



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

<b>Proposal:</b> SP202300001 Covenant School Amendment-Hickory Campus Tennis Courts	<b>Staff:</b> Rebecca Ragsdale, Planning Manager
<b>Planning Commission Public Hearing:</b> August 22, 2023	<b>Board of Supervisors Hearing:</b> To be scheduled
<b>Owner:</b> The Covenant School; The Covenant School of Charlottesville, Inc.	<b>Applicant:</b> The Covenant School, represented by Eric Woolley, P.E, Woolley Engineering
<b>Acreage:</b> Request to add 2.61 acres to an existing 25.93-acre school campus for a total of 28.54 acres	<b>Special Use Permit:</b> Section 18-14.2.2(5) Private School
<b>TMP:</b> 090A0-00-00-002000, 7600-00-00-053J0 <b>Location:</b> 175 Hickory St. and 499 Stagecoach Rd.	<b>By-right use:</b> R-2 Residential - 2 units/acre
<b>Magisterial District:</b> Scottsville	<b>Conditions:</b> Yes <b>EC:</b> No
<b>Proposal:</b> Request to add a 2.61-acre parcel and construct tennis courts, parking, and accessory structures.	<b>Requested # of Dwelling Units:</b> 0
<b>DA (Development Area):</b> Southern and Western Neighborhoods	<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> Parcel proposed for tennis facilities consists of an existing single family dwelling and wooded areas accessed from Stagecoach Rd. The existing school campus includes an academic building, parking areas, and athletic fields accessed from Hickory St.	<b>Use of Surrounding Properties:</b> Residential, vacant, Biscuit Run Park, nearby on Stagecoach is the Albemarle County Office Building at 5 <sup>th</sup> Street.
<b>Positive Aspects:</b> 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.	<b>Concerns:</b> 1. The proposed tennis facilities do not meet the minimum recommended buffer and screening requirements to all residential property lines. However, screening and other mitigating conditions are proposed.
<b>Recommendation:</b> Staff recommends approval of SP202300001 with conditions.	

**STAFF PERSON:** Rebecca Ragsdale, Planning Manager  
**PLANNING COMMISSION:** August 22, 2023  
**BOARD OF SUPERVISORS:** To be Scheduled

**PETITION:**

PROJECT: SP202300001 Covenant School Hickory Campus Tennis Courts  
MAGISTERIAL DISTRICT: Scottsville  
TAX MAP/PARCEL(S): 090A0-00-00-00200, 07600-00-00-053J0  
LOCATION: 175 Hickory Street, 499 Stagecoach Road  
PROPOSAL: Request to amend a prior approved special use permit (SP199900054) to add an adjacent 2.61 acre parcel at 499 Stagecoach Road to the existing 25.93 acre school campus. The proposal includes removal of the existing house and development of six tennis courts, a storage/restroom building, parking lot of approx. 6 spaces, lighting, pedestrian path to existing school campus and existing parking that will be used to serve the courts.  
PETITION: Private School-Section 18-14.2.2(5) Private School  
ZONING: R-2 Residential - 2 units/acre  
OVERLAY DISTRICT(S): Steep Slopes (Managed)  
COMPREHENSIVE PLAN: Southern and Western Neighborhood Master Plan; Neighborhood Density Residential – residential (3-6 units/acre); supporting uses such as places of worship, schools, public and institutional uses and small-scale neighborhood serving retail and commercial.

**CHARACTER OF SURROUNDING AREA:**

The existing school campus includes an academic building, parking areas, and athletic fields accessed from Hickory St (Attachment 1 – Location Map). The parcel to be incorporated into the campus includes a single-family dwelling and wooded areas, accessed from Stagecoach Rd. To the north and west of the new parcel, are single family homes along Stagecoach Rd. Southwood is located to the southwest of the existing school campus, Biscuit Run Park to the south and east. Nearby are other residential areas such as the Oak Hill neighborhood and institutional uses with the 5<sup>th</sup> Street County Office building.

**PLANNING AND ZONING HISTORY:**

SP199900054 –Special use permit approval for a private school of up to 500 students with conditions. (Attachment 2)

**DETAILS OF THE PROPOSAL:**

The applicant has requested a special use permit amendment to incorporate a recently acquired parcel into the school's existing campus. The additional area would be used for six tennis courts, seven parking spaces primarily for ADA accessibility, and accessory uses to the tennis courts. A proposed landscape screening buffer is proposed to adjacent properties. Primary access and parking to the proposed tennis facilities would be from the existing Hickory Street entrance and parking areas. The existing entrance and driveway from Stagecoach would be secondary access to the proposed tennis facilities. No other changes to the campus or school operations are proposed. The proposed concept plan and narrative are provided as Attachments 3 and 4.

**COMMUNITY MEETING AND NEIGHBOR CONCERNS:**

The required community meeting for the proposal was held with the 5<sup>th</sup>/Avon Advisory Committee (CAC) on Thursday, March 16, 2023. The applicant shared details and answered questions regarding the proposal to the CAC and members of the public who were present. Concerns were expressed regarding increased traffic and noise that could affect neighboring

residents along Stagecoach Rd. Since the community meeting, staff has received several emails expressing those concerns.

### **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 increased 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.***

The existing school campus and athletic fields are oriented towards Hickory Street with buffers to adjacent residential lots. To help mitigate any impacts from the school use, the special use permit condition approved includes a condition that uses on the site comply with the setbacks and buffer screening requirements of the Commercial zoning districts. This includes:

- 20 foot buffer to any residential district, including screening
- 50 foot setback for structures to residential districts
- 20 foot setback for parking areas to residential districts

The proposed tennis courts would introduce school uses closer to residential lot lines than the minimum commercial setbacks in some locations. Tennis courts are proposed 50+ feet away from residential lot lines. While parking is proposed as close as 12 feet with a landscape screen proposed. Parking is limited to six spaces, primarily for ADA accessibility. Lighting is proposed for the courts and will be full-cutoff.

The applicant is aware of concerns regarding noise and lighting, which could affect adjacent parcels. To address adjacent property concerns, the proposed concept plan has tried to orient tennis facilities towards the existing school campus and away from existing residents to the extent possible, minimize proposed parking, and provide buffers and screening. However, to address neighbor concerns staff has recommended a few conditions to further address neighbor concerns including hours of use for the courts, limiting the use to only tennis and no louder paddle sports, and limiting the use of the courts to primarily school activities.

***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.***

School uses are not out of character with residential areas. The addition of the tennis facilities is a limited expansion of the existing private school use. Staff believes the location of the proposed tennis facilities, features of the concept plan, and special use permit conditions will prevent any changes in character to nearby areas.

***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 R2 Zoning 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.***

Reviewers from Zoning, Engineering, Building Official, Fire-Rescue, ACSA, and VDOT have all reviewed the request and have no objections to the proposed use and site layout. This use is not expected to cause harm to the public health, safety, and general welfare.

The primary entrance and access to the proposed tennis courts will be from the Hickory St. entrance and existing campus parking. The entrance from Stagecoach Rd. will be improved and used for ADA accessible parking primarily to access the tennis courts. VDOT has not indicated any concerns with additional traffic on Stagecoach 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 Southern and Western Neighborhoods 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.

**SUMMARY:**

**Staff finds the following positive aspects:**

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.

**Staff finds the following concerns:**

1. The proposed tennis facilities do not meet the minimum recommended buffer and screening requirements to all residential property lines. However, screening and other mitigating conditions are proposed.

**RECOMMENDED ACTION:**

Based on the findings contained in this staff report, staff recommends approval of the special use permit application with the following conditions (below). These conditions include an update to current day standard condition language, elimination of conditions that have been satisfied, and new conditions that address the concerns related to the new tennis facilities.

1. Development of the use shall be in general accord with the Conceptual Plan titled "Covenant School Hickory Campus Special Use", last revised June 9, 2023 and prepared by Woolley Engineering. 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, and athletic facilities
  - b. Location of entrances
  - c. Location of buffers and screening

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 must not exceed five hundred fifty (550) students.
3. Development of the property must comply with the Commercial setbacks and buffer/screening requirements set forth in Section 21.7, with the exception of the reduced setback and width of screening along the western property line and shared school parcel boundaries as depicted on the concept plan.
4. Use of the tennis courts is prohibited between the hours of 10pm and 7am.
5. Use of tennis courts must be limited to tennis. Other racket or paddle sports (pickle ball or padel) are prohibited.
6. Use of the tennis courts must be limited to school activities, with the exception of guest access limited to the three adjacent properties by invitation of the school. The tennis courts must not be used by other tennis organizations.

**POSSIBLE PLANNING COMMISSION MOTION- SP202300001:**

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

*Move to recommend approval of SP202300001 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 SP202300001, state the reason(s) for recommending denial.*

**ATTACHMENTS**

1. Location Map
2. SP199900054 Special Use Permit Action Letter
3. Application Narrative
4. Conceptual Plan