

WILLIAMS MULLEN

MEMORANDUM

TO: Albemarle County Community Development Staff

FROM: Valerie Long, Williams Mullen
Anne Yost, Williams Mullen

DATE: December 17, 2018

RE: **Dogtopia Special Use Permit Application Narrative**

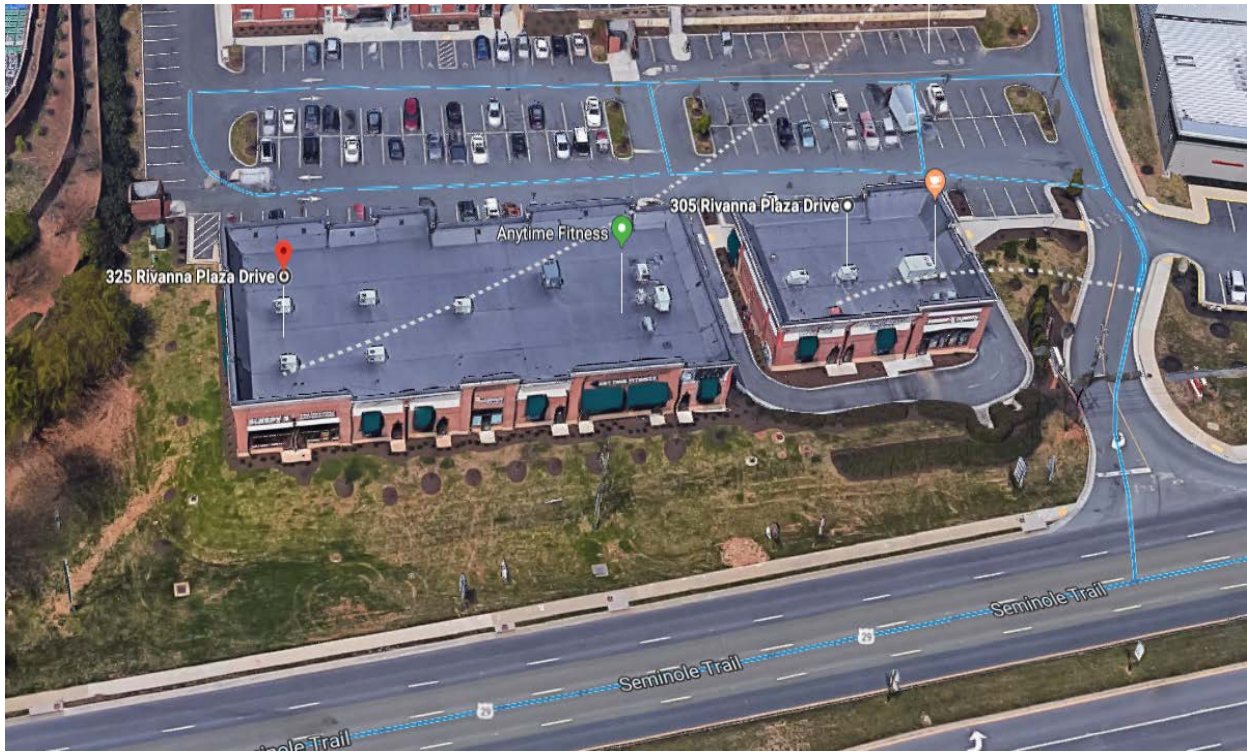
PROJECT DETAILS:

Applicant: Nikki's Furry Friends, LLC
Attorney: Valerie Long, Williams Mullen
Name of Project: Dogtopia
Short Description: SUP for Indoor Kennel
Proposed Site: 315 Rivanna Plaza Drive, Suite 120, Charlottesville, VA 22901

PROPERTY DETAILS:

Parcel ID Number: 04500-00-00-10900
Total Acres: 3.32
Owner: RIVANNA PLAZA SPE LLC c/o Mark Green
Property Addresses: 325, 315, 305 Rivanna Plaza Dr Charlottesville, VA 22901
Current Tenant: Mattress Firm (325 – Soon to vacate space)
Magisterial District: RIO
Zoning: Highway Commercial
Proffered: YES
ZMAs Related to Proffers: ZMA-1995-00007
Entrance Corridor: Yes
Comprehensive Plan Area: Neighborhood 1- Places 29
Comprehensive Plan Use: Commercial Mixed use
Land Use: Commercial
Surrounding uses: Kegler's Bowling Alley to the West
Lowes Home Improvement Center to the South
Schewels Furniture Company to the North
Northtown Center is located across Rt. 29
Other tenants of Owner: Dunkin Donuts, Lee's Nails, Anytime Fitness, Mariner Financial,
Market Street Wineshop, and Hurley's Tavern.

SITE PICTURES:



VIEW FROM 29 N (Entrance Corridor)





Location of Entrance



Parking location

A. PROPOSAL:

The applicant has rights to a Dogtopia franchise in Albemarle County and proposes a SUP for an indoor kennel. The site is located within the Rivanna Plaza Shopping Center, zoned Highway Commercial (“HC”) and is located in a heavily developed area of the County. The County Zoning Ordinance allows for Indoor Kennels with approval of a SUP in the HC district.

The applicant proposes to locate a commercial kennel with daycare, grooming and boarding in the existing Mattress Firm building, with a small, fenced outdoor play area. Dogtopia is a combined dog daycare, grooming, and boarding service business. Kennel (Commercial) is defined as “a place designed or prepared to house, board, breed, handle or otherwise keep or care for dogs and/or cats for sale or in return for compensation except as an accessory to a single-family dwelling.”

Dogtopia will utilize state-of-the-art equipment, facilities and programs to reduce odors and noise levels, and it will employ healthy practices to decrease injury and illnesses. For a more detailed description of what Dogtopia facilities will typically include, like soundproofed playrooms, visit <https://www.dogtopia.com/>. The proposed hours of operations are: Monday through Friday 6:30 a.m. – 7:30 p.m., Saturday and Sunday 10:00 a.m.- 5:00 p.m.

Commercial kennels are subject to supplementary regulations. Albemarle County Code Section 5.1.11 provides the following supplemental regulations for commercial kennels. Dogtopia will address these by:

- a. Except where animals are confined in soundproofed, air-conditioned buildings, no structure or area occupied by animals shall be closer than five hundred (500) feet to any agricultural or residential lot line.

This provision is not applicable to this application, for the property is not located within 500 feet of any agricultural or residential lot line.

- b. For soundproofed confinements, no such structure shall be located closer than two hundred (200) feet to any agricultural or residential lot line. For soundproofed and non-

soundproofed confinements, sound measured at the nearest agricultural or residential property line shall not exceed fifty-five (55) decibels;

The proposed site will not be located near or within 200 feet of an Agricultural or Residential lot line

- c. In all cases, animals shall be confined in an enclosed building from 10:00 p.m. to 6:00 a.m.

Dogs will be in the enclosed building from 10:00 p.m. to 6:00 a.m. Weather permitting, typical outside playtime would be between 10:00 a.m. – 11:30 am and 3:00 p.m. – 4:00 p.m.

- d. In areas where such uses may be in proximity to other uses involving intensive activity such as shopping centers or other urban density locations, special attention is required to protect the public health and welfare.
To these ends the commission and board may require among other things: -Separate building entrance and exit to avoid animal conflicts;

Pet owners will drop off and pickup through the main entrance. Access to the outside area will only be available internally through one of the playrooms located on the side of the building.

Area for outside exercise to be exclusive from access by the public by fencing or other means.

The area for outside exercise will not be accessible to the public and will be surrounded by a tall fence, as shown on the enclosed plans.

B. CONSISTENCY WITH THE COMPREHENSIVE PLAN

The Property is designated for Commercial Mixed Use on the Places 29 Master Plan, which recommends retail and general commercial service uses on the property. Dogtopia is a commercial service facility and the proposed site is located in an existing fully-developed retail shopping center and will be located within an existing building.

The addition of this commercial service will support the goal of a more mixed-use type of development in the Places 29 corridor and further support other nearby mixed-use centers. Dogtopia will provide a needed service in the area for the convenience of nearby residents, who currently drive across town to the City of Charlottesville for such services.

C. IMPACTS ON PUBLIC SAFETY, PUBLIC FACILITIES, PUBLIC INFRASTRUCTURE & ENVIRONMENTAL FEATURES

The proposed project will not have any negative impacts on public safety, public facilities, public infrastructure or environmental features. The shopping center is already fully developed and Dogtopia would move into an existing tenant space in the center.

D. ARB APPLICATION FOR CONCEPTUAL REVIEW

An Architectural Review Board (“ARB”) application for conceptual review will be submitted. Dogtopia will comply with the requirements of the ARB. As discussed, Dogtopia will move into an existing brick building (former Mattress Firm site) within the Rivanna Plaza Shopping that was previously approved by the ARB at the time of construction.

View of the Proposed Site from the Entrance Corridor (from 29 Southbound):

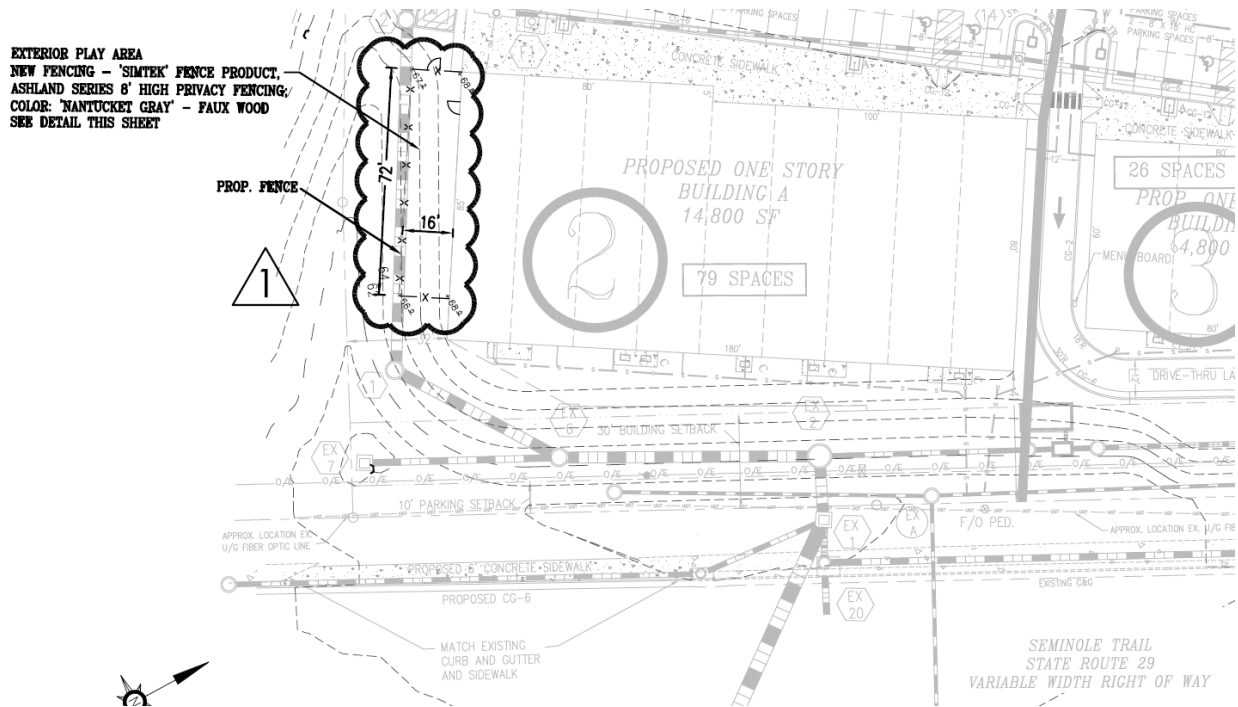


View of the Proposed Site from the Entrance Corridor (from 29 Northbound):



1. Outdoor Play Area

A small outdoor play area enclosed by a decorative rectangular shaped fence or wall will be added directly adjacent to the side of the existing building, as shown in the exhibits below. The only entrance would be through an internal playroom. There would be no outside access to the play area.

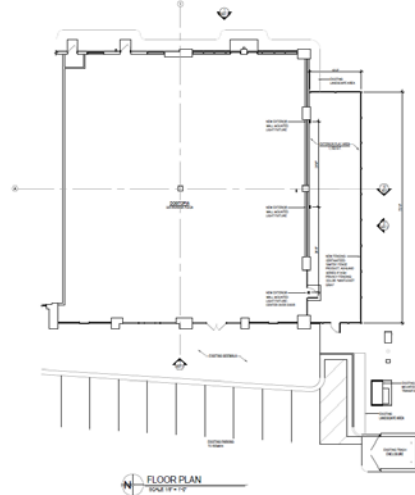


Please refer to the enclosed Conceptual/Sketch Plan for a more detailed rendering.

View of the Outdoor Play Area from the Entrance Corridor



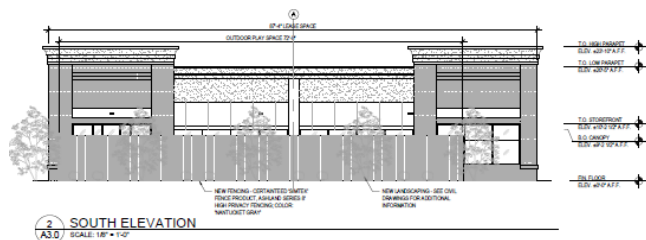
View of the Outdoor Play Area from the parking lot



View of the Outdoor Play Area from the side of the building



View of the Outdoor Play Area from the side of the building with a sketch of the fence



Please refer to the enclosed Conceptual/Sketch Plan for a more detailed rendering.

Fence Design

Short Description: Privacy fencing – CertainTeed “Simtek” fence product Ashland Series

Height: 8 feet

Dimensions: 16 feet x 72 feet


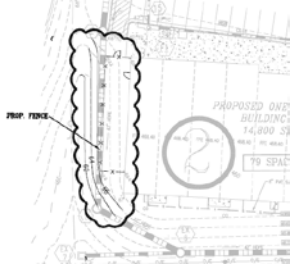
Color: Earth tones; Nantucket gray

Distance of the fence from the Entrance Corridor: Approximately 90 feet

The distance of the fence from the Right of Way is 69 feet. The distance of the fence from the curb in the street is 90 feet.

Proposed Grading:

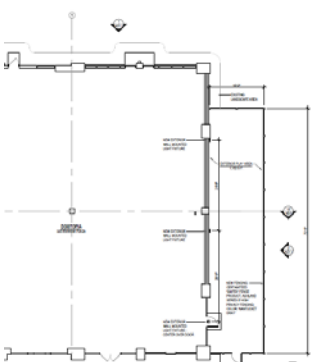

To create a small pad area for the outdoor play area, the Conceptual/Sketch Plan shows a small area of grading around the fenced outdoor play area. The proposed contour lines from the approved site plan have been blended with the existing contour lines to show new grading lines. The approximate amount of earth-disturbing activity will be 4,000 square feet. Please refer to the enclosed Conceptual/Sketch Plan for a more detailed rendering.

Sample fence design	Proposed Grading
	

Please refer to the enclosed Conceptual/Sketch Plan for a more detailed rendering.


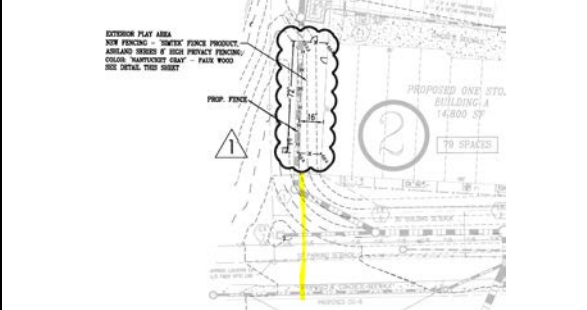

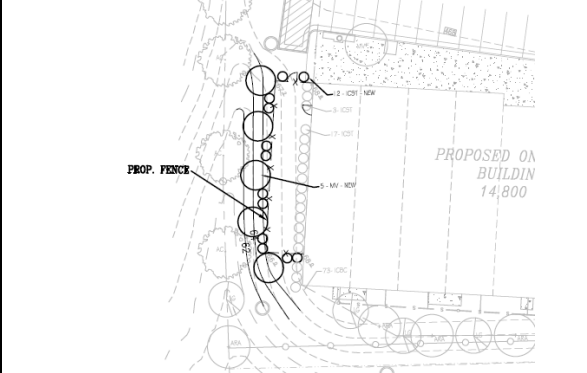
Lighting

Outdoor lighting for the dog play area is proposed and shall comply with Section 4.17. Lighting will be limited in quantity and intensity; will be no greater than 20 foot-candles at the ground; and all fixtures will be full cut-off as shown on the plans. Dogtopia outdoor lighting will merely illuminate the enclosed play area and will not spillover onto adjacent properties.

Location of lights in relation to the building	Sample Exterior Lighting
	 <p>A SAMPLE EXTERIOR LIGHT FIXTURE AS SHOWN</p>

Please refer to the enclosed Conceptual/Sketch Plan for a more detailed rendering.

Landscaping

Location of building from the entrance corridor	Location of building from the entrance corridor
	
Bushes and Plants beside the building (current view from the Entrance Corridor)	Bushes and Plants beside the building (proposed view)
	

The distance of the fence from the Entrance Corridor is approximately 90 feet. Hence, the outdoor area fence will not be overly visible from the Entrance Corridor. The landscaping plan will integrate the fence and the building with the existing area and soften the view of the fence from the Entrance Corridor.

Current landscaping includes several bushes in the area near the parking lot and the side of the building, as shown in the exhibit above. The existing storm sewer pipe is near the proposed fence; thus, we are limited in the variety of species and size of plantings that are appropriate to plant in that location. Dogtopia will closely comply with the ARB landscape guidelines given that limitation. We have selected plant species consistent with other species on site and the landscape plan includes a mixture of bushes and ornamental trees to reflect our objective of softening the view of the fence from the entrance corridor and complying with ARB requirements.

2. Window

Interior shades, curtains or blinds will be used for all the windows.

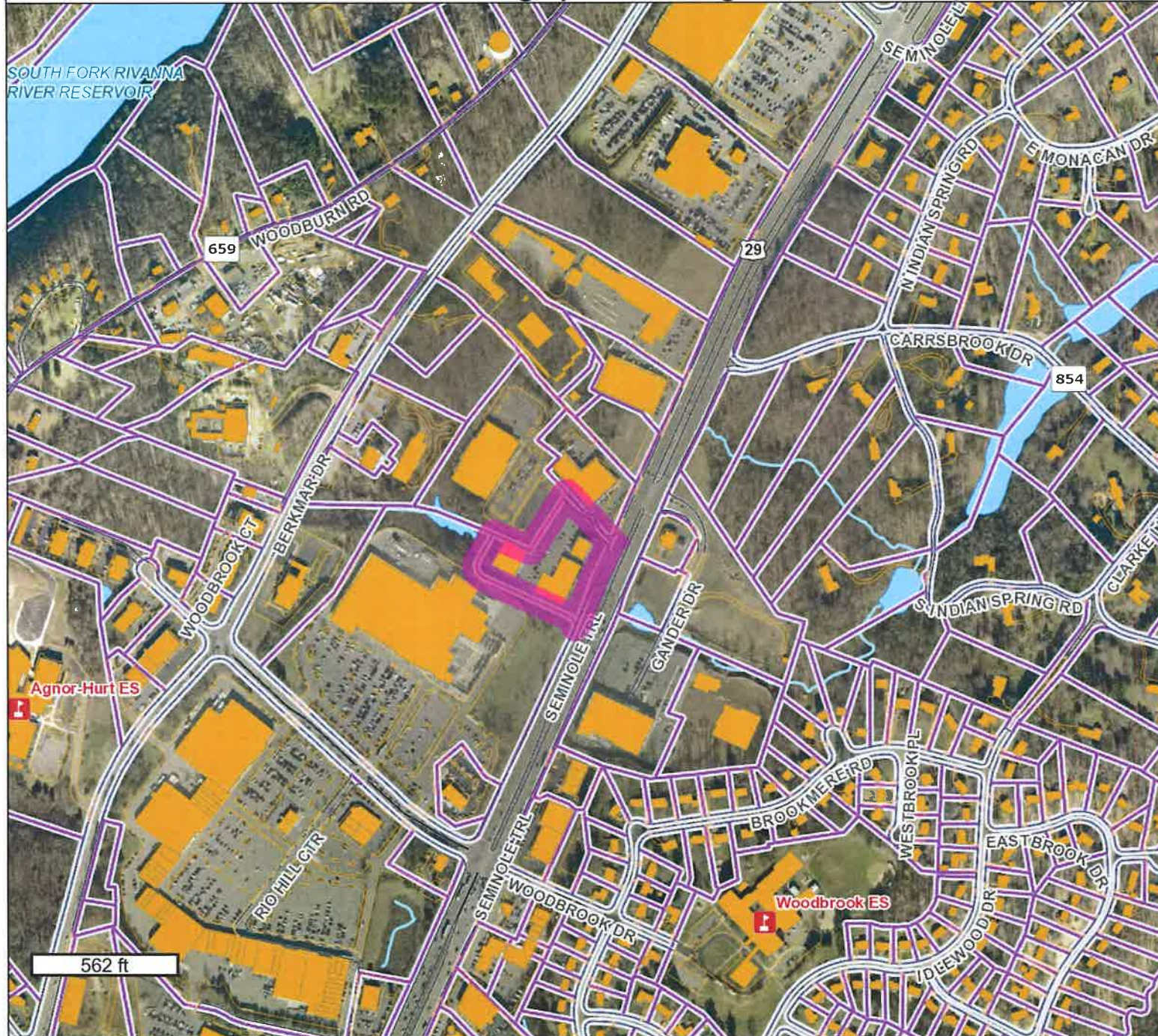
3. Parking

As provided in Section 4.12.6, commercial kennels are allowed one (1) space per four hundred (400) square feet of gross floor area including runs, plus one (1) space per employee. The existing shopping center has sufficient parking to meet this requirement.

Dogtopia foresees, based on observation from their other locations in Virginia, that they will require approximately five (5) parking spaces for their employees and approximately seven (7) spaces for customers at one time.

Maps & Photos

Dogtopia SUP - Regional Context Map



Legend

(Note: Some items on map may not appear in legend)

- AIRPORT
- COLLEGE/UNIVERSITY
- COMMUNITY
- FIRE/RESCUE STATION
- GOVERNMENT
- HOSPITAL
- LIBRARY
- POLICE STATION
- POST OFFICE
- RECREATION/TOURISM
- SCHOOL
- RELIGION
- PARK
- RAILROAD



GIS-Web
Geographic Data Services
www.albemarle.org
(434) 296-5832

Exhibit to SUP Dogtopia Application
View of the Proposed Site from the Entrance Corridor (from 29 Northbound)



View of the Proposed Site from the Entrance Corridor (from 29 Southbound)

