

**Albemarle County Planning Commission
Work Session and Regular Meeting
Final Minutes June 25, 2024**

The Albemarle County Planning Commission held a public hearing on Tuesday, June 25, 2024, at 4:00 p.m.

Members attending were Fred Missel, Chair; Karen Firehock; Julian Bivins; Lonnie Murray; and Nathan Moore.

Members absent: Luis Carrazana, Vice-Chair. Corey Clayborne.

Other officials present were Jodi Filardo; Lea Brumfield; Kevin McDermott; Rebecca Ragsdale; Michael Barnes, Director of Planning; Andy Herrick, County Attorney's Office; and Carolyn Shaffer, Clerk to the Planning Commission.

Call to Order and Establish Quorum

Ms. Shaffer called the roll.

Mr. Missel established a quorum.

Public Hearing

SP202400011 The Gray

Rebecca Ragsdale, Planning Manager, said that the item was for a special use permit application for a restaurant situated inside an existing commercial structure measuring approximately 2,100 square feet. She said that the site was located at the intersection of Route 250 and Louisa Road. She said that the building was developed alongside the American Legion. She said that the existing commercial space and surrounding properties consisted of a mix of non-residential uses, including religious assembly, another gas station, a convenience store, the Clifton Inn nearby, Stone Robinson, and Luckstone.

Ms. Ragsdale said that no changes to the site were proposed, and it was determined that the existing parking and entrance were adequate for accommodating a restaurant within an existing wine and specialty shop. She said that for context, this was a C-1 zone parcel located next to another C-1 zone parcel and surrounded by rural areas. She said that certain uses required a special use permit, and in this case, restaurants specifically needed one if not served by public water.

Ms. Ragsdale said that water was not the only factor considered when reviewing this; it was subject to all of the usual special use permit criteria. She said that given the size and scale of this use, there would be no change in the existing buildings or parking, and no concerns were identified during their assessment. She said that C-1 was not consistent with the comprehensive plan but emphasized that there were no negative impacts on other goals within the comprehensive plan.

Ms. Ragsdale said that staff recommended approval with one condition: limiting the gross floor area of the restaurant. She said that the proposal included a specific business plan, and they

were comfortable given the size and information provided about water usage. She said that a 2,100 square foot restaurant may have more food service, or if there was more food service added in the future, they were satisfied with just the one condition that did not limit it further.

Mr. Missel opened the hearing for comments from the applicant.

Noelle Gray, 868 Campbell Road, representing the applicant, said that she had a wine and retail shop and considered adding limited food service to provide extended tastings of both beer and wine. She said that as her business was located in Monticello's heart, she believed in promoting agritourism and supporting local brewers, winemakers, mead makers, and cider makers. She said that her food service offering would not conflict with existing businesses as it filled a niche that was not fast food to go or high-end dining cuisine. She said that she would offer simple fare featuring local meats and cheeses that paired well with wine, beer, mead, and cider.

Ms. Firehock asked if classes would be offered for drink pairings.

Ms. Gray said that her background was in fermentation science, and she taught commercial craft brewing at Piedmont Virginia Community College. She said that this included not just wine but also beer and other fermented products. She said that education played a significant role in her plans. She said that serving food would enable her to conduct more extensive tastings that could truly capture the essence of regions like Rioja. She said she would be able to offer extended classes.

Mr. Bivins asked for clarification regarding the relocation of the Eliewood Avenue use. He asked if it would move or if there would be two locations.

Ms. Gray said she would have two locations.

Mr. Bivins said that in the application, it discussed simple food that paired well with wine and beer. He said that in the next paragraph, it explained how increased flexibility would allow the business to focus on promoting wine and beer education. He said that the restaurant use would not have a full kitchen to be a full-service dining establishment.

Ms. Gray said that in-person dining and consumption of food were required for ABC regulation. She said that as a result, there would be meat and cheese boards, along with toasted sandwiches. She said that the kitchen was restricted because of the lack of a hood vent, which she did not intend to install.

Mr. Bivins said that he wanted to make it clear that this was not about establishing a sit-down restaurant with daily special dishes.

Ms. Gray said that they would not prepare complex meals consisting of multiple courses. She said that instead, they planned to offer smaller dishes or light snacks. She said that they would have seating.

Mr. Bivins said that the Legion had a line across the parking lot to deter traffic. He asked for clarification about the restriction.

Ms. Gray said that it was actually to deter tractor-trailers from going through there because everyone used that parking lot, and it took a lot of abuse.

Mr. Missel opened the hearing for comments from the public. He said that there were none, so he closed the public hearing and brought the matter back before the Commission.

Mr. Murray said that he would like to mention one point regarding the previous discussion about legacy commercial areas within the rural region. He said that they should aim to bring the commercial areas into better compliance with the comprehensive plan. He said that this application aligned with the spirit of the comprehensive plan and supported local agriculture and food production. He said that he thought it should be a by-right activity in the rural area.

Mr. Moore said that it seemed logical to provide food while serving alcoholic beverages.

Ms. Firehock said that she had studied viticultural regions in the United States and found other places where food pairings were common, enabling one to appreciate the wine's taste differently. She said that at most wineries in those areas, people only tasted wine without food, which did not allow them to understand the palate fully. She said that she supported this proposal because it had a low impact, was located within an existing building, and helped support local industries such as beer, wine, and mead production.

Mr. Murray said that he had reviewed the water consumption data and found out that an average family of five individuals, or possibly three or four people, would use a considerably larger amount of water compared to this use.

Mr. Bivins said that he expressed his support for the proposal as it would diversify the food choices in that region. He said that directly adjacent to this location, there were already good, albeit typical, dishes provided by the same owners of Crozet Whitehall's Legacy Market. He said that moving in one direction, they could indulge in upscale dining at Clifton. He said that heading in another direction would lead them to Keswick Hall. He said that these establishments offered a pleasant variety for the area's culinary scene.

Mr. Missel said that a couple of years ago, they discussed examining aquifer capacities. He said that perhaps there was a way to study these further or not, as these proposals came in individually and appeared beneficial; however, when combined with numerous others, they should consider having a better understanding of their impact.

Mr. Bivins said that all surrounding activities were not constant. He said that across the street, a church held services on Sundays and Wednesdays. He said that the American Legion held bingo events on Sundays. He said that there may be uses, but they would not be operating 24 hours a day. He said that this could raise concerns about the aquifer on both sides of I-64. He said that there were capacity and time issues at play, but these did not seem to apply to the applicant.

Mr. Missel said that another point to consider regarding rural areas while discussing such developments was that these developments could be by right, meeting specific criteria. He said that it was essential to understand the aquifer and water conditions in that particular area when these types of projects occurred.

Mr. Murray said they should also consider septic uses. He said that he would like to know, when they have situations such as this, if they required the Department of Health to conduct an inspection to ensure that the septic system was functioning properly.

Ms. Ragsdale said that the Health Department was a member of the review team for this project. She said that there was an established retail store, and they would return through the process if the special use permit was approved. She said that the applicant may already possess a license with the health department. She said that they were part of the process for the special use permit, building permits, and zoning clearances.

Mr. Murray said that a good metric staff could use is to think about the average water use if a family lived there. He said that they could consider how many people could live there by right, and how much water they would consume. He said that this provided a rational basis for comparing water usage on site and determining whether it was too high, potentially requiring additional review. He said that this application was in the spirit of the rural areas.

Mr. Missel motioned the Commission to recommend approval of SP202400011 The Gray for the reasons stated in the staff report and with recommended condition, which was seconded by Mr. Bivins. The motion passed unanimously (5-0). (Commissioners Carrazana and Clayborne were absent).

Adjournment

At 8:14 p.m., the Commission adjourned to Tuesday, July 9, 2024, Albemarle County Planning Commission meeting, 6:00 p.m. in Lane Auditorium.



Michael Barnes, Director of Planning

(Recorded by Carolyn S. Shaffer, Clerk to Planning Commission & Planning Boards; transcribed by Golden Transcription Services)

Approved by Planning Commission
Date: 07/09/2024
Initials: CSS