



IV.-H.

Agenda Item

County of Hanover

Board Meeting: June 11, 2014

Subject: Request for Conditional Use Permit Extension – CUP-24-07, Calvary Chapel Mechanicsville (Mechanicsville Magisterial District)

**Summary of
Agenda Item:**

The Hanover County Board of Supervisors approved CUP-24-07 on January 23, 2008, to allow new church facilities on GPIN 8715-20-3074. An extension of one year was granted by the Board of Supervisors on January 14, 2009, and the site was then included in the blanket extension by the Virginia General Assembly of all conditional use permits to July 1, 2014. Since that time, the church obtained site plan approval. However, because the church is not in a financial position to move forward with construction at this time, they are requesting another extension. The property remains unimproved, and no zoning violations were found to exist when inspected.

The church is continuing to operate out of the Cold Harbor Village Shopping Center, which is located on Stonewall Parkway. The Conditional Use Permit (CUP) for this temporary site will expire on June 30, 2014, and a new CUP (CUP-3-14) has been submitted. The application for CUP-3-14 requests that the term of the CUP be five (5) years. The Zoning Ordinance contemplates initiation of construction and the approved use within one year of the zoning approval, and the CUP for the new church site was approved six years ago. However, due to the circumstances provided, the Planning Department recommends approval of a 5-year extension including the original conditions to coincide with the CUP request for the church's temporary site.

**County
Administrator's
Recommended
Board Motion:**

Approval of the extension of Conditional Use Permit, CUP-24-07, until June 30, 2019, subject to the originally approved conditions

Request for a Special Exception/ Conditional Use Permit Extension

Case #: CUP-24-07

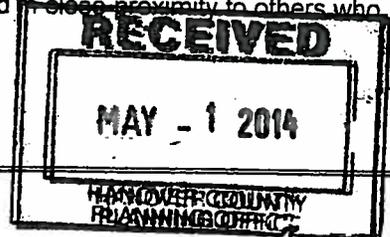
Please type or print in black ink.

APPLICANT INFORMATION	
Owner/Applicant: <u>CALVARY CHAPEL MECHANICSVILLE</u>	Telephone No. <u>804-241-3436</u>
Contact Name: <u>TOM VAUGHAN</u>	Fax No. <u>804-730-5737</u>
Address: <u>P.O. Box 749</u> <u>MECHANICSVILLE, VA 23111</u>	Email Address: <u>Tom.Vaughan@CCMech.org</u>

PROPERTY INFORMATION/ EXPLANATION
GPIN(s)(Tax Parcel #'s) <u>8715-20-3074</u>
Magisterial District <u>MECHANICSVILLE</u>
Location Description (Street Address, if applicable) <u>8000 AMF DRIVE</u>
Briefly explain why an extension is necessary: <u>THE ORIGINAL CUP WAS OBTAINED WHEN WE PURCHASED THIS RAW LAND, WITH THE INTENTION OF BUILDING A CHURCH BUILDING AND THEN MOVING THERE FROM THE LOCATION IN WHICH WE CURRENTLY MEET. WE HAVE IN HAND AN APPROVED SITE PLAN. WE DESIRE TO KEEP OUR CUP IN FORCE, WITH WITH THE INTENTION OF BUILDING ON THE SITE WHEN WE ARE IN A FINANCIAL POSITION TO DO SO.</u>

SIGNATURE OF APPLICANT
As owner or authorized agent of this property, I hereby certify that this application is complete and accurate to the best of my knowledge, and I authorize County representatives entry onto the property for purposes of reviewing this request.
Signature <u>R.E. (Tom) Vaughan</u> <u>R. Vaughan</u> Date <u>4-21-14</u>
Print Name <u>R.E. (Tom) Vaughan</u>

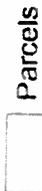
ATTACHMENTS
<input checked="" type="checkbox"/> a. Extension Fee - Special Exception \$20.00 Conditional Use Permit \$700.00 <u>EXEMPTION ATTACHED</u>
<input type="checkbox"/> b. For applications for mobile homes needed in a medical hardship case, provide an updated note from a medical doctor verifying that for health reasons a person must be located in close proximity to others who can provide care.
<input type="checkbox"/> c. Other information needed to support your request



**Hanover County,
Virginia**

General Parcel Map

Legend



Parcels



Structures

Private Road

Trees

Water

Roads

CUP-24-07

Calvary Chapel Mechanicsville

build a church

Zoned A-1

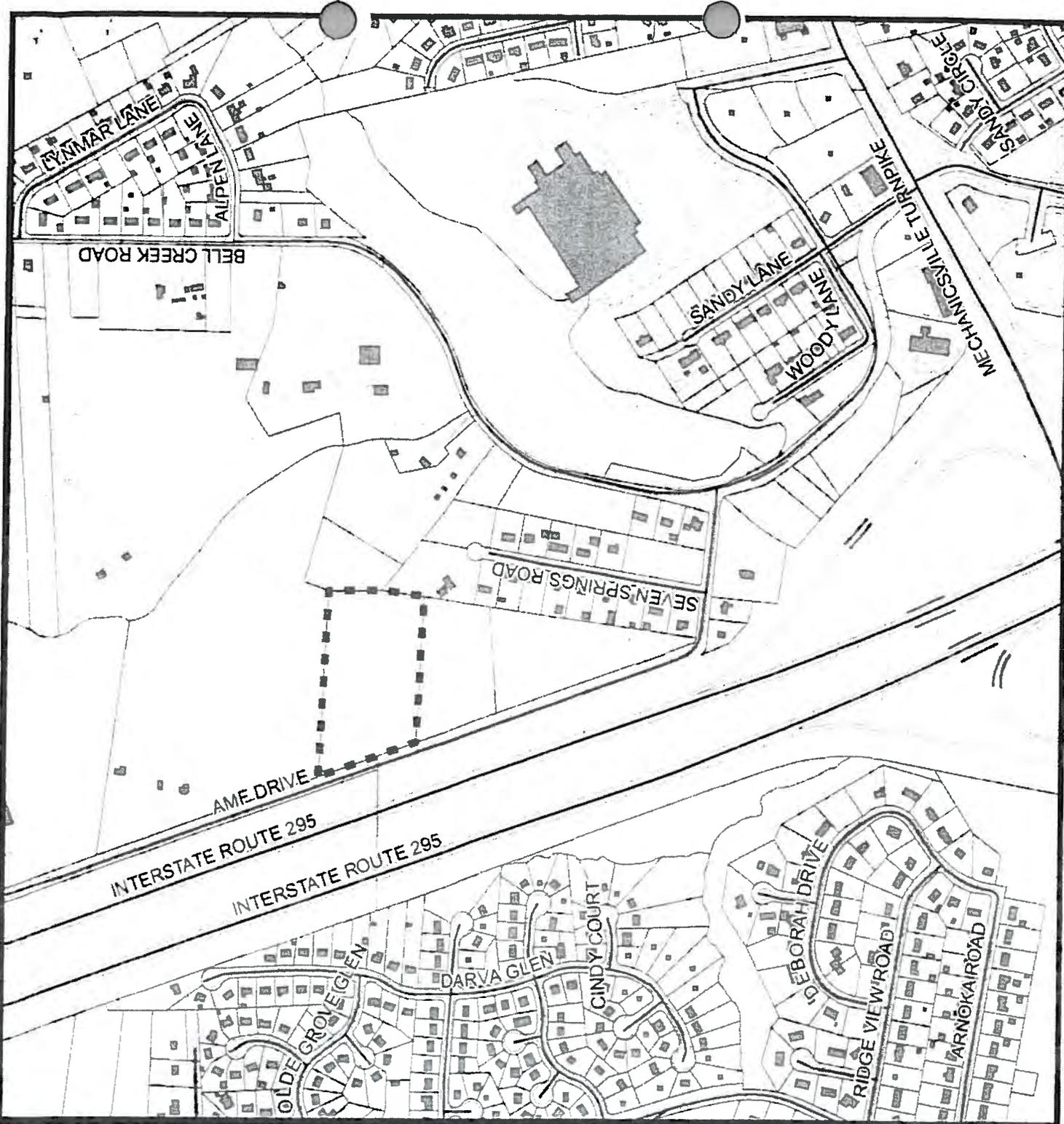
GPN, RT 15-20-3074

Mechanicsville Magisterial District



1 inch equals 600 feet

October 01, 2007



BOARD OF SUPERVISORS
AUBREY M. STANLEY, CHAIRMAN
BEAVERDAM DISTRICT

JOHN F. GORDON, JR., VICE-CHAIRMAN
SOUTH ANNA DISTRICT

DEBORAH B. COATS
MECHANICSVILLE DISTRICT

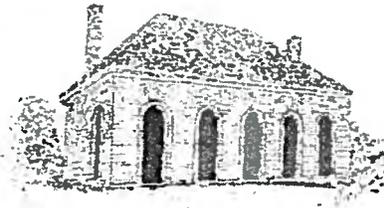
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COLD HARBOR DISTRICT

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COUNTY ADMINISTRATOR



HANOVER COURTHOUSE

HANOVER COUNTY

ESTABLISHED IN 1720
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January 23, 2008

PLANNING DEPARTMENT

MICHAEL E. CRESCENZO
PLANNING DIRECTOR

DAVID P. MALONEY, AICP
DEPUTY DIRECTOR OF PLANNING

JOHN A. BENDER
DEPUTY DIRECTOR OF PLANNING

J. KEITH THOMPSON
SUBDIVISION ADMINISTRATOR

LEE W. GARMAN, AICP
PRINCIPAL PLANNER

P. O. BOX 470
HANOVER, VIRGINIA 23069

PHONE 804-365-6171
FAX: 804-365-6232

Calvary Chapel Mechanicsville
Attn: Tom Vaughan
P.O. Box 749
Mechanicsville, Va. 23111

RE: Approval of CUP-24-07, Calvary Chapel Mechanicsville

Dear Mr. Vaughan:

At its meeting of January 23, 2008, the Hanover County Board of Supervisors, on a motion by Mrs. Coats, seconded by Mr. Wade, voted to **APPROVE** the above-captioned request for a Conditional Use Permit in order to allow a church, on GPIN 8715-20-3074, subject to the following conditions:

1. The Property which is the subject of the application shall be used only for church related uses and associated activities, and shall be developed in substantial conformity with the sketch plan titled "Calvary Chapel Mechanicsville, Sketch Plan," prepared by Resource International, Ltd., September 28, 2007, and revised December 14, 2008.
2. The Church and associated structures shall be constructed in substantial conformity with the elevations titled, "Calvary Chapel Mechanicsville," prepared by Depasquale Gentilhomme Group, Architects, dated October 1, 2007. Elevations for Phase II shall be submitted for review and approval by the Planning Commission, prior to site plan approval for that phase.
3. No expansion of the proposed structures or additional structures shall be added to the site without an amendment to this Conditional Use Permit. Should daycare services be contemplated in the future, an amendment to the Conditional Use Permit will be required.

Calvary Chapel Mechanicsville

Attention: Tom Vaughan

Page 2

January 23, 2008

4. The parking lot shall be designed in accordance with the requirements of Article 7, Section 1, and shall be landscaped in accordance with Article 5A, Section 3.2, and all other applicable site plan requirements.
5. All site lighting shall comply with the requirements of Article 7, Section 13.
6. Prior to site plan approval, the owner shall reserve twenty-five feet (25') of right-of-way from the centerline of AMF Drive (State Route 1126) to the property for future road widening. Upon request of the County or VDOT, the owner shall dedicate any right-of-way within this reserved area that is necessary for the road widening to the County, free of cost to the County and free of encumbrances.
7. A 15' thoroughfare buffer shall be provided along AMF Drive in accordance with Article 7, Section 2B. Should public utilities be located within the area where that buffer is located, additional width shall be provided to allow the necessary area for the required landscaping and sidewalks in the thoroughfare buffer. The sidewalk within the subject buffer shall be four feet wide, extend along the entire frontage on AMF Drive from the southern property line to the northern property line, and shall be constructed of an impervious surface material.
8. All requirements of VDOT shall be met. With Phase I construction, a commercial entrance shall be completed at the location shown on the sketch plan, and it shall be constructed in accordance with VDOT standards and specifications for commercial entrances, including turn lanes should VDOT determine such lanes are required for this entrance.
9. At such time as the Church begins construction of its Phase I facilities, construction of sidewalks along AMF Drive in accordance with Title II, Section 5-21-1(b) will be required.
10. With Phase I development, connection to public water and sewer facilities will be required for all structures.
11. All requirements of the Public Works Department, the County Health Department and the Building Inspector's Office shall be met.
12. All development and use of the Property shall comply with all Federal, state and local statutes, ordinances and regulations.

Calvary Chapel Mechanicsville

Attention: Tom Vaughan

Page 3

January 23, 2008

After the Board of Supervisors has approved a Conditional Use Permit, the Conditional Use so approved shall lapse after the expiration of one (1) year if no substantial construction or change of use has taken place in accordance with the plans for which the Conditional Use was approved.

You cannot begin to use the property under these conditions until you have filed, with this office, a Final Site Plan under the provisions of Title I, Article 7, Section 6, of the Hanover County Zoning Ordinance which complies with the conditions of approval.

Approval of the Final Site Plan from this office is your authorization to proceed to file building permits or other construction permits to initiate the requested change.

Should you require any additional information concerning this matter, please do not hesitate to contact Mr. J. Keith Thompson, Subdivision Administrator, or me.

Sincerely,



Michael E. Crescenzo
Director of Planning

CDC/sm/hte

cc: The Honorable Deborah Coats
Dennis Walter, Esquire
Mr. Richard W. Paul
Mr. J. Keith Thompson
Mr. Kevin Nelson
Mr. W. Randolph Johnson, Jr.
Mrs. Gretchen W. Biernot
Mrs. Sherri A. Carneal
Resource International - Mary Pennock

CONDITIONAL USE PERMIT
DATE: December 5, 2007
REVISED: January 9, 2008

<p>CUP-24-07</p> <p>CALVARY CHAPEL MECHANICSVILLE</p> <p>Agenda Item</p>
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CUP-24-07, CALVARY CHAPEL MECHANICSVILLE

EXECUTIVE SUMMARY

Requests a Conditional Use Permit in accordance with Title I, Article 5, Section 1.5.21. of the Hanover County Zoning Ordinance to allow a church on GPIN 8715-20-3074, consisting of approximately 8.15 acres, currently zoned A-1, Agricultural District, located on the east side of AMF Drive (State Route 1126) approximately 1,950 feet north of its intersection with Bell Creek Road (State Route 642) in the MECHANICSVILLE MAGISTERIAL DISTRICT. The subject property is designated on the General Land Use Plan Map as Business Park.

RECOMMENDATION

Staff: Recommends **APPROVAL**, subject to the recommended conditions.

Planning Commission: Recommends **APPROVAL**, subject to the recommended conditions.

COMPREHENSIVE PLAN

General Land Use Plan - Designates this property as Business Park.

Major Thoroughfare Plan - Access is provided by AMF Drive (State Route 1126) (a 50' local road).

Conservation and Phased Suburban Development Plan - This property is within the area of the Existing Phase of the Suburban Development Plan.

Public Utility Plan - This property is within the area of the Existing Phase of the Public Utility Plan.

TRAFFIC COUNTS

Routes Affected:	From:	To:	Total:
AMF Drive (State Route 1126)	Seven Springs Road (State Route 1125)	Pole Green Road (State Route 627)	1,900 Ann. Avg. Daily Traffic Vol. Est.

ANALYSIS

This is a request to permit construction of a church on a 8.51 acres site on the east side of AMF Drive and north of the I-295 Mechanicsville Turnpike interchange. Calvary Chapel is an existing church with a current Conditional Use Permit (CUP-1-05) to conduct church related activities and services in a leased retail space in Cold Harbor Village Center. A condition of approval at that site was to limit the period of the Conditional Use Permit to five years, and it specifically stated that no extensions would be granted at this site. This condition required the Church to find a site for its permanent location, and the subject request is the Church's solution to that issue.

The Church proposes developing this site in two phases. Phase I will include 20,439 square feet of floor area and will include a 320 seat sanctuary, educational classrooms, children's area, social meeting space, and include a warming kitchen. At Phase II, 14,391 square feet of floor area will be added, and include an expansion of the sanctuary to accommodate 750 members, more classrooms and meeting spaces. Based on the proposed seating in the sanctuary, at Phase I, 80 parking spaces will be required, but the Church will be providing 141 parking spaces. At Phase II, 188 parking spaces will be required, and the Church will be providing 267 spaces. Two loading spaces are provided at Phase I. Though not specifically stated, it appears that included in the parking for Phase I, six handicap parking spaces will be provided.

Elevations have been provided for Phase I and include the proposed materials. The buildings will be constructed of CMU block with two finishes. Attached is a sheet that depicts the construction materials and CMU 1 on the elevation corresponds to the textured split face block labeled as "Rock-Stone Antique Bronze", and CMU 2 corresponds to "Tex-Stone Chamois." These depictions were retrieved from the producer's website, and the architect for the church indicates that these colors are really more rich in tone and could be described as a dark taupe and light cream. The proposed roofing material is standing seam metal, and the color chosen is "Slate Gray." The architect will be attending the Commission meeting and will have actual samples of the materials for the Commission's consideration. Aluminum windows and metal wrapped trim that appear to be in a cream color are the remaining features to the structures.

Staff has reviewed the sketch plan with the Ordinance requirements for sketch plans and notes that all have been provided, with the possible exception of specific proposals as to required screening. The plan does note that screening and landscaping will be provided in accordance with the Urban Overlay parking requirements as well as the required screening for parking and drive aisles located within fifty feet of residentially zoned property. The locations for screening are shown, but the methods are not identified. Staff recommends identification of screening methods, i.e., fence, and if so, its materials and description, or proposed materials for a vegetative screen or berm, or combination of both. Staff notes that the 15' thoroughfare buffer will be required to be designed and constructed in accordance with Article 7, Section 2B.1.a., which has landscaping requirements as well.

Staff documented in its notes from the zoning staff meeting that there was a possibility that Fire Administration EMS may have issue with access provided to the proposed structures. The applicant indicated to staff that fire access must be within 150 feet of all portions of the buildings, and that they have provided that. Planning staff contacted EMS since it had not received written comments from that department to ensure they were satisfied with the access provided. In their response, they indicated that the Fire Code does require access within 150 feet of the structures, and that he was satisfied with this layout as long as they had access to three sides to the structure. This plan will provide access to three sides of the structure.

As with other recent Conditional Use Permit requests, a thoroughfare buffer with pedestrian paths/sidewalks was requested. The Church has provided that detail on their sketch plan and noted to staff that the location of the sidewalk at the southern end of the sidewalk will match that provided with the adjacent Win Subdivision, and what is shown on the plan does match the sidewalk location of the most recent Win subdivision plat.

AGENCY COMMENTS

Staff provided agency comments to the applicant, and most issues have been addressed on the sketch plan attached. The comments provided below are provided as information for the Planning Commission or as notice to the applicant that these issues must be resolved at site plan review.

Public Utilities

The Department of Public Utilities notes that sewer service to this property is contingent upon approval of a subdivision immediately adjacent to the south. The applicants have reviewed the most recent revision of the subdivision plat for Win Subdivision, and has shown the sewer connection provided on that subdivision plat. The applicants are aware that they will have to accommodate their site should the location of this sewer line change in Win Subdivision.

Historical Commission

The Historical Commission reviewed this request because the property to its immediate north includes a historic resource included on Hanover County's survey of historic resources and is identified and listed with the Virginia Department of Historic Resources as VDHR #42-548, Late 19th Century or Early 20th Century Rural I-house. The Commission recommended that a vegetative screen be provided along the common property line of the proposed church and the historic resource.

Site Planning

The applicants responded to Site Planning's concerns regarding HVAC screening. The HVAC equipment is now shown at ground level next to a loading space between the two largest Phase I structures. The applicant notes in its response letter to staff (attached) that it is their intention to screen the HVAC equipment area from view. The method of screening will be provided at site plan review.

VDOT

In its comments, VDOT provided some projected traffic counts for this church on Sundays. Staff notes that it has a traffic analysis completed when the average daily traffic count is 500 trips or more, and therefore does not consider traffic generations for Sundays only. The applicant specifically states in the application that daycare is not under consideration at this site, and that all use of the site will be for church related uses. Therefore, staff does not anticipate significant traffic generation from this site, with the exception of Sundays, when other traffic in this area will be light. Therefore, staff is forwarding this request with a standard condition that a commercial entrance be provided to this site, and that it be designed and constructed in accordance with VDOT's requirements, which shall be determined during site plan review. Should VDOT determine turn lanes are needed for this site, that condition will require the applicant to provide all improvements as VDOT deems necessary.

STAFF RECOMMENDATION

With the recommended modifications to the sketch plan, the staff recommends **APPROVAL** of the Conditional Use Permit to allow a church on the subject property include construction of sanctuary buildings, classrooms and parking areas as shown on the sketch plan referenced below, subject to the conditions set out below:

1. The Property which is the subject of the application shall be used only for church related uses and associated activities, and shall be developed in substantial conformity with the sketch plan titled "Calvary Chapel Mechanicsville, Sketch Plan," prepared by Resource International, Ltd., September 28, 2007, and revised _____, 2007.
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9. At such time as the Church begins construction of its Phase I facilities, construction of sidewalks along AMF Drive in accordance with Title II, Section 5-21-1(b) will be required.
10. With Phase I development, connection to public water and sewer facilities will be required for all structures.
11. All requirements of the Public Works Department, the County Health Department and the Building Inspector's Office shall be met.
12. All development and use of the Property shall comply with all Federal, state and local statutes, ordinances and regulations.

UPDATE FOLLOWING THE DECEMBER 13, 2007, PLANNING COMMISSION MEETING

At its meeting on December 13, 2007, the Hanover County Planning Commission recommended **APPROVAL** of this request for a Conditional Use Permit for a church, subject to the staff's recommended conditions and a modification to the sketch plan regarding vegetative screening between the church and the adjacent historic structure known as the Late 19th Century or Early 20th Century Rural I-house (DHR #42-548).

A revised sketch plan modified to show the vegetative screening between the church and the adjacent historic structure was submitted and staff has determined that this modification meets the requirements discussed during the Planning Commission meeting. Therefore, the staff and Planning Commission recommend **APPROVAL**, subject to the following conditions:

1. The Property which is the subject of the application shall be used only for church related uses and associated activities, and shall be developed in substantial conformity with the sketch plan titled "Calvary Chapel Mechanicsville, Sketch Plan." prepared by Resource International, Ltd., September 28, 2007, and revised December 14, 2008.
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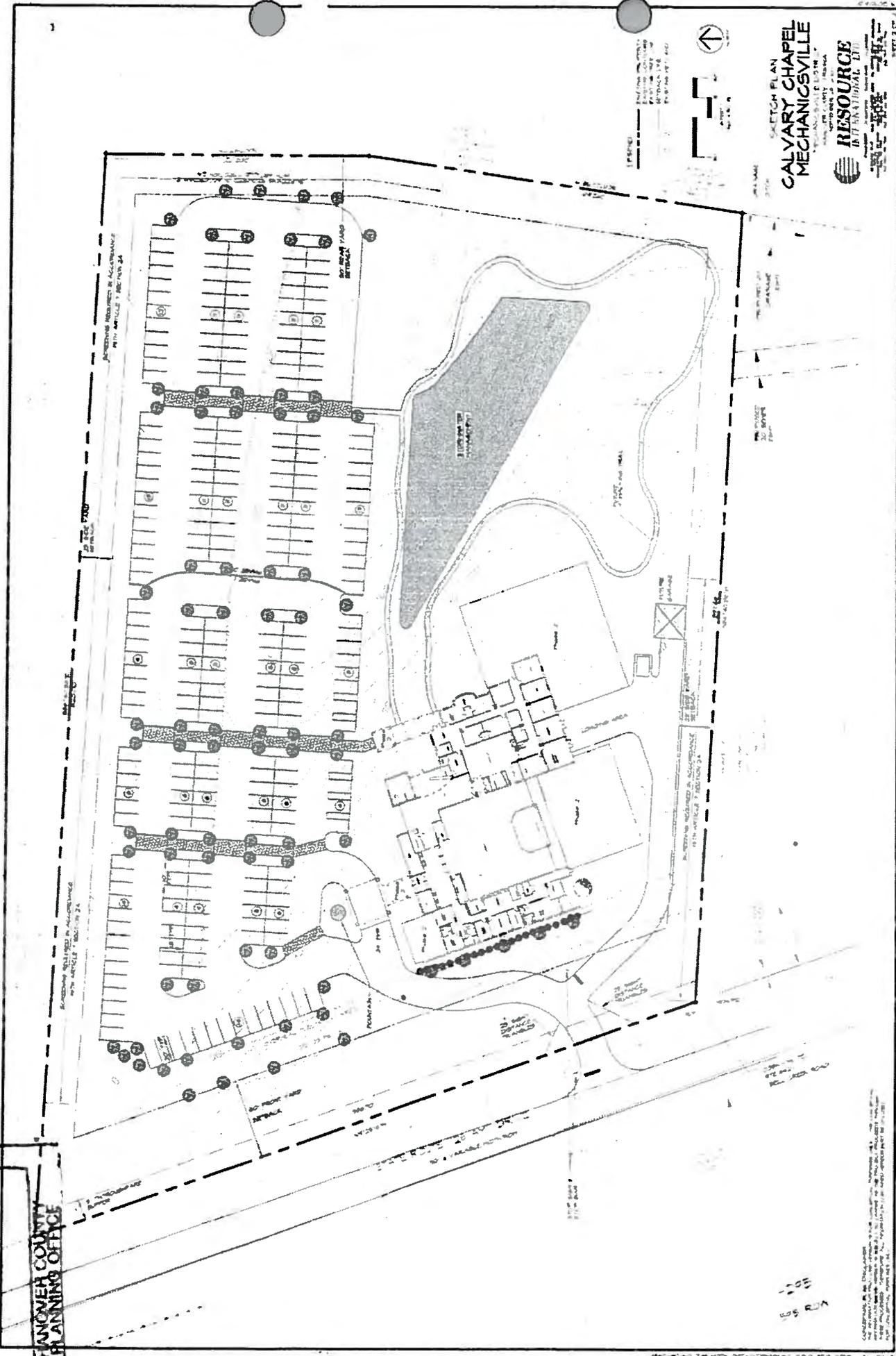
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11. All requirements of the Public Works Department, the County Health Department and the Building Inspector's Office shall be met.
12. All development and use of the Property shall comply with all Federal, state and local statutes, ordinances and regulations.

cdc hte 07-40000035

Attachments:

1. Background Maps
2. Agency Review Comments
3. Application Materials
4. Sketch Plan
5. Planning Commission Recommendation

RECEIVED
SEP 28 2007
HANOVER COUNTY
PLANNING OFFICE



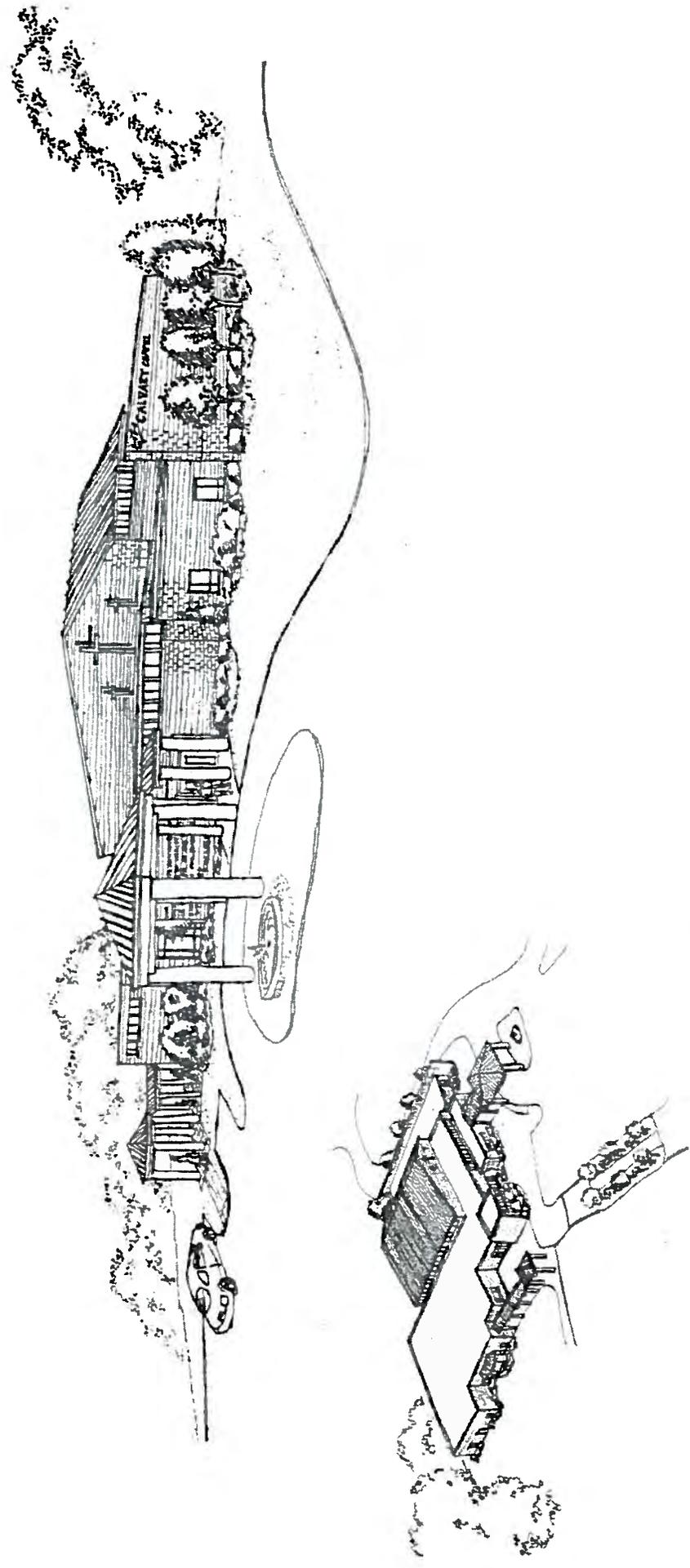
SKETCH PLAN
CALVARY CHAPEL
MECHANICSVILLE

RESOURCE
INTERNATIONAL, LLC

1008
US R/A

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PLANNING OFFICE



CALVARY CHAPEL MECHANICSVILLE



DEPASQUALE GENTILHOMME GROUP ♦ ARCHITECTS

PROGRESS
DATE: 11/11/11
BY: J. G. GIBSON

CALVARY CHAPEL MECHANICAL
PROJECT

PERMANENT
RECORDS
PROJECT

PROJECT NO. 1101011

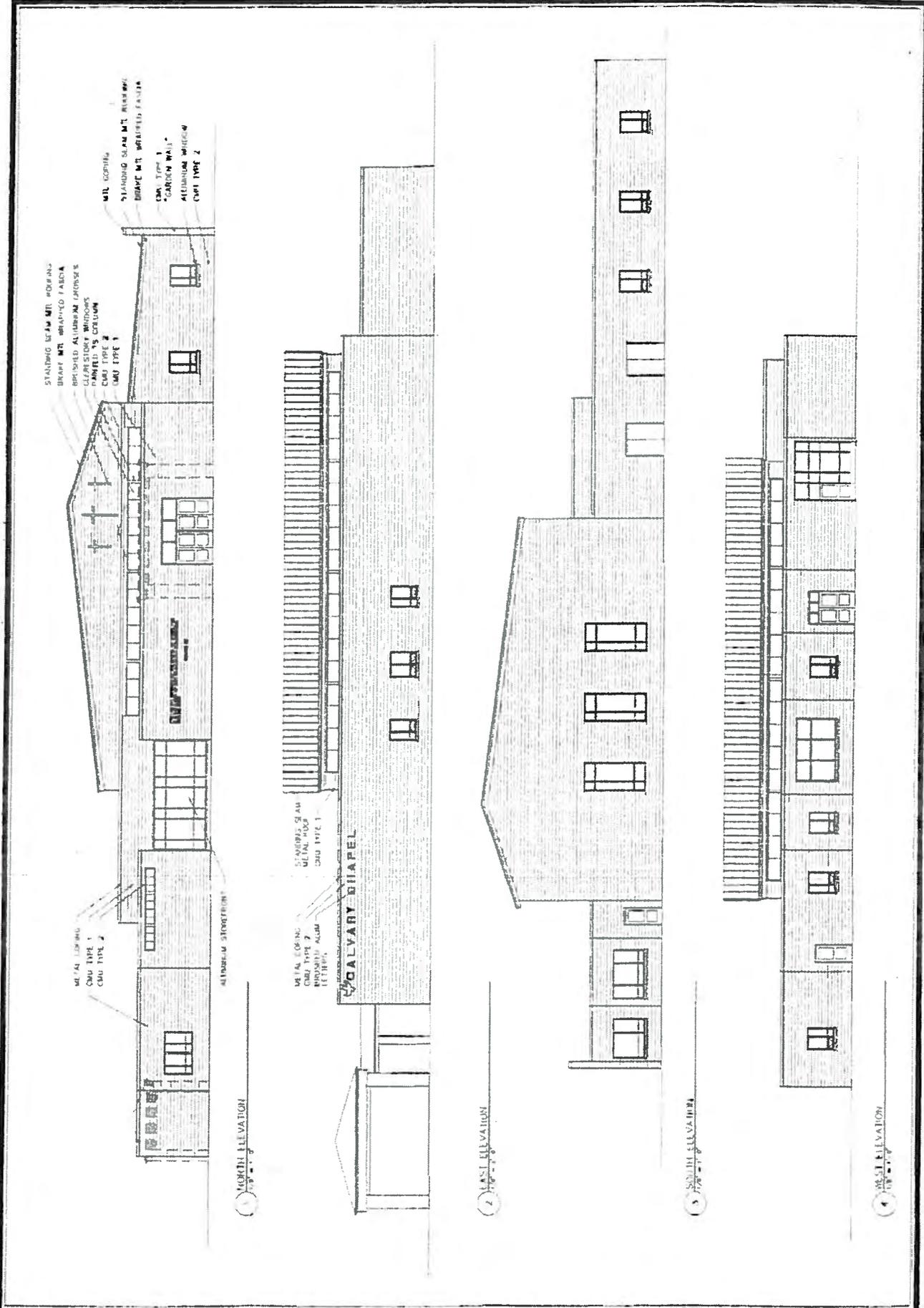
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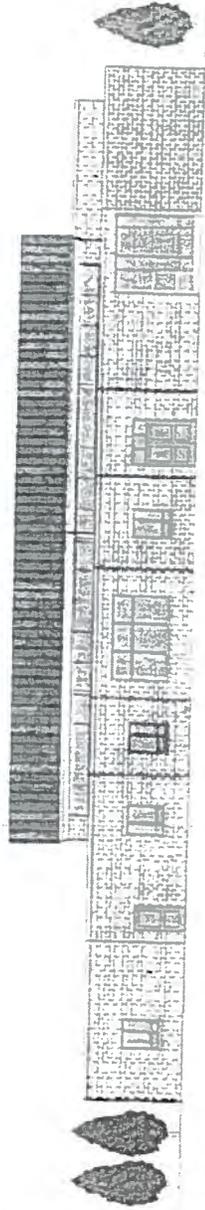
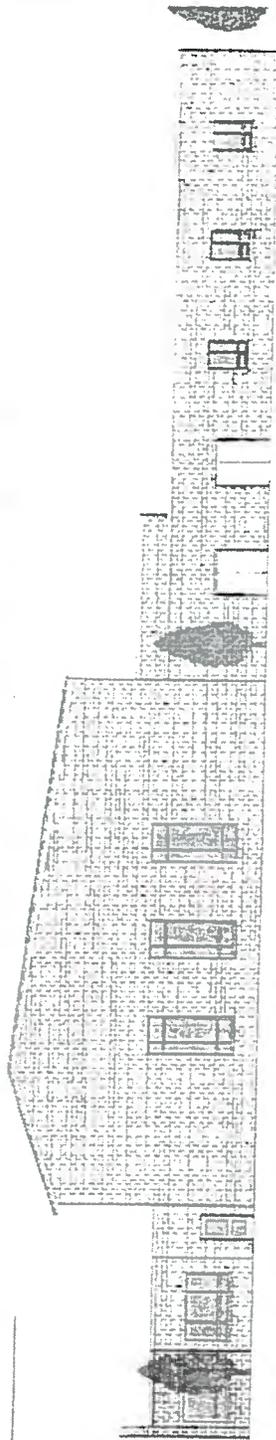
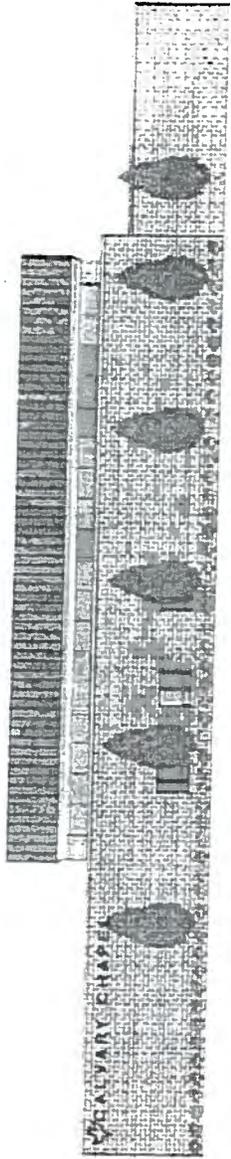
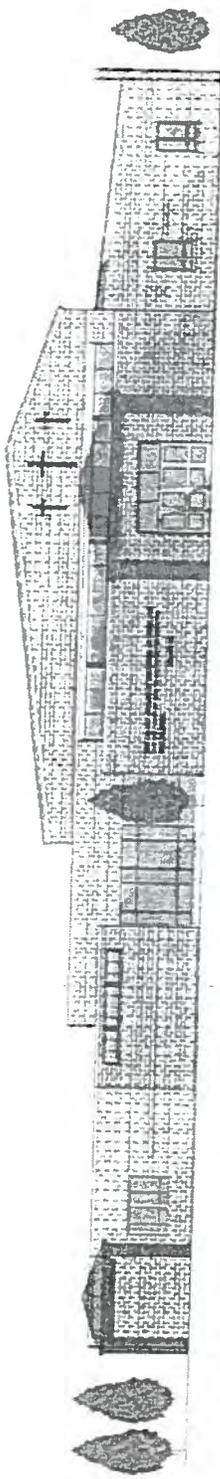
NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	11/11/11
2	ISSUED FOR CONSTRUCTION	11/11/11
3	ISSUED FOR OCCUPANCY	11/11/11
4	ISSUED FOR ARCHIVE	11/11/11

BUILDING
ELEVATIONS

07/01/11

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WEST ELEVATION

EAST ELEVATION

WEST ELEVATION