

# Fifth Street Station Drive-Throughs

Application for Special Use Permit by  
5th Street Station Ventures, LLC and Avon Holdings, LLC

June 15, 2015

Fifth Street Station Ventures, LLC is the owner of approximately 60.56 acres of land identified as Albemarle County tax map parcel numbers 76M1-2A, 76M1-2B, and 76M1-4A (the "Ventures Property") and Avon Holdings, LLC is the owner of approximately 21.38 acres of land identified as Albemarle County tax map parcel numbers 77-E1 (the "Avon Property"). The Ventures Property and Avon Property are referred to collectively hereafter as the "Property", and Fifth Street Ventures, LLC and Avon Holdings, LLC are referred to collectively as the "Owners".

The Property is situated in the Scottsville Magisterial District of Albemarle County, between Moore's Creek to the north, Interstate 64 to the south, Fifth Street Extended to the west, and Avon Street Extended to the east, and is zoned Planned Development - Shopping Centers ("PD-SC") and Entrance Corridor Overlay District per ZMA 2009-00001. The Property is currently vacant, but the 5<sup>th</sup> Street Station project is under construction. Surrounding uses consist primarily of residential developments, including Willoughby to the north and Biscuit Run to the south, and commercial uses, including fast food restaurants and hotels to the west on Fifth Street Extended.

The Owners propose to construct a retail development on the Property, accessible to both Fifth Street Extended and Avon Street Extended through a new connector, as shown on the enclosed final Zoning Application Plan Amendment. Tenants would include a Starbucks coffee shop, Panera Bread restaurant, and retail bank, all approved as part of ZMA 2009-00001, and each with a drive-through window. The remainder of the Property would be filled with a mixture of retail tenants, including a Wegmans grocery store. The proposed retail center is permitted by-right on the Property, subject to Section 25.2.1.1 of the Zoning Ordinance, which allows by-right those uses permitted by-right in the C1, CO and HC zoning districts. Section 24.2.1 permits eating establishments and fast food restaurants, and financial institutions by-right in the HC district, as well as a variety of other retail uses that are likely to be located at the space. The proposed drive-throughs require a special use permit pursuant to Section 25.2.1.1, referencing Section 24.2.2.12, which requires a special use permit for a drive-through window in the HC district.

The proposal to provide drive-throughs at various locations on the property is consistent with the current Comprehensive Plan, which designates the Property Community Service, and also the draft Southern and Western Neighborhoods Master Plan, which designates the developable area of the Property Regional Mixed Use. Both designations contemplate retail uses of the types proposed.

Drive-through lanes are a generally accepted convenience for the public within commercial districts throughout the Country with no known negative impacts to environmental features,

public facilities, or public infrastructure. Drive-throughs, in fact, create the opportunity to better serve the public.

An overview of the proposed development is shown on the enclosed concept plan prepared by Bohler Engineering. The "Proposed Drive Thru Location" shown on the concept plan is where Starbucks is proposed to locate. The exact location of other drive-through windows has not yet been determined.

We have included with this application "General Standards for Drive-Throughs" that could be added as conditions of the approval for this Special Use Permit request. Also attached are several ITE studies regarding stacking requirements for various drive through uses to provide background information on the topic.

Per our discussion with Mark Graham, we are submitting a Special Use Permit request that would cover the multiple drive-through window requests as one application rather than submitting an application for each individual drive-through.

Should you require anything further to process this Special Use Permit approval request, please contact Valerie Long at 951-5709 or [vlong@williamsmullen.com](mailto:vlong@williamsmullen.com) or Ashley Davies at 951-5725 or [adavies@williamsmullen.com](mailto:adavies@williamsmullen.com).

27591549\_2.docx

RECEIVED  
JAN 11 2011  
CITY OF CHICAGO  
OFFICE OF THE  
COMMISSIONER  
OF PLANNING