



ALBEMARLE COUNTY PLANNING
STAFF REPORT SUMMARY

Proposal: SP 20180004 Peabody School	Staff: Megan Nedostup, AICP, Principal Planner
Planning Commission Public Hearing: September 25, 2018	Board of Supervisors Hearing: TBD
Owner: Peabody School	Applicant: Valerie Long, Williams Mullen
Acreage: 5.09 acres	Special Use Permit for: Request for expansion of private school facility in accordance with Sections 20.4.2 and 23.2.2 of the Zoning ordinance
TMP: 076M1000001500 Location: 1232 Stoney Ridge Road, at the intersection of Stoney Ridge Road and Southern Parkway	By-right use: PUD- Planned Unit Development-residential (3-34 units per acre), mixed with commercial, service and industrial uses. By special use permit, this facility may have up to 140 students.
Magisterial District: Scottsville	Conditions: Yes EC: No
Proposal: Amend Special Use Permit (SP2012-030) to expand enrollment of a private school from 210 to 240 (30 additional students) within a proposed addition to the existing school. Also proposed is a special exception from ZMA1995-019 and ZMA1996-021 to allow a disturbance of the buffer along Southern Parkway for an egress only access to Southern Parkway.	Requested # of Dwelling Units: 0
DA: X RA:	Comp. Plan Designation: Industrial – manufacturing, storage, distribution, office and commercial activities related to industrial use and research and development.
Character of Property: Peabody School currently consists of a school building, multipurpose building, parking, and playground area. There is also a large open space buffer in the west side of the property.	Use of Surrounding Properties: single-family residential and industrial. There is also an adjacent daycare facility across the street.
Factors Favorable: 1. The proposal provides additional educational opportunities for children in the community. 2. No detrimental impacts to adjoining properties are anticipated.	Factors Unfavorable: 1. None identified
RECOMMENDATION: Special Use Permit: Staff recommends approval of SP201800004, Peabody School with conditions. Special Exception: Staff recommends approval of the special exception for the encroachment into the buffer along Southern Parkway.	

STAFF PERSON: Megan Nedostup, AICP, Principal Planner
PLANNING COMMISSION: September 25, 2018
BOARD OF SUPERVISORS: TBD

SP201800004: Peabody School

PETITION:

PROJECT: SP201800004 Peabody School

MAGISTERIAL DISTRICT: Scottsville

TAX MAP/PARCEL(S): 076M1000001500

LOCATION: 1232 Stony Ridge Road, at the intersection of Stony Ridge Road and Southern Parkway

PROPOSAL: Amend Special Use Permit (SP2012-030) to expand enrollment of a private school from 210 to 240 (30 additional students) within a proposed addition to the existing school. Also proposed is a special exception from ZMA1995-019 and ZMA1996-021 to allow a disturbance of the buffer along Southern Parkway for an egress only access to Southern Parkway. No residential units proposed.

PETITION: 20.4.2 and 23.2.2(6) School of Special Instruction; 8.5.5.3 Special Exceptions

ZONING: PUD- Planned Unit Development-residential (3-34 units per acre), mixed with commercial, service and industrial uses (ZMA1995-019 and ZMA1996-021).

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

COMPREHENSIVE PLAN LAND USE/DENSITY: Industrial – manufacturing, storage, distribution, office and commercial activities related to industrial use and research and development.

CHARACTER OF SURROUNDING AREA:

The subject property is located at the corner of the Southern Parkway and Stony Ridge Road [Attachment A]. Most of Stony Ridge Road contains industrial uses, and a childcare center, Bright Beginnings. Across from the school, along Southern Parkway, is the Mill Creek neighborhood. Behind the school, to the west of the site, is Fox Chase neighborhood, which contains single family units, and a clubhouse.

PLANNING AND ZONING HISTORY:

ZMA1985-029- Mill Creek Industrial Land Trust - Approved rezoning for PUD Planned Unit Development.

ZMA1996-021- Mill Creek Industrial Land Trust - Approved rezoning to amend the development plan for Mill Creek PUD to change the property from Industrial to Commercial to allow a private school.

SP1996-046 Mill Creek Industrial Land Trust/Peabody School - Approved special use permit to establish a private school with 140 students.

SP2012-030 Peabody School - Approved special use permit to expand the school from 140 to 210 students with a multi-purpose building and expansion of parking. A buffer along Southern Parkway was reduced from 60 feet to 10 feet.

DETAILS OF THE PROPOSAL:

In response to the school's recent and projected growth, the applicant has requested an increase in students from 210 to 240 [Attachment C]. The school anticipates that a number of these additional students will be siblings of existing students or children of current staff.

A special exception for disturbance of the buffer for an egress only travelway along Southern Parkway is also proposed. [Attachment D].

During the approval of the last special use permit for the school, the buffer that had been established was reduced from 60 feet to 10 feet. This buffer was voluntarily established by prior reviews of the property and is not a requirement of the zoning or prior legislative approval. Staff does not find any

significant purpose for the 60 foot buffer in this location at that time, and the Planning Commission and Board approved the request for the reduction.

For this proposal, the applicant is requesting the disturbance of the 10 foot buffer for a right turn egress only accessway. A special exception is needed for this disturbance and the analysis for that request is provided as an attachment [Attachment F].

COMMUNITY MEETING

The applicants conducted the required community meeting with the 5th & Avon Community Advisory Committee on Thursday, July 19th. The concerns that were raised were mainly regarding the intersection at Southern Parkway and Avon Street. The applicant went over the traffic information and the anticipated number of vehicles that would be traveling into and out of the site. In addition, questions regarding number of additional students and how many of those would be siblings was also discussed.

ANALYSIS OF THE SPECIAL USE PERMIT REQUEST:

Section 33.39(B) states that the Commission, in making its recommendation, shall consider the same factors found in Section 33.40 (B):

1. No substantial detriment. Whether the proposed special use will be a substantial detriment to adjacent parcels.

In evaluating whether a use will be a detriment to adjacent properties, the intensity of the use and other impacts are evaluated. Comments and concerns of neighboring properties are also considered. One measure of intensity of the use in relation to nearby and adjoining properties is the traffic impacts of the proposal. A closely related measure of intensity is scale of the use in relation to the neighborhood the use is located.

Stoney Ridge Road contains mainly industrial uses, as well as a daycare across the street from the school. The applicant provided traffic information for review [Attachment E]. This study concluded that the site will still provide adequate parking and traffic will circulate into and out of the site without adversely impacting the adjacent roadway. VDOT and the County transportation planner reviewed the information and found that the traffic impacts of the additional students would be minimal. It is noted that there is an existing traffic issue with queuing during peak hours at the intersection of Southern Parkway and Avon Street, which the traffic information did not include. VDOT and the County Transportation Planner are of the opinion that the additional students requested will minimally impact this intersection.

The school is also proposing to replace existing trailers with a permanent one story addition to the school [Attachment B] to accommodate the existing and additional students. This addition would include classrooms, fine arts studio, science lab and a library/media center totaling approximately 7,195 square feet. Also proposed is a small stage or amphitheater area and sports court adjacent to the new building on an existing field area. It is not anticipated that additional special events will occur outside of the school's regular events.

While no additional parking is needed for the request, it is acknowledged that when existing events occur at the school that parking on site cannot accommodate all of the attendees. These events occur approximately four times a year and the school has an arrangement with the Tandem Friends School, less than a mile away, to allow for parking there, and a shuttle is provided to and from the school.

While the request for 30 more students will generate minimal additional traffic, in order to improve the traffic flow on site the proposal includes a right out egress only accessway onto Southern Parkway. This will require a disturbance to the 10 foot buffer along Southern Parkway and an analysis for the special exception for this disturbance is provided later in this report. This will require

vehicles using this exit to turn right onto Southern Parkway, which will lead them to a light at Mill Creek Drive and Avon Street. This will allow for multiple ways for traffic to disperse and will get vehicles to a light as opposed to the queuing that occurs currently at Southern Parkway and Avon Street during peak hours.

Staff finds that the use will not be a detriment to adjacent property.

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.*

Peabody School has been operating at this location since 1997. The additional students will not change the character of the adjacent parcels or nearby area.

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

The purpose and intent of the PUD is to provide for a mixture of uses and housing types. Commercial uses are intended to be limited to a scale appropriate to the support of the residential uses within the PUD. A special use permit was approved in 1996 for this property to contain a private school use, and approved in 2013 for additional students. The 30 additional students being requested with this application does not change the use and is in harmony with the purpose and intent of the district. The increase in enrollment will not significantly change the impact of the use (with the recommended conditions) or its consistency with the purpose and intent of the ordinance.

with the uses permitted by right in the district,

The additional students will not restrict the current uses or other by-right uses available at this property or adjacent properties.

with the regulations provided in Section 5 as applicable,

No supplementary regulations apply for this use.

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

The proposed increase in students will allow families in the community an opportunity for a private school education for academically advanced children of all backgrounds. This can be seen as promoting the public health safety and general welfare of the community. Traffic management and safety related impacts were previously discussed under factor 1 above.

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

The Comprehensive Plan designates this property as "Industrial" which allows for manufacturing, storage, distribution, office and commercial activities related to industrial use and research and development. While not consistent with the comp plan designation, this property was previously reviewed and approved under a prior rezoning and special use permit to allow this use on the property.

SUMMARY:

Staff finds the following factors favorable to this request:

1. The proposal provides more educational opportunities for children in the community.
2. No detrimental impacts to adjoining properties are anticipated.

Staff finds the following factor(s) unfavorable to this request: None identified

RECOMMENDED ACTION:

Based on the findings described in this report and factors identified as favorable, **staff recommends approval of special use permit application SP201800004 with the following conditions** (below).

1. Development of the use shall be in general accord with the conceptual plan titled "Peabody School Application Plan for Special Use Permit," prepared by Collins Engineering, with the latest revision date of July 16, 2018, as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the Conceptual Plan, development shall reflect the following major elements within the development essential to the design of the development:
 - Location of parking areas and turn arounds
 - Right turn egress only access onto Southern Parkway
 - Open Space
 - Landscape Buffer
 - General location of Classroom Expansion
 - General location of Amphitheater
 - General location of Sport Court Recreational Area

as shown on the plan.

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 maximum enrollment shall not exceed 240 children.
3. Landscape buffer adjacent to the Southern Parkway shall be replanted on both sides of the egress only accessway in accordance with Section 32.7.9 of the Zoning Ordinance.

POSSIBLE PLANNING COMMISSION MOTION- SP201800004:

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

Move to recommend approval of SP20180004, Peabody School, with conditions as stated in the staff report.

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

Move to recommend denial of SP820120004, Peabody School. *Should a commissioner motion to recommend denial, he or she should state the reason(s) for recommending denial.*

SPECIAL EXCEPTION REQUEST

The applicant is requesting a special exception for the encroachment into the 10 foot buffer along Southern Parkway for a right turn egress only accessway. Staff analysis is provided in Attachment E.

RECOMMENDED ACTION:

In consideration of the information provided by the applicant, as well as the analysis (including factors favorable) identified in this report, the special exception request seems acceptable.

Staff recommends approval of this request

POSSIBLE PLANNING COMMISSION MOTIONS – SPECIAL EXCEPTION REQUEST:

Under policy set by the Board of Supervisors, the Commission shall include in its recommendation for ZMAs and SPs with special exceptions and conditions a recommendation for those special exceptions per Zoning Ordinance Sections 33.47 (B) and 33.48.

- A. ***Should the Planning Commission choose to recommend approval of the requested special exception:*** I move to recommend approval of the requested special exception to allow for encroachment into the buffer for the reasons outlined in the staff report and Attachment F and with the conditions outlined in the staff report.
- B. ***Should the Planning Commission choose to denial or modification of the special exception:*** I move to recommend denial of the requested special exception to allow encroachment into the buffer (state reasons for recommending denial).

ATTACHMENTS

Attachment A – [Vicinity Map](#)

Attachment B – [Conceptual Plan](#), dated May 21, 2018 and amended July 16, 2018

Attachment C – [Applicant Justification for Special Use Permit](#)

Attachment D – [Applicant Request for Special Exception](#)

Attachment E – [Traffic Information](#)

Attachment F – [Special Exception staff report and analysis](#)