

Albemarle County Planning Commission
FINAL November 9, 2021

The Albemarle County Planning Commission held a public hearing on Tuesday, November 9, 2021 at 6:00 p.m.

Members attending were Julian Bivins, Chair; Karen Firehock, Vice-Chair; Corey Clayborne (joined meeting at 6:09 p.m.); Rick Randolph; Daniel Bailey; Jennie More; Tim Keller; and Luis Carrazana, UVA representative (joined meeting at 6:09 p.m.).

Members absent: None.

Other officials present were Scott Clark, Mariah Gleason; Charles Rapp, Director of Planning; Andy Herrick, County Attorney's Office; and Carolyn Shaffer, Clerk to the Planning Commission.

Call to Order and Establish Quorum

Mr. Bivins called the meeting to order. He said the meeting was being held pursuant to and in compliance with Ordinance No. 20-A(16), "An Ordinance to Ensure the Continuity of Government During the COVID-19 Disaster." He said opportunities for the public to access and participate in the electronic meeting will be posted at www.albemarle.org/community/county-calendar when available. He asked Ms. Carolyn Shaffer to call the roll.

Ms. Shaffer called the roll.

Other Matters Not Listed on the Agenda from the Public

There were none presented.

Consent Agenda

Mr. Bivins said there was a consent agenda on the reverse side of the sheet that the commissioners had before them, and he asked if anyone wished to pull items from the consent agenda. Hearing none, he asked if there was a motion.

Mr. Randolph moved for approval of the consent agenda. Mr. Keller seconded the motion.

Mr. Herrick asked if the motion was to approve the consent agenda as proposed.

Mr. Bivins confirmed that it was.

Mr. Herrick thanked him for clarifying.

Mr. Bivins called the vote.

Ms. Shaffer asked if Mr. Clayborne had arrived.

Mr. Bivins responded that to his knowledge, Mr. Clayborne had not arrived.

The motion passed 6-0. Mr. Clayborne was absent.

Public Hearings

SP202100012 The Education Transformation Centre.

Ms. Mariah Gleason said she wanted to acknowledge that the applicant was attempting to join the meeting. She said she would start with her portion of the presentation. She said she would share her presentation on the screen.

Ms. Gleason began her presentation and greeted the Commission. She said she was a senior planner in the Planning Division of Community Development.

Ms. Gleason reported that the subject property was located at 2001 Earlysville Road, approximately one mile north of the intersection of Hydraulic Road, Earlysville Road, and Rio Road West, on Tax Map Parcel 45-31D. She said that the property was located in the rural area, and the parcels surrounding the property were similarly zoned rural area. She said that the parcels generally contained residential development, and the South Fork Rivanna River Reservoir abuts the property to the south and east.

Ms. Gleason stated that the property contained an approximately 9,960-square-foot building constructed in the 1980s for religious assembly use. She said that the property was surrounded by wooded areas, which were most dense along the north, east, and south property edges. She said that the lightly wooded areas, in addition to Earlysville Road and topographical variations, provided separation between the property and the residential parcel to the west. She reported that the applicant proposed to use a portion of the existing building for private school use, with a maximum enrollment of 24 students. She said that the school would operate Monday through Friday during normal school hours, and there are no night or weekend activities proposed with the use. She said that the nature of the proposal was as a supplemental education program. She said students would be transported to and from the site from their home schools or school districts by car or van, which encouraged group travel options, limited the volume of traffic associated with the use, and reduced parking needs at the site. She said that during review of the proposal, no outstanding concerns were identified by the County staff or the public.

Ms. Gleason reported that County staff had found a number of factors favorable to the proposal, which included that the proposed use would support education systems and students in and around Albemarle County and would not create substantial detriment to the adjacent properties. She said no unfavorable factors were identified.

Ms. Gleason stated that to preserve the factors that were found favorable, the staff recommended four conditions as listed on the slide presented, and the applicant had agreed to the conditions. She noted that the Commission had a staff report, but she would be happy to answer questions and elaborate on the proposal. She said she had a slide prepared with possible motions should the Planning Commission wish to use them.

Mr. Bivins thanked Ms. Gleason and asked if there were questions. There being none, he asked if the applicant would speak.

Ms. Gleason said the applicant had joined.

Mr. Bivins welcomed her to the meeting.

Ms. Dolores Carr thanked the Commission and said that the Education Transformation Centre was a short-term, high-impact, focused educational program. She said it would allow kids to return to their home high schools. She said Education Transformation Centre was an alternative education program for teens who were at risk of academic failure, dropping out of school, having some type of negative contact with the justice system, frequent detentions, and suspensions. She said that their motto was that students were not responsible for their beginning, but they were responsible for their ending. She said they were not responsible for the family environment, it may be inappropriate, and there was no choice in that—but there was a choice and responsibility for their future. She said that the mission statement endeavored to create an atmosphere of relaxed, alertness. She said that was when there was a combination of high challenges, high expectations, and a low-threat community. She said it had a state of mind that included confidence, competence, and intrinsic motivation.

Ms. Carr stated that the objectives were to reduce high school dropouts, eliminate and reduce referrals and detentions, eliminate, or reduce antisocial behaviors, teach healthy decision making, provide measurable outcomes, and provide educational options to reach goals and passions. She said there was a six-pronged curriculum, but thus far, everything had been based on individual IEPs, or trying to meet students where they were to help them achieve their goals. She said that the Centre's goal was to always return the students to the home high school.

Ms. Carr explained that the difference between traditional alternative education and the Education Transformation Centre was that the Centre wanted the students to come back. She said the Centre wanted the students to understand their purpose and that there was a daily education plan. She said that the goal was for students to be in a traditional high school setting with pep rallies, football games, and the like. She said that typically when students were in alternative education, they were not allowed to participate in the traditional high school activities. She said they found that most of the students were intelligent, and that they just needed direction. She said that the program was set up life skills and help students identify their passion. She said that the program wanted the students to understand that they were on the earth for a purpose, and that they should find their goal. She said that when the students can find their passion and set up an education plan that met their passion, school has a different meaning for the students, which reduces many of the challenges they face in school.

Mr. Bivins asked Ms. Carr to pause for one second. He said he did not see her presentation. He said he saw Ms. Carr, but not the presentation.

Ms. Carr said she did not know that, and she would try to share her screen again. She thanked Mr. Bivins for stopping her.

Mr. Bivins said that she could continue the way she was. He said that he wanted to correct her if she were under the impression the Commission was seeing images, because they were not. He said her presentation was interesting enough, so she did not have to share her presentation if she did not need to.

Ms. Carr said she would continue without sharing it and explained that the Centre was an integrative and alternative education model designed to eliminate the stigma of utilizing mental health services. She said it was a seamless practice of clinical learning models that fosters emotional self-regulation where the student can start to eliminate things on their own while learning essential life skills. She said that ETC provided a therapeutic environment in which students participated in educational and counseling groups in combination with academic

activities. She said that the best outcome for the ETC was that the student return to the home high school. She said that was where students were supposed to be and needed to be. She said that the only way to know that the ETC worked and that what was offered was effective was to return the students to their home high schools. She said the Centre was not better than other alternative schools, but it was smaller and could take time to work with the students on an individual level. She said that the Centre had its own curriculum, and students work with counselors and teachers at their home high schools to receive all the work and assignments from the classes they were missing so they can keep up with classes when they returned to school. She said if the students did not do this, they would repeat the cycle and fall behind, and the Centre worked hard to ensure that the students received the proper assignments.

Mr. Bivins asked if any of the commissioners had questions for Ms. Carr before the meeting was opened to public comment.

Mr. Bailey said he appreciated the discussion. He asked where the number for the 24 students came from and said he was curious because the building was nearly 10,000 square feet. He commented that he thought the Centre provided an interesting benefit to the County and the schools. He asked what 24 students meant in the context of all the schools and helping out the students.

Ms. Carr said she could explain but asked if Ms. Gleason would want to explain.

Ms. Gleason stated that a measure of enrollment and maximum student count was requested. She said she was not sure why the number of 24 students was specifically chosen. She said the small size led to some of the factors that the County found favorable in terms of the extent, size, traffic, and safety- related issues. She said she could explain more if the Commission would come back to her.

Ms. Carr responded that it was about the septic system and water supply, and a church also used this building to meet and may have events during the day, but the school was typically the only group using the building. She said the number 200 was given as a total for what could be held, and the school was given the number 24 as an appropriate amount for their use of the facility. She reiterated that the water and septic system were the factors.

Mr. Bailey thanked Ms. Carr and Ms. Gleason.

Mr. Bivins asked if there were other questions.

Mr. Clayborne thanked Ms. Carr for her presentation. He said he did not know the layout of the building but had read that the classrooms were on the bottom floor. He asked if those were accessible from the exterior, or if they were only accessible through the main entrance.

Ms. Carr responded that the classrooms were accessible from the exterior. She said there was a door that led directly into the lower level, and it was handicap accessible, and there would be an office or two on the second floor where the counseling sessions took place. She said that according to federal guidelines, the files had to be located in a locked file cabinet in a locked room, and it allowed more privacy to hold counseling sessions on the second floor.

Mr. Clayborne said that Ms. Carr's response was helpful and thanked her.

Mr. Bivins opened the floor to public comment and asked if there were people signed up to speak.

Ms. Shaffer responded that there were no people wishing to speak.

Mr. Bivins asked for any closing remarks from the applicant before the Commission discussed the proposal.

Ms. Carr responded that she did not, and she thanked the Commission for the opportunity to bring this service to students. She commented that it was one of many things that was needed, particularly with mental health. She said that the way success was measured was by returning the students to society, and as the students were graduating out of the program in four years, it would be questioned as to whether the Centre did its job. She emphasized that it was important to get the students back into the areas where they belonged with their friends as soon as possible.

Mr. Bivins thanked Ms. Carr and asked the Commission for its thoughts.

Mr. Randolph said that the location was much better. He said it was wonderful for Dr. Johnson to commit to going into Yancy when it opened as a community center. He said he was present for the champagne breaking on the hull of the ship at Yancy. He said he wondered how all the students would get there. He said Dr. Johnson was faced with a geographic problem along with the pandemic. He said it made the business model hard to sustain. He said it was a terrific location for the students. He said outdoor education was something that should be appealing. He said he wished every success at the new location as the Centre was launched.

Ms. Carr thanked Mr. Randolph.

Mr. Bivins asked if there were others who wished to comment.

Ms. Firehock said she thought it was a marvelous program. She stated that this was an excellent location convenient to the urban ring, in a beautiful, natural setting. She said that having access to nature raised IQ, and this was a wonderful setting for the students.

Ms. Carr said she wanted to go on record to say that if the students went into the water, she would get someone else to get them because she would not go into the water and was not going into the Rivanna.

Mr. Bivins asked if there were more comments. He asked Ms. Gleason if she would display the motions. He asked if there was a commissioner who wanted to read it and suggested that Mr. Bailey read it.

Mr. Bailey moved to recommend approval of SP2021-00012, Education Transformation Centre, with the reasons and conditions stated in the staff report. He said as stated by his fellow commissioners, it was a great use of this property, he was happy to make this motion, and he was excited to see the Centre get off the ground and help the kids in the County.

Mr. Clayborne seconded the motion.

Mr. Bivins asked if there were any further discussion on this item. Hearing none, he asked for the roll to be called.

Ms. Shaffer said she did not hear who seconded the motion.

Mr. Bivins said it was Mr. Clayborne.

Ms. Shaffer called the roll.

The motion passed unanimously 7-0.

Mr. Bivins told Ms. Carr that they would be working with Ms. Gleason to move this on to the Board of Supervisors, and he thanked her for bringing this to them this evening. He commented that as she'd heard, their colleagues in this wished her much success, and hoped in fact in the timespan that they got those students back to their classrooms so they could be a tremendous success.

Ms. Carr thanked the Board and said she appreciated it.

Mr. Bivins thanked her and told her to have a good rest of her evening. He said they would move to the next item on the agenda.

Review of Board of Supervisors Meeting – October 20, 2021.

Mr. Rapp stated that it had been a while since they'd met, so he had two Board meetings to report on—both of which were very full meetings. He reported that on October 20, the Board approved a special use permit to expand the existing day camp on the Haupt property, as recommended by this Commission. He stated that more dramatically, the Crozet Master Plan was adopted. He explained that the Board had gone back to the original staff recommendation for middle density residential for the Tabor Street block downtown, and everything else was adopted as presented. He said on November 3, the Board had approved amendments to a special use permit for the Field School. He said he did not know if they recalled there was a time limit that the Commission had recommended, and the Board endorsed that as well. He said they also approved a special use permit for the Ivy landfill solar facilities, which this Commission had previously endorsed. Mr. Rapp said there was a lot going on, and a lot more to come on some of these items. He said that he would be presenting on the Rio Road Corridor Study, which Mr. Bailey had mentioned, and bringing it to the Commission in January. He said the Rivanna Corridor Study would be presented by Mr. Benish in December.

Mr. Bivins asked if the Supervisors had made a decision about Crozet Park.

Mr. Rapp responded that last Wednesday, they approved the Claudius Crozet Park expansion. He said he forgot to mention that item, and it was a long one.

Mr. Rapp stated that the following week, they were going to shift in a segue to Andy Bowman from the Office of Budget to discuss the County's CIP process, and Ms. Falkenstein would present an update on the Comprehensive Plan and the ordinance updates. He said both of those were finally getting off the ground, and they would be giving them an overview of some of the discussions they had with the Board; they would be seeking some feedback on some specifics that Commissioners might want to look into in terms of different focus areas, topics, ordinances of concern, and things like that, so they could have guidance as they began to scope some of these more specific parts. He said they had a very high-level overview with the Board to nail down the overall scope, and then they would be getting into each phase with the Commission and the

members of the community over the next few years. He commented that he was looking forward to it.

Mr. Bivins asked if there were any questions or comments for Mr. Rapp.

Mr. Rapp stated that on November 23, as of now they did not have any items on that meeting. He said it was up to the Commission if he wanted to try and find something to fill it, or if they would like to cancel that meeting with the holiday week.

Mr. Bivins suggested that perhaps that could be another Comprehensive Plan discussion, but he would let the Commissioners contemplate it; unless there were a public notice requirement, they could finalize their decision the following week.

Mr. Rapp agreed that they could do that.

Mr. Bivins asked the other Commissioners if those two provisions and that time worked.

Mr. Herrick said that worked. He said the Commission's meeting schedule had been noticed in advance. He said the Commission approved the 2021 year so there was no need for additional notice because the calendar was preapproved.

Mr. Bivins asked if that worked for Mr. Rapp.

Mr. Rapp confirmed that worked, if they would just let him know next Tuesday at their work session, that would give them ample time to post it or to not post it.

Mr. Bivins said they should all do that. He asked if there were any additional comments for Mr. Rapp; hearing none, he said they would adjourn their meeting.

Adjournment

The Commission adjourned their meeting at 7:10 p.m.



Charles Rapp, Director of Planning

(Recorded by Carolyn S. Shaffer, Clerk to Planning Commission & Boards; transcribed by Golden Transcription Services)

Approved by Planning Commission
Date: 12/08/2021
Initials: CSS