

**ALBEMARLE COUNTY PLANNING**  
**STAFF REPORT SUMMARY**

<b>Proposal:</b> SP202200017 Maple Grove Day Care Center	<b>Staff:</b> Kevin McCollum, Senior Planner
<b>Planning Commission Public Hearing:</b> November 29, 2022	<b>Board of Supervisors Hearing:</b> TBD
<b>Owner:</b> Maple Grove Christian Church	<b>Applicant:</b> Jeffrey Ange, Maple Grove Christian Church
<b>Acreage:</b> 6.86 acres	<b>Special Use Permit for:</b> Child Day Center
<b>TMP:</b> 03200-00-00-029D0 <b>Location:</b> 3212 Proffit Rd	<b>By-right use:</b> R-1 Residential. Residential uses at a density of 1 unit/acre.
<b>Magisterial District:</b> Rivanna	<b>Conditions:</b> Yes <b>EC:</b> No
<b>Proposal:</b> A request for a special use permit under Section 18-13.2.2 to use existing space within the Maple Grove Christian Church for a child day center for up to 50 children ages 0-5. The proposed child day center plans to use the existing building and parking area while operating from 7:00am to 5:30pm Monday through Friday year-round except for national holidays.	<b>Comp. Plan Designation:</b> Urban Density Residential – residential (6.01 – 34 units/ acre); supporting uses such as religious institutions, schools, commercial, office and service uses in the Community of Hollymead in the Places29 Master Plan.
<b>DA (Development Area):</b> Community of Hollymead in the Places29 Master Plan	<b>Requested # of Dwelling Units:</b> 0
<b>Character of Property:</b> The site is home to an existing 18,000 square foot church building currently used by the Maple Grove Christian Church. The parcel includes existing parking areas, two playgrounds, a basketball court, a youth center building in the rear, and a parsonage building in the front.	<b>Use of Surrounding Properties:</b> A majority of the surrounding properties are single family residential uses. The properties to the west include the Lighthouse Christian Church and Preschool, Bright Beginnings Preschool, and a variety of commercial uses along US 29N. To the east is mostly residential with some Rural Areas uses to the northeast.
<b>Positive Aspects:</b> <ol style="list-style-type: none"> <li>1. The proposed use is consistent with the Places29 Master Plan</li> <li>2. The proposal provides a day care option for people who live and work in the area.</li> <li>3. No detrimental impacts to adjoining properties are anticipated.</li> </ol>	<b>Concerns:</b> <ol style="list-style-type: none"> <li>1. None.</li> </ol>
<b>Recommendation:</b> Staff recommends approval of SP202200017 Maple Grove Day Care Center with conditions.	

**STAFF PERSON:** Kevin McCollum, Senior Planner  
**PLANNING COMMISSION:** November 29, 2022  
**BOARD OF SUPERVISORS:** TBD

**PETITION:**

PROJECT: SP202200017 Maple Grove Day Care Center

MAGISTERIAL DISTRICT: Rivanna

TAX MAP/PARCEL: 03200-00-00-029D0

LOCATION: 3210 Proffit Rd

PROPOSAL: Special use permit request for a child day center.

PETITION: A request for a special use permit under Section 18-13.2.2 to use existing space within the Maple Grove Christian Church located at 3210 Proffit Rd which measures 6.86 acres for a child day center for up to 50 children ages 0-5. The proposed child day center plans to use the existing building and parking area while operating from 7:00am to 5:30pm Monday through Friday year-round except for national holidays.

ZONING: R-1 Residential - 1 unit/acre

ENTRANCE CORRIDOR: No

OVERLAY DISTRICT: AIA Airport Impact Area, Steep Slopes - Managed

COMPREHENSIVE PLAN: Urban Density Residential – residential (6.01 – 34 units/ acre); supporting uses such as religious institutions, schools, commercial, office and service uses in the Community of Hollymead in the Places29 Master Plan.

**CHARACTER OF SURROUNDING AREA:**

The subject property is located about 1500 feet east of US 29 (Seminole Trl) at 3212 Proffit Rd. The site is home to an existing 18,000 square foot church building currently used by the Maple Grove Christian Church. The parcel includes existing parking areas, two playgrounds, a basketball court, a youth center building in the rear, and a parsonage building in the front (Attachment 1 – Existing Conditions and Context Map). A majority of the surrounding properties are residential with single family residential uses. The properties to the west include the Lighthouse Christian Church and Preschool, Bright Beginnings Preschool, and a variety of commercial uses along US 29N. To the east is mostly residential with some Rural Areas uses to the northeast.

**PLANNING AND ZONING HISTORY:**

The Church has been in operation on this parcel since 1984 when they received a special use permit for the use. SP198400040 was approved on July 23, 1984. The church amended their original special use permit to expand their facilities in 2002. SP200200009 was approved June 27, 2002.

The site has been developed in accord with approved site development plans since the 1990s, the most recent being SDP200200096 Maple Grove Christian Church Final.

**DETAILS OF THE PROPOSAL:**

The applicant has requested a special use permit for a five-day-a-week day care center at its existing church facility (Attachment 2). The request is for a child day center for up to 50 children. The proposed day care program would operate from 7:00am to 5:30pm Monday through Friday year-round except for national holidays. The child day center would utilize the existing building, parking areas, playgrounds, and basketball court for the use. The concept plan (Attachment 3) provides an overview of the site layout and shows the proposed parent pick-up and drop-off loop.

## **COMMUNITY MEETING:**

The required community meeting for the proposal was held with the Places29 North Community Advisory Committee (CAC) on Thursday, October 13, 2022. The applicant shared details and answered questions regarding the proposal to the CAC and members of the public who were present. Overall, the neighbors supported the project, but there were some concerns about traffic along Proffit Rd. The Applicant stated that there is a dedicated turn lane into the property along Proffit Rd. The Applicant added that they hoped the daycare enrollees are current church members or from the area and expressed they did not want to add more traffic to the area.

## **ANALYSIS OF THE SPECIAL USE PERMIT REQUEST:**

Special Use Permits are evaluated under reasonable standards, based on zoning principles which include the proposal's compliance with the Comprehensive Plan. Any impacts caused by the proposal may be addressed through conditions which must be reasonably related and roughly proportional to the impacts.

***Section 33.8(A) states that the Commission, in making its recommendation, shall consider the following factors:***

***1. No substantial detriment. Whether the proposed special use will be a substantial detriment to adjacent parcels.***

Given the size, hours of operation, and use of existing facilities, there will be no substantial detriment to adjacent parcels. The use will add some additional vehicle trips along Proffit Rd. As the Applicant stated in the community meeting, there is an existing turn lane along Proffit Rd as you are traveling east to the site from 29. VDOT has reviewed the proposal and has provided no objections.

Currently, there are no sidewalk or paths to allow safe pedestrian access to the proposed daycare. The Places 29 Master Plan calls for a multi-use path separated from the roadway by landscaped strips along Proffit Road from Worth Crossing to Pritchett Lane. The multi-use path would provide a safe option for daycare attendees/students and their families who walk and/or bike to the daycare, reducing vehicle trips. While County Code Sec. 32.7.2.3.a, would require the construction of sidewalks in the event a site development plan is required. There are no site changes proposed with the daycare that would require a site plan. Staff has recommended the applicant commit to the future dedication of right-of-way adjacent to Proffit Road, to run the full length of the property, sufficient to build a multi-use path to County and VDOT specifications. This is included in the draft conditions of approval.

Based on VDOT's review and Transportation Staff's recommendations, Staff believes the proposed day care center will have no significant substantial impacts on traffic along Proffit Rd. The future multi-use path will provide a safe and comfortable transportation option for day care attendees in the future.

***2. Character of the nearby area is unchanged. Whether the character of the adjacent parcels and the nearby area will be changed by the proposed special use.***

The character of the district is not anticipated to change with the proposed child day center. There are no significant changes to the buildings or site proposed. The use will mostly occupy interior space within the existing building and the playground area.

**3. Harmony. Whether the proposed special use will be in harmony with the purpose and intent of this chapter,**

The proposed child day center is expected to be in harmony with the area.

**with the uses permitted by right in the district,**

The proposed child day center would not affect by-right uses in the district on this property or adjacent properties.

**with the regulations provided in Section 5 as applicable,**

The proposed child day center will be subject to the regulations in Section 5.1.06 child day centers.

Sec. 5.1.06 - Child day centers.

Each child day center shall be subject to the following:

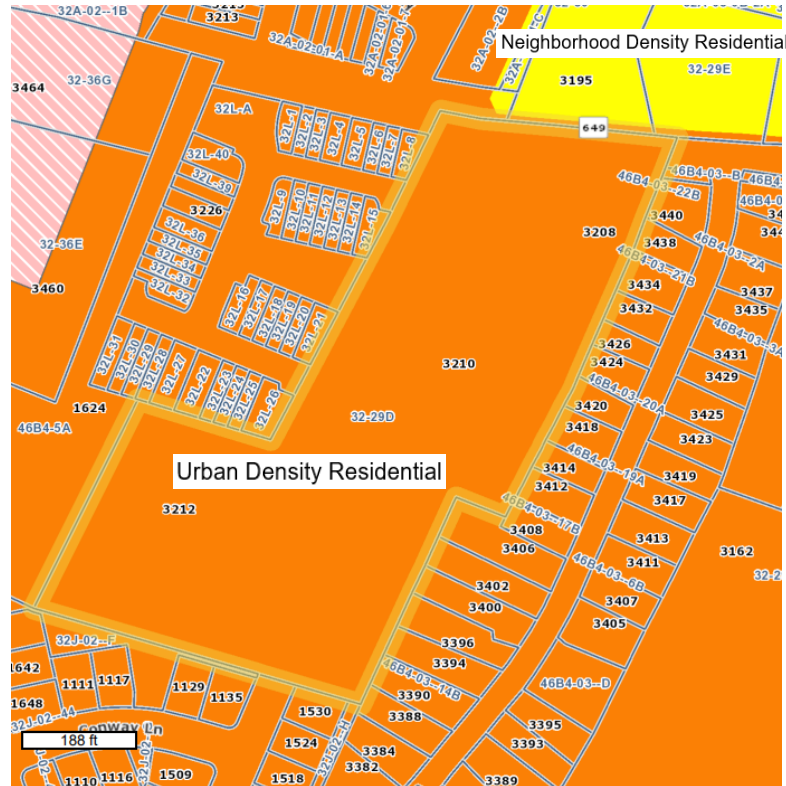
- a. *State licensure.* Each child day center shall acquire and maintain the required licensure from the Virginia Department of Social Services. The owner or operator of the child day center shall provide a copy of the license to the zoning administrator. The owner or operator's failure to provide a copy of the license to the zoning administrator shall be deemed to be willful noncompliance with the provisions of this chapter.
- b. *Inspections by fire official.* The Albemarle County fire official is authorized to conduct periodic inspections of the child day center. The owner or operator's failure to promptly admit the fire official onto the premises to conduct an inspection in a manner authorized by law shall be deemed to be willful noncompliance with the provisions of this chapter.
- c. *Relationship to other laws.* The provisions of this section are supplementary to all other laws and nothing herein shall be deemed to preclude application of the requirements of the Virginia Department of Social Services, Virginia Department of Health, Virginia State Fire Marshal, or any other local, state or federal agency.

**and with the public health, safety, and general welfare.**

The public health, safety, and general welfare of the community are protected through the special use permit process, which assures that the proposed use is appropriate in the location requested. Transportation Planning, Engineering, Zoning, Fire-Rescue, VDH, and VDOT have all reviewed this application and have provided no objections. Specifically, regarding traffic impacts, parent pick up and drop off has been evaluated by Transportation Planning Staff and VDOT who have provided no objections. If the special use permit is approved, a Zoning Clearance is required by the ordinance prior to commencing the day care use. This process will ensure that all special use permit conditions are verified, and all necessary building and fire inspections have been passed, along with state licensure.

**4. Consistency with the Comprehensive Plan. Whether the proposed special use will be consistent with the Comprehensive Plan.**

The Places29 Master Plan, within the Comprehensive Plan, designates this property as Urban Density Residential. This designation is used in areas around Centers where multifamily housing with a gross density range between 6.01 and 34 units per acre is desired. It is also applied to existing residential areas with densities within this range. Primary uses within this land use designation include multifamily and single family residential, including two or more housing types. Secondary uses may include retail, commercial, and office uses that support the neighborhood, live/work units. Since the church and day care use is considered a secondary use that will help support the neighborhood, Staff believe the proposed special use permit is consistent with the Comprehensive Plan.



Since no physical improvements to the site are proposed, a detailed Neighborhood Model Analysis has not been done by staff.

**SUMMARY:**

**Positive Aspects:**

1. The proposed use is consistent with the Places29 Master Plan
2. The proposal provides a day care option for people who live and work in the area.
3. No detrimental impacts to adjoining properties are anticipated.

**Staff has no concerns with this request.**

**RECOMMENDED ACTION:**

Based on the findings contained in this staff report, staff recommends approval of the special use permit application SP202200017 Maple Grove Daycare Center with the following conditions:

1. Development of the use must be in general accord with the conceptual plan. To be in general accord with the Conceptual Plan, development must reflect the following major elements within the development essential to the design of the development.
  - a. Location of buildings, day care, and playground areas.
  - b. Location of parking areas.
  - c. Site access including pick-up and drop-off locationsMinor modifications to the plan which do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance or improve safety.
2. Signage for pick-up and drop-off location and circulation may be required at the time of Zoning Clearance to ensure safe vehicular circulation.
3. Enrollment may not exceed fifty (50) children per day.
4. The hours of operation for the child day center may not exceed 7:00am-5:30pm Monday through Friday.
5. At the request of the County, future dedication of right-of-way adjacent to Proffit Road, to run the full length of the property, sufficient to build a multi-use path to County and VDOT specifications.

**POSSIBLE PLANNING COMMISSION MOTION- SP202200005:**

A. Should the Planning Commission **choose to recommend approval** of this special use permit:

**Move to recommend approval of SP202200017, Maple Grove Day Care Center, with conditions as stated in the staff report.**

B. Should the Planning Commission **choose to recommend denial** of this special use permit:

**Move to recommend denial of SP202200017, Maple Grove Day Care Center. *Should a commissioner motion to recommend denial, he or she should state the reason(s) for recommending denial.***

**ATTACHMENTS**

[Attach 1 SP2022-17 Maple Grove Day Care Center Existing Conditions and Context Map](#)

[Attach 2 SP2022-17 Maple Grove Day Care Center Application Narrative](#)

[Attach 3 SP2022-17 Maple Grove Day Care Center Concept Plan](#)