

RESOLUTION

CASE NO. SUP-0010-2015. JAMESTOWN BEACH SPECIAL USE PERMIT AMENDMENT

- 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, the Board of Supervisors approved SUP-0017-2012, Jamestown Beach, which permitted community recreation facilities in a PL, Public Lands District on property located at 2205 Jamestown Road, which can be further identified as James City County Real Estate Tax Map Parcel No. 4630100005 (the "Property"); and
- WHEREAS, Ms. Nancy Ellis of James City County Parks and Recreation has applied to amend SUP-0017-2012 and restate the conditions; and
- WHEREAS, the Board of Supervisors endorsed the Shaping Our Shores Master Plan by resolution on June 9, 2009, as a high-level planning document for the Property; and
- WHEREAS, the Planning Commission of James City County, following its public hearing on February 3, 2016, recommended approval of this application by a vote of 6-0; and
- WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with the 2035 Comprehensive Plan Land Use Map designation for the Property and the considerations in Section 24-9 of the James City County Code.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after a public hearing does hereby approve the issuance of SUP 0010-2015 as described herein with the following amended and restated conditions:

1. **Master Plan.** This SUP shall permit a public community recreation facility and accessory uses thereto, including but not limited to restoration of the Vermillion House, event tents, interpretive areas, beach access and parking, special event areas, maintenance areas, concession stands, cabins, tent camping, a ropes course and performance venue on property located at 2205 Jamestown Road, and further identified as James City County Real Estate Tax Map Parcel No. 4630100005 (the "Property"). Uses and layout of the Property shall generally be located as shown on the document entitled "Figure 2-2: Master Plan - Jamestown Beach Campground," prepared by Vanasse, Hangen, and Brustlin, Inc. (VHB) (the "Master Plan") and as described in the *Shaping Our Shores* Master Plan report adopted by the Board of Supervisors on June 9, 2009 (the "SOS Report"), with only changes thereto that the director of planning determines are generally consistent with the Master Plan and the SOS Report.
2. **Archaeology.** Additional archaeological studies shall be submitted to the Director of Planning or his designee for review and approval prior to the commencement of any land disturbing activity on the Property in any area that is identified as "potentially eligible" or "eligible" for inclusion on the National Register of Historic Places and/or "unknown (further work needed)" in the reports titled "Phase I Cultural Resource Survey of the James City County Campground and Yacht Basin Marina, James City County, Virginia" by Archaeological and Cultural Solutions, Inc. dated February 2009,

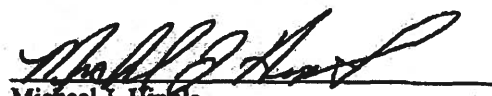
and "Phase II Investigations of Archaeological Sites 44JC0101 and 44JC121 2, James City County Campground and Yacht Basin Marina, James City County, Virginia" by Archaeological and Cultural Solutions, Inc. dated July 2009. If an additional Phase II study is necessary for any site, such study shall be approved by the director of planning or his designee and a treatment plan for said sites shall be submitted to and approved by the director of planning or his designee for sites that are determined to be eligible for inclusion on the National Register of Historic Places and/or those sites that require a Phase III study. If in the Phase III study a site is determined eligible for nomination to the National Register of Historic Places and said site is to be preserved in place, the treatment plan shall include nomination of the site to the National Register of Historic Places. If a Phase III study is undertaken for said sites, such studies shall be approved by the director of planning or his designee prior to land disturbance within the study areas. All Phase I, Phase II and Phase III studies shall meet the Virginia Department of Historic Resources' *Guidelines for Preparing Archaeological Resource Management Reports* and the Secretary of the Interior's *Standards and Guidelines for Archaeological Documentation*, as applicable, and shall be conducted under the supervision of a qualified archaeologist who meets the qualifications set forth in the Secretary of the Interior's *Professional Qualification Standards*. All approved treatment plans shall be incorporated into the plan of development for the site and the clearing, grading or construction activities thereon.

3. **Tree Clearing.** Tree clearing on the Property shall be limited to the minimum necessary to accommodate the proposed infrastructure improvements; recreational uses shown on the Master Plan; and related driveways, entrance improvements and facilities as determined by the Director of Planning or his designee.
4. **Master Stormwater Management Plan.** The applicant shall complete a Master Stormwater Management Plan for the Property prior to final development plan approval for the next significant development phase of the Property for which a conceptual plan has not been received by the adoption date of this resolution. The Master Stormwater Management Plan shall be in accordance with the SOS Report and James City County's Sustainable Building Policy as adopted by a Board of Supervisors resolution on March 23, 2010.
5. **Vermillion House.** The Vermillion House and associated dependencies identified within the SOS Report shall remain on the Property and shall not be demolished. No changes shall be permitted to these structures with the exception of alterations, maintenance and/or modernizations that will not jeopardize their eligibility for future nomination to the National Register of Historic Places.
6. **Water Conservation Guidelines.** The applicant shall be responsible for developing water conservation standards to be submitted to and approved by the James City Service Authority prior to final site plan approval and subsequently for enforcing these standards. Water conservation measures addressed by the guidelines shall include, but not be limited to, limitations on the installation and use of approved landscaping design and materials to promote water conservation and minimize use of public water resources.
7. **Public Utilities.** The applicant shall install connections to public water and sewer infrastructure for restrooms and other amenities on the Property prior to the development of any permanent structures or facilities related to uses not currently developed as shown on the Master Plan that would be expected to generate higher park visitation rates, including but not limited to, the campground area, rental cabins,

restoration of the Vermillion House and performance venue. Infrastructure improvements such as electrical connections, parking lots, facilities to allow for the collection of beach access parking fees and other facilities as approved by the director of planning shall not be considered to be permanent structures for the purposes of this condition and shall not trigger the requirement to connect to public water and sewer. Special events subject to permitting under the County Code shall also not be considered to trigger the requirement to connect to public water and sewer.

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

BE IT FURTHER RESOLVED by the Board of Supervisors of James City County, Virginia, that the issuance of SUP 0010-2015 as described above supersedes and replaces SUP-0017-2012 in its entirety.


Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:


Bryan J. Hill
Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCLENNON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LARSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ONIZUK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SADLER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
HIPPLE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of March, 2016.

SUP10-2015JtownBeach-res