	AYE
MCGLENNON	AYE
BRADSHAW	AYE
BROWN	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 22nd day of March, 2005.