

**Albemarle County Planning Commission
Final Regular Meeting Minutes January 24, 2023**

The Albemarle County Planning Commission held a public hearing on Tuesday, January 24, 2023, at 6:00 p.m.

Members attending were: Fred Missel, Vice-Chair; Julian Bivins; Luis Carrazana; Karen Firehock; Lonnie Murray

Members absent: Corey Clayborne, Chair

Other officials present were: Kevin McDermott, Director of Planning; Andy Herrick, County Attorney's Office; David Benish; Kevin McCollum; Rebecca Ragdale; Alberic Karina-Plun; and Carolyn Shaffer, Clerk to the Planning Commission.

Ms. Shaffer was present electronically via Zoom call.

Call to Order and Establish Quorum

Ms. Shaffer called the roll.

Mr. Missel established a quorum.

Matters Not Listed on the Agenda

Mr. Missel said that this item was for matters not currently scheduled for a public hearing, so if there was anything that was not on the public agenda for this evening that a member of the public would wish to speak to, now would be the time.

Ms. Shaffer said that there was no one signed up remotely.

Mr. Missel said that he would move to the next item.

Consent Agenda

Mr. Missel asked if any Commissioner wished to pull an item from the consent agenda.

Ms. Firehock moved that the Planning Commission adopt the consent agenda, which was seconded by Mr. Carrazana. The motion passed unanimously (5-0). Mr. Clayborne was absent from the vote.

Public Hearings

SP202200027, SE202200056, & SE202200057 Wakefield Kennel

Mr. Kevin McCollum, Senior Planner in the Planning Division of Albemarle County Community Development, said that he would be giving the staff presentation for SP202200027, Wakefield Kennel, a special use permit for a commercial kennel. He said that the subject property was located at 790 Wakefield Farm, Earlysville, Virginia, just west of the Charlottesville-Albemarle Regional Airport. He said that the parcel was 4.63 acres and was zoned rural areas.

Mr. McCollum said that the existing conditions included an existing commercial kennel that had been in operation since the 1950s. He said that it had obtained a special use permit in July 1976 and was expanded at that time. He said that the facility had operated until the present day without any additional significant changes. He said that it was an 8,000-square-foot building and associated parking, along with 10,500 square feet of outdoor runs for the animals. He said that a majority of the surrounding properties were low-density residential, ranging from .5 acres to 2 acres in size. He said that there were also nearby rural area uses including a large farm to the east along Wakefield Farm.

Mr. McCollum said that the applicant had requested a special use permit to build a new and expanded facility adjacent to the existing kennel. He said that the existing facility would remain operational until the new kennel was completed. He said that the new kennel was larger, with 11,650 square feet, and 100 kennels, with a resulting slightly smaller outdoor area, 6,240 square feet, for the runs.

Mr. McCollum displayed on the screen the conceptual plan that provided an overview of what the facility would look like once construction was completed, and in addition to the special use permit request, the applicant had requested two special exceptions, one to reduce the 500-foot setback to any agricultural or residential lot line, and a second to reduce the required number of parking spaces.

Mr. McCollum said that for the setback special exception, on page 4, section 5.1.11(b) should be corrected to section 5.1.11(a), as shown on the screen. He said that for the parking special exception, on page 5, there were 12 existing parking spaces adjacent to the existing facility, and not 9, which was the number originally required from the 1976 special use permit. He said that staff evaluated these special exceptions based on what was submitted with the applicant's narratives, which cited the appropriate zoning ordinance sections and number of existing parking spaces; however, there was a slight error in the staff report.

Mr. McCollum said that the special use permit application was reviewed under the factors for consideration as outlined in the zoning ordinance. He said that staff believed the proposed new facility would not be detrimental to the adjacent parcels, would not change the character of the nearby area, would continue to be in harmony with the rural areas zoning district, and was consistent with the comprehensive plan. He concluded that staff recommended approval of SP202200027 with the conditions as recommended in the staff report.

Mr. Missel asked if there were any questions from Commissioners.

Ms. Firehock said that she was surprised at the disparity between the required parking and the requested parking reduction. She asked if the required parking was calculated by the square footage of the building.

Mr. McCollum said that the number of parking spaces for kennels was one space per 400 square feet, so with a kennel of that size, a large number of parking spaces was required.

Ms. Firehock said that perhaps that issue could be revisited when they performed the zoning ordinance update. She said a similar situation had arisen with a different kennel in another jurisdiction, in which that amount of parking was not needed because people were not parking for long amounts of time. She said that she enjoyed the image from the applicant of what people

expected to see in a kennel and was curious to see if that were simply an example or if that were what would be provided for their customers.

Mr. Carrazana asked for clarification about the fate of the existing facility.

Mr. McCollum said that it would be completely removed, and the intent of the applicant was to keep the kennel open as they constructed the new facility, and then would take out the old structure.

Mr. Carrazana asked what the approximate distance was from the building to the property line.

Mr. McCollum asked if Mr. Carrazana was referring to the existing building.

Mr. Carrazana said yes.

Mr. McCollum said that he did not know.

Mr. Carrazana said that he did not see it on the application.

Mr. McCollum said that he could supply that information to Mr. Carrazana.

Mr. Missel asked if the surface of the parking was intended to be asphalt.

Mr. McCollum said that he was not sure.

Mr. Missel opened the public hearing and asked to hear the applicant's presentation.

Ms. Kendra Moon stated that she was a civil engineer with Line + Grade and was representing Wakefield Kennel. She said that this kennel was an existing commercial kennel in northern Albemarle, and the applicant was requesting an amendment to an existing special use permit that had allowed expansion of the current kennel.

Ms. Moon said that the applicant was requesting to replace the building and demolish it on-site, both because of the age of the existing facility and because of an increase in demand for larger pet suites. She said that there would be some larger pet suites and some smaller, more traditional kennels, so that there was more of a variety for customers and would help meet the business's customer needs. She said that the property was located in the rural areas and surrounded by residential uses.

Ms. Moon said that the building was built in the mid-1950s, and the general layout of the site was the existing parking adjacent to the building with a fenced-in area surrounding it, and a large turf field next to the building. She said that roughly half of the site was wooded. She said that the dogs were currently able to enter and exit the building freely between the hours of approximately 6:30 a.m. and 6:00 p.m. when staff was present, and the indoor kennels were connected to the outdoor areas, with an open door to be able to enter and exit freely. She said that there were up to six employees at any given time and 12 parking spaces.

Ms. Moon said that the project would be phased so that the existing building could remain while they were building the new site. She said that was largely because as a small family business, they could not afford to close while the new building was under construction.

Ma. Moon continued that proposed conditions included an asphalt parking lot to be placed roughly in the same location as the existing building, a sound-dampening fence surrounding the facility, and indoor suites with more space for the dogs. She indicated the image of the pet suite on the slide, stating that it was from Pet Paradise but was a similar model to what would be installed.

Ms. Moon said that the image above was of the sound-dampening fence material, which did not have to have foliage as shown, but could be a simple black fence if preferred. She said that in the lower left corner of the slide was an image of the Morton building, and was very similar to what the new building would look like. She said that there would be the same hours of operation, the same number of employees, an increase in parking spaces, along with a slightly different approach with the dogs' playtime so that there would be designated times for limited groups of dogs to go outside during the day.

Ms. Moon summarized that the proposed improvements were 100 kennels, 11,650 square feet of building space, 6,240 square feet of outdoor runs, sound-dampening fence, and double-insulated building, 20 parking spaces, and an estimated maximum of 212 trips per day. She said that the closest property line would be 17 feet closer, and the nearest residence would be 32 feet closer. She said that the use was largely supporting the local community by adding an amenity, and there was positive feedback in the community meeting.

Ms. Moon said that the most feedback they received was that neighbors would be disappointed that they could no longer see the dogs with the sound-dampening fence. She said that the kennel had been in use for almost 70 years, so the neighbors who had moved to the neighborhood since that time were aware of the kennel's existence near their properties. She said that they were also sensitive to tree preservation with this proposal, and the building would be placed within the area of existing turf, so there would be a very limited number of trees removed.

Ms. Moon said that the existing kennel was in place before the adoption of the ordinance, so the existing kennel did not meet the setback requirement, and the proposed kennel would not either. She said that there was a 500-foot setback from the building to any adjacent agricultural or residential property, and because this was surrounded by residential property, the parcel would have to be 29 acres to meet the 500-foot setback in all directions, but currently existed as a 4.63-acre parcel. She said that on the slide, the blue box surrounding the parcel map represented the size the parcel would have to be to meet that setback.

Ms. Moon said that the zoning ordinance requirements for parking included the outdoor area for the pets because the dogs occupied that area, so that area must be included in the calculation made for parking, which resulted in the number of 51 parking spaces. She said that the existing use itself would require 52 parking spaces, but they only had 12 and did not need 40 additional spaces, so an additional eight were being requested instead to help with peak drop-off times.

Mr. Bivins said that on the plan was a retention pond.

Ms. Moon confirmed this.

Mr. Bivins said that it would be a swimming area. He asked how it would be a swim area when it was dry during the summer.

Ms. Moon said that it was a dried detention pond that only filled when it rained. She said that it would be dry most of the time.

Mr. Bivins asked if it was an amenity.

Ms. Moon said that it was not an amenity. She said that "SWM" referred to stormwater management.

Mr. Bivins said that he thought it was for pets to swim in.

Ms. Moon said that it was not.

Mr. Missel said that Ms. Moon had mentioned there were six employees and three employee parking spaces. He asked if there were additional employee parking spaces needed with the growth of the business.

Ms. Moon said that those three parking spaces were not meant to signify that those were the only parking spaces for employees. She said it was an existing area used as informal parking by employees, so the three employee parking spaces were meant to formalize its use.

Mr. Missel asked if there were any comments from the public.

Ms. Shaffer said there were no speakers signed up online.

Mr. Missel closed the public hearing and brought the matter before the Commission for discussion.

Mr. Murray said that he had attended the community meeting that was held, and it seemed that the applicant had been a great neighbor, and many neighbors came out in support of the project. He said that he was also going to mention that the neighbors expressed disappointment in the proposed fence that would separate them from viewing the dogs. He said that he was overall in support of this item.

Ms. Firehock said that the soundproofing of the building, the sound-dampening fence, and the attempts to control how many dogs were outside were impressive. She said that this improved the site over present conditions, and she supported it. She said it was also a good point that they had been good neighbors.

Mr. Carrazana said that he appreciated the level of thoroughness in the information presented for this small family business. He said that the plan indicated a stormwater management plan, which helped to mitigate the addition of the impervious surface.

Mr. Bivins said that he supported this project. He said that this company had a glowing reputation as a kennel in the community, so upgrading the facilities would be well-received. He asked if staff could recommend information about the sound-dampening fence to the applicant for the Misty Mountain Campground. He reiterated his support of the current item.

Mr. Missel said that he also was in support and commended the applicant on a great job.

Mr. Murray moved to recommend approval of SP202200027 Wakefield Kennel with the conditions as outlined in the staff report. Ms. Firehock seconded the motion, which carried unanimously (5-0). Mr. Clayborne was absent from the vote.

Recess

Mr. Missel announced the Commission would take a five-minute recess and reconvene at 8:00 p.m.

New Business

There was none.

Old Business

There was none.

Items for Follow-up

There were no items for follow-up.

Adjournment

At 8:15 p.m., the Commission adjourned to February 14, 2023, Albemarle County Planning Commission meeting, 6:00 p.m. in Lane Auditorium.



Kevin McDermott, Director of Planning

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

Approved by Planning Commission
Date: 02/14/2023
Initials: CSS