



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

<b>Proposal:</b> SP202400016 Community Christian Academy Modulares	<b>Staff:</b> Kevin McCollum, Senior Planner
<b>Planning Commission Public Hearing:</b> July 23, 2024	<b>Board of Supervisors Hearing:</b> TBD
<b>Owner:</b> Alliance Bible Church of Charlottesville	<b>Applicant:</b> Kimberly Moore
<b>Acreage:</b> 3.14 acres	<b>Special Use Permit for:</b> A request for a special use permit amendment under Section 18-14.2.2 of the Zoning Ordinance for a private school.
<b>TMP:</b> 06100-00-00-12700 <b>Location:</b> 1410 Old Brook Rd	<b>By-right use:</b> R-2 Residential - 2 units/acre. Private schools are permitted by special use permit.
<b>Magisterial District:</b> Rio	<b>Conditions:</b> Yes <b>EC:</b> Yes
<b>Proposal:</b> Request to add modular buildings to the site in place of the existing parsonage building. No proposed increase in enrollment.	<b>Requested # of Dwelling Units:</b> 0
<b>DA (Development Area):</b> Neighborhood 2 of the Places 29 Master Plan.	<b>Comp. Plan Designation:</b> Neighborhood Density Residential – residential (3 – 6 units/acre) supporting uses such as religious institutions, schools and other small-scale non-residential uses
<b>Character of Property:</b> Community Christian Academy is an existing private school that is located within Crosslife Community Church. The existing conditions of the site include two buildings, a parking lot, and a playground area.	<b>Use of Surrounding Properties:</b> A majority of the surrounding properties are residential with some commercial properties to the North along Rio Rd E. Surrounding uses include single family residential, apartment complexes, and offices.
<b>Factors Favorable:</b> <ol style="list-style-type: none"> <li>1. Institutional uses, such as private schools, are consistent with the master plan.</li> <li>2. The proposed school is accessed from adequate public roads for the use.</li> <li>3. No detrimental impacts to adjoining properties are anticipated.</li> </ol>	<b>Factors Unfavorable:</b> <ol style="list-style-type: none"> <li>1. None identified.</li> </ol>
<b>Recommendation:</b> Staff recommends approval of SP202400016 Community Christian Academy Modulares with conditions.	

**STAFF PERSON:** Kevin McCollum, Senior Planner II  
**PLANNING COMMISSION:** July 23, 2024  
**BOARD OF SUPERVISORS:** TBD

**PETITION:**

PROJECT: SP202400016 Community Christian Academy Modulares  
MAGISTERIAL DISTRICT: Rio  
TAX MAP/PARCEL: 06100-00-00-12700  
LOCATION: 1410 and 1414 Old Brook Rd  
PROPOSAL: Special use permit amendment for a private school.  
PETITION: A request for a special use permit amendment under Section 18-14.2.2 to amend SP202300002 to add modular buildings to the site in place of the existing parsonage building. There are no proposed changes to the maximum approved enrollment of 150 students or other changes to existing buildings, parking areas, or site.  
ZONING: R-2 Residential - 2 units/acre  
ENTRANCE CORRIDOR: Yes  
OVERLAY DISTRICT: AIA Airport Impact Area  
COMPREHENSIVE PLAN: Neighborhood Density Residential – residential (3 – 6 units/acre) supporting uses such as religious institutions, schools and other small-scale non-residential uses in Neighborhood 2 of the Places 29 Master Plan.

**CHARACTER OF SURROUNDING AREA:**

The subject property is located at 1410 Old Brook Road at the intersection of Old Brook Road and Rio Rd E. The surrounding area is primarily developed with single family residential uses, apartment complexes, and office and commercial space to the north along Rio Rd E (Attachment 1 – Location Map). Across the street and to the south are the Abbingtion Crossing Apartments and the Glenwood Station development. To the north are various office/commercial buildings with various uses including insurance offices, medical and dental offices, a massage parlor, a veterinary hospital, and many others.

**PLANNING AND ZONING HISTORY:**

SP202300002 – Community Christian Academy received a special use permit amendment to increase the enrollment capacity from 85 to 150 students. No site changes were proposed.

SP201200004 – Community Christian Academy received a special use permit for a private school within the existing church building. The school was limited to a maximum enrollment of 85 students.

SP198400045 and SP198600050 – The existing church which is now called the Crosslife Community Church has received two special use permits for the religious assembly use.

SDP198500015 – The site is developed in accordance with an approved site development plan.

**DETAILS OF THE PROPOSAL:**

The applicant has requested a special use permit amendment to add modular buildings to the site in the place of the existing parsonage building. There is no proposed change to the permitted enrollment of 150 students (Attachment 1 – Application Narrative). The Applicant is seeking up to three (3) three thousand (3,000) square foot modular buildings for a total additional square footage of nine thousand (9,000). The existing entrance, parking lot, playground, and church/private school building will remain. The existing parsonage will be demolished and modulares will be added in that approximate location. Screening is proposed

between the proposed building envelope area and the existing parking lot (Attachment 2 – Concept Plan).

### **COMMUNITY MEETING:**

The required community meeting for the proposal was held with the Places29-Rio Community Advisory Committee (CAC) on Thursday, May 23, 2024. The applicant shared details and answered questions regarding the proposal to the CAC and members of the public who were present. Most comments were positive towards Community Christian Academy expressing that they have been good neighbors at this location. Some concerns were raised about the modular building looks and architecture and applicable setbacks. Staff confirmed that since the site is on an Entrance Corridor (Rio Rd), an Architectural Review Board (ARB) certificate of appropriateness will be required for the new buildings, and screening and landscaping will be addressed during the site development plan review stage. All applicable regulations such as setbacks must be met.

### **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.***

As described in the Application Narrative, the main change to the site will be the demolition of the existing parsonage building and the addition of modular buildings in that approximate location. The total enrollment of the school is not being changed. Therefore, the main impacts to the adjacent properties will be visual. As mentioned above, the property is within the Entrance Corridor Overlay District. Because of this, the proposed site changes, including the proposed modular buildings, are subject to review and approval by the Architectural Review Board (ARB). The ARB will ensure the Applicant meets the Entrance Corridor guidelines so that the design of the site and buildings are consistent with the Entrance Corridor and not be detrimental to adjacent parcels. Staff will be focused on the architecture of the proposed buildings, but also landscaping and screening. Additional landscaping and screening to create visual buffers between the proposed development and the surrounding public streets and adjacent parcels will be required during the site development plan review. The ARB has already recommended that the Applicant add layered landscaping to mitigate visual impacts from the Entrance Corridor. Planning staff will consider additional landscaping along Rio Rd and Old Brook Rd.

***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 character of the nearby area is not anticipated to change with the proposed changes. The proposal does not include any increased enrollment. As mentioned above the modular buildings will be subject to site development plan and ARB review to ensure visual impacts are minimal. The private school has operated for over ten years and utilizes the existing church/private school building, parking areas, and playgrounds on site. The existing roads and entrance to the site are satisfactory to support the use.

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

The private school is anticipated to continue to be in harmony with the purpose and intent of the Zoning Ordinance.

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

The proposed private school would not affect by-right uses in the district on this property or adjacent properties. In addition, the private school use is a supportive accessory use for many of the nearby residential properties.

**with the regulations provided in Section 5 as applicable,**

There are no additional regulations that apply.

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

The public health, safety, and general welfare of the community are protected through the special use permit process, which assures that the proposed use is appropriate in the location requested. Community Development Staff and our partner agencies including Planning, Zoning, Engineering, Building Inspections, VDOT, Fire-Rescue, ACSA, and RWSA have all reviewed this application. These reviewers have either no concerns in general with the use, or have provided comments that must be addressed following approval of this special use permit application with a site development plan or building permit.

The entrance to the site is from Old Brook Rd. The proposal has been evaluated by VDOT and they provided no objection. There is adequate distance for cars during pick-up and drop-off on the site and would not cause any major backups or traffic along Old Brook Rd. Staff recommends that the condition of approval from the previous special use permit (SP202300002) for the maximum number of students remains. Any additional increases in the number of students may require further evaluation of the entrance and possibly turn lanes for traffic turning into the site from either direction along Old Brook Rd.

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

The property is designated as Neighborhood Density Residential in the Places29 Master Plan. This land use category supports institutional uses such as places of worship, public and private schools, and early childhood education centers including day care centers and preschools. A private school is appropriate within this land use designation for this area, as it is surrounded by a variety of uses including several different types of residential uses and businesses.

A detailed Neighborhood Model Analysis has not been done by staff. Site changes will be reviewed by Staff during the site development plan review process.

## **SUMMARY:**

### **Staff finds the following factors favorable to this request:**

1. Institutional uses, such as private schools, are consistent with the master plan.
2. The proposed school is accessed from adequate public roads for the use.
3. No detrimental impacts to adjoining properties are anticipated.

### **Staff finds the following factor(s) unfavorable to this request:**

1. None identified

## **RECOMMENDED ACTION:**

Based on the findings contained in this staff report, staff recommends approval of the special use permit application SP202400016 Community Christian Academy Modulares with the following conditions:

1. Development of the use shall be in general accord with the conceptual plan titled "Community Christian Academy" drawn by Shimp Engineering, P.C. last revised June 6, 2024. 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.
  - a. Location of buildings, parking areas, playground areas, and buffer areas.
  - b. 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.Minor modifications to the plan which do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance or improve safety.
2. The maximum enrollment shall not exceed one hundred and fifty (150) students.
3. All students shall be over the age of two and one-half (2 ½) years old.
4. Classroom instruction for the school is limited to 7:30am-6:00pm Monday through Friday, provided that occasional school-related events/activities may occur after 6:00pm.

## **POSSIBLE PLANNING COMMISSION MOTION- SP202400016:**

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

**Move to recommend approval of SP202400016 Community Christian Academy Modulares, with conditions as recommended in the staff report.**

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

**Move to recommend denial of SP202400016 Community Christian Academy Modulares.** *Should a commissioner motion to recommend denial, he or she should state the reason(s) for recommending denial.*

## **ATTACHMENTS**

- Attachment 1 – Location Map and Aerial Image
- Attachment 2 – Application Narrative
- Attachment 3 – Concept Plan