



COUNTY OF ALBEMARLE PLANNING
STAFF REPORT SUMMARY

Proposal: SP202100018 Greenbrier Veterinarian Expansion	Staff: William D. Fritz, AICP
Planning Commission Public Hearing: March 1, 2022	Board of Supervisors Hearing: TBD
Owner: Greenbrier Drive LLC	Applicant: Greenbrier Drive LLC
Acreage: 3.06 acres	Special Use Permit for: Veterinary office and hospital
TMPs: 061W0010A00500 Location: North side of Greenbrier Drive (Route 866) approximately 600 feet west of Seminole Trail (Route 29).	Zoning/by-right use: HC, Highway Commercial, C-1 Commercial, AIA – Airport Impact Area, Steep Slopes – Managed.
Magisterial District: Rio	Conditions: Yes EC: No
School Districts: Woodbrook Elem, Jouett Middle, Albemarle High	
Proposal: Amend previous SP to allow expansion of existing vet services.	Requested # of Dwelling Units: N/A
DA: X RA:	Comp. Plan Designation: Neighborhood 1 – Places 29 - Office/R&D/Flex/Light Industrial – employment generating uses including professional offices, research and development, flex spaces, and light industrial. Secondary commercial retail, residential (6-34 du/acre), institutional.
Character of Property: The property has been developed with approximately 40,000 square feet of building space and associated parking.	Use of Surrounding Properties: This is an area of commercial development.
Factors Favorable: 1. Use will not be a substantial detriment to adjacent properties. 2. Use does not change the character of the area. 3. Use is consistent with regulations in Section 5. 4. Use is consistent with the public health, safety and general welfare. 5. Use is consistent with the Comprehensive Plan.	Factors Unfavorable: No unfavorable factors have been identified.
RECOMMENDATION: Special Use Permit: Staff recommends approval subject to conditions.	

STAFF CONTACT: William D. Fritz, AICP
PLANNING COMMISSION: March 1, 2022
BOARD OF SUPERVISORS: TBD

PETITION

PROJECT: SP202100018 Greenbrier Veterinarian Expansion
MAGISTERIAL DISTRICT: Rio
TAX MAP/PARCEL: 061W0-01-0A-00500
LOCATION: North side of Greenbrier Drive (Route 866) approximately 600 feet west of Seminole Trail (Route 29).
PROPOSAL: Amend an existing special use permit to allow expansion of veterinary service.
OVERLAY DISTRICT: AIA – Airport Impact Area Overlay, Managed Steep Slopes
PROFFERS: Yes
COMPREHENSIVE PLAN: Neighborhood 1 – Places 29 - Office/R&D/Flex/Light Industrial – employment generating uses including professional offices, research and development, flex spaces, and light industrial. Secondary commercial retail, residential (6-34 du/acre), institutional.

CHARACTER OF SURROUNDING AREA

This area is a commercial area including restaurants, offices, retail and hotel uses.

PLANNING AND ZONING HISTORY

This property has a long history of rezonings, special use permits and site plans. The most recent rezoning is ZMA 1991-06 which established the current zoning and SP 2011-31 which established the current conditions for the veterinary services. There have been a total of 3 special use permit applications approved for this property. Two of those applications were to allow expansion of the veterinary services. The veterinary service applications were SP 1991-52, SP 2009-30 and SP 2011-31. All of those applications were approved with limited discussion.

DETAILS OF THE PROPOSAL

The applicant has submitted a detailed application which is included as Attachment B.

The applicant is proposing to amend one of the conditions of the prior approval.

The existing condition states:

3. Use is limited to 370 Greenbrier Drive as shown on the attached Land Title Survey Showing Parcel B-1 Section One Westfield created by B. Aubrey Huffman and Associates, LLC dated April 13, 2005; and

The proposed condition is:

3. Use is ~~limited to~~ allowed in 370 and 380-386 Greenbrier Drive as shown on the attached Land Title Survey Showing Parcel B-1 Section One Westfield created by B. Aubrey Huffman and Associates, LLC dated April 13, 2005; and

This would permit the veterinary services to use any or all of the existing building space on the property. The applicant does not intend to expand into all of the space but this condition would allow flexibility to modify the business as demand warrants without having to apply for new special use permits as has been done in the past.

COMMUNITY MEETING

On February 21, 2022, the Places29 Hydraulic Community Advisory Committee held a community meeting to discuss this project. All of the comments from the committee were positive.

ANALYSIS OF THE SPECIAL USE PERMIT REQUEST

This special use permit, and all special use permits, are evaluated for compliance with the provisions of Chapter 18, Section 33.8 of the Code of Albemarle. Each provision of that section is addressed below. The provisions of the ordinance are in bold font and underlined.

The comments below are based on staff's analysis of the application including information submitted by the applicant. The information submitted by the applicant contains detailed information. Staff will not restate all of the submitted information in this staff report and refers the reader to attachments for detailed information.

No substantial detriment. Whether the proposed special use will be a substantial detriment to adjacent parcels.

The surrounding properties are commercially developed. A veterinary use has been located on this property since the early 90s. The use has expanded in size several times. Staff is unaware of any detrimental impacts the use has had on adjacent properties. Staff opinion is that an expanded veterinary use will not have any determinantal impacts on adjacent property.

Character of the nearby area is unchanged. Whether the character of the adjacent parcels and the nearby area will be changed by the proposed special use.

The site has been fully developed in accord with an approved site plan. No changes to the site are proposed. The expanded veterinary use is consistent with other commercial activities occurring both on site and in the nearby area.

Harmony. Whether the proposed special use will be in harmony with the purpose and intent of this chapter.

This property, and the surrounding properties are all zoned commercially. These districts are intended to provide places to conduct commerce and business. This use is consistent with the intent of the commercial districts.

...with the uses permitted by right in the district

The proposed use will not limit the by right use of this or any adjacent properties.

...with the regulations provided in section 5 as applicable.

Staff has reviewed the regulations of [section 5.1.11](#) (attachment 3). The proposed use complies with all supplemental regulations for veterinary services.

...and with the public health, safety and general welfare.

This use provides health care for animals. Healthy animals are a component of public health and safety. This use will not create any adverse impacts on public health, safety or welfare.

Consistency with the Comprehensive Plan. The use will be consistent with the Comprehensive Plan.

This area is recommended for Office/R&D/Flex/Light Industrial – employment generating uses including professional offices, research and development, flex spaces, and light industrial and secondary commercial retail. This area has a wide variety of commercial activities. A veterinary service is consistent with the mix of uses recommended in the comprehensive plan.

SUMMARY

The has been used as a veterinary service since the 1990s without adverse impacts. This application, to expand the permitted activity, is consistent with prior approvals.

Staff finds the following factors favorable to this request:

1. Use will not be a substantial detriment to adjacent properties.
2. Use does not change the character of the area.
3. Use is consistent with regulations in Section 5.
4. Use is consistent with the public health, safety and general welfare.
5. Use is consistent with the Comprehensive Plan.

Staff finds the following factors unfavorable to this request:

No unfavorable factors have been identified.

RECOMMENDED ACTION

Based on the findings contained in this staff report, and with the conditions proposed below staff recommends approval with the following conditions. (These are the same conditions currently in effect for the property except as noted.)

1. There shall be no outside exercise area. However, walking of animals is permitted and shall be delineated with either post and cable or fencing to an area in the northwest corner of the parcel as shown on the attachment (described in 3);
2. No animals are to be confined outside;
3. Use is ~~limited to~~ allowed in 370 and 380-386 Greenbrier Drive as shown on the attached Land Title Survey Showing Parcel B-1 Section One Westfield created by B. Aubrey Huffman and Associates, LLC dated April 13, 2005; and
4. No overnight boarding shall be permitted, except for those animals under emergency medical care.

Motions:

Special Use Permit

- A. Should the Planning Commission choose to recommend approval of this special use permit:

I move to recommend approval of SP202100018 Greenbrier Veterinarian Expansion with the conditions outlined in the staff report.

- B. Should the Planning Commission **choose to recommend denial** of this special use permit:

I move to recommend denial of SP202100018 Greenbrier Veterinarian Expansion.

Should a commissioner motion to recommend denial, he or she should state the reason(s) for recommending denial.

ATTACHMENTS

- Attachment 1- Map
- Attachment 2- Applicant Narrative
- Attachment 3- Section 5.1.11
- Attachment 4- Site Survey