

## RESOLUTION

### CASE NO. SUP-0026-2008. DIAMOND HEALTHCARE - WILLIAMSBURG PLACE EXPANSION

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 ("SUP") process; and

WHEREAS, Mr. Greg Davis of Kaufman & Canoles has applied on behalf of property owner Diamond Healthcare of Williamsburg Inc. for an SUP to allow an expansion to Williamsburg Place, a hospital located on a parcel of land zoned M-1, Limited Business/Industrial; and

WHEREAS, the property is located at 5477 and 5485 Mooretown Road and can be further identified as James City County Real Estate Tax Map Nos. 3330100011B and 3330100011C; and

WHEREAS, following its public hearing on March 4, 2009, the Planning Commission voted 6-0 to recommend approval of this application.

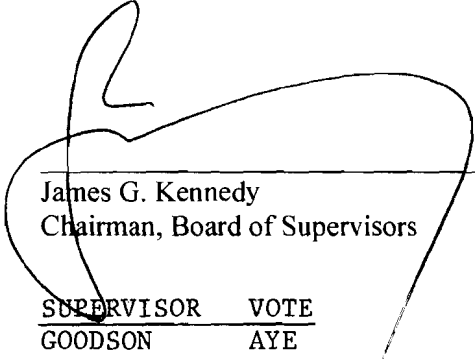
NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. 0026-2008 as described herein with the following conditions:

1. Use: This SUP shall allow the establishment and/or continued operation of a 25-bed acute psychiatric treatment services facility; a 15-bed adult and older adult psychiatric inpatient facility; a 30-bed intermediate care substance abuse treatment facility and transitional domiciliary facility; a 12-bed psychiatric unit; a 48-bed outpatient unit, and a 4-bed residential unit for visitors. The facility shall maintain at all times a current Certificate of Public Need from the Commission of Health of the Commonwealth of Virginia.
2. Commencement of Construction: Construction on this project shall commence within 24 months from the date of approval of this SUP or this permit shall be void. Construction shall be defined as obtaining building permits and an approved footing inspection and/or foundation inspection.
3. Master Plan: As determined by the Director of Planning, the plan of development shall be in accordance with the "Master Plan (Amended) Williamsburg Place" ("Master Plan") prepared by AES Consulting Engineers, dated November 26, 2008, and revised January 21, 2009. Access to the two parcels shall be limited to the two entrances depicted, the shared main entrance, and the service entrance.
4. Property Line Adjustments: Prior to final site plan approval, the common property line between the parcels identified as James City County Real Estate Tax Map Nos. 3330100011B and 3330100011C shall be adjusted as shown on the Master Plan.
5. Architectural Review: Prior to final site plan approval, the Director of Planning shall review and approve the final architectural design of the building. Such building shall be generally consistent, as determined by the Director of Planning, with the architectural elevations titled "Front Perspective" and "Rear Perspective" for Diamond

Healthcare Williamsburg Place Expansion dated February 4, 2009, and drawn by Guernsey Tingle Architects.

6. Lighting: All exterior lighting on the property 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. Modifications to this requirement may be approved by the Director of Planning if it is determined that the modifications do not have any negative impact on the property or surrounding properties.
7. Runoff to CSX Property: There shall be no net increase in runoff to the CSX railroad right-of-way. No new impervious area shall drain to the CSX property without water quality treatment in a 10-point BMP per the County BMP Guidelines. This shall be demonstrated on the plan of development and shall be approved by the County's Environmental Division Director prior to final plan of development approval.
8. Bioretention Facility: The proposed bioretention facility shall be sized to comply with the existing stormwater management master plan. Under no circumstances will the proposed bioretention facility be sized for less than one inch per impervious acre for the net increase in impervious area developed in the currently proposed expansion as compared to the impervious area approved on County site plan SP-0097-2007. This shall be demonstrated on the plan of development and shall be approved by the County's Environmental Division Director prior to final plan of development approval.
9. Landscaping: A landscaping plan shall be approved by the Director of Planning prior to final site plan approval for this project. The landscaping plan shall include enhanced landscaping 10 feet in width along the first 200 feet along both sides of the new proposed main entrance and enhanced landscaping 10 feet in width along the first 100 feet on both sides of the service entrance to help screen service activities from Mooretown Road. Enhanced landscaping shall be defined so that the required number of plants and trees equals, at a minimum, 125 percent of the requirements of the James City County Landscape Ordinance. A minimum of 50 percent of the trees within the landscape buffers shall be evergreen.
10. Water Conservation: The applicant shall be responsible for amending the existing 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, the use of approved landscaping materials including the use of drought tolerant plants where appropriate, and the use of water-conserving fixtures to promote water conservation and minimize the use of public water resources.
11. Signage: Signage for the site shall be limited to one main entrance sign and "Service Only" entrance signage. The number, size, and design of the "Service Only" signs will be approved by the Director of Planning prior to final site plan approval. The Director of Planning shall approve the location of all signage prior to final site plan approval that shall be in accordance with the County Zoning Ordinance.

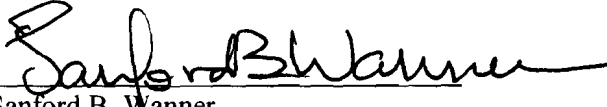
12. Severance Clause: This SUP is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.



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James G. Kennedy  
Chairman, Board of Supervisors

ATTEST:



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Sanford B. Wanner  
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
GOODSON	AYE
JONES	AYE
MCGLENNON	AYE
ICENHOUR	AYE
KENNEDY	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of April, 2009.

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