ALBEMARLE COUNTY PLANNING
STAFF REPORT SUMMARY

Proposal: SP202300002 Community Christian Academy	**Staff:** Kevin McCollum, Senior Planner
Planning Commission Public Hearing: June 27, 2023	**Board of Supervisors Hearing:** August 2, 2023
Owner: Alliance Bible Church of Charlottesville	**Applicant:** Kimberly Moore
Acreage: 3.14 acres	**Special Use Permit for:** A request for a special use permit amendment under Section 18-14.2.2 of the Zoning Ordinance for a private school.
TMP: 06100-00-00-12700 **Location:** 1410 Old Brook Rd	**By-right use:** R-2 Residential - 2 units/acre. Private schools are permitted by special use permit.
Magisterial District: Rio	**Conditions:** Yes **EC:** Yes
Proposal: Request to increase the student enrollment at an existing private school from 85 to 150 students. No additional exterior changes to the buildings or site are proposed.	**Requested # of Dwelling Units:** 0
DA (Development Area): Neighborhood 2 of the Places 29 Master Plan.	**Comp. Plan Designation:** Neighborhood Density Residential – residential (3 – 6 units/acre) supporting uses such as religious institutions, schools and other small-scale non-residential uses
Character of Property: Community Christian Academy is an existing private school that is located within Crosslife Community Church. The existing conditions of the site include two buildings, a parking lot, and a playground area.	**Use of Surrounding Properties:** A majority of the surrounding properties are residential with some commercial properties to the North along Rio Rd E. Surrounding uses include single family residential, apartment complexes, and offices.
Factors Favorable: 1. Institutional uses, such as private schools, are consistent with the master plan. 2. The proposed school is accessed from adequate public roads for the use. 3. No detrimental impacts to adjoining properties are anticipated.	**Factors Unfavorable:** 1. None identified.
Recommendation: Staff recommends approval of SP202300002, Community Christian Academy with conditions.	

STAFF PERSON: Kevin McCollum, Senior Planner
PLANNING COMMISSION: June 27, 2023
BOARD OF SUPERVISORS: August 2, 2023

PETITION:

PROJECT: SP202300002 Community Christian Academy
MAGISTERIAL DISTRICT: Rio
TAX MAP/PARCEL: 06100-00-00-12700
LOCATION: 1410 and 1414 Old Brook Rd
PROPOSAL: Special use permit amendment for a private school.
PETITION: A request for a special use permit amendment under Section 18-14.2.2 to increase the student enrollment at an existing private school from 85 to 150 students. No additional exterior changes to the buildings or site are proposed.
ZONING: R-2 Residential - 2 units/acre
ENTRANCE CORRIDOR: Yes
OVERLAY DISTRICT: AIA Airport Impact Area
COMPREHENSIVE PLAN: Neighborhood Density Residential – residential (3 – 6 units/acre) supporting uses such as religious institutions, schools and other small-scale non-residential uses in Neighborhood 2 of the Places 29 Master Plan.

CHARACTER OF SURROUNDING AREA:

The subject property is located at 1410 Old Brook Road at the intersection of Old Brook Road and Rio Rd E. The surrounding area is primarily developed with single family residential uses, apartment complexes, and office and commercial space to the north along Rio Rd E (Attachment 1 – Location Map). Across the street and to the south are the Abbington Crossing Apartments and the Glenwood Station development. To the north are various office/commercial buildings with various uses including insurance offices, medical and dental offices, a massage parlor, a veterinary hospital, and many others.

PLANNING AND ZONING HISTORY:

SP201200004 – Community Christian Academy received a special use permit for a private school within the existing church building. The school was limited to a maximum enrollment of 85 students.

SP198400045 and SP198600050 – The existing church which is now called the Crosslife Community Church has received two special use permits for the religious assembly use.

SDP198500015 – The site is developed in accordance with an approved site development plan.

DETAILS OF THE PROPOSAL:

The applicant has requested a special use permit amendment to increase the student enrollment at the existing private school from 85 up to 150 students. There are no proposed exterior changes to the site (Attachment 1 – Application Narrative). The existing entrance and parking lot will be utilized for parent pick-ups and drop-offs of students and staff parking (Attachment 2 – Concept Plan).

COMMUNITY MEETING:

The required community meeting for the proposal was held with the Places29-Rio Community Advisory Committee (CAC) on Thursday, May 25, 2023. The applicant shared details and answered questions regarding the proposal to the CAC and members of the public who were

present. No concerns were raised, and the only comments were positive towards Community Christian Academy expressing that they have been good neighbors at this location.

ANALYSIS OF THE SPECIAL USE PERMIT REQUEST:

Special Use Permits are evaluated under reasonable standards, based on zoning principles which include the proposal's compliance with the Comprehensive Plan. Any impacts caused by the proposal may be addressed through conditions which must be reasonably related and roughly proportional to the impacts.

Section 33.8(A) states that the Commission, in making its recommendation, shall consider the following factors:

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

   As described in the Application Narrative the only proposed change is an increase in the maximum number of enrolled students. The primary impact of this will be increased traffic to this location for parent pick-up and drop-off of the students. The Virginia Department of Transportation (VDOT) has reviewed the proposal and has provided no objection. The existing entrance and distance along Old Brook Road will satisfactorily support the increase in cars turning into the site. In addition, the existing private school use has operated for over ten years without complaint or concerns from the neighbors. In conclusion, Staff finds that the use will not be a detriment to adjacent properties.

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 character of the nearby area is not anticipated to change with the proposed increase in student enrollment. The proposal does not include any exterior changes to the site. The private school has operated for over ten years and utilizes the existing buildings, parking areas, and playgrounds on site. The existing roads and entrance to the site are satisfactory to support the additional enrollment.

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

   The private school is anticipated to continue to be in harmony with the purpose and intent of the Zoning Ordinance.

   with the uses permitted by right in the district,

   The proposed private school would not affect by-right uses in the district on this property or adjacent properties. In addition, the private school use is a supportive accessory use for many of the nearby residential properties.

   with the regulations provided in Section 5 as applicable,

   There are no additional regulations that apply. However, the previous special use permit included several conditions including a condition regarding the minimum age of the students because of building code restrictions relating to daycares versus a school. Those same conditions have been revised to reflect the proposal and are included below.

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

The entrance to the site is from Old Brook Rd. The proposal has been evaluated by VDOT and they provided no objection. There is adequate distance for cars during pick-up and drop-off on the site and would not cause any major backups or traffic along Old Brook Rd. A condition of approval is recommended for the maximum number of students. Any additional increases in the number of students may require further evaluation of the entrance and possibly turn lanes for traffic turning into the site from either direction along Old Brook Rd.

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

The property is designated as Neighborhood Density Residential in the Places29 Master Plan. This land use category supports institutional uses such as places of worship, public and private schools, and early childhood education centers including day care centers and preschools. A private school is appropriate within this land use designation for this area, as it is surrounded by a variety of uses including several different types of residential uses and businesses.

Since no physical improvements to the site are proposed, a detailed Neighborhood Model Analysis has not been done by staff.

SUMMARY:

Staff finds the following factors favorable to this request:

1. Institutional uses, such as private schools, are consistent with the master plan.
2. The proposed school is accessed from adequate public roads for the use.
3. No detrimental impacts to adjoining properties are anticipated.

Staff finds the following factor(s) unfavorable to this request: None identified

RECOMMENDED ACTION:

Based on the findings contained in this staff report, staff recommends approval of the special use permit application SP202300002 Community Christian Academy with the following conditions:

1. Development of the use shall be in general accord with the conceptual plan. To be in general accord with the Conceptual Plan, development shall reflect the following major elements within the development essential to the design of the development.
    a. Location of buildings, parking areas, and playground areas.
    b. Site access including pick-up and drop-off locations and circulation as shown on the Concept Plan. Signage and pavement markings may be required at the time of Zoning Clearance to ensure safe vehicular circulation.

    Minor modifications to the plan which do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance or improve safety.
2. The maximum enrollment shall not exceed one hundred and fifty (150) students.
3. All students shall be over the age of two and one-half (2 ½) years old.
4. Classroom instruction for the school is limited to 7:30am-6:00pm Monday through Friday, provided that occasional school-related events/activities may occur after 6:00pm.

POSSIBLE PLANNING COMMISSION MOTION- SP202300002:

A. Should the Planning Commission **choose to recommend approval** of this special use permit:

Move to recommend approval of SP202300002, Community Christian Academy, **with conditions as stated in the staff report.**

B. Should the Planning Commission **choose to recommend denial** of this special use permit:

Move to recommend denial of SP202300002, Community Christian Academy**.** *Should a commissioner motion to recommend denial, he or she should state the reason(s) for recommending denial.*

ATTACHMENTS

Attachment 1 – Location Map and Aerial Image
Attachment 2 – Application Narrative
Attachment 3 – Conceptual Plan