



### AGENDA ITEM FORM

**TYPE OF AGENDA ITEM:**

- CONSENT AGENDA
- PRESENTATION
- ACTION ITEM
- TOWN MANAGER & STAFF COMMENTS
- PUBLIC HEARING
  - Duly Advertised

**PURPOSE OF ITEM:**

- INFORMATION ONLY
- DISCUSSION ONLY
- DISCUSSION AND/OR DECISION
  - Introduction     Resolution
  - Ordinance         Grant/MOU
  - By Motion          Bylaws
  - Certificate

**PRESENTER:** Morgan Brim

**PRESENTER TITLE:** Town Planner/Zoning Administrator

**AGENDA ITEM:**

Discussion/Decision on Ordinance Approving a Conditional Use Permit (CUP) for the Matthew Center

**BACKGROUND / SUMMARY:**

The Matthew Center is proposing to operate a special education school located at 17286 Dumfries Road with a GPIN of 8289-05-7538 with up to 36 students. The school includes an after school program and a summer program. A play area is being proposed adjacent to the rear of the building. The Planning Commission has reviewed this proposal, heard public comment on November 26, 2012 and recommends approval with the conditions listed in the staff report and resolution. However, due to discussion and comment during the December 2012 meeting, the Council has requested that a stop sign and bollard be added to the site plan. The Council has also requested that staff research any Hazmat issues related to the Tire and Repair facility (A.S.A.P. Reliable Tire) located on the west side of the same building. Staff inspected the site and has found no safety issues related to toxic or hazardous material being stored on site. Any chemicals on site are contained in small containers and located in a fire rated cabinet. Also, it was observed the HVAC system used in the tire repair facility is separate from the system being used in the portion of the building being proposed for occupancy by the Matthew Center.

The Council also requested that the restroom facilities used by the tire repair facility be separate from the Matthew Center. Staff has confirmed these facilities are separate as is reflected in the attached floor plan. The Tire Repair Facility has bathrooms located in the garage separate from the interior building facilities. A condition requiring bathroom separation has been added to the ordinance.

**ATTACHMENTS:**

- Ordinance Approving the Conditional Use Permit Application
- Site Plan
- Floor Plans (2)

**REQUESTED ACTION:**

Town Council approve the ordinance in support of the Matthew Center CUP

**FOR MORE INFORMATION, CONTACT:**

Phone#: (703)221-3400

Name: Morgan Brim  
E-mail: [mbrim@dumfriesva.gov](mailto:mbrim@dumfriesva.gov)

**FOR USE DURING MEETING**

**VOTE:**

- PASSED
- NOT PASSED

Y	N		Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Brewer	<input type="checkbox"/>	<input type="checkbox"/>	Foreman	<input type="checkbox"/>	<input type="checkbox"/>	Forrester
<input type="checkbox"/>	<input type="checkbox"/>	Reynolds	<input type="checkbox"/>	<input type="checkbox"/>	Toney	<input type="checkbox"/>	<input type="checkbox"/>	Washington
<input type="checkbox"/>	<input type="checkbox"/>	Wood						

**AT A MEETING OF THE DUMFRIES TOWN COUNCIL, HELD ON JANUARY 8, 2013, AT 7:00 P. M., IN THE COUNCIL CHAMBERS, LOCATED AT 17755 MAIN STREET, DUMFRIES, VIRGINIA: ON A MOTION MADE BY \_\_\_\_\_, AND SECONDED BY \_\_\_\_\_, THE FOLLOWING ORDINANCE IS APPROVED BY THE FOLLOWING VOTE:**

Charles C. Brewer, \_\_\_\_;  
Gerald M. Foreman, II, \_\_\_\_;  
Kristin W. Forrester, \_\_\_\_;  
Helen D. Reynolds, \_\_\_\_;  
Willie J. Toney, \_\_\_\_;  
Gwen P. Washington, \_\_\_\_;  
Derrick R. Wood, \_\_\_\_;

**ORDINANCE TO APPROVE A CONDITIONAL USE PERMIT  
FOR THE MATTHEW CENTER, A SPECIAL EDUCATION SCHOOL,  
LOCATED AT 17286 DUMFRIES ROAD WITH A GPIN OF 8289-05-7538**

**WHEREAS**, the Matthew Center submitted a conditional use permit application, CUP-12-002, on August 21, 2012 to Town staff; and

**WHEREAS**, Town staff reviewed the application and scheduled the application to be reviewed by the Planning Commission; and

**WHEREAS**, the Planning Commission reviewed the application during a September 17, 2012 work session; and

**WHEREAS**, the Planning Commission held a public hearing on this matter on November 26, 2012 and recommends that the Town Council approve application CUP-12-002 for a special education school; and

**WHEREAS**, a public hearing was scheduled for the December 11, 2012 Town Council Meeting; and

**WHEREAS**, the Town Council held a public hearing on this matter, duly advertised for the purpose, on December 11, 2012 and all interested citizens were heard.

**THEREFORE BE IT ORDAINED** by the Council of the Town of Dumfries on this 8<sup>th</sup> day of January, 2013, that the Conditional Use Permit application (CUP-12-002) and site plan attached, as proposed by the Matthew Center, is approved and is reenacted as follows:

A Conditional Use Permit is hereby issued to the Matthew Center for the property located at 17286 Dumfries Road with a GPIN of 8289-05-7538, which is subject to the following conditions:

1. Hours of operation shall be limited to the hours of 7:00 AM to 7:00 PM;
2. Student count shall not exceed 36;
3. Any students above the stated 36 maximum will require an amendment to the conditional use permit;
4. The applicant shall provide entrance improvements as required by VDOT for right in and right out curbing;
5. Directional signage to route visitors to the school is required and must be shown on the site plan;
6. VDOT approval shall be required before a certificate of occupancy shall be issued;
7. The Applicant shall submit a plan for the play ground for staff to review administratively;
8. A walking path shall be designated from the school to the play ground entrance;
9. The applicant shall construct 12" high curbing and protective fencing around the play ground in conformance with the approved site plan;
10. A building permit shall be approved by the Town before a certificate of occupancy will be issued;
11. The property shall be in full compliance with Town Code, including the removal of the detached garage shown on the right in the photo above, before a certificate of occupancy will be issued;
12. The School shall provide exterior lighting of the parking area in order to permit safe access to the facility by faculty, students and visitors;

13. No signage is approved with this permit;
14. Events out of character with the normal day to day operation of the school, taking place on the exterior of the building, will need to be permitted through the Town by obtaining a temporary use permit;
15. All school buses or other vehicles in use by the school shall be parked in a marked parking stall out of view of the public way;
16. The School shall take adequate and reasonable precautions to ensure that the operation of the school does not generate noise levels in excess of the ambient noise level;
17. All students delivered to the school shall be accompanied into the building by a school staff member or the student's parents, guardian or caregiver;
18. The Matthew Center School shall have restroom facilities separate from the tire repair facility; and
19. Conformance with the approved site plan is required.

**BY ORDER OF COUNCIL**

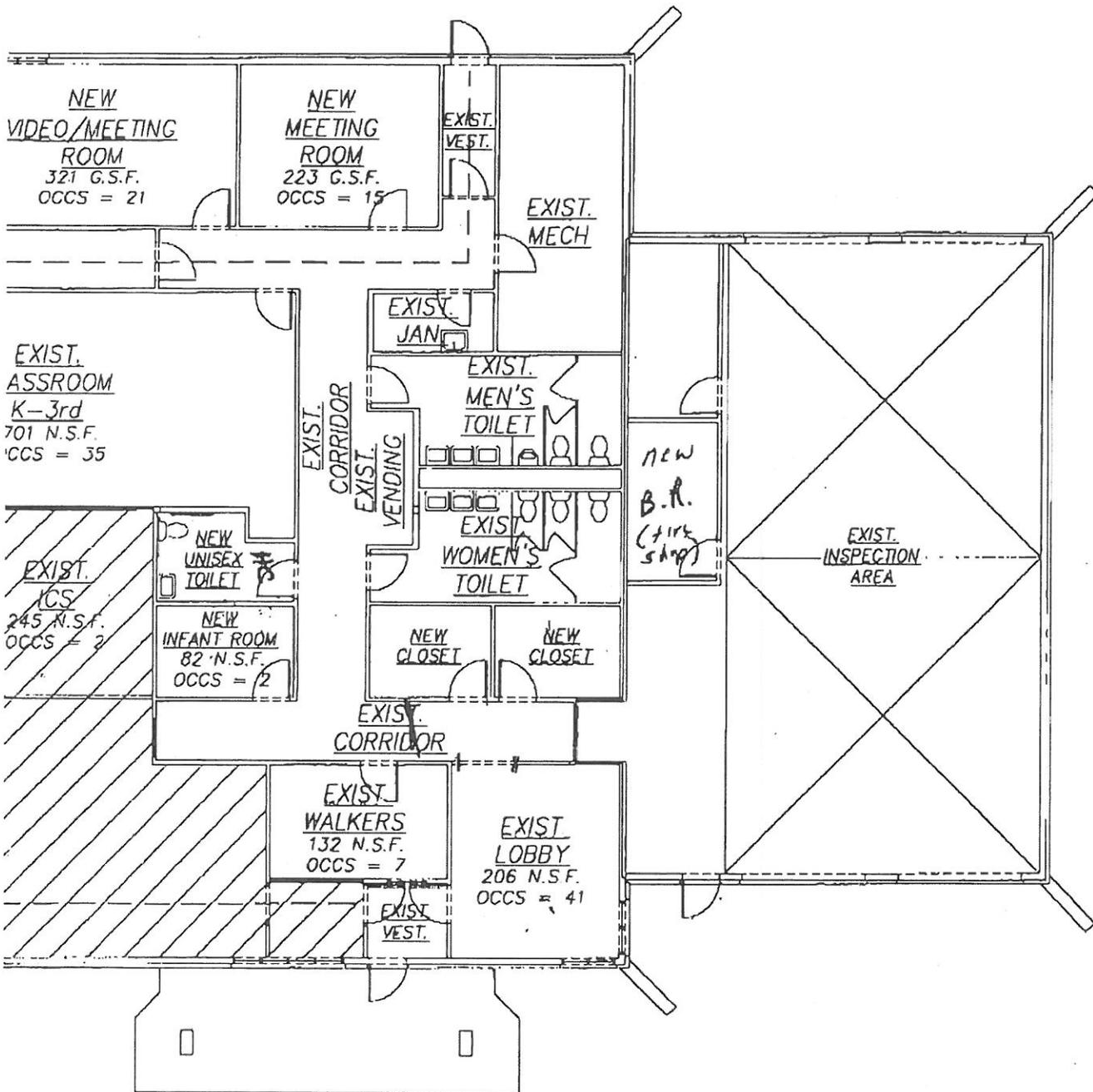
\_\_\_\_\_  
Gerald M. Foreman, Mayor

**ATTEST:**

\_\_\_\_\_  
Dawn Hobgood, Town Clerk







# PLAN

2"=1'-0"