



ALBEMARLE COUNTY PLANNING
STAFF REPORT SUMMARY

Project Name: SP202400012 and SE202400018 City Church Multi-Use Space Addition	Staff: Syd Shoaf, Senior Planner
Planning Commission Hearing: December 10, 2024	Board of Supervisors Public Hearing: To be scheduled
Owner: City Church Cville, Inc.	Applicant: Chris Becker, City Church and Craig Kotarski, Timmons Engineering
Acreage: 4.23 acres	Special Use Permit: Section 15.2.2.12 for religious assembly in the R-4 zoning district.
TMP: 06100-00-00-153A1 Location: 1010 Rio Road East	By-right use: R-4 Residential - 4 unit/acre
Magisterial District: Rio	Conditions: Yes EC: Yes
Proposal: <u>SP202400012:</u> Special use permit (SP) request to amend previously approved SP202200012, to allow a 13,100 square foot multi-use building and a parking lot expansion for up to 87 additional spaces. <u>SE202400018:</u> Special exception request to modify the limitation on the maximum number of parking spaces.	Comp. Plan Designation: Neighborhood Density Residential – residential (3-6 units/acre); supporting uses such as places of worship, schools, public and institutional uses and small-scale neighborhood serving retail and commercial; in Neighborhood 4 in the Southern and Western Urban Neighborhoods Master Plan area.
DA (Development Area): Neighborhood 2	Requested # of Dwelling Units: 0
Character of Property: The property contains an existing church, two parking areas, and a Tier II wireless facility.	Use of Surrounding Properties: To the northeast and south of the property are institutional uses such as the Charlottesville Albemarle Technical Education Center (CATEC) and other churches. Adjacent properties to the east and west consist primarily of single-family residential uses, such as the Dunlora and Greenbrier neighborhoods.
Factors Favorable: 1. Consistent with the review criteria for special use permits contained in the Zoning Ordinance. 2. The use is consistent with the Places29 Master Plan.	Factors Unfavorable: 1. The parking lot expansion to 161 parking spaces would result in a large parking area along the Entrance Corridor.
Recommendation: Staff recommends approval of SP202400012 City Church Multi-Use Space Addition with conditions.	

STAFF PERSON:
PLANNING COMMISSION:
BOARD OF SUPERVISORS:

Syd Shoaf, Senior Planner
December 10, 2024
To be scheduled

PETITION:

PROJECT: SP2024000012 City Church Multi-Use Space Addition

MAGISTERIAL DISTRICT: Rio

TAX MAP/PARCEL(S): 06100-00-00-153A1

LOCATION: 1010 Rio Road East

PROPOSAL: Amend existing special use permit, SP202200012, to allow a 13,100 square foot building and up to 87 additional parking spaces on site. Associated is a special exception request (SE202400018) in accordance with Section 18-4.12.2 (c) to modify the limitation on the maximum number of parking spaces allowed by Section 18-4.12.4 (a).

PETITION: Religious assembly in the R4 Zoning District on a 4.23 acre parcel under Section 15.2.2.12 of the Zoning Ordinance.

ENTRANCE CORRIDOR: Yes

ZONING: R4 Residential (4.0 units/acre)

OVERLAY DISTRICT(S): Airport Impact Area, Steep Slopes – Managed

COMPREHENSIVE PLAN: Urban Density Residential which allows residential uses (6.01 – 34 units/ acre) and supporting uses such as religious institutions, schools, commercial, office and service uses in Neighborhood 2 of the Places 29 Master Plan.

CHARACTER OF THE AREA

The 4.23-acre pie shaped property is on the west side of Rio Road, across from the intersection of Belvedere Boulevard and Rio Road. The property is developed with an existing church building, parking areas, and a Tier II personal wireless service facility to the rear. There is a wooded buffer of more than 100+ feet along most of the western property line, adjacent to the railroad tracks and Greenbrier neighborhood, which is in the City of Charlottesville beyond the railroad tracks.

Adjacent properties consist primarily of single-family residential uses to the east and west. To the northeast and south of the property are institutional uses such as the Charlottesville Albemarle Technical Education Center (CATEC) and other churches. The subject property is screened from the single-family uses to the west by a railroad and forested land (Attachment 1 – Existing Conditions Map).

The subject parcel is zoned R-4 Residential as are most all adjacent parcels to the south and northwest. Across Rio Road is 999 Rio, a property zoned NMD Neighborhood Model District and planned for residential uses. To the west of the property is the Albemarle County and City of Charlottesville jurisdictional boundary. To the northeast across Rio Road is the Harvest Church of God which is zoned CO – Commercial Office. A mixture of convenience and service-oriented businesses are located further to the north along Rio Road, past the Norfolk Southern Railroad tracks that run along the western border of the subject parcel (Attachment 2 – Zoning Map).

PLANNING AND ZONING HISTORY

- SDP000000127 – Original site plan for the First Assembly of God was approved.
- SDP198600024 – Minor site plan amendment to SDP000000127 was approved to add 26 parking spaces to the site.
- ZMA199900018 – Zoning Map Amendment was approved to rezone 1.5-acre TMP 61-153A from CO to R-4.
- SP199900075 – Special Use Permit was approved to allow church uses and an accessory educational classroom in accordance with ZMA199900018.
- SP200400045 – Special Use Permit was approved to add 56 parking spaces to the site.

- SDP201500033 – A PWSF site development plan was administratively approved on July 23, 2015, to construct a Tier II wireless monopole on the property.
- SP201700010 – Special Use Permit was approved to remove the existing 10,400 square foot church building and replace it with a new two-story church building along with reconfiguration of the existing parking lot and additional parking spaces. The SP conditions limited the area of assembly to 500 seats or 15,000 square feet. This approval also included a condition that the use must commence on or before May 9, 2023. No site plans were submitted following the Special Use Permit approval to allow construction of the new building and associated changes.
- SP202200012 – Special Use Permit was approved to add a 10,600 square foot multi-use building with 43 additional parking spaces. The SP conditions limited the area of assembly to 320 seats. Additionally, right-of-way dedication was identified if demanded by the County and a condition included that the use must commence on or before July 1, 2028. No site plans were submitted following the Special Use Permit approval to allow construction of the new building and parking.

DETAILS OF THE PROPOSAL

The existing church operates on the site within an existing two-story structure with an area of assembly of up to 320 seats. The building footprint is approximately 6,300 square feet and consists of a church sanctuary, meeting rooms, and office space for staff. The interior square footage of the building is approximately 10,400 square feet. The existing parking lot contains 74 parking spaces and is served by two paved driveways that enter onto Rio Road East.

The applicant has requested to amend the previously approved Special Use Permit (SP202200012) to construct a 13,100 square foot multi-use building with additional office space towards the rear of the existing church. The proposed building would allow additional space to expand existing church programs that are provided to their members and visitors.

Additionally, the applicant has requested to construct an additional 87 parking spaces which would expand both of the current parking lots on site and bring total parking on the site to 161 spaces. Currently, there is a shared parking agreement between City Church and CATEC which is south of the subject parcel. The applicant has indicated that this agreement is verbal in nature and not a binding agreement. The church is concerned this agreement may end at any time if the property were to be sold or repurposed by the City of Charlottesville. The ordinance allows parking to exceed the minimum required spaces by up to 20% and the applicant's request represents an increase of 50%. (Attachment 3 – Applicant Narrative and Attachment 6 – SE202400018 Special Exception Request).

COMMUNITY MEETING

The required community meeting for the proposal was held at the Places29-Rio Community Advisory Committee (CAC) meeting on Thursday, April 25, 2024 at 6 pm. The applicant shared details and answered questions regarding the proposal to members of the CAC. There were no members of the public present. There was minimal discussion by the CAC but some concerns were mentioned, including stormwater runoff and future Rio Road transportation improvements.

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

During the previous Special Use Permit (SP202200012) review process there were concerns from neighbors in the Greenbrier neighborhood regarding stormwater runoff. A neighbor brought up the same concerns again which were investigated by Engineering staff. The concerns are attributed to a larger drainage area than just the church property. Stormwater management will be improved if the new building and parking are constructed as a new stormwater facility is proposed.

Typically, as a condition of approval, religious assembly special use permits require compliance with commercial setbacks and buffers to further address any potential impacts to abutting property owners. The proposed concept plan demonstrates a 20' setback along the property line with the closest residential neighbors to the west in the Greenbrier neighborhood. There are wooded areas to remain along the western property line as well. A condition of approval is recommended that requires the 20' buffer and wooded areas to remain as shown or replanted if disturbed.

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 adjacent parcels are zoned R-4 Residential, NMD Neighborhood Model Development and CO – Commercial Office which contain various institutional uses such as the Charlottesville Albemarle Technical Education Center (CATEC) and a church. There are also adjacent residential neighborhoods in the City of Charlottesville to the west and Dunlora across Rio Road to the southeast. The existing church has operated on the site for more than 35 years and the new building is not expected to change the character of the church operations.

The parcel is located along an Entrance Corridor and any new buildings and parking are subject to the Architectural Review Board (ARB) guidelines which address compatibility with the area, along with landscaping requirements. The expanded parking area will have an increased visual impact on the Entrance Corridor. The applicant has indicated that the location of existing improvements and topography limit options for locating both the parking and the new building. Landscaping in and around the parking lot will be required, likely beyond the minimum requirements of the Entrance Corridor Design Guidelines. Note that existing utilities and easements will make this more challenging. Also, the site plan and architectural design will require ARB review and approval at the site plan stage. Conformity with Entrance Corridor Design Guidelines will be required and will ensure that the visual impact is not negative.

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

The intent of the R-4 Residential District is to permit compact, medium-density single-family residential uses. Institutional destinations such as community centers, private educational facilities, and religious assembly uses are permitted by Special Use Permit in the R-4 district. The expansion of the existing religious assembly use does not conflict with the existing moderately density residential neighborhoods and educational facilities near the subject property.

with the uses permitted by right in the district,

Single-family residential uses with densities up to four (4) dwelling units per acre are permitted by-right in the R-4 district. Areas of religious assembly are typically found in residential zoning districts if impacts are minimal to the area. The proposed use at this location appears to be compatible with uses permitted by right.

with the regulations provided in Section 5 as applicable,

This section is not applicable to this proposal.

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

The public health, safety, and general welfare of the community are protected throughout the special use permit process, which assures that the proposed use is appropriate in the location requested. Zoning, Engineering, Building Inspections, the Architectural Review Board (ARB), Transportation Planning, the Virginia Department of Transportation (VDOT), Albemarle County Fire Rescue, Rivanna Water and Sewer Authority (RWSA) and Albemarle County Service Authority (ACSA) have all reviewed this application and have provided no objections.

Traffic has been considered during the special use permit process. Trip generation figures are provided on the cover sheet of the concept plan. The proposed building expansion is to accommodate the existing congregation. Traffic impacts will not occur at peak commute hours during the work week. Additionally, due to the uncertain CATEC parking agreement and to reduce parking needs, City Church has revised its service schedule on Sundays to reduce morning services from three to two services and have added a Sunday evening service. However, if CATEC parking is no longer utilized, the church will need an increase of parking up to 161 spaces on-site. All vehicles would then enter the church site, rather than be split between the two sites. The access to CATEC includes a traffic light at the intersection with Rio Road East and John Warner Parkway, which includes dedicated turn lanes from both ends. However, the traffic leaving City Church would be contained within the parking lot area and not spill over onto Rio Road East. VDOT and County staff have no concerns with these future changes.

The applicant has previously obtained approval of an Access Management Exception Request (AM-E) to allow the existing two separate driveways on the subject parcel to remain. The AM-E approval requires the applicant to make the southern driveway an exit-only onto Rio Road. The applicant is also aware of the potential changes to City Church's access from Rio Road if the Rio Road/Belvedere Boulevard intersection improvements are funded as recommended in the Rio Corridor study, which include:

- Both points of ingress/egress for City Church would become right-in/right-out only with northbound ingress traffic being required to make a U-turn at Greenbrier Terrace and northbound egress traffic being required to utilize the roundabout which is already funded at the John Warner Parkway/Rio Road intersection.
- A possible future connection between City Church and the CATEC parking lot.

The concept plan demonstrates that the proposed parking expansion does not preclude future implementation of the Belvedere Boulevard/Rio Road intersection improvements.

If the special use permit is approved, the use cannot commence without the appropriate site development plans, building permits, and zoning clearances. These processes will ensure that all State and County regulations, special use permit conditions, and all necessary building and fire inspections have been approved.

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

In the Places29 Master Plan, this site is designated as Urban Density Residential, which allows for residential uses with densities between 6.01 – 34 units/acre. Secondary supporting uses such as religious institutions, schools, commercial, office and service uses are also encouraged if they are easily accessible and located close to residential uses. The proposed religious assembly use is in conformity with the supporting religious institution uses recommended by the Master Plan within Urban Density Residential areas.

Special Use Permit requests in the Development Areas are evaluated for conformity to the Neighborhood Model principles. Not all principles are applicable in every request. Pertinent principles are addressed below.

NMD Principle	Staff Comment
Pedestrian Orientation	<p>There are existing sidewalks along the frontage of the subject parcel that will remain in place with the proposed parking expansion.</p> <p>At site plan, an extension of the sidewalk on the northside of the entrances will be required to improve pedestrian access to and from the subject parcel.</p>
Relegated Parking	<p>Existing parking is located to the north and south of the existing building, with both parking areas proposed for expansion. The northern parking lot would get closer to Rio Road and nearly to the northern property line. The relegated parking principle encourages parking to the side and rear of buildings from the street.</p> <p>Landscaping and screening will be required both in and around the parking lots to provide an appropriate buffer and screening from the Entrance Corridor. Since this site is located within an Entrance Corridor, it will be reviewed by the Architectural Review Board (ARB) during the site plan stage. During review of the Special Use Permit, ARB staff noted that the applicant will likely need to go above the minimum requirements for landscaping to satisfy the Entrance Corridor requirements. To address this concern, a condition of approval has been recommended (Condition 2) and is similar to one used for other special use permits impacting the Entrance Corridor.</p>
Multi-modal Transportation Opportunities	<p>There is an existing Charlottesville Area Transit (CAT) line that has a bus stop between City Church and CATEC. However, it does not currently provide service on Sundays when City Church usage is at its peak. Expansion of bus service on Sundays would provide a benefit for community members who would like to access this site.</p>
Buildings and Space of Human Scale	<p>The proposed multi-use building would be located towards the rear of the site and at a lower elevation than Rio Road East. Maximum height in the R-4 district is 35' and staff has no concerns with this principle.</p>
Respecting Terrain and Careful Grading and Re-grading of Terrain	<p>There are Steep Slopes – Managed located towards the rear of the site where the proposed multi-use building would be located, along with the proposed stormwater management facility. Steep Slopes – Managed may be disturbed provided the design standards in the</p>

	<p>ordinance are met. Final design and grading will be confirmed during site plan review. Design guidelines limit retaining wall heights to 6', address cut and fills, and reverse slopes and benches.</p> <p>Stormwater management will be fully evaluated by Engineering staff through the VESMP plan.</p>
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SUMMARY

Staff has identified the following factor favorable to this request:

1. Consistent with the review criteria for special use permits contained in the Zoning Ordinance.
2. The use is consistent with the Places29 Master Plan.

Staff has identified the following factor which is unfavorable to this request:

1. The parking lot expansion of 161 parking spaces would result in a large parking area along the Entrance Corridor.

RECOMMENDATION:

Based on the findings contained in this staff report, staff recommends approval of SP202400012 City Church Multi-Use Space Addition with the following draft conditions:

1. The development of the use shall be in general accord with Sheet C2.1 titled, "Concept Plan", provided in the document entitled "City Church Multi-Use Space Addition Application Plan", prepared by Timmons Group dated March 11, 2024, last revised November 15, 2024 (hereafter "Concept Plan"), as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the Concept Plan, development and use shall reflect the following major elements as shown on the plan:
 - a. Location of the proposed building;
 - b. Location of parking;
 - c. 20' buffer along the western property line;
 - d. Wooded areas to remain

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

2. Landscaping may be required to be more than the minimum requirements of the ARB guidelines and/or the Zoning Ordinance to mitigate the visual impacts of the proposed use.
3. The area of assembly shall be limited to a maximum 320-seat sanctuary.
4. Upon demand of the County, the owner(s) must dedicate sufficient right-of-way adjacent to Rio Road for improvements identified in the Rio Corridor Road Plan, dated June 30, 2022.
5. The use shall commence on or before February 5, 2030 or the permit shall expire and be of no effect.

POSSIBLE PLANNING COMMISSION MOTIONS:

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

I move to recommend approval of SP202400012 City Church Multi-Use Space Addition with the conditions stated in the staff report.

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

Move to recommend denial of SP202400012 City Church Multi-Use Space Addition. *Should a commissioner motion to recommend denial, he or she should state the reason(s) for recommending denial.*

SPECIAL EXCEPTION APPLICATION

SE202400018 PROPOSAL

If the special use permit were to be approved, the applicant requests a special exception to modify the limitation on the maximum number of parking spaces required by County Code §18-4.12.4 (a) as it applies to Parcel ID 06100-00-00-153A1. According to County Code §18-4.12.6, the minimum parking requirement for the existing religious assembly use is 107 parking spaces. Currently, there are only 74 existing parking spaces. A minimum of 33 parking spaces would need to be added to meet the minimum required parking on site. County Code §18-4.12.4 (a) prohibits the number of parking spaces in a parking area from exceeding the number of spaces required by this section by more than 20 percent. When applied to this site, the maximum number of parking spaces on this site would be 128 parking spaces.

The applicant has submitted a special exception application to modify the 20 percent maximum to allow a total of 161 parking spaces on the site, which is 50 percent greater than the minimum requirement of 107 parking spaces on the site. In the applicant's narrative for the special exception request (Attachment 6 – SE202400018 Special Exception Request), they provide a parking analysis which consists of the existing parking demand, reason for the special exception request, and mitigation efforts.

ANALYSIS OF THE SPECIAL EXCEPTION REQUEST

Under County Code §18-33.9 (A), proposed special exceptions are reviewed under the criteria from the applicable section(s) of the Zoning Ordinance. County Code §18-4.12.2 (c) allows for a modification of the limitation on the maximum number of parking spaces required by County Code §18-4.12.4 (a) if the Board of Supervisors finds that the public health, safety, or welfare would be equally or better served by the modification or waiver and that the modification or waiver would not otherwise be contrary to the purpose and intent of the Zoning Ordinance.

Staff offers the following analysis of the proposed modification against these criteria:

County Code § 18-4.12.2 (c) – that the public health, safety or welfare would be equally or better served by the modification or waiver and that the modification or waiver would not otherwise be contrary to the purpose and intent of this chapter.

Planning, Zoning, and the Architectural Review Board (ARB) staff have reviewed this request and believe that the proposed 161 parking spaces would accommodate the expected needs for this use. Based on the existing parking demand calculations provided by the applicant, an average of 156 parked cars have been observed with a peak parking demand of 182 spaces. Currently, the City Church site has 74 parking spaces and has a shared parking agreement with the Charlottesville Albemarle Technical Education Center (CATEC), which is adjacent to the subject parcel to the south. The shared parking agreement is verbal in nature and not a binding document. The applicant has indicated that due to the limited agreement and that it can be withdrawn at any time, they must plan for all needed parking spaces to be provided on-site.

Staff has no public health or safety concerns with the modification of the parking maximum from 20 percent to 50 percent. Proving adequate parking on-site will prevent parking in an un-safe manner such as in areas not designed for parking. It will also prevent spillover onto adjoining lots or streets. In sum, staff believes that the 161 parking spaces proposed by the applicant would meet the expected parking needs and avoid any health and safety issues.

Staff encourages the applicant to look for ways, such as continued shared parking and other parking reduction strategies, so that the expansion to 161 spaces may not be necessary.

RECOMMENDATION

Based on these findings, staff recommends approval of the special exception application to allow a maximum of 161 parking spaces on this site.

The Planning Commission is not required to make a recommendation on this special exception. However, if the Planning Commission chooses to provide comments on the special exception, staff will include those comments in the Transmittal Summary to the Board of Supervisors.

ATTACHMENTS:

- Attachment 1 – Existing Conditions Map
- Attachment 2 – Zoning Map
- Attachment 3 – Applicant Narrative
- Attachment 4 – Applicant Conceptual Plan
- Attachment 5 – Public Comment Received via Email
- Attachment 6 – SE202400018 Special Exception Request