

**The County of Spotsylvania
Department of Planning**



Planning Commission Staff Report

Special Use #SUP17-0006
(Chancellor Voting District)

Staff Recommendation: Approval with recommended conditions

I. Overview

Applicant:	Catholic Diocese of Arlington (Saint Patrick Catholic Church and School)
Request:	Special Use Permit approval on a 17.81 acre parcel addressed as 9151 Elys Ford Road to allow the expansion of an existing place of worship and private school on a Rural (RU) zoned property.
Tax Map Parcels:	10-A-1C
Location:	The property is located on the east side of the intersection of Elys Ford Road and US Ford Road, approximately 1,300 feet NW from the intersection of Elys Ford Road and Bullock Road.
Zoning Overlay:	The property is completely within the Reservoir Protection Overlay District and partially within the Historic Overlay District.
Future Land Use Designation:	Institutional
Historic Resources:	The GDP depicts a portion of the subject property being within the Historic Overlay District. Department of Historical Resources site 44SP0638 with accompanying earthworks (088-5365) are additionally identified on the GDP and discussed further within this report and the accompanying Cultural Resources Survey by Dovetail Cultural Resource Group, Inc.
Date Application Deemed Complete:	The application was deemed complete on December 6, 2017.
Community Meeting	A community meeting was held on July 10, 2017.

Figure 1: Zoning Map

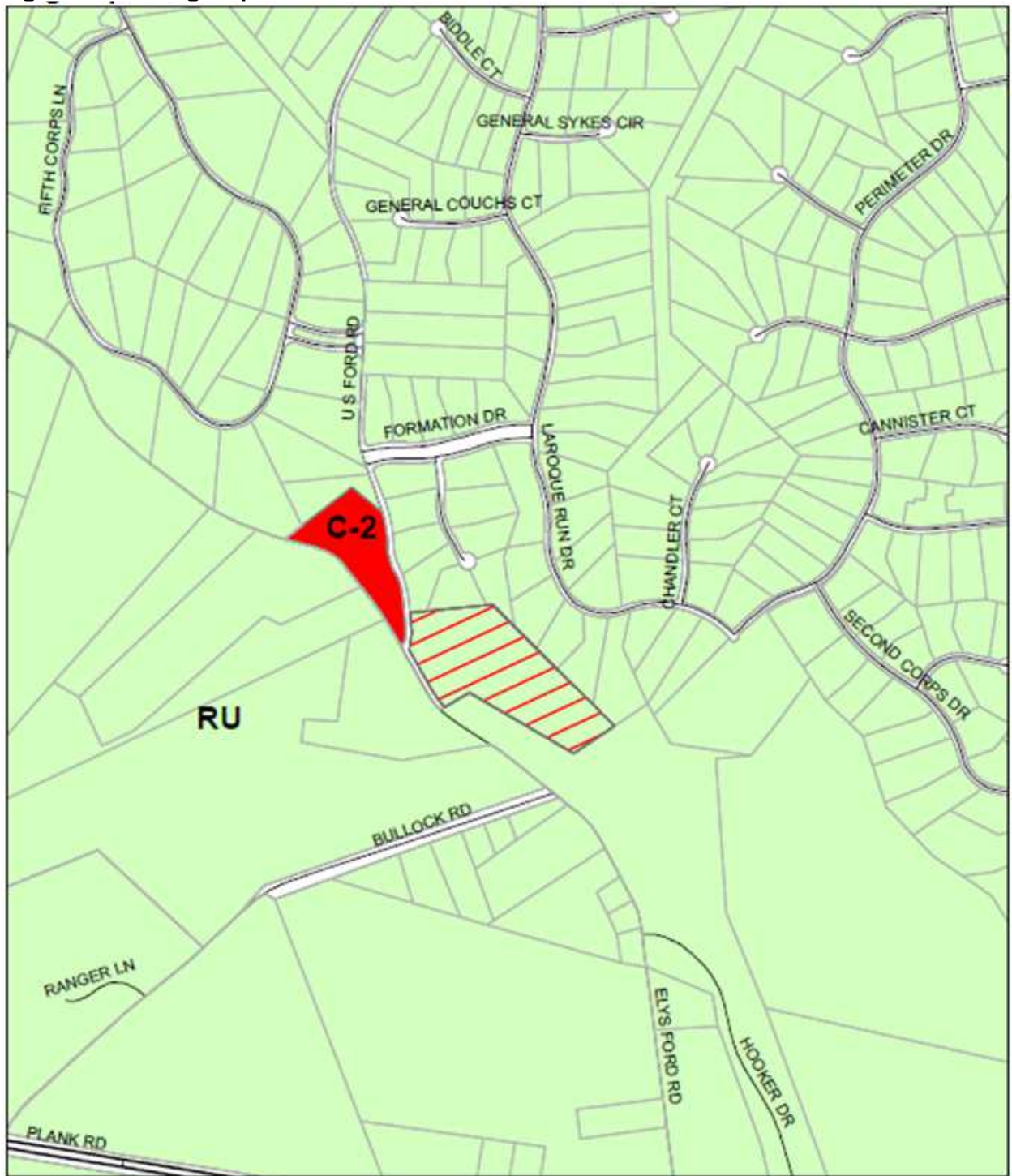


Figure 2: Aerial Map (2017)



II. Analysis

The applicant currently operates a place of worship and private school on the subject property which was previously approved by Conditional Use Permits CP82-10 and CP92-21, in 1982 and 1992, respectively. The applicant proposes two additional structures through this Special Use Permit:

- a new church and school (approximately 16,730 gross sq.ft.) and
- a new gymnasium and school (not to exceed 22,000 gross sq.ft.)

There are presently three permanent structures on site which consist of a place of worship, a private school, and an additional rectory located to the south. Additionally, three portable classrooms (trailers) are located on site, which are proposed to be removed after the construction of the first church and school structure, if this case is approved. The applicant's first phase would include the construction of the new sanctuary structure (closest to Elys Ford Rd.) which will have room for classrooms

eliminating the need for the trailers. Once the new sanctuary is constructed, regular services would be relocated to this building and the former sanctuary would then be used as a fellowship hall.

A later phase would consist of the new gymnasium structure, behind the sanctuary, which would include additional classroom space. Upon completion of the gymnasium structure, some classrooms would be relocated to that structure, freeing up room within the sanctuary for church offices (currently held in the rectory). The existing two story classroom structure will remain in use.

If approved, the net increase of these improvements would:

- increase seating within the church from 225 seats to 563 seats;
- relocate grade 6-8 classrooms from the trailers to physical structures and then later consolidate classrooms to one structure;
- add a student gymnasium;
- repurpose the existing sanctuary to fellowship hall;
- relocate offices from the rectory to the new church structure.

The church site currently has access from Elys Ford Rd. and US Ford Rd. VDOT's review of the application noted that the applicant will need to include a demonstration that their sight distance requirements are met during site plan review. VDOT further noted that the existing entrance on Elys Ford Rd. will require further evaluation during site plan review as it significantly exceeds maximum commercial entrance widths. Trip generation data for the proposed expansion estimates that a total of 460 and 153 Vehicles Per Day (VPD) are expected on Sundays at the Elys Ford Rd. and US Ford Rd. entrances, respectively. The weekday private school is estimated to generate 420 and 140 VPD, respectively. Elys Ford Rd. is estimated to move approximately 5,000 VPD, and US Ford Rd serves approximately 800 VPD. The Virginia Department of Motor Vehicles reported zero crashes along Elys Ford Rd. nor US Ford Rd. from 2015 through 2017. Per the County's Traffic Engineer, Elys Ford Rd. operates at a Level of Service B in the AM peak, and C during PM peak and US Ford Rd. operates at a Level of Service B during both peak periods. County Traffic Engineering estimates that the weekday AM Peak Level of Service of Elys Ford Rd. will decrease from a level B to C resulting from the proposal; this Level of Service remains in compliance with the County's Transportation element of the Comprehensive Plan.

STANDARDS OF REVIEW FOR SPECIAL USE APPROVAL	
STANDARD	STAFF COMMENT
1. Proposed use is in accord with the comprehensive plan and other official plans adopted by the county.	The proposal is located outside of the Primary Development Boundary on an existing property which has been in use as a place of worship and private school for over 25 years. The property's Future Land Use designation is Institutional, which supports development of County facilities, private and public schools, and public service uses. The proposal is consistent with County code 23-4.5.7.b.2, which requires that places of worship

	within RU zoning districts be designed to reflect the rural charter of the county respective of building style, materials, roofs, and colors.
2. Proposed use or development of the land will be in harmony with the scale, bulk, coverage, density, and character of the area.	The proposal is generally consistent with the surrounding uses and development which primarily include single family homes. A modification to maximum height of a church in a Rural (RU) zoning district was granted by the Board of Zoning Appeals on May 15, 2018, to allow the church structure as proposed, should this Special Use Permit be approved. The applicant has proposed additional screening to aid in reducing impacts on neighboring structures through the provision of a Transitional Screen 2 along the northern and eastern property lines. At a minimum an additional 35 large evergreens, 70 medium evergreens and 8 large deciduous trees will be planted along the northern property line. The Transitional Screen along the east property is proposed to be met through tree preservation.
3. Proposed use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.	The proposed use is existing and its expansion should not hinder neighboring development nor impair values of neighboring land uses.
4. Proposed use will not adversely affect the health or safety of persons residing or working in the neighborhood.	Concerns were noted by a neighboring resident regarding the potential for drowning or mosquito breeding resulting from the proposed dry retention pond onsite. Per the applicant, this is a dry facility, should not collect any more than 2 feet of water, and should completely drain within approximately 2 days of a rain event. No adverse impacts are expected regarding health or safety of persons residing or working within the neighborhood.
5. Proposed use will not be detrimental to the public welfare or injurious to property or improvements within the neighborhood.	The proposal should not be detrimental to the public welfare or to property or improvements within the neighborhood.
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 proposed use is located outside of the Primary Development Boundary and currently functions as a church and private school. A location within the Primary Development Boundary would likely be superior to the present location, however as noted above this property has

	been safely used as a church and private school for many years (since 1983, and 1990, respectively).
7. Proposed use will not cause undue traffic congestion or create a traffic hazard.	On Sundays an estimated 613 vehicles will come and go from the property. On weekdays an estimated 560 vehicles are expected to arrive and depart from the school facilities. The proposed use will increase vehicle traffic to the property but should not cause any undue traffic congestion or hazards.
8. Proposed use will have no unduly adverse impact on environmental or natural resources.	No impacts to environmental or natural resources are expected. However, staff notes that documentation from Cultural Resources consultant Dovetail Cultural Resources Group, Inc, identified an approximate 10 acre area of the property contain a historic "Second Half of the Nineteenth Century Military Site" which includes Lunettes (cannon pits), and earthworks. The applicant notes that they have already received approval from the Health Department to construct a septic field within a portion of this area, but that such a field would be done as a last resort, after the development of all additional fields. Planning staff has recommended a condition counter to this proposal, to restrict development within this sensitive area, permanently.

III. Key Findings

In Favor:

- The proposal results in additional religious and educational options in rural Spotsylvania County.
- The applicant has proposed to enhance the neighboring transitional screen to the north in an effort to better screen the use from neighboring residences, and has additionally modified their plan to tighten up the proposed access to the dry detention facility, to be closer to the existing church structure and to preserve more of the existing landscaping buffers.
- The new structures will allow for the removal of the temporary classrooms which should improve the aesthetics of the property.
- The uses have existed harmoniously within the area since 1992, prior to this year only the church was onsite (circa 1983).

Against:

- The applicant's current proposal includes the potential development of a drainfield within a culturally sensitive area. Staff has recommended a condition to prohibit development, inclusive of any septic fields, within that area.

- Although no traffic hazards are expected, County traffic engineering does estimate a decrease in the AM peak Level of Service on Elys Ford Rd, from a level B, to a level C during the weekdays.
- Some uncertainty is present due to the significant increase in square footage of the two structures (adding approximately 39,000 gross sq.ft.) Presently, the applicant has stated that no new students will be added, but instead that existing students within the portable trailers will be relocated into the new structures. An estimated 226 students may be enrolled on the property. Staff is not presently recommending any maximums be placed on student enrollment to allow flexibility for the private school to further develop.

IV. Recommendation and Conditions

Based on staff's analysis and findings in favor noted above, staff recommends approval with the conditions listed below:

1. This special use permit shall supersede any previous permissions or conditions associated with CP 82-10 and CP92-21.
2. The property shall be developed in conformance with the Generalized Development Plan (GDP) titled, "Generalized Development Plan For Special Use Permit St. Patrick Catholic Church and School" dated December 2017 and stamped by engineer Shannon L. Mattison on 5-18-2018.
3. The design of the church building to be constructed on the Property shall be in general conformance with the illustrative elevations entitled "St. Patrick Catholic Church & School," prepared by McCrery Architects, LLC, dated September 5, 2017 and revised 09/28/2017 (Church Elevations). The primary façade of the church building materials shall be brick, EIFS, brick veneer, hardiplank, synthetic stone, masonry, block, and/or architectural pre-cast concrete. The foregoing shall not preclude use of other building materials for building features, such as fascia, trim, roofing and/or other secondary building elements.
4. The design of the second structure must conform to County code 23-4.5.7.b.2.
5. The Place of Worship shall not exceed 608 seats or the occupancy limit identified by the Fire Marshal for the sanctuary, whichever is less.
6. Any development, including the construction of septic fields, within the identified Site Boundary of Site 44SP0638 / 088-5365 as depicted in the inserted Figure 4 on the GDP is prohibited.
7. No temporary parking of vehicles shall occur on either Elys Ford Rd., nor US Ford Rd.

Spotsylvania County Government

Appendix A

Comprehensive Plan Analysis

SUP17-0006: COMPREHENSIVE PLAN ANALYSIS

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 proposal is located outside of the Primary Development Boundary in an area designated with an Institutional Land Use designation. Lands outside of the County's designated Primary Development are chiefly intended for rural and agricultural land uses. The Institutional Land Use designation is representative of the existing place of worship use onsite and is complementary of the proposed special use that would expand upon St. Patrick's Parrish and School Expansion Plans. The Institutional land use category as per the Comprehensive Plan includes County facilities, private and public parks, active recreation parks, and large public service uses such as hospitals. The category focuses on existing land uses and does not reflect any aspirational locations of various public facilities. Immediate surroundings include the rural residential land use designation reflective of well and septic supported large lot rural residential development outside of the County's designated Primary Development Boundary. Additionally, the open space land use designation reflects and considers the preservation of significant historic battlefield lands.

The proposal is consistent with the development district and land use designation as per the Comprehensive Plan.

After conducting an analysis of applicable Comprehensive Plan Goals, staff has identified application strengths, deficiencies, and policy concerns worthy of consideration as outlined in the Comprehensive Plan policy analysis below:

Introduction and Vision:

Guiding Principles and Policies B.4. Preserve significant natural, historic, and cultural resources of the County to ensure the continued allure of the County as a tourism destination. The project area falls within the Chancellorsville Battlefield area (DHR Documented 088-5180), Wilderness Battlefield (DHR ID 088-5183). The Virginia Department of Historic Resources (DHR) has identified an archaeological site in proximity to the project in 2010 associated with DHR 44SP0638 associated with Civil War era earthworks. A Phase 1 archeological survey of 10 acres within the St. Patrick's Catholic Church parcel has been conducted and was provided as part of the project review to verify the survey location. Staff has been able to verify the proposed expansion will not impact previously identified archeological resources located elsewhere on the

project parcel. The applicant has a previously approved drainfield location that could potentially disturb the earthworks whose location is not directly impacted by this proposal. Considerate of potential impacts upon the resource in the future however the applicant has agreed to condition this drainfield as an installation “of last resort” whereby other locations will be implemented prior.

Guiding Principles and Policies C.4. Ensure that Spotsylvania County continues to provide excellent educational and recreational, and cultural opportunities. To meet growing demand, the proposal enhances an existing institution providing educational, cultural, recreational and religious services to citizens of Spotsylvania County and surroundings.

Guiding Principles and Policies E. Spotsylvania County values its environmental resources. Proposed expansion of existing use and Generalized Development Plan layout are not expected to impact any sensitive environmental features onsite.

Land Use:

Future Land Use Map Designation: The proposal is located outside of the Primary Development Boundary in an area designated with an Institutional Land Use designation. Lands outside of the County’s designated Primary Development are chiefly intended for rural and agricultural land uses. The Institutional Land Use designation is representative of the existing place of worship use onsite and is complementary of the proposed special use that would expand upon St. Patrick’s Parrish and School Expansion Plans. The Institutional land use category as per the Comprehensive Plan includes County facilities, private and public parks, active recreation parks, and large public service uses such as hospitals. The category focuses on existing land uses and does not reflect any aspirational locations of various institutional type uses and/ or facilities. Immediate surroundings include the rural residential land use designation reflective of well and septic supported large lot rural residential development outside of the County’s designated Primary Development Boundary. Additionally, the open space land use designation reflects and considers the preservation of significant historic battlefield lands.

The proposal is consistent with the development district and land use designation as per the Comprehensive Plan.

Open Space Land Use Category Policy 1. Viewsheds from County roads should be preserved. Open Space Land Use Policy 2. Development in these areas should be generally discouraged, however, if it is to occur, it should occur in such a way to best blend into the existing landscape. Considering historic resources and interest in maintaining historic, cultural, rural character in the area, the prevalent open space and rural land uses have been considered in relation to this project proposal that is within a “stones throw” of the project. On balance, the proposal has been designed to mitigate expected project impacts upon the surrounding community and infrastructure. Given the proposal’s historic and rural setting staff believes the project is considerate of surrounding land uses. Aesthetically, the applicant has provided architectural elevations

depicting a new church structure to be located nearest to the frontage along US Ford Road and Elys Ford Rd. Staff believes the new structure fronting the public road will complement the existing architectural style established onsite. The proposal maintains much of the existing natural vegetation established onsite, helping buffer the complex and parking areas from nearby rural residential properties, helping to maintain the existing character of the area consistent with rural and open space land uses prevalent in the area. Buffers are consistent with and greatly exceed in many areas the County's transitional screening Design Standards Manual requirements.

Transportation:

Transportation Policy #1, Strategy #3. Achieve no less than a "C" Peak Hour Level of Service on 90% of County secondary roads outside of the Primary Development Boundary as shown on the Thoroughfare Plan. Levels of Service standards have been set higher in the rural area to ensure the rural character of the area is not degraded by development. Transportation Policy #1, Strategy #2. Achieve no less than a "D" Peak Hour Level of Service on the VDOT Primary Street System. Transportation Policy #2. Ensure that new development does not degrade Levels of Service and mitigates its impact on the transportation network. County Transportation Engineer analysis of traffic generation to and from the site results in additional AM Peak hour traffic generation to reduce the Level of Service at the intersection of Route 3 and Elys Ford Road from LOS B to LOS C. As per Comprehensive Plan Transportation Policies this degraded "C" LOS is still considered within acceptable Levels as per Policy 1, Strategy 3 for Secondary Streets outside of the Primary Development Boundary (Elys Ford Rd) and Policy 1, Strategy 2 for VDOT Primary Streets (Route 3).

LUC	Use	Units	Weekday	Total Trips	AM Peak Rate	AM Peak Trips	Enter	Exit	PM Peak Rate	PM Peak Trips	Enter	Exit
522	School	46,243	13.78	637	4.35	201	111	90	2.52	117	53	64
560	Church	640	0.61	390	N/A	N/A	195	195	0.52	NA	4	3
Totals				1,028		201				117		

* School Units based on square footage of buildings

* Church Units based on seats

LOS in AM Peak Hour will drop from a "B" to a "C"

LOS in PM Peak Hour will remain LOS C in build & no-build conditions

Historic Resources:

Historic Resources Policy #1. Encourage and promote the voluntary protection and preservation of scenic, historic, cultural, architectural, and archaeological resources. Historic Resources Policy #1.2. Support the preservation of resources with local, state, or national significance. Historic Resources Policy #2. The County should support projects that consider and mitigate the impact of development projects on historic and cultural resources during the rezoning, special use, and capital project planning process. Historic Resources Policy #2.1. Development applications and staff reports should identify historic and cultural resources in proximity to proposed rezoning, special use, or capital project, and evaluate the impacts of the project on the resources in question. The project area falls within the Chancellorsville Battlefield area (DHR Documented 088-

5180), Wilderness Battlefield (DHR ID 088-5183). The Virginia Department of Historic Resources (DHR) has identified an archaeological site in proximity to the project in 2010 associated with DHR 44SP0638 associated with Civil War era earthworks. A Phase 1 archeological survey of 10 acres within the St. Patrick's Catholic Church parcel has been conducted and was provided as part of the project review to verify the survey location. Staff has been able to verify the proposed expansion will not impact previously identified archeological resources located elsewhere on the project parcel. The applicant has a previously approved drainfield location that could potentially disturb the earthworks whose location is not directly impacted by this proposal. Considerate of potential impacts upon the resource in the future however the applicant has agreed to condition this drainfield as an installation "of last resort" whereby other locations will be implemented prior.

Natural Resources:

Natural Resources Policy #1.3. Encourage land development practices, which minimize impervious cover to promote groundwater recharge, and/or tree preservation. Natural Resources Policy #1.10. Locate land uses where their tolerance is compatible with existing or proposed noise levels and/or reduce impacts through vegetative buffering or building design. Project not expected to degrade environmental quality in the area. Given the proposal's historic and rural setting staff believes the project is considerate of surrounding land uses. Aesthetically, the applicant has provided architectural elevations depicting a new church structure to be located nearest to the frontage along US Ford Road and Elys Ford Rd. Staff believes the new structure fronting the public road will complement the existing architectural style established onsite. The proposal maintains much of the existing natural vegetation established onsite, helping buffer the complex and parking areas from nearby rural residential properties, helping to maintain the existing character of the area consistent with rural and open space land uses prevalent in the area. Tree preservation proposed as part of the Generalized Development Plan will meet or exceed buffering requirements from the County's Design Standards Manual and overall throughout the site help maintain the rural character.