

COUNTY OF ALBEMARLE
TRANSMITTAL TO THE BOARD OF SUPERVISORS
SUMMARY OF PLANNING COMMISSION ACTION

AGENDA TITLE: ZMA202000005 Old Dominion Village	AGENDA DATE: August 17, 2022
SUBJECT/PROPOSAL/REQUEST: ZMA202000005 Old Dominion Village – Application to rezone two parcels of land totaling 23.68 acres from RA (Rural Areas) to NMD (Neighborhood Model District) with both residential (max of 110 units) and non-residential (max of 5,000 sq. ft.) components proposed. SE202000010 – Application to reduce the minimum separation between animal confinement facility and a residential lot line from 200' to 50'	STAFF CONTACTS: Filardo, Rapp, McDermott
SCHOOL DISTRICTS: Western Albemarle High, Henley Middle, Crozet Elementary	PRESENTER: Kevin McDermott, Planning Manager

BACKGROUND:

At its meeting on Tuesday, February 15, 2022, the Planning Commission (PC) conducted a public hearing and voted 7:0 to recommend approval of ZMA202000005. During the public hearing a number of issues were identified by both staff and Commissioners that would need to be addressed prior to the Board of Supervisors public hearing. The applicant has been working to address those issues and with this submittal, staff believes that they have been addressed.

The applicant has also applied for a Special Exception (SE202000010) to reduce the minimum separation between an animal confinement facility and a residential lot line from 200' to 50'. Despite staff support for this Special Exception, the PC voted 4:3 to recommend denial of this Special Exception. The applicant has provided additional information relative to this request for the Board of Supervisors to consider. The PC's staff report, action letter, and meeting minutes are attached (Attachments A, B, and C).

DISCUSSION:

At the PC meeting, staff recommended approval of the proposed Zoning Map Amendment. The proposal is consistent with the future land use and density recommendations identified in the Crozet Master Plan. The PC voted 7:0 to recommend approval of ZMA202000005.

The following sections discuss the changes that have been made to address the issues that staff and Commissioners had with the original application. Attachments D, E, F, G, and H are revised materials, with the changes described below and related supplementary information provided by the applicant.

Code of Development:

The Code of Development has been revised to allow for a wooded buffer along the Rt. 240 frontage that includes a mix of trees and shrubs, evergreen and deciduous, in an informal arrangement, as requested by the Architecture Review Board (ARB).

The Code of Development has been revised to include a note that allows only kennel uses within the Block 1 (the location of the existing veterinary clinic) in conjunction with the veterinary use and not as an independent use.

Application Plan

A suggestion was made for the applicant to include sound attenuation measures such as a vegetative buffer surrounding the existing veterinary office to reduce the potential for noise impacts to the future

residential areas. The applicant has expressed willingness to include this buffer if the Board of Supervisors deems it necessary.

The grading plan has been revised to show the steep slopes overlay in relation to the proposed grading.

Draft Proffer Statement:

Proffer 1C has been revised to state 'For-Rent Affordable Dwelling Units' as suggested by the Housing Policy Manager.

Following the submittal of the PC Staff Report, an issue was identified with the proposed private pump station and sewer line shown on the Application Plan and described in the Narrative. The Albemarle County Sewer Authority (ACSA) informed staff that the connection to the private sewer line would not be allowed. The project would have to connect to a public sewer line. Further, it was found that an agreement that would have allowed the connection to the private sewer line that serves the Emerson Commons development, had expired. Therefore, changes to the proposal were necessary to address this connection. The revised Application Plan, on Sheet Z-106, now shows a revised alignment of the sanitary force main to connect to the existing manhole on TMP 56A3-9. Additionally, the Narrative has been revised accordingly.

During the Planning Commission Public Hearing, questions were raised about parking for the development, particularly if enough parking was being provided and the concern for the layout, which had no on-street parking options. The required parking for the development appears to be met based on the application plan. The applicant has agreed to evaluate and consider the potential for on-street parking during the site plan stage.

Regarding the Special Exception (SE202000010), the Planning Commission was concerned about the potential noise impact of the veterinary clinic as well as the general design of the proposal that placed the veterinary clinic at the center of the development. The veterinary clinic is an existing use and the proposal is to construct the residential portions of the proposal around it. A noise study (included in Attachment A7) demonstrated that the soundproofing met the required levels. Attachment H also shows various buffer distances from the veterinary clinic in relation to the development.

Additional approvals will be required to expand the ACSA Jurisdictional Area and to approve the private pump station requested for the development. The ACSA Jurisdictional Area Expansion will be held as a separate Public Hearing for the Board on August 17, 2022. The private pump station will require additional designs and would return to the Board at a future meeting.

RECOMMENDATIONS:

The Planning Commission has recommended that the Board adopt the attached Ordinance (Attachment H) to approve ZMA202000005 Old Dominion Village.

The Planning Commission has recommended that the Board deny the Special Exception Request SE202200010 to reduce the buffer between a veterinary clinic and residential lots.

ATTACHMENTS:

- A. Planning Commission Staff Report
 - A1. Location Map
 - A2. Project Narrative, dated May 18, 2020; last revised November 19, 2021
 - A3. Code of Development, dated May 18, 2020; last revised November 19, 2021
 - A4. Application Plan, dated May 18, 2020; last revised November 19, 2021
 - A5. Draft Proffer Statement, dated November 9, 2020; last revised November 19, 2021
 - A6. Staff Analysis of Application's Consistency with Neighborhood Model Principles
 - A7. Special Exception Request and Noise Study
- B. Planning Commission Action Letter
- C. Planning Commission Minutes from February 15, 2022
- D. Revised Project Narrative, dated May 18, 2020; last revised April 21, 2022
- E. Revised Code of Development, dated May 18, 2020; last revised April 21, 2022
- F. Revised Application Plan, dated May 18, 2020; last revised April 21, 2022

- G. Revised Proffer Statement, dated November 9, 2020; last revised April 21, 2022
- H. SE2022-10 Buffer Figures
- I. Ordinance to Approve ZMA202000005
- J. Resolution to Approve SE202000010