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# MEMORANDUM

TO: Albemarle County Community Development Staff

FROM: Kendra Moon, PE
Line and Grade Civil Engineering

DATE: September 19, 2022

RE: Wakefield Kennel
Special Exception to Setback Requirements

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**Project Details:**

| | |
|---|---|
| Applicant: | Barry Dofflemyer |
| Engineer: | Line and Grade Civil Engineering \| Kendra G. Moon, PE |
| Name of Project: | Wakefield Kennel |
| Short Description: | Reduced setback of kennel from residential property line |
| Proposed Site: | 790 Wakefield Farm, Earlysville, VA 22936 |

**Property Details:**

| | |
|---|---|
| Parcel ID Number: | 03100-00-00-047A0 |
| Short Parcel ID: | 31-47A |
| Total Acres: | 4.63 |
| Owner: | BND Family Limited Partnership |
| Property Address: | 790 Wakefield Farm, Earlysville, VA 22936 |
| Current Tenant: | Wakefield Kennel (Commercial Kennel) |
| Magisterial District: | White Hall |
| Zoning: | Rural Areas (RA) |
| Proffered: | Yes |
| ZMAs Related to Proffers: | None |
| Comprehensive Plan Area: | Rural Area 1 |
| Comprehensive Plan Use: | Rural Area |
| Comprehensive Plan Use: | Unassigned |
| Land Use: | Unassigned |
| Surrounding Uses: | Single family residential on all sides |

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113 4th St. NE; STE 100
CHARLOTTESVILLE, VA 22902
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**Site Photos:**




***Photo 1 – Aerial image of existing site (courtesy of Albemarle GIS)***

## A. Request of Special Exception to Setback Requirements

Wakefield Kennel was first built in the mid-1950s, prior to the adoption of the Zoning Ordinance. It was expanded in 1976 with the approval of a special use permit, prior to the adoption of Sec. 5.1.11 which imposes supplementary regulations on commercial kennels. The following outlines the regulations set forth by Sec. 5.1.11[1]:

> *Each **commercial kennel**, veterinary service, office or hospital, animal hospital and animal shelter shall be subject to the following:*
>
> *a. Except where animals are confined in soundproofed, air-conditioned buildings, **no structure or area occupied by animals shall be closer than 500 feet to any agricultural or residential lot line**. For non-soundproofed animal confinements, an **external solid fence not less than six feet in height** shall be located within 50 feet of the animal confinement and shall be composed of concrete block, brick, or other material approved by the zoning administrator;*
>
> *b. For soundproofed confinements, no such structure shall be located closer than 200 feet to any agricultural or residential lot line. For soundproofed and*

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[1] Emphasis has been added to the sections of code that apply to this scenario.

*non-soundproofed confinements,* ***sound measured at the nearest agricultural or residential property line shall not exceed 55 decibels;***

***c. In all cases, animals shall be confined in an enclosed building from 10:00 p.m. to 6:00 a.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; Area for outside exercise to be exclusive from access by the public by fencing or other means.*

Both the existing and proposed kennel comply with parts B and C, and part D is not applicable. However, neither the existing nor proposed kennel comply with the setback listed in part A. Both are within 500 ft of residential property lines on all sides. It is noteworthy to express that a parcel of approximately 29-acres would be required for the proposed facility to comply with this setback regulation[2].

The proposed facility is within 63 ft of the nearest residential lot line[3], TMP 31-31A, though the actual residence is located approximately 1,200 ft away. The nearest residence is 280 ft away, located across Wakefield Farm on TMP 31B-34. Please see Images 1 and 2 below for proposed proximity to existing lot lines and to existing residences.

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[2] The alternative is for pets to be kept completely indoors, though it is important for animals to have access to fresh air and earthen surfaces, as many pets will not use artificial surfaces for urination

[3] Note that these measurements are based on GIS parcel boundaries and existing plat information, a formal boundary survey has not been conducted to confirm these measurements




***Image 1 – Proximity to residential properties (Albemarle GIS)***

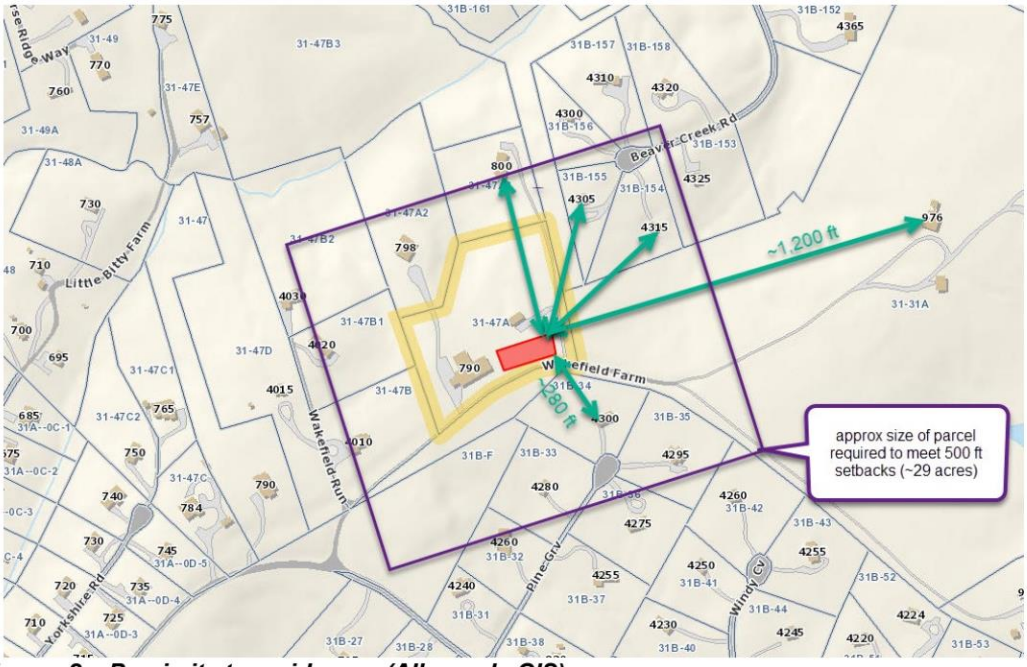



***Image 2 – Proximity to residences (Albemarle GIS)***

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Although the commercial kennel will be within 500 ft of residential property lines, the noise level will remain below 55-decibels. The owner is sure of this, as the current facility with no outdoor soundproofing is compliant, and the proposed facility will have sound-dampening material on the fences enclosing the outdoor runs. Additionally, the building itself will be comprised of acoustical steel which helps to dampen sound.

The owner does not anticipate that this facility will be of nuisance to the neighbors, as the current facility with less soundproofing technology has existed prior to the construction of many of the homes, and they do not receive complaints. Further, the owner and their family reside in two of the homes adjacent to this property and can personally attest to the minimal impact of the facility.

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# MEMORANDUM

TO: Albemarle County Community Development Staff

FROM: Kendra Moon, PE
Line and Grade Civil Engineering

DATE: September 19, 2022
Revised December 5, 2022

RE: Wakefield Kennel
Special Exception to Parking Requirements

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**Project Details:**

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|---|---|
| Applicant: | Barry Dofflemyer |
| Engineer: | Line and Grade Civil Engineering \| Kendra G. Moon, PE |
| Name of Project: | Wakefield Kennel |
| Short Description: | Reduced parking from 51 to 20 spaces |
| Proposed Site: | 790 Wakefield Farm, Earlysville, VA 22936 |

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**Site Photos:**




***Photo 1 – Aerial image of existing site (courtesy of Albemarle GIS)***

## A. Request of Special Exception to Parking Requirements

Wakefield Kennel currently has 91 kennels, with 8,000 sf building area and approximately 10,500 sf outdoor runs. When the special use permit for its expansion was approved with SP1976-36, only 9 parking spaces were required. The site currently has 12 parking spaces, which has proven adequate for its 6 employees and numerous customers. This is mainly due to the nature of the site where customers simply pick up and drop off their pet and do not occupy a parking space for more than twenty minutes at most.

Per Sec. 4.12.6 of the Zoning Ordinance, 51 parking spaces are required for the new commercial kennel that is proposed to replace the existing, see Table 1 below.

Table 1. Parking requirement calculations for the proposed use

| PARKING REQUIRED | | | |
|---|---|---|---|
| USE | REQUIRED RATE | QUANTITY | REQUIRED SPACES |
| Kennel, commercial | 1 space / 400 sf GFA (including runs) | 17882 sf GFA | **45** |
| | 1 space / employee | 6 Employee(s) | **6 Employee(s)** |
| | | TOTAL REQUIRED: | **51** |

The new building and outdoor area will have 100 kennels at most and will occupy a smaller overall footprint from what is existing. Therefore, it is not anticipated that parking demands will substantially increase. In order to minimize the negative environmental impact of the site, the owner proposes to build 20 parking spaces as opposed to the 51 required. Three of these parking spaces will be located by the pole barn behind the proposed building and will be used for employees only, mostly for maintenance activities. The six employees will most often park in the main parking lot with the customers. Effectively, five additional spaces are proposed on site, which are meant to help with peak demands during evening pickups or holidays.

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