



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

<b>Proposal:</b> SP201400005 Regents School of Charlottesville	<b>Staff:</b> Christopher P. Perez, Senior Planner
<b>Planning Commission Public Hearing:</b> June 3, 2014	<b>Board of Supervisors Hearing:</b> TBD
<b>Owner:</b> Christian Aid Mission (CAM)	<b>Applicant:</b> Regents School of Charlottesville (RSC)
<b>Acreage:</b> 12.5 acre parcel, SP to cover approximately 4 acres of the site.	<b>TMP:</b> 05900-00-00-023G1
<b>Location:</b> 3045 Ivy Road Charlottesville VA	<b>Zoning:</b> CO Commercial Office – offices, supporting commercial and service; residential by special use permit (15 units/acre)
<b>Magisterial District:</b> Samuel Miller	<b>Conditions:</b> Yes <b>EC:</b> Yes
<b>Proposal:</b> Amendment to Special Use Permit (SP2013-10) for School of Special Instruction to increase the number persons (students and teachers) permitted at the site from the current 96 persons permitted onsite under the existing Special Use Permit to 115 students for the 2014 - 2015 school year and to 130 students for the 2015 - 2016 school year. Utilize existing structure, no additional buildings proposed. School of Special Instruction (Chapter 18 Section 23.2.2(6))	<b>Requested # of Dwelling Units:</b> 0
<b>DA:</b> <b>RA:</b> X	<b>Comp. Plan Designation:</b> Rural Area 1 - Rural Areas – preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (0.5 unit/ acre in development lots)
<b>Character of Property:</b> The property is developed with four existing buildings and related parking. (Attachment A)	<b>Use of Surrounding Properties:</b> Surrounding properties are commercial uses, and single family residential uses.
<b>Factors Favorable:</b> <ol style="list-style-type: none"> <li>1. Provides an alternative school option for people who live and work in the area.</li> <li>2. The use is located in an existing underutilized building, with adequate existing parking, and an existing septic system approved for up to 161 persons. No new structures are being built.</li> </ol>	<b>Factors Unfavorable:</b> <ol style="list-style-type: none"> <li>1. Increased persons at the facility would create unsafe access conditions due to excessive delay times exiting the property in the morning hours. An acceptable alternative access strategy is needed to remedy the safety concerns with ingress and egress to the site.</li> <li>2. It is debatable as to whether the proposed increase in enrollment would constitute a small-scale use as recommended in the Rural Areas Chapter of the Comprehensive Plan.</li> </ol>
<b>RECOMMENDATION:</b> Staff does not recommend approval of the request as proposed, and only recommends approval of SP201400005, Regents School of Charlottesville under the following modifications to the existing conditions from SP201300010.	

**STAFF PERSON:** Christopher P. Perez, Senior Planner  
**PLANNING COMMISSION:** June 3, 2014  
**BOARD OF SUPERVISORS:** TBD

**PETITION:**

PROJECT: SP201400005 Regents School of Charlottesville (RSC)

MAGISTERIAL DISTRICT: Samuel Miller

TAX MAP/PARCEL: 05900-00-00-023G1

LOCATION: 3045 Ivy Road Charlottesville VA

PROPOSED: Amendment to Special Use Permit (SP2013-10) for School of Special Instruction to increase the number persons (students and teachers) permitted at the site from the current 96 persons permitted onsite under the existing Special Use Permit to 115 students for the 2014 - 2015 school year and to 130 students for the 2015 - 2016 school year. Utilize existing structure, no additional buildings proposed. School of Special Instruction (Chapter 18 Section 23.2.2(6))

ZONING CATEGORY/GENERAL USAGE: CO Commercial Office – offices, supporting commercial and service; residential by special use permit (15 units/acre)

ENTRANCE CORRIDOR: Yes

COMPREHENSIVE PLAN LAND USE/DENSITY: Rural Area 1 - Rural Areas – preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (0.5 unit/ acre in development lots).

**CHARACTER OF SURROUNDING AREA:**

The subject property is located at 3045 Ivy Road. The surrounding area is primarily developed with commercial uses, and single family residential uses. North of the property are railroad tracks that run behind the property and separate the adjacent residential development of Farmington Subdivision and Flordon Subdivision from the subject property. To the East are two commercially zoned properties. To the South is Route 250, Ivy Road. To the West is Broomley Rd which serves Farmington Subdivision and Flordon Subdivision. Across Broomley Road is another commercially zoned property.

**PLANNING AND ZONING HISTORY:**

**SDP1979 Christian Aid Mission Site Plan** – site plan for Fellowship Hall, Annex, and Guest House.

**SDP1988-094 Christian Aid Mission Major Site Plan Amendment** – site plan for Guest House Relocation and Garage addition, and deceleration lane/ entrance upgrades.

**SDP1992-052 Christian Aid Mission Administration Building Major Site Plan Amendment** – site plan for the Administration Building. Building was built in 1995.

**SP201200012 Regents School of Charlottesville** – Special Use Permit for a school of special instruction in an existing building, with limits of 60 students and 9 staff.

**SP201300010 Regents School of Charlottesville** – Special Use Permit to allow a school of Special Instruction to increase the number of persons (students and teachers) permitted at the site from the current 69 allowed under SP201200012, to increase by 27 persons for a total of 96 persons permitted onsite.

**DETAILS OF THE PROPOSAL:**

The property is zoned CO - Commercial Office. The Christian Aid Mission (CAM) complex is comprised of four buildings and associated parking on 12.5 acres. Three (3) of the buildings in the complex are utilized by CAM. The fourth building, the old Christian Aid Mission's Administration Building, is the only building used by the Regents School of Charlottesville (RSC). The building is two stories with a basement. The 1<sup>st</sup> floor has 3,900 square feet (6 classrooms + 1 large multipurpose room and 5 restrooms), the 2<sup>nd</sup> floor has 3,900 square feet (7 classrooms and 3 restrooms), and the basement has 3,500 square feet (3 classrooms + 1 large multipurpose room and 2 restrooms).

The CAM complex currently has 54 parking spaces available; of those RSC currently utilizes areas P1, P2, P3 as depicted on the approved concept plan, for a total of 15 spaces. To accommodate an increase of persons at the site for a total of 150 persons (students and teachers), an additional 15 parking spaces are proposed for use by RSC, increasing the total parking needs of the school to 30 parking spaces total (*1 car per 10 students, 1 space per teacher/administrator*). The additional spaces for the increase in enrollment already existing onsite in areas P6 and P7 (Attachment A) and are to be utilized by the facility. Also, the applicant has proposed a vehicle drop off and pickup route onsite (Attachment A).

## **ANALYSIS OF THE SPECIAL USE PERMIT REQUEST:**

*Section 33.8 of the Zoning Ordinance states that the Planning Commission and Board of Supervisors shall reasonably consider the following factors when reviewing and acting upon an application for a special use permit:*

**No substantial detriment. The proposed use will not be a substantial detriment to adjacent lots.**

The outdoor activities of the school do not impact residential properties given the distance of the school from neighboring residences and the separation provided by the heavily wooded buffers which surround the property. Planning staff has visited the site numerous times and is comfortable with the natural barriers which exist between the school and the train tracks and feel that they adequately prohibit access and aid in keeping the students onsite.

The school shall continue to utilize an existing building, existing parking, and an existing septic system for up to 161 persons; however, the increase in enrollment shall require access improvements to accommodate the increase in enrollment (see below for the “Harmony” section of the report for a complete explanation). An increase in enrollment appears to necessitate an entrance on Broomley Road and the closing of the existing entrance on Rte 250. Thus the site’s existing and proposed traffic will be consolidated on Broomley Road. The design of the proposed entrance and its affect on Broomley Road have not been studied at this time (Attachment B, Access Strategy #5).

**Character of district unchanged. The character of the district will not be changed by the proposed special use.**

The school has operated in the current location for 2 school years and no new construction is proposed as the use will occupy interior space within the existing building. An entrance on Broomley Road to accommodate increased traffic would not affect the character of the district.

**Harmony. The proposed special use will be in harmony with the purpose and intent of this chapter with the uses permitted by right in the district with the regulations provided in section 5 as applicable, and with the public health, safety and general welfare.**

The only staff concern to accommodate the increase in student enrollment is with the existing entrance and whether or not it can safely accommodate the proposed increase. Upon review of the request to increase enrollment at the school, a Threshold Analysis/traffic study was requested by VDOT and the County Engineer to assess traffic impacts at the site. The Threshold Analysis, performed by the applicants’ Traffic Engineer, Bill Wuensch, assessed the existing traffic conditions onsite and modeled the requested increase in enrollment to determine potential traffic impacts at the site. The study documented that the majority of users of the facility make a left turn out of the site towards Charlottesville during the morning (for student drop off).

Based on findings in the study, Mr. Wuensch suggests a limit of 115 students maximum be permitted onsite, based on an outbound delay from the entrance of 489.2 second delay (8 minutes and 9 second) on average per vehicle in the morning. The study made note that this finding was “subjective.” The County Engineer, Glenn Brooks, disagrees with the assumptions made in the study; rather, Mr. Brooks noted that the acceptable industry standard specified by the Highway Capacity Manual is already surpassed by the existing student enrollment at the site (83 students and 13 teachers). The study suggests that currently each vehicle is experiencing a 252.2 second delay (4 min and 12 second) on average leaving the site in the morning. The Highway Capacity Manual categorizes a level of service (LOS<sup>1</sup>) F, for an unsignalized intersection, as anything over 50 second delay. As the Threshold Analysis states and the County Engineer acknowledges “*Excessive side street delays often result in vehicles taking chances when entering onto the mainline.*” The County Engineer recommends that an entrance to Broomley Road be considered in order to increase the enrollment at the site.

VDOT, upon review of the study, had no objections to the increase in enrollment because the study concluded the increase in enrollment will not impact the intersection of Broomley Road and Rte 250, or the flow of traffic on Rte 250. VDOT acknowledges the delay times provided in the study, but finds that these delays are internal to the site and will not impact traffic on Rte 250, thus they have no objection; rather, are leaving it up to the County and the applicant to determine an acceptable delay for traffic leaving the site.

The Threshold Analysis also analyzed alternative numbers of persons onsite and calculated their estimated delay times to exit the site in the morning. For 105 persons an estimated 404 second delay (6 minutes and 44 second) on

<sup>1</sup> Highway Capacity Manual defines Level of Service (LOS) as a quality measurement of traffic flow in terms of speed and travel time, freedom to maneuver, comfort and convenience. There are six LOS designations, represented by the letters A through F, with LOS A representing the best operating conditions and LOS F the worst.

average per vehicle, for 90 persons an estimated 307.1 second delay (5 minutes and 7 second) on average per vehicle.

Upon request of the applicant, Mr. Wuensch provided an addendum to the report, dated April 23, 2014, based on additional field observations. The addendum discusses current conditions exiting at the site, in which left turning traffic utilizes the hatched median between the eastbound and westbound lanes of Rte 250 to make a two stage entry onto Rte 250 (Attachment D). The original modeling effort did not consider this since the hatched pavement is not truly marked as a two way left turn lane. When the analysis was recalculated to utilize a two way left turn lane the delay for the southbound (school egress) left dropped to 30.1 seconds of delay per vehicle. While the traffic study addendum indicates better existing delays exiting at the site and revises projected delays, the addendum is predicated on using the existing hatched pavement for left turns onto Rt. 250 towards Charlottesville. The County Engineer accepted this if VDOT would approve this painted area as a vehicle refuge, similar to a large median on a divided road, for up to a 25% increase in enrollment, for a total of 104 students<sup>2</sup>.

Per onsite review of the proposal, VDOT was unable to support the use of the median, as the median is not large enough to act as a middle lane for left turns onto Rte 250. In order to accommodate the middle lane, Rte 250 would need to be widened and restriped. The applicant feels that widening Rte 250 for a condition of 104 students is not in the best interest of the school due to the cost of the improvement, and would rather pursue the Broomley Road entrance for a larger enrollment cap.

**Based on findings in the traffic analysis, staff feels that increased enrollment at the facility would cause further unsafe turning movements due to excessive delay times exiting the property in the morning hours. Therefore, staff does not support an increase in enrollment until an acceptable alternative access strategy is provided to remedy the safety concerns with ingress and egress to the site. With the applicants' request they have proposed a number of alternative access strategies and staff has addressed each (Attachment B), and finds that the only potentially viable solution to accommodate the increased enrollment is the Broomley Road entrance. The access strategy would direct all site generated traffic to a signalized intersection on Broomley Road. Further study would be needed by the applicant and their traffic engineer to determine if a new entrance on Broomley Road could accommodate the proposed increase in enrollment, address delay times onsite, and not cause additional traffic problems. Staff provides additional information about the proposed strategy and what all should be considered with the proposal in Attachment B, Access Strategy #5.**

**With the applicants request they have also requested to separate the number of students and staff from their maximum permitted persons onsite.** The applicant requests 115 students and 20 staff members for the upcoming school year (2014-2015) and 130 students and 20 staff members for the 2015-2016 school year based on the arrival and departure time differences for teachers and students, reasoning that the impacts will not be as severe as the traffic study indicates. **Staff findings:** The traffic study relies on 83 students enrolled at the school for current conditions, and 13 teachers/administrative staff could be present on any day under the current conditions of approval which limit the site to 96 people. Staff finds that based on the County Engineer's position that the site is already over its acceptable limit, it is not appropriate to split students and teacher up at this juncture, unless the Broomley Road strategy is pursued, at which time staff could support students and teachers being split.

#### **Consistency with the Comprehensive Plan.**

This site, while in the Rural Area, is located along a section of Route 250 which consists of old commercial development and commercial and industrial zoned property which dates back to the 1960's prior to Comprehensive Planning in the County. The Land Use Plan designates this area as Rural Area (Rural Area 1). The land uses supported by the Rural Areas chapter of the Comprehensive Plan include agriculture, forestry, and conservation. This chapter also outlines the vision and goals for the Rural Areas, and recommends that land uses be small-scale and consistent with traditional rural scales. As stated in the chapter, "*Ensure that the scale and scope of any new use is consistent with the existing infrastructure and character of a Crossroads Community...without any requirement for upgrade or expansion of infrastructure*". It is debatable as to whether the proposed increase in enrollment for the school of special instruction would constitute a small-scale use with the issues discussed in this staff report. The school would continue to utilize an existing building, existing

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<sup>2</sup> The 25% increase in enrollment was recommended by the addendum to the traffic study. Current enrollment is 83 students; a 25% increase is 21 additional students, for a total of 104 students.

parking, and an existing septic system; however, the increase in enrollment may require upgrades to the entrance, unless acceptable alternative access strategies are provided to accommodate the increase in enrollment without an entrance off Broomley Road.

**SUMMARY:**

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

1. Provides an alternative school option for people who live and work in the area.
2. The use is located in an existing underutilized building, with adequate existing parking, and an existing septic system approved for up to 161 persons. No new structures are being built.

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

1. Increased persons at the facility would create unsafe access conditions due to excessive delay times exiting the property in the morning hours. An acceptable alternative access strategy is needed to remedy the safety concerns with ingress and egress to the site.
2. It is debatable as to whether the proposed increase in enrollment would constitute a small-scale use as recommended in the Rural Areas Chapter of the Comprehensive Plan.

**RECOMMENDED ACTION:**

Staff does not recommend approval of the request as proposed, and only recommends approval of SP201400005, Regents School of Charlottesville under the following modifications to the existing conditions from SP201300010:

1. The school is limited to the existing administrative building and grounds, as shown on the concept plan (Attachment A). All parking for the facility shall be located in areas designated on the concept plan as P1, P2, P3, P6, and P7. Any additional buildings or other site changes beyond those shown on the approved site plan for SDP1992-052 titled "Christian Aid Mission Administration Building" prepared by William W. Finley and date approved July 14, 1994 require an amendment to this Special Use Permit. If an entrance to the school from Broomley Road is pursued by the applicant, the final site plan on which the Broomley Road entrance is approved shall supersede the approved site plan for SDP 1992-052 without requiring an amendment to this Special Use Permit.
2. If the entrance to the school is from Rte 250, the maximum number of students and school personnel shall not exceed ninety-six (96).
3. If the entrance to the school is from Broomley Road, maximum enrollment shall be one hundred thirty (130) students.
4. If the entrance to the school is from Broomley Road, the permittee shall design and construct a vehicle entrance onto the site from Broomley Road according to all applicable VDOT design and construction standards and all other VDOT requirements.
5. All students shall be over the age of two and one-half (2 ½) years old.
6. The hours of operation for the school shall be between 7:45 a.m. and 4:00 p.m., except that occasional school-related events may occur after 4:00 p.m.
7. No food preparation is permitted onsite without an amendment to this Special Use Permit to authorize onsite food preparation.
8. The permittee shall obtain an annual fire inspection from the County fire marshal.

**MOTION:**

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

**Move to recommend approval of SP201400005, Regents School of Charlottesville, 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 SP201400005, Regents School of Charlottesville. Should a commissioner motion to recommend denial, he or she should state the reason(s) for recommending denial.**

## **ATTACHMENTS**

**Attachment A** – [Survey 1/ Concept Plan](#)

**Attachment B** – [Alternative Access Strategies](#)

**Attachment C** – [Critical Slopes on the property](#)

**Attachment D** - [Rte 250 and Site Entrance](#)

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