

## RESOLUTION

### CASE NO. SUP-0028-2010. BUSCH GARDENS NEW ATTRACTION - OKTOBERFEST

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. Ronnie Orsborne of VHB-LandMark has applied on behalf of SeaWorld Parks and Entertainment, LLC for an SUP to allow for the construction of an event building and locker room addition collectively totaling approximately 26,100 square feet in size to serve a theme-park attraction in the Oktoberfest area of Busch Gardens, Williamsburg, ("Attraction") which will be laid out over a total area of approximately nine acres; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-0028-2010; and

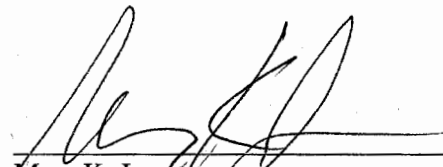
WHEREAS, the proposed Attraction is depicted on the plan prepared by Vanasse Hangen Brustlin, Inc., dated November 23, 2010, and entitled "BGW Oktoberfest Attraction Expansion"; and

WHEREAS, the proposed Attraction will be constructed in its entirety on property zoned M-1, Limited Business Industrial, further identified as Parcel No. (1-9) on James City County Real Estate Tax Map Parcel No. (51-4) and commonly known as "Busch Gardens" (the "Property"); and

WHEREAS, the Planning Commission, following its public hearing on January 5, 2011, voted 7-0 to recommend approval of SUP No. 0028-2010.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve SUP No. 0028-2010, as described herein, pursuant to the following conditions:

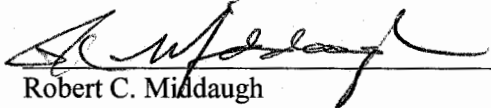
1. Plan: This SUP shall be valid for an approximately 26,100-square-foot event building and separate locker room addition for an attraction (the "Attraction") as generally shown on the plan prepared by Vanasse Hangen Brustlin, Inc., dated November 23, 2010, and entitled "BGW Oktoberfest Attraction Expansion."
2. Lighting: A lighting plan shall be submitted to, and approved by, the Director of Planning or his designee prior to final site plan approval for the Attraction. The lighting plan shall show that no glare will be cast beyond the any boundary line of the Property by any lighting installed as a component of or result of this Attraction.
3. Commencement of Construction: Construction on the Attraction shall commence within 24 months from the date of approval of this SUP or this permit shall be void. Construction shall be defined as the obtaining of permits for the construction of foundations and/or footings.
4. Severability: This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.



Mary K. Jones  
Chairman, Board of Supervisors

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

ATTEST:



Robert C. Middaugh  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of February, 2011.

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