

RESOLUTION

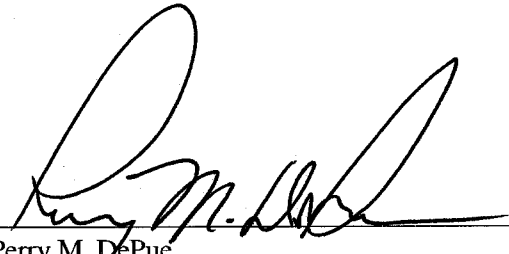
CASE NO. SUP-8-94. BERKELEY COMMONS OUTLET ADDITION

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 process; and

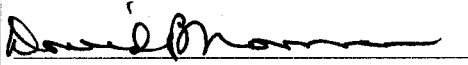
WHEREAS, the Planning Commission of James City County, following its public hearing on June 21, 1994, recommended approval of Case No. SUP-8-94 by a vote of 7-1 to permit the construction of approximately 105,000 square feet of additional retail space at the Berkeley Commons Outlet Center located at 5715, 5717, and 5721 Richmond Road, further identified as Parcel Nos. (1-28) and (1-30) on James City County Real Estate Tax Map No. (33-1).

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-8-94 as described herein with the following conditions:

1. If construction on the project has not commenced within 24 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.
2. The design and color of the buildings shall be similar to that of the buildings in the existing Berkeley Commons Shopping Center and shall be subject to approval by the Planning Director prior to final site plan approval.
3. All lighting on the site within 100 feet of adjacent property shall be directed away from adjacent property that is zoned residential.
4. An enhanced landscape plan with berming for the frontage area along the Richmond Road right-of-way shall be submitted for approval by the Planning Director.
5. The owner shall provide internal access from the property to any adjacent development built, owned or managed by owner, any of owner's principal's or any entity owned or controlled 20 percent or more by owner of any of its principals. If such adjacent development has alternative access to Richmond Road, then owner shall terminate the new proposed entrance shown on the Master Plan approved with this Special Use Permit.
6. There shall be a right-in turn lane and a right-out turn lane at the entrance to the property built to VDOT specifications.


Perry M. DePue
Chairman, Board of Supervisors

ATTEST:


David B. Norman
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 15th day of August, 1994.

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