Albemarle County Planning Commission
Regular Meeting
Draft Minutes May 13, 2025

The Albemarle County Planning Commission held a public meeting on Tuesday, May 13, 2025, at 6:00 p.m.

Members attending were Luis Carrazana, Vice-Chair; Julian Bivins; Corey Clayborne; Nathan Moore; Lonnie Murray.

Members absent: Fred Missel, Chair; Karen Firehock.

Other officials present were Michael Barnes, Director of Planning; Syd Shoaf; Rebecca Ragsdale; Richie DeLoria, and Jenny Tevendale, County Attorney; and Carolyn Shaffer, Clerk to the Planning Commissions.

Call to Order and Establish Quorum

Ms. Shaffer called the roll.

Mr. Carrazana established a quorum.

Public Comment on matters pending before the Commission but not listed for a Public Hearing on this agenda

There were none.

Consent Agenda

Mr. Clayborne motioned that the Planning Commission adopt the Consent Agenda as presented. Mr. Bivins seconded the motion, which carried unanimously (5-0). (Mr. Missel and Ms. Firehock were absent)

Public Hearing

SP202400023 – CBI Forest School – Dudley

Syd Shoaf, Senior Planner, said that the Special Use Permit request was for a private school on a rural area zoned parcel. He said that the subject property, located south of Charlottesville, is approximately 1.2 miles west of Old Lynchburg Road and 2.7 miles east of Red Hill Road. He said that it is situated at tax map parcel 89-64, between 1644 and 1658 Dudley Mountain Road.

Mr. Shoaf said that the property is approximately 156 acres, spanning both sides of Dudley Mountain Road, and is zoned as rural areas. He said that it also includes critical slopes and mountain protection areas, as well as a water protection ordinance buffer. He said that it was designated as rural areas in the comprehensive plan. He said that the proposed special use permit disturbance would be approximately 15 acres directly north of Dudley Mountain Road. He said that the 10 acres south of the road were not proposed for disturbance.

Mr. Shoaf said that the subject property is mostly undeveloped, aside from the existing driveway towards its eastern boundary and a farm road towards the western boundary. He said that the adjacent properties are also zoned rural areas, each containing a single-family residence. He said that the property was also impacted by the water protection ordinance buffer and critical slopes.

Mr. Shoaf said that the special use permit request was for a new private school with a maximum enrollment of 144 students. He said that there was also a special exception request. He said that he can discuss the special exception at the end of his presentation if the Commission is interested. He said that a map provided by the applicant offered an overview of the site. He said that the applicant was proposing a 15-acre developed area within the 156-acre site, leaving 141 acres for a conservation easement. He said that the applicant's proposed disturbance did not include critical slopes, mountain protection areas, or the WPO buffer.

Mr. Shoaf said that the applicant was proposing two phases of development. He said that the first phase would include the main school building, referred to as Base Camp on the map, along with additional associated school buildings. He said that the second phase would include additional school buildings and a religious assembly use building, permitted by right for 200 people or less. He said that the applicant would provide further details.

Mr. Shoaf said that the maximum enrollment request was for 144 students, from pre-K to 5th grade, with 29 staff members. He said that the proposed maximum enclosed building area would be 23,600 square feet, including the 11,000 square foot by-right religious assembly building. He said that the school would operate nearly year-round, with hours of operation from 8 a.m. to 5 p.m. and a morning drop-off period from 8 a.m. to 9 a.m. He said that throughout the application process, numerous public comments had been received, and discussions had taken place. He said that special use permits were evaluated on a case-by-case basis, with unique facts in each case.

Mr. Shoaf said that based on the screening and setback mitigations proposed by the applicant and the conditions drafted by staff, it was found that there would be no substantial detriment to adjacent parcels. He said that the proposed conceptual plan limited the disturbance to areas where necessary, and the remaining 141 acres of the site would be put into a conservation easement, consistent with the comprehensive plan and would not affect the character of the nearby area.

Mr. Shoaf said that staff were concerned about the public health, safety, and general welfare resulting from the transportation impacts of this proposal, which affected the character and harmony of the nearby area. He said that according to VDOT, the average daily trip count for Dudley Mountain Road was 130 vehicles per day in 2018. He said that for this proposed private school, the Institute of Transportation Engineers estimated 589 vehicles per day, as submitted by the applicant.

Mr. Shoaf said that if the special use permit was approved, Dudley Mountain Road would experience an estimated 719 vehicles per day. He said that VDOT measurements indicated that the road width varied, with some sections as narrow as 16 feet and others as wide as 20 feet. He said that according to VDOT's road design standards for rural local roads with more than 400 average daily trips, a minimum pavement width of 20 feet and a minimum shoulder width of 3 feet were required. He said that based on the proposed trip counts and current road conditions, these standards were not met. He said that there had been 10 crashes on Dudley Mountain Road in the

last five years. He said that VDOT provided a review comment letter that shared these concerns, and it was attached to the staff report.

Mr. Shoaf said that additionally, staff were concerned about sightline visibility at the intersection of Dudley Mountain Road and Old Lynchburg Road. He said that the maximum 45 mile per hour speed limit on Old Lynchburg Road was disrupted by a hill prior to the intersection with Dudley Mountain Road, creating a safety hazard. He said that there had been four crashes at this intersection in the past five years, in addition to the 10 crashes on Dudley Mountain Road in the same period.

Mr. Shoaf said that regarding emergency access to the site, the applicant had proposed improvements to the western fire access road, but the engineering division had determined that this was not allowed within the water protection ordinance buffer. He said that the applicant would need to provide an alternate road to access the proposed classrooms to meet fire rescue requirements. He said that this issue could be addressed during the site plan phase if the special use permit was approved, however, the applicant should provide a revised concept plan that ensured adequate fire access, allowing staff to verify that the buildings could be safely accessed in the event of an emergency.

Mr. Shoaf said that staff had identified two positive aspects. He said that the proposed development limited the use to only 15 acres of the 156-acre property, preserving 141 acres. He said that the outdoor environmental education aligned with the comprehensive plan goals, promoting public familiarity with the rural areas and natural systems. He said that staff had a concern regarding Dudley Mountain Road, which did not meet VDOT standards for rural roads with more than 400 average daily trips. He said that staff recommended denying the special use permit.

Mr. Moore said that while each proposal was considered on its own merits, he had noticed striking similarities between this proposal and one they had heard just two months ago, which was an environmentally friendly private school and summer camps located in rural areas, accessible only via a narrow, winding road. He said that the previous school had requested a maximum of 250 students for year-round events, plus up to 500 for special events. He said that given these similarities, he was curious about why staff were expressing concerns about this proposal, but not the one they had heard in March, which also had similar road conditions.

Mr. Barnes said that Mr. Moore was referring to the Living School located off of Red Hill Road. He said that Red Hill Road was a wider road with a yellow line, and they felt it was more equipped to handle more traffic than this particular road.

Mr. Bivins said that he wanted to follow up on the condition of the roads. He said that a couple of years ago, they had evaluated several projects, including a new school on Reservoir Road and enhancements at Camp Holiday Trails. He asked for a comparison between Reservoir Road and Dudley Mountain Road.

Kevin McDermott, Deputy Director of Planning, said that to his knowledge, there were no applications for Camp Holiday Trails. He said that the Regents School did submit an application on Reservoir Road. He said that upon reviewing that, they highlighted several concerns with Reservoir Road itself. He said that the Regents School was located approximately 700 feet from Fontaine Avenue Extended, which was a relatively short distance.

Mr. McDermott said that the applicants in that case made significant road improvements as part of their process, including upgrading the entire road within their property and performing spot improvements along the road between their property and Fontaine Avenue Extended. He said that crash data showed that Reservoir Road experienced very few crashes, with no reported crashes in the previous five years, compared to Dudley Mountain Road.

Mr. Barnes said that the Regents School was in the development area.

Mr. Murray asked what options the County had to improve Dudley Mountain Road.

Mr. McDermott said that there were limited options for improving the road. He said that VDOT performed regular maintenance on the road, but for any improvements that would widen the paved width or add shoulders, they lacked a direct funding source. He said that the County would need to either fund the project itself or identify alternative funding sources through grants.

Mr. McDermott said that such improvements would not qualify for major transportation grants in the state, such as those offered through the Smart Scale program. He said that the County would need to invest a substantial amount of funding into significant widening. He said that the property, on both sides of the road, was a prescriptive right-of-way, which meant that acquiring the necessary right-of-way from the property owners would be a costly and complex process.

Mr. Clayborne said that he was reviewing the speed data, and he was curious if this project would trigger a school zone with a reduced speed limit.

Mr. McDermott said that typically, school zones were designated for pedestrian areas with high pedestrian traffic. He said that they were occasionally placed in areas with vehicular traffic concerns, but he was not certain what the process would entail to obtain approval through VDOT.

Mr. Carrazana said that he was wondering about the process for the Regents School's improvements on Reservoir Road. He asked if they worked with VDOT to identify areas for improvement.

Mr. McDermott said that an engineering study was conducted that identified two or three areas where the road did not meet the required stopping site distance. He said that the study found these issues and was able to address them within areas where work could be done without acquiring additional right-of-way.

Mr. Carrazana asked whether staff had considered this option in this particular application.

Mr. McDermott said that it was considered. He said that the main concern was that the area of concern was over a mile long, and most traffic was expected to come from Old Lynchburg within that mile. He said that there were numerous other property owners in that section. He said that they were unable to impose conditions on a special use permit that would be unfeasible for an applicant to meet.

Mr. Murray asked if staff had analyzed bicycle traffic on the road.

Mr. Shoaf said that from his experience, there was a significant number of cyclists on that road. He said that during site visits; they observed cyclists on the road multiple times.

Mr. Carrazana opened the hearing for presentations from the applicant.

Jill Abbey-Clark, Director of Education for the CBI Forest School, said that for the past 27 years, Congregation Beth Israel had been a proud supporter of childcare needs in Central Virginia. She said that their students, aged 18 months to 4th grade, with 70% under the age of five, represented the future of their community. She said that in the spring of 2020, when the pandemic forced their schools to close, they took a bold step forward. She said that they transitioned to a forest-school model, embracing outdoor learning to keep their doors open for families.

Ms. Abbey-Clark said that this was not just about surviving a crisis but about adapting to the needs of their community and ensuring that children had a safe space to learn and grow. She said that to their surprise, they thrived outdoors during a time when children and families were struggling. She said that when Jeff and Julie Morrill approached them to donate 156 acres of land, they saw an opportunity to strengthen environmental education. She said that the land was ideal for a forest school, with fields full of butterflies, hardwood forests, and a stream for children to explore.

Ms. Abbey-Clark said that it was also ideal for Albemarle County. She said that they will protect over 140 acres of undeveloped land and use it as an educational lab for future generations. She said that it was essential to understand that CBI Forest School was more than just a school. She said that they were a program of Congregation Beth Israel, a vibrant institution that reflected the needs of their community and their children. She said that without a special use permit, their school, which set a high standard for early childhood education, cannot exist. She said that forest schools required forests, and their rural character was not incidental, but fundamental.

Kendra Moon, Line and Grade, said that the concept plan was the result of extensive collaboration with numerous consultants to create a thoughtful and intentional plan for the land. She said that some key elements of the site include the central entrance, which provided optimal visibility, fully compliant with VDOT standards and meeting intersection site distance requirements. She said that the drop-off loop enhanced internal circulation and queuing on site. She said that the parking areas were designed to be permeable, and there was unpaved overflow parking to minimize environmental impact.

Ms. Moon said that the buildings were small and decentralized, maintaining a rural and natural feel for the site. She said that accessible pathways connected all buildings, ensuring ADA compliance. She said that two revisions have been made. She said that initially, they had planned to locate the fire road to the cabins along an existing roadbed within the stream buffer. She said that they were now proposing to move it outside the stream buffer and replant. She said that the drain fields will be relocated based on on-site soil exploration.

Ms. Moon said that the site will be phased, with CBI initially planning for three classroom cabins and a central base camp, along with necessary infrastructure. She said that the proposed design featured natural building materials with earth tones. She said that a neighbor had donated the land to CBI, contingent on it being placed in a conservation easement. She said that this easement will remove the four development rights, preventing the land from being subdivided and precluding uses such as a winery, brewery, or single-family residential.

Ms. Moon said that the site is already enrolled in programs to remove invasive species and replant areas, demonstrating a commitment to conservation. She said that mitigating impacts on neighbors and the environment was a central consideration in any special use permit. She said that the trees will be preserved wherever possible, and the parking areas will be screened from view. She said that the buildings will be designed to blend seamlessly with the wooded site, and lighting will be used minimally throughout the site for safety purposes only.

Ms. Moon said that this site was intended to minimize disturbance and avoid mass grading. She said that one example of this was that the buildings would be constructed on piers instead of a slab on grade, allowing them to situate naturally amongst the existing terrain. She said that they aimed to maximize stormwater infiltration through the use of bioretention practices and permeable pavers. She said that this site was designed to be a low water use facility. She said that on a yearly basis water use was comparable to that of just one or two single-family homes.

Ms. Moon said that she would like to touch on two aspects of traffic: demands and safety. She said that she would like to remind everyone that when they discussed traffic trips, they considered one vehicle entering the site as one trip, and the same vehicle leaving the site as a second trip. She said that CBI had conducted research on peak hour trips and had extrapolated the data to predict the full maximum build out of the site. She said that they would also implement a staggered drop-off system, using sign-up sheets for parents to allocate 20-minute time slots, to mitigate peak hour impacts.

Ms. Moon said that in terms of safety, they had corresponded with VDOT multiple times throughout the process, and they had not expressed concern about this road. She said that the only recommendation they made was to ensure a 16-foot minimum width to allow two vehicles to pass one another. She said that the letter from VDOT issued two weeks ago simply stated standards for roads. She said that when examining the actual accidents on Dudley Mountain Road, they saw that 14 accidents had occurred in the past five years, but 10 of those were at night, and most were caused by drivers under the influence of alcohol. She said that the roadway was on average 18 feet in width, a standard width for rural areas. She said that according to VDOT and County staff, they had intentionally chosen not to widen roads in these areas, as it may encourage future development, and wider roads did not necessarily equate to safer roads.

Ms. Moon said that there was a precedent for VDOT to allow similar roads to exist in their current condition, accommodating up to 1,500 vehicles per day. She said that overall, this project aligned closely with the comprehensive plan. She said that a forest school required a rural setting to be successful, and the proposed conservation easement would encourage connectivity of existing conservation land. She said that the adjacent parcel was already under conservation easement. She said that there was a significant public need for childcare, particularly for young children aged 18 months to kindergarten, in their area. She said that CBI would thrive at this location, addressing the needs of over 100 families and alleviating childcare shortages.

Ms. Moon said that she believed this land was an ideal location for a forest school, where children could engage with nature daily and develop a profound appreciation for the natural world. She said that such opportunities were becoming increasingly rare, and they were crucial for the health and future of the planet. She said that she wanted to revisit the conditions proposed by staff at a later time.

Mr. Murray asked if all of the cabins were outside of the stream buffer.

Ms. Moon said that all of the cabins were outside of the stream buffer.

Mr. Murray asked if they had a communication plan in place with the neighbors to ensure that if there were incidents of speeding, they could notify the school.

Ms. Moon said that she did not believe they did. She said that they aimed to reach a point where they were working together with the neighbors and communicating about shared interests for this site. She said that this was something they would definitely consider.

Mr. Murray asked if they had reached out on Next door.

Ms. Moon said that to address questions and keep everyone informed about their proposal, they had engaged in proactive communication. She said that she believed there were additional channels that could facilitate this conversation.

Mr. Murray asked for clarification about the proposed shuttle.

Ms. Moon said that was a suggestion from staff to explore the use of a shuttle to reduce the number of trips, and CBI was willing to try. She said that they did not want to present it as a solution to the issue, as they were not certain how much it would be utilized by young children who were in car seats, which made up 70% of the enrollment.

Mr. Clayborne asked for clarification about the phasing of the project and the timeline of development.

Ms. Moon said that the timeline was unclear. She said that several factors were at play, including this special use permit. She said that to ensure they did not need to revisit the site for another special use permit in the future, they were presenting a comprehensive vision of the site's potential build-out. She said that the conservation easement would cover the entire site, but it would include language regarding the number of buildings that could be constructed. She said that this would further constrain the development. She said that the goal was to finalize the master plan for the conservation easement within the next few years. She said that however, the timing for future building was uncertain, as it depended on when the necessary funding and approvals were secured.

Mr. Clayborne asked if there was an estimated time of completion.

Ms. Abbey-Clark said that as they were currently renting, their hope was that the base camp and three cabins would be built within the next two years.

Mr. Clayborne asked if that would impact the vehicle trips.

Ms. Abbey-Clark said that at the moment, enrollment was at 93 students, but the trips were calculated based on an enrollment of 144.

Ms. Abbey-Clark said that due to their community school status, they were prone to carpooling. She said that many of their families had multiple children attending the school, so there were fewer cars than families, even though the total trips were calculated based on each student.

Mr. Moore said that he wondered if anyone had run the numbers to determine what enrollment level would need to be lowered to achieve the desired 400 or fewer trips for a narrow road.

Ms. Moon said that they had investigated that option, and in order to remain under 400 trips with existing traffic, it would be necessary to limit the enrollment to 50 students.

Mr. Bivins asked for clarification about the traffic generation numbers.

Ms. Moon said that the 589 figure represented the total daily trips, encompassing all vehicles per day, 24 hours a day. She said that the 112 number corresponded to peak hour data, which was also sourced from ITE, an organization that often-faced limitations in providing reliable data, with only one or two data points available.

Ms. Moon said that there was data collected by CBI which came from the current enrollment count and was then extrapolated to a projected 144 students. She said that the morning drop-off process equated to approximately 30 vehicles, spread out over 20-minute increments, with a maximum of 30 vehicles per 20-minute period.

Mr. Bivins asked how accurately the data reflected the current traffic generation for the school.

Ms. Abbey-Clark said that currently, they had a 15-minute drop-off period. She said that when she counted the cars, there were no more than 10 vehicles present.

Mr. Bivins said that during the presentation, the consultant mentioned an example of 1,500 trips per day. He said that it would be more helpful if they could specify exactly where that occurred.

Ms. Moon said that the precedent she was referring to originated from the VDOT rural rustic roads program. She said that although Dudley Mountain Road was not officially designated as a rural rustic road, it was paved prior to the program's establishment. She said that this program did exist and funded the paving of unpaved rural roads, allowing them to remain in their current condition, even if they were substandard, as long as they met certain conditions, including a daily vehicle limit of up to 1,500 vehicles per day.

Mr. Bivins asked if there was a specific example in the County that they could point to so that they could compare it to Dudley Mountain Road.

Ms. Moon said that she was not aware of an existing road that had undergone the same program, but she was aware of a comparable road, which was likely Reservoir Road. She said that according to the 2018 data, Reservoir Road experienced 600 vehicles per day, which was actually more traffic than what they were seeing here. She said that the roadway conditions were very similar. She said that she did have crash data for both Reservoir Road and Dudley Mountain Road, which they could review if desired.

Mr. Murray said that Reservoir Road had been paved under the rural rustic program.

Mr. Moore said that he was wondering if staff could provide more information about the VDOT recommendation, specifically why the 400 mark was considered the threshold and what factors were taken into account when determining that number.

Mr. McDermott said that 400 was not a magic number. He said that these numbers were based on standards set by VDOT, which likely originated from FHWA or USDOT guidance. He said that they assumed that with increased traffic, a wider road was necessary to accommodate more frequent passing and heavier traffic. He said that the 400 cutoff was between low-volume and mid-volume roads, with a high-volume road also defined. He said that the area they were considering was between 400 and 2,000 vehicles per day. He said that currently, the road would need to meet the under 400 standard, which required an 18-foot width and two-foot shoulders.

Mr. McDermott said that they had considered this when evaluating the road's size. He said that unfortunately, the road did not meet this standard, so it would not qualify for the under 400 category. He said that if the road was slightly under 400, it may still be suitable. He said that he would like to clarify that Reservoir Road had been paved under the rural rustic program, but that was beyond the section where Regents School was located. He said that they had a lot of roads that they tried to get paved under the rural rustic program, but VDOT often determined that the roads did not meet the minimum requirements. He said that rural rustic was not a standard, but it was a baseline to guide paving determinations.

Mr. Barnes said that the idea was that the more trips there were, the more cars would be passing each other. He said it was more likely drivers would drift off the road, causing the edge of the pavement to break down. He said that since there were no ditches or shoulder sections in this area, the roads could become worn down, leading to a higher risk of breakdowns and people leaving the road as they tried to pass each other. He said that upon reviewing the traffic numbers, it appeared that this stretch of road had seen an increase in side swipes and head-on collisions, as well as a recent accident involving a bicycle. He said that this was a major concern for them.

Mr. Bivins said that he did not see any mention of using the property or area for fundraising activities, which would increase the number of vehicle trips. He asked for clarification about this.

Ms. Abbey-Clark said that in terms of the school, they did not have any plans beyond a parent bingo night, which was a regular school event.

Mr. Murray said that currently, the speed limit on the road was 35 mph. He asked if they had considered lowering the speed limit of the road to 25 mph.

Mr. McDermott said that one of the challenges was that VDOT had established standards for lowering speed limits, and meeting those standards was not straightforward. He said that to determine whether a speed limit could be lowered, VDOT conducted an engineering assessment and a traffic assessment to identify the dominant speeds on the road. He said that lowering a speed limit typically did not result in lower speeds. He said that speed limits were often set based on the road's geometry, and drivers tended to drive at speeds they felt comfortable with. He said that lower speed limits was not used as a traffic calming measure.

Mr. Carrazana said that he thought the mitigations implemented in the design, particularly from an environmental impact standpoint, were admirable. He said that he was struggling with the trip counts, specifically the methodology used to calculate them. He said that he was having trouble reconciling the numbers provided by the applicant with the County estimates. He asked for an explanation on the methodology

Mr. McDermott said that as a reminder, the 589 trips was not a staff number they had arrived at, but rather a result using the ITE trip generation model. He said that it was not perfect science, as they measured a few things that were similar to this case. He said that in this instance, the applicant's closest estimate of how their school would operate was actually a daycare, so they used the trip generation for a daycare. He said that the number provided, 589, seemed high to him. He said that he would have estimated it to be between 400 and 500 vehicles per day in total.

Mr. Barnes said that one student would technically generate four trips per day when they were dropped off and picked up. He said that 144 students multiplied by 4 was 576, and there was the consideration of school staff as well. He said that this assumed everyone was driving in individual vehicles.

Mr. Bivins said that he wanted to revisit a point regarding by-right uses. He said that he was reviewing page 9 of the Line and Grade civil engineering report, as he was trying to understand the implications. He asked if a vineyard with a tasting facility would be able to operate on the site by-right. He said that if it was allowed by-right, then they were potentially facing 1,000 trips per day.

Mr. Barnes said that it was hard to respond to a hypothetical question. He said that the state had enabled vineyards as a by-right use, but the County would likely still have concerns about traffic.

Mr. Bivins said that because of the by-right nature of the use, the County would have fewer ways to mitigate the impact.

Mr. Moore said that he looked this up, and events requiring more than 50 visitor vehicle trips per day necessitated a zoning clearance for more intensive use.

Mr. Carrazana opened the public hearing for comments from the public.

Celeste Plumas said that she was a former teacher at CBI, and she currently taught in Albemarle County Public Schools. She said that having worked at the school's previous site, she had witnessed firsthand that the self-contained school, along with the thoughtful arrival and departure procedures, had a minimal impact on the surrounding community on a day-to-day basis. She said that parents driving their children were not speeding.

Ms. Plumas said that the preschool was exceptional in many ways, meeting and exceeding the standards for educational success. She said that finding a preschool in this community that met these high standards was particularly challenging. She said that many of these trips involved families with multiple children. She said that she strongly supported the school's efforts to continue its work and believed the community would benefit from their thoughtfulness and commitment to building civil and environmental awareness.

Rabbi Tom Gutherz, Senior Rabbi at Congregation Beth Israel, said that if all of the community members were given the opportunity to speak, the Commission would hear from families who had benefited from their school's unique approach to education, particularly for children with different learning needs. He said that they would share stories of how their school had allowed them to thrive in a natural setting, becoming confident, curious, and resilient individuals.

Rabbi Gutherz said that they would also hear from a local pediatrician who highlighted the importance of outdoor education in supporting children's mental and physical health. He said that they would hear from Jewish families who relied on their school as a lifeline for sustaining Jewish life in the region, as well as families who were not Jewish but felt welcomed and enriched by their school's values and traditions. He said that this gift represented the largest donation their Jewish community had ever received, and without this permit, it may be lost.

Rabbi Gutherz said that the Commission would hear from families who had relocated to Albemarle County because of their school, bringing businesses and long-term commitments with them. He said that they would also hear about their school's commitment to conservation, teaching students not only to learn in nature but also to care for it. He said that they would hear about the leadership's ability to listen, problem-solve, and respond thoughtfully, with a commitment to being good neighbors for the long term.

Rabbi Gutherz asked the Commission to consider the broader implications. He said that it was not just about the road itself, but what it represented. He said that what was at stake was not only a school, but a model of learning, stewardship, and community that could have a positive impact on the County beyond its immediate boundaries.

Judy Ray said that she resided in the middle of Dudley Mountain Road, and she had lived there since the early 1970s. She said that she had seen a subdivision develop behind her house, and another subdivision located down the road, one on each end. She said that a significant amount of traffic passed through the area, particularly when people traveled to visit Charlottesville's hospitals and other facilities. She said that this also attracted a large number of bicyclists, many of whom were University of Virginia students, and recently, one of these cyclists was involved in a vehicle accident.

Ms. Ray said that the proposed concept was great, and she appreciated the idea, especially since she had a strong affection for children. She said that as a Sunday school teacher and a mother of five, she had concerns about traffic. She said that she would appreciate it if the Commission considered the impact of increased traffic and the concerns of long-term residents like herself, as this was her community as well.

Varya Zigley said that she lived directly across the road from the proposed project. She said that she had lived there for approximately 20 years, and throughout this entire process, she had been disappointed by the lack of communication from the school. She said that she had experienced almost no direct communication with the neighborhood, especially after the mandatory community meeting. She said that during the meeting, numerous concerns were raised about water table levels, road issues, and other problems.

Ms. Zigley said that given this, the lack of active listening and engagement from the school with the community, outside of the legally mandated permitting process, was concerning. She said that they reviewed the updated application, and it felt like their concerns were minimized or ignored. She said that this made her feel that there may be limited recourse for them if this project moved forward and changes were made. She said that the way the process had unfolded so far suggested that it may continue in a similar manner if this project was approved.

Melanie Evans said that she and her husband resided at 1658 Dudley Mountain Road on the 171-acre family farm adjacent to this property. She said that they had significant concerns regarding

the misleading claims in the special use permit application. She said that the application cited 156 acres, but only 15 acres were being donated for development by CBI. Mr. Morrill was not a neighbor in the immediate area and was only donating a small section, which would split this property into two. She said that the remaining land was not guaranteed for conservation, and making claims of broad preservation was misleading.

Ms. Evans said that the proposed cistern was not a true water protection system, offering no safeguard for the groundwater that supplied their homes. She said that if their wells were depleted or contaminated, they would have no backup, no water, and no legal recourse, which was an unacceptable risk. She said that this proposal was not being presented as it truly was – a year-round facility with regular visitors, staffing, and programming activity levels incompatible with their current rural neighborhood.

Ms. Evans said that the County's zoning regulations required special use permits to protect neighbors and align with rural land use. She said that this proposal failed on both counts. She said that the proposed development would flood a narrow country road, endangering drivers and children, and disturb the peace of nearby homes. She said that this project would also strip them and other neighbors of their lawful hunting rights, which local families had responsibly exercised for over 25 years. She said that this area was solely a rural agricultural zone, and a development of this scale defied the County's comprehensive plan and eroded the character of their community. She asked the Commission to uphold the zoning laws, protect their neighborhood, and deny the permit.

Lisa Grovey said that she lived on Dudley Mountain Road, approximately half a mile from Old Lynchburg Road. She said that her concern was not with the school, as she had spent 29 years as a teacher. She said that she worked with Ms. Abbey-Clark as a colleague from her early days. She said that she believed every child deserved a field school. She said that the proposed location was a concern of hers.

Ms. Grovey said that there was a section of Dudley Mountain Road about three-tenths of a mile from Old Lynchburg Road that was washed out during the 2019 derecho. She said that it had been poorly maintained on both sides, with only 14-foot widths. She said that the edges were in poor condition, and drivers must stop if approaching from the opposite direction. She said that maintenance on the road was inconsistent, with VDOT often citing lack of funds.

Ms. Grovey said that many have noted the similarity with Reservoir Road, which was also narrow and winding. She said that the Camp Holiday Trails location was only 1.7 miles from the road, and it merged onto Route 29. She said that Reservoir Road ended in a dead end, so, unlike Dudley Mountain Road, there was no opposing traffic flow. She said that the 1.7 miles to Camp Holiday Trails was not densely residential, unlike Dudley Mountain Road. She said that the Dudley Mountain Road site was four miles from the nearest major road.

Lea Baker said that she was speaking tonight as a teacher at the Forest School, a parent of a current student, and a parent of a recent graduate. She said that she had a unique perspective, having experienced every age group the school served, both as a teacher in the youngest class and as a parent of children who have grown through the program. She said that she can confidently say that outdoor education worked. She said that her oldest son completed every grade offered by CBI Forest School before transferring this year to Crozet Elementary as a 5th grader.

Ms. Baker said her son was excelling socially, emotionally, and academically, and he had been recommended for the most advanced course tracks at Henley Middle School. She said that teachers and administrators regularly mention to her how impressed they were with how former students were doing. She said that her younger son was currently in 3rd grade at Forest School, and they can already see that he was headed in the same direction.

Ms. Baker said that both of her sons have ADHD, and both were thriving. She said this was not something every parent with that diagnosis can say. She said that outdoor learning supported all kinds of brains. She said that it allowed children to move, explore, and absorb information in a hands-on, sensory-rich way that traditional classrooms simply cannot match. She said that as a parent, she had seen firsthand how this model had made a difference in her sons' lives.

Ms. Baker said that as a teacher, she has witnessed children become more fully themselves, becoming imaginative, resilient, kind, confident, and connected. She said that this extraordinary school found itself at risk. She said that they had proven that the model worked, with results seen in their children and in the families who depended on it. She said that they faced the very real possibility of not being able to continue without a permanent home. She said that with screens increasingly replacing real-world experiences, schools like theirs reconnected children with nature, with community, and with themselves.

Ms. Baker said that this school serves Jewish and non-Jewish families alike, and it was rooted in values such as care, curiosity, and one of their core values, Tikkun Olam, which means repairing the world. She said that this is what they, as a school, aimed to achieve, one child at a time. She asked the Commission to approve the special use permit.

Krista Monsheim said that she would read a letter in support of Congregation Beth Israel receiving a special use permit to build a permanent home for its forest school. She said that the letter was written by her husband who was unable to attend the hearing. She read the letter.

"I'm a member of Congregation Beth Israel, and my youngest child attended the CBI Forest School for four years while it was located at Camp Holiday Trails. I'm also a transportation planner, certified by the American Institute of Certified Planners, and an associate professor of urban and environmental planning at the University of Virginia. I write this letter as a member of the CBI community, but my perspective is shaped by my experience as a transportation planner and educator. I deeply respect the expertise, diligence, and care that the County's planners have given this application. They've been thorough and thoughtful in their review. What I do hope you will consider is that there are two reasons to reducing risks on any right-of-way: infrastructural and operational. Dudley Mountain Road will not be widened in the near future, but risks can still be reduced by establishing clear practices to reduce potential conflicts. The Forest School has already proposed a range of options to reducing conflicts in Deadly Mountain Road. By staggering the time and manner by which children arrive at the school, for example, the possibility of conflicts can be significantly reduced. Based on what I have observed as a Forest School parent, the Forest School is ready and fully capable of successfully implementing these operational approaches. The school is relatively small and run by leadership who have demonstrated their ability to flexibly and safely operate a school in this kind of environment. The County's flexibility during the COVID emergency allowed the Forest School to operate off of a rural road, and it demonstrated that this is a school and community that can work responsibly and accountably alongside government to create a unique experience for our community, County, and region.

Principally, I believe that the Forest School has presented the County with well-considered options that would have quantifiable and demonstrable benefits for traffic safety, while also allowing a truly unique school with no existing parents on the region to support its community and the County. The planners have been very thoughtful about reducing the risk of access, but I ask that you encourage them to work with Forest School to optimize and accept the types of operational approaches that the school is ready and fully capable of implementing. Thank you."

Michelin Hall said that he resided on Dudley Mountain Road. He said that he had lived there for five years. He said that he had attended the University of Virginia there, where he had met his love. He said that they had relocated for a period of time and had started a business that specialized in experiential marketing in 70 markets across the United States and Canada. He said that he wished to express his appreciation and admiration for governmental processes like this, as they were essential for maintaining order and harmony in their community.

Mr. Hall said that he believed that the Planning Commission and City Council members played a vital role in fostering unity and guiding their community towards a shared future, while adhering to the laws that they had collectively agreed upon. He said that they helped them stay on the path that they had laid out for themselves as a community. He said that this was one of the primary reasons why many of them had decided to run for office, as they shared his passion for this community.

Mr. Hall said that he had returned to this place because he loved it. He said that he wanted to see this community preserved for its natural beauty, its development, and its growth in a responsible manner. He said that for him, the decision regarding this special use permit was straightforward: if he applied for permits, he must meet specific requirements, and if he failed to do so, he would not be granted the permit, regardless of his location in the United States or Canada.

Mr. Hall said that sometimes that made him extremely angry, and his clients, too, and sometimes he felt sad, because they invested a lot of time and effort into designing beautiful presentations like this. He said that CBI was a great institution, comprised of beautiful, big-hearted people who formed a true community, and many of them were friends of his. He said that this was also difficult for him because the experts who had been hired to investigate transportation, water, and clean water, as well as the road, had concluded that while they had met some of the requirements, they had not fulfilled all of them.

Mr. Hall said that the truth was, if the school was approved, it would change the neighborhood significantly and make it a more dangerous place. He said that the experts had determined that the school did not meet the necessary criteria for a special use permit. He said that his hope was that after tonight's discussion, they could all return to their normal lives, and perhaps one day, the neighbors of Dudley Mountain Road and CBI could work together to find a more suitable location, and they could all celebrate that new location together.

Vivian Dillard said that she resided on Dudley Mountain Road. She said that as a retired pediatric nurse, she liked children, and she appreciated that the school aligned with her values. She said she had been a member of Westminster Presbyterian since 1980. She said that she was having a particularly emotional response to this because the school sounded truly wonderful, but her road was too narrow to accommodate large vehicles safely.

Manuel Lairdow said that he was a professional ecologist and environmental scientist, and he was a former member of the Albemarle County Natural Heritage Committee and co-founder of Blue Ridge Prism. He said that after thoroughly reviewing the proposal and visiting the site, he was pleased to see the attention given to conservation and water management, as well as the preservation of ecosystem integrity. He said that the team had done an outstanding job in this regard.

Mr. Lairdow said that as someone with over 30 years of experience in mid-Atlantic forests, he could confidently say that this proposal was one of the best he had ever seen for a school. He said that the buildings were designed to be small and unobtrusive, placed in areas that had already been most impacted, and they would have minimal impact themselves. He said that the areas designated for preservation on the south side of Dudley Mountain Road and the upper part of area A in the proposal were of the highest value, both in terms of water quality and ecosystem integrity, and the plans were sound.

Mr. Lairdow said he had two suggestions if the special use permit was approved. He said that he recommended that CBI seek the advice of Blue Ridge Prism to pursue more extensive invasive species management. He said that he believed there were opportunities to help moderate the deer population through regulated hunting programs, which could improve ecosystems in southern Albemarle County. He said that as a biologist, he must admit that he was not familiar with traffic calculations, and the way numbers were calculated seemed to defy logic to him. He said that from a professional perspective; the proposal was well crafted.

Cameron Hardesty said that she lived in the Rio District. She said that she was a mother of a current CBI Forest School student, and she had another child set to enroll next year. She said that her family relocated to Albemarle County to be closer to her parents and in-laws, and they were seeking a safe and connected place to raise their children. She said that they relocated not only their home but also her business, a venture-backed company that has brought investment and jobs to Charlottesville. She said that in 2024, she received the Charlottesville Business Innovation Council's Entrepreneur of the Year Award.

Ms. Hardesty said that one of their biggest challenges in moving to the County was finding childcare. She said that wait lists were excessively long, and many families she knew were also struggling to find options. She said that when they discovered CBI Forest School, it felt like a miracle. She said that the school not only provided a safe and joyful environment for her daughter but quickly became the heart of their life in Charlottesville. She said that although they are not Jewish, CBI Forest School had welcomed them with open arms. She said that its values, such as joy, inclusion, curiosity, and care for the earth, are universal.

Ms. Hardesty said that through this community, her family has found meaning, connection, and a deep sense of belonging. She said that this was not just about her family, but it was about a broader need in Albemarle County. She said that they faced a critical shortage of early childcare education options. She said that given that only 5% of the County's land was designated as developable, programs like CBI Forest School cannot afford to make market rents. She said that a daycare near her house recently closed after paying $30,000 a month for rent, leaving dozens of families without options within a couple of days.

Ms. Hardesty said that for small nonprofit programs, a special use permit like this one is the only viable path forward. She said that even that path is prohibitively expensive. She said that the

amount of time and money the school had invested in developing the proposal was substantial. She said that if this special use permit was not granted, there will be no second or third attempt. She said that it simply will not be financially possible. She said that Charlottesville was growing, the County was growing, and families like hers were eager to put down roots and contribute to the economy. She said that they cannot do that without access to quality childcare.

Ms. Hardesty said that she wanted more options for childcare education. She said that if this permit was denied, the opposite would occur, and they risked losing what they already had at a time when families needed more options, not fewer. She said that this school was a valuable asset to the entire community, serving both Jewish and non-Jewish families, including hers. She said that this school was essential for working parents, the local economy, and business owners like herself. She said that it offered a vision of what education could be, rooted in nature, inclusion, and care. She asked the Commission to approve the special use permit.

Leonard Zhigile said that his property was adjacent to the proposed development. He said that many of his concerns had already been expressed by others. He said that he wanted to emphasize that he believed this was a significant development in a very rural area. He said that twenty years ago, they had decided to build their first and last house in this area due to its natural beauty. He said that now, with this development, he feared it would become a very active site, with 29 on-site staff and 140 students visiting at least twice a day. He said that the constant flow of parents and students would undoubtedly alter the character of the neighborhood, potentially leading to further changes in the area.

Dan Grigas said that he resided on Dudley Mountain Road with his wife. He said that the CBI Forest School was a wonderful educational experience, but that was not the issue. He said that the unanimous agreement of the Dudley Mountain Road neighbors who knew this area well agreed that this was the wrong location for this school. He said that the traffic evaluation and limited view access as Dudley Mountain Road turned onto Old Lynchburg Road were spot on. He said that these numbers were based on great experience and research and were grounded in fact, posing a significant risk to the wonderful children who would be attending the school.

Mr. Grigas said that he would like to address the water issue, the groundwater assessment based on County data. He said that the four closest wells indicated a minimum of one gallon per minute, three gallons per minute, four gallons per minute, and a maximum of seven gallons per minute. He said that with 140 students, staff, and an additional 200 individuals for special events and religious ceremonies, this increased the traffic and water usage. He said that the engineer's report on septic systems suggested that the groundwater could be improved, but he found this highly dubious and lacked sufficient detail. He said that they were talking about a large number of people using a rural area.

MaryAnn Sullivan said that she resided on Old Lynchburg Road, and she and her husband had lived there since 1992. She said that they had witnessed numerous changes, including a significant increase in traffic. She said that last year, there was an event on the polo grounds at Forest Lodge, which caused a substantial backup of southbound traffic from there to Southwood on 5th Street. She said that even a small event resulted in hours-long congestion. She said that the lack of turnarounds, passing lanes, and escape routes made the situation particularly challenging.

Ms. Sullivan said that she wondered if anyone had experienced 5th Street at rush hour, near the intersection with I-64. She said that it was not uncommon for the area to be backed up half a mile in the morning, with drivers attempting to merge onto I-64. She said that traffic typically travelled at 50 mph on Dudley Mountain Road. She said that a nearby hill could be hazardous, as drivers may not be aware of oncoming vehicles, especially when pulling out. She said that she had been fortunate to avoid accidents on Old Lynchburg Road, but she had numerous close calls due to the lack of a shoulder and expansive tree line.

Ruth Outlaw said that she lived on Old Lynchburg Road and also owned a property on Sweet Hollow Road, which was located off of Dudley Mountain Road. She said that she believed the school was a wonderful idea, and the planning that had gone into it was fantastic. She said that as a conservationist, she fully supported the ideas behind this school. She said that she had concerns about the accessibility to the school site. She said that there had been discussions about Dudley Mountain Road, but she would like to draw attention to the roads that led to the school, such as Old Lynchburg Road and Red Hill Road.

Ms. Outlaw said that one of her main concerns was the traffic on Old Lynchburg Road, particularly the high speed of dump trucks and motorcycles, and the number of cyclists. She said that the lack of a shoulder made it difficult for pedestrians to walk. She said that she was also concerned about the intersection of Route 29 and Red Hill Road. She said that the blind corner connecting Dudley Mountain Road and Red Hill Road was also a concern. She said that she would encourage a greater focus on the roads that led to the school site and connected to Dudley Mountain Road.

Bruce Hullaven said that he had been living on Dudley Mountain Road for the past 20 years and drove on it regularly. He said that traffic coming from the south was a concern of his. He said that another issue that had not been brought to attention enough was the number of bicycles on the road. He said that although it had been mentioned briefly, he believed bicycle trips far exceeded car trips, particularly during morning, evening, and weekend hours, especially on nicer weather days. He said that when Rabbi Gutherz had supporters stand up, it served as a perfect metaphor for the traffic impacts.

Ryan Armstrong said that one of the points made about this proposal was the proposed conservation easement, which would seem to offer little benefit given that a significant portion of the area was already protected by existing stream buffers and critical slopes. He said that it appeared that the land was already self-protecting. He said that he would like to focus on the traffic coming in from Old Lynchburg Road.

Mr. Armstrong said that the process used to communicate with nearby residents, including those at Mosby Mountain, Whittington, and Fiddlesticks Lane, did not effectively convey the potential risks. He said that residents at Fiddlesticks Lane had to roll down their windows to listen for oncoming traffic when approaching the road, as they could not see it. He said that adding 500 more trips per day would be problematic for those residents, particularly across the road from them.

Mr. Armstrong said that the entire route into Dudley Mountain was problematic. He said that Blue Wheel Cyclery promoted Dudley Mountain Road as a low-traffic route, but this may need to be updated. He said that the width of the road at his driveway was 16 feet, while the quarry trucks and dump trucks were 8.5 feet wide. He said that during high development times, these trucks

frequently traveled through Dudley Mountain Road, causing additional traffic. He asked the Commission to deny the special use permit.

Diane Postnix said that she resided at 2191 Dudley Mountain Road. She said that the issue with gravel trucks was not insignificant. She said that a local gravel company on Red Hill used their road as a shortcut to Old Lynchburg Road, and this occurred regularly. She said that it was not a rare occurrence, but a constant issue. She said that the trucks were not traveling at 25 miles per hour. She said that her personal experience with the intersection at Old Lynchburg Road, which was previously deemed hazardous, was that it featured a steep curve and a hill, surrounded by residences on both sides. She said that when she was on her way to the doctor due to a hearing issue, a logging truck drove her off the road at that curve. She said that she exited her vehicle and was terrified, as she knew she could not hear if the driver even spoke to her. She said that she was not part of the accident statistics, but she was a near miss.

Micah Kemp said that he resided at 1948 Dudley Mountain Road. He said that he moved to this area in the summer of last year, as of May 1. He said that he understood the community's interest in this project, particularly the need for a daycare and a sense of belonging. He said that his wife was seven months pregnant at the time. He said that they regularly walked their dog down this road every day. He said that they experienced 400% more traffic on this street, which posed a significant risk to himself, his wife, their dog, and their future child.

Mr. Kemp said that he was deeply concerned about the safety implications of this project, and he urged the Commission to consider the potential hazards. He said that the numbers clearly indicated that this project did not align with the County's standards for existing roads, resulting in little to no discernible difference in traffic patterns, as outlined in the comprehensive plan. He said that the limited visibility on the road was a pressing issue, and the proposed ingress and egress plan was at a particularly hazardous location.

Mr. Kemp said that there were six locations with a 20-degree slope right before this intersection, which was a notorious spot for speeding. He said that he had personally experienced the danger of this stretch, having to pull into his neighbor's driveway multiple times to avoid a head-on collision. He said that he had concerns about the stacking plan, which would unload 25 children every 20 minutes in a 30-car long configuration. He said that toddlers were notorious for their lack of cooperation, and this plan would inevitably lead to backups onto Dudley Mountain Road. He said that the combination of a blind hill and potential backups created a hazardous condition.

Mr. Kemp said that he wanted to bring attention to the poor road conditions, which included at least eight failing culverts on this street. He said that in front of his house, the street was 16 feet 4 inches wide, and it was nearly impossible to pass traffic without moving off the road. He said that the proposal was not suitable for existing rural roads.

Todd Lieback said that he lived at 1497 Dudley Mountain Road. He said that there had been considerable discussion about traffic on their road, and it was a major concern. He said that one aspect that had not been mentioned was the road's condition in winter. He said that both Dudley Mountain Road and Old Lynchburg Road were notoriously hazardous in snow and ice, particularly where Dudley Mountain Road met Old Lynchburg Road. He said that the road's slope exacerbated the issue, as vehicles tended to slide down into Old Lynchburg Road when the road was icy or snowy.

Stacey Derby said that she was an Albemarle resident and small business owner. She said that she wanted to personally apologize to any neighbors who felt that they had not done sufficient outreach and communication. She said that this was an absolute oversight on their part. She said that she was a board member at CBI, although she was not directly involved with the Forest School. She said that as a leader of the Jewish community, she strongly felt that this oversight should be addressed, and she believed that they owed an apology to their prospective neighbors.

Ms. Derby said that it was their responsibility to reach out, communicate, and build bridges. She said that she wanted to reassure the Commission and everyone in the room that their concerns and the prospective neighbors' concerns were their top priority. She said that change could be difficult, and they understood that. She said that in rural areas, they had a unique opportunity to protect the beauty. She said that as a Jewish community, they lived by the phrase Tikkun Olam, which meant "Heal the world" and "Make this world a better place than the way they found it." She said that this was their intention with their neighbors, with the land, and with the school.

Ms. Derby said that she was hearing concerns from neighbors about water levels, protections, and well levels. She said that they shared these concerns, and they were not looking to misrepresent or overlook these details. She said that she was also hearing concerns about hunting rights, and these would not be affected. She said that they wanted to protect hunting rights. She said that it seemed that the main issue was traffic, between the gravel trucks, the logging trucks, the 16-foot width of the road, and the challenging corner at Old Lynchburg Road and Dudley Mountain Road. She said that it was clear that there was already a traffic concern on this road, regardless of whether or not the school was involved.

Ms. Derby said that her thought was that they should work together, and instead of pursuing a development with 12 additional homes or a vineyard, as was previously suggested, they should collaborate to ensure that this was a safe option. She said that addressing the traffic concerns was a priority. She said that she suggested they work together with VDOT to find solutions to remove the logging trucks and gravel trucks from the road. She said that she believed that with a collaborative effort, they could make this work.

TC Lowe said that he lived at 2121 Dudley Mountain Road. He said that one thing that had not been discussed was the presence of giant yellow signs in front of mailboxes and yards along their road, which clearly stated "No School on Dudley Mountain." He said that approximately 80 to 95% of the houses in this area had these signs. He said that he believed that the residents who lived on these roads should have a greater say in the matter than those who were bringing their children to school on the road.

Timothy Wooster said that he lived on Dudley Mountain Road. He said that his primary concern was that they were basing their analysis on the statistics from phase one of development, but he believed that this special use permit was intended to cover multiple phases of development. He said that he was particularly concerned about hosting special events, whether they occurred during the week or on weekends.

Teresa Andrews said that she lived at 1764 Dudley Mountain Road. She said that the concerns that had been raised went beyond traffic issues and encompassed safety concerns. She said that in 1987, she was starting her job and had a child in the car with her. She said that as she was driving from her residence up the road in the rain, the road suddenly became impassable due to water. She said that she was unable to turn around, so she decided to drive through, which was

not a wise decision. She said that fortunately, a neighbor traveling in the opposite direction saw her and her child stranded in the water and stopped to assist.

Ms. Andrews said that she had a photograph from this past fall that illustrated the recurring issue of water crossing the road in various locations. She said that this problem had persisted since at least 1983, and she was confident that they have experienced numerous instances where inclement weather, such as today, caused deep water to flood the road, making it a serious safety concern.

Sophie Allen said that she lived at 1700 East Market Street. She said that she was also the Director of Operations at CBI Forest School. She said that she would like to address two areas of concern that have been raised tonight. She said that one area of concern was the issue of severe weather. She said that as part of her job, she reviewed weather forecasts and consulted with County schools regarding snow and flooding, ice, and other conditions that may make roads unsafe. She said that they always prioritized the safety of teachers, families, and children, and they never put them on the roads when it was not safe.

Ms. Allen said that she would also like to bring up some road data that she believed had not been discussed. She said that many of their teachers were also parents at the school. She said that this means that some of the numbers they were seeing for staff may include students as well. She said that it was unrealistic to assume that all of their students were riding in one car, and she was happy to look into the data to provide a more accurate picture.

Philip Househalter said that he lived at 1831 Old Lynchburg Road. He said that he lived approximately two miles south of where the school was proposed. He said that one of the topics they discussed was traffic on Dudley Mountain Road and the surrounding area. He said that his concern was the impact of leaving the woods and entering town. He said that Southwood would be bringing significant traffic volume.

Mr. Househalter said that Cavalier Crossing was seeking to develop an additional 165 units, which was already a substantial development before reaching the County buildings on Old Lynchburg Road. He said that the police presence in the area was notable, as they regularly directed traffic to allow students to enter Covenant School. He said that it was particularly challenging to access town from the southern end of town, and he was concerned that this situation may be comparable to the issues experienced with Route 29 North.

Chris Hines said that his family lived at 4150 Lofton Lane, which was located off Dudley Mountain Road. He said that one of the criteria for approving a special use permit was harmony with the environment. He said that he had not heard a single Dudley Mountain resident who supported the placement of the school there. He said that this did not seem to align with the concept of harmony.

Kent Schlussel, speaking remotely, said that he was a resident of the Rio District, and he had been a resident of Albemarle County for 48 years. He said that several years ago, he had addressed this Commission on multiple occasions regarding developments in the Rio Road and John Warner Parkway areas. He said that the Dun Lora Homeowners Association, along with others, presented data on traffic on Rio Road, including accident rates and projected vehicle numbers, as well as the impact on schools.

Mr. Schlussel said that unfortunately, much of this data did not change the Commission's opinions on new developments. He said that the vote to approve some of these developments was influenced by at least two no votes due to concerns about inadequate infrastructure improvements. He said that the zoning change to multi-housing allowed the development of 328 units at Rio Point, which was currently being built. He said that this project would add approximately 1,000 additional vehicles to Rio Road, which was already experiencing significant traffic due to the numerous developments along that road.

Mr. Schlussel said that the approval of 999 Rio Road would add a few hundred more cars to the already hazardous intersection of Rio Road and Belvedere Boulevard, with some improvements to be made by VDOT. He said that in his experience, his life had changed significantly since moving into his current home, which was once a rural area. He said that the increased traffic had significantly impacted his daily driving habits. He said that his point was straightforward: please be consistent in recommendations and follow past actions. He asked the Commission to recognize that traffic would continue to increase, but the CBI school was a good fit for the County and the area, unless one wished to preserve the land for vineyards and other businesses. He asked the Commission to approve the special use permit.

Colette Hines said that she lived at 4150 Lofton Lane. She said that they were new to the area and had purchased their home there specifically because of its quiet nature. She said that they had moved from the Rio Road area. She said that one aspect that was not mentioned tonight was the presence of inexperienced drivers. She said that there were teenagers in her household, including her two children. She said that one of them was currently learning to drive and it took him approximately three to four months to become comfortable with the side roads. She said that she was expecting her youngest child to start driving soon, who was almost 16 years old. She said that she believed it was essential to consider the safety implications of this, as inexperienced drivers could pose a significant risk.

Charlotte Crystal said that she was President of Congregation Beth Israel. She said that there is only one synagogue in Charlottesville, which was Congregation Beth Israel. She said that they also had one school, the Forest School, which was open to children of any faith affiliation.

Angela Daniel said that she was a member of CBI. She said that she believed they could all agree on one thing: their government must prioritize providing safe roads. She said that this had been a primary concern that she had heard expressed. She said that if their government could improve road safety, many of the issues they faced might not be as prevalent.

Ms. Daniel said that she respectfully asked that they consider addressing road conditions. She said that even if a school was not built in the area, the numerous road problems posed a significant threat to people's lives, and it was their community's responsibility to resolve these issues. She said that rather than simply saying "if it's a road problem, tough luck," she urged them to work towards improving roads for everyone, allowing them to grow and thrive properly.

Kelsey Kauger said that she was a Forest School parent. She said that she would like to encourage everyone who lived in the Dudley Mountain Road area to consider the potential impact of a vineyard on the property. She said that she understood their concerns about cyclists, young drivers, and lack of clearance on the road. She said that she would ask them to consider how a vineyard could address these issues. She said that if there were concerns about drunk drivers at

night, a vineyard was allowed by right if the school did not take the property. She said that condos were also allowed by right.

Ms. Kauger said that if they had concerns about the water table, she would encourage them to consider the potential impact on that. She said that they were currently looking at this issue through a very narrow perspective. She said she believed that it was essential to consider the long-term effects of development on that property. She said that as people thought about what they wanted the next 10 years to look like on that road, she encouraged them to think about who would be a better neighbor.

Diane John said that she lived at 2545 Old Lynchburg Road. She said that there was a winery located nearby, yet they rarely saw traffic from it. She said that there was a KOA campground situated around the corner, the polo grounds, and potentially a living Earth camp, which was expected to accommodate 500 people on the road. She said that given that they were in a rural area, she wanted to express her desire to maintain the rural character of their community.

Mr. Carrazana provided the applicant the opportunity for rebuttal.

Ms. Abbey-Clark said that she wanted to close tonight by reiterating their purpose. She said that as an educator, her goal was to create living ecosystems that taught children how to become resilient, compassionate, and curious citizens. She said that outdoor exploration represented the essence of childhood. She said that she firmly believed that land use for educational purposes was the best way to protect their future.

Ms. Abbey-Clark said that together, CBI and the Dudley Mountain residents could begin to pave the way for innovative childcare solutions. She said that, together, they could continue to prioritize environmental education for children and families, and she was confident that, together, they could overcome any obstacles, including traffic. She said that by working together, she was committed to ensuring that the Jewish community in the County continued to thrive.

Mr. Carrazana closed the public hearing.

Recess

The Commission recessed at 8:03 p.m. and reconvened at 8:11 p.m.

Public Hearing

SP202400023 – CBI Forest School – Dudley

Mr. Clayborne asked for clarification about the by-right uses and what the anticipated traffic impacts would be. He said that if they referred to page nine of the applicant's narrative, they would find that it discussed various uses, including a daycare center, church, detached dwelling, wine tasting room, brewery, and tap room. He said that the brewery and tap room caught his attention, particularly if it were considered a by-right use. He said that he was curious to know how the intensity of this use would compare to the proposed project.

Mr. Shoaf said that while these scenarios were theoretical in nature, agricultural use was permitted by right, which meant that breweries and wine tasting establishments were also

permitted by right. He said that when it came to the specifics of the number of attendees or the size of the event, there were supplemental regulations that triggered different requirements from the County. He said that these regulations may include zoning clearance or other needs. He said that given that these scenarios were theoretical, it was challenging to assess what the comparison would be with the proposed use.

Mr. Murray said that this situation reminded him of his own neighborhood in Sugar Hollow. He said that they had a narrow country road, a lot of traffic, and people coming for recreation, including cyclists and runners. He said that they had a Girl Scout camp on the road that brought a lot of traffic. He said that they navigated situations carefully with the community through communication and collaboration. He said that they had a large conservation easement that limited development along their road, which had been a saving grace for their community.

Mr. Murray said that the Girl Scout camp had been effective in communicating with residents, advising them to be cautious of runners and cyclists, and it had made a noticeable impact. He said that in his experience Sugar Hollow had successfully worked together to achieve positive outcomes. He said that there were key differences between his neighborhood, or Reservoir Road, and Dudley Mountain Road. He said that his road and Reservoir Road were dead ends. He said that Dudley Mountain Road was a cut-through, which was a big problem.

Mr. Murray said that he was concerned about the importance of biodiversity in this area. He said that there was a G1 habitat located there. He said that G1 habitats had fewer than 20 occurrences worldwide, making it a valuable natural resource. He said that it was essential to have someone who cared about these resources. He said that if they looked at the number of properties along the road that were not under easement, they could be developed immediately, regardless of what happened with the school, and they would end up with the equivalent of the school's impacts.

Mr. Murray said that this situation illustrated many of the concerns he had been raising for a long time regarding their rural roads and rural infrastructure. He said that it highlighted the need to address issues related to cyclists, runners, and walkers in their rural areas, who required protection of these uses. He said that this was a case in point. He said that if they were to simply allow by-right density, this issue would already be a problem.

Mr. Clayborne said that what he was really grappling with the by-right potential and the request. He said that he acknowledged that the applicant's proposal was well laid out. He said that he appreciated the project's focus on caring for the land, respecting the land, and being considerate of neighbors. He said that he had concerns particularly around vehicular safety. He said that as someone who took staff recommendations seriously, especially when it came to ensuring their children's safety, he was deeply concerned about the condition of the road and its impact on daily travel. He said that the cut-through traffic and weather conditions, especially during snowfall, posed significant challenges. He said that he believed the road infrastructure was not suitable for the increased traffic volume. He said that he was also concerned about the impacts of by-right development.

Mr. Bivins said that they were all aware that the County did not manage the road; VDOT controlled the public roads. He said that he was unsure how to convince VDOT to improve the safety of the road. He said that furthermore, with reduced federal funding, their options for improving secondary roads may become even more limited. He said that he was also interested in whether the conservation easement on this property had been finalized, because that could affect the

outcome. He said that he would like to support the request, but he did not feel it would be prudent to do so without knowing that funding was available for improvements to the road. He said that he would hope that there was a way for the residents to improve the road for the betterment of their community, but he did not see the path forward at this time due to funding restrictions.

Mr. Moore said that he acknowledged the County had an identified need for quality childcare and learning. He said that they also had a strong need for good water quality and access for everyone. He said that it was possible that this facility would use less water than four houses would, or at least would be comparable. He said that additionally, everyone had a need to be physically safe, and there was an identified need for better-designed roads across the entire County to make them safer. He said that the rural roads were not necessarily designed for safety, they were only to provide a path to a destination.

Mr. Moore said that he certainly supported building the things their community wanted, as well as improving their infrastructure and services to support the things they needed and cared about. He said that he wished they could stipulate that the roads be fixed in addition to the school being built, but the County could not control that. He said that he also had some discomfort with the zoning standards for this parcel, as the by-right uses could still result in vastly increased traffic along this same road.

Mr. Carrazana said that with their currently ongoing AC44 process, they had discussed their rural roads very recently. He said that Mr. Murray had raised his concerns about aspects of their rural roads for quite some time. He said that everyone present could likely discuss any number of roads they encountered in their daily lives that had the same conflicts that Dudley Mountain Road had. He said that many rural roads had through traffic that one may not expect, but in reality, created serious safety issues. He said that he believed this was a larger County-wide issue that needed to be addressed in their AC44 planning and action plans to make improvements to infrastructure. He said that this was a prime example of where there was a great opportunity to provide the community with a needed facility, but they were limited due to the existing infrastructure.

Mr. Bivins asked if staff had a response regarding the status of the conservation easements or the land and easement in that specific area, if it currently existed or did not exist.

Mr. Shoaf said that staff had not yet received a conservation easement at this time.

Mr. Bivins said that it did not exist today, and he did not find any recommendations that supported it. He said that there was no indication that the applicant intended to implement it.

Mr. Shoaf said that according to the report, the applicant intended to provide the easement, but staff did not have any evidence to support it.

Mr. Murray said that for further clarification, he would like to reiterate what he understood from their discussion. He said that the proposed conservation easement, as far as he could gather, only addressed development rights and did not limit the ability to divide the property into 21-acre lots. He said that this would be somewhat restricted by the property's topography, including the critical slopes.

Mr. Murray said that it would be interesting to know the conditions that came with the conservation easement. He said that for example, whether it would require the land to be forested, similar to

some conservation easements, or if it was an open space easement. He said that open space easements often did not restrict agricultural uses and allowed for clearing the land from front to back, including stream buffers. He said that knowing the type of easement would be valuable information. He said that while it may not necessarily impact his vote, he believed it would be an important data point to consider.

Mr. Shoaf said that he wanted to provide additional information. He said that if the Commission was interested in recommending approval, staff had drafted some recommended conditions, which were displayed on the screen. He said that as a result, the development was conditioned to be in general accord with the conceptual plan. He said that the conditions included the location of proposed buildings, parking areas, limits of disturbance, and maximum building footprint. He said that regardless of whether a conservation easement was in place, staff was conditioning where the applicant could develop on this property for this special use permit. He said that he could review the full condition list if needed, but this was the first one he wanted to highlight.

Mr. Murray said that he felt he would have felt more comfortable with this proposal if there had been additional community meetings. He said that although there was the mandated community meeting, he believed that more could have been done to build consensus with the neighbors. He said that he thought that, in turn, could have influenced his decision on this proposal.

Mr. Clayborne said that he could not recall whether it was from a staff presentation or an applicant's presentation, but there was a slide that discussed the number of students and mentioned that unique families contributed to the 144 maximum student limit. He said that some teachers had students who attended, and he wondered if there was a way to get a sense of the existing conditions. He said that for example, they currently had 60 students in school, with 40 unique families. He said that he wondered if there was any way to help them better understand the actual impact of vehicle trips per day.

Mr. Shoaf said that they currently lacked information on student demographics and were unable to provide an answer to that question at this time.

Mr. Clayborne said that there was something within the Chair's purview that he believed would be valuable if the applicant had considered it.

Jill Abbey Clark, Director of the Forest School, said that they currently had 91 students from 63 families. She said that as a community school, there was a need for, and when they were struggling to find space at Camp Holiday Trails, they implemented a carpooling system. She said that they made a concerted effort to carpool because they knew it was a challenging road. She said that as a community, when communities worked together, they could accomplish a lot.

Mr. Carrazana asked if staff could review the conditions.

Mr. Shoaf said that the first condition was that the development must be in general accord with the conceptual plan provided. He said that the essential elements included the maximum building footprint and a 50-foot side building setback, which was consistent with their requirements for general commercial districts in the development area. He said that there must be additional screening provided along the property's boundary lines.

Mr. Shoaf said that the second condition was that limiting the maximum enrollment requested by the applicant. He said that the third condition was related to the hours of operation. He said that the fourth condition was related to the morning drop-off time. He said that the fifth condition restricted building heights. He said that conditions six and seven required improving the frontage of the subject property to current VDOT standards and dedicating the 50-foot right-of-way on both sides of Dudley Mountain Road. He said that the eighth and final condition was to establish and maintain the stream buffers on the site.

Mr. Bivins said that that he wanted to state for the record that he supported the proposal but must vote against the application due to the traffic issues. He said that he wanted the Supervisors to address this issue, because they were limiting the response of their community based on the infrastructure. He said that when discussing the type of community, they wanted Albemarle to be, if they were going to put governance on that due to the state of their infrastructure, they must solve that issue as a whole.

Mr. Bivins said that he also recommended the applicant prove that they were very involved with the neighbors and had a clear explanation of the school population so that the Supervisors could easily understand how many families would be visiting this piece of property and therefore be the as informed about the traffic as possible.

Mr. Moore said that infrastructure was certainly needed, and they were limited due to the underfunded infrastructure. He said that he would be supporting the application because he did not think it should be limited by the poorly-maintained infrastructure. He said that they must accept the great need for childcare that was under threat if the school lost their current space. He said that they had to make sure they invested in the current road to ensure it was good enough for 60 families to travel it. He said that he did not know if VDOT would ever do that, but he must support that as an aspiration for the plans.

Mr. Murray said that he agreed with Mr. Bivins on this item. He said that while he wanted to vote yes, because it was certainly a great project, he wished there was more community engagement, better roads, and a plan that accommodated the current residents of the road. He said that he felt compelled to vote no, but wished he could be more supportive because of the validity and strength of the project. He said that he hoped the issues could be fixed.

Mr. Clayborne said that they had heard so much testimony about the dangers of this road and traffic concerns. He said that he could not support something that may endanger children when they had been warned by the residents. He said that while it could happen with any use, with it being a school for young children, he felt that must be a major consideration. He said that he was very much in support of the project but could not support it due to the lacking road infrastructure.

Mr. Bivins said that this proposal was very straightforward and should be a simple approval; however, the road that this school would be located on was notoriously dangerous to anyone that drove it, and they had data that proved that point. He said that he could not support adding a high number of drivers to a road like that.

Mr. Carrazana motioned that the Planning Commission approve Special Use Permit SP202400023 Congregation of Beth Israel Forest School Dudley, with the conditions provided by staff. Mr. Moore seconded the motion, which carried (3-2). (Mr. Carrazana, Mr. Moore, and Mr.

Bivins voted aye; Mr. Clayborne and Mr. Murray voted nay; Mr. Missel and Ms. Firehock were absent)

Recess

The Commission took a brief recess.

Committee Reports

Mr. Bivins said that he recently attended a Places 29 Hydraulic Community Advisory Committee (CAC) meeting, where he heard something that he believed would be valuable for the Board of Supervisors and the Planning Commission to consider before the end of AC44. He said that he thought it would be helpful for them to hear a demographic analysis of the Charlottesville-Albemarle region during the 2020s and beyond.

Mr. Bivins said that during the meeting, he had the opportunity to hear Hamilton Lombard, a demographer at the Weldon Cooper Center, share his insights with the CAC. He said that Mr. Lombard's information was helpful in providing a nonpartisan understanding of their community's demographics, including who drove their economy and what types of people lived there. He said that what struck him was that their community bore a resemblance to places like Jackson, Wyoming, and Vale, rather than other areas that were often stereotyped about them.

Mr. Bivins said that this realization had been a long-held sentiment for some of them, and it was reassuring to have someone outside of their community reinforce this point. He said that as they approached the end of AC44, he believed that it would be beneficial for both the Board of Supervisors and the Planning Commission to take a step back and consider the demographic trends that shaped their community. He said that this could be a heavy topic, but Mr. Lombard actually had a very effective presentation and a very pleasant demeanor. He said that if the Supervisors were to hear this and it were to be shared in a public setting, he believed it might help to shape a narrative about where their community stood and what they might be working towards.

Mr. Carrazana said that gaining more education about their community would be beneficial, as he was frequently surprised by the realities in his work. He said that even individuals who had been residents for a long time often did not fully comprehend the challenges they faced. He said that one aspect that was likely not represented in this demographic study was their unique situation as a town with a major medical academic center. He said that in a town of 50,000 and a County of 120,000, such a relationship was relatively rare nationwide. He said that this was a positive aspect, but it also presented significant constraints in terms of traffic and access.

Mr. Bivins said that what was seen was that high-income areas had access to superb medical care. He said that access to quality healthcare was directly related to the income of their area.

Review of Board of Supervisors Meeting: May 7, 2025

Mr. Barnes said that at the May 7 meeting, the Board adopted the County budget. He said that they also received a presentation from their Transportation staff on the Safety Blue Ridge Action Plan, a federal-funded project studying intersection safety and other safety issues within the planning district. He said that the staff provided recommendations in the study for Albemarle

County, and they were hoping to discuss transportation matters further at the June meeting. He said that they would bring that to the Commission's attention at that meeting.

Mr. Barnes said that they also received a presentation and discussion on the AC44 Housing chapter, which the Commission had previously reviewed. He said that the Board held two public hearings. He said that the first was the Crozet Independence Day celebration, which was approved. He said that the second was in Pantops, where Flow sought to rezone critical slopes around the rear of their site, and that was also approved.

New Business

Mr. Barnes said that moving on to new business, he would like to mention an item that was on the June 10 meeting agenda, which was pulled off. He said that he had reached out to Dr. Stacy Pethia to provide the Commission with a report on housing, which should help address some of the educational aspects the Commissioners had been inquiring about and hopefully mark a step in the right direction on that matter.

Old Business

There was none.

Items for follow-up

There were none.

Adjournment

At 8:45 p.m. the Commission adjourned to May 27, 2025, Albemarle County Planning Commission meeting, 4:00 p.m.

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Michael Barnes, Director of Planning

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

Approved by Planning Commission
Date:
Initials: