

**Albemarle County Planning Commission  
DRAFT Minutes December 15, 2020**

The Albemarle County Planning Commission held a public hearing on Tuesday, December 15, 2020 at 6:00 p.m.

Members attending were Julian Bivins, Chair; Karen Firehock, Vice-Chair; Tim Keller; Rick Randolph; Daniel Bailey; Corey Clayborne; Jennie More; and Luis Carrazana, UVA representative.

Members absent: none.

Other officials present were Margaret Maliszewski; Megan Nedostup; Kevin McDermott, Chief of Planning; Charles Rapp, Director of Planning; Andy Herrick, County Attorney's Office; and Carolyn Shaffer, Clerk to the Planning Commission.

**Call to Order and Establish Quorum**

Mr. Bivins said that opportunities for the public to access and participate in the electronic meeting will be posted at [www.albemarle.org/community/county-calendar](http://www.albemarle.org/community/county-calendar) when available.

Mr. Rapp called the roll. All Commissioners noted their presence.

**Consent Agenda**

Mr. Randolph moved to approve the consent agenda.

Mr. Clayborne seconded the motion, which carried unanimously (7:0).

**Public Comment**

Mr. Bivins invited Mr. Neil Williamson to share a statement with the Planning Commission.

Mr. Neil Williamson, President of the Free Enterprise Forum, said that, following tradition, he would present the 2020 Holiday Poem, named, "A Coronavirus Carol." He read the poem aloud to the Commission.

Mr. Bivins asked Mr. Williamson if he would be sending a copy of that piece to the Commission.

Mr. Williamson replied that he would and that it would also be posted on the blog at [www.freeenterpriseforum.org](http://www.freeenterpriseforum.org).

**Recess**

At 8:06 p.m., Mr. Bivins called a short recess.

At 8:10 pm., the meeting resumed.

**Public Hearing  
SP202000015 Animal Wellness Center**

Mr. Andy Reitelbach, Senior Planner, said there was both a special use permit application and

associated special exception application (SP202000015 and SE202000022) for the Animal Wellness Center.

Mr. Reitelbach said the property for the Animal Wellness Center is at 1100 Crozet Avenue, south of Downtown Crozet at the Jarmans Gap intersection with Crozet Avenue. He said the map on the screen showed Crozet Methodist and Crozet Library to the north, and that directly to the south of the subject property is a County-owned stormwater management property that is used to manage most of the stormwater that comes from Downtown Crozet.

Mr. Reitelbach said the property is 3.4 acres and currently, there is an existing building with a currently operating vet clinic on the property. He said the zoning is DCD (Downtown Crozet District), and overlay districts include the Entrance Corridor and the Flood Hazard Overlay District, which is in the far western portion of the property along Powell's Creek. He said that in the Crozet Master Plan, it is designated as Downtown and Greenspace.

Mr. Reitelbach said the applicant is proposing to amend SP2008-00009, which was originally approved in October of 2009. He said with this request, the applicant is asking to expand the existing veterinary clinic with several different parts, including an expansion of the existing one-story building by adding approximately 3,600 square feet to it; the construction of additional parking; the construction of an additional building at the front of the property, along Crozet Avenue; and the permitting of the option to provide overnight animal boarding services along with the vet clinic.

Mr. Reitelbach said there is a request for a special exception as well to Section 18-5.1.11(b) of the Zoning Ordinance, which requires soundproofed structures for a veterinary clinic use that are located at least 200 feet from the residential lot line in order to protect those surrounding properties from noise. He said the location of the proposed veterinary use is less than 200 feet from the what the Zoning Map designates as residential property lines; however, residential structures in those residential districts do align more than 200 feet from the intended veterinary clinic buildings.

Mr. Reitelbach said that as a part of this, the applicant has proposed sound attenuation strategies in the construction and expansion of the vet clinic to ensure that the noise limit complies with the 55-decibel requirement that is stated in the Zoning Ordinance.

Mr. Reitelbach presented a map of the zoning district DCD showing the property. He said there is R2 to the east, south, and west; and everything to the north is DCD. He said that in the Comprehensive Plan, the property is designated as Downtown for about two-thirds to three-fourths of the property, and then only the very rear portion of the property within the Powell's Creek stream buffer and flood hazard area is designated as greenspace. He said other areas to the north of the property are designated as Downtown, with a few small areas of Institutional around the library, or Mixed Use; and across the street, to the east, is designated as Neighborhood Density – Residential.

Mr. Reitelbach presented a screenshot of the concept plan that the applicant is proposing. He said they are proposing to construct this project in two phases. He said the first phase would be to expand the existing veterinary clinic building and add some additional parking. He said in the second phase, which the plan on the screen showed as the fully built-out proposal, has the additional building shown at the front, along Crozet Avenue, as well as some additional parking to accommodate that building. He said in the rear, behind the existing building, the applicant is

proposing an outdoor animal exercise area between the building and the Powell's Creek stream buffer.

Mr. Reitelbach said there are couple of staff-recommended revisions to the concept plan. He said the first is that currently, there is a proposed parking area shown to be on top of a County of Albemarle public drainage easement. He indicated on the map to the parking area in the center of his screen, to the left of the existing building that is on top of a County drainage easement. He said currently, the Facilities and Environmental Services Department (FES), which regulates and maintains that easement for the County, has stated that they will not permit construction of a parking area within the boundaries of that easement. He said this parking area needs to be removed from the concept plan, along with the note on that plan that is associated with it.

Mr. Reitelbach said he would note, however, that the applicant has indicated that they are continuing to discuss this issue to determine whether some disturbance may be permitted. He said if FES does provide a letter or email to the Planning Division prior to the Board of Supervisors public hearing indicating that a certain level of disturbance might be permitted within that easement, Planning staff acknowledges that the concept plan could be revised accordingly, depending on what FES says prior to that Board meeting.

Mr. Reitelbach said the other recommended revision is to revise Note 1 on Sheet 6 to ensure compliance with what the Zoning Ordinance requires.

Mr. Reitelbach said factors for consideration include several factors favorable. He said the proposed use is consistent with the Crozet Master Plan, is located within the Development Areas, and is consistent with the uses identified for areas designated as Downtown Crozet. He said there are no adverse impacts that are expected to the nearby or adjacent properties.

Mr. Reitelbach said in staff's review, there were no unfavorable factors identified.

Mr. Reitelbach said therefore, staff recommends approval of Special Use Permit SP2020-00015 with the following conditions, and provided that the previously mentioned recommended revisions are made to the application prior to a public hearing with the Board.

Mr. Reitelbach said the recommended conditions include what is a generally standard condition for special use permits, that the development of the use must be in general accord with the concept plan that was provided, including certain major elements such as location of the buildings, the proposed additions, the parking areas, and the outdoor animal exercise area, as well as that minor modifications to the plan which do not conflict with those elements above may be made to ensure compliance with the Zoning Ordinance.

Mr. Reitelbach said the other conditions are that only the walking of the animals would be permitted in the outdoor animal exercise area, and it would be separated from access by the public and limited to that area that is shown behind the building. He said final site plan approval is subject to approval of the landscape plan by the Architectural Review Board, and the landscaping may be required to be in excess of what is required by the guidelines or Zoning Ordinance to mitigate the visual impacts of the proposed use.

Mr. Reitelbach said the applicant has requested a few minor changes in the wording to these conditions, and staff is willing to work in consultation with the Zoning Division and the County Attorney's Office to hammer out any final wording changes prior to the Board of Supervisors public

hearing.

Mr. Reitelbach said with the special exception, staff also recommends approval of Special Exception SE2020-00022 with the following conditions. He said the first condition is the same as the first condition for the special use permit. He said the second condition is that the building used for the vet clinic and the animal overnight boarding uses must be air conditioned and soundproofed so that the sound measured at the nearest agricultural or residential property line shall not exceed 55 decibels to maintain that compliance with those regulations in the Zoning Ordinance. He said that prior to the issuance of the building permit, the applicant must submit information to the satisfaction of the County that demonstrates that the sound limit can be met.

Mr. Reitelbach presented the suggested motions and offered to answer any questions.

Mr. Bivins said on the second building, which they were saying would be 20 feet from 29, it looks like there is a zero-lot line going north to the adjacent property. He asked if there will be trees there, or some sort of green buffer that is between the second building and the house or property that is there.

Mr. Reitelbach replied that it is not required by the Zoning Ordinance, and he did not believe that any were shown in the concept plan. He said he did not know if potentially, the applicant is proposing to do any sort of landscaping in that area.

Mr. Bivins said he would hope that the applicant could speak to that. He said green trees are like fences, like good neighbors.

Mr. Bivins opened the public hearing to hear from the applicant.

Ms. Valerie Long said she was attending with the applicant, Dr. Hillary Cook of Animal Wellness Center. She said they were in the same room and that her office is a conference room, which is why she was masked earlier. She said Dr. Cook was now masked, and it is easier to communicate if they are in the same room. She said she appreciated the County's understanding and patience for that.

Ms. Long said she had some slides to share. She said she would go quickly through, as she believed everyone was generally familiar with the location. She said it is on the edge of the Crozet Downtown area. She presented another view to provide some context to the surrounding neighborhoods and downtown area. She presented a close-up of the property as it exists today, from the County's GIS mapping website, which showed the size of the parcel.

Ms. Long presented a photo of the existing building, with the parking in front. She said as the applicant described in their application, one of the biggest challenges – even now, prior to expansion of the practice – is the shortage of parking.

Ms. Long presented some other views from Crozet Avenue, which were taken from Google Street View. She said some of the pictures were taken onsite, showing views from Crozet Avenue, the existing parking lot, and in the lower right corner, it is a bridge that was constructed when the drainage easement was built, which leads back to the flood plain area.

Ms. Long presented another view from Crozet Avenue. She said from various directions, one could see the relation of the building to the road and the existing sidewalk.

Ms. Long said that as was shown earlier, the zoning is Downtown Crozet District, and this is on the edge of it. She said the applicant thinks it is a perfect transitional use. She said Dr. Cook has had the business there since 2008, when she obtained her first special use permit. She said it has worked out very well, and they have not had any complaints or issues with neighbors of any kind. She said the parcel to the south, Parcel 11, is now owned by the County and is essentially a natural wetland area.

Ms. Long said in the Comprehensive Plan, from the master plan, the developable portions of the property are shown as Downtown District or designation, and the flood plain area is greenspace as is areas on other sides.

Ms. Long said the flood plain is quite large in this area, and so the applicant wanted to show the extent to which the limits of the flood plain limit the expansion of the business in the buildable areas.

Ms. Long presented a close-up view of the flood plain in relation to the existing building and parking lot. She pointed out that subsequent slides would show the drainage area, and there is a very small creek in this location. She indicated on the view to what is generally the location of the drainage easement that was put in place as part of the Downtown Crozet Streetscape project. She indicated on the view to a small bridge that was built to provide some access to the back. She indicated on the slide to a storage shed. She said the existing parking was shown, and this was probably the only time one would ever see so few parking, or so many vehicles in the parking space. She said Dr. Cook tells her, and she can attest as a customer of the building, that the lot is almost always full.

Ms. Long presented another image showing the relationship of the buildings, flood plain, and drainage easement. She said the next slide showed, for context, the limitation of the buildable area of the site. She said there is over 1.5 acres of the parcel that is flood plain, and there is just over 1 acre that is actually developable, even though the entire parcel is 3.5 acres and the drainage easement alone take up over a quarter acre. She said it surrounds the buildable area on three sides, so it creates a lot of constraints.

Ms. Long presented the original plan when the applicant submitted the application. She said for context, the darker tan color represented the existing building. She said the plan was to add a small addition to the building in a certain location, then add a new building in another spot for expansion. She said in the meantime, Dr. Cook has been working with prospective general contractors, architects, and others. She said Dr. Cook is also working with the landowner with whom she has the land under contract. She said the land is very expensive and as the Commission may know, construction prices are currently extraordinarily expensive, and so the applicant has a slight modification, which she would present on the next sheet.

Ms. Long presented a close-up of the original plan. She said it showed the existing building and additions.

Ms. Long said the next slide was a close-up of the new plan, with the existing building and small addition. She said instead, the initial expansion (or Phase 1 of the expansion) would also be to bump the building out in the front, basically doubling the size of the building there. She said the second phase of the expansion would occur in the indicated building in front. She said as part of that, there would be expansion of the parking space, with a parking lot in the indicated area, as

well as additional parking located on the side of the driveway. She said there is room for about 11 perpendicular spaces in one spot, and for two parallel spaces in another spot.

Ms. Long said that as Mr. Reitelbach discussed earlier, the applicant does show on their plan some proposed parking in the back. She said they understand this may not ultimately be permitted, but they do want to continue working with FES staff to see if there might be a way to either perhaps relocate the drainage easement or build a small parking lot on the far side of that area, if viable. She said the applicant would like to leave that in place, if they could. She said if not, they understand, and it would mean that there would definitely need to be more interim expansion of the parking lot as part of the first phase of development.

Ms. Long presented a map showing the revised plan. She said it is a conceptual interim condition, or what it might look like after the first phase of expansion. She indicated to where the building would be located. She said it is essentially the same parking lot, with a few additional spaces. She said if the parking is not permitted, then even during the interim condition, with the building there, they would go ahead and add the parking spaces along the side and possibly expand in an indicated spot.

Ms. Long said she had some slides to better show this, but the applicant did want to show that even in the interim condition, before there is the final building close to Crozet Avenue, they know the ARB (as part of site plan review) will likely require additional landscaping. She said the applicant understands that the parking lot will need to be screened. She said the plan was all conceptual and would be subject to final approval by the ARB.

Ms. Long presented a better example or image of what the interim condition would likely look like. She said this was one of two options. She indicated to the expanded building, for context. She indicated to the outline of the drainage easement in back, so there is no parking shown there. She said they would add the parking spaces along the side of the driveway. She said it is essentially the same parking lot as is there now with the addition, with the same size and a few additional spaces. She said this would provide for 29 spaces. She said Dr. Cook already has 20 employees and is working hard to add an additional doctor to her staff, which would also result in four additional staff members. She said ideally, she is hoping to try to get to 25 employees, which means that 29 spaces would really not be enough, given how many customers they have right now.

Ms. Long said another option, which would probably be the more likely scenario during the interim condition, would be adding the parking spaces along the south, along the driveway, and then expand the parking lot fully. She said there is still room for the final building there once the applicant is ready for that.

Ms. Long presented a version of the plan showing the full buildout with more detail. She said she thought the prior slide was easier to see and understand.

Ms. Long concluded her presentation in terms of the plans themselves and offered to answer any questions that may come up with regard to Dr. Cook's practice. She said she would address Mr. Bivins' question about landscaping. She said as Mr. Reitelbach indicated, it is not required there because there is a zero setback. She said the owner of the parcel to the north is the same owner of this parcel currently that Dr. Cook is under contract with, and so they are working very closely.

Ms. Long said this plan would not preclude landscaping in that location if it is ultimately determined

to be needed or appropriate. She said they are not showing it because the site is so constrained by the flood plain and the drainage easement, and they are trying to preserve as much of the developable space onsite as possible while leaving a little more space between the building and Crozet Avenue for appropriate amounts of plantings there.

Ms. Long said the applicant is agreeable to the conditions of the special exception. She said they know that the soundproofing is standard, and the residences are more than 200 feet away themselves, although the lot lines are not. She said one question that came up from a few members of the public was whether dogs would be outdoor at night, and there are no outdoor pens or runs of any kind that are proposed or that would be allowed. She said everything would be indoors within air conditioned and soundproofed buildings.

Ms. Long offered to answer any questions.

Mr. Clayborne said he was not familiar with the programming of veterinary clinics. He asked if there will be a dumpster onsite and if so, where.

Ms. Long replied that there would be a dumpster behind the building. She presented a plan on the screen, indicating to the location of where the dumpster would be. She said it would not be in the drainage area and would perhaps be behind the parking area, or to the side. She said the applicant did not get into that level of detail on the plan, but there would certainly be a dumpster.

Mr. Clayborne said his second question might be considered as detailed at the concept phase, but with such a tight site, the building that would be fronting the street with the proposed addition is tight. He asked about utilities that would be coming in, understanding that the back of the building is really the front because it is facing the street, has ARB review, and so forth. He asked where transformers and the like might be placed.

Ms. Long said she would go to the next slide to better show this. She said Mr. Clayborne was right, and she should have mentioned at the beginning of her presentation that Mr. Justin Shimp with Shimp Engineering is the civil engineer for the project and was attending as well. She said Mr. Shimp may want to jump in, as he has likely looked at this more carefully than she has. She said Mr. Clayborne is exactly right in that it is a tight site. She said the standard is that it be no more than 10 feet from the road, and staff is willing to accommodate as the ordinance allows staff to approve it being no more than 20 feet back, which is what the applicant has shown.

Ms. Long said that among other things, this is necessary because although it is hard to see, the red part of the plan is the portion of the drainage easement that goes across the front of the parcel. She said it is very constrained, and she believes there are a number of utilities onsite now. She said she knows there are water and sewer line easements along the back. She said there is overhead power there and throughout, and the applicant would have to work out all those things as the site plan level. She asked if Mr. Shimp had any other thoughts to add in that regard.

Mr. Justin Shimp, engineer for the project, said there was really nothing to add, and Mr. Clayborne's question was a good one. He said if they were dealing with a 10-foot maximum setback, it is very challenging, and 20 feet is more reasonable. He said when looking at 5 and 10 feet, they get into problems with transformer cells in weird places. He said that in this case, the power is off to the side, and so they can put their transformer off to the side of the access road and use conduit to get underneath. He said the rest of the utilities are generally available, as Ms. Long pointed out.

Mr. Carrazana said his question had to do with the storm drain, and perhaps Mr. Shimp could provide more detail about the general strategy. He said it is a sensitive site from a storm drain standpoint, and perhaps where the parking lot is being shown in the back, he wonders if that was not considered as potentially a stormwater amenity for both quantity and quality control.

Mr. Shimp replied that Mr. Carrazana was correct. He said the applicant did not realize it at first because it is not recorded as such, but the drainage easement is actually effectively a stormwater management easement. He said what the applicant has worked out in conversations with FES is that they are not opposed to the idea of that height or the channel (that is basically an engineered channel with natural conditions) providing some stormwater quality components as part of the Phase 1 Streetscape project.

Mr. Shimp said FES would like that to stay or, if it is impacted, see if it can be relocated in a way that provides equal or greater stormwater measures than what exist currently. He said this is the detail they are working through, but Mr. Carrazana is correct. He said it was an engineered stormwater feature and not a natural item, but it was a very small channel that the County reengineered as a stormwater measure. He said it could be relocated, meandering along the parking lot, even increasing the length and, in theory, its effectiveness as well. He said they have not gotten into that detail, but it is a possibility.

Mr. Carrazana said his suggestion was that as they work through the negotiations, perhaps the applicant can offer a strategy that helps not only with the quantity, but also with the quality because they are going to get a lot of unfavorable conditions washing down the asphalt into that drain.

Mr. Shimp said he understood. He said this will be part of the program, if it is permitted to be moved. He said they do not know this yet, but he thinks it will be part of the new scenario in that situation, especially with water quality.

Ms. Firehock said she had questions along the same lines and was wondering where and how stormwater was going to be handled. She said they just went through this recitation of how tight the site is, and she could see where they would be doing that. She said it would be nice if the applicant would consider using some more progressive measures besides just putting water off into the channel, such as permeable pavement. She said it would be nice if this site were actually designed a little more progressively. She said she is tired of underground storage tanks and water quality credits being bought offsite. She said the applicant could answer that if they wanted.

Ms. Firehock said in terms of future phase development with the building showing up in the front, she thought they were only considering the proposed building addition shown on her screen to the left. She asked if the Commission was being asked that evening to approve all these phases, or if the applicant was just showing them the future phase by the road for informational purposes. She said this was a concern and a question – one stormwater-related, asking if they were doing anything progressive (and if not, she was sad about that), and the second part being about the condition of the building in the very front.

Mr. Bivins asked Mr. Reitelbach to clarify the second part of the question.

Mr. Reitelbach replied that the Commission would be approving the entire proposed plan, including both the proposed building addition to the existing building and the proposed new

building at the front of the parcel.

Ms. Firehock asked if Mr. Shimp or Ms. Long wanted to respond to her other question.

Ms. Long said she would comment with regard to the second question, then ask Mr. Shimp to weigh in on the first. She said Mr. Reitelbach is correct that the applicant is asking the Commission to approve both the first and second phases of the development for the SP use of the veterinary and the boarding. She said since the property is in the Downtown Crozet District, there are a number of other uses that are permitted by right. She said for example, this building could be built today for an office building, retail, or even housing.

Ms. Long said the only reason they need an SP for it is for the veterinary use, so it is important for Dr. Cook to know that when and if she outgrows the first phase of the expansion, she has the ability and right under the SP to be able to expand her veterinary use into this building as well so that, ideally, they do not have to come back and amend the special use permit for a third time.

Ms. Firehock said she wanted to follow on to that question. She said with this building, they are talking about a 20-foot setback from the property line and then earlier, when Ms. Long was speaking, she was talking about acquiring another parcel. She asked if Ms. Long could clarify that, or if she was literally saying she wanted a 20-foot setback for the building at the top, which is not by right, that they can have that setback from the property line.

Ms. Long said they are not acquiring anything beyond the boundaries of this existing parcel. She said Dr. Cook leases the property right now and does not own it, but she has it under contract to purchase it from the owner. She said it is the same family trust that owns this parcel and the parcel to the north, so it is common ownership now, with the point being that it is a very friendly, long-working relationship. She said they are not acquiring anything beyond the existing parcel at 1100 Crozet Avenue.

Ms. Firehock said they received a letter of concern from an adjacent landowner. She asked if this is not the person with the driveway.

Ms. Long replied no. She indicated to a location on a map, noting that the person who expressed concerns about this building being close to the road was not directly across the street, but down the road. She indicated to the location of the house. She said the parcel to the north is the Smith Family, who owns 1100 Crozet now, and they own the adjacent parcel. She said they will continue to own the adjacent parcel to the north even after Dr. Cook purchases 1100.

Ms. Firehock said there was then a good relationship with the immediate adjacent neighbor. She asked Mr. Shimp if he had any comments about her questions. She said she knows the applicant did not give him unlimited budgets for stormwater and that he is capable of many creative things, and she was curious as to what was intended.

Mr. Shimp said what they know from talking with the County is that any adjustment to that existing channel, which is a water quality measure, needs to be kept with water quality in place and would be expanded for the applicant's use. She said this would be logical, and if they are to make an adjustment back there, they would do onsite for that back area. He said he did not want to commit to further than that because there are implications of these things phase-wise and budget-wise for the client, who has a business that needs space, and the parcel is a little constrained.

Mr. Shimp said there are ways to do water quality measures underground and various systems that capture sediment, which picks up some of the pollutants that one would otherwise miss in these systems. He said there is some engineering on that, and they are using those as a standard now because they have become equally cost effective to straight detention while mitigating some of the credits.

Mr. Shimp said that a few years ago, they would do just the cheapest, simplest solution, which was straight detention and no water quality. He said a few companies have developed systems with filtration, which gets them the same level detention as well as some water quality. He said they do use this as a matter of practice because it is economical and the environmentally correct thing to do. He said he never wants to promise that they will do every bit onsite because it can have budget implications that he is not aware of in this moment in time. He said he hoped this somewhat answered the question.

Ms. Firehock said she thought it helped. She said she is familiar with underground detention systems that also treat water quality. She said she would suggest that when the applicant gets to the Board of Supervisors, speaking for her Supervisor, they will want to know these kinds of things, and they may want to consider adding that to the presentation.

Ms. Firehock said she understands that stormwater management is straightforward, but the applicant is asking to expand the imperviousness on the site, and so there is still concern with what would happen. She said she is actually not in favor of the drainage in the parking area being in the back right along or on top of that existing drainage.

Ms. More said some of her questions had been touched on. She said she wanted to make a couple of comments and then have Ms. Long or Mr. Shimp respond. She said she knows the property to the north will have a substantial amount of standing water in their front yard from periods of rain, and then this property where the future phase development that sits up higher than, in her mind, the properties leading to the north that sit down lower coming off of Crozet Avenue, whereas the front of this property sits up higher coming off of Crozet Avenue than others do, then it drops down as they go back to the existing building.

Ms. More said she wonders what everyone has been asking about, which is more impervious surface with the parking lot expansion and how this will drain because of the topography.

Ms. More said her question about the future phase development building is if it would sit up higher as the property currently lays, or if they would do grading. She asked if this would sit up more at grade with the road, which is a little higher than the building that exists that is down lower, behind. She said she assumed that future phase development would share the parking, which is tight and where there is already a need for expansion. She asked if the applicant if they could talk about those things.

Ms. Long said she would ask Mr. Shimp to address Ms. More's questions about the drainage. She said she is not familiar with any drainage problems along the other parcels, but she would not necessarily have a reason to be familiar with them. She said the adjacent owner had not shared any problems with the applicant. She said she would let Mr. Shimp speak to that.

Ms. Long said Ms. More was certainly correct that the property increases in elevation as one moves away from the existing building towards Crozet Avenue. She said in terms of how that building would be built, it would have to be at least a two-story building pursuant to the Downtown

Crozet District zoning minimum height requirements. She said at minimum, it would be a two-story building. She said she may let Mr. Shimp speak to the technicalities of how it would be tucked in. She said the applicant has not designed the site with that level of detail yet, knowing that this is in Phase 2 and that the initial focus will be on expanding the existing building.

Ms. Long said Ms. More is correct that the future building would share the parking, and so the applicant wants to make sure there is sufficient parking. She said they are very sensitive to the need for more parking and the increase of the impervious area. She pointed out that they are still preserving over half of the acreage of the site, and over 1.5 acres of the land would be preserved and maintained in the flood plain area. She said even the areas back behind, even if the parking were not to occur, there is other land that would essentially remain in a natural state.

Ms. Long said given this is the Downtown Crozet area, which is envisioned to be an area of more intensive development, they are trying to find that balance between addressing all of those issues and making sure that this small business can accommodate their future growth needs in a way that is economically viable as well.

Ms. More said before Mr. Shimp was to speak, she wanted to note that she is supporting the project, but she had a couple of technical questions as she is familiar with the properties that lie to the north, and she sees standing water there. She said she does not know if it is the property immediately adjacent or the one next to it, but several of those properties will have water in their front yards.

Ms. More said the future phase the applicant was talking about does sit up higher, but she wonders with it all draining backwards if that is something Mr. Shimp can speak to. She said she generally does support this, as she understands it is a great business and they want to support their businesses to expand in this part of Crozet.

Mr. Shimp said that grading and drainage are related. He said in this case, the building would end up being a one-level basement condition on Crozet Avenue, and so they would force the grade behind the building down. He said Ms. More was obviously more familiar than the site than he, as she drives by it frequently, but the existing vet office is fairly low in elevation, and so the applicant would actually cut the parking lot down to a basement level or mostly basement level on the front building. He said if he is a neighbor's property and looking at the parking lots at the property line, they would be lowering the grade in that area.

Mr. Shimp said they would be sure to not impound water or make anything worse. He said if there is standing water there, they would be lowering their grade to assist with drainage coming across the property in that location. He said the whole parking lot would sit below what is there now, and the building would sit, generally speaking, with a first floor and perhaps some steps walking out down to the street, then a more basement-level entrance at the parking lot. He said if looking at the plan on the screen, it is looking from the neighbor's property diagonally across the parking lot into the applicant's storm sewer, where it would be captured in the underground detention.

Mr. Shimp said this was the overall grading and drainage scheme. He said he believed that in having to cut the grade down, they would not cause any problems for neighbors with this. He said he knew what Ms. More talking about, and he has been on the property next door, which is further north and has a very flat yard. He said he is sure there is standing water on that property at times, but the applicant would not have an impact on that.

Mr. Bivins opened the public hearing for public comment.

Mr. Alan Howard said he lives at 58 Dunvegan Lane, which is caddy cornered to the southeast of the property. He said he thinks that the Animal Wellness Center is a grand addition to Crozet. He said he thinks their plans to the addition of the existing building are great.

Mr. Howard said he is absolutely disappointed that not only is the building's second addition to be sited immediately adjacent to the road, but that this is even permitted, given the fact that the other residences along that entire strip are set well back from the road. He said his objection is not only to that particular building, but to any development along the road south of Jarmans Gap Road, immediately adjacent to the road. He said it is all sloping downward toward the river, and all those buildings would require a large amount of grading to be put in. He said it destroys the value of his property and of the property immediately opposite the Development Area.

Mr. Howard said his feeling is that all of the commercial development that is allowed there really ought to be set well back from the road, and that this was his only comment. He said he would recommend that the Planning Commission only approve the building addition to the existing building and require a later proposal for the second building.

Ms. Lou Long said she would make the Commission aware that Ms. Valerie Long, who represents Dr. Cook, is actually her daughter-in-law and is married to her son, Don. She said that her relationship with Dr. Cook and her staff, however, predates Ms. Valerie Long's representation of Dr. Cook by quite a number of years. She said Dr. Cook and her staff have cared for both her chocolate lab, who passed away from cancer in the past year, and the new puppy she has, which may be heard in the background.

Ms. Lou Long said she wanted to speak in favor of Dr. Cook's proposal and in support of having businesses in Downtown Crozet. She said Dr. Cook and her staff have cared for her animals with great knowledge and empathy. She said the issues with parking – not only for herself, but for others who have geriatric or orthopedic dogs, or a dog like hers that had cancer in the foot – have been very difficult. She said Dr. Cook and her staff are so well thought of that the parking lot is always full.

Ms. Lou Long said she would certainly support the expansion of Dr. Cook's business because they do such an excellent job in taking care of not only dogs and cats, but exotic animals and animals of all sorts. She said she wanted the Commission to be aware that she thinks it is an excellent group, and their being able to remain in the Downtown area does exactly what the master plan is asking for. She described her new puppy at Mr. Bivins' request.

Mr. Bivins closed the public hearing and asked the applicant if they would like to speak to those matters.

Ms. Valerie Long said the only comment she would add was in response to Mr. Howard, who spoke earlier. She said she certainly understood his comment and concern, and as she believed the Commissioners were all aware, the requirement for a building in that location to be set close to the road is a requirement of the Downtown Crozet District form-based code regulations. She said the regulations, in fact, require that the building be no more than 10 feet from the road, and the applicant has asked (and staff has expressed support) for it to be a maximum of 20 feet from the road. She said this is literally the maximum modification that the ordinance allows.

Ms. Long said she knows the Commission has spent a lot of time lately working on the draft form-based code for the Rio29 area, and it is the same concept to have the buildings up close to the road and ideally have parking in the back and on the sides. She said the applicant is complying with that plan and as she noted earlier, even if that building were not part of this application, Dr. Cook or whoever owned that land not only could put a building there, but would be required to put it no more than 20 feet back from the road.

Ms. Long said this is the last parcel in the Downtown Crozet District before it transitions to R2, so she thinks it is a good transition use. She said the building can be carefully sited and can only really be so tall in that location. She said they know that the ARB will have a lot to say about it when they get to that point.

Ms. More said she believed Ms. Long addressed Mr. Howard's comments, and she was sure there were other people who probably have a similar feeling and are not there to speak before the Commission that evening. She said she totally understands, but the concern she gets is that this is a difficult site, and the sites that are between this and what has developed in downtown are set back and are of residential nature. She said this is part of the DCD, and it is a little bit uncomfortable for others saying "yes" to the Phase 2 part, but she wanted to offer reassurance that the DCD is like a play on form-based code, so it does dictate some things that are requested and actually required.

Ms. More said she did not know the timing of Phase 2. She said she knows it is hard to imagine this happening, as Mr. Howard is looking at it from his property's perspective. She said she, too, lives not in this area, but near the DCD, and owns residential property that is looking to be up against a commercial piece. She said she is trying to offer reassurance that she thinks over time, as they see downtown sell out and development, then this will make more sense than it probably does now to imagine this being here, as they start to see Barnes develop. She said they do have properties heading more into what people think of as downtown that are pulled up closer to the street, and so this is in keeping with that.

Ms. More said she is comfortable with this. She said she imagines it taking place in a natural way that as downtown starts to build and become more full, they would want to make sure that they are taking advantage of every property that they can, and this is an opportunity they have to create some more commercial business in Downtown Crozet.

Ms. More said unless others had comments, she would make a motion.

Mr. Randolph said he enthusiastically supports more of this site going to the dogs and cats, and even to exotic animals.

Ms. More moved to recommend approval of SP2020-00015 Animal Wellness Center with the conditions and revisions as recommended by staff in the staff report.

Mr. Randolph seconded the motion, which carried unanimously (7-0).

Ms. More moved to recommend approval of Special Exception Request SE202000022 to modify the permitted building location requirements of Section 18-5.1.11(b) to allow the proposed veterinary use to be located within 200 feet of a residential property line, with the conditions as recommended by staff in the staff report.

Mr. Randolph seconded the motion, which carried unanimously (7-0).

Mr. Bivins said the applicant heard the comments from the Commissioners that they can think about as they move forward. He said he knew that Mr. Shimp would consider those things as this moves forward to the Board of Supervisors.

Ms. Long expressed her appreciation for the comments.

### **Committee Reports**

Mr. Bailey said the feedback from his committee meeting was about continuing to look at and track progress on different local initiatives from the wildflowers and others in the Places29 CAC. He said they started to lay out some plans for review of the Comprehensive Plan by the CAC, starting in 2021. He said they will be taking a chapter-by-chapter approach.

Mr. Bivins asked Mr. Carrazana, as he had been in the news recently, about UVA affordable housing.

Mr. Carrazana said there was some progress potential. He said there was not much for him to say except there was some movement in bringing in a consultant to help the university.

### **Review of Board of Supervisors Meeting: December 2**

Mr. Rapp said that last week, the Commission had their joint meeting with the Board. He said the prior week, the Board did approve an amendment to the Forest Lakes Planned Development Shopping Center that had come before the Commission a month or two ago about the additional buildings and parking areas off of Timberwood Boulevard. He said the applicant did respond to some of the Commission's suggestions by doubling the size of the greenspace amenity area between this and the adjacent property to the north.

### **Old/New Business**

There was no old business or new business.

### **Items for Follow-Up**

There were no items.

### **Adjournment**

At 9:11 p.m., the Commission adjourned to January 12, 2021, Albemarle County Planning Commission meeting, 6:00 p.m. via electronic meeting.

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Charles Rapp, Director of Planning

(Recorded and transcribed by Carolyn S. Shaffer, Clerk to Planning Commission & Planning Boards)

Approved by Planning Commission
Date:
Initials: