

## RESOLUTION

### CASE NO. SUP-25-05/ MP 10-05. PRIME OUTLETS MASTER PLAN AMENDMENT

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, LLC, for a special use permit to allow for a 5,700±-square-foot expansion of Prime Outlets; and

WHEREAS, Mr. Alvin Anderson has also applied to amend the existing conditions of approval of James City County Case Nos. SUP-23-99 and MP-3-99; and

WHEREAS, the conditions listed below replace the conditions of approval of James City County Case No. SUP-23-99; and

WHEREAS, the proposed expansion is shown on the master plan prepared by LandMark Design Group, dated July 28, 1999, revised on August 24, 2005, and entitled "Amended Master Plan Prime Retail Outlet Expansion" the "Master Plan"; and

WHEREAS, the property is located on land zoned B-1, General Business, and can be further identified as Parcel Nos. (1-28), (1-29), (1-33C), (1-33D) and (1-33E) on James City County Real Estate Tax Map No. (33-1); and

WHEREAS, the Planning Commission of James City County, following its public hearing on August 1, 2004, recommended approval of this application by a vote of 7 to 0.

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. 25-05 as described herein with the following conditions:

1. This special use permit shall be valid for the approximately 5,700-square-foot expansion of Prime Outlets and accessory uses thereto. The total Gross Building Area shall not exceed 367,202 square feet. Development of the site shall be generally in accordance with the above-referenced master plan, as determined by the Development Review Committee of the James City County Planning Commission. Minor changes may be permitted by the DRC, as long as they do not change the basic concept or character of the development. This special use permit and these conditions shall supersede the existing conditions of approval of James City County Case No. SUP-23-99 and prior SUP conditions affecting the Prime Outlets development.
2. Any new exterior site lighting shall be limited to fixtures which are horizontally mounted on light poles not to exceed 30 feet in height and/or other structures and shall be recessed fixtures with no bulb, lens, or globe extending below the casing. The casing shall be opaque and shall completely surround the entire light fixture and light source in such a manner that all light will be directed downward and the light source is not visible from the side. No glare, defined as 0.1 footcandle or higher, shall extend outside the property lines.

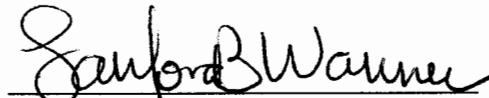
3. Prior to final site plan approval, the Planning Director shall review and approve the final architectural design of the building(s) prepared as part of the above-referenced expansion. Such building shall be reasonably consistent, as determined by the Planning Director, with the architectural elevations titled, Prime Outlets Phase VI-expansion, submitted with this special use permit application dated, July 6, 2005, and drawn by Gary S. Bowling, Guernsey Tingle Architects.
4. Prior to the issuance of any final Certificate of Occupancy for any new commercial construction on the site, lighting shall be installed for all three entrances from the property onto Richmond Road as shown on the Master Plan. In addition, adequate parking lot lighting shall be installed in the new 43-space parking lot as shown on the Master Plan and titled "Re-stripe existing parking for buses to parking for 43 cars". The specific location, adequacy, and design of all lighting fixtures shall be approved by the Planning Director, which approval shall not be unreasonably withheld. No lighting fixture shall exceed a height of 30 feet.
5. A landscaping plan for the 5,700-square-foot expansion referenced herein, including foundation landscaping in accordance with James City County Code Section 24-95 shall be approved by the Planning Director or his designee prior to final site plan approval. Movable planters (the type and size of planters to be specified by the landscaping plan) along the entire store frontage of the Phase 5A Expansion, shall be approved by the Planning Director or his designee prior to final site plan approval.
6. Prior to submission of any commercial development plan for the 5,700-square-foot expansion referenced herein, the applicant shall submit a water and sanitary sewer master plan and hydraulic analyses for the expansion space for review and approval by the James City Service Authority.
7. Applicant has installed a 35-foot-wide transitional buffer planted along the northern most property line. This area has been planted and shall be maintained as reasonably determined by the Director of Planning 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), and with an emphasis on evergreen shade and understory trees. The fence already installed in this area shall be a maximum of eight feet high and shall be maintained with a vinyl coating and shall be either black or green in color. Furthermore, the fence shall be maintained with a setback from the property line at least three feet.
8. Prior to issuance of any final Certificate of Occupancy, the applicant shall complete the following: (1) internal driveways shall be designated as "One Way" traffic only, as shown on the Master Plan; and (2) the applicant shall install signage for the rear parking lots and service drives clearly indicating the existence of additional parking spaces for customers and employees. Prior to installation of any new signage, the applicant shall prepare and submit a comprehensive signage plan for review and approval by the Director of Planning, which approval shall not be unreasonably withheld.

9. No dumpsters shall be allowed on any portion of the service road located behind the buildings along the northern property line where the service road is 20 feet in width or less.
10. If construction has not commenced on this project within thirty-six months from the issuance of this special use permit, the special use permit shall become void. Construction shall be defined as obtaining permits for building construction and footings and/or foundation has passed required inspections.
11. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.



Michael J. Brown  
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner  
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
HARRISON	AYE
GOODSON	AYE
MCLENNON	AYE
BRADSHAW	AYE
BROWN	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of September, 2005.

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