

**RESOLUTION TO APPROVE
SP 2015-32 RESTORE'N STATION**

WHEREAS, Jeffries II, LLC is the owner of Tax Map and Parcel Number 055B0-00-00-00100 (the "Property"); and

WHEREAS, a special use permit was approved by the Board for this property on November 3, 2010 (SP 2009-34), authorizing the use of 1,625 gallons of water per day, and including conditions that limited water use, building size, and other activities on the site; and

WHEREAS, Jeffries II, LLC filed an application for a special use permit to amend the conditions associated with the approval of SP 2009-34 to increase the allowable building space by expanding the existing building and constructing a new building, to eliminate the restrictions on business hours, to eliminate the prohibition on overnight parking, and to eliminate limitations on fuel dispenser types and numbers, and the application is identified as Special Use Permit 2015-32 Restore'n Station ("SP 2015-32"); and

WHEREAS, on June 7, 2016, after a duly noticed public hearing, the Albemarle County Planning Commission recommended denial of SP 2015-32; and

WHEREAS, on September 14, 2016, the Albemarle County Board of Supervisors held a duly noticed public hearing on SP 2015-32, and deferred action at Jeffries II, LLC's request to October 12, 2016.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the transmittal summary and staff report prepared for SP 2015-32 and all of their attachments, the information presented at the public hearing, and the factors relevant to a special use permit in Albemarle County Code §§ 18-1.4.10 and 18-33.8, the Albemarle County Board of Supervisors hereby approves SP 2015-32, subject to the conditions attached hereto.

* * *

I, Travis O. Morris, 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 _____.

Acting Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Dill	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Palmer	_____	_____
Mr. Randolph	_____	_____
Mr. Sheffield	_____	_____

SP-2015-00032 RESTORE'N STATION
Conditions

1. The applicant shall install and maintain a meter on the well head to monitor water consumption. Prior to installation, the model of the meter shall be subject to approval by the Zoning Administrator in conjunction with the County Engineer. Results of daily water consumption shall be made available within forty-eight (48) hours of a request from the Zoning Administrator.
2. Water consumption from all wells on site shall not exceed one thousand six hundred twenty-five (1,625) gallons per day in the aggregate.
3. The applicant shall install and maintain a tamper-proof, flow restriction device limiting water flow to not more than one thousand six hundred twenty-five (1,625) gallons per day. Prior to installation, the model of the flow restriction device shall be subject to approval by the Zoning Administrator in conjunction with the County Engineer.
4. The gross first floor building square footage shall not exceed 13,600 square feet and the gross second floor building square footage shall not exceed 11,000 square feet. Porch roofs are not counted in these square footage limitations.
5. The convenience store shall not operate between 12:30 a.m. and 4:30 a.m. each day; provided that the fuel pumps may remain operational at all times.
6. There shall be no more than nine (9) fuel pump stations of which seven (7) are limited to serve only two (2) vehicles at any time, one (1) pump station is for off-road fuel that serves only one customer at any time, and one (1) pump station is for kerosene that serves only one customer at any time.
7. If rainwater is collected from roof tops of the pump station canopies or the building, it shall be stored in a lined underground storage tank and utilized for on-site landscaping purposes only.
8. Except for vehicles of customers of the automobile repair shop awaiting repair or to be picked up by a customer after the vehicle has been repaired, overnight customer parking on -site shall not be permitted between the hours of 12:30 a.m. and 4:30 a.m. The applicant shall post signs stating that no such overnight parking in such places designated by the Site Plan Agent as a condition of final site plan approval.
9. Development of the site shall be in general accord with the submitted concept plan dated September 26, 2016. Permitted modifications may include those required by the Architectural Review Board, those necessary to satisfy the conditions of this special use permit, and additional landscaping /screening approved by the Site Plan Agent.
10. The automobile repair shop shall not operate between 10:00 p.m. each day and 4:30 a.m. the following day.
11. No building permit for the expansion of the existing (front) building shall be issued until the water usage for the existing building and the new rear building has been confirmed to be less than 80% of 1,625 gallons per day (1,300 gallons per day). Confirmation will be made by submission to the Zoning Administrator of meter reading data for a minimum of 6 consecutive months after a certificate of occupancy has been issued by the building official for the new (rear) building.