



ALBEMARLE COUNTY PLANNING
STAFF REPORT SUMMARY

Project Name: SP201900012 Field School of Charlottesville	Staff: Andy Reitelbach, Senior Planner
Planning Commission Public Hearing: May 5, 2020	Board of Supervisors Hearing: To be determined
Owner(s): Field School of Charlottesville	Applicant(s): Field School of Charlottesville, represented by Shimp Engineering
Acreage: 24.57 acres	Special Use Permit for: Request to amend existing special use permit SP201500024 for a private school under Section 10.2.2.5 of the Zoning Ordinance
TMP: 06000000006800 Location: South side of Barracks Road, approximately 750 feet west of the intersection with Montvue Drive	Zoning/by-right use: RA, Rural Area – agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots); private schools by special use permit. By special use permit, this facility may have up to 150 students.
Magisterial District: Jack Jouett	Conditions: Yes EC: Yes
Proposal: Request to amend existing special use permit SP201500024 to reduce the acreage that the special use permit applies to, from a 24.57-acre area to a 21-acre area of the parcel, and to change the location of a tree buffer. No increase in student enrollment proposed.	Requested # of Dwelling Units/Lots: No dwelling units proposed.
RA (Rural Areas): Yes	Comp. Plan Designation: Rural Areas - preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources; residential density 0.5 unit/acre in development lots.
Character of Property: Currently vacant and mostly wooded property with a small pond and some areas of clearing and fill.	Use of Surrounding Properties: Large- and small-lot residences, farms, other open land, and forests. Colthurst subdivision is to the south and west.
Factors Favorable: 1. As no enrollment increase is requested and no changes to entrances or traffic circulation is requested, the proposed changes are not expected to have an impact on the surrounding area.	Factors Unfavorable: 1. None identified.
Recommendation: Special Use Permit: Staff recommends approval of SP201900012, Field School of Charlottesville, with conditions.	

STAFF CONTACT:
PLANNING COMMISSION:
BOARD OF SUPERVISORS:

Andy Reitelbach, Senior Planner
May 5, 2020
TBD

SP201900012 Field School of Charlottesville

PETITION

PROJECT: SP201900012 Field School of Charlottesville

MAGISTERIAL DISTRICT: Jack Jouett

TAX MAP/PARCEL: 06000000006800

LOCATION: South side of Barracks Road, approximately 750 feet west of the intersection with Montvue Drive

PROPOSAL: Request to amend existing special use permit SP201500024 to reduce the acreage that the special use permit applies to, from a 24.57-acre area to a 21-acre area of the parcel, and to change the location of a tree buffer.

PETITION: Special Use Permit request for private schools under section 10.2.2.5 of the Zoning Ordinance. No increase in student enrollment proposed. No dwelling units proposed.

ZONING: RA Rural Area – agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots)

ENTRANCE CORRIDOR: Yes

OVERLAY DISTRICT(S): Airport Impact Area

COMPREHENSIVE PLAN: Rural Area – preserve and protect agricultural, forestal, open space, and natural, historic, and scenic resources; residential (0.5 unit/acre in development lots)

CHARACTER OF SURROUNDING AREA

The property consists of one parcel totaling 24.57 acres. The site fronts on Barracks Road, west of the city of Charlottesville and just west of Neighborhood 7 of the Southern and Western Urban Neighborhoods Development Area. The property is mostly wooded, but some areas of the site have been cleared. There is a 3-acre manmade pond fed by a stream on the property and the Water Protection Ordinance (WPO) designates a 100-foot buffer around the pond and stream.

The cleared areas of the site were part of a previous fill/waste site on the property. In 2006 a previous property owner obtained a permit to use the site for fill. However, a zoning violation was issued for this site once it was discovered that there was an accumulation of construction debris on the property consisting of metal and wire trash and other debris. The violation was determined to be officially abated in 2009. Areas of the site that were previously used for the fill activity remain mostly cleared and contain areas of man-made critical slopes.

There are two existing entrances to the site from Barracks Road. One of the entrances was formerly used to provide access to the fill site. The other entrance is gated and adjacent to the pond. This entrance is still used for maintenance of the dam and pond.

Neighboring properties are mostly single family-detached residential lots. The Colthurst Farm subdivision (approximately 60 homes) is directly south and west of the property and consists of mostly 1-2 acre lots. Saint David's Anglican Church is adjacent to the property to the northwest. Parcels across Barracks Road are larger lot residential or open space/farm parcels. The Montvue subdivision is across Barracks Road to the northeast. (See Attachment 1 – Location Map.)

The property is zoned RA Rural Areas, and the majority of the adjacent parcels are also zoned RA. A few

parcels to the southeast are zoned PRD Planned Residential Development (which only contains one dwelling) and R1 Residential (see Attachment 2 – Zoning Map).

PLANNING AND ZONING HISTORY

The property is zoned RA, Rural Areas.

WPO2006-0072 – A previous property owner received a permit to conduct fill/waste activity on TMP 60-68.

Violation 2008-228 – The Zoning Administrator made an official determination of zoning violation that the accumulation of metal, wire trash, and debris on the site constituted a junkyard. The violation was abated in 2009.

SP201500024 – Request for a special use permit to allow the construction of a new private school for up to 150 students; approved March 8, 2017.

- Special Exception Request to Disturb Critical Slopes in conjunction with SP201500024; approved March 8, 2017.
- Central Sewerage System Request in conjunction with SP201500024; approved April 12, 2017.

There have also been a number of subdivision plats and boundary line adjustments associated with the property since 2000.

DETAILS OF THE PROPOSAL

The applicant has requested to amend an existing special use permit for a private school (SP201500024) to reduce the acreage of the property that the special use permit applies to in order to facilitate a boundary line adjustment with a neighboring parcel (see Attachment 3 – Project Narrative and Attachment 4 – Concept Plan). The existing special use permit for the Field School of Charlottesville applies to the entirety of Tax Map Parcel (TMP) 60-68, which is 24.57 acres. The property owner has proposed to submit a future boundary line adjustment (BLA) plat to transfer 3.57 acres to an adjacent parcel, TMP 60C—0E-10, if this special use permit amendment is approved. The concept plan (sheet C5) depicts the 3.57 acres that are proposed to be transferred to the neighboring property owner. Because special use permits run with the land, if the BLA were to occur now, the special use permit for the Field School property would continue to apply to the 3.57 acres transferred to TMP 60C—0E-10, encumbering that parcel with the conditions of the special use permit, including a tree buffer that would bisect the proposed new configuration of 60C—0E-10. By reducing the area of TMP 60-68 that the special use permit applies to, the 3.57 acres proposed to be transferred to TMP 60C--0E-10 would no longer be encumbered by the special use permit.

Because of the loss of the 3.57 acres of the Field School's property, there are a few other revisions that the applicant proposes to make to the concept plan for the school. The fifty-foot (50') preserved tree buffer that was proposed to run along the rear property line has been shifted to run along the intended new property line with TMP 60C—0E-10. A portion of this tree buffer, however, has been designated as a "50' minimally disturbed buffer" that would permit some disturbance for nature trails and temporary construction access during construction of the proposed pavilion. This minimally disturbed buffer would border only land that is part of the 3.57 acres intended to be transferred to the neighboring parcel. It does not border any existing parcel boundaries.

In addition, there are several other minor elements of the concept plan that the applicant proposes to

change. The locations of the septic drainfields are proposed to be shifted to be out of the 3.57 acres intended to be transferred to the neighbors. However, the exact locations of the drainfields will be determined in conjunction with the Health Department at the time of site planning. The applicant also proposes to rotate the orientation of one building, a dining hall, by 90 degrees, while still remaining in the same general location. Also, six parking spaces are proposed to be moved from near the dining hall to near the academic and athletic buildings, where there are already twelve faculty parking spaces depicted on the concept plan. The overall number of proposed parking spaces is not increasing, and the new location of those spaces is more interior to the site, farther away from both Barracks Road and adjacent properties.

There are no new buildings proposed, there are no changes to entrances or traffic circulation proposed, and there are no changes in enrollment numbers proposed. The maximum enrollment permitted at the school will remain at 150 students.

COMMUNITY MEETING

No community meeting was held for this application. Due to the nature of the proposal, including the reduction in area that the special use permit would apply to in order to facilitate a boundary line adjustment with a neighboring parcel, along with the associated shift in location of a tree buffer, with no proposed enrollment increase and no proposed change to entrances or traffic flow along nearby streets, it was determined that the requirement for a community meeting could be waived.

ANALYSIS OF THE SPECIAL USE PERMIT REQUEST

Section 33.39(B) of the Zoning Ordinance states that the Planning Commission, in making its recommendation, shall consider the same factors found in Section 33.40(B):

1. *No substantial detriment.* Whether the proposed special use will be a substantial detriment to adjacent parcels.

The nearest dwellings are within the Colthurst Farm neighborhood and are approximately 350 feet away from the edge of the building and sports fields envelopes. The applicant is proposing to maintain landscaped buffers on all sides of the site and is proposing to preserve the existing treeline around the pond to help screen the site and limit noise impacts.

The proposed amendment to the existing special use permit does not change the locations of the building and sports fields envelopes. The proposed improvements will remain within the previously-approved envelopes. The 50' preserved tree buffer on the southern boundary of the site will be shifted to follow along the proposed new property line, but it should continue to provide the same benefits in limiting noise as the original location.

The one exception to the tree buffer is the area in the southwestern portion of the property where it is intended to be a 50' minimally-disturbed tree buffer (instead of preserved) to permit nature trails and temporary construction access to the proposed outdoor pavilion. The general location of the pavilion is not changing with this amendment request; however, the transfer of the 3.57 acres of land and resulting shift in the tree buffer cut off access to the pavilion, as the pavilion would be surrounded on all sides by either critical slopes, tree buffers, or the WPO 100' stream buffer. The proposed minimally-disturbed tree buffer would only border the 3.57 acres of land intended to be transferred to the neighboring property and does not border any existing property lines, limiting its impact on adjacent parcels.

There does not appear to be any substantial detriment on adjacent parcels due to the proposed amendment to the previously approved special use permit. All conditions approved with SP201500024 are proposed to continue except for revising condition #1 to reference the new concept plan submitted with this amendment request. It is recommended, however, that a portion of the width of the proposed 50' minimally-disturbed tree buffer instead become a preserved tree buffer, like it was originally intended. This change would provide some additional buffering against the proposed new parcel lines, with the remainder of the 50' buffer width being the minimally-disturbed tree buffer that would allow space for nature trails and temporary construction access for the pavilion.

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.*

The Rural Areas zoning district in this area is characterized by mostly small and large lot residential uses and a few parcels that appear to be dedicated to agricultural and or open space uses. The proposed amendment to the previously approved special use permit is not expected to change the character of the nearby area. The proposed changes are largely internal to the site, and the shift in location of the 50' tree buffer at the rear of the property is not expected to change the character of the area. The property of the Field School will remain at 21 acres if the BLA is submitted and approved, and the adjacent residential parcel would increase in size to over six acres. No additional parcels are proposed to be created; only a boundary line adjustment between the Field School and a neighboring residential lot is proposed in the future.

Though the exact design and configuration of the school development is unknown at this time, staff believes that allowing flexibility by only showing the building envelopes and providing commitments to building sizes on the concept plan is the best approach. Since the site is along an Entrance Corridor, the final design of the site is expected to be in compliance with Entrance Corridor Design Guidelines and will require approval from the Architectural Review Board. The building envelopes and building sizes are not changing with this request; they remain the same as those originally approved with SP201500024.

3. *Harmony. Whether the proposed special use will be in harmony with the purpose and intent of this chapter,*

The proposed special use permit amendment will keep the same general development plan as previously approved with SP201500024. The reduction in acreage that the special use permit applies to and the shift in location of the tree buffer that are being requested with this application do not change the use and continue to be in harmony with the purpose and intent of the district. The proposal will not significantly change the impact of the use (with the recommended conditions) or its consistency with the purpose and intent of the ordinance.

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

The proposed amendment to the previously approved special use permit will not restrict the current uses or other by-right uses available at this property or adjacent properties.

b. *with the regulations provided in Section 5 as applicable,*

There are no supplementary regulations in Section 5 that are applicable to this use.

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

The character of the use and the scale of the use would not change with the proposed reduction in acreage of the special use permit or the shift in location of the tree buffer. The changes will not create off-site impacts to health or safety. The conditions approved with the original special use permit, SP201500024, are proposed to remain in effect with this SP amendment request.

4. Consistency with the Comprehensive Plan. Whether the proposed special use will be consistent with the Comprehensive Plan.

The Comprehensive Plan designates the property as Rural Areas, which calls for the preservation and protection of agricultural, forestal, open space and natural, historic and scenic resources and allows for a density of 0.5 units per acre on development lots. The site has previously been approved for use as a private school, and no change in the type of use on the site is proposed with the requested amendment to the special use permit. The defined extent of development on the site will limit the area of land disturbance to only a portion of the property and will help to protect natural resources in areas not designated for development such as existing woods, areas of critical slopes, and the pond, stream, and WPO buffer system on the western portion of the property, which is supportive of the Rural Areas goal of preserving and protecting forestal, open space, and natural resources.

RECOMMENDED REVISIONS

There are two revisions recommended by staff to the concept plan to clarify the plan and ensure there are minimal impacts, which should be completed prior to the public hearing with the Board of Supervisors:

- 1) There is a technical revision that needs to be made to sheet C7 of the concept plan. In the southeastern corner of the Field School's property as depicted on this sheet, the label "50' tree buffer "C"" needs to be revised to "25' tree buffer "C"", which is what was originally approved and is shown on the other sheets of the concept plan.
- 2) Staff recommends revising the width of the proposed "50' minimally-disturbed tree buffer D" in the southwestern portion of the property, adjacent to the 3.57 acres proposed to be removed from the special use permit and transferred to the adjacent property. The overall width of the proposed tree buffer should remain at 50 feet; however, it is recommended that a portion of that width be a preserved tree buffer (similar to the rest of the tree buffer along the southern property line) to protect the proposed new property boundary against any potential impacts in the future. The remainder of the 50-foot width of the buffer can be minimally disturbed to allow space for the proposed nature trails and temporary construction access for the pavilion.

SUMMARY

Staff finds the following factors favorable to this request:

1. As no enrollment increase is requested and no changes to entrances or traffic circulation is requested, the proposed changes are not expected to have an impact on the surrounding area.

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

1. None identified.

RECOMMENDED ACTION

Based on the findings described in this staff report and factors identified as favorable, **staff recommends approval of special use permit application SP201900012 Field School of Charlottesville, with the following conditions**, provided that the two above-mentioned “recommended revisions” are made to the concept plan prior to a public hearing with the Board of Supervisors:

1. Development of the use shall be in general accord with the concept plan entitled “Special Use Permit Concept Plan and Exhibits, Field School of Charlottesville, SP2019-00012 – Amendment to SP2015-24, Tax Map 60, Parcel 68, Albemarle County, Virginia,” prepared by Shimp Engineering, P.C., dated 2019.11.18, revised 2020.02.18, as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the concept plan, the development and use shall reflect the following major elements as shown on the concept plan:
 - a. Locations of buildings and sports fields within the indicated envelopes
 - b. Maximum total building footprint of thirty thousand (30,000) square feet
 - c. Maximum footprint of twelve thousand (12,000) square feet for any single building
 - d. Preservation and installation of tree buffers as indicated
 - e. Preservation of wooded areas and slopes outside of building and sports field envelopes as indicated

Minor modifications to the plan which are in general accord with the elements above may be made to ensure compliance with the Zoning Ordinance. Modifications are to be considered in terms of minimizing or improving impacts on adjoining properties and roadways. Buildings and parking may be developed in phases.

2. The maximum enrollment shall be one hundred fifty (150) students.
3. Classroom instruction shall not begin before eight o'clock a.m. (8:00 a.m.) and shall not continue later than five o'clock p.m. (5:00 p.m.). These hours shall not apply to sports events. Classes shall not be held on Saturday or Sunday.
4. Occasional non-sporting school-related events may occur on and after five o'clock p.m. (5:00 p.m.) on Monday through Friday and at any hours on Saturday and Sunday. Occasional community events may occur on and after six o'clock p.m. (6:00 p.m.) on Monday through Friday and at any hours on Saturday and Sunday.
5. No construction for the use shall begin without written approval of the proposed septic facilities from the Virginia Department of Health.
6. No outdoor lighting of sports fields shall be installed for this use.
7. There shall be no outdoor amplified sound associated with this use.
8. Any new outdoor lighting shall be only full cut-off fixtures and shielded to reflect light away from all abutting properties. A lighting plan limiting light levels at the property lines to no greater than 0.3 foot candles shall be submitted to the Zoning Administrator or his designee for approval.
9. If the construction of the private school for which this Special Use Permit is issued is not commenced by February 28, 2022, the permit shall be deemed abandoned and the authority granted there under shall thereupon terminate.

POSSIBLE PLANNING COMMISSION MOTIONS for SP201900012

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

I move to recommend approval of SP201900012, Field School of Charlottesville, with the conditions as stated in the staff report and with the two revisions to the concept plan as recommended by staff.

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

I move to recommend denial of SP201900012, Field School of Charlottesville. (State reasons for denial.)

ATTACHMENTS

Attachment 1 – Location Map

Attachment 2 – Zoning Map

Attachment 3 – Project Narrative, dated November 18, 2019, last revised February 18, 2020

Attachment 4 – Concept Plan and Exhibits, dated 2019.11.18, last revised 2020.02.18