FINAL DEVELOPMENT PLAN AMENDMENT CONDITIONS

FDPA 82-P-069-06-7

January 6, 2005

If it is the intent of the Planning Commission to approve FDPA 82-P-069-06-7 for a retail development located at Tax Map 55-2 ((1)) 14B1 pt., 14B2 and 14B3 staff recommends that the Board of Supervisors condition the approval by requiring conformance with the following development conditions, which supercede all previously approved conditions as they pertain to this site. An asterisk denotes conditions carried forward from FDPA 82-P-069-06-6.

1. Development of the subject property shall be in substantial conformance with the Final Development Plan Amendment entitled "Fair Lakes Land Bay V-B3" consisting of four sheets and submitted by William H. Gordon Associates, Inc. dated May 2004 as revised through December 17, 2004.

2. Prior to issuance of a Non-RUP for Building 3, sidewalks shall be provided in the locations depicted on the development plan.

3. Prior to issuance of a Non-RUP for Building 3, crosswalks shall be provided in the locations depicted on the development plan.

4. The architecture of Building 3 shall be in substantial conformance with the elevations and design standards depicted on Sheet 4 of the development plan; however, the rear of Building 3 shall provide similar architectural treatments as the front and sides of the building, as determined by DPWES. Building façade shall consist of stone, brick, and/or pre-cast concrete and/or EIFS (exterior insulation finishing system) so long as EIFS shall compromise no more than 33% of any single store front or other facade. In order to visually screen roof equipment from the public roadways, parapet walls shall be provided to enclose the mechanical equipment, where necessary, as determined by DPWES.

5. The temporary access to the parking lot shall only be permitted during the realignment of Roger Stover Drive.

6. All on-site lighting shall be directed downward and inward to prevent light spilling onto adjacent properties.*

7. All dumpsters shall be fully screened from view through the use of solid, opaque enclosures.*