

ADOPTED

JUN 13 2023

ORDINANCE NO. 237

Board of Supervisors
James City County, VA

AN ORDINANCE TO AMEND EXISTING PROFFERS TO ALLOW FOR ADDITIONAL


USES AS DESCRIBED IN CASE NO. Z-23-0002. COLONIAL HERITAGE - PICKLEBALL

PROFFERS AMENDMENT

- WHEREAS, on November 27, 2001, the Board of Supervisors approved Case No. Z-0004-2000/MP-0001-2001, which rezoned approximately 777 acres located at 6175 Centerville Road, 6799 Richmond Road, 6895 Richmond Road, 6993 Richmond Road, and 6991 Richmond Road, further identified as Parcel Nos. (1-21), (1-22), (1-32), (1-11), and (1-32a) on James City County Real Estate Tax Map Nos. (23-4), (23-4), (24-3), (31-1), and (24-3), respectively (collectively, the "Property"), from A-1, General Agricultural, and M-1, Limited Business Industrial, to MU, Mixed Use, with Proffers; and
- WHEREAS, on December 14, 2004, the Board of Supervisors approved Case Nos. Z-0003-2002/Z-0004-2002/MP-0001-2002, which rezoned approximately 229 acres from A-1, General Agricultural, to MU, Mixed Use with Proffers, and rezoned approximately 503 acres from A-1, General Agricultural, to A-1, General Agricultural with Proffers, on properties identified as Parcel No. (1-21) on James City County Real Estate Tax Map No. (23-4), Parcel No. (1-32) on Tax Map No. (24-3), Parcel No. (1-11) on Tax Map No. (31-1); and Parcel No. (1-7) on Tax Map No. (22-4); and
- WHEREAS, on behalf of the Colonial Heritage Homeowners Association (the "Association"), Mr. Benming Zhang of Kaufman & Canoles, P.C. has applied to amend the Existing Proffers; and
- WHEREAS, the Existing Proffers require the Association to maintain and regulate "tennis courts numbering not fewer than three;" and
- WHEREAS, the Association desires to amend the Existing Proffers to require the Association to maintain and regulate "recreational courts for spatial activities including but not limited to racket sports such as pickleball and tennis not fewer than three (3)" to allow for additional pickleball courts on the Property; and
- WHEREAS, the Board of Supervisors finds that the amended proffers proposed as part of Case No. Z-23-0002 to be required by public necessity, convenience, general welfare, and good zoning practice.
- NOW, THEREFORE, BE IT ORDAINED that the Board of Supervisors of James City County, Virginia, does hereby approve Case No. Z-23-0002 as described herein and accepts the amended voluntary proffers.


Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:


Teresa J. Saeed
Deputy Clerk to the Board

SADLER
ICENHOUR
MCGLENNON
LARSON
HIPPLE

VOTES

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
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Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of June, 2023.

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