



ALBEMARLE COUNTY PLANNING
STAFF REPORT SUMMARY

Project Name: SP201700010 City Church; religious assembly use	Staff: Cameron Langille, Senior Planner
Planning Commission Public Hearing: March 20, 2018	Board of Supervisors Hearing: To be determined
Owner(s): Religious Congregation-First Assembly of God C/O Rev Garland R Thomas	Applicant(s): Religious Congregation-First Assembly of God C/O Chris Becker
TMP: Tax Map Parcel 06100-00-00-153A1 Acreage: 4.231 acres	Special Use Permit for: Religious assembly use under Zoning Ordinance Section 15.2.2(12)
Location: 1010 and 1012 Rio Road E, Charlottesville, VA 22901	Zoning/by-right use: R-4 Residential
Magisterial District: Rio	Proffers/Conditions: Yes
School District: Albemarle High School, Burley Middle School, Agnor-Hurt Elementary School	
DA (Development Area): Places29 – Hydraulic	Requested # of Dwelling Units/Lots: N/A
Proposal: Religious assembly use	Comp. Plan Designation: Urban Density Residential which allows residential uses (6.01 – 34 units/ acre) and supporting uses such as religious institutions, schools, commercial, office and service uses in Neighborhood 2 of the Places 29 Master Plan.
Character of Property: Existing two-story structure (10,400 SF) currently occupied by a religious assembly use, and paved parking lot (approx. 75 spaces). Existing one-story metal frame building at rear of lot.	Use of Surrounding Properties: The Charlottesville Albemarle Technical Education Center (CATEC) is adjacent to the south. Other uses include single family residential and churches to the north, east and west.
<u>Factors Favorable:</u> <ol style="list-style-type: none"> 1. The proposed use is consistent with the Places29 Master Plan. 2. The proposed use is similar to the existing use; applicant has agreed to conditions that mitigate staff concerns about building character. 	<u>Factors Unfavorable:</u> <ol style="list-style-type: none"> 1. No architectural details have been provided for the proposed building. The applicant has agreed to a condition that will enable the Buildings and Spaces of Human Scale to be met during review of the final site plan.
Recommendation: Staff recommends approval of this special use permit with conditions.	

STAFF CONTACT:
PLANNING COMMISSION:
BOARD OF SUPERVISORS:

Cameron Langille, Senior Planner
March 20, 2018
TBD

PETITION:

PROJECT: SP201700010 City Church

MAGISTERIAL DISTRICT: Rio

TAX MAP/PARCEL(S): 06100-00-00-153A1

LOCATION: 1010 and 1012 Rio Road E, Charlottesville, VA 22901

PROPOSAL: Amend existing special use permit, SP200400045, to remove the existing 10,400 sq. ft. church building and replace with a new two-story church building with a gross floor area of up to 43,000 sq. ft. The application also proposes reconfiguration of the existing parking lot and additional parking spaces.

PETITION: Religious assembly in the R4 Zoning District on a 4.23 acre parcel under Section 15.2.2.12 of the Zoning Ordinance. No dwellings proposed.

ZONING: R4 Residential (4.0 units/acre)

OVERLAY DISTRICT(S): Airport Impact Area, Steep Slopes – Managed

COMPREHENSIVE PLAN: Urban Density Residential which allows residential uses (6.01 – 34 units/ acre) and supporting uses such as religious institutions, schools, commercial, office and service uses in Neighborhood 2 of the Places 29 Master Plan.

CHARACTER OF THE AREA

The 4.231 acre pie-shaped property is on the west side of Rio Road E, across from the intersection of Belvedere Boulevard and Rio Road E.

Adjacent properties consist primarily of single-family residential uses to the northeast and north such as the Dunlora Subdivision. To the northwest and south of the property are institutional uses such as the Charlottesville Albemarle Technical Education Center (CATEC) and other churches. The subject property is screened from the single-family uses to the northwest by a railroad and forested land (Attachments A and B).

The subject parcel is zoned R-4 Residential as are all adjacent parcels to the south and northeast. To the west of the property is the Albemarle County/City of Charlottesville jurisdictional boundary. The Covenant Church of God property across Rio Road to the northwest is zoned CO – Commercial Office. A mixture of convenience and service-oriented businesses are located further to the northwest along Rio Road, past the Norfolk Southern Railroad tracks that run along the western border of the subject parcel.

PLANNING AND ZONING HISTORY

- SDP-127 – Original site plan for the First Assembly of God Church on Tax Map Parcels (TMP) 61-153A and TMP 61-153A1. Approved administratively on April 22, 1980.
- SDP1988-024 – Minor site plan amendment to SDP-127. Added 26 parking spaces to the site. Approved administratively on June 21, 1988.
- ZMA1999-018 – Zoning Map Amendment to rezone 1.496 acre TMP 61-153A from CO to R-4. Approved by the Albemarle County Board of Supervisors on May 2, 2000.
- SP1999-075 – Special Use Permit to allow churches and an accessory educational classroom on TMP 61-153A in accordance with ZMA1999-018. Conditions required that the TMP 61-153A and TMP 61-153A1 be combined so that the existing church would be in conformity with R-4 zoning requirements. Approved by the Albemarle County Board of Supervisors on May 2, 2000.
- SUB2000-197 – Deed of consolidation to vacate the parcel boundaries between TMP 61-153A and TMP 61-153A1 in accordance with SP1999-075. Approved administratively on February 12, 2001.
- SDP1999-162 – Minor site plan amendment for the Charlottesville Assembly of God. Added a 1,600 square foot

modular building to the rear of the site for use as an accessory classroom, in accordance with SP1999-075. Approved administratively on February 12, 2001.

- SP2004-045 – “Charlottesville First Assembly” Special Use Permit for to add fifty-six parking spaces to the parking lot. Approved by the Albemarle County Board of Supervisors on November 11, 2004.
- SDP2015-033 – A PWSF site development plan was administratively approved on July 23, 2015 to construct a Tier II wireless monopole on the property.

DETAILS OF THE PROPOSAL

The applicant currently operates a church on the site in an existing two-story structure. The building footprint is approximately 6,300 square feet, and consists of a church sanctuary, meeting rooms, and office space for staff. The interior square footage of the building is approximately 10,400 square feet. There is also a one-story metal building at the rear of the property that has been used as a classroom in the past (SP1999-075). The existing parking lot contains 71 parking spaces and is served by two paved driveways that enter onto Rio Road E.

With this request, the applicant is seeking permission to demolish the existing structures and construct a new two-story church building, which requires a special use permit in the R-4 zoning district. The concept plan shows the new church location and the revised parking lot (Attachment C). The new building footprint will measure approximately 21,500 square feet, and the area of assembly will seat five-hundred (500) persons and approximately measure 15,000 square feet. The final gross square footage could be up to 43,000 square feet, depending on the architectural design that will take place at a later date once the applicant has hired an architect.

The parking lot will also undergo substantial modifications to increase the number of parking spaces on site. This includes a single level of underground parking under the new church, which will consist of approximately seventy (70) parking space. The existing internal sidewalks are not ADA compliant, and the revised parking area will contain ADA accessible ramps and pedestrian walkways that will accommodate persons with physical disabilities. The applicant is also proposing to keep two driveways to serve the site, but the easternmost driveway will be restricted to exit-only, per Virginia Department of Transportation (VDOT) requirements (Attachment E).

The existing landscaping material along Rio Road consists of shrubs, which will be removed. Sheet C2.0 of the Concept Plan (Attachment C) proposed new shrub screening in front of the new parking area, as well as a new row of shade trees spaced evenly at fifty-foot (50') intervals along the property frontage of Rio Road.

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 special use will not be a substantial detriment to adjacent lots.

The site currently operates as the campus for City Church. Sunday church services are no longer held inside the building due to size constraints and outdated facilities that are not ADA compliant. The building is primarily used as staff offices, evening religious education and community activities hosted by City Church aside from normal services.

The site maintains a high level of activity during the week and weekend. The increase in seating capacity at the new church will result in a moderate increase in terms of intensity at the site. However, the railroad track will provide a functional shield and separation between the new church parking lot and residential neighborhoods to the west and northwest during times of high vehicle activity. The increase in intensity will not pose any substantial detriments to parcels south of the site because church services will occur primarily on weekends which will not conflict with educational activities at CATEC during the weekdays.

A community meeting was held for this Special Use Permit at the property on June 27, 2017 pursuant to the

requirements of Section 33.4 of the Zoning Ordinance. One (1) resident was in attendance and did not express any concerns about the proposed changes.

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

The adjacent parcels are zoned R-4 Residential and contain various institutional uses such as public education facilities (CATEC) and single-family residences within the Dunlora subdivision. The new church and parking area are not expected to change the character of the district.

Harmony. The proposed special use will be in harmony with the purpose and intent of this chapter.

The intent of the R-4 Residential District is to permit compact, medium-density single-family residential uses. Institutional destinations such as community centers, private educational facilities, and religious assembly uses are permitted by Special Use Permits in the R-4 district. The proposed religious assembly use does not conflict with the existing moderate density residential neighborhoods and educational facilities near the subject property.

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

Single-family residential uses with densities up to four (4) dwelling units per acre are permitted by-right in the R-4 District. Areas of religious assembly are typically found in residential zoning districts if impacts are minimal to the area. The proposed use at this location appears to be compatible with uses permitted by right.

...with the regulations provided in section 5 as applicable,

There are no supplemental regulations in section 5 applicable to the proposed “religious assembly use.”

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

The narrative explains that the new facility will be used primarily on Sundays between 9:00 AM – 1:00 PM (Attachment D). Noise and traffic impacts will not occur at peak commute hours during the work week. Therefore, the proposed religious assembly use will not result in increased noise and traffic levels detrimental to the quality of life of the existing by-right single-family neighborhoods located nearby.

The applicant has obtained approval of an Access Management Exception Request (AM-E) to maintain two separate driveways on the subject property. The AM-E approval requires the applicant to make the southern driveway an exit only entrance onto Rio Road (Attachment E). VDOT has determined that the level of vehicular activity at the intersection near the proposed primary entrance will not warrant installation of a traffic signal. VDOT evaluates public streets and intersections on a continual basis to determine when traffic lights need to be installed, and a signal may be installed at some point in the future.

Reviewers from Zoning, Engineering, Fire-Rescue, 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 provided the final site plan demonstrates that the second entrance will be egress only.

Consistency with the Comprehensive Plan. The use will be consistent with the Comprehensive Plan.

In the Places29 Master Plan, this site is designated as Urban Density Residential, which allows for residential uses with densities between 6.01 – 34 units/ acre. Secondary supporting uses such as religious institutions, schools, commercial, office and service uses are also encouraged if they are easily accessible and located close to residential uses. The proposed religious assembly use is in conformity with the supporting religious institutions uses recommended by the Master Plan within Urban Density Residential areas.

Special Use permit requests in the Development Areas are evaluated for conformity to the Neighborhood Model principles. Not all principles are applicable in every request. Pertinent principles are addressed below:

Pedestrian Orientation	The applicant proposes to install new sidewalks along Rio Road to replace the existing sidewalks that must be removed in order to construct the new right-turn lane into the property. Sidewalks and handicap ramps are shown on the concept plan within the interior of the site. This includes areas around the building and throughout the parking lot which will connect to the new Rio Road sidewalks. Although there will be a difference in grade between the reconfigured parking lot and Rio Road E, the slope will not result in an uncomfortable pedestrian experience. This principle is met.
Relegated Parking	This principle is met by providing new parking to the side, behind, and underneath the new sanctuary. Shrub hedges and street trees will provide additional screening of the parking lot located to the side of the sanctuary.
Interconnected Streets and Transportation Networks	This principle is met by providing an area for a future interconnection between the subject parcel and CATEC at the rear of the parking lot near the existing wireless tower. The parking lot will be reconfigured and paved and the travel way meets the minimum dimensional standards necessary for vehicular travel between both parcels. No interconnection currently exists between the properties.
Multimodal Transportation Opportunities	Sidewalks help provide for multimodal transportation opportunities The applicant is also providing bicycle racks within the parking lot near the main driveway entrance to the site to encourage bicyclists. This principle is met.
Parks, Recreational Amenities, and Open Space	Space for outdoor amenity or gathering areas is limited due to the pie shape of the parcel and the proposed improvements. The Concept Plan proposes stormwater facilities in areas that will not contain new buildings or other improvements. However, the Master Plan does not recommend any public or private open space land uses on the subject property. The County's Greenway Plan for the Development Areas does not call for a greenway across the subject property, so the proposal will not preclude the creation of any parks or recreational amenities recommended by the Comprehensive Plan. Additionally, a large portion of the CATEC parcel is undeveloped and contains open areas that will be adjacent to the new parking lot near the inter-parcel connection at the rear of the parcel. Visitors to the church will be able to walk to these areas if desired.
Buildings and Spaces of Human Scale	The Concept Plan does not include any drawings to demonstrate that the new structure will be articulated with features that break up massing on the building sides facing Rio Road. However, the applicant has agreed to a condition that will ensure that the building exterior will feature architectural elements such as fenestration, recesses, and projections that will meet this Neighborhood Model principle.
Redevelopment	The applicant is completely redeveloping this site. This principle is met.
Respecting Terrain and Careful Grading and Re-grading of Terrain	Based on the Concept Plan provided with the application, it appears that the new building and related improvements have been thoughtfully sited into the existing topography which slopes downward from Rio Road into the site. The building is placed as close to Rio Road as possible so that areas of Managed Steep Slopes are disturbed to the least extent possible. The site profiles shown on Sheet C3.1 of the Concept Plan have been reviewed by the Engineering Division and the proposed grading has been minimized to the extent possible. Where necessary, stairs will be constructed along the internal sidewalk network to create a connection between the building entrance and underground parking area. This principle is met.

SUMMARY:

Staff has identified factors which are favorable and unfavorable to this proposal:

Factors favorable to this request include:

1. The proposed use is consistent with the Places29 Master Plan.
2. The proposed use is similar to the existing use; applicant has agreed to conditions that mitigate staff concerns about building character.

Factors unfavorable to this request include:

1. The application lacks architectural details that demonstrate consistency with the Buildings and Spaces of Human Scale principle of the Neighborhood Model. The applicant has agreed to a condition that will enable this principle to met during review of the final site plan.

RECOMMENDED ACTION:

Based on the findings described in this staff report and factors identified as favorable, **staff recommends approval of SP-2017-00010 City Church, with the following conditions** (note: minor modifications of wording may take place after County Attorney review):

1. Development and use shall be in general accord with the revised conceptual plan entitled, “City Church SP Application Plan,” prepared by Terra Engineering and Land Solutions, PC and last updated October 16, 2017 (hereafter “Conceptual Plan”) as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the Conceptual Plan, development and use shall reflect the following major elements within the development essential to the design of the development, as shown on the Conceptual Plan:
 - a. Location of proposed building;
 - b. Location of parking;
 - c. Pedestrian access across the property frontage.

Minor modifications to the plan that do not otherwise conflict with the elements listed above may be made to ensure compliance with the Zoning Ordinance.

2. Building elevations visible from Rio Road shall not be blank walls. Instead, building elevations shall incorporate at least two of the following types of elements: fenestration, architectural detailing with a minimum projection of 6 inches, or recesses/projections in the building wall with a minimum depth of 18 inches. These features shall be distributed across the entire elevation. Compliance with this condition shall be determined by the Director of Planning or designee prior to approval of the church’s final site plan.
3. The area of assembly shall be limited to a maximum 500-seat sanctuary (or maximum 15,000 square feet).
4. Installation of improvements in the parking area and travel way shall not preclude a future interconnection between the subject property and Tax Map Parcel 06100-00-00-15300 as shown on the Concept Plan.
5. Commercial setback standards, as outlined in Section 21.7.2 of the Albemarle Zoning Ordinance, shall be maintained adjacent to residential uses or residentially zoned properties.
6. There shall be no day care center or private school on site without approval of a separate special use permit.
7. The use shall commence on or before [date three years from Board approval] or the permit shall expire and be of no effect.

MOTIONS:

- A. Should the Planning Commission choose to recommend approval of this special use permit:
I move to recommend approval of SP-2017-00010 City Church with the conditions outlined in the staff report.
- B. Should the Planning Commission choose to recommend denial of this special use permit:
I move to recommend denial of SP-2017-00010 City Church (state reasons for denial).

ATTACHMENTS:

- A – [Zoning Map \(1:250\) showing subject property location](#)
- B – [Map \(1:200\) showing existing site conditions](#)
- C – [Concept Plan](#)
- D – [Project Narrative](#)
- E – [VDOT AM-E Request Approval Letter](#)