

**Albemarle County Planning Commission  
March 3, 2016**

The Albemarle County Planning Commission held a regular meeting on Tuesday, May 3, 2016, at 6:00 p.m., at the County Office Building, Room 241, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Mac Lafferty, Karen Firehock, Vice Chair; Pam Riley, Jennie More, Bruce Dotson, and Tim Keller, Chair. Absent was Daphne Spain. Bill Palmer, UVA Representative, was present.

Other officials present were J.T. Newberry, Planner; Rebecca Ragsdale, Senior Planner; David Benish, Acting Director of Planning; Sharon Taylor, Clerk to Planning Commission and Greg Kampfner, Deputy County Attorney.

**Call to Order and Establish Quorum:**

Mr. Keller, Chair, called the meeting to order at 6:00 p.m. and established a quorum.

**Public Hearing Items**

**SP-2016-00006 Generations Montessori School**

MAGISTERIAL DISTRICT: Rivanna

TAX MAP/PARCEL: 06200-00-00-025C0

LOCATION: 1525 Stony Point Road

PROPOSAL: Request for approval of a private school for up to 50 students in the existing Broadus Memorial Baptist Church facility.

PETITION: Private schools under Section 10.2.2.5 of the Zoning Ordinance. No dwelling units proposed.

ZONING: RA, Rural Areas - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots)

ENTRANCE CORRIDOR: Yes

MANAGED AND PRESERVED STEEP SLOPES: Yes

FLOOD HAZARD OVERLAY: Yes

SCENIC BYWAYS OVERLAY: Yes

COMPREHENSIVE PLAN: Urban Density Residential – residential (6.01-34 units/acre); supporting uses such as religious institutions, schools, commercial, office and service uses within Neighborhood 3 – Pantops Master Plan. (JT Newberry)

Mr. Newberry presented a PowerPoint presentation on SP-2016-00006 Generations Montessori School. In an overview of the area staff pointed out the area being proposed for a private school for up to 50 students between the ages of 2 months and 6 years old. The property is located on Route 20 North and lies right at the edge of our development area and rural area. The property is zoned Rural Areas, but is designated for urban density and green space. It is difficult to see the development area boundary, but it goes right across the northern edge of the property.

In the concept plan proposed by the applicant there are no external improvements proposed. The existing playground on site will be utilized as well as a field across the lower parking area would be a play area for the children. Pictures of the site were shown to give a better sense of the proposal. He pointed out the entrance on 20 north; a side view of the residence that is

adjacent to the entrance; the mature wooded buffer at the back of the residence that buffers the play area proposed on the concept plan; and going down the entrance way there is a partial view of the parking lot. There is plenty of parking available for instructors during the week. The community meeting was held at this location. He pointed out where the entrance of the school would be located and the existing playground on the concept plan. There are some stairs available for the children to use when walking out to the play area.

Staff has identified factors which are favorable. Factors favorable to this request include:

1. The request is consistent with the Comprehensive Plan.
2. Multiple private schools have operated in this location without creating significant impacts to adjacent properties.
3. The request serves an unmet and growing educational need in the community. At the community meeting we heard from several members of the community as well as a representative of the church that talked about there being an unmet need for school space for children.
4. The proposed use utilizes an existing building, which provides for a more economical use of land. It also alleviates some of the pressure to move further out into the rural area for land.

No unfavorable factors have been identified.

Staff recommends approval of SP-2016-00006 Generations Montessori School subject to the conditions as shown on the screen, as follows:

1. Use of site shall be in general accord with the concept plan "Generations Montessori School in Broadus Memorial Baptist Church" signed and dated by Rita Pace, 04/11/2016, as determined by the Director of Planning and the Zoning Administrator. To be in general accord with this plan, development and use of the site shall reflect the general size, arrangement and location of the existing church facility and outdoor play areas. Minor modifications to the plan which do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance;
2. Enrollment shall not exceed fifty (50) students; and
3. The hours of operation for the school shall not begin earlier than 8:30 A.M. and shall not end later than 5:30 P.M., each day, Monday through Friday, except that occasional school-related events may occur after 5:30 P.M.

Mr. Keller invited questions for staff.

Ms. Firehock asked is it necessary to define occasional.

Mr. Newberry replied it was helpful because there is another use in the zoning ordinance about day camps and boarding camps and having that language is consistent with other private school conditions. It also helps differentiate between a uses that would potentially require a different special use permit. He spoke to zoning at length about how to differentiate between boarding camp and day camp uses. From the types of activities that the applicant described having occasional he thinks helps differentiate that.

Mr. Dotson noted staff mentions in the summary and oral presentation that there have been multiple private schools. In the staff report you indicate that there was a school by the name of Frost that had a limitation of 18 students and it was an interim use for maybe 2 years. He asked have there been other schools of the same scale of 50 students.

Mr. Newberry replied the applicant could probably describe the other school that was there. He knows about the capacity of Frost Montessori from their special use permit request. However, the other school that has been known to operate there did not receive a special use permit approval so he had less information about that. However, the applicant can probably can tell you more.

Mr. Dotson said in terms of the information staff got from VDOT was there any concern expressed about the sight distance. Visiting the site at 8:30 or 8:45 this morning many people were coming in as he was leaving the site. Many people were coming in from Route 20 heading into town, and it took me a bit of time before he could safety get out. He was wondering did VDOT offer any comments about that sight distance.

Mr. Newberry replied not sight distance in particular; but, VDOT was concerned about the volume on Route 20. They did an enhanced analysis than what was initially thought about the capacity of Route 20 to accommodate the use. That alleviated all of the volume concerns. However, they do encourage the property owner to consolidate entrances with the adjacent Cascadia. If that ever becomes an opportunity it would be consistent with the access management guidelines to consolidate entrances. But, sight distance was never brought up as a concern.

Mr. Dotson said the conditions would say no earlier than 8:30 a.m. I am guessing the applicant asked for 9:00 a.m. and you are trying to be flexible and maybe give a little start-up room. Is that the reason that is basically what the applicant asked for?

Mr. Newberry replied yes, staff talked about it with the applicant and felt like that was something that the site could accommodate and some additional flexibility was useful there.

Mr. Dotson thanked staff and noted he would follow up on that with the applicant.

Mr. Keller invited further questions for staff.

Mr. Lafferty pointed out in the application narrative if they request to offer clubs and enrichment days, summer camps and cooking club is there any control over the enrollment of those.

Mr. Newberry replied in discussing those enrichment days the enrollment would never exceed what is proposed as a condition here. In fact, he thinks the applicant can explain further to say that they don't anticipate it even coming close even one-half. But, in terms of a condition they assured me that it would never approach the enrollment cap.

Mr. Keller opened the public hearing for applicant and public comment and invited the applicant to address the Commission.

Ms. Rita Pace said she was present with her daughter, Christina Pace to represent the application. This is an opportunity that I had. She was a teacher at Frost Montessori, which staff mentioned, for 11 years. In 2005, she finished my second Montessori training for a degree and though how wonderful it would be to actually have a program that children could start in infancy and go all the way through the Montessori program. The schools in Charlottesville at this point in time no one is offering the infant class and we found out that it was a huge need so much so that only through word of mouth we right now have 7 applications that they would like to begin in August if the school is approved and another to begin in January. The first year our capacity we are thinking is starting at 16. So we have been so fortunate to have the community behind it. She also would be doing this project with my daughter who is a very well respected teacher in the community. It is something we are very excited about. We are very compassionate about it.

Mr. Keller invited questions for the applicant.

Mr. Dotson said he was wondering about the start time. Perhaps this is something unique to Montessori, but he knows that a lot of schools and a lot of parents that have to be at work by 8 a.m. would like to be able to drop off a child at 7:45 a.m. for pre-care before the actual school day starts. He was guessing that could be a limitation on your school if no one can arrive before 8:30 a.m. He asked what her thoughts were on that.

Ms. Rita Pace replied that she feels very comfortable with that. She has worked in the toddler community for years and thinks early arrival for children that young is a very long day. So for the first years we have decided that we were going to have our school hours being from 9 a.m. to 3 p.m. with an initial pickup at noon as well if they would like to only have them come for 3 hours a morning. Then the other children can be picked up at 3 p.m. She does understand for the working community that could be something that would make it more difficult. But, again we are there for the children, and ultimately it makes a better day for them that they are not there that early in the morning and then staying. By the time we get to our 5:30 p.m. dismissal that would be the older of the 3 to 6 year age and then we would be able to offer a longer day and longer dismissal. She noted that Mr. Dotson was correct in that their hours are basically from 9 a.m. to noon or 9 a.m. to 3 p.m. But, they wanted to leave a little bit of flexibility in there.

Mr. Dotson said when you might operate a summer program that would have maybe older siblings of some of the children in your school you still think that 8:30 a.m. would not limit you.

Ms. Rita Pace replied that it really will not. So our camp hours are basically 9 a.m. to 1 p.m. or 9 a.m. to 3 p.m. in the summer. That is what we have set up and the parents are very happy with that. We have a good reputation of working with children. We've started working with a great data base through my data base at Frost with older siblings who have been there and we have not found it to be a limitation. Again, as Mr. Newberry mentioned our summer camps are typically 18 as an average. We have gone up to 21, but 18 to 21 and not the 50 capacity.

Mr. Dotson said the other question is on the play area shown on the generalized concept plan which is unfenced. Granted the paved area next to it he would describe as a driveway rather than a street or a road; but, nonetheless it is going to get traffic with people coming and going to pick up and drop off their kids. He has some concern since that is unfenced about safety. So he would like to know what your thinking is on that question.

Ms. Rita Pace replied that our play times would not have anything to do arrival and dismissal if it was not in the actual fenced in area. This would just be areas in the morning when the cars are not there that we would be able to take the children out in the field and let them run around. There are also other beautiful areas around the church that are grassy that the children can be in. She had studied the area a lot and the traffic patterns going in and out of the church and we have not seen it be an issue at all. If there ever would be an issue then we would change it immediately. The arrival and pick up times would never be at the time that they would be in the field area.

Mr. Dotson said he was not familiar of what the licensure requirements are under the state; but, do they look at the safety of the outdoor areas as well as other things.

Ms. Christina Pace said they started working with Social Services and will continue moving forward with that. But, part of working with Social Services is having them come in and do an inspection of the classroom and the grounds. They have done an initial inspection at our first

application meeting to see if we needed any outdoor lighting or things of that nature. But, it would definitely be included in their final approval process.

Mr. Dotson said they felt that it was a safety issue they would require you to fence the play area, and Ms. Christina Pace replied absolutely.

Ms. Rita Pace pointed out that they have seen the area and when they showed it to her she did not put any red flags up about it at all. We have been working very closely with them. We want to make sure that this school is done properly.

Ms. Christina Pace said she would like to go back and answer the question about the other school that was there. There was a program there called Y-Aspire After School Program that was approved up to 50 children as well. It was an afterschool program. She does not really know how late it operated; but, she would say if it was an afterschool program it was probably at least 5:30 or 6:00 p.m. But, she did know that the number was 50 or at least that was what was related to me during the time.

Ms. More questioned the drop off and pick up times. It looks like you are starting out within the first year with no more than 15 student and then building from there. She wondered with the way the parking lot is configured do you have a plan - Will it be parents walking the children in or will there be a cue of cars for drop off? Do you anticipate any problems with flow and as you grow being able to handle that much all coming right for a 9 a.m. start time

Ms. Rita Pace replied that they are planning on doing a valet service where the parent pull up, we get the children out of the car, and bring the children into the school. So they really do not have to park. The only parents that we are asking to park are the children who cannot walk on their own. So the infants will obviously be carried in by their parent. But, other than that we will do the valet parking. Several schools in the area have done that and it works beautifully. It saves a lot of time getting the children in and out of the car and it is easier for the parents. So that is our plan of what we would like to do for our arrival and dismissal as well.

Ms. More asked if she sees a way they can configure with the parking lot to accommodate for that. She personally prefers that type of drop off.

Ms. Rita Pace noted it even has a lower level for parents as well if they just wanted to pull in there if they needed to. So it is really nice because it sort of two tiered.

Bill Palmer asked if they anticipate using the park across the street, Darden Towe, for any of their daily use, and Ms. Rita Pace replied no.

There being no further questions for the applicant, Mr. Keller invited public comment.

Cal Morris, from the Key West Association and a member of the Broadus Memorial Church, pointed out the congregation voted unanimously in favor of having these folks here. We have a large facility. It is the largest facility in the Pantops area and the only area that can really accommodate a public hearing. We don't want the church setting idle where there are possibilities to serve the public. Mr. Dotson in answer to your question he pointed out he Y-Aspire After School Program group was a group sponsored by the YMCA and really was partnering with the Stoney Point Elementary School identifying at risk children that once they hit home they were alone. So they had a program and they used our facility. Unfortunately, they ran out of funding, but that was the specific area. Mr. Lafferty in your particular question what

we have found is of the 50 people that have used the facilities in the Montessori group 45 of them have traveled from 250 moving north into the Broadus area. Only 5 have come from the north traveling south. So actually the turning in and out and so on is much friendlier to the people coming in and going out.

There being no applicant rebuttal, Mr. Keller closed the public hearing to bring the matter back to the Planning Commission for discussion and action.

Ms. Firehock said it sounds like a great proposal since she is a graduate of Montessori at a young age.

Mr. Keller concurred with Ms. Firehock since his children attended a Montessori school. He thinks that Mr. Dotson was actually providing some coaching about the time frame. He would encourage the applicants to think about it. If there was a desire to have a longer day or if there was a need to enclose an area would that require it coming back and going through the special use permit process amendment.

Mr. Newberry replied that the hours of operation would because those are specified as a condition. Enclosing an area to comply with a Social Service license the zoning administrator and the director of planning would have to make a determination based on the concept plan whether or not it would be considered an essential element of the concept plan.

Mr. Benish noted if the Commission wants to change the hours of operation that is your prerogative and under the conditions you can do so. Adding hours is not going to be harmful to the applicant because making the opening hours earlier is not damaging or harmful to the applicant. We simply reflected, as he understands, just gave them an additional time within their requested timeframe. However, if the Commission feels that an eight o'clock start time is more comfortable.

Mr. Keller asked if the applicant would have to pay the fee if they were going to come back in and went through the whole process again.

Mr. Benish replied yes, they likely would.

Mr. Keller said he was assuming that was why our fellow commissioner was going down that path to free them.

Ms. Firehock said the applicants can operate within those hours. Even if we set it earlier they can still start at 9 a.m. It just gives them the flexibility.

Mr. Lafferty asked if the applicant has any problem with making the hours wider such as starting at 8 a.m. and finishing at 5 p.m.

Mr. Keller noted we are getting a thumbs up from the applicant.

Mr. Lafferty suggested changes the operating hours in the motion.

**Motion:** Mr. Lafferty moved and Ms. Firehock seconded to recommend approval of SP-2016-00006 Generations Montessori School with conditions outlined in the staff report, as amended, to add an extension to the operating hours from 8:00 a.m. until 5:30 p.m.

Mr. Dotson noted just under discussion he would say that does not help a parent who has to be at work at 8:00 a.m., and he was thinking 7:30 a.m. as a friendly amendment.

Mr. Lafferty said he was fine with that friendly amendment.

Ms. Firehock seconded the friendly amendment.

The motion carried by a vote of 6:0 (Spain absent) with the following conditions, as amended.

1. Use of site shall be in general accord with the concept plan "Generations Montessori School in Broadus Memorial Baptist Church" signed and dated by Rita Pace, 04/11/2016, as determined by the Director of Planning and the Zoning Administrator. To be in general accord with this plan, development and use of the site shall reflect the general size, arrangement and location of the existing church facility and outdoor play areas. Minor modifications to the plan which do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance;
2. Enrollment shall not exceed fifty (50) students; and
3. The hours of operation for the school shall not begin earlier than **7:30 A.M.** and shall not end later than 5:30 P.M., each day, Monday through Friday, except that occasional school-related events may occur after 5:30 P.M.

Mr. Keller noted that SP-2016-00006 Generations Montessori School would be forwarded to the Board of Supervisors with a recommendation for approval to be heard on a date to be determined

(Recorded and transcribed by Sharon C. Taylor, Clerk to Planning Commission & Planning Boards)