

RESOLUTION

CASE NO. SUP-30-95. GOVERNOR'S SHOPPES

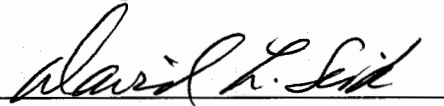
WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific land uses that shall be subject to a special use permit process; and

WHEREAS, the Planning Commission of James City County, following its public hearing on February 5, 1996, unanimously recommended approval of Case No. SUP-30-95 to permit the construction of a shopping center as described herein with outparcels at 6590 Richmond Road on property identified as Parcel No. (1-35) on James City County Real Estate Tax Map No. (24-3).

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. SUP-30-95 as described herein with the following conditions:

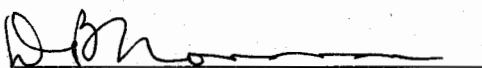
1. This permit shall allow the development of a shopping center of 280,000 square feet of gross leasable area and the development of out parcels along the Richmond Road frontage generally as shown on the master plan for Governor's Shoppes drawn by AES Consulting Engineers dated October 31, 1995 (master plan).
2. The design, construction materials, detailing and colors of development on the three out parcels shall be consistent with the design, construction materials, detailing and colors used for the shopping center as approved by the Director of Planning. All elevations of areas designated "out parcel" and "future expansion" visible from a public road shall be consistent with the design, construction materials, detailing and colors of the front facade of the shopping center.
3. A unified landscape treatment shall be applied to the entire development, including out parcels, and such treatment plan shall be approved by the Planning Director. Sufficient information shall be submitted with each plan of development to allow the Planning Director determine whether individual projects conform with the overall unified landscape treatment.
4. The number of entrances on Richmond Road shall be limited to those shown on the master plan. The eastern most entrance shall be a right-in/right-out facility. Access for the out parcels shall be internal to the site. Reciprocal cross access easements shall be provided for secondary access to and from Richmond Road to Parcel Nos. (1-36), (1-37), (1-37A), (1-62), and (1-38) on James City County Real Estate Tax Map No. (24-3) through designated perimeter traffic aisles within the parking lot of the shopping center.
5. To the extent reasonably practical and consistent with the traffic improvements hereinafter specified, the row of four oak trees along Richmond Road shall be preserved as part of the landscaping plan submitted with development plans.
6. The following entrance and road improvements shall be installed to VDOT standards and specifications prior to the issuance of any permanent Certificate of Occupancy for the Shopping Center:

- a. A traffic signal at the main entrance (crossover one as shown on the traffic study submitted with this application).
 - b. Construction of double left-turn lanes on westbound Richmond Road at crossover one.
 - c. Construction of a third through/right-turn lane on eastbound Richmond Road along the entire property frontage.
 - d. Construction of three exit lanes, two entrance lanes, and landscape median at the main entrance at crossover one.
 - e. Construction of an eastbound left-turn lane at Crossover 1 as necessary to accommodate a traffic signal.
 - f. Modifications to crossover pavement to accommodate improvements listed herein.
7. Prior to the issuance of any permanent Certificate of Occupancy for the shopping center, the applicant shall, at its sole cost and expense, cause to be installed a time based coordinator as part of the traffic signal at Crossover 1. In addition, the applicant shall, within 30 days of a request from VDOT, pay to VDOT its pro rata share (pro rata based on the number of signals included) of any VDOT electronically interconnected traffic signal coordination project that includes Crossover 1 committed for construction by VDOT by the end of December 2000.
 8. The applicant shall comply with Scenario 2 in the conclusions section of the Drainage Report prepared by AES Consulting Engineers and dated January 10, 1995. The pond provided shall be sized in accordance with James City County 10-point BMP guidelines and the release rates mentioned in the Drainage Report.
 9. If construction on the project has not commenced within 36 months from the date of issuance of the special use permit, it shall become void. Commencement of construction shall be defined as the excavation, approved inspection of footings, and pouring of footings for any commercial buildings allowed under this permit.



David L. Sisk
Chairman, Board of Supervisors

ATTEST:



David B. Norman
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
TAYLOR	AYE
MAGOON	AYE
DEPUE	AYE
EDWARDS	AYE
SISK	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of March, 1996.