

**SPECIAL USE PERMIT-0009-2008. Greenwood Christian Academy at the King's Way Church
Staff Report for the October 28, 2008, Board of Supervisors Public Hearing**

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.

PUBLIC HEARINGS

Building F Board Room; County Government Complex

Planning Commission:

September 10, 2008, 7:00 p.m.

Board of Supervisors:

August 12, 2008, 7:00 p.m. (remanded)

October 14, 2008, 7:00 p.m.(deferred)

October 28, 2008, 7:00 p.m.

SUMMARY FACTS

Applicant:

Mr. Chris Basic, AES Consulting Engineers

Land Owner:

King's Way Church

Proposal:

To allow for the operation of an elementary school on-site (grades pre-K - 5) with a maximum enrollment of 200 students.

Location:

5100 John Tyler Highway

Tax Map/Parcel No.:

4720100057

Parcel Size:

4.56 acres

Zoning:

R-1, Limited Residential

Comprehensive Plan:

Low Density Residential

Primary Service Area:

Inside

STAFF RECOMMENDATION

Staff believes that this proposal is consistent with the Comprehensive Plan Land Use Map designation and Comprehensive Plan. Since no additional infrastructure is being proposed as a part of this application and since no additional students are going to be allowed, staff does not believe this application will have any negative impacts on the surrounding property by allowing the elementary school operation on-site. Based on this information, staff recommends that the Board of Supervisors approve this application with a one-year sunset provision as directed. If the Board of Supervisors concurs with the Planning Commission recommendation containing a 36-month sunset provision, an amended resolution has been provided.

Staff Contact:

Jason Purse

Phone: 253-6685

PLANNING COMMISSION RECOMMENDATION

On September 10, 2008, the James City County Planning Commission recommended approval of the above-referenced case by a vote of 5-2 with the following recommended amendments to the staff report: added language to Condition 1 to confine the operation of the school to the existing footprint of the church, amending the grade range from grades 1 through 5, as was stated in the staff report, to grades K through 5, and amending the sunset condition to a 36-month period.

Proposed Changes Made Since Planning Commission Meeting

Staff made two changes to the conditions based on Planning Commission comments. Staff added language confining the operation of the school to the existing footprint of the church and made the change to the grade range of the condition as well.

Since the Board of Supervisors requested the one-year sunset provision at its August 12, 2008, meeting, staff has left the condition with an expiration date of June 30, 2009. Should the Board concur with the Planning Commission recommendation, an alternate resolution has been provided for consideration that includes a 36-month sunset provision.

PROJECT DESCRIPTION

Prior to the August 12, 2008, Board of Supervisors meeting, staff became aware that Greenwood Christian Academy was operating as an elementary school as well as a preschool. The approved SUP only allowed for the operation of a preschool. Before the Board meeting, the applicant requested a change to the proposal to bring the operation of the elementary school into compliance. The Board of Supervisors remanded the case to the Planning Commission for further consideration.

Mr. Chris Basic, of AES Consulting Engineers, has amended the original Greenwood Christian Academy expansion request and is asking for an SUP to allow for the operation of an elementary school on-site, including grades pre-K through 5. The existing SUP allows 200 children to be enrolled for preschool. The application will not increase the number of students past 200 and will not seek to construct a new building. The amended request will allow the grade school to operate where the preschool is only permitted currently.

The conditions presented for Board consideration are the same ones that were attached to the SUP-30-2001 case. Since no additional infrastructure and no additional students are being added to the use, none of the previously presented conditions for expansion, such as new turn-lane striping or enhanced landscaping, are being conditioned as a part of this request. The preschool and elementary school will continue to operate in the existing church building on-site.

At the direction of the entire Board of Supervisors a condition has been placed on the SUP limiting the elementary school operation of the school until June 30, 2009. This means that should the applicant wish to have the elementary school portion of this operation after that date, they would need to reapply to the Board of Supervisors with a new application. Staff also included a condition requiring Greenwood Christian Academy to provide enrollment numbers at the start of each school year. Staff will be able to monitor not only the total enrollment, but also the number of students in each grade.

Environmental

Watershed: Mill Creek Watershed

Staff Comments: No new infrastructure is proposed as a part of this application.

Public Utilities

This application will be served by public water and sewer.

Staff Comments: No new infrastructure is proposed as a part of this application.

Transportation

Since no additional children are proposed as a part of this application, no additional trips will be created to or from the site.

2006 Traffic Counts (John Tyler Highway): From Ironbound Road to Stanley Drive there were 11,000 trips.

2026 Volume Projected: John Tyler Highway: from Ironbound Road to Route 199 there is anticipation of 12,000 trips, and it is listed in the Watch category.

Road Improvements: No additional road improvements are proposed as a part of this application.

VDOT Comments: Since no additional infrastructure changes are proposed, VDOT has no additional requirements for traffic improvements.

Staff Comments: Since no additional trips will be created to or from the site, staff does not suggest any additional traffic improvements. Even though no additional trips will be created for this site, since no additional students will be allowed under this SUP, staff thinks it's important to note that traffic distribution will be changing slightly. A majority of the students enrolled at Greenwood Christian Academy are currently attending the preschool program. A majority of those students arrive in the morning between 8:30-9:30 and leave at mid-day between 11:45-12:45, while the rest of the children arrive during mid-day and leave between 3-4 p.m. With the approval of the elementary school operation, additional students will arrive at 9 a.m. and leave at 3-4 p.m. Staff would note that none of these times are peak hour times for John Tyler Highway. Based on the applicant's traffic study, peak hours were between 7:15-8:15 in the morning and between 4:45-5:45 in the afternoon.

COMPREHENSIVE PLAN

Land Use Map

<p>Designation</p>	<p><i>Low-Density Residential (Pages 120-121):</i> Suggested land uses include single-family homes, duplexes, cluster housing, recreation areas, schools, churches, community-oriented public facilities, and very limited commercial establishments.</p> <p>Non-residential uses should not alter, but rather, complement the residential character of the low-density residential area in which they are located and should have traffic, noise, lighting and other impacts similar to surrounding or planned residential uses. Very limited commercial establishments, schools, churches, and community-oriented facilities should generally be located on collector or arterial roads at intersections where adequate buffering and screening can be provided to protect nearby residential uses and the character of the surrounding area.</p> <p>Staff Comment: Staff notes that Greenwood Christian Academy currently operates from this site. The school and the church are both uses referenced in the suggested land use description of low-density residential. Staff also notes that the site is located along a collector or arterial road as described as well.</p> <p>The site is located directly adjacent to a residential subdivision. Because of the proximity to these residences, staff believes that mitigating the impact to these areas is paramount to the application. Since the application does not expand the maximum number of children enrolled, staff does not believe that allowing the elementary school will have an added impact on the surrounding area. Given the limited nature of the time, children will be using the facilities (during school hours), and because the school already operates on this site, staff believes that this application is in accordance with the land use designation for low-density residential.</p>
<p>Goals, strategies and actions</p>	<p><i>Strategy #2 - Page 138:</i> Ensure development is compatible in scale, size, and location to surrounding existing and planned development. Protect uses of different intensities through buffers, access control and other methods.</p> <p>Staff Comment: The maximum proposed number of enrolled students is the same as the previously approved SUP application (SUP-30-01), and the conditions that are attached to this case are the same as the ones previously approved. Conditions were placed on that SUP for enhanced screening of the playground, etc. No new plantings will be taking place as a part of this proposal. However, since no additional students are going to be enrolled over the 200 previously allowed, staff does not believe that this application will have additional impacts on the adjacent properties over what is currently allowed.</p>

Community Character

General	<p><i>John Tyler Highway (Route 5) Community Character Corridor - Pages 83-84:</i> The predominant visual character of the suburban CCC should be the built environmental and natural landscaping, with parking and other auto-related areas clearly a secondary component of the streetscape. Providing enhanced landscaping, preservation of specimen trees and shrubs, berming, and other desirable design elements which complement and enhance the visual quality of the urban corridor.</p>
	<p>Staff Comment: The site currently has on-site screening from John Tyler Highway because of the church located on the property. Since the application proposes to house the children in the church building for instruction and in the playground for recreation, staff does not believe additional screening is necessary to screen the property from John Tyler Highway.</p>
Goals, strategies and actions	<p><i>Strategy #3 - Page 95:</i> Ensure that development along Community Character Corridors and Areas protects the natural views of the area, promotes the historic, rural or unique character of the area, maintains greenbelt networks, and establishes entrance corridors that enhance the experience of residents and visitors.</p>
	<p>Staff Comment: Staff believes that the existing landscaping on-site will promote the natural views of the area and enhance the experience of residents and visitors.</p>

Transportation

General	<p><i>John Tyler Highway (Route 5) page 78:</i> Monticello Avenue has supplemented capacity in the Route 5 corridor. However, even with its addition, Route 5 is projected to be near capacity in some sections, and will not have any significant excess capacity. Minor intersection and pavement improvements should be consistent with the Route’s Scenic Byway designation. Additional residential or commercial development along this corridor beyond that currently planned is strongly discouraged.</p>
	<p>Staff Comment: Since no additional infrastructure changes are proposed and no additional trips are being created to or from the site, staff does not suggest any additional traffic improvements for the site.</p>

RECOMMENDATION

Staff believes that this proposal is consistent with the Comprehensive Plan Land Use Map designation and Comprehensive Plan. Since no additional infrastructure is being proposed as a part of this application and since no additional students are going to be allowed, staff does not believe this application will have any negative impacts on the surrounding property by allowing the elementary school operation on-site. Based on this information, staff recommends that the Board of Supervisors approve this application with a one-year sunset provision as directed. If the Board of Supervisors concurs with the Planning Commission recommendation containing a 36-month sunset provision, an amended resolution has been provided.

Jason Purse

CONCUR:

Allen J. Murphy, Jr.
Acting Development Manager

JP/gb
Sup09-08Academy

ATTACHMENTS:

1. Resolution
2. Amended resolution
3. Unapproved minutes from the September 10, 2008, Planning Commission meeting
4. Location Map