

RESOLUTION

CASE NO. SUP-23-99 EXPANSION OF PRIME OUTLETS

- 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, Mr. Alvin Anderson has applied on behalf of Prime Outlets at Williamsburg, L.L.C., Prime Outlets at Williamsburg II, L.P., the Kingdom Hall of Jehovah's Witnesses, and the Travco Hotel Group for a special use permit to allow for a 67,075± square foot expansion of Prime Outlets; and
- WHEREAS, Mr. Anderson has also applied to amend the existing conditions of approval of James City County Case No. SUP-8-94; and
- WHEREAS, the conditions listed below replace the conditions of approval of James City County Case No. SUP-8-94; and
- WHEREAS, the proposed expansion is shown on the master plan prepared by Langley & McDonald, P.C., dated July 7, 1999, and entitled "Master Plan Prime Retail Outlet Expansion;" and
- WHEREAS, the property is located on land zoned B-1, General Business, and can be further identified as Parcel Nos. (1-33C), (1-28), (1-29) and a 1.64± acre portion of (1-33A) on the James City County Real Estate Tax Map No. (33-1); and
- WHEREAS, the Planning Commission, following its public hearing on October 4, 1999, voted 5-1 to recommend approval of this application.

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-23-99 as described herein with the following conditions:

1. All new exterior light fixtures on the Property shall have recessed fixtures with no lens, bulb, or globe extending below the casing. A lighting plan shall be submitted to, and approved by, the Planning Director which indicates no glare outside the property lines. "Glare" shall be defined as more than 0.1 footcandle at the property line or any direct view of the lighting source from the street or adjoining residentially designated property.
2. Development of the site shall be generally in accordance with the master plan, with such minor changes as the Development Review Committee determines does not change the basic concept or character of the development.
3. The building elevations for any commercial structure shall be approved by the Director of Planning prior to final site plan approval. The intent of this condition is to ensure that buildings on the site are compatible with the design, materials and color of the existing Prime Outlets buildings.

4. Prior to the issuance of any certificate of occupancy for any building addition, or new building, located on Tax Map Parcel Nos. (33-1)(1-28) or (33-1)(1-29), there shall be a 35-foot wide transitional buffer planted along the northern most property line, as identified on the Master Plan. This area shall be planted at 133 percent of standards found in Section 24-94 of the James City County landscape ordinance (in terms of the numbers of trees and shrubs, not size), in a manner acceptable to the Director of Planning and with an emphasis on evergreen shade and understory trees. Furthermore, a fence shall be installed in this area, as indicated on the master plan. The fence shall be a maximum eight feet high and shall be vinyl coated and either black or green in color. Furthermore, the fence shall be setback from the property line at least three feet.
5. Prior to the issuance of any certificate of occupancy parking spaces shall be designated as "Employee Parking Only" and "One Way" traffic only, as appropriate, as shown on the master plan.
6. For all newly disturbed areas which are not currently covered by an impervious surface, prior to the issuance of a land disturbing permit, archaeological studies, consistent with County policy, shall be submitted to, and approved by, the Director of Planning for all areas on the site that will be disturbed. Unless otherwise approved by the Director of Planning, all recommendations of the approved study shall be implemented by the developer.
7. No dumpsters shall be allowed on any portion of the service road located behind the proposed buildings along the northern property line where the service road is 20 feet in width or less.
8. A Land Disturbing Permit shall be obtained by the developer for this project within three years from the date of approval of this special use permit or the permit shall become void.
9. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.



Jack D. Edwards
 Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
 Clerk to the Board

SUPERVISOR	VOTE
EDWARDS	AYE
NERVITT	AYE
SISK	AYE
MCGLENNON	AYE
BRADSHAW	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of November, 1999.