

**RESOLUTION TO APPROVE
SP202100017 FOSTER FORGE FARM SCHOOL**

WHEREAS, upon consideration of the staff reports prepared for SP 202100017 Foster Forge Farm School and all of their attachments, including staff's supporting analysis, the information presented at the public hearings, any comments received, and all of the factors relevant to the special use permit in Albemarle County Code §§ 18-10.2.2 and 18-33.8(A), the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

1. not be a substantial detriment to adjacent parcels;
2. not change the character of the adjacent parcels and the nearby area;
3. be in harmony with the purpose and intent of the Zoning Ordinance, with the uses permitted by right in the Rural Areas zoning district, and with the public health, safety, and general welfare (including equity); and
4. be consistent with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves SP 202100017 Foster Forge Farm School, subject to the conditions attached hereto.

* * *

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of a Resolution duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of _____ to _____, as recorded below, at a regular meeting held on _____.

Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Andrews	_____	_____
Mr. Gallaway	_____	_____
Ms. LaPisto-Kirtley	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Price	_____	_____

SP202100017 Foster Forge Farm School Special Use Permit Conditions

1. Development of the use must be in general accord (as determined by the Director of Planning and the Zoning Administrator) with the conceptual plan entitled “Foster Forge Farm School Special Use Permit Concept Plan,” prepared by Terra Engineering and Land Solutions, P.C., revision #3, dated 5/4/2022. To be in general accord with the Conceptual Plan, the development and use must reflect the following major elements shown on the concept plan:
 - a. General location of buildings
 - b. Location of parking and screening vegetation
 - c. Preservation of wooded areas marked “Trees (to remain)”

Minor modifications to the plan that are in general accord with the elements above may be made to ensure compliance with the Zoning Ordinance and/or to minimize or improve impacts on adjoining properties and roadways. Buildings and parking may be developed in phases.

2. Enrollment must not exceed sixty (60) students.
3. Classroom instruction may not begin before 8:30 a.m. Neither classroom instruction nor after-school programs may occur later than 5:30 p.m. Classes may not be held on Saturday or Sunday.
4. Non-sporting, school-related events with more than 50 attendees may occur on site no more than five times per calendar year. In no event may attendance at any such event exceed 200 persons. The facility must not be used for school athletic events or for events not related to the school use.
5. Left- and right-turn lanes that meet VDOT standards must be constructed at the proposed entrance to the site.
6. No outdoor lighting of sports fields is permitted for this use.
7. No outdoor amplified sound is permitted with this use.
8. Any new outdoor lighting must be only full cut-off fixtures and shielded to reflect light away from all abutting properties. A lighting plan must limit light levels at the property lines to no greater than 0.3 foot candles, and is subject to the approval of the Zoning Administrator or the Administrator’s designee.
9. If the construction of the private school for which this Special Use Permit is issued is not commenced by [date three years from Board of Supervisors approval], the permit will be deemed abandoned, and the authority granted thereunder will thereupon terminate.