

RESOLUTION

CASE NO. SUP-13-06. UNICORN COTTAGE

WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific land uses that are permissible only upon the issuance of a SUP; and

WHEREAS, child day care centers are a specially permitted use in the R-8, Rural Residential, zoning district; and

WHEREAS, the Planning Commission of James City County, following its public hearing on June 5, 2006, recommended approval of Case No. SUP-13-06 by a 6-0 vote to allow the operation of a child day care center at 3021 and 3025 Ironbound Road and further identified as Parcel Nos. (1-67) and (1-67A) on James City County Real Estate Tax Map No. (47-1).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of SUP-13-06 as described herein with the following conditions:

1. Enrollment. The proposed use shall have no more than 30 children enrolled at any one time. Additional enrollment above the number of 30 children shall require an additional SUP.
2. Hours of Operation. Hours of operation shall be limited from 7 a.m. to 6 p.m., Monday through Friday.
3. Entrance Landscaping. A landscaping plan shall be approved by the Planning Director prior to final site plan approval for this project. The landscaping plan shall include enhanced landscaping within the 100-foot Community Character Corridor buffer along Ironbound Road, so that the required size 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 plantings within the Community Character Corridor buffer shall be evergreen.
4. Lighting: Any new exterior site or building lighting shall have 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 are not visible from the side. Fixtures which are horizontally mounted on poles shall not exceed 15 feet in height. No glare defined as 0.1 foot candle or higher shall extend outside the property lines.
5. Perimeter Buffer. A landscaped perimeter buffer shall be installed and maintained around the parcel so as to visibly screen the facility from adjacent property owners. Prior to final site plan approval for any section or phase of the Project the applicant shall include enhanced landscaping in the perimeter buffer areas so that the required size of plants equals at least 133 percent of the County's Landscaping Ordinance.
6. Parking: All parking shall be located at the rear of the building. If the applicant determines that a parking lot cannot be placed at the rear of the building due to engineering constraints, such a determination shall be presented to the County

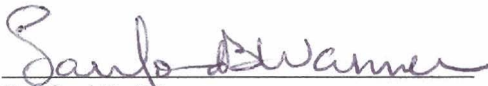
Engineer for his concurrence and approval. If the County Engineer approves of such a determination, then any resulting parking must be screened from view from Ironbound Road by both fencing and a vegetative buffer consistent with Section 24-97(c) of the James City County Zoning Ordinance. The fencing used to enclose the parking area shall be non-chain link vinyl or wood with a minimum height of 40 inches and shall be reviewed and approved by the Director of Planning prior to final site plan approval.

7. Architecture: Prior to approval of any new on-site building construction or alterations for the day care facilities, the Director of Planning shall review and approve the final architectural design of the building for consistency with the design guidelines outlined in the document entitled "Primary Principles for the Five Forks Area of James City County" adopted by resolution of the James City County Board of Supervisors on September 28, 2004.
8. Water Conservation: 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 development 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.
9. Junk Removal: The applicant shall remove all junk from the property prior to final site plan approval. "Junk" shall mean old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, waste, or junked, dismantled, or wrecked automobiles, or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous material. The James City County Zoning Administrator, or his designee, shall verify, in writing, that all junk has been properly removed from the property.
10. Severance Clause: This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.



Bruce C. Goodson
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of June 2006.