



ALBEMARLE COUNTY PLANNING
STAFF REPORT SUMMARY

Project Name: SP201800006 Little Explorers Discovery School (Crozet Baptist Church)	Staff: Elaine Echols, David Benish, Andrew Reitelbach
Planning Commission Public Hearing: August 14, 2018	Board of Supervisors Hearing: To be determined
Owner(s): Crozet Baptist Church	Applicant(s): Christie Gillette
TMP: 056A1-01-00-08200 Acreage: 2.25 acres	Special Use Permit for: Day care, child care or nursery facility in accordance with Section 14.2.2.7 of the Zoning Ordinance (<i>corrected from August 14 staff report</i>)
Location: 5804 St. George Avenue	Zoning/by-right use:
Magisterial District: White Hall	Proffers/Conditions: Yes
School District: Western Albemarle High School, Henley Middle School, Crozet Elementary School	
DA (Development Area): Crozet	Requested # of Dwelling Units/Lots: N/A
Proposal: Preschool/After School program for up to 40 students	Comp. Plan Designation: Neighborhood Density Residential
Character of Property: Existing church building, house, parking area, and back yard	Use of Surrounding Properties: Residential in an existing single family detached neighborhood. There are two businesses along St. George Ave., including a funeral home.
Factors Favorable: 1. The proposed use is consistent with the Crozet Master Plan. 2. The proposed use is located within the Development Areas and will help support new residential development in Crozet.	Factors Unfavorable: 1. The use will generate additional vehicular trips on St. George Avenue; however, a staggered drop off period will be used to better distribute traffic and reduce impacts with public school traffic. 2. Outdoor play by children will generate noise; however, the addition of a privacy fence and enlarged play area in the back yard of the church will help to attenuate impacts.
Recommendation: Staff recommends approval of this special use permit with conditions.	

STAFF CONTACT:
PLANNING COMMISSION:
BOARD OF SUPERVISORS:

Elaine Echols; David Benish; Andrew Reitelbach
August 14, 2018
TBD

PETITION:

PROJECT: SP201800006 Little Explorers Discovery School (Crozet Baptist Church)
MAGISTERIAL DISTRICT: White Hall
TAX MAP/PARCEL: 056A1-01-00-08200
LOCATION: 5804 St. George Avenue
PROPOSAL: Preschool/After School program for up to 40 students
PETITION: Request for day care, child care or nursery facility in accordance with Section 14.2.2.7 of the Zoning Ordinance on 2.25 acres. No residential use is proposed.
ZONING: R2 Residential which allows 2 dwelling units/acre and institutional and public uses.
COMPREHENSIVE PLAN: Neighborhood Density Residential which allows 3-6 units /acre; supporting uses such as religious institutions, schools and other small-scale non-residential uses in the Community of Crozet.

CHARACTER OF THE AREA

The 2.25 acre property is on the north side of St. George Ave. in Crozet. Adjacent properties are single family houses. A parking lot for the church is directly across the street. The neighborhood contains single family detached housing, a funeral home, and another small business. The neighborhood and property are all zoned R2 Residential. Crozet Elementary School is located approximately ½ mile away to the north on Crozet Ave. Attachment A contains a location map.

PLANNING AND ZONING HISTORY

- **SDP 1979-00052** - approval of a site development plan to construct a 9,000 square foot auditorium addition to the existing church. This plan was approved; however, construction did not occur, and the plan expired in 1981.
- **SDP1982-00045** - approval of a site development plan to construct a 3,043 square foot addition to the existing church, increasing the overall size of the church to 10,601 square feet, and to expand the parking lot. This plan was submitted and approved, and replaced the 1979 plan, as that plan from 1979 had been approved, but expired on March 27, 1981, without construction commencing.
- **SUB 1993-00074** - approval of a subdivision plat to vacated property lines, showing the combining of three separate parcels into one larger parcel, which is the current parcel that the main building of Crozet Baptist Church is situated on, to the north of St. George Avenue.
- **SP1999-00064** - approval of a special use permit to allow two houses on church property to be used for church education and group meeting space (youth group) on the first floor.
- **SP2003-00058** - approval of a special use permit to allow office use on the first floor of the houses, in addition to church education and group meeting space.

DETAILS OF THE PROPOSAL

The applicant has requested approval to use a portion of the Crozet Baptist Church building for a preschool and afterschool program. It would operate Tuesday through Friday, 7:30 – 5:00 p.m. While a maximum of 40 students might be enrolled, only 25 would be present at one time. The applicant has indicated that drop-offs and pick-ups will be staggered throughout the day. A large outdoor play set already exists. This area will be fenced and fencing may include the entire back yard. The applicant’s request is provided as Attachment B.

COMMUNITY MEETING

A community meeting was held on June 20 at the Crozet Community Advisory Committee (CCAC) meeting. Approximately 50 persons attended the CCAC meeting. According to one of the neighbors, there were eight residents in immediate vicinity of the Crozet Baptist Church who attended that meeting for the proposal.

At the meeting four residents spoke. They were concerned with

- loud outdoor noise
- too much traffic (existing and proposed)
- a potential change in character of the street
- safety due to potential speeding where speeding is already a problem
- safety of children walking to school and riding bicycles
- materials and height of any future fencing
- need for teacher supervision of outdoor activities
- an eroding sidewalk.

Others in attendance, including CCAC members commented that a significant need exists for preschool and after school programs in Crozet. Several CCAC members asked the applicant if the program could operate Monday through Friday instead of just Tuesday through Friday. Another member of the CCAC said that the request is not unprecedented: Victory Hill Church on Hillsdale operates without problems in its neighborhood. Another CCAC member said that he had run similar types of programs in several different residential neighborhoods before moving to Crozet. He said that the use makes sense in a residential neighborhood and is typically a good neighbor.

A representative of the church attended the community meeting. She said that average Sunday attendance is 125 and a mother's group with 20 – 25 children from 9 – 11 already meets at the church on Monday. As a result, Little Explorers could only operate 4 days a week. Emailed comments received from neighbors are included in Attachment C. An email from one of the CCAC members is also included in Attachment C.

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 church has been in operation at this location since 1951, without problems to the neighborhood. Similarly, the funeral home to the west of the church on St. George Ave. has been in operation for many decades, having opened in 1967 at its current location.

The owners of the lot to the west have contacted staff with their concerns and belief that the use will substantially harm their property by adding a business to the neighborhood and having regular children's outdoor activities so close to their property. They are concerned about enjoyment of their property. The owners to the north of the property said at the community meeting that children frequently trespass on others' properties and create safety concerns. They wanted to make sure fencing is provided. Staff has passed on these concerns to the applicant and the church.

The church has indicated to staff that it will provide a privacy fence along the back of the lot and western property line. The playground inside that fenced area will be encircled with a chain length fence. Representatives from the church have committed to work with their neighbors on the height and materials of the privacy fence.

Staff believes that both the church and the applicant will work with the neighbors to create as minimal an impact as possible and that the proposed use will not be a detriment.

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

The property and its surroundings are zoned R2 which is a low density single family residential district. Religious institutions, day cares, and small private schools frequently locate in residential areas because they help support residents. The proposed use is primarily within an existing building and no building changes are needed. Outdoors, the applicant has indicated that the children must be supervised at all times and only small groups will

be outside at a single time – not the full 25 children.

Neighbors have said that they believe the character of the neighborhood will change as a result of this use. They have cited concerns with fencing of the yard and the addition of a business in the church. Staff believes that the use will not be appreciably different from typical church activities that might take place in the summer (Vacation Bible School) or throughout the year. Staff appreciates the concerns raised but believes that the use fits in with the character of nearby properties in the same zoning district.

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

The purpose of Chapter 18 of the Zoning Ordinance is *to promote the public health, safety, convenience, and welfare and to accomplish the objectives of Virginia Code §§ 15.2-2200 and 15.2-2283. To these ends, this chapter is intended to:*

- A. *Provide for adequate light, air, convenience of access, and safety from fire, flood, impounding structure failure, crime and other dangers;*
- B. *Reduce or prevent congestion in the public streets;*
- C. *Facilitate creating a convenient, attractive and harmonious community;*
- D. *Facilitate providing adequate police and fire protection, disaster evacuation, civil defense, transportation, water, sewerage, flood protection, schools, parks, forests, playgrounds, recreational facilities, airports and other public requirements; ...*

Staff believes that the proposed use will not affect light, air, convenience of access or any of the other items in A. above. Due to the small amount of traffic anticipated, congestion in the public streets is not expected. The use is intended to help promote convenience for Crozet families who are currently not able to find a preschool or after school program for their children. Staff believes that the applicant will work with neighboring property owners to find a suitable fencing material and height that will help maintain an attractive and harmonious community. The use will also help provide for adequate schools in the community.

The purpose and intent of the R2 zoning district is: *to establish a plan implementation zone that:*

- *Provides a potential transition density between higher and lower density areas established through previous development and/or zoning in community areas and the urban area; and*
- *Provides incentives for clustering of development and provision of locational, environmental and development amenities.*
- *R-2 districts may be permitted within community and urban area locations designated on the comprehensive plan. (Amended 9-9-92)*

The proposed use does not affect the intent of the R2 zoning district.

The proposed special use will be in harmony with the uses permitted by right in the district.

By right uses include single family detached houses; public uses and buildings including schools, offices, parks, playgrounds and roads funded, owned or operated by local, state or federal agencies; and family day homes. Staff believes that the size of this preschool in an existing church building at the proposed location would be in harmony with its surrounding by-right uses.

The proposed special use will be harmony with the regulations provided in section 5 as applicable.

The supplementary regulations in Section 5 require that a day care acquire and maintain licensure from the state department of Social Services and pass inspection by the fire marshal. The applicant is subject to these requirements before being given a zoning permit to operate.

The proposed special use will be in harmony with the public health, safety and general welfare.

Public health, safety, and general welfare are typically assessed by analyzing impacts from land disturbance, traffic, and other activities such as noise, vibration, smells, and the like. No real land disturbance is proposed; fencing typically does not involve excavation or result in runoff. The key issues of concern, especially to neighbors are the potential traffic impacts that could affect safety and noise generation.

Regarding traffic, neighbors have cited speeding, which is an existing problem; additional vehicles travelling the street making it more difficult for walking and bicycling, especially for children; and more traffic pressure on the intersection of St. George Ave. and Crozet Avenue. Crozet Avenue carries higher traffic volumes at the same time as day care drop off will occur because of proximity to Crozet Elementary School.

Neighbors have contacted the County's Transportation Planner requesting assistance with traffic calming in the neighborhood. He has said that he will come out and observe traffic once school is back in session and also do a review of the existing signage on the street to insure that it is visible and properly placed. If changes are needed to result in improved adherence to safe travel, he said the County will assist the neighborhood in making these changes. He has said that placing speed reading digital signs will tell drivers how fast they are going compared to the speed limit and may be effective in this neighborhood. The Transportation Planner said that the speed readers also collect data on speeding that can be used to identify the need for more robust measures that could be employed to help calm traffic. He said he will speak with Albemarle County police department about getting a sign placed on St. George Ave. and also request some additional enforcement from them especially once school begins.

The estimated maximum trips resulting from the use is less than 31 additional one-way trips each morning. In reality, there would be fewer trips because several of the teachers will be bringing their children with them before 7:30, sometimes more than one child in a family is dropped off, and carpooling also occurs. To help minimize the impact between 7:30 and 8:30 a.m., the applicant has proposed staggered drop-off times. Teachers will arrive before 7:30 a.m.; early drop off begins at 7:30 a.m. and regular drop off begins at 8:30 a.m. Staff acknowledges that even this small amount of traffic will be felt by some in the neighborhood but does not believe that this small number constitutes a large impact to traffic on St. George Avenue during that time.

Regarding noise, staff believes that the addition of a privacy fence; creating an opportunity for children to play in the entire fenced area instead of being restricted to just the playground area; and the limited number of children playing at the same time will help minimize any negative impacts from noise.

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

The Development Areas chapter of the Comprehensive Plan discusses the importance of preserving existing neighborhoods, but acknowledging that investments have made in those neighborhoods that help strengthen the neighborhoods:

Existing neighborhoods are also key features of the Development Areas. Investments in infrastructure, such as water, sewer, sidewalks, and drainage, help to strengthen these neighborhoods. Improved street networks, connections to employment centers, and excellent school facilities help support residential development as well as encourage businesses to expand.

Although it is intended mostly for public schools, the Community Facilities chapter of the Comprehensive Plan contains a strategy concerning new schools (Little Explorers is a Day Care/PreSchool with an after school program) **Strategy 3a:** *Locate new schools in the Development Areas. Only locate new schools in the Rural Area by exception when either physical constraints, land area needs or availability, or service considerations may necessitate it.*

In both Development Area goals and Community Facility goals, staff believes that this day care/preschool use is in conformity with the County's overall Comprehensive Plan.

Consistency of special use permit requests is also evaluated against master plans and, in this case, the 2010 Crozet Master Plan. The property under review is recommended for Neighborhood Density residential use.

Two of the Crozet Vision and Guiding Principles are relevant to this request:

1. *Existing neighborhoods and the Downtown area will be preserved; new or infill development will be appropriate in scale and type to these existing growth patterns.*
7. *Community facilities and services must accommodate the changing needs of the community as it grows over time.*

Because of the size, scale, and expected minimal impacts, staff believes that the existing neighborhood on St. George Avenue will be preserved while the school helps to accommodate a growing need for preschools in the community. Staff also notes that the Crozet Master Plan anticipates that daycare centers and preschools will be located in areas designated for Neighborhood Density residential:

This designation represents residential areas with a desired density of 3 – 6 residential units per acre. It also represents existing residential areas within or below this range. Housing in this area is primarily single-family detached with some single-family attached/townhouses. Non-residential uses include institutional uses, such as places of worship, public and private schools, and early childhood education centers (daycare centers and preschools). Neighborhood-serving retail/commercial areas and office uses of less than 5,000 square feet may be allowed by exception only in Neighborhood Density Residential areas located within half a block of Downtown along Blue Ridge Avenue and east of Firehouse Lane.

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 Crozet Master Plan.
2. The proposed use is located within the Development Areas and will help support new residential development in Crozet.

Factors unfavorable to this request include:

1. The use will generate additional vehicular trips on St. George Avenue; however, a staggered drop off period will be used to better distribute traffic and reduce impacts with public school traffic.
2. Outdoor play by children will generate noise; however, the addition of a privacy fence and enlarged play area in the back yard of the church will help to attenuate impacts.

RECOMMENDED ACTION:

Based on the findings described in this staff report and factors identified as favorable, **staff recommends approval of SP-2018-0006 Little Explorers Discover School, with the following conditions** (note: minor modifications of wording may take place after County Attorney review):

1. The preschool and extended care/afterschool programs shall take place within the existing Crozet Baptist Church building except for outdoor play which shall take place within a fenced yard.
2. The maximum enrollment of children shall be 40 with no more than 25 students present at any time in both the preschool and extended care/afterschool programs.
3. Hours of operation for the preschool shall be between 7:30 a.m. to 5:30 p.m. except that occasional preschool-related events may occur after 5:00 p.m.

4. A staggered morning drop off period shall be employed by the owner to more evenly distribute traffic generated by the use across a one and one half our period.
5. After consultation with abutting property owners on materials and height but prior to beginning operation of the preschool or extended care/afterschool program, the owner of the property shall construct and maintain a privacy fence along the western and northern property lines.
6. If the construction of the use for which this Special Use Permit is issued is not commenced by (2 years from approval date by BOS), the permit shall be deemed abandoned and the authority granted there under shall thereupon terminate.

MOTIONS:

- A. Should the Planning Commission choose to recommend approval of this special use permit:
I move to recommend approval of SP2018-00006 Little Explorers Discovery School 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 SP2018-00006 Little Explorers Discovery School - (state reasons for denial).

ATTACHMENTS:

- Attachment A – [Location Map](#)
Attachment B – [Applicant's Request](#)
Attachment C – [Comments Received to date](#)