

**RESOLUTION TO APPROVE
SP 2015-07 ALL SAINTS CHAPEL**

WHEREAS, the Trustees of St. Johns Mission Church is the owner of All Saints Episcopal Church and of Tax Map and Parcel Number 04800-00-00-01600 and Dovedale LLC is the owner of Tax Map and Parcel Number 04800-00-00-019E0, collectively the “Owners” and the “Property”; and

WHEREAS, the Owners filed an application for a special use permit to expand the existing church by constructing a 795 square foot building addition (social hall), associated parking, and entrance upgrades on the Property, and the application is identified as Special Use Permit 2015-00007 All Saints Chapel (“SP 2015-07”); and

WHEREAS, the proposed use is allowed on the Property by special use permit under Albemarle County Code § 18-12.2.2(15); and

WHEREAS, on August 4, 2015, after a duly noticed public hearing, the Albemarle County Planning Commission recommended approval of SP 2015-07 with modified conditions; and

WHEREAS, on September 2, 2015, the Albemarle County Board of Supervisors held a duly noticed public hearing on SP 2015-07.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the Transmittal Report prepared for SP 2015-07 and all of its attachments, the information presented at the public hearing, and the factors relevant to a special use permit in Albemarle County Code § 18-33.8, the Albemarle County Board of Supervisors hereby approves SP 2015-07, subject to the conditions attached hereto.

* * *

I, Ella W. Jordan, do hereby certify that the foregoing writing is a true, correct copy of a Resolution duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of _____ to _____, as recorded below, at a regular meeting held on _____.

Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Boyd	_____	_____
Ms. Dittmar	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Palmer	_____	_____
Mr. Sheffield	_____	_____

SP-2015-00007 All Saints Chapel Conditions

1. Development and use shall be in general accord with the conceptual plan titled “All Saints Chapel SP201500007” prepared by Joseph Associates LLC and dated June 1, 2015 (hereafter “Conceptual Plan”), as determined by the Director of Planning and the Zoning Administrator. To be in accord with the Conceptual Plan, development and use shall reflect the following major elements within the development essential to the design of the development, as shown on the Conceptual Plan:

- *building orientation*
- *building mass, shape, and height*
- *location of buildings and structures*
- *location of parking areas*
- *relation of buildings and parking to the street*

Minor modifications to the plan which do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance.

2. Side and rear setbacks shall be commercial setback standards, as set forth in Section 21.7(b) of the Albemarle County Zoning Ordinance, and shall be maintained adjacent to residential uses or residentially zoned properties. Front yard setbacks associated with parking shall be commercial setback standards, as set forth in Section 21.7(a) of the Albemarle County Zoning Ordinance.

3. There shall be no day care center or private school on site without approval of a separate special use permit;

4. The applicant shall obtain VDOT approval of a commercial entrance prior to approval of the final site plan.

5. The applicant shall obtain Virginia Department of Health approval of well and/or onsite sewage system prior to approval of the final site plan.

6. If it is determined by the Health Department that site conditions allow, the locations of the primary (identified on the Conceptual Plan as “primary septic site”) and secondary (identified on the Conceptual Plan as “reserve septic site”) drainfields shall be switched so that the primary drainfield depicted on the Conceptual Plan is located where the secondary drainfield is depicted and the secondary drainfield depicted on the Conceptual Plan is located where the primary drainfield is depicted; provided that the locations of both the primary and secondary drainfields may be located further south behind the addition than where they are depicted on the Conceptual Plan.

7. If trees of 6” caliper or greater are removed as a result of drainfield installation or die within 10 years after drainfield installation, the trees shall be replaced with appropriate native saplings. The location of replacement trees shall be shown on a revised landscape plan to be approved by the Director of Planning or his designee.

8. Materials and colors of the addition shall be compatible with the materials and colors of the historic chapel.

9. Except for repair and maintenance of the fence where there is no substantial change in design, and except for renovation of the fence to accommodate a new gate to provide access from the parking area to the existing front entrance of the chapel where the gate design is compatible in form and materials with the existing fence design, the fence and its stone end piers shall be retained without change, provided that the easternmost stone pier forming the existing gate edge need not be retained if the applicant determines that the cost of retention is cost prohibitive as provided in Condition 10.

10. If the applicant determines that relocating the easternmost stone pier to the east side of the new entrance drive is cost prohibitive, prior to its removal the applicant shall document the stone pier in photographs and a to-scale, annotated line drawing. Copies of the documentation shall be provided to the County's Design Planner for the County's files and for forwarding to the Virginia Department of Historic Resources.

11. Prior to final site plan approval, the entrance to the site shall either be located entirely on the Church Property (TMP 04800-00-00-01600) by adjusting the property line between TMP 04800-00-00-01600 and TMP 04800-00-00-019E0, or the applicant shall obtain an easement from the owner of TMP 04800-00-00-019E0 to allow the portion of the entrance to be located on that parcel.

12. The construction of any structure required for the use must commence within 5 years from the approval of the Special Use Permit.