

**RESOLUTION TO APPROVE
SP 2015-23 5th STREET STATION, REQUEST FOR DRIVE-THROUGH WINDOWS**

WHEREAS, 5th Street Station Ventures, LLC (the “Owner”) is the owner of Tax Map and Parcel Numbers 076M1-00-00-002A0, 076M1-00-00-002B0, and 076M1-00-00-004A0 (the “Property”); and

WHEREAS, the Owner filed an application for a special use permit to establish drive-through windows, and the application is identified as Special Use Permit 2015-00023 5th Street Station, Request for Drive-Through Windows (“SP 2015-23”); and

WHEREAS, on October 6, 2015, after a duly noticed public hearing, the Albemarle County Planning Commission recommended approval of SP 2015-23 with modified conditions; and

WHEREAS, on November 11, 2015, the Albemarle County Board of Supervisors held a duly noticed public hearing on SP 2015-23.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the staff report prepared for SP 2015-23 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 2015-23, 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-2015-00023 5th Street Station, Request for Drive-Through Windows Conditions

1. If the building is adjacent to a public street, any drive-through windows shall be located on the side or rear of the building, away from the public street.
2. Drive-through lanes shall not be located between a building and a public street unless separated from the right of way by a landscaped area at least ten (10) feet in depth extending the length of the drive-through lane that complies with Albemarle County Code § 32.7.9.5(b), (c), (d), and (e).
3. Drive-through lanes shall be separated from sidewalks and any vehicular travel areas by a planting strip at least five (5) feet in width.
4. Where pedestrian access crosses drive-through lanes, a five (5) foot wide raised pedestrian travelway or a five (5) foot wide pedestrian travelway containing a change in texture and visual markings shall be provided.
5. Drive-through lanes shall be at least eleven (11) feet wide.
6. Drive-through lanes shall not enter directly from or exit directly to any public street.
7. Entrances to drive-through lanes shall be more than fifty (50) feet from any intersection with a public or private street or travelway without parking (interior circulation in shopping areas).
8. Drive-through lane length shall be a minimum of one hundred (100) feet measured from the center of the first window or service point. This length may be reduced if a study is submitted and approved by the Director of Community Development or their designee demonstrating that a shorter length will be sufficient for a particular use.
9. The drive-through lane shall extend at least twenty (20) feet beyond the drive-through window.
10. Where a drive-through lane is located adjacent to an internal travelway, the direction of travel in the drive-through lane and the travelway shall be the same unless they are separated from one another by a landscaped area at least ten (10) feet in depth extending the length of the drive-through lane that complies with Albemarle County Code § 32.7.9.5(b), (c), (d), and (e).
11. The use shall commence on or before November 11, 2018 or the permit shall expire and be of no effect.