

**COUNTY OF ALBEMARLE
TRANSMITTAL TO THE BOARD OF SUPERVISORS
SUMMARY OF PLANNING COMMISSION ACTION**

<p>AGENDA TITLE: SP202200005 Community Christian Academy at RiverStone Church</p> <p>SUBJECT/PROPOSAL/REQUEST: Request for a special use permit to establish a private school use in an existing building in accordance with Section 18-20.4.2 and 23.2.2(6) of the Zoning ordinance. No dwelling units proposed.</p> <p>SCHOOL DISTRICT: Albemarle High School, Sutherland Middle School, Hollymead Elementary School</p>	<p>AGENDA DATE: August 3, 2022</p> <p>STAFF CONTACT(S): Filardo, Rapp, Ragsdale, McCollum</p> <p>PRESENTER (S): Kevin McCollum, Senior Planner</p>
---	---

BACKGROUND:

At its meeting on June 28, 2022, the Planning Commission (PC) voted 7:0 to recommend approval of SP202000005 with conditions as stated in the staff report, along with certain additional revised conditions. No members of the public spoke at the public hearing about this proposal. Attachments A, B, and C are the PC staff report, action letter, and meeting minutes.

DISCUSSION:

The PC raised no objections to the Community Christian Academy special use permit for a private school use. However, the PC had several suggestions regarding the major elements of the Concept Plan and the Hours of Operation conditions. Regarding the Concept Plan (Condition #1), the PC believed the fence shown on the plan should be included as a major element of the Concept Plan and that the fence should be long enough to prevent balls from rolling away from the play area. Regarding the hours of operation (Condition #3), the Commission believed there should be flexibility to ensure that potential after school activities, such as tutoring, would be permitted and to allow occasional school-related activities. On further review after the Commission meeting, staff recalled the SP conditions already imposed on the Community Christian Academy's existing location and other recently-approved private schools. Following this review, staff further revised this application's proposed conditions (specifically, number of events) for greater consistency with these other recently-approved conditions.

Staff has revised the proposed conditions based on recommendations of the PC and County Attorney's Office:

1. Development of the use must be in general accord with the Conceptual Plan. To be in general accord with the Conceptual Plan, development must reflect the following major elements within the development that are essential to the design of the development:
 - a. Location of buildings and school.
 - b. Location of parking areas.
 - c. Site access, including pick-up and drop-off locations and circulation as shown on the Concept Plan. Signage and pavement markings may be required at the time of Zoning Clearance to ensure safe vehicular circulation.
 - d. Location of the fence to adequately contain the outdoor play area.

Minor modifications to the plan that do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance or improve safety.
2. The maximum enrollment must not exceed one hundred (100) students.
3. Classroom instruction for the school is limited to 7:30 a.m. - 4:30 p.m. Monday through Friday, provided that occasional school-related events/activities may occur after 4:30 p.m.

RECOMMENDATIONS:

Staff recommends that the Board adopt the attached Resolution (Attachment E) to approve SP202200005 Community Christian Academy at RiverStone Church with the revised conditions.

ATTACHMENTS:

- A – June 28, 2022 Planning Commission Staff Report
 - A1: Location Map and Aerial Map
 - A2: Application Narrative
 - A3: Conceptual Plan
- B – June 28, 2022 Planning Commission Action Letter
- C – June 28, 2022 Planning Commission Minutes
- D – Resolution to Approve SP202000005