



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

<b>Project Name:</b> SP202400018 Charlottesville Community Church	<b>Staff:</b> Syd Shoaf, Senior Planner II
<b>Planning Commission Hearing:</b> January 14, 2025	<b>Board of Supervisors Public Hearing:</b> To be scheduled
<b>Owner:</b> Charlottesville Community Church	<b>Applicant:</b> Scott Collins P.E., Collins Engineering
<b>Acreage:</b> 6.81 acres	<b>Special Use Permit:</b> Section 13.2.2 (10) for religious assembly
<b>TMP:</b> 09100-00-00-016B0 <b>Location:</b> 26 Pebble Drive	<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> Special use permit to allow religious assembly use of up to 500 seats.	<b>Comp. Plan Designation:</b> Office/R&D/Flex/Light Industrial – professional office, commercial; research and development, design, development of prototypes, engineering; light manufacturing, fabrication, distribution if with a non-industrial use in Neighborhood 4 of the Southern and Western Urban Neighborhoods Master Plan.
<b>DA (Development Area):</b> Neighborhood 4	<b>Requested # of Dwelling Units:</b> 0
<b>Character of Property:</b> The property contains an existing single-family dwelling and a detached garage. Additionally, Pebble Drive, a 50' private right-of-way, serves the subject parcel and the parcel in the rear, TMP 90-35F.	<b>Use of Surrounding Properties:</b> To the north of the property contains Avinity Estates, a Planned Residential Development. To the northwest and south are zoned R-1 Residential and contains single-family residential. To the west is zoned Light Industry and across Route 20 to the east is zoned Rural Areas.
<b>Factors Favorable:</b> 1. The use is consistent with the review criteria for special use permits contained in the Zoning Ordinance. 2. The use is consistent with the Southern and Western Urban Neighborhoods Master Plan.	<b>Factors Unfavorable:</b> 1. None
<b>Recommendation:</b> Staff recommends approval of SP202400018 Charlottesville Community Church with the conditions stated in the staff report.	

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

**Syd Shoaf, Senior Planner II**  
**January 14, 2025**  
**To be scheduled**

**PETITION:**

PROJECT: SP202400018 Charlottesville Community Church

MAGISTERIAL DISTRICT: Scottsville

PARCEL ID: 09100-00-00-016B0

LOCATION: 26 Pebble Drive

PROPOSAL: A request for a special use permit to allow religious assembly use on a R-1 residential parcel. The proposal includes associated Church facilities and a 10' shared use path along Route 20.

PETITION: Request for a special use permit in accordance with Section 13.2.2 (10) to allow religious assembly use.

ENTRANCE CORRIDOR: Yes

ZONING: R-1 Residential – 1 unit/acre

OVERLAY DISTRICT: Steep Slopes – Managed

COMPREHENSIVE PLAN: Office/R&D/Flex/Light Industrial – professional office, commercial; research and development, design, development of prototypes, engineering; light manufacturing, fabrication, distribution if with a non-industrial use in Neighborhood 4 of the Southern and Western Urban Neighborhoods Master Plan.

**CHARACTER OF THE AREA**

The parcel proposed for development is 6.81-acres located at 26 Pebble Drive, on the west side of Scottsville Road (Route 20). The property contains a single-family residence with a detached garage. There is an existing 50' private right of way, Pebble Drive, that serves both the subject parcel and the parcel in the rear, TMP 90-35F. The topography of the site is a sloped terrain, with a change in elevation of approximately 70 feet from the back of the property down to Scottsville Road.

Adjacent properties consist of the Avinity Estates subdivision to the north and single family residential to the northwest and south. To the west is Martin Roofing and to the east across Route 20 is the Rural Areas (Attachment 1 – Existing Conditions Map).

The subject parcel is zoned R-1 Residential and has a small portion of the Steep Slopes – Managed overlay district on the site. The parcels to the northwest and south are also zoned R-1 Residential. To the north is the Avinity Estates subdivision which is zoned Planned Residential Development. To the west the parcel is zoned Light Industry, fronting on Avon Street. To the east across Route 20, parcels are zoned Rural Areas (Attachment 2 – Zoning Map).

**PLANNING AND ZONING HISTORY**

Based on County records, the existing single-family residence and detached garage were built in 1960. A boundary line adjustment plat (SUB202400073) was approved on October 30, 2024, which resulted in the current 6.81-acre parcel boundaries. According to County records, the subject parcel has been owned by its current owners since January 31, 1955, per the recordation in Deed Book 314, page 475. On July 21, 1955, the 50' right-of-way (Pebble Drive) was created to serve the subject parcel and the parcel in the rear per the recordation in Deed Book 317, page 553.

**DETAILS OF THE PROPOSAL**

The Charlottesville Community Church was established in 2008 and has been operating out of Mountain View Elementary School for the past 15 years. The church is proposing a permanent location at TMP 91-16B. The applicant has provided a detailed project narrative, concept plan, and

illustrative plan (Attachment 3 – Applicant Materials and Project Narrative and Attachment 4 – Conceptual Plan).

The project narrative proposes a facility not to exceed 55,000 square feet with a sanctuary size between 400-500 seats. This would accommodate existing church needs and allow for future growth. The proposed concept plan illustrates the intended use of the site which includes an open space (amenity area) along Route 20, a roughly 2 acre building envelope, and a roughly 2.2-acre building/parking envelope to the rear of the site. Additionally, a 15' landscape buffer is proposed along the western and southern boundaries and a 12' landscape buffer is proposed along the northern boundary line shared with Avinity Estates. A 25' landscaping buffer is proposed along the frontage of the site with a 10' shared use pathway within it. A potential shared use pathway or primitive trail is proposed between the subject parcel and the Avinity Estates subdivision, pending Avinity Estates HOA approval. Access will be provided from Pebble Drive.

### **COMMUNITY MEETING**

The required community meeting for the proposal was held at the 5<sup>th</sup> and Avon Community Advisory Committee (CAC) meeting on Thursday, August 15, 2024, at 7 pm. The applicant shared details and answered questions from members of the CAC and members of the public in attendance. There was discussion regarding the types and sizes of buildings on site and the point of access onto the site from Pebble Drive. Concerns were expressed regarding potential traffic and noise impacts along with adequate buffer and screening of the use to Avinity Estates.

### **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 Concept Plan is designed with two proposed building envelopes (Attachment 4 – Conceptual Plan) and an open space amenity area at the front of the site. The applicant has proposed landscape buffers around the entire site to mitigate impacts to adjacent parcels. This includes two 15' landscape buffers along the southern and western boundaries, a 12' landscape buffer along the northern boundary with Avinity Estates, and a 25' landscape buffer with a 10' shared use path along the frontage. If the special use permit is approved, new landscaping where landscaping does not current exist will be provided. A final landscape plan would be required with a site plan. Proposed building envelope locations are roughly 50 feet from the closest residences in the Avinity Estates subdivision.

The existing Pebble Drive is along the northern border of the subject parcel and Avinity Estates. Currently, the private right-of-way is a steep gravel driveway in poor condition. The applicant has proposed to reconstruct and upgrade Pebble Drive to meet the future needs of the Church and the parcel to the rear of the subject parcel. The applicant has proposed to shift the location of Pebble Drive to the south to accommodate the steep grade from Scottsville Road as well as to minimize impacts to Avinity Estates. Additionally, the applicant has proposed to pave the driveway to reduce noise and dust impacts.

The applicant proposes that buildings on the property will include soundproofing to mitigate noise. The landscaping buffers will also provide additional screening and noise buffering between the church and adjacent properties.

Lastly, the current average annual daily traffic (AADT) of Route 20 is approximately 11,000 vehicles per day. The applicant did not provide traffic counts for this proposal, but indicates that since the demand will predominantly be on Sundays, the trips to the site fall outside the normal peak AM and peak PM trips along Route 20. A VDOT standard right turn lane is proposed from Scottsville Road.

Staff believes the location of the building envelopes, the relocation of Pebble Drive, and the mitigation efforts from the applicant address impacts to adjacent parcels.

**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 proposed use is not expected to change the nearby character of the nearby area, which includes a mix of residential and non-residential uses such as Kappa Sigma.

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 proposed building orientations and landscaping provided in the Illustrative Plan (Attachment 4 – Concept Plan) will need to be designed to avoid negative impact on the Entrance Corridor. There are concerns that the proposed development is oriented away from the Entrance Corridor and ARB staff have provided comments that must be addressed with final design should the SP be approved.

- The Rt. 20-facing building elevations must be fully designed elevations with the appearance of building fronts. Elevations with a “back of building” appearance will not be approvable by the ARB.
- The buildings should be oriented parallel to the Rt. 20 Entrance Corridor.
- The 10' Shared Use Path will limit the effectiveness of the 25' buffer (located along the Rt. 20 frontage) to mitigate visual impacts of the development. The trees scattered around the SWM facility and amenity area will not successfully integrate the features into the development or the corridor. More robust landscaping will be needed.
- A thoughtful design that integrates the size, shape, grading, fencing, landscaping and detailing of the amenities and stormwater facility will be needed.

Final design of the buildings and a detailed landscape plan would be reviewed and approved by the ARB with the required site plan process. Conformity with Entrance Corridor Design Guidelines will be required and will ensure that the visual impact is not negative.

With the conditions drafted by Staff, including those that address the location of the shared use path, the proposed use is not expected to 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 intent of the R-1 Residential District is to permit low density residential development in community areas and the urban area. Institutional destinations such as community centers, private educational facilities, and religious assembly uses are permitted by special use permit in

the R-1 district. The proposed church is expected to be in harmony with the purpose of the R-1 zoning.

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

Single-family residential uses with densities up to one (1) dwelling unit per acre are permitted by-right in the R-1 district. Areas of religious assembly are permitted by special use and 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 the 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. Albemarle County Zoning, Engineering, Building Inspections, E911, 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.

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

In the Southern and Western Urban Neighborhood Master Plan, this site is designated as Office/R&D/Flex/Light Industrial, which represents a category of employment-generating uses with the lightest impacts in the industrial category. Primary uses include office, research and development (R&D), flex businesses with several integrated uses, and light industrial. Secondary uses include retail and commercial uses, which are supportive of primary uses, residential, and institutional uses. The proposed religious assembly use is in conformity with the supporting institution uses recommended by the Master Plan within Office/R&D/Flex/Light Industrial areas.

**SUMMARY**

Staff has identified the following factor favorable to this request:

1. The use is consistent with the review criteria for special use permits contained in the Zoning Ordinance.
2. The use is consistent with the Southern and Western Urban 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 SP202400018 Charlottesville Community Church with the following draft conditions:

1. The development of the use shall be in general accord with the sheet titled, "Charlottesville Community Church Special Use Permit Application Plan", provided in the document entitled "Charlottesville Community Church Special Use Permit Narrative and Application Plan",

prepared by Collins Engineering dated June 17, 2024, last revised October 7, 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 major elements as shown on the plan:

- a. Location of the proposed building envelopes;
- b. Location of the proposed parking envelope;
- c. Location of the open space (amenity area) envelope;
- d. Landscape buffers along the property's boundaries;

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 500-seat sanctuary.
3. A 10' shared use path must be constructed along the frontage of Scottsville Road. The path must be constructed outside of the landscape buffer.
4. A pedestrian connection must be constructed from the future 10' shared use path along Scottsville Road into the site aligned along Pebble Drive.
5. A pedestrian connection from the site to the Avinity Estates subdivision must be made if approved by the Avinity Estates HOA.
6. The use shall commence on or before **[Month, Day, Year]** 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 SP202400018 Charlottesville Community Church 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 SP202400018 Charlottesville Community Church. *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 – Project Narrative
- Attachment 4 – Conceptual Plan
- Attachment 5 – Public Comment Received via Email