

**RESOLUTION TO APPROVE SPECIAL EXCEPTION
FOR SDP 2018-66 LONGHORN STEAKHOUSE –
SPECIAL EXCEPTION TO VARY SDP 1979-7 FASHION SQUARE MALL**

WHEREAS, the applicant filed a request for a special exception to vary the Application Plan approved in conjunction with SDP1979-7 Fashion Square Mall to develop a 89,948 square foot area on Tax Parcel 06100-00-00-13200 that currently functions as over overflow surface parking for the Fashion Square Mall, in conjunction with SDP201800066 Longhorn Steakhouse – Special Exception to Vary SDP1979-7 Application Plan (SDP 18-66); and

WHEREAS, because the applicant initially opposed certain conditions of approval recommended by staff, the special exception request was presented to the Planning Commission for its review and recommendation at its June 25, 2019 meeting, at which time the applicant informed staff and the Planning Commission that the applicant is now in agreement with staff's recommended conditions of approval; and

WHEREAS, on June 25, 2019, the Planning Commission recommended approval of the special exception request with the conditions recommended by staff, including minor technical revisions.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the Memorandum prepared in conjunction with the special exception request and the attachments thereto, including the Planning Commission's staff report, staff's supporting analysis, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-8.5.5.3, 18-33.43, and 18-33.49, the Albemarle County Board of Supervisors hereby approves the special exception to vary the Application Plan approved in conjunction with SDP1979-7 as requested, subject to the conditions attached hereto.

* * *

I, Claudette K. Borgersen, 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. Dill	_____	_____
Mr. Gallaway	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Palmer	_____	_____
Mr. Randolph	_____	_____

**Special Exception to Vary the SDP1979-7 Fashion Square Mall
Application Plan Condition**

1. The final site plan must provide a shared use path, at least 10 feet wide, along the entire expanse of the eastern boundary of the lease area. The path must:
 - a. Connect to the required sidewalk along the southern egress for the site.
 - b. Include a 6' wide landscape strip between the shared use path and the mall "ring road" travelway, planted with street trees meeting the requirements of Section 32.7.9.5.
2. If VDOT does not approve a connection of the northernmost proposed shared use path to the existing sidewalk on Rte. 29, then the applicant must provide in place of the required sidewalk along the southern egress of the site either a 10' wide shared use path and a 6' wide landscape strip OR a 10' wide sidewalk and a 6' wide landscape strip for the duration of the southern egress road. In either case the landscape strip must abut the road and be provided the required street trees pursuant to Section 32.7.9.5 to buffer pedestrians. The total width of these improvements shall be 16' wide.