



**ALBEMARLE COUNTY PLANNING**  
**STAFF REPORT SUMMARY**

<b>Project Name:</b> SP202300018 Kappa Sigma International Headquarters	<b>Staff:</b> Syd Shoaf, Senior Planner
<b>Planning Commission Hearing:</b> April 23, 2024	<b>Board of Supervisors Public Hearing:</b> To be scheduled
<b>Owner:</b> Scottsville Road Holdings, LLC	<b>Applicant:</b> Chad Gebhardt, Kappa Sigma and Ammy George, Roudabush Gale & Associates
<b>Acreage:</b> 6.14 acres	<b>Special Use Permit:</b> Section 18-13.2.2 (2) for a fraternal club.
<b>TMP:</b> 09100-00-00-016A1 and 09100-00-00-016A2 <b>Location:</b> 1610 Scottsville Road	<b>By-right use:</b> R-1 Residential - 1 unit/acre
<b>Magisterial District:</b> Scottsville	<b>Conditions:</b> Yes <b>EC:</b> Yes
<b>Proposal:</b> Amend an existing special use permit (SP200600021) for a fraternal club to relocate and expand a future building. The new location is to the north of the existing building, parallel with the northern property line. In addition, a new landscaped amenity area is proposed between the existing building and the proposed building.	<b>Comp. Plan Designation:</b> Urban Density Residential – residential (6.01-34 units/acre); supporting uses such as places of worship, schools, public and institutional uses, neighborhood scale commercial, office, and service uses. Secondary use is for Parks and Green Systems – parks, playgrounds, play fields, greenways, trails, paths, recreational facilities and equipment, plazas, outdoor sitting areas, natural areas, preservation of stream buffers, floodplains and steep slopes adjacent to rivers and streams. In Neighborhood 4 of the Southern and Western Neighborhoods Master Plan.
<b>DA (Development Area):</b> Neighborhood 4	<b>Requested # of Dwelling Units:</b> 0
<b>Character of Property:</b> The site contains an existing 22,997 square foot building used as Kappa Sigma International Headquarters, with associated parking, a stormwater management facility, amenities, and a driveway onto Scottsville Road (Route 20).	<b>Use of Surrounding Properties:</b> Surrounding properties include a pavilion and overflow parking for Kappa Sigma, residential developments and rural agricultural property.
<b>Factors Favorable:</b> 1. Consistent with the review criteria for special use permits contained in the Zoning Ordinance. 2. The use is consistent with the Southern and Western Neighborhoods Master Plan.	<b>Factors Unfavorable:</b> 1. None
<b>Recommendation:</b> Staff recommends approval of SP202300018 with conditions and update to the Concept Plan to provide pedestrian improvements along Route 20.	

**STAFF PERSON:**  
**PLANNING COMMISSION:**  
**BOARD OF SUPERVISORS:**

**Syd Shoaf, Senior Planner**  
**April 23, 2024**  
**To be scheduled**

**PETITION:**

PROJECT: SP202300018 Kappa Sigma International Headquarters

MAGISTERIAL DISTRICT: Scottsville

TAX MAP/PARCELS: 09100-00-00-016A1 and 09100-00-00-016A2

LOCATION: 1610 Scottsville Road

PROPOSAL: Request to amend existing special use permit (SP200600021) for a fraternal club. The proposal includes the relocation of an approved future building site from the middle of the property adjacent to the parking lot to be north of the existing building, parallel with the northern property line. In addition, a new landscape area is proposed between the existing building and the proposed building.

PETITION: Request for a special use permit in accordance with Sections 13.2.2.2 and 5.1.02 of the Zoning Ordinance to allow the fraternal headquarters for Kappa Sigma International.

ENTRANCE CORRIDOR: Yes

ZONING: R-1 Residential - 1 unit/acre

OVERLAY DISTRICT: Steep Slopes – Managed and Steep Slopes – Preserved

COMPREHENSIVE PLAN: Urban Density Residential – residential (6.01-34 units/acre); supporting uses such as places of worship, schools, public and institutional uses, neighborhood scale commercial, office, and service uses. Secondary use is for Parks and Green Systems – parks, playgrounds, play fields, greenways, trails, paths, recreational facilities and equipment, plazas, outdoor sitting areas, natural areas, preservation of stream buffers, floodplains and steep slopes adjacent to rivers and streams. In Neighborhood 4 of the Southern and Western Neighborhoods Master Plan.

**CHARACTER OF THE AREA**

The subject property is located at 1610 Scottsville Road, south of the City of Charlottesville. The site is developed and contains an approximately 22,997 square foot building that is used as the Kappa Sigma International Headquarters. This building is three stories and is used for administration, meetings, a museum, and library space. The site contains parking areas, a stormwater management facility, a patio, a gazebo, and a driveway onto Scottsville Road (Attachment 1 – Existing Conditions Map).

The surrounding properties are zoned residential or rural (Attachment 2 – Zoning Map). The property to the north is also owned by Scottsville Road Holdings, LLC and it is zoned R1 Residential. It contains a pavilion and overflow parking for the Kappa Sigma International Headquarters. Additionally, to the north, is the Galaxie Farm subdivision and it is zoned Planned Residential Development. To the west and southwest is Avinity Estates subdivision which is zoned Planned Residential Development. To the east and southeast is Somerset Farm, which is zoned Rural Areas and used an agricultural/residential property.

**PLANNING AND ZONING HISTORY**

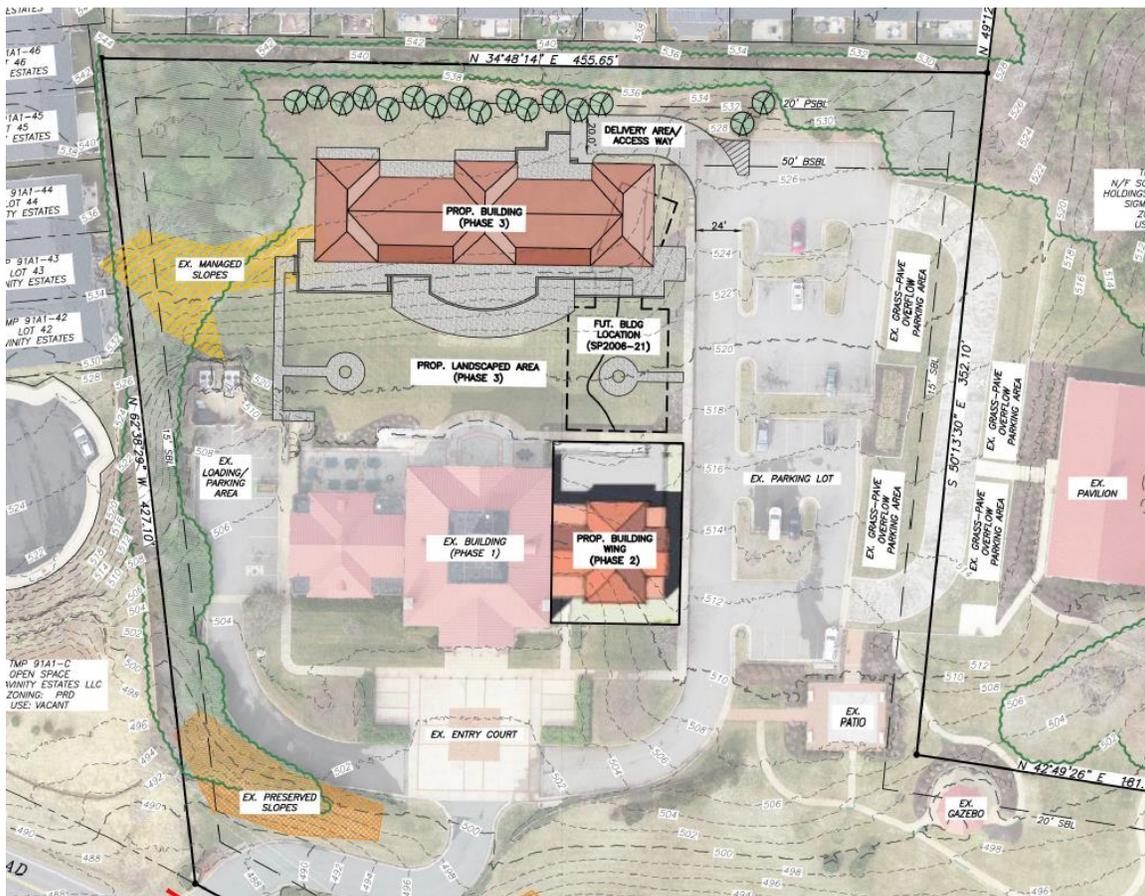
A special use permit (SP200300091) was approved on May 12, 2004, to allow the administrative/office building for the Kappa Sigma International Headquarters (Phase 1).

A special use permit amendment (SP200600021) was approved on January 10, 2007, to allow an expansion to the existing headquarters administrative/office building and to construct an additional building north of the existing building (Phase 2). Additionally, this special use permit approved new recreation areas, parking, and dedicated right-of-way for a future pedestrian/bike pathway along Route 20.

A major site plan amendment (SDP202400010) is currently under review to allow an expansion wing to the existing headquarters building, which was previously approved with SP200600021.

### **DETAILS OF THE PROPOSAL**

The current request is to amend special use permit (SP200600021) to relocate and enlarge a building from the middle of the property to be located north of the existing building, parallel with the northern property line. The new building is shown as “Prop. Building (Phase 3)” on the inset below. The previously approved building is shown with dashed lines on the inset below and is labeled as “Fut. Bldg. Location”. In addition, a new landscape area is proposed between the existing building and the proposed building. The proposed building would be approximately 8,790 square feet with a maximum height of 27.5’ to the center peak of the roof line. It would be used to display archives and memorabilia associated with Kappa Sigma. Additionally, the new building space may be used for meetings, and support facilities such as research, classroom space, storage, and guest suites. No parking changes are proposed as existing parking is adequate to serve the site. The existing stormwater facility adjacent to Route 20 will be enlarged to accommodate new buildings. The applicant has provided a detailed project narrative and conceptual plan (Attachment 3 – Applicant Materials and Attachment 4 – Concept Plan).



### **COMMUNITY MEETING**

The required community meeting for the proposal was held at the 5<sup>th</sup> and Avon Community Advisory Committee (CAC) meeting at the Fifth Street County Office Building on Thursday, January 18, 2024, at 7 pm. The applicant shared details and answered questions regarding the proposal to members of the CAC and members of the public who were present. A majority of the members of the public that

were in attendance were residents of Avinity Estates, a subdivision that is along the northern property line of the Kappa Sigma International Headquarters. Most of the concerns and questions regarded impacts to viewshed, privacy, noise, design of the building, and the use (Attachment 5 – Community Meeting Notes).

**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.***

The proposed relocation of the Kappa Sigma International Headquarters building is not expected to be a substantial detriment to adjacent parcels. Although the relocated building would be adjacent to the townhomes in Avinity Estates, the proposed building will be approximately 50 feet from the property line and below grade from the townhomes in Avinity Estates. There is an existing Open Space with landscaping and a 6’ privacy fence between the Avinity Estates townhomes and the Kappa Sigma International Headquarters property. Additionally, on the Kappa Sigma International Headquarters property, there are existing trees, and the applicant has proposed to plant a double staggered row of evergreen trees meeting ordinance standards for buffer and screening requirements between Commercial and Residential uses. This is also a recommended condition of the special use permit.

For this special use permit, the applicant has proposed a retaining wall at the far edge of the landscape space between buildings. The finished floor elevation of the proposed building will be between 8’ to 27’ below the finished floor elevations of the townhomes in Avinity Estates. The applicant has provided an elevation profile view of the existing conditions and the proposed building on the site (Attachment 4 – Concept Plan, Sheet 3).

***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 relocation of the previously approved building is not expected to change the nearby character of the site or nearby area. Additionally, since the site is located within the Entrance Corridor, the Albemarle County Architectural Review Board (ARB) will review this site to ensure compliance with the Entrance Corridor guidelines. The applicant has stated in the narrative that the proposed building will be in line with the current architecture design on site.

The applicant has indicated that the proposed building would be used for archives, memorabilia, meetings, research, classroom space and storage for the current Kappa Sigma International Headquarters existing on site.

Additionally, the applicant has proposed a courtyard in between the existing and proposed buildings which would provide more landscaped amenity space to the site.

Staff believes that the proposed uses will not change the character of adjacent parcels or the nearby area.

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

The R1 Residential zoning district is intended for low density residential development in community areas and the urban areas. The district recognizes the existence of previously established low density residential districts in communities and the urban areas. It also provides incentives for clustering of development and provision of locational, environmental and developmental amenities. The use of a fraternal club is allowed by special use permit in this district depending on the location. The originally special use permit was approved in May 2004 and has existed on this site for nearly twenty years. The proposed building is expected to be in harmony with the area.

***with the uses permitted by right in the district,***

The proposed building is a supporting accessory use for the community. The proposed building would not affect the by-right uses in the district on this property or adjacent properties.

***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.

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.***

The Southern and Western Neighborhoods Master Plan designates the subject property for this proposal as Urban Density and is located in Neighborhood 4 of the Comprehensive Plan. The intent of the Urban Density designation is residential areas with supporting uses and non-residential uses. Primary uses include residential uses of all housing types, places of worship, public and private schools, early childhood education centers, public uses, and public institutional uses. Secondary uses include neighborhood-serving retail or commercial areas that are no greater than 3,000 square feet and office uses that are not greater than 5,000 square feet. Lastly, the allowed building height for this designation is 1-3 stories.

The proposed building on this site is consistent with the intent of the Urban Density designation for secondary uses. The site has been home to the Kappa Sigma International Headquarters for the last 20 years. The proposed building would be 1 story, consistent with building height recommendations of the master plan.

The master plan recommends the following improvements for Route 20:

*Improve Rt. 20 South with curb, gutter, sidewalks or pedestrian paths and bikeways on the western side within the Development Area boundary.*

The prior special use permit concept plan provided for grading for a future pedestrian path along the property frontage with Route 20. For consistency with the master plan, staff recommends the concept plan be revised to provide this improvement, not only a reservation but construction of improvements.

### **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 Southern and Western Neighborhoods Master Plan.

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

1. None

### **RECOMMENDATION:**

Based on the findings contained in this staff report, staff recommends approval of the special use permit applications with the conditions as drafted below. Condition 1 has been updated to reflect the new concept plan and major elements, including building location, height, and buffer/screening to the northern property line. All other conditions remain consistent with the previously approved special use permit, with minor wording updates and a revision to Condition 3 to require construction of the shared use path along Route 20.

1. Development of the use must be in general accord with the conceptual plan (Attachment 4) entitled "Special Use Permit Kappa Sigma Int'l Headquarters", prepared by Roudabush, Gale & Associates, Inc and dated 11-2-2023, revised 3-29-2024. To be in accord, development must reflect the following major elements essential to the design of the development:
  - a. Location of buildings
  - b. Location of parking areas
  - c. Building height
  - d. Minimum yard requirements of County Code §18-21.7
  - e. Pedestrian improvements along Route 20

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

2. Lighting of the site must be limited as follows:
  - a. Light levels at the property lines shall be no greater than 0.3 foot candles;
  - b. No flood lighting of the building is permitted;
  - c. Only the parking lot north of the building shall be allowed pole lights;
  - d. Utilize bollard type lights in place of pole lights whenever possible. Use only full cutoff fixtures;
  - e. Site and building illumination shall be limited to the satisfaction of the ARB; and
  - f. The lighting for any recreational facility may only be inside the picnic pavilions. Lighting shall be excluded from other recreational areas.
3. Final site plans must show a reservation, or provide a note, for future vehicular and pedestrian connections to adjacent parcels to the north and south;
4. A pedestrian connection from the future pedestrian/bike pathway on Route 20 into the site must be constructed with the site improvements from Route 20 to buildings and aligned along

the travelway. Improvements must be constructed in accordance with the Design Standards Manual;

5. A right turn and taper must be constructed at the entrance in Route 20 to the satisfaction of VDOT;
6. Landscaping must be provided to limit the impact of the storm water area on the Entrance Corridor to the satisfaction of the ARB;
7. The applicant must construct public water service to the site via extension of the existing Albemarle County Service Authority water line located on the west side of Route 20 and public sewer service via extension of the existing Albemarle County Service Authority sewer line located along route 20 and the Cow Branch Creek, generally as provided in the report entitled, Preliminary Engineering Report Water and Sewer Facilities for Kappa Sigma Headquarters by Draper Aden Associates, dated march 30, 2004;
8. A plat to combine the parcels must be submitted concurrent with the amended site plan submittal or an SP will be required; and
9. All grass parking areas must be "Grasspave" unless a product deemed equivalent is approved by the county engineer and the amended site plan shall include "Grasspave" manufacturers material specifications, requirements for installation, provisions for watering (ex. sprinkler system, etc.), and maintenance requirements (ex. fertilizing, watering, mowing, etc.) to the satisfaction of the county engineer.

**POSSIBLE PLANNING COMMISSION MOTIONS:**

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

Move to recommend approval of SP202300018 Kappa Sigma International Headquarters with the conditions stated in the staff report and to update the Concept Plan to provide pedestrian improvements along Route 20.

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

Move to recommend denial of SP202300018 Kappa Sigma International Headquarters. *Should a commissioner motion to recommend denial, he or she should state the reason(s) for recommending denial.*

**ATTACHMENTS:**

- Attachment 1 – Existing Conditions Map
- Attachment 2 – Zoning Map
- Attachment 3 – Applicant Narrative
- Attachment 4 – Conceptual Plan
- Attachment 5 – Community Meeting Notes
- Attachment 6 – Public Comments received via Email