



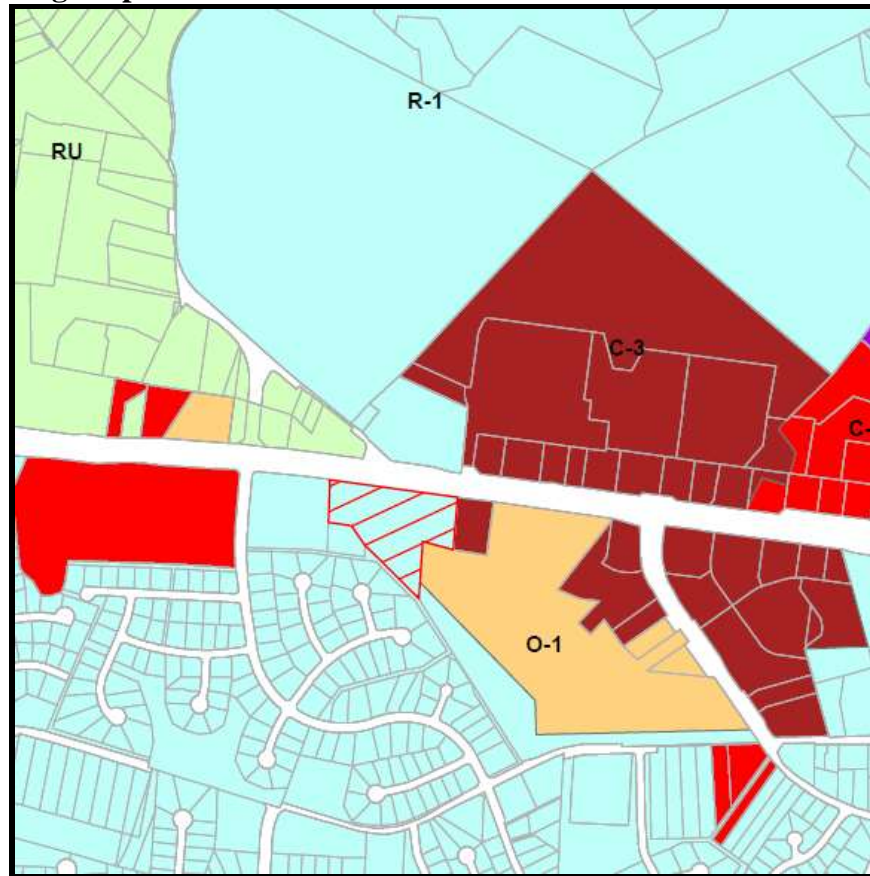
**County of Spotsylvania**  
**Department of Planning**  
**Staff Report**

Special Use Permit # SUP18-0004  
(Chancellor Voting District)

**Board of Supervisors**  
**April 24, 2018**

Planning Commission:	Approval of the Special Use Permit with conditions
Staff Recommendation:	Approval of the Special Use Permit with conditions
Project:	SUP18-0004 Zoan Baptist Church – Summit Academy
Owner/Applicant:	Zoan Baptist Church
Request:	Special use permit approval to allow a private school on Residential 1 (R-1) zoned property
Tax Map Parcel:	22-A-38
Location:	The property is located at 5888 Plank Road which is on the south side of Plank Road (Route 3) approximately 1,500 feet west of the Harrison Road (Route 620) and Plank Road (Route 3) intersection.
Zoning Overlay:	Highway Corridor Overlay District Reservoir Protection Overlay District
Future Land Use Designation:	Institutional
Historic Resources:	DHR ID 088-0334 –Lick Run Battlefield Historic District DHR ID 088-5180 Chancellorsville Battlefield
Date Application Deemed Complete:	1/26/2018
Community Meeting:	N/A

**Figure 1: Zoning Map**



**Figure 2: Aerial Map (2013)**



**Figure 3: Zoan Baptist Church – View west from eastern entrance**



**Figure 4: Zoan Baptist Church – View east from western entrance**



## **I. Analysis**

The Zoan Baptist Church is located at 5888 Plank which is on the south side of Plank Road (Route 3) approximately 1,500 feet west of the Harrison and Plank Road intersection. The church property totals approximately 7 acres and is currently zoned Residential 1 (R-1). The church operates as a legal non-conforming use as the church use was established prior to the Zoning Ordinance. In October 2017 a complaint was filed with County Code Compliance that a private school was operating within the church facility. The complaint resulted in staff investigation and ultimately the determination by the Zoning Administrator that in order to operate a private school on Residential 1 (R-1) property, a special use permit is required. The school currently operating within the church facility is known as Summit Academy. Summit Academy's current student enrollment is 30 students, grades 9 – 11. In the Fall of 2018 the school anticipates offering full curriculum coverage for grades 9 – 12 with an enrollment of 50 or less students.

The school classrooms are located within the youth wing of the church and the fellowship hall serves as the lecture hall and assembly area for the school during the week. The school hours are Monday through Friday from 8:15 am to 3:04 pm during the months of August through early June. Students either drive or are dropped off by their parents to the school. There is no bus or transportation service for the students, and the school is able to utilize the church parking lot which is adequate to serve both the church and school which operate at separate times. Currently there are no organized outdoor activities on site.

The applicant anticipates the maximum student capacity in the church facility as-is to be approximately 120 students. Staff assumed the maximum student capacity of 120 students in order to analyze the proposal's impact on traffic. Based on the ITE Trip Generation Manual, a private school with 120 students will generate approximately 298 daily trips with 97 in the AM peak and 70 in the PM peak. The church site currently has two access points on Plank Road, neither of which meet current VDOT entrance standards. VDOT's review of the application included a recommendation that the owner bring the site access up to meet current minimum entrance standards. The County's traffic engineer reviewed the proposal and weighed VDOT's recommendation against current traffic conditions, level of service along Plank Road and crash data. The level of service along Route 3 between Big Bend Blvd. and Harrison Crossing operates at a LoS C in both the AM & PM Peak Periods per the Spotsylvania County Travel Model. A level of service C meets or exceeds our standard in the Transportation element of the Comprehensive Plan. The main (western) entrance into the site is located 700' from Big Bend Blvd. and 1,600' from Harrison Road. Both intersections are signaled and create gaps in the traffic flow to allow entry the church site safely. The main (western) entrance to the site is 40' wide which meets Commercial width standards. Plank Road is a divided highway so the eastern entrance operates as right-in, right-out. Over the past 5 years, the stretch of road 400' east and 400' west of the site entrance averaged 3.7 crashes per year which is not considered a "high crash" location (5 or more would qualify).



**Figure 5: Zoan Baptist Church Entrance Locations**



At maximum capacity of 120 students in the existing facility the estimated traffic will have minimal impact on Route 3. Given the limited amount of traffic generated by the school use, the existing levels of service and traffic conditions, the County is not recommending any changes or improvements to the access points at this time. However, an increase in student enrollment beyond 120 or an expansion of the facility which would increase the student capacity will trigger a re-assessment. In order to provide the County the opportunity to reassess the impact of the use on the traffic network and the condition of the existing access points, staff is recommending a condition which limits the number of students to 120 students. Any increase beyond 120 students will trigger an amendment to the special use permit.

## **II. Standards of Review for Special Use Approval**

The Planning Commission shall not recommend, nor shall the Board of Supervisors approve, the proposed special use unless it satisfies the following standards:

<b>STANDARDS OF REVIEW FOR SPECIAL USE APPROVAL</b>	
<b>STANDARD</b>	<b>STAFF COMMENT</b>
1. Proposed use is in accord with the comprehensive plan and other official plans adopted by the county.	The private school use is located within the Primary Development Boundary in an area designated as Institutional Land Use as depicted on the Future Land Use Map. Land within the Primary Development Boundary is intended to develop with more intensive non-residential uses than outside of the boundary. The proposed special use permit application would result in the operation of a private school within existing church facilities located onsite and complements the intent of the Institutional Land Use designation. Nearby commercial and employment center land use designations adjacent to the project area are all harmonious with the land use proposal. While the site does lie within the areas designated as the Lick Run Battlefield Historic District Chancellorsville Battlefield area, there is no expected impact given that the use will operate within the existing church facility.
2. Proposed use or development of the land will be in harmony with the scale, bulk, coverage, density, and character of the area.	The proposed private school use will operate within the existing church facility with no changes to the building or site. Nearby commercial and employment center land use designations adjacent to the project area are all harmonious with the land use proposal.
3. Proposed use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.	Staff has not identified any reason why the proposed use would hinder or discourage appropriate development and use of adjacent land or building or impair the value thereof. The use is consistent with the future land use designation and is harmonious with the nearby commercial and employment centers.
4. Proposed use will not adversely affect the health or safety of persons residing or working in the neighborhood.	Staff has not identified any health or safety concerns related to the private school use.
5. Proposed use will not be detrimental to the public welfare or injurious to property	Staff has not identified any detrimental impacts to the public welfare or the

or improvements within the neighborhood.	neighborhood as a result of the private school use. While the access points do not meet current VDOT entrance standards, staff has identified this segment of Plank Road as operating at an acceptable level of service with low vehicle crash volume. The traffic generated from the private school use will not degrade the levels of service.
6. Proposed use is appropriately located with respect to transportation facilities, water supply, wastewater treatment, fire and police protection, waste disposal, and similar facilities.	The private school will operate in the existing church facility, which is connected to public water. The site is located within the Fire Station #5 service area and appropriately located to all other facilities including waste disposal.
7. Proposed use will not cause undue traffic congestion or create a traffic hazard.	Impact to the transportation network will be limited. As noted, while the access points do not meet current VDOT entrance standards, staff has identified this segment of Plank Road as operating at an acceptable level of service with low vehicle crash volume. The traffic generated from the private school use will not degrade the levels of service.
8. Proposed use will have no unduly adverse impact on environmental or natural resources.	Staff has not identified adverse impacts to environmental or natural resources with the proposed use.

### **III. Findings**

#### **In Favor:**

- A. The proposed private school use will operate within the existing facilities located onsite and complements the intent of the Institutional Land Use designation. Nearby commercial and employment center land use designations adjacent to the project area are all harmonious with the land use proposal.
- B. There are no proposed changes to the site or building as the use will be contained within the existing facility with minimal impacts to the transportation network.

#### **Against:**

- A. The existing access points do not meet current VDOT entrance standards.

#### **IV. Conclusions & Recommended Conditions**

Given that the private school will operate in the existing facility with no changes to the building or site, staff has identified no concerns with the use as proposed. The item of concern is the fact that the access points do not meet current entrance standards. While the existing access points do not meet current standards, the use will generate a limited amount of traffic and will not degrade the level of service for Plank Road which is currently operating at an acceptable level. This segment of Plank Road is not a high crash location and there are no other identified issues which lead staff to recommend the entrances be improved at this time. However, staff's position is based on the school operating in the existing facility with the capacity allowed. Should the student enrollment increase, the special use should be reassessed. Staff recommends that the Planning Commission recommend approval of the Special Use Permit to allow the private school use on Residential 1 (R-1) zoned property with the following conditions:

1. The maximum allowable number of students shall be one hundred and twenty (120). Any increase in the number of students beyond 120 shall require an amendment to the special use permit.
2. All Building and Fire Code requirements must be adhered to as the student enrollment increases within the maximum allowable number of students.

#### **Planning Commission:**

The Planning Commission held a public hearing on April 4, 2018 and a motion by Mr. Thompson, seconded by Mr. Bullock, voted 5-0 to recommend approval with conditions. No citizens spoke during the public comment period related to this request.



Spotsylvania County Government

# Appendix A

Comprehensive Plan Analysis

#### **SUP18-0004: ZOAN BAPTIST- SUMMIT ACADEMY**

The Spotsylvania County Comprehensive Plan presents a long range land use vision for the County. The Comprehensive Plan sets forth principles, goals, policies, and implementation techniques that will guide the development activity within the County and promote, preserve, and protect the health, safety, and general welfare of its citizens. Specifically, the Plan provides data and analysis on land use, transportation, housing, natural and historic resources, and public facilities and utilities. The purpose of this document is not to regulate, but rather guide land use, transportation, and infrastructure decisions. This guidance seeks to ensure continued economic and community vitality while ensuring necessary policies and infrastructure are in place to provide for the continuation of quality services to Spotsylvania's residents and businesses.

The Zoan Baptist- Summit Academy proposal is located within the Primary Development Boundary in an area designated as Institutional Land Use as depicted on the Future Land Use Map. Land within the Primary Development Boundary is intended to develop with higher residential densities and more intensive non-residential uses than outside of the boundary. As per the 2013 (updated August 9, 2016) Comprehensive Plan Future land Use element, the Institutional land use category includes County facilities, private and public schools, active recreation parks, and large public service uses such as hospitals. The proposed special use permit application would result in the operation of a private school within existing facilities located onsite and complements the intent of the Institutional Land Use designation. Nearby commercial and employment center land use designations adjacent to the project area are all harmonious with the land use proposal.

As per County Code Section 23-4.5.1, Special uses are considered generally compatible with other land uses permitted in a zoning district but which, because of their unique characteristics or potential impacts on the surrounding neighborhood and the county as a whole, require individual consideration of their design, configuration, and/or operation at the particular location proposed.

No changes to the existing design or configuration of the site have been proposed as the Academy will utilize existing facilities onsite. The project is not expected to have significant impacts upon public facility demands and traffic impacts are comparable to, or less impactful than other uses along the Route 3 corridor. The school is able to utilize and share parking with the existing Zoan Baptist Church located on the property and parking is adequate to serve both which operate at separate times.

In addition to a historic cemetery onsite that will not be impacted, the Virginia Department of Historic Resources identifies the site and surroundings as significant under DHR ID 088-0334 –Lick Run Battlefield Historic District, and 088-5180 Chancellorsville. The project, operating within existing facilities is not expected to result in any additional impact on those resources.

On balance, the proposal and is consistent with the Comprehensive Plan.