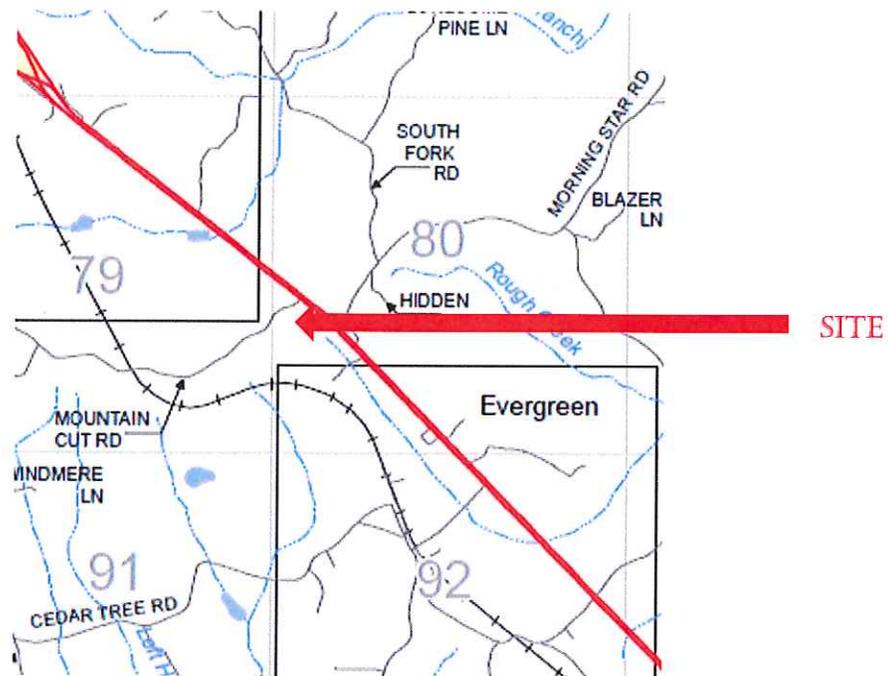




Appomattox County

VIRGINIA

JOINT PLANNING COMMISSION MEETING FOR SEPTEMBER 14, 2016



CUP 16-0503
JESUS CENTER CHURCH
ROSELLE BROWN

**County of Appomattox
Department of Community Development
Staff Report**

To: Planning Commission
From: Johnnie Roark 
Director of Community Development
Date: September 14, 2016
RE: Conditional Use Permit Application CUP16-0503-Jesus Center

SYNOPSIS

Roselle Brown (applicant) and Jesus Center Church (owner) is requesting a conditional use permit to operate a daycare center for children on property located at 122 Christ Mountain Lane in the Appomattox community.

Specifics

Applicant: Roselle Brown
Property Owner: Jesus Center Church
Current Use: Church (Religious Assembly)
Proposed Use: add Daycare Center
Surrounding Uses: Sporadic Residential, Agricultural
Parcel Size: Approximately 14 acres, up to 2 acres to be used with this use
Zoning: A-1, Agricultural
Surrounding Zoning: A-1, Agricultural
Tax Map Number(s): 77 (A) 37

ANALYSIS

This property is located approximately near the intersection of Mountain Cut Road and Richmond Highway, approximately 2 miles east of the Town of Appomattox. The church was founded in 1980 and has steadily grown since that time. A multi-purpose building with additional classroom space and assembly room was completed approximately five (5) years ago. The church has managed a successful after-school youth program for a number of years. As we have discussed previously, child daycare is a growing need in our community. In 2014, the Planning Commission approved a daycare in the Concord area. Approximately three (3) miles east of this location, New Jerusalem Church has successfully run a daycare for many years. In the town of Appomattox, there are approximately six (6) daycares running at any given time. Throughout the county, we have approved several over the years, most recently My Little Angels ELC in Concord.

The zoning for the parcel is A-1, Agricultural. The surrounding zoning is A-1 with some R-1 nearby. Across Richmond Highway, there is a parcel zoned M-1.

PROJECT IMPACTS

Jesus Center Church daycare will have a minimal impact to the highway system over the course of a day. The main impacts will be early in the morning and late in the afternoon at drop off and

pick up times. The church is served by private well and septic. The applicant is working through the approval process with Social Services in order to be a licensed facility. The property is surrounded on three sides by mature trees and is somewhat isolated from the adjoining residential properties. The nearest residence is approximately 500 feet away.

If approved, the Building Official will begin regular inspections of the property for fire safety. Licensed facilities are required to have annual fire safety inspections.

Planning Considerations

The Appomattox County Zoning Ordinance lists the following standards by which a conditional use should be evaluated.

1. Will be harmonious with and in accordance with the general objectives or with any specific objective of Appomattox Comprehensive Plan and/or this chapter.
This use appears to be in line with the general objectives of the Comp Plan.
2. Will be designed, operated and maintained so as to be harmonious and appropriate with the existing or intended character of the general vicinity; and that such use will not change the essential character of the same area.
The proposed use is being designed to mitigate any impact to the greatest extent.
3. Will not be hazardous or disturbing to existing or future neighborhood uses.
The proposed use will not be hazardous to the existing neighborhood.
4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.
The impact on public facilities is negligible.
5. Will not create excessive additional requirements at public costs for public facilities and services; and will not be detrimental to the economic welfare of the community.
Use will not negatively impact public facilities or services.
6. Will have vehicular approaches to the property which shall be so designed so as not to create any interference with traffic on surrounding public streets or roads.
Minimal traffic will be associated with this use.
7. Will not result in the destruction, loss or damage of a natural, scenic, or historic feature of major importance.
No impact.

Recommended Conditions

1. Hours of operation for the Day Care Center shall be limited to 6:00 a.m. to 7:00 p.m. Monday through Saturday. No Sunday hours.
2. Licensor by the Virginia Department of Social Services shall be maintained at all times. If license expires or is terminated, the conditional use permit will automatically become void.

Planning Commission Action:

The following motions are available for the Planning Commission:

To approve as submitted:

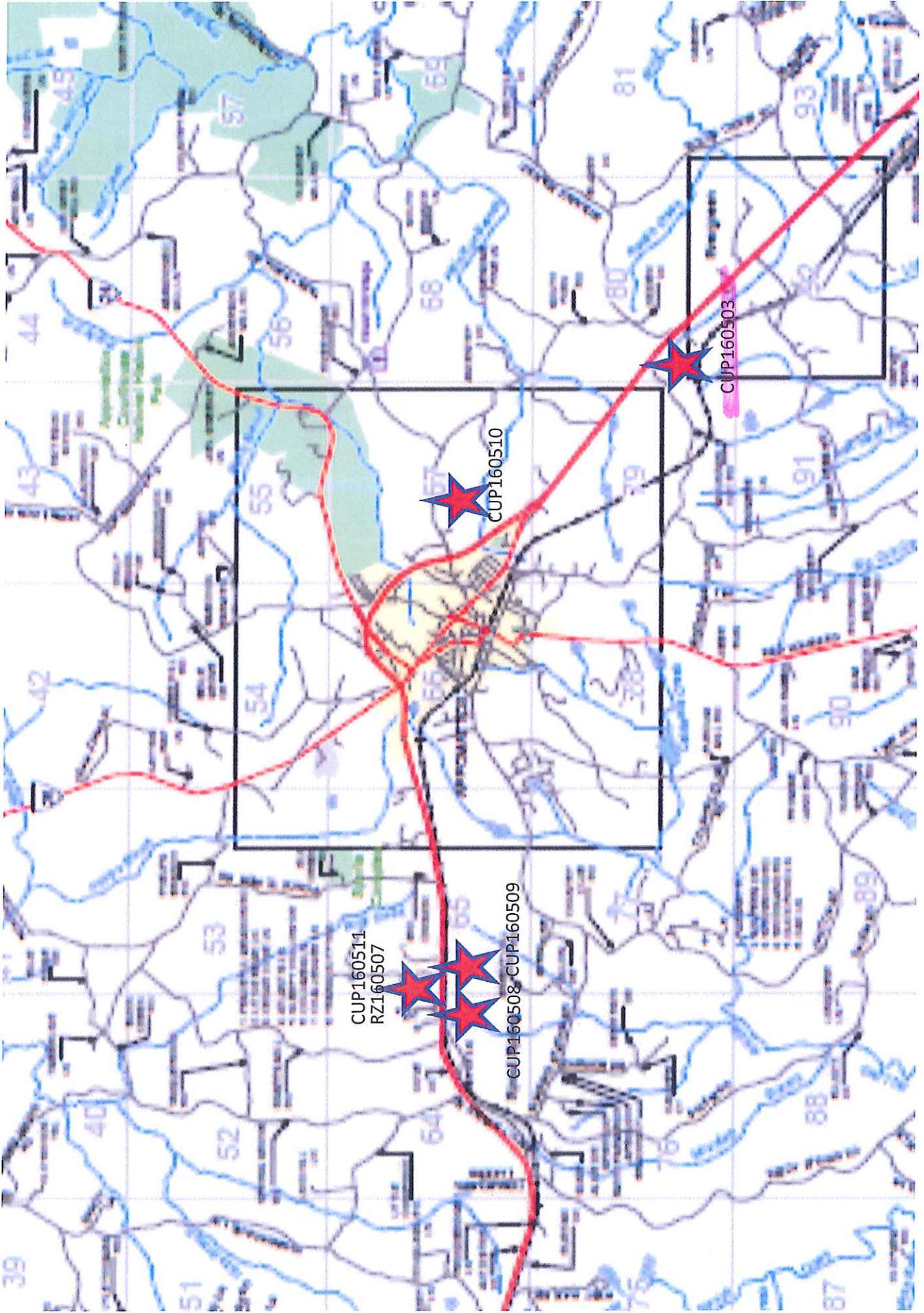
For reason of public necessity, convenience, general welfare, and good zoning practice, the Appomattox County Planning Commission moves to recommend approval of the Conditional Use Permit petition of Roselle Brown (Jesus Center Church) to operate a daycare center, as submitted.

To approve with conditions:

For reason of public necessity, convenience, general welfare, and good zoning practice, the Appomattox County Planning Commission moves to recommend approval of the Conditional Use Permit petition of Roselle Brown (Jesus Center Church) to operate a daycare center, with the following conditions:

To deny:

For reason of public necessity, convenience, general welfare, and good zoning practice, the Appomattox County Planning Commission moves to deny the Conditional Use Permit petition of Roselle Brown (Jesus Center Church) to operate a daycare center,, as the petitioner has failed to show the following:



CUP160511
RZ160507

CUP160510

CUP160508 CUP160509

CUP160503



Appomattox County

Please print in blue or black ink or typewrite. If not applicable, write N/A.

APPLICATION INFORMATION

Note: If the applicant is not the property owner, then an owner's authority letter must be submitted with the application.

Applicant Name: Roselle Brown

Address: P.O. Box 367 Appomattox VA 24522

Phone: (434) 665-1767 **email:** sptspring@aol.com

Property Owner Name: Jesus Center Church 122 Christ Mountain
Leno

Address: 1664 Mountain Cut Rd, Appomattox, VA 24522

Phone: 434 352-2476 **email:** jonesaj123@aol.com

Authorized Agent/Contact Person: Arthur L. Jones, III

Address: 813 Woodchuck Dr, Appomattox, VA 24522

Phone: 352-2421 **email:** jonesaj123@aol.com

Project Information

Location/Address of Property (from County Administration office):

Go Northwest on Court St; take R onto Confederate Blvd/US460 Bus E;
US460 Bus E becomes Richmond Hwy/US460E; Go 1.72 mi. to R on Mountain
Cut Rd/VA695

Tax Map Number(s): 77(A)37

Election District: Courthouse Church on
immediate
left.

Size of Parcel(s): 13.86 AC

Amount of area to be utilized by proposed use: _____

Current Zoning: A-1

Current Land Use: Church

Proposed Zoning: A-1

Proposed Land Use: Add Day-Care Center

Please describe the proposed project or purpose of the request:

To provide daycare services for families within our
community.

Proffers: The applicant may proffer in writing reasonable conditions in addition to the requested zoning district regulations. All proffered conditions must be in writing, signed and presented prior to the start of the Board of Supervisor's public hearing. **Are proffers proposed?** YES NO (If yes, please submit proffer statement to staff.)

Traffic Impact Analysis: If the proposed use meets VDOT's requirements for a traffic impact analysis, then the applicant must meet with VDOT and submit a TIA along with the Development Application.

Justification

The Planning Commission will study the request to determine the need and justification for the change in terms of public health, safety, and general welfare. Please answer the following questions as thoroughly as possible. Attach additional information if necessary.

Please explain how the request furthers the purpose of the Zoning Ordinance and the zoning district classification for which the project is proposed.

The proposed project is in line with the current zoning ordinance and should not cause any negative impacts.

Please explain how the project conforms to the general guidelines and policies contained in the Appomattox County Comprehensive Plan.

The proposed project should positively impact the county by providing a needed service for county residents who would potentially seek services in other localities.

Please describe the impact(s) of the request on the property itself, the adjoining properties, and the surrounding area as well as impact(s) on the public services and facilities, including water, sewer, roads, schools, parks/recreation, and fire/rescue.

The proposed project will not negatively impact any of the adjoining properties, as the existing property is currently used for afterschool activities also.

Certification

I hereby certify that this application is complete and accurate to the best of my knowledge, and I authorize County representative(s) entry onto the property for purposes of reviewing this request.

Owner/Agent Signature:

Roselle F. Brown

Date:

August 22, 2016

Print Name:

Roselle F. Brown

ROSELLE F. BROWN
PO BOX 367
APPOMATTOX, VA 24522
(434) 665-1767

August 24, 2016

APPOMATTOX COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
153A MORTON LANE
PO BOX 863
APPOMATTOX, VA 24522

To whom it may concern:

I am interested in opening a child daycare at Jesus Center Church. At the present, we are meeting the needs of parents and children who need after school homework assistance Monday through Thursday during the calendar school year. The daycare will also assist with those families who needs daycare services who are already familiar with our program. I plan to open Monday through Friday from 6:30am to 6:00pm.

Just a little background information on myself. I have a degree in psychology and also a nurse. I have been working in the medical field for 28 years in various capacity. I have receive continuous training in working with all ages. I have operated an assisted living business for 12 years. I am the mother of 2 children, one is a teacher in North Carolina and the other works as a personal care aid in Lynchburg. I have 3 grandchildren.

I thank you in advance for giving me the opportunity to continue to serve Appomattox County.

Sincerley,

A handwritten signature in cursive script that reads "Roselle F. Brown". The signature is written in black ink and is positioned above the printed name.

Roselle F. Brown

Adjoining Property Owners

Please provide the tax map identification number, name, and address of all parcels that adjoin your proposed development and directly across the street.

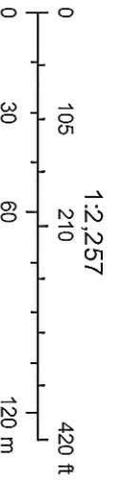
<u>Tax Map ID#</u>	<u>Name</u>	<u>Address</u>
77(A)38	JoAnn Warriner	P.O. Box 1017, Appomattox, VA 24522
77(A)39	Ernest & Linda Scruggs	12810 Richmond Hwy., Appomattox, VA
77(A)40	Star City Development Co	P.O. Box 2488, Charlotte, NC 28232
77(A)43	Betty Jo Pollard	P.O. Box 2339, Appomattox, VA
77(A)41	Courtland Realty Co, Inc. Henry F & Deborah Gilliam	506 Fairway Pl., Appomattox, VA
77(A)104	Bobby & Barbara Goodman	430 Redfields Rd., Appomattox, VA
77(6)2	VR & Katherine Clifton	1645 Mountain Cut Rd., Appomattox, VA

CUP160503 Jesus Ctr



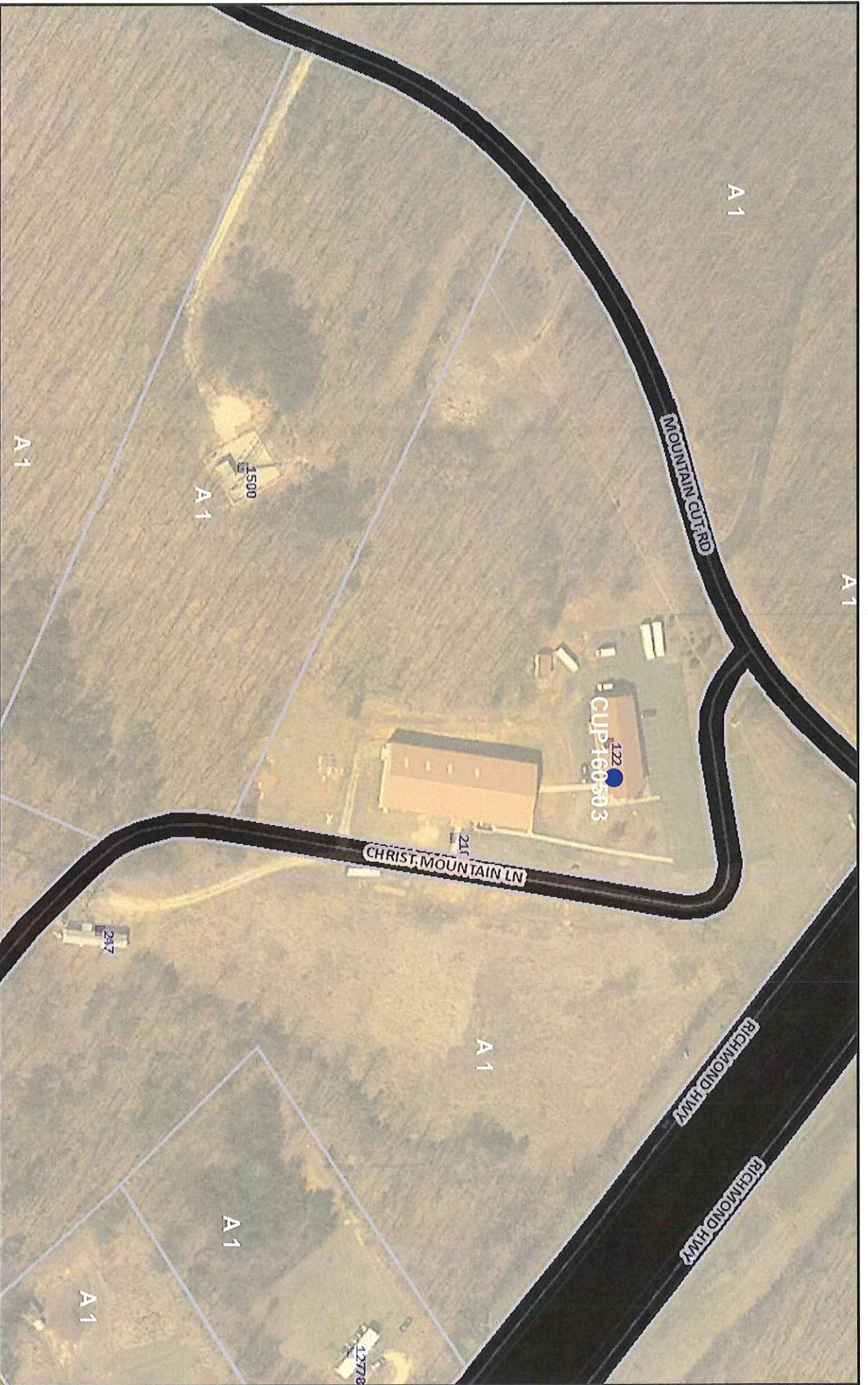
August 31, 2016

- Parcels
- Structure
- Centerlines
- Town Boundary
- County Boundary



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerognd, IGN, IGP, swisstopo, and

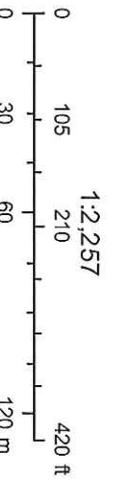
CUP160503 Zoning



September 6, 2016

pointLayer

- Override 1
- Parcels



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerognd, IGN, IGP, swisstopo, and