

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

AFD202100006 Glen Oaks District, AFD202100007 Conner Free Union Addition, AFD202100008 Moorman Blue Run Addition

Mr. Bivins said the meeting would move to public hearings. He asked if the items on the agenda each would need separate motions or if they would be included in one motion.

Mr. Scott Clark stated that each item would have a separate motion, but he would present them all during one public hearing.

Mr. Bivins asked to hear the staff report.

Mr. Clark said he would present all the staff reports together.

Mr. Bivins asked that the Glen Oaks District Review, the Conner Free Union District Addition, and the Moorman Blue Run Addition be heard together.

Mr. Clark began his presentation titled "Agricultural-Forestal Districts." He moved to his next slide. He said that the slide listed the three items on the agenda that he was presenting. He said that one was a district review and two were additions.

Mr. Clark moved to his next slide, entitled "New Policy for District Reviews," and he mentioned that the policy changes for district reviews were still relevant. He said that in November 2018, the Board directed staff to implement a plan to renew districts for a five-year period rather than the usual 10 years. He continued that landowners of parcels in the reviewed districts who were enrolled in open-space use valuation but had no development rights would be notified that their parcels may be removed from the district at the next review and informed of the options to qualify for land use value taxation. He said that since the policy change, 5-year renewals were recommended in any case where there was a district with parcels with no development rights and that were enrolled in the open-space tax category. He said that meant that the parcels had no development potential to be regulated from their membership in the district. He said the parcels offered the County no conservation benefit from being in the district even though the parcels received a conservation related lower tax rate.

Mr. Clark moved to his next slide, entitled "AFD202100006 Glen Oaks District Review." He reported that the first item was a district review of Glen Oaks, which was a five-parcel district on the southeast side of the Village of Rivanna, also known as the Glenmore Development Area. He said that four of the parcels were in the open-space tax category and had no development rights—but parcel 15-A1 was an exception. He said that the parcel was in a conservation easement, as denoted by the cross-hatching on the map on the slide, and it was taxed differently than the other parcels because it was under the easement. He said that there was an error in a table of the staff report. He said that the table listed acreages as 0 for the items. He said that there were two 21-acre parcels, a 54-acre parcel, and a 141-acre parcel. He said that the 141-acre parcel was 15-A2 along the river. He noted that none of the parcels had remaining small-lot development rights.

Mr. Clark stated that it was recommended and appropriate for the district to be reviewed on a five-year period, and the Agricultural-Forestal Committee had recommended the review at a meeting in September. He said that it was unsure what the Board would do to the district after the five-year period. He said that the four parcels in the open-space tax category and without development

rights could be removed from the district. He continued that if the parcels could find a use for agriculture or forestry or find some way to qualify for a different tax category, they could remain in the district. He said it could be possible that the Board eliminates the district as well. He said it was just speculation. He said that if the Board renewed the district for a five-year period, the County assessor would immediately notify the landowners of the parcels what the options were to avoid the rollback taxation at the end of the five-year period.

Mr. Clark moved to his next slide, entitled “AFD202100007 Conner Free Union Addition.” He stated that there were two district additions. He said that one was the Conner property had proposed to join the Free Union District in the northwestern part of the County near Boonesville and Nortonsville. He noted that the AFD committee had voted 8-0 to recommend approval of the proposed addition.

Mr. Clark moved to his next slide, entitled “AFD202100008 Moorman Blue Run Addition.” He stated that the Moorman Blue Run addition was a 248-acre property with a large area of important soils. He said that the parcel was outside of the one-mile limit from the original core and could be added if the Board found agricultural significance, according to state law. He said the area was obviously significant because of the large area of important soils. He said that the proposed addition was closer than a previous addition, marked in green on the map on the slide. He said the previously added parcel was also found to be significant. He said the three proposed parcels each had five development rights. He noted that the AFD committee voted 8-0 to recommend approval of the proposed addition.

Mr. Clark moved to his next slide, entitled “Questions and Public Hearing,” and offered to answer questions. He said there could be a single public hearing for all three items, and he had individual motions for the three items.

Mr. Bivins asked if there were questions for Mr. Clark and noted that Mr. Clayborne had joined the meeting. He asked Mr. Clayborne what time he joined the meeting, for the record.

Mr. Clayborne said he had joined at 6:09 p.m.

Mr. Bivins said that Mr. Luis Carrazana had joined the meeting as well. He asked if Mr. Carrazana had joined at the same time. He told Ms. Shaffer to mark them both at 6:09 p.m. He asked if there were questions for Mr. Clark before the hearing was opened to the public.

Ms. Firehock stated that the areas that had prime agricultural soils were currently tree covered, and she asked if the County anticipated the land to be clear cut for agriculture. She said that if the land was not actively timbered or farmed, then she wanted to reconcile how the parcels contributed to agricultural-forestal districts, which were to support agriculture and forestry. She said she was not clear if either activity was happening on the parcels.

Mr. Clark explained that the districts did not, by their regulations, impose any requirements to carry out particular land management. He said that the idea was to preserve the land for its future ability to engage in the uses—whether or not that was its current use. He said more than the agricultural soil analysis could be provided in the future if it would be helpful, and there was forestry soil data to use. He continued that there was no presumption that a particular use would occur or that a forested property would be converted to pasture or crops.

Ms. Firehock said it was something to think about when working on the Comprehensive Plan. She thanked Mr. Clark.

Mr. Bivins asked if there were other questions or if there were people signed up for public comment.

Ms. Shaffer said that there was no one at the time who had their hand raised.

Mr. Bivins asked if there were additional questions for Mr. Clark from the commissioners, and hearing none, he said he would add his thoughts.

Mr. Bivins stated that he had struggled with the category for a while. He said he did not understand how individuals could trigger a category that, as he read from the County website, “obligates the County and the Commonwealth not to take actions or make infrastructure investments that will place increased pressure on landowners to convert land in the district to more intense land uses during the term of the district.” He said that while he was not opposed to that, he did not understand why there was not a greater nexus to the County’s strategic plan—whether or not to preserve a particular area of the land, a particular jurisdiction, a landmass, or how it connected to climate action policies. He said it was the idea that an individual could trigger themselves into a status without any analysis on whether the County wanted to endorse the status. He said that by “endorse,” he meant by the Planning Commission and the Board approving the proposals.

Mr. Bivins commented that he understood part of the process to be pro forma, where the committee said yes and then the Commission said yes. He continued that the supervisors often follow the recommendations, though they were not required. He said that part of the idea was to connect the County’s goals and particular strategic initiatives. He said it was like an opportunity zone, created for agriculture and forestry in an area that he did not know that the Supervisors wanted as an opportunity zone for those types of activities. He stated that there should be a way to include an analysis with a deeper or explicit connection to County policies and procedures and strategic policies. He said it seemed like someone with a large landmass could opt into the district to take advantage of the benefits, particularly the tax benefits, but not know whether the County supported or endorsed the change in tax revenue. He emphasized that this was his concern with the policy. He said if he had 100 acres he could opt in, and who was to decide if it should be opted in, and there should be more rigorous analysis to sustain these decisions.

Mr. Clark replied that there was a lot to respond to.

Mr. Bivins said that he understood.

Mr. Clark said that the first point was that in Chapter 3 of the County code, which governed the districts, there was a set of criteria on what should or should not be added to the districts, either in creating new districts or adding parcels to an existing district. He said he would share those on the screen. He said that the decision-making process fell entirely on the County. He said that the Board made decisions on the membership or formation of the districts based on the criteria in the ordinance; it was not something that was forced on the County because someone signed an application form.

Mr. Bivins responded that he understood, but there needed to be definitions about the qualifications. He said state districts must have at least 200 acres in one or more contiguous parcels, and there needed to be examples in the FAQs or ordinance text about how a parcel may

be more than one mile away or was not contiguous. He said sometimes he felt there was a district that anybody could get into even if they were more than a mile away from the center.

Mr. Clark said that was a fair point, and part of the confusion about the districts was that they were called “agricultural and forestal districts.” He said the name implied some sort of opportunity district or some sort of different zone for what was permitted—and that was not how the districts worked. He emphasized that they worked by limiting subdivision and commercial activity; they did not fund, boost, or assist agriculture or forestry. He said that the districts temporarily kept the land out of residential use so that they were available for agriculture and forestry, and the County identified that as important. He said the zones were not opportunity zones or different zoning but a voluntary form of limiting residential development in the rural area. He said that was all the districts did, other than rare exceptions such as limiting special use permits or the state’s ability to take land for road improvements when it was dedicated agricultural use. He said that 95% of what the districts did was limit subdivision, and they would be more accurately named as something other than “agricultural and forestal districts” because they did not require or assist in agriculture or forestry on the land.

Mr. Bivins said he agreed with and understood Mr. Clark’s response, and moving forward, there should be an opportunity to bring more clarity. He agreed that the name was a misnomer, and it did not promote the two sectors in the community even though the County aligned itself with a rural image. He said that the district statuses did not do that. He said that if the supervisors decided that the parcels were the place for restrictive zoning, then it was how it was. He said there should be more honesty moving forward instead of holding onto a legacy of agriculture and forest development when that was not what the districts were. He said that he appreciated Mr. Clark’s comment. He said that when he looked at the information on the districts, he saw one thing, and that was acres and development rights. He said that you measure what you try to control. He said that the County controlled the lack of development in the particular areas. He said that might be what the supervisors want, but the County should be clear about it.

Mr. Rick Randolph said that Mr. Bivins made a central point. He said that a better terminology to refer to the properties would be as a temporary non-development zone. He said that was something that could be clearly understood. He said it was more consistent with a conversation the Board had 3 or 4 years prior, when it began to address the fact that properties in agricultural/forestal districts had no development rights. He said there was concern as to why the properties were parked in the districts. He said he thought a clearer description made the program easier to understand for the public. He said that the state code may refer to the districts as agricultural/forestal, but that the districts could be called anything locally, consistent with the state code. He said that they could be also known as a temporary non-development zone. He said that he thought everyone would support that. He said he appreciated the comments because he thought that they were pertinent.

Mr. Bivins asked if there were more comments. He said that Ms. Firehock had put something in the meeting chat. He asked if she wanted to comment.

Ms. Firehock said she wanted to hear from Mr. Keller because she had already spoken. She said that the enabling legislation from the state that allowed the use of the regulations was to promote agriculture and forestry, which she had brought it up before. She commented that she felt that some of the parcels did not keep the spirit of the state-enabling legislation that was utilized, and that was part of her concern. She said the point was to preserve the soils for the future, but there should be the potential to engage in actual agricultural practices. She said part of the point was

to have a critical mass so there could be markets or logging projects could be economically viable. She said there needed to be enough farmers in the area to have feed stores and other supplies, slaughtering plants, and other things. She said it was intended to protect certain uses, but she thought the County was using it in a different way. She said a longer conversation may be appropriate when they discuss the comprehensive plan.

Mr. Bivins invited Mr. Keller to speak.

Mr. Keller commented that good points had been made. He said the districts were set up originally to be a form of land banking, with the idea that the landowner was given a benefit if there were agriculture or forestry performed. He said the landowner was given the potential for a tax abatement for not developing the land. He said that he agreed with Ms. Firehock that a larger discussion needed to be had. He said that he had served on the Agricultural and Forestal District Commission and the Planning Commission. He said it seemed that when there was a large lot subdivision of formerly agriculture and forestry property for development, it was marketed in the last decade or two as the opportunity to own a large parcel of ex-urban land with a tax abatement attached because of the fact that it could fit the category. He said that was what the Supervisors were concerned about when they expressed the need to revisit the open-space category that had no development rights remaining, and they had attempted to deal with that.

Mr. Keller said that he believed there was a benefit to a land bank formation that was based on the soil quality types for agriculture and forestry. He said that there was a time when truck farms were in the 20- to 40-acre size, or less, and he thought about the famous ones around Buffalo, New York in the 1840s. He said there might come a point where it would be advantageous to have a small-farm business again. He said that what a landowner should be able to claim as tax credits if there were no development rights was an interesting question, and it continued to be a problem. He said that the open-space category was optional in the County, and the forestry and agriculture categories were also optional. He said that counties in Southwest Virginia had none of the three; some had agriculture and not forestry, and some had forestry and not agriculture. He agreed with Ms. Firehock that it would worth it to have a thoughtful discussion, which could be an educational component for the citizenry to display the benefits as well the negatives. He asked if there were a way to define the negatives and correct them if that were the desire of the Planning Commission and the Board of Supervisors.

Mr. Clark encouraged the commissioners to look at Chapter 3 of the County code, as it was a chapter that governed the districts totally separate from the zoning ordinance. He stated that the ordinance listed in the chapter the purposes of the districts as defined by the state and the County, and they ranged from protecting agricultural markets and productive land to protecting a wide range of ecological resources. He said that further in the section, there were criteria for how additions were handled, and that information was edited down to the basics for presentations. He said that there was a set of criteria that was revised by the Board during a recodification carried out by Mr. Kamptner, and that clarified the decision points for whether or not if there should be additions to a district. He noted that although the name was "agricultural and forestal districts," it encompassed a wide variety of purposes. He said that was achieved by prohibiting development for a more intensive use. He pointed out that there were definitions and exemptions, but the tool did not boost agriculture or require a particular use; it prohibited the development for a more intensive use.

Mr. Bivins thanked Mr. Clark for the references and for pointing out the chapter and said it was helpful. He asked if there were any other comments. He asked if Mr. Clark would put the motions back on the screen.

Mr. Clark said sure. He put the slide with the motion for AFD202100006 Glen Oaks District Review on the screen.

Mr. Randolph moved to recommend renewal of the AFD202100006 Glen Oaks District for a five-year period.

Mr. Keller seconded the motion, which passed unanimously (7-0).

Mr. Bailey moved to recommend approval of AFD202100007 Conner Free Union Addition.

Ms. More seconded the motion, which passed unanimously (7-0).

Mr. Bivins asked for the next motion to be displayed. He asked if there was a motion.

Mr. Clayborne said he so moved.

Mr. Bivins asked if there was a second.

Mr. Herrick asked if it could be clarified what the motion was. He said that there were two motions on the screen and asked if the mover would clarify the motion.

Mr. Bivins asked Mr. Clayborne if he would read the motion he was moving forward.

Mr. Clayborne moved to recommend approval AFD202100008 Moorman Blue Run Addition.

Mr. Randolph seconded the motion, which passed unanimously (7-0).

Mr. Bivins said he hoped what Mr. Clark had heard was a robust discussion, and if the proposals were brought before the Commission again, he would like more context about how the properties got to their state.

Mr. Clark thanked the Commission and said that could be done. He said it could be worked into the Comprehensive Plan discussion.

Mr. Bivins wished Mr. Clark a good evening and said it was always good to see him when he presented before the Commission. He said the Commission would move onto the next item.

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.

Committee Reports

Mr. Bivins asked if any commissioners had committee reports and noted that Mr. Clayborne and Mr. Randolph did.

Mr. Clayborne reported that he had attended the Pantops CAC meeting a few weeks earlier, and they had a briefing regarding an Albemarle County transit expansion study. He said this was new to him and was presented with the goal of identifying what he would say were short-range opportunities for transit service to key population and employment centers in the County. He said he thought it was interesting that they identified two growth areas, one in Pantops and one on the 29 North corridor between the City limits and the north fork of the UVA Discovery Park area. He said it was a very interesting presentation, and he did not know if it was going to be coming before this group as a work session or the like, but he wanted to share that it had come up.

Mr. Bivins said he could send everyone a link, and they could sign on to an online webinar for this topic on Thursday.

Mr. Randolph reported that the Village of Rivanna CAC had met the previous night, and there had been a discussion about Breezy Hill, and the Chair of the committee noted that the master plan had some vagueness written into it. He said that one unit per acre was not spelled out in the master plan. He said the language regarding Route 250 road improvements should have been applied to any and all development in the Village of Rivanna, rather than just the road itself. He said there was some digesting of the consequences of that decision made by the Board of Supervisors and by the Planning Commission. He said it was a good meeting, and the members of the CAC were moving forward.

Mr. Bailey stated that it had been a couple of weeks now of the meeting schedules, but with the Rio CAC, one of the big topics of discussion was placement and location of the approved roundabout that should replace the light at CATEC and what was John Warner and Rio now for that intersection. He said that was part of the Rio Road Corridor Study, along with some discussions on the Rio Commons site plan. He said that as he understood it, the Rio Commons project going towards Penn Park from that intersection would come back before the Planning Commission—but it continued to add a bit of consternation among the people as to what was included or not included in the Rio Road Corridor Study. He said he thought it was an interesting area for them to keep an eye on as they moved forward and thought about the planning of that area.

Mr. Bivins thanked Mr. Bailey.

Mr. Bailey said that overall, as Mr. Randolph had said, it was not a bad meeting.

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