

**RESOLUTION TO APPROVE
SP 2015-20 CVS AT RIO AND 29N**

WHEREAS, Rio XRoad LLC is the record owner of Tax Map and Parcel Number 06100-00-00-123F0 and Seminole Trail LLC is the record owner of Tax Map and Parcel Number 06100-00-00-123G0 (collectively the “Owner”); and

WHEREAS, the Owner submitted an initial site plan (SDP 2015-00016) for the construction of a CVS Pharmacy with a drive-through window; and

WHEREAS, the initial site plan for the proposed CVS Pharmacy, which is a by-right use in the HC zoning district, was approved in June, 2015; and

WHEREAS, the proposed drive-through window requires a special use permit, and the application is identified as Special Use Permit 2015-00020 CVS at Rio and 29N (“SP 2015-20”); and

WHEREAS, on August 4, 2015, after a duly noticed public hearing, the Albemarle County Planning Commission recommended approval of SP 2015-20 with the conditions recommended by County staff; and

WHEREAS, on September 9, 2015, the Albemarle County Board of Supervisors held a duly noticed public hearing on SP 2015-20.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the staff report prepared for SP 2015-20 and all of its attachments, the information presented at the public hearing, and the factors relevant to a special use permit in Albemarle County Code § 18-33.8, the Albemarle County Board of Supervisors hereby approves SP 2015-20, subject to the conditions attached hereto.

* * *

I, Ella W. Jordan, do hereby certify that the foregoing writing is a true, correct copy of a Resolution duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of _____ to _____, as recorded below, at a regular meeting held on _____.

Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Boyd	_____	_____
Ms. Dittmar	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Palmer	_____	_____
Mr. Sheffield	_____	_____

SP-2015-20 CVS at Rio and 29N

1. Development and use shall be in general accord with the following revised plans prepared by Kimley-Horn, Sheet CS-101 (1 of 3 in special use permit plan set) dated June 17, 2015 (hereafter “Layout Plan”), as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the specified plans, development and use shall reflect the following major elements as shown on the plans:
 - a. Relationship of drive-through lanes to the building and the parking lot
 - b. Building location, orientation and mass
 - c. Minor modifications to the plan that do not otherwise conflict with the elements listed above, may be made to ensure compliance with the Zoning Ordinance.
2. The applicant shall install and maintain traffic control devices including, but not limited to, signage and pavement markings at the entrance and exit points of the drive-through lanes, subject to county engineer approval to ensure appropriate and safe travel patterns.
3. The use shall not commence prior to the issuance of a Certificate of Appropriateness by the Architectural Review Board.
4. The use shall commence on or before September 9, 2018 or the permit shall expire and be of no effect