

**SPECIAL USE PERMIT- 09-01. Mount Gilead Baptist Church - Day Care and Academy Staff Report for June 26, 2001, Board of Supervisors Public Hearing**

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This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

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**PUBLIC HEARINGS**

Building C Board Room; County Government Complex  
Planning Commission: June 4, 2001 7:00 p.m.  
Board of Supervisors: June 26, 2001 7:00 p.m.

**SUMMARY FACTS**

Applicant: Mr. Abram E. Frink  
Land Owner: Mount Gilead Baptist Church  
  
Proposed Use: A day care and an Academy inside the existing church.  
  
Location: 8660 Pocahontas Trail  
  
Tax Map and Parcel No.: (52-3)(2-34)  
  
Primary Service Area: Inside  
  
Parcel Size: 3.327 ± acres  
  
Existing Zoning: R-2, General Residential  
  
Comprehensive Plan: Low Density Residential  
  
Surrounding Zoning: The parcel is completely surrounded by other R-2 zoned land  
  
Staff Contact: Paul D. Holt, III - Phone: (757) 253-6685

**STAFF RECOMMENDATION:**

With the proposed special use permit (SUP) conditions, staff finds the proposal compatible with surrounding uses and zoning and consistent with the Comprehensive Plan recommendations. Therefore, staff recommends approval of the application. On June 4, 2001, the Planning Commission recommended approval of this application by a vote of 6-0.

## **Description of the Project**

On behalf of the Mount Gilead Baptist Church, Mr. Abram Frink has applied for a special use permit to allow for the operation of a day care and an Academy inside an existing church located at 8660 Pocahontas Trail. The property is currently zoned R-2, General Residential, and is located in Grove, at the corner of Pocahontas Trail (Route 60E) and Church Street. Both day care centers and schools are specially permitted uses on R-2 zoned property.

According to the applicant, five rooms in the church will be set aside for the day care and Academy. These five rooms total 2,132 square feet and could support up to 104 children, according to State Building Code limitations. The applicant expects the day care to operate five days a week, Monday through Friday, 6:00 a.m. to 6:00 p.m. with about 50 children. No new exterior changes or signs are proposed at this time. Student enrollment will determine staffing loads. The rear entrance of the church will serve as the designated drop-off/pick-up point. The rear of the church connects with both sides of the church where parking is available. The site currently has two access points to Church Street. With 86 parking spaces and 15 handicapped parking spaces, staff believes that parking lot is large enough to support the operation. Even if church functions were to occur at the times of the day care and school, parking needs by the day care and school would be limited to a few staff members only.

The Academy will be a private Christian School owned and operated by the Mount Gilead Baptist Church. Initially, the academy would consist of pre-K (3, 4, and 5 year olds), and Kindergarten. Depending on enrollment, first, second, and third grades may be added. Currently, the applicant expects the Academy to operate with ten to 20 students. As with the day care, student enrollment would determine staffing levels. The academy would operate five days a week, Monday through Friday, 8:30 a.m. to 3:00 p.m. Students would be picked up by the church in a van, if desired.

The church has already met with the Code Compliance Division. All required improvements and needed changes to the church have been made to accommodate a day care and school use.

## **Traffic**

For day care centers, the Institute of Transportation Engineers, *Traffic Generation* manual anticipates 0.83 average trips per student in the a.m. peak hour and 0.80 average trips per student in the p.m. peak hour. For the expected 50 children, this results in an additional 41.50 peak hour trips in the a.m. and an additional 40.00 peak hour trips in the p.m.

For a private school, an average 0.93 trips per student in the a.m. peak hour is anticipated and an average 0.61 p.m. peak hour trips per student is expected in the p.m. For the 20 students, this results in an additional 18.60 peak hour trips in the a.m. and an additional 12.20 peak hour trips in the p.m.

Combining the two uses, and allowing for the maximum number of children possible, an additional 88 trips are expected in the a.m. peak hour and an additional 70.5 trips are expected in the p.m. peak hour. As of the 2000 traffic counts, this portion of Route 60 currently handles 12,055 vehicles per day north of this site and 12,833 vehicles per day south of this site. The Route 60/Church Street intersection was recently upgraded with the addition of a left hand turn lane. This turn lane increases both turning and through movement functions. Given existing traffic levels, the low amount of additional traffic, and the presence of the turn lane, staff believes that the additional traffic will not negatively affect Pocahontas Trail.

## **Surrounding Zoning and Development**

The property is surrounded by other R-2 zoned property and single-family detached dwellings. As stated above, no new exterior construction is proposed for the operation of the day care and academy inside the church. The proposed drop off/pick up point is located at an existing entrance at the rear of the church, so children coming and going should not impact any adjoining property owners. There are three homes along Church Street between the rear of the church and Route 60. With the proposed SUP conditions, staff believes the proposed operations inside the church are compatible with surrounding uses and zoning.

## **Comprehensive Plan**

The 1997 Comprehensive Plan Land Use Map designates this property as Low Density Residential. Low Density areas are residential developments or land suitable for such developments with overall densities up to one dwelling unit per acre depending on the character and density of surrounding development, physical attributes of the property, buffers, the number of dwellings in the proposed development, and the degree to which the development is consistent with the Comprehensive Plan.

Examples of acceptable land uses within this designation include single-family homes, duplexes, cluster housing, recreation areas, school, churches, community-oriented public facilities, and very limited commercial establishments. Nonresidential uses should not alter, but rather, complement the residential character of the low-density residential area in which they are located. Very limited commercial establishments, schools, churches, and community-oriented facilities should generally be located on collector roads at intersections where adequate buffering and screening can be provided to protect nearby residential uses and the character of the surrounding area.

As noted above, the existing church is located on a primary road at an intersection with adequate road improvements. With the proposed SUP conditions, staff believes the application is consistent with the Comprehensive Plan recommendations.

## **RECOMMENDATION:**

With the proposed SUP conditions, staff finds the proposal compatible with surrounding uses and zoning and consistent with the Comprehensive Plan recommendations. Therefore, staff recommends approval of the application. On June 4, 2001, the Planning Commission recommended approval of this application by a vote of 6-0.

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Paul D. Holt, III

CONCUR:

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O. Marvin Sowers, Jr.

PDH/adw  
sup-9-01.wpd

Attachments:

1. Minutes from the June 4, 2001, Planning Commission meeting
2. Location map
3. Letter of support from "The Child Caring Connection," dated May 29, 2001
4. Resolution of approval