

Animal Wellness Center

Special Use Permit Amendment Application

SP 2020-00015

to amend SP 2008-00009

Project Proposal

Animal Wellness Center, Inc. (“AWC” or the “Applicant”) is a veterinary clinic located in Downtown Crozet, operating at 1100 Crozet Avenue, on Tax Map Parcel 056A2-01-00-00700 (the “Property”). The Property is further described by the figure and table below.

Animal Wellness Center – 1100 Crozet Avenue



Tax Map Parcel	Acreage	Existing Use	Zoning	Comprehensive Plan
056A2-01-00-00700	3.40	Animal Wellness Center	Downtown Crozet	Downtown

The Property is zoned Downtown Crozet District, which provides for a “variety of development for retail, service, and civic uses with light industrial and residential uses as secondary uses.” County Code § 18-20B.1. Nearby parcels fronting Crozet Avenue contain a mix of commercial, residential, and public uses, including the Crozet Library, Arbor Life Professional Tree Care, University Tire & Auto Center, Crozet United Methodist Church, Tabor Presbyterian Church, and

private residences. The parcel to the south of the Property is owned by the County and contains the stormwater management facility for Downtown Crozet.

Background

AWC has operated a veterinary clinic on the Property continuously for more than 10 years, without complaints or issues from neighbors, pursuant to Special Use Permit SP 2008-00009 (the "2008 SUP"), which was approved by the Board of Supervisors on October 14, 2009. Since that time, the veterinary practice has grown and serves an increasing number of patients in Crozet, other areas of Albemarle County, the City of Charlottesville, and surrounding areas.

In response to the needs of the community AWC would like to expand its operations on the Property. To permit this needed expansion, AWC requests an amendment to the 2008 SUP that would allow (1) an addition to the existing building that would approximately double the existing square footage; (2) more parking spaces adjacent to the existing parking envelope; (3) overnight boarding services in any structure on the Property where veterinary clinic operations are permitted, and (4) a new building fronting Crozet Avenue to be used for expanded veterinary clinic operations, including overnight boarding services, or other uses permitted by right in the Downtown Crozet District. After the proposed addition to the existing building, AWC plans to use the existing building for boarding services. However, AWC would like the ability to operate the proposed overnight boarding services in either the existing or proposed building.

The Project is proposed to be completed in two phases. Phase 1 would include the addition to the existing building, the expansion of the existing parking lot, and the authorization to begin offering overnight boarding services in the existing building and in the proposed addition to the existing building. Phase 2 would involve constructing the new building and the parking for the new building, and would authorize the new building for the following uses: veterinary clinic uses, overnight boarding uses, and all uses permitted by right in the Downtown Crozet District.

Each element of the proposed expansion is described in greater detail below.

Parking Expansion

Parking has been a challenge at the Property as AWC's practice has grown. The Property is presently limited to twelve (12) parking spaces used by both clients and staff. This amount of parking no longer accommodates the number of client visits per day, not to mention the increasing number of employees at the business.

At any given time during regular business hours, AWC has nearly as many employees working as available parking places. To address this challenge in the short term, AWC will be pursuing a minor site plan amendment to add a small number of spaces along the southern property boundary closest to the building. Community Development Department staff have confirmed that such an expansion would be consistent with the 2008 SUP provided that no spaces are any closer to Crozet Avenue than the existing parking lot.

In addition, AWC would like to expand the existing parking lot as part of this SUP Amendment, as shown on the enclosed plans prepared by Shimp Engineering, to further meet the demand of its increased number of patients.

If approved, the requested SUP Amendment would also permit a new building along Crozet Avenue, which would allow the proposed parking envelopes to be relegated. With the requested new building, the visual impact of the proposed parking from Crozet Avenue is expected to be minimal. The proposed new building would likewise shield the existing parking

spaces that are presently visible from Crozet Avenue. Screening the existing parking from view will further the goals of the Downtown Crozet District. Please note that the parking proposed to be located behind the existing building would only be built if permitted by the terms of the existing drainage easement or any future amendment thereof over this area of the Property.

Addition to Existing Building

AWC is a busy veterinary practice serving a growing number of patients in Crozet and the surrounding community. The increase in the demand for AWC's services has in turn increased the amount of clinic space AWC requires to continue providing excellent veterinary care. Moreover, AWC has found the community seeks additional services, namely overnight boarding services, for which AWC has insufficient space in its existing building. Accordingly, AWC seeks to construct an addition to the existing building to allow for expanded veterinary clinic and overnight boarding operations. The addition would approximately double the square footage of the existing building.

Overnight Boarding

As the business has grown, AWC has found there is a need in the Crozet community for overnight animal boarding services. AWC would like to meet the need for this service in Crozet, but the 2008 SUP provides that "[n]o overnight boarding use, other than for those animals under medical care share take place at the veterinary hospital." To serve this need, AWC requests that the 2008 SUP be amended to allow overnight boarding on the Property.

The proposed overnight boarding use is an accessory use to "[v]eterinary offices and animal hospitals," which are permitted by special use permit in the Downtown Crozet District, and are governed by the supplemental regulations at Section 5-1.11 of the Zoning Ordinance. The overnight boarding activities, whether located in the existing building, the addition to the existing building, or in the proposed building, would comply with the supplemental regulations on sound-proofing in Section 18-5.1.11 of the Zoning Ordinance. The Applicant would like to begin offering overnight boarding services in the existing building, with the flexibility to also offer this service in the proposed new building.

New Structure

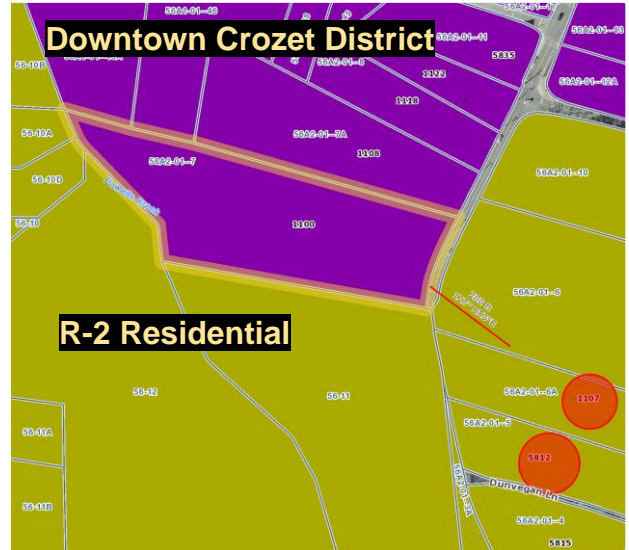
AWC proposes a new structure fronting Crozet Avenue, which may contain expanded veterinary clinic operations, including overnight boarding operations, as well as any use permitted by right in the Downtown Crozet District. As the 2008 SUP provides that "any new buildings for the veterinary use will require a new special use permit," AWC requests that this provision be amended to allow for the proposed new building on the Property.

It is important to build a new structure rather than only expand the existing structure because a new structure would allow AWC to grow without disrupting the existing veterinary clinic operations. The proposed building, like the existing building, would comply with the supplemental regulations on sound-proofing in Section 18-5.1.11 of the Zoning Ordinance.

With regard to placement of the proposed structure on the Property, AWC requests a special exception to the 200-foot minimum setback from residential lot lines found in Section 5.1.11.b of the supplemental regulations. The 2008 SUP was approved with a similar modification for the existing building on the Property. While the proposed building would be closer to neighboring residential lot lines than the existing building, the proposed building would be well over 200 feet from the nearest residential dwellings, as shown in the figures below. Moreover, modification of the 200-foot setback is appropriate given that the Downtown Crozet District permits a maximum setback of 20 feet from public roads or right-of-way. As the nearest residential lot line is across

Crozet Avenue from the Property, it would be impossible to construct a new building that is both no more than 20 feet from the right of way and 200 feet from this residential lot line. AWC understands that, as a condition to modifying the 200-foot setback, AWC must submit information on the construction materials proposed to meet the noise requirements of Section 5.1.11(b) before the County will issue a building permit for the Project.

Nearest Residential Dwellings are Beyond the 200-Foot Lot Line Setback



The red circles show the nearest residential dwellings to the proposed structure. The red line measures 200 feet from the Property's boundary line.

The parcel immediately to the south of the Property (Parcel 56-11) is County property that contains the stormwater management facility for Downtown Crozet. Although this parcel is zoned residential, the land is not used for residential purposes nor is it likely to be developed for residential uses. The public use of Parcel 56-11 provides a buffer for the proposed building, and further justifies the requested modification of the 200-foot setback.

Separately, AWC requests a modification of the front setback requirement for new structures in the Downtown Crozet District. Section 20B.3.A of the Zoning Ordinance provides that "primary structures" in the Downtown Crozet District must satisfy a maximum front set back "10 feet, except up to 20 feet with administrative modification." The Property is encumbered by a drainage easement that runs along Crozet Avenue for the benefit of the County stormwater management facility on Parcel 56-11. This easement is approximately 20 feet wide and runs the length of the side of the parcel fronting Crozet Avenue. Section 20B.3.G of the Zoning Ordinance provides that "[n]o structures shall be established within easements located within setbacks." This provision would require any new building on the Property to be located beyond the drainage easement. However, given that the width of the easement is almost the same at the maximum allowable setback, it is impossible to comply with both Section 20B.3.G and the 20 foot setback requirement for primary buildings in Section 20B.3.A.

According to the definitions in Section 3 of the Zoning Ordinance, a setback is "the distance by which any building or structure is separated from any street, road access easement, or lot line." The Property is not encumbered by a road access easement, and the lot line runs down the middle of Crozet Avenue. If the proposed building had a 20-foot setback from the edge of

Crozet Avenue, construction in the drainage easement area would be unavoidable. Because these features are unique to the Property, AWC proposes to dedicate right-of-way to the Commonwealth of Virginia so that the 20-foot maximum setback can be satisfied while keeping the proposed building clear of the drainage easement area.

Finally, AWC requests a modification of the side setback requirement. Section 20B.3.H provides that the maximum side setback requirement of 20 feet may be waived administratively when “unusual physical conditions make compliance with the requirement impracticable.” The driveway to the existing parking lot on the Property is located more than 20 feet back from the Property’s southern boundary line with Parcel 56-11. Moving the driveway entrance would not further the purposes of the Downtown Crozet District. In addition, the driveway could not be located much closer to the boundary line with Parcel 56-11 because a sewer easement runs along this boundary line. Paving over this area should be avoided. Finally, Parcel 56-11, which contains the County stormwater management facility, is likely to remain open space in the area adjacent to the Property. Enforcing strict side setbacks along this boundary line would not further the goals of the Downtown Crozet District, because the side setbacks are meant to encourage a streetscape of densely constructed facades. When a building does not exist on the adjacent parcel, however, the side setback requirement does not serve its purpose. Indeed, the Property is the last parcel in the Downtown Crozet District when heading south on Crozet Avenue. Waiving the maximum side setback for the Property’s south side will help create a transition to the adjacent parcels in the R-2 Residential district.

Downtown Crozet District Special Use Permit Factors

Section 20B.8 provides that the Board of Supervisors should consider the following four factors when evaluating a request for a special use permit for certain non-residential uses, including veterinary offices and animal hospitals, in the Downtown Crozet District:

A. The proposed use should be consistent with the recommendations for the Downtown area in the Crozet Master Plan.

The Project is consistent with several of the recommendations for Downtown related to economic development. For example, the Project is consistent with the recommendations to “Direct new commercial and employment growth to Downtown.” Crozet Master Plan, page 25. The Project itself responds to the growth of an existing business, with a growing staff. By expanding its facilities, AWC can continue to grow its business and its workforce. Likewise, the Project is consistent with the recommendation to “Continue business development and marketing programs for the Downtown such as expansion of existing and development of new businesses.” Crozet Master Plan, page 26. The Project involves the expansion of an existing business already located Downtown, in keeping with this recommendation.

The Project is also consistent with the recommendation to “Reuse viable buildings within the Downtown.” Crozet Master Plan, page 25. AWC seeks to preserve its existing building rather than replace it with a new one. In addition, the Project is consistent with the related recommendation that “new construction should reflect the vernacular architecture in Crozet.” The Project has been designed to be in harmony with the vernacular architecture of Crozet, and the proposed design has been revised in response to comments from County staff to this effect.

B. The proposed use and its proposed size should be consistent with the purpose and intent of the Downtown Crozet District as stated in section 20B.1.

Section 20B.1 provides that the purpose of the Downtown Crozet District “is to establish a district in which traditional downtown development, as described in the Crozet master plan, will occur.” For the reasons outlined in the previous section, the Project fits within the recommendations for Downtown as described in the Crozet Master Plan.

Section 20B.1 states that the DCD “provides for flexibility and variety of development for retail, service, and civic uses.” In addition, the DCD regulations are “intended to: (i) promote the economic and social vitality and diversity of downtown Crozet; (ii) implement the Crozet master plan for the downtown area of Crozet so that it may serve as the commercial hub of Crozet and its environs; (iii) provide a greater mix of uses in downtown Crozet, including increased employment; (iv) facilitate infill and redevelopment; (v) increase the utility of the land; (vi) retain the uniquely diverse character of Crozet; and (vii) promote a pedestrian-friendly environment.” The Project supports economic vitality by allowing an exiting business to grow and expand its work force. AWC is a bustling business that contributes to making Downtown “the commercial hub of Crozet,” in keeping with the recommendations of the Crozet Master Plan. By offering a new service, overnight boarding, the Project diversifies the mix of uses in Downtown Crozet, and the expansion of the business will allow increased employment. As a 100% woman-owned business, AWC contributes to the diverse character of Crozet.

C. The proposed use in its location should complement adjacent uses and contribute to a mix of uses in the Downtown Crozet District.

The immediately adjacent uses to the Property are residential structures and open space connected to the County stormwater management facility to the south. The Project complements residential uses because AWC serves its Downtown neighbors who live with pets. In the context of Downtown more generally, AWC contributes to a mix of uses as it is the only veterinary clinic, and it would be the only provider of overnight boarding services if this Application is approved, in Downtown Crozet. Furthermore, the business is relatively small scale and does not create adverse impacts, noise, excessive traffic, or any other adverse impacts that would be incompatible with the adjacent uses.

D. Whether the part of the structure in which the proposed use will be located can be converted to accommodate by right uses in the Downtown Crozet District.

The existing and proposed structure could be easily repurposed for office or other clinical uses, as well as retail uses, all of which are permitted in the Downtown Crozet District.

Consistency with the Comprehensive Plan

The Crozet Master Plan designates the Property for Downtown uses. The Master Plan describes Downtown as the “most intensely developed area in Crozet” and as “a mixed use area, which promotes commercial, employment, and office uses.” AWC is a thriving, local service business that contributes to the economic and community fabric of Downtown Crozet in a manner envisioned by the Comprehensive Plan. As one Planning Commissioner noted after the 2008 SUP was unanimously recommended for approval, the use of the Property as a veterinary clinic “is another success story of the Crozet Master Plan.”

Impacts on Public Facilities & Public Infrastructure

The Project has no negative impact on public facilities and public infrastructure. The proposed expansion of the parking areas would improve traffic congestion on Crozet Avenue by accommodating the existing and future customers, and avoiding any associated backups at the driveway to the Property. The number of projected trips associated with the Project could increase over present conditions as the business expands, but the effect of the increase will be lessened by the proposed new parking areas. Also, vehicle trips are minimal during peak hours, and dispersed throughout the day. The Project would not cause an increase in the demand for police or fire department services above the existing need for these services at the Property. The addition of overnight boarding would not impact the fire or police departments and the expanded parking will improve safety for patients and employees at the Property. In their comments to the initial application submission, both the E911 and the Albemarle County Fire-Rescue reviewers had no objections to the Project.

Impacts on Environmental Features

The proposed Project has no negative impacts on environmental features. The rear portion of the Property contains protected stream buffers adjacent to Powells Creek and floodplain, and the Project has been carefully designed to avoid encroachment or other impacts to these areas. The property also contains drainage easements for the benefit of the Downtown Crozet stormwater management facility located to the south on Parcel 56-11. No construction or disturbance is proposed in the easement areas.