

**RESOLUTION TO APPROVE
SP 2014-16 CANAAN CHRISTIAN CHURCH**

WHEREAS, the Canaan Christian Center (the “Owner”) is the record owner of Tax Map and Parcel Number 08000-00-00-02100 (the “Property”); and

WHEREAS, the Owner filed an application in 2002 for a special use permit to build a church (SP2002-056), which was approved by the Board in June 2003, but the Owner did not commence the use within the five year timeline due to financial constraints; and

WHEREAS, the Owner filed a second application to build a church with a 150-seat sanctuary and 50 gravel parking spaces on the Property, and the application is identified as Special Use Permit 2014-00016 Canaan Christian Church (“SP 2014-16”); and

WHEREAS, the proposed use is allowed on the Property by special use permit under Albemarle County Code § 18-10.2.2(35); and

WHEREAS, on September 1, 2015, after a duly noticed public hearing, the Albemarle County Planning Commission recommended approval of SP 2014-16 with modified conditions, including a new condition prohibiting all outdoor lighting; and

WHEREAS, on October 14, 2015, the Albemarle County Board of Supervisors held a duly noticed public hearing on SP 2014-16.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the Transmittal Report prepared for SP 2014-16 and all of its attachments, including staff’s expressed concerns about prohibiting all outdoor lighting if the church holds evening events and activities, 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 2014-16, 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-2014-00016 Canaan Christian Church Conditions

1. Development and use shall be in general accord with the conceptual plan titled "Special Use Permit SP2014-016 Canaan Christian Church" prepared by Williams Enterprises Incorporated Land Development Design and dated June 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:
 - a. *location of buildings and structures*
 - b. *location of parking areas*
 - c. *location of entrance*
 - d. *landscape screening*

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

2. The area of assembly shall be limited to a maximum of one hundred fifty (150) seat sanctuary;
3. There shall be no day care center or private school on the site without approval of a separate special use permit;
4. Health Department approval of a well and septic system shall be required prior to the issuance of a building permit;
5. Commercial setback standards, as set forth in Section 21.7 of the Zoning Ordinance, shall be maintained adjacent to residential uses or other Rural Area zoned property;
6. Screening in accordance with Section 32.7.9.7 shall be provided along the tree line on the west/rear of the property to screen the parking and church from the adjacent property;
7. Right of way dedication of thirty (30) feet from the existing centerline of Hacktown Road (Route 744) along the entire property frontage shall be required prior to the issuance of a building permit.
8. The use shall commence on or before five (5) years from Board approval or the permit shall expire and be of no effect;
9. The outside play area activities shall be limited to only take place during daytime hours. Lighting of the play area shall not be permitted. The play area shall be located as far away as possible from the adjacent residential properties, but in no case shall the play area be located closer than seventy-five (75) feet from any adjacent property line. The outside play area location shall be depicted on the site plan.
10. Outdoor amplified sound shall not be permitted.
11. All 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 all property lines to no greater than 0.3 foot candles shall be submitted to the Zoning Administrator or their designee for approval.