

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

AGENDA TITLE: ZMA202300004 Cornerstone Community Church	AGENDA DATE: April 17, 2024
SUBJECT/PROPOSAL/REQUEST: Rezone 3.578 acres from R1 Residential to C1 Commercial for a 300-seat religious assembly use and up to 13,500 square feet of commercial uses. This proposal also includes a special exception (SE202300031) to reduce the 50-foot setback to a residential property line.	STAFF CONTACTS: Filardo, Herrick, Barnes, McDermott, Ragsdale
SCHOOL DISTRICTS: Monticello High, Burley Middle, Stone-Robinson Elementary	PRESENTER: Rebecca Ragsdale, Planning Manager

BACKGROUND:

This rezoning application was considered by the Planning Commission (PC) at a public hearing on Tuesday, November 14, 2023. At the PC meeting, staff recommended approval of the proposed Zoning Map Amendment. The PC voted 6:0 to recommend approval of ZMA202300004. The PC's staff report, action letter, and meeting minutes are attached (Attachments A, B, and C).

DISCUSSION:

Several community members expressed concerns, while others expressed support. Concerns included traffic, lack of a residential component to provide mixed use, and ensuring that commercial uses were appropriate for the location.

The applicant provided draft proffers for the Planning Commission public hearing (Attachment A5). Following the hearing, a signed proffer statement has been provided with only non-substantive corrections. (Attachment D)

In addition to the rezoning request, the applicant has requested special exceptions to County Code §§ 18-4.20(a) and 18-21.7(c), which establish setbacks for commercial properties and use buffers adjacent to residential properties. The PC was not required to act on the proposed special exceptions.

None of the existing structures on the property would comply with commercial setbacks or the use buffer requirements. The special exceptions would allow (i) two existing structures that encroach into the required 50-foot setback to remain and (ii) disturbance within the 20-foot use buffer to remove structures and establish plantings/screening, as outlined in Attachment A6. The Planning Staff Report illustrates buildings (or portions thereof) to be removed and those to remain:

- The existing house would remain, with a 47.6-foot setback, a reduction of 2.4 feet.
- The metal garage would remain, with a setback as close as 28.5 feet, a reduction of 21.5 feet, after the overhang portion is removed.

County Code § 18-4.20 requires no specific findings for the proposed setback modification. Staff believes that the removal of the structures (or portions thereof) would leave ample area to provide the required minimum 20' use buffer and screening requirements to comply with County Code § 18-21.7(c) and mitigate impacts to the adjacent residential parcel.

RECOMMENDATIONS:

Staff recommends that the Board adopt both the attached Ordinance (Attachment E) to approve

ZMA202300004 Cornerstone Community Church and the attached Resolution (Attachment F) to approve proposed special exception SE202300031.

ATTACHMENTS:

- A. Planning Commission Staff Report
 - A1. Location Map
 - A2. Zoning Map
 - A3. Project Narrative
 - A4. Application Plan, dated June 20, 2023; last revised December 4, 2023
 - A5. Draft Proffer Statement, dated December 4, 2023
 - A6. SE202300031
- B. Planning Commission Action Letter
- C. Planning Commission Minutes from February 27, 2024
- D. Revised Proffer Statement, dated March 18, 2024
- E. Ordinance to Approve ZMA202300004
- F. Resolution to Approve SE202300031