



**ALBEMARLE COUNTY PLANNING**  
**STAFF REPORT SUMMARY**

<b>Project Name:</b> SP202100011 Field School of Charlottesville	<b>Staff:</b> Andy Reitelbach, Senior Planner
<b>Planning Commission Public Hearing:</b> September 14, 2021	<b>Board of Supervisors Hearing:</b> To be determined
<b>Owner(s):</b> Field School of Charlottesville	<b>Applicant(s):</b> Field School of Charlottesville, represented by Shimp Engineering
<b>Acreage:</b> 21 acres	<b>Special Use Permit for:</b> Request to amend existing special use permit SP201900012 for a private school under Section 10.2.2.5 of the Zoning Ordinance
<b>TMP:</b> 06000000006800 <b>Location:</b> South side of Barracks Road, approximately 750 feet west of the intersection with Montvue Drive	<b>Zoning/by-right use:</b> RA, Rural Area – agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots); private schools by special use permit. By special use permit, this facility may have up to 150 students.
<b>Magisterial District:</b> Jack Jouett	<b>Conditions:</b> Yes <b>EC:</b> Yes
<b>Proposal:</b> Request to amend existing special use permit SP201900012 to eliminate condition #9, which requires construction of the private school to commence by February 28, 2022, and to update the concept plan with minor revisions to reflect an approved boundary line adjustment plat.	<b>Requested # of Dwelling Units/Lots:</b> No dwelling units proposed.
<b>RA (Rural Areas):</b> Yes	<b>Comp. Plan Designation:</b> Rural Areas - preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources; residential density 0.5 unit/acre in development lots.
<b>Character of Property:</b> Currently vacant and mostly wooded property with a small pond and some areas of clearing and fill.	<b>Use of Surrounding Properties:</b> Large- and small-lot residences, farms, other open land, and forests. Colthurst subdivision is to the south and west.
<b>Factors Favorable:</b> 1. As no enrollment increase is requested and no revisions to the site layout or hours of operation are requested, the proposed changes are not expected to have an impact on the surrounding area.	<b>Factors Unfavorable:</b> 1. None identified.
<b>Recommendation:</b> Special Use Permit: Staff recommends approval of SP202100011, Field School of Charlottesville, with conditions, provided that recommended revisions are made to the application prior to a public hearing with the Board of Supervisors.	

**STAFF CONTACT:**  
**PLANNING COMMISSION:**  
**BOARD OF SUPERVISORS:**

Andy Reitelbach, Senior Planner  
September 14, 2021  
TBD

**SP202100011 Field School of Charlottesville**

**PETITION**

PROJECT: SP202100011 Field School of Charlottesville – Digital

MAGISTERIAL DISTRICT: Jack Jouett

TAX MAP/PARCEL: 06000000006800

LOCATION: South side of Barracks Road, approximately 750 feet west of the intersection with Montvue Drive

PROPOSAL: Request to amend existing special use permit SP201900012 to eliminate condition #9, which requires construction of the private school to commence by February 28, 2022, and to update the concept plan with minor revisions to reflect an approved boundary line adjustment plat.

PETITION: Special Use Permit request for private schools under section 10.2.2.5 of the Zoning Ordinance, on a 21-acre parcel. No increase in student enrollment proposed. No dwelling units proposed.

ZONING: RA Rural Area – agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots)

ENTRANCE CORRIDOR: Yes

OVERLAY DISTRICT(S): Airport Impact Area

COMPREHENSIVE PLAN: Rural Area – preserve and protect agricultural, forestal, open space, and natural, historic, and scenic resources; residential (0.5 unit/acre in development lots)

**CHARACTER OF THE SURROUNDING AREA**

The property consists of one parcel totaling 21 acres. The site fronts on Barracks Road, west of the city of Charlottesville and just west of Neighborhood 7 of the Southern and Western Urban Neighborhoods Development Area. The property is mostly wooded, but some areas of the site have been cleared. There is a 3-acre manmade pond fed by a stream on the property and the Water Protection Ordinance (WPO) designates a 100-foot buffer around the pond and stream.

The cleared areas of the site were part of a previous fill/waste site on the property. In 2006 a previous property owner obtained a permit to use the site for fill. However, a zoning violation was issued for this site once it was discovered that there was an accumulation of construction debris on the property consisting of metal and wire trash and other debris. The violation was determined to be officially abated in 2009. Areas of the site that were previously used for the fill activity remain mostly cleared and contain areas of man-made critical slopes.

There are two existing entrances to the site from Barracks Road. One of the entrances was formerly used to provide access to the fill site. The other entrance is gated and adjacent to the pond. This entrance is still used for maintenance of the dam and pond.

Neighboring properties are mostly single family-detached residential lots. The Colthurst Farm subdivision (approximately 60 homes) is directly south and west of the property and consists of mostly 1-2 acre lots. Saint David's Anglican Church is adjacent to the property to the northwest. Parcels across Barracks Road are larger lot residential or open space/farm parcels. The Montvue subdivision is across Barracks Road to the northeast. (See Attachment 1 – Location Map.)

The property is zoned RA Rural Areas, and the majority of the adjacent parcels are also zoned RA. A few parcels to the southeast are zoned PRD Planned Residential Development (which only contains one dwelling) and R1 Residential (see Attachment 2 – Zoning Map).

### **PLANNING AND ZONING HISTORY**

The property is zoned RA, Rural Areas.

WPO2006-0072 – A previous property owner received a permit to conduct fill/waste activity on TMP 60-68.

Violation 2008-228 – The Zoning Administrator made an official determination of zoning violation that the accumulation of metal, wire trash, and debris on the site constituted a junkyard. The violation was abated in 2009.

SP201500024 – Request for a special use permit to allow the construction of a new private school for up to 150 students; approved March 8, 2017.

- Special Exception Request to Disturb Critical Slopes in conjunction with SP201500024; approved March 8, 2017.
- Central Sewerage System Request in conjunction with SP201500024; approved April 12, 2017.

SP201900012 – Request to amend existing special use permit SP201500024 to reduce the acreage that the special use permit applies to, from a 24.57-acre area to a 21-acre area of the parcel, and to change the location of a tree buffer.

There have also been a number of subdivision plats and boundary line adjustments (BLA) associated with the property since 2000, including a BLA plat to record the acreage changes that were proposed with SP201900012.

### **DETAILS OF THE PROPOSAL**

The applicant has requested to amend an existing special use permit (SP) for a private school (SP201900012) to eliminate a condition (condition #9 – see full text below), which requires construction of the private school to commence by February 28, 2022; otherwise, the existing special use permit would be deemed abandoned and the authority granted there under would be terminated. In addition, the proposed amendment updates the concept plan with minor revisions to reflect a boundary line adjustment (BLA) plat that was recorded after SP201900012 was approved. This BLA legally recorded the exchange of acreage between the Field School parcel and an adjacent parcel (TMP 060C0-00-0E-01000) that was proposed with the approved SP201900012. For a full description of the applicant's proposal, see the applicant's submitted project narrative and concept plan, which are attached as Attachment 3 – Project Narrative and Attachment 4 – Concept Plan.

Existing language of condition #9, which is proposed to be eliminated with this SP amendment request:

If the construction of the private school for which this Special Use Permit is issued is not commenced by February 28, 2022, the permit shall be deemed abandoned and the authority granted there under shall thereupon terminate.

The applicant has indicated that it is unlikely construction will be able to begin by the specified date, which is less than six months away, catalyzing the request for the removal of this condition.

The proposed changes to the concept plan are all minor revisions to reflect the approval of SP201900012 and the subsequently recorded BLA plat. A list of the changes is included in the applicant's submitted project narrative (Attachment 3 – page 2). In addition, since the concept plan is proposed to be revised, even though the changes are minor, condition #1 is being amended to reference this most recent version of the concept plan. Condition #1 states that the development of the use must be in general accord with the approved concept plan, with minor modifications permitted if approved by the Director of Planning and the Zoning Administrator.

There are no new buildings proposed, the layout of the site is not being revised, the hours of operation are not changing, and there are no changes in enrollment numbers proposed. The maximum enrollment permitted at the school will remain at 150 students.

## **COMMUNITY MEETING**

No community meeting was held for this application. Due to the nature of the proposal, including the request to eliminate condition #9, which requires construction of the private school to commence by February 28, 2022, and to update the concept plan with minor revisions to reflect an approved boundary line adjustment plat, with no proposed enrollment increase and no proposed changes to the layout of the development, it was determined that the requirement for a community meeting could be waived.

## **ANALYSIS OF THE SPECIAL USE PERMIT REQUEST**

***Section 33.39(B) of the Zoning Ordinance states that the Planning Commission, in making its recommendation, shall consider the same factors found in Section 33.40(B):***

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

There is not expected to be any substantial detriment on adjacent parcels due to the proposed amendment to the previously approved special use permit. All conditions approved with SP201900012 are proposed to continue except for eliminating condition #9 to allow for more time for construction to begin (as well as revising condition #1 to reference the new concept plan submitted with this amendment request). No changes to enrollment levels, hours of operation, or the layout of the site are proposed with this request.

The nearest dwellings are within the Colthurst Farm neighborhood and are approximately 350 feet away from the edge of the building and sports fields envelopes. The proposed improvements will remain within the previously approved envelopes. The landscaped buffers will be maintained on all sides of the site and the existing tree-line around the pond will continue to be preserved to help screen the site and limit noise impacts.

**2. *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 Rural Areas zoning district in this area is characterized by mostly small and large lot residential uses and a few parcels that appear to be dedicated to agricultural and or open space uses. The proposed amendment to the previously approved special use permit is not expected to change the character of the nearby area. No changes to the hours of operation or the maximum enrollment permitted at the school are proposed. In addition, no changes to the layout of the site are proposed. The building envelopes and building sizes are not changing with this request; they remain the same as those approved with SP201900012.

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

The proposed special use permit amendment will keep the same general development plan as previously approved with SP201900012. The proposed elimination of the construction commencement condition that is being requested with this application does not change the use and continues to be in harmony with the purpose and intent of the district. With the recommended conditions, the proposal will not significantly change the impact of the use or its consistency with the purpose and intent of the ordinance.

***a. with the uses permitted by right in the district,***

The proposed amendment to the previously approved special use permit will not restrict the current uses or other by-right uses available at this property or adjacent properties.

***b. with the regulations provided in Section 5 as applicable,***

There are no supplementary regulations in Section 5 that are applicable to this use.

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

The character of the use and the scale of the use would not change with the proposed elimination of the condition to begin construction by February 28, 2022, or with the proposed minor revisions to the concept plan. The proposed changes are not expected to create impacts to health or safety. All of the other conditions approved with the special use permit, SP201900012, are proposed to remain in effect with this SP amendment request.

**4. *Consistency with the Comprehensive Plan. Whether the proposed special use will be consistent with the Comprehensive Plan.***

The Comprehensive Plan designates the property as Rural Areas, which calls for the preservation and protection of agricultural, forestal, open space and natural, historic and scenic resources and allows for a density of 0.5 units per acre on development lots. The site has previously been approved for use as a private school, and no change in the type of use on the site is proposed with the requested amendment to the special use permit. The defined extent of development on the site will limit the area of land disturbance to only a portion of the property and will help to protect natural resources in areas not designated for development such as existing woods, areas of critical slopes, and the pond, stream, and WPO buffer system on the western portion of the property, which is supportive of the Rural Areas goal of preserving and protecting forestal, open space, and natural resources.

**RECOMMENDED REVISIONS**

There are several revisions recommended by staff to the application to clarify the plan and ensure there are minimal impacts, which should be completed prior to the public hearing with the Board of Supervisors:

- 1) With the proposed elimination of the condition identifying a deadline for construction of the use to commence (condition #9), the applicant should provide additional information regarding the revised timeline for the proposed commencement of this use.

- 2) The applicant should provide additional information about how the proposed elimination of condition #9, with construction starting later than February 2022, could have effects on the future traffic flow of the surrounding street network.

## **SUMMARY**

### **Staff finds the following factors favorable to this request:**

1. As no enrollment increase is requested and no revisions to the site layout or hours of operation are requested, the proposed changes are not expected to have an impact on the surrounding area.

### **Staff finds the following factor(s) unfavorable to this request:**

1. None identified.

## **RECOMMENDED ACTION**

Based on the findings described in this staff report and the factors identified as favorable, **staff recommends approval of special use permit application SP202100011 Field School of Charlottesville, with the following conditions**, provided that the above-mentioned “recommended revisions” are made to the application prior to a public hearing with the Board of Supervisors:

1. Development of the use shall be in general accord with the concept plan entitled “Special Use Permit Concept Plan and Exhibits, Field School of Charlottesville, SP2021-00011 – Amendment to SP2019-12, Tax Map 60, Parcel 68, Albemarle County, Virginia,” prepared by Shimp Engineering, P.C., dated 2021.05.17, last revised 2021.07.07, as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the concept plan, the development and use shall reflect the following major elements as shown on the concept plan:
  - a. Locations of buildings and sports fields within the indicated envelopes
  - b. Maximum total building footprint of thirty thousand (30,000) square feet
  - c. Maximum footprint of twelve thousand (12,000) square feet for any single building
  - d. Preservation and installation of tree buffers as indicated
  - e. Preservation of wooded areas and slopes outside of building and sports field envelopes as indicated

Minor modifications to the plan which are in general accord with the elements above may be made to ensure compliance with the Zoning Ordinance. Modifications are to be considered in terms of minimizing or improving impacts on adjoining properties and roadways. Buildings and parking may be developed in phases.

2. The maximum enrollment shall be one hundred fifty (150) students.
3. Classroom instruction shall not begin before eight o'clock a.m. (8:00 a.m.) and shall not continue later than five o'clock p.m. (5:00 p.m.). These hours shall not apply to sports events. Classes shall not be held on Saturday or Sunday.
4. Occasional non-sporting school-related events may occur on and after five o'clock p.m. (5:00 p.m.) on Monday through Friday and at any hours on Saturday and Sunday. Occasional community events may occur on and after six o'clock p.m. (6:00 p.m.) on Monday through Friday and at any hours on Saturday and Sunday.

5. No construction for the use shall begin without written approval of the proposed septic facilities from the Virginia Department of Health.
6. No outdoor lighting of sports fields shall be installed for this use.
7. There shall be no outdoor amplified sound associated with this use.
8. Any new outdoor lighting shall be only full cut-off fixtures and shielded to reflect light away from all abutting properties. A lighting plan limiting light levels at the property lines to no greater than 0.3 foot candles shall be submitted to the Zoning Administrator or his designee for approval.
9. [Condition #9 eliminated]

## **ATTACHMENTS**

**Attachment 1** – [Location Map](#)

**Attachment 2** – [Zoning Map](#)

**Attachment 3** – [Project Narrative, dated May 17, 2021, last revised July 7, 2021](#)

**Attachment 4** – [Concept Plan and Exhibits, dated May 17, 2021, last revised July 7, 2021](#)