

COUNTY OF ALBEMARLE

TRANSMITTAL TO THE BOARD OF SUPERVISORS

SUMMARY OF PLANNING COMMISSION ACTION

AGENDA TITLE: SP201600007 Chapman Grove Baptist Church	AGENDA DATE: November 2, 2016
SUBJECT/PROPOSAL/REQUEST: Amend special use permit to expand existing church and associated parking area	STAFF CONTACT(S): J.T. Newberry, David Benish
	PRESENTER (S): J.T. Newberry

BACKGROUND:

At its meeting on August 9, 2016, the Planning Commission voted 5:0:2 (Riley, Dodson absent) to recommend approval of SP201600007 with conditions.

DISCUSSION:

There have been no changes to the concept plan since the Planning Commission meeting. If SP201600007 is approved, then the applicant will continue to pursue approval of a phased site plan amendment currently under review (SDP201600021 – Chapman Grove Baptist Church – Major).

Staff does want to clarify a minor discrepancy between the square footage shown on the concept plan and the square footage included in the legal advertisement. The concept plan shows an expansion of 1,614 square feet, whereas the legal advertisement specifies a larger square footage of 1,900 square feet. The additional square footage was intentionally advertised to provide flexibility to both the applicant and the Board during the review process. The Board may approve a smaller expansion than the 1,900 square feet that was advertised, but a special use permit cannot be granted for a request that goes beyond the scope of what was advertised in the legal notice.

In this case, the first condition of approval requires “general accord” with the concept plan. As a result, any square footage beyond the 1,614 square feet shown on the plan would require an analysis by the Zoning Administrator to confirm compliance with the conditions of approval. For example, if some amount of additional square footage was required to comply with the Zoning Ordinance, then the Zoning Administrator could determine that the site overall was still in compliance with the “general accord” standard. This determination would permit the applicant to seek building permits for the additional square footage without coming back to the Board of Supervisors for another amendment to their special use permit.

RECOMMENDATIONS:

Staff recommends that the Board adopt the attached Resolution to approve SP201600007 with the conditions attached thereto.

ATTACHMENTS:

- A - Resolution
- B - Planning Commission action letter
- C - Planning Commission staff report
- D - Planning Commission minutes