

Albemarle County Planning Commission
September 25, 2018

The Albemarle County Planning Commission held a public hearing on Tuesday, September 25, 2018, at 6:00 p.m., at the County Office Building, Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Tim Keller, Chair; Bruce Dotson, Julian Bivins, Jennie More, Daphne Spain; Pam Riley, Vice-Chair and Luis Carrazana, UVA representative. Karen Firehock was absent.

Other officials present were Bill Fritz, Manager of Special Projects; Megan Nedostup, Principal Planner; Tim Padalino, Senior Planner; Andrew Gast-Bray, Assistant Director of Community Development/Director of Planning; Sharon Taylor, Clerk to Planning Commission and Andy Herrick, Assistant County Attorney.

Call to Order and Establish Quorum

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

The meeting moved to the next agenda item.

PROJECT: SP201800004 – Peabody School Amendment

MAGISTERIAL DISTRICT: Scottsville

TAX MAP/PARCEL(S): 076M1000001500

LOCATION: 1232 Stony Ridge Road, at the intersection of Stony Ridge Road and Southern Parkway

PROPOSAL: Amend Special Use Permit (SP2012-030) to expand enrollment of a private school to increase maximum number of children from 210 to 240 (30 additional students) within a proposed addition to the existing school. Also, proposed are two special exceptions from ZMA1995-019 and ZMA1996-021 to allow a disturbance of the buffer along Southern Parkway for an egress only access to Southern Parkway; and to allow disturbance of the conservation area for a sports court. No residential units proposed.

PETITION: 20.4.2 and 23.2.2(6) School of Special Instruction; 8.5.5.3 Special Exceptions

ZONING: PUD- Planned Unit Development-residential (3-34 units per acre), mixed with commercial, service and industrial uses (ZMA1995-019 and ZMA1996-021).

OVERLAY DISTRICT(S): Managed Steep Slopes; Airport Impact Area

COMPREHENSIVE PLAN LAND USE/DENSITY: Industrial – manufacturing, storage, distribution, office and commercial activities related to industrial use and research and development.

(Megan Nedostup)

Ms. Nedostup summarized the staff report for SP-2018-00004 Peabody School and pointed out the location of Southern Parkway, Mill Creek Subdivision, Peabody School, Stony Ridge Road, and Foxcroft Subdivision. She noted the trailers which are going to be replaced with a permanent one-story addition that will include classrooms, a fine arts studio, a science class, a library and media center to total an approximately 7,195 square feet. She noted there is an interesting open area that will have an addition of an amphitheater and a sports court and you can see the parking circulation that goes through.

Ms. Nedostup said they are proposing a right-out egress only onto Southern Parkway that we have heard many concerns about, and we can discuss that further. As part of that egress there is a special exception request for disturbance of a 10' existing buffer along Southern Parkway here. Their proposal is to amend their existing special use permit to increase the maximum number of students from 210 to 240; replace

the existing trailers on site with a permanent one-story addition also including an amphitheater and a sports court, the egress only access way right onto Southern Parkway and a special exception for that access way along Southern Parkway.

Ms. Nedostup said the next slide shows the concept plan that shows the existing trailers where the expansion addition is and the amphitheater is located west of that and the sports court. As you can see, their proposed egress is located along Southern Parkway. The next slide is an enlargement of that egress because there is going to be questions and discussion around that and she can go back to that graphic as well. Next is the vicinity map that shows Southern Parkway, the highlighting of the site, as well as Avon Street and Mill Creek Drive that has the signalized intersection. Ms. Nedostup said staff recommends approval of both the special use permit and the special exception with conditions and wanted to leave time because there are a lot of concerns and questions about the egress and additional exit on to Southern Parkway.

Mr. Keller invited questions for staff.

Ms. Spain asked if the Commission received an email today saying that there has been some consideration of this egress which is why the VDOT representative is here

Ms. Nedostup replied yes, VDOT can speak to this more clearly but the summary is that previously they were considering Southern Parkway a collector road which has a different spacing standard and so they were requiring the right turn egress only out. However, upon further review of a future plan for Southern Parkway, they believe it could be looked at as a local street that has a different standard for access and spacing standards so they thought it could be a full access entrance there.

Ms. Spain asked for both left and right turns, and Ms. Nedostup responded yes.

Commissioner More, said currently the access without that exception we are looking at tonight is a roundabout with a drop off and then they come back out to Stony Ridge Road, and Ms. Nedostup responded that is correct.

Commissioner More said then they come to Southern Parkway and can go left or right and Ms. Nedostup replied that is correct.

Commissioner More asked is there a signalized intersections at Southern Parkway and Avon.

Ms. Nedostup replied there is no signalized intersection at Southern Parkway and Avon and pointed out the location of Peabody School and Stony Ridge Road. She said they would come in and come out and can go either left or right and if they went right, they would go down Southern Parkway, take a left onto Grist Mill, come down, and take a left onto Mill Creek Drive, which would then get them up to the signalized intersection at Mill Creek Drive and Avon Street. If they took a left, they would get onto Southern Parkway and get in a left turn lane but there is no signal there at the intersection of Southern Parkway and Avon Street.

Mr. Carrazana asked was the initial issue with the proximity to the intersection and is that why they are recommending a right only and Ms. Nedostup replied yes.

Mr. Carrazana asked what is that distance, and Ms. Nedostup replied it was 250' for a collector road and asked what the standard for a local feed is – it is 50'.

Mr. Keller asked the VDOT representative to come up and speak.

Adam Moore, Assistant Resident Engineer for the Charlottesville Residency, said as Megan said when we first looked at this we considered Southern Parkway to be a collector road and it is how it was designed and how it was intended to be used when it was first constructed. Mr. Moore said the development plans have changed so at this point it is probably not likely for that road to extend much farther; and therefore thinks because the design officially is classified as a collector road that it can be viewed as a local road. He said that therefore we are applying local street spacing standards that is 50' from the ends of the radii.

Mr. Bivins asked Mr. Moore if he could open up what that means in what kinds of possibilities can happen on the property and how that might impact both entrances.

Mr. Moore replied that most likely this means that people exiting through the proposed entrance will be able to go up and take a left and go directly towards Avon or cut through the neighborhood and go right. He said without a study on this subject it is hard to say how many would choose to go which direction and it had not been studied.

Mr. Keller asked Mr. Moore to explain the fact that in counties in Virginia, the roads are the state roads and so therefore, if a subdivision's road has been accepted into that system those neighborhood roads are state roads rather than subdivision roads.

Mr. Moore said that is true but how would you want that to be expanded on.

Mr. Keller replied that we are trying to grapple with this all of the time. He said our citizens in neighborhoods where changes are occurring on the edges grapple with whether their roads are indeed their roads or whether they are everyone's roads.

Mr. Moore responded that he thinks in general, there is an effort and we talked a lot about connectivity with the new proposed plans. He said what that means is distribution of traffic and the presentation of options for the traveling public to be able to find the route that best suits their origin and destination. He said in this case some students will live in the neighborhoods nearby, some parents will cut through the neighborhood and some will choose to go up to Avon and turn right and maybe U-turn but those options distribute traffic more evenly and allow the intersections to operate as best as possible.

Mr. Keller said that you are speaking to flow and another aspect of that would be that if these were actually the subdivision's roads then the HOA fees would most likely be higher because they would have to be paying for the maintenance of those roadways as well as opposed to the tax distribution for the cost of maintenance.

Mr. Moore responded that is correct.

Commissioner More said with the current traffic pattern when people are leaving the school and they turn right onto to Stony Ridge Road they can still turn right and cut through these neighborhoods to get to the signalized intersection.

Mr. Moore replied that is right.

Commissioner More said that might be happening already, and Mr. Moore responded that there is some portion of the traffic that is already doing that.

Commissioner More said a secondary access to Southern Parkway would seem to benefit only the potential flow within the parking lot itself.

Mr. Moore responded that is right and that is a common challenge that we try to assist the schools with public and private is site circulation finding a place for the many parents that come to drop off students and allow the waiting for the drop-off and the pick-up to impact the surrounding roadways as least as possible.

Commissioner More noted that currently people with what is available to them could be taking that right and using that shortcut, and Mr. Moore responded yes.

Commissioner More asked if a driver wanted to turn left onto Stony Ridge Road is there an option for them if they are trying to get to Avon Street and having trouble making that left off Southern Parkway to leave the school and turn left onto Stony Ridge Road and somehow access.

Ms. Nedostup replied no, it actually ends in a cul-de-sac.

Mr. Bivins said so your new evaluation of the proposed entrance says that it can be a right in, left in.

Mr. Moore responded that full access would mean right in, right out and left in and left out with no restrictions.

Mr. Bivins said given that does it also mean that a condition could be right in, and Mr. Moore responded yes.

Mr. Bivins said that would then answer some of the questions that people are proposing, and Mr. Moore responded that is right.

Mr. Bivins asked could you tell us a little bit more about the traffic flow on the property and he would like to have a bit of an appreciation of what your guidance was for the Peabody School.

Mr. Moore replied without having reviewed this site specifically that for their own circulation site specific should be asked of the applicants. He said in general with school circulation or any site circulation we would like people to be able to limit the amount of difficulty in turning around and that is why you can see this site having two loops. He said clearly it is easier for people to cycle through and it provides space for a defector waiting line, a que, for parents dropping off and picking up students.

Ms. Riley asked Mr. Moore to describe a little more what studies have been done or what problems have already been identified at the Southern and Avon Street Extended intersection.

Mr. Moore replied that he thinks the most pressing study is the study currently being undertaken by the County, the Corridor Study of Avon, looking at multiple intersections and not this intersection alone. He said in the past this intersection has been evaluated for potential signalization and it has not met warrants and spacing with other intersections. He said it has been problematic but he does not think that has been done in the very recent past and is why we are waiting to see what the results of the Corridor Study are and what options that may provide for future projects to change and improve intersections.

Ms. Riley said she believed that Avon Corridor Study probably would not be completed for 9 to 12 months, which means we will be waiting for any potential recommendations let alone actual changes for quite a bit of time. She asked Mr. Moore to speculate because she was under the impression that there was not an ability to signalize the light at that intersection given its proximity to Mill Creek. She asked Mr. Moore to explain whether the signal at Mill Creek was possible or not and what other possibilities such as a roundabout or a more minimized roundabout. She said that ultimately the long-term solution

was to dispersing traffic and moving it general in this area since some kind of improvement needs to be made at that intersection.

Mr. Moore replied that he hesitates to speculate on a study that is just getting started and thinks that what we see now is the frequent success in projects being funded for alternative intersection designs. He said that part of the hindrance of this intersection specifically is its spacing to another signalized intersection so if that situation were to change then perhaps some more options than the existing intersection design are available.

Ms. Riley said that she was not sure she understood that answer.

Mr. Moore replied like perhaps if Mill Creek is no longer signalized in the future but it is an alternative intersection design that is not a traditional 8-phase signal with traditional turn lanes and so forth but maybe it a roundabout, R-cut or something like that which operates more efficiently than a traditional signal.

Mr. Dotson said the additional egress or possibly ingress and egress was something that the applicants sought or was that something that the County or VDOT thought would be necessary in order to have smooth functioning and safety.

Ms. Nedostup pointed out that was a request of the applicant.

Mr. Carrazana asked are you looking at warranting the intersection or what is the scope of study.

Mr. Moore replied that he believed that the County is doing a study.

Mr. Gast Bray pointed out that the County is undertaking an Avon Corridor Study that is looking at intersection treatments all up and down that segment of Avon and with a view to multi-modal connections with a view to improving intersections with a view to doing a better job of managing traffic. He said that he did not remember the exact expanse from where to where but it includes this section which is included in that discussion.

Ms. Riley noted that it would be from the City line all the way down Route 20.

Mr. Keller asked if there were other questions for staff or VDOT before we open the public hearing and hear from the applicant. He asked did staff consider a sidewalk along this property boundary for both streets encompassed by this.

Ms. Nedostup replied no there are no additional sidewalks planned for this area and thinks it is more focused on Avon and so we did not consider asking for a sidewalk here.

Mr. Keller opened the public hearing and invited the applicant to come forward to speak.

Valerie Long, attorney with Williams Mullen representing the applicant Peabody School, said we have a number of members of the project team here tonight who can help answer questions. She said we also have Rob Orlando, Head of School; the school's Board Chair Mr. Robert Orlando, our traffic engineer Bill Wench; our civil engineer Scott Collins with Collins Engineering and a few other board members in the audience as well and she would go ahead and address a few of the questions that have been raised. She said Ms. Nedostup's presentation covered many of her slides so she did not want to be duplicative unnecessarily. She said one clarification to Mr. Dotson's question about the proposal of the new exit, and for what it is worth that originally we did not propose that when we came to the pre-application meeting

for the special use permit. She said it was actually a VDOT representative, not Mr. Moore, but another VDOT representative that attended that meeting who suggested that we should consider that. She said so we did hear that feedback and not hearing any objectives to it at the time we did propose it and we would of and still do prefer that it be a full access exit. She said we are very happy to learn this morning about VDOT's new analysis with regard to Southern Parkway and so if it is the preference of the Commission to recommend approval if that is a full access intersection we are more than happy to accommodate that and we think that will help the situation.

Ms. Long pointed out the context in a map, which was very similar to what Ms. Nedostup showed. She said there was a little information on the next slide that was included in the staff report or some of our other materials. She said the school has grown over the years and we are asking for a modest increase of 30 students. She said we have a variety of diverse student body from a number of surrounding areas in the community and they have specially trained teachers to address the unique mission of the school. She said the school has a very small class size of 10 to 16 students. She said we have a number of nationalities represented and about one-third of the students receive financial aid.

Ms. Long said to clarify one other issue that even with the proposed right-out exit the idea was not to restrict the use of left turns off Stony Ridge Road, in fact, that is probably how the circulation pattern would continue to work. She said parents would still be able to turn left to go directly to Avon or turn right to go that way. She said there are a hand full of students who live in the Fox Croft Subdivision and the Mill Creek Subdivision. She said that the circulation pattern is with the drop-off and pick-up. She pointed out as the cars come in here the students are either dropped off or picked up here and then cars come around and some of the older students are dropped off and picked up in the lower loop and then they come back and go back around, come out and then they go one way or the other.

Ms. Long said if this were a full access intersection such that left and right turn exits could be made that would actually help because it would mean that the traffic flow through the parking lot would just be one-way circulation. She said cars could then come out, either go right or left, and we think that is actually a better situation. Ms. Long said as Ms. Nedostup and Mr. Moore explained with the difference in the way Southern Parkway is categorized by VDOT as a collector road we barely had enough distance from here to here and it was just at the 250-foot minimum to have even a right-out exist. She said with the re-categorization of Southern Parkway as a local road the distance requirement, as she understands it, is only 50 feet to have a limited access and with the distance of 250 feet it would qualify for full access and was happy to talk about this at any point.

Ms. Long pointed out the existing trailer that would be replaced with a new building addition. She pointed out the proposed addition, new sports court and images submitted that the architects proposed showing conceptually how the new addition would relate to the existing building and fit in with the land. She said next is a conceptual floor plan for the new space performing art center, stem classrooms, pre-K rooms and a library and media space. She pointed out the egress and images from our traffic study showing how the circulation patterns work and the sort of two different pulses that we are describing in the study based on the drop-off and pick-up times. She said our traffic study did say that the proposed exit only access onto the parkway would increase the efficiency of traffic flow and avoid congestion. Ms. Long said she was going to show you the same routing that Ms. Nedostup showed you about the way that it is currently possible to exit the site and access the signal. She said the conclusion of our traffic study is that the increase in the school enrollment at the site will provide adequate parking and traffic and it would circulate in and out of the site without adversely affecting the adjacent roadway.

Ms. Long said knowing there would be many interesting questions about the Avon intersection we asked our traffic engineer to take a quick look at this to see what impact the additional 30 students would have, if any, on that intersection. She said essentially it is detailed in our report that in sort of the worst-case

scenario we would have an additional 22 vehicles at the site from the additional students and that is in the morning peak. She said it was 22 in and 20 out because some of those are teachers so they do not leave right away in the morning. She said the conclusion was that the overall intersection delay would be less than one second longer than the existing delay and that the overall cueing length will not be more than an additional car occasionally. She said so that was consistent with VDOT's rough findings or at least the statement in the staff report that indicated that both the County's transportation planner as well as VDOT were of the opinion that the proposed increase in enrollment would not have any type of significant impact on that intersection.

Ms. Long said we certainly acknowledge there are challenges with that intersection and the school is happy as everybody to hear that the Corridor Study is going to be beginning soon and hopes that there will be a good solution arrived at and constructed. She said but the good news is that at least our preliminary analysis is that the additional 22 trips that the worst-case scenario will not have a material impact on that intersection and it will not make it any worse. She said those are all the questions but she does have a few other data points from our traffic study that she was happy to answer questions about but would hold that until after the other public comments are made and then address any additional questions.

Mr. Keller turned the public comment over to Vice Chair Riley.

Ms. Riley invited public comment and requested the first person signed up, Ben Whitner, to come forward.

Ben Whitner, member of the Mill Creek Home Owner's Association, said that first he wanted to thank you for all the questions that you posed to the various constituents and it shows your concern and interest in our community. He said from the board's perspective our primary concern was with the right-only egress and not the incremental students, not the change in the structure terms but the right-only egress and the potential for all the additional traffic that could float through because they would be essentially incentivized to make that right versus now they do have that option. He said if the traffic flowed in the way that it was presented it seemed as though it would then funnel indirectly into our community. He said if the full access intersection is something that would be considered he would hope the Commission would give us the opportunity to go back to our communities and let them re-evaluate that in how it could impact our community but formally our concern was with the right-only egress.

Rob Finley, Vice-President of the Mill Creek Homeowner's Association, asked if he could assume that you all have received the written comments that we provided in an email yesterday to the Commission members. Mr. Finley said he was the principal author of that document so you have a clear picture of our concerns as a Homeowner's Association. He said again to clarify more specifically and he sees this here in the material this evening, we have no concerns with the special use permit since our concern relates to the special exception for ZMA-1995-019 and ZMA-1996-021, which are the exceptions to allow the egress that was proposed. Mr. Finley said in summary he will not read the letter but will simply say that we are concerned that the egress as proposed appears to have the intent of funneling a significant amount of traffic to the western Southern Parkway with the result that traffic would exit to Avon Street Extended using Grist Mill and Mill Creek Drive. He said those streets are neighborhood streets, state highways, to make sure they are numbered as state highways; they are 20' wide with no centerline and relatively narrow with the mailboxes very close to the edge of the paved right-of-way. He said we have had already significant increases in traffic through that area and we have issues with speeding on Mill Creek Drive particularly during the morning rush hour. He said so our concern relates to the geometric as is currently originally proposed in the plan, which would serve to funnel traffic to the west on Southern Parkway with the only egress then to Avon Street Extended would be through the Mill Creek neighborhood. He said to the best of our knowledge there was no outreach to our neighborhood by the Peabody School in proposing this approach and we would take respectful exception to the staff's conclusion that there would be no

detrimental impacts to adjoining properties. He said our concern is with the geometry of that roadway and those concerns are outlined in the letter that we wrote. Mr. Finley thanked the Commission for their consideration.

Blair Carter, resident of Mill Creek, said she was here because of the concern about the right turn only egress and was thrilled to hear from Ms. Long that there is a good possibility that can be taken care of. She said that Peabody School actually then would be a good neighbor but that rather freaked me out especially because she went through the numbers. She said having gone through the numbers and the on-site traffic and circulation analysis and if every single car that comes out of Peabody School is routed down the Parkway to Mill Creek based on the actual cars counted and the encapsulated cars counted, we could have between 245 and 280 extra car trips in our neighborhood every single weekday. She said that would be overwhelming. She said Ben and Rob have done a good job of covering points and wanted to point out if you don't know the Mill Creek neighborhood we have no sidewalks, which means our joggers, runners, cyclers, family with their kids, parents pushing strollers and dog walkers – we are necessarily in the street with our activities. Ms. Carter said as Rob pointed out the streets are not super wide and that is where we have to go to do our outdoor activities. Ms. Carter said she was happy to hear that Peabody School asked for that particular egress because it was suggested to them and that they are not necessarily wed to it and she would ask the Commission to approve this special use permit but not to approve the right-only egress. Thank you.

Miles Weiss, resident of 1279 Gristmill Drive in the Mill Creek subdivision, said he was opposed to the special use permit for the Peabody School primarily for the additional traffic that would be funneled through my neighborhood and my neighbors' neighborhood. He said at the risk of being redundant but brief we have narrow streets, walkers, dog walkers, bicyclists, kids getting on school buses and he fears that the additional traffic would be a problem. He said as relates to that this staff report states that there are no factors unfavorable to the Peabody School request and he was not sure with all due respect how staff reaches that conclusion when traffic with the right-turn only egress will clearly be forced through our neighborhood and will be detrimental to our quality of life. He said finally he was not sure that with all due respect to the Peabody School that they acted in good faith because they never approached our homeowner's association, never alerted us to this request, and he did not think that is fair.

Ms. Riley invited David Golladay to speak, and it was noted that he had left the meeting. She invited other public comment.

Susan Shaw, resident at 73 Mill Creek Drive, said she was alerted to the proposal for the right lane egress for the Peabody School and certainly enjoys the school as a neighbor so that is not an issue for me. She said however, as one of the regular walkers and joggers through Mill Creek that she cherished that morning time on a regular basis but without sidewalks had to walk down the middle of the road. She said it is very concerning that there would be an increase in traffic coming through Mill Creek because as others have said these are small streets that really add to the character of Mill Creek and thinks you will find that most folks live there because of the small streets. She noted that because of the lack of sidewalks, we do not have streetlights; it feels rural but close to Charlottesville and so that is one of its charming aspects. Ms. Shaw said she was curious and wondering why the traffic pattern could not be reversed where people go in where the egress is proposed and then the traffic for Peabody through the parking lot would funnel out and come out to the larger intersection as opposed to the reverse.

Hunter Mccardle, resident of North Garden and parent of 2 students at Peabody School in the 5th and 7th grade, said we have been there since first grade for each of those kids. He said Peabody School has been a gift for us as far as allowing exceptional academic, emotional, and social support for our kids in the needs that they have that we could not find at any other school. He said through our time of 7 years at the school we have seen it grow thankfully and we have met the needs of that growth through various

additions and infrastructure improvements. He said this particular proposal is critical for our school at this point because it allows us to be economically sustainable, which is very difficult, as you know a lower school to achieve. He said it also allows us to expand our infrastructure in our classrooms to become more relevant and competitive in today's school in the area of classroom needs. He said as you can see the biggest challenge we have had over the year is being able to grow within a very constrained site; we are bound to the east and the south by two roadways; and to the north and the west by steep slopes and several easements. He said we have to be very creative in a very small box so to speak.

Mr. Mccardle said that he could assure you that the egress proposed is not meant to funnel traffic by all parents into the Mill Creek neighborhood by any stretch of the imagination. He said it was a recommendation in our pre-application meeting by VDOT and he thinks it is a very good solution to have the option of left and right turn out as opposed to just right. Mr. Mccardle said he did not drive through the Mill Creek neighborhood and it is a little more convoluting and time consuming and most of our parents don't even do that or are even aware that is an option. He said the whole idea of that egress was essentially to be a much more efficient and safe internal flow of traffic for our pick-up and drop-off particularly where you have kids moving throughout the site. He noted there are other commercial activities adjacent to Southern Parkway that are moving throughout the neighborhood including tree services and Fed X so we are not the only traffic impact associated with this. He thanked the Commission for their consideration and we look forward to your vote.

Tobias Dengel, Chairman of the Board for Peabody School, said first of all he wanted to apologize to anyone from the community that felt we acted in poor faith for this thing that we are trying to do. He said we obviously are a volunteer board and we do a process like this once every eight or ten years and does not think there is more than one or two people that were on the board the last time. He said we apologize for that and thinks Valerie can take us through the process we went through to try to communicate with everyone. He said the second thing is we did not think about how to do this egress until we met with VDOT and it was suggested to us that adding an egress would help internal flow. He said at that point we requested that we would have a two-way egress, which at the time given the designation of the roadway did not seem possible. He said having learned today that it is possible that we will have strong internal support to have that two-way egress, which hopefully solves the major concern around the community and allows us all to move forward on this. Thank you.

There being no further public comment, Mr. Keller invited Ms. Long back for rebuttal.

Ms. Valerie Long said she had just a few clarifying points – one, she wanted to echo Mr. Dengel's comment about the outreach and that we did hold a community meeting as required. She said we came to the community advisory committee meeting a couple months ago, we did send written notices or invitations to a large number of residents and worked with staff on that in terms of the appropriate radius of folks to invite. Ms. Long said she did not know whether an invitation went directly to the homeowner's association representative but we certainly sent invitations to a large number of residents and other adjacent owners as required by the County's process and then made a presentation at the Community Advisory Committee and fielded many good questions that evening.

Ms. Long said just for clarification because there was a comment from a member of the public that the special exception request is for the proposed exit and the special exception that we have also applied for is actually to disturb an existing buffer that is along Southern Parkway. She said we do need to disturb that buffer in order to construct the proposed exit regardless of whether it is right-turn only or both turns permitted. Ms. Long said there was a comment about a large number of additional trips that were projected to go through the neighborhood if this were approved. She said there was a reference to over 200 trips per day every week and for clarification as stated in our traffic study the most trips is 22. She said it has been broken down in the morning peak hour that there would be 22 additional trips from the

increased enrollment coming to the site and an additional 20 trips leaving and in the afternoon the numbers are even lower – there are 14 trips coming during the peak hours and 15 trips leaving during the peak hours. Ms. Long said she just wanted to clarify that for the record and would be happy to answer additional questions.

Mr. Keller invited further questions for the applicant.

Mr. Bivins asked Ms. Long to go back to the slide that has the proposed interior for the new construction and to share with which classrooms are already in existence in the temporary structure, and Ms. Long pointed out the existing trailer that was used for classroom space.

Mr. Bivins asked which are new classrooms to this because he was trying to reconcile in a couple of places people said that new students will come because they already have siblings attending the school and so that is not a new trip but another body in a car. He said there was another section that said that administrators, teachers and staff would also have the opportunity to bring their students to the school. He said he was trying to get a sense of what is the true delta as far as new families that will come to the school and that it sounds like it is 30 or 40 but he did not think that there are 40 new families coming to the school.

Ms. Long replied that is correct, but just for clarifying that she would ask Mr. Orlando to specify if our request is to increase enrollment for a total students by 30 and how many new families that would equate to be.

Mr. Robert Orlando, Head of Peabody School, said to get back to the first question that currently the trailer houses our two pre-school classrooms and we would be building nice new spaces for them. He said we have the need to add two general education classrooms for our current enrollment and the performing arts space and technology lab. He said we currently have smaller spaces for those programs right now and they are value added programs for our current students and any perspective families that we might attract to the school. He said that in terms of increased enrollment we do not admit every student that is interested in Peabody School currently because of the 210 cap on our current enrollment. He said our statistical data based on our inquiries and folks looking at the school has prompted us to ask for the additional seats. He said we feel like there are children we are not serving currently in the area that could be students at our school, but we cannot go over the 210 number. He said in terms of 30 additional students it would not equate to 30 additional families, which was your question. He said over the next 5 to 10 years he could not project what that number would look like, but it is pretty much in line with the car trips that the parking study came up with so maybe 20 new families give or take 10 percent depending on the year. He said that is helpful obviously, because you are not adding 30 new families or 30 new cars since we have kids riding together. He asked if that answered the question.

Mr. Bivins replied that it did because he was trying to get a sense since the statement was made in the community meeting and then in the document that we were providing opportunities for families who already had a child in the school. He said also the piece about providing an opportunity for staff and the faculty to have their children there so he was assuming the person has to come to school anyway because they work for you and he was trying to sort of drill down to what really is the marginal increase in cars from this property. He said if it was ten cars then why we are putting in another exit.

Mr. Orlando replied from my perspective there are some good comments made by VDOT around the flow of traffic on the property. He said if we go back to the outline of the current property it would be my hope since we currently run arrival and dismissal without this egress just fine that from a safety perspective if this is an option he would agree if it were an all access exit that would be amazing. He said the school would just have one-way traffic coming in so cars would enter one way and then exit that way

as we described. He said right now cars come in, drop off, and then wrap back around and you can see that we also have a very narrow lane here so we have cars going in this direction and that direction at the same time with cars coming in and going out. He said from a safety perspective and a flow perspective it would be great to have a one-way approach to our arrival and dismissal where cars are coming in one way and going out another. He said could we do it without it, absolutely because we are currently doing it.

Mr. Bivins asked could you do it if the primary entrance was on the proposed area.

Mr. Orlando replied that his only concern about that would be cars coming this way interfacing with this intersection and having the cars come in the way we currently do, it gets the cars out of this intersection off the road and onto our property quicker because we have more space here to bring them in. He pointed out when the cars come in right on the curb we have staff members waiting out and it just makes sense to unload in that direction. He said without seeing this in action because we do not have this option right now we would create a backup of traffic here versus actually mediating that. Mr. Orlando said he had not considered that and would have to think about that to actually confirm or deny that; however, our preference would be to keep the current flow of traffic going this way. He said our neighbors to the left, the lumberyard, ambulance depot, Fed X and if we had cars entering and exiting this way he would think we would have a longer cue here on this road. He said that any vehicle trying to come from this direction down here by the cul-de-sac coming out that there would be more of a backup here at this intersection. He pointed out there was also a bus stop for Mill Creek right at this intersection so the value of bringing cars out of here down to here again for safety reasons is compelling to me. He said that currently our parents do a good job when they are coming out of here stopping when the stop sign comes out for the bus stop but that would just clean that whole situation up if we were coming down this way. He said my goal as the head of the school is to get the cars off the road as quickly as we can so we are not impacting traffic.

Mr. Keller invited further questions for the applicant.

Commissioner More asked if you were able to have this other access and it was left or right out you are suggesting that this would become all one way, and Mr. Orlando replied yes it would become one way internally.

Ms. Riley said this is good new information that VDOT is willing to consider this road as local and not a connector and that therefore that is all pretty new information for you all because you may have some other options available to you now that you did not before when you proposed a right-out egress only. Ms. Riley said she appreciates that you are looking out for the safety of your students and for an efficient flow of traffic for your families that then also impacts the traffic on Southern Avon, Mill Creek or the whole surrounding area. Ms. Riley said today she had heard from a lot of constituents today primarily concerned about safety for them and they are residents in the area. She asked have you considered any possibilities in addition to routing traffic what other private schools have done which is either identifying off-site location where parents can drop their kids off that can then be bused to the site, such as Field School. She said or in the case of Tandem, which is another local school, has hired a traffic cop to manage the traffic at least at the a.m. drop-off and maybe at the p.m. too because there is such congestion at these intersections. She said egress has changed to become both right and left turning and/or if you change the entrance to be as currently proposed egress there is still going to be a snarl in this intersection and the bigger traffic question is you can't get out onto Avon through Southern. She said that is why the residents' concerns are as great as they are. She asked have you considered other options like the two mentioned of busing and/or traffic cops as a way to manage the traffic.

Mr. Orlando replied that they have been looked at and he would ask Bill to speak to this as well. He said that both of those options for us that we are priced out of both of those options. He said the Tandem

situation and site that he conferred with their head of school and they share that traffic guard with Monticello High School so the cost for them is half of what we would have to cover. He said it would cost us close to \$20,000 a year to hire a traffic guard since they have a minimum amount of hours they have to be there which for us means two hours a day. He noted that information was from last June. He said in terms of busing there is an increased cost for us in terms of bus maintenance and to hire additional personnel and those are two items that cannot be worked into our budget. Mr. Orlando said one of the reasons for trying to increase our enrollment is to reach that financial sustainability model so he was not saying we cannot look at those things but that is rather where we are at this second. He said if we could financially make that kind of move, we are willing to look at that in the future. He said that it looks like the impact would be minimal with the increased numbers we are looking at in our traffic study.

Mr. Keller asked Ms. Long to wrap up the rebuttal.

Ms. Long said the only issue she would make one final comment on is the consensus seems to be of VDOT, the County Transportation Planner and our traffic engineer that although there would be additional vehicle trips resulting from our proposed enrollment increase that it would not have an impact on the surrounding roads when you look at the data. She said likewise at the intersection at Southern and Avon is a very low number of additional trips that are added that would not increase the delay or cueing behind a nominal amount.

Mr. Keller closed the public hearing to bring this back for a discussion and action.

Mr. Dotson said thinking along the direction that Commissioner Bivins mentioned in terms of perhaps no access to the Southern Parkway given the number of students and the traffic analysis but there is another reason that he does not believe it is good policy to base a decision maybe VDOT will classify this road. He said that apparently came up very recently but we do not know that if will happen and thinks we ought to be aware that there could be unintended consequences of a reclassification. He said that many times when roads are reclassified it is a cost savings effort and that might mean less snow plowing, less maintenance after all it is no longer a collector but only a local street, less concern and attention in general and just does not think it is good policy without having investigated and that reclassification going through the process to base a decision on it. He said if we do not base a decision on that only then the option would be the right out and that is the problem. Mr. Dotson agreed with Commissioner Bivins since he was not sure that any added access to the Southern Parkway is needed.

Commissioner More said she tends to agree with that statement and was a little confused if the intention of VDOT suggesting this and hearing at this last minute there might be a way to not just have it be a right out but the whole idea was to create different options. She said if on site it becomes one way then she did not see how we have created alternatives because everybody was having to come in one way and go out one way not disburse traffic and tends to agree that with the added trips having that access is necessary or really provides safety or alternative routes.

Ms. Riley agreed with Commissioner Bivins' suggestion as well and it seemed to be that the new egress was the largest concern with the community in this proposal.

Mr. Keller said he feels strongly that there should be a sidewalk or a bike ped along the full frontage of this property. He said we do not know what is going to happen with the Southern Parkway since we do not know whether it is going to be vehicular but if it is not vehicular, there is a good chance that it might be a pedestrian connection in the future. He said that it is important that be provided along this parcel. He said the response would be that Stony Ridge has built out but he thinks we can project with the redevelopment that is happening in our greater community that at some point there will be a redevelopment scheme for Stony Ridge given the valuable property and location of that property. He said

that supports the argument of a sidewalk along that as well. He said then learning that there is a public school bus collection point across the road it seems that everything that we have been talking about with all of the new subdivisions is trying to provide connectivity along the fronts of them – and yes this might be one tooth that is replaced before the other implants occur but it will be in place and it should happen now.

Ms. Spain said she concurred with my colleagues particular Mr. Keller’s comment about the sidewalk since we just requested the sidewalk be built in front of the Albemarle Limonene Service and that is arguably more isolated than the Peabody School.

Mr. Bivins said that there is a broader traffic analysis that is going to take place in that area and so it would seem that if there were a way to rather pause that, wait, and see what is going to happen before we support a level of flow complication that area cannot sustain. He asked to add that to my comment that he would have not supported a right only exit but he might have supported a left only exit.

Mr. Carrazana said he believed there was an internal circulation challenge and thinks that has been shown and VDOT recommendation to provide that exit would help; however, he wondered if there were any other options looked at for other opportunities to widen those lanes. He said it seemed like you do have a little bit of a landscape buffer but not sure if even adding a few feet would help you in your internal circulation. He said if you do not have an exit onto Southern Parkway that could still improve your internal circulation but he did not know if that had been looked at. He said the other question for VDOT regarding the condition of that intersection are there some opportunities to improve that intersection as we consider not only improvements of sidewalk but is there roundabouts or other ways of improving that intersection to minimize traffic not only now but also in the future. He noted it was the Southern Parkway intersection and Stony Ridge.

Mr. Keller invited the VDOT representative to respond.

Mr. Moore, VDOT representative, said he thinks improvements to that intersection are a large part of what is hoped to be determined by this study the county have initiated. He said that at this point he could not speculate as to what results will show or what different types of changes or improvements would have specific secondary consequences. He said that Corridor Study would specifically look at operations of the intersections both along the Corridor and through traffic up and down Avon Street but also improving the efficiency of access to the side streets Southern Parkway being one of the larger ones and it was access to Avon Street in both directions.

Mr. Carrazana said the traffic study never included, as he understands it cars exiting onto Southern Parkway and then the impacts of those cars onto that intersection. He asked is that correct.

Mr. Moore replied that was right that with this application, you would have to ask Ms. Nedostup about the traffic study and he would say it is limited in scope based on the proposed increase in traffic. He said it had been discussed by something like 11 percent in the peak hour was not deemed necessary by the staff to require a traffic study of a larger scope.

Commissioner More asked if the bus stop was at the intersection of Stony Ridge and Southern Parkway.

Ms. Nedostup replied that it was on the other side where there is a small subdivision with no sidewalks, and she did not consider it because of the industrial uses there but thinks it is a good suggestion for that area.

Mr. Keller noted that he could see that the applicant would like to weigh in.

Mr. Bivins asked that the VDOT representative tell us how that road will change and what the process is.

Mr. Moore, VDOT representative, replied that may be a misconception since it is a local road now. He said initially it was considered from a design perspective to be a potential future collector and so looking at how it was designed is how it may be classified as a collector in the future. He said we are not talking about a down classification because right now, it is a local road and for the near future, we expect it to remain that way.

Mr. Keller said this was in the future plans to connect over to the Fifth Street area, and Mr. Moore replied that is correct.

Mr. Keller said that was the argument that he was making that regardless of what kind of connection occurs there is the potential for that pedestrian connection and the walkability that we are all so concerned. He said the interconnections between neighborhoods and communities it is still a possibility and that would be the argument for sidewalks and sidewalks for ped/bike if not sidewalks but some kind of connectivity. He said it is an opportunity lost if we do not act now.

Ms. Riley said having been through the whole master plan process that occurred five years ago that there has been repeated concerns that Southern Parkway was not identified as a road that should have sidewalks where it is clearly currently used quite a bit for biking and pedestrians. She said that regularly we hear at the CAC that they want to see sidewalks built on Southern Parkway.

Mr. Keller said it was a bit out of order but wanted to give the applicant a chance to respond on the transportation/traffic.

Ms. Long said that Bill Wench our traffic engineer could address more specific concerns to clarify the internal circulation currently functions just fine; it would be improved with this additional exit onto Southern Parkway no doubt just as Mr. Orlando explained. She said that it currently functions just fine and they can make that work, however we do think it will be improved and thus safer. She said our traffic engineer also noted in the traffic study that the additional exit would be a benefit for public safety vehicles, ambulances and things like that if needed. She said it is a full access and you could bring emergency vehicles in even better. She said that with regard to the sidewalk we certainly understand your perspective and suggestions but would just add for the same reason staff did not originally propose it. She said Stony Ridge is an almost entirely industrial or commercial area with lots of trucks and so forth and we understand it was not built out that way it just seems like a large burden for a non-profit school to bare to build sidewalks when there is none other that exists now.

Ms. Long said she could be comfortable if she may suggest a condition that if in the future sidewalks were built on either end that they would then build a sidewalk that could connect to it. She said we would be happy to consider that since that is often a mechanism that is used so that you do not miss the opportunity if it comes forward but at the same time, you do not require a landowner to build a sidewalk to nowhere without having any idea whether the connections on either end will ever occur. Ms. Long said we think this is an improvement; again, we can live without it because we were told that it was a collector road, which is why we showed it as a right out and would have preferred it to be full access from the beginning. She said maybe if we had been provided that information we would have shown it as a full access exit and entrance and probably no one would have become alarmed and we certainly understand and appreciate why the Mill Creek residents were concerned especially those who thought that we perhaps were going to not allow left turns off Stony Ridge. Thank you.

Mr. Keller invited further discussion.

Mr. Dotson said he had a question of the two commissioners who mentioned the sidewalks, are you speaking of along the Southern Parkway or also Stony Ridge.

Mr. Keller replied that my idea is that we would require as we are requiring with other special use permits that there be sidewalks in its entirety and could live with the alternative that Ms. Long presented if our director tells us that it does have strength. He said that it seems like Southern Parkway might end up being a more creative bike/ped solution than a standard concrete sidewalk in the future and so having the option to put something in that is in keeping with what would be proposed along there would be okay with me. He said as far as Stony Ridge that he was disappointed that we do not have sidewalks there since he believes in pedestrian access along the way that he would like to see it there.

Commissioner More asked staff or council for help with language that does not require the sidewalks until there are other connections or something like that.

Mr. Gast-Bray said that he did not have any examples where we have done that kind of requirement with that flexibility which he would encourage because as Chairman Keller did suggest we do not want to lose the opportunity.

Mr. Herrick pointed out there are transportation improvements that have delayed effective dates they are just obviously more difficult for staff to track and more prone to get sort of lost in the shuffle if those are conditions that are made 10 to 20 years out or if they are contingent on some other event taking place first. He said that obviously that is more difficult for staff to administer and to track those sort of conditions.

Ms. Spain said she believed in the Pantops area that this issue arose and the landowner was able to submit a letter of guarantee that he would build the sidewalk once the connections were made and the County accepted that.

Mr. Herrick said that it was a letter of credit perhaps but he was not familiar with the specific example that you raise but he could image something like that.

Ms. Valerie Long said she could provide another example, the Charlottesville Catholic School, maybe 20 years ago it was a condition of approval that they build a sidewalk once the parcel to the south was redeveloped and if they built a sidewalk then the school would connect to it. She said the property to the south is under construction right now and so as part of that will be required to build the sidewalk. She said that they posted a bond or some sort of security to ensure that there is payment in the future and it worked very well and there is a sidewalk there now. She said they did not have to spend that money up front without knowing if there was ever going to be a connection there and so that was what was helpful.

Ms. Riley said it would be helpful to have some clarification about the ownership of the adjacent parcels because Foxcroft is the neighborhood south of Peabody School and they would be the entity that would connect the sidewalk along there. She said it would be a neighborhood HOA making the decision about that land because there was not going to be any redevelopment of Foxcroft. She said the land north of Peabody she was not entirely clear about the ownership of some of those industrial parcels since most of those parcels are currently being used as light industrial and could redevelop over time. She said the interest for the community for multiple people who have expressed this in meetings is that they really want to see a connection from the residential areas, Foxcroft and Mill Creek, up to Avon where the whole Corridor Study is attempting to create multi-modal possibilities from Mill Creek down to the City. She asked that the parcels be clarified adjacent to Peabody School.

Mr. Keller said there are two pieces that we have to act on and asked if someone was prepared to make a

motion.

Ms. Riley said she would attempt some language and will look to council to see if this is appropriate. Ms. Riley recommended approval of SP-2018-04 with the staff conditions, as amended, with a couple of changes: Number 1 remove the egress onto Southern Parkway and add to that condition a sidewalk on Southern Boulevard.

Mr. Keller said so you would go as far as the sidewalk not be and the other option that we have been discussing the letter of guarantee.

Ms. Riley replied that my proposal is for a sidewalk on Southern Parkway only and not on Stony Ridge.

Mr. Dotson seconded the motion and then had a question for staff in condition #3 that addresses the landscape buffer and would that condition go away in light of the fact that the egress is not being proposed, and Ms. Nedostop replied yes.

Mr. Keller asked wouldn't it be affected by that given the slope there and wouldn't the sidewalk affect that.

Ms. Nedostop replied that she would not think so and in some photos that she took that it appears that there is plenty of room along Southern Parkway to put that sidewalk in and the buffer starts way back here.

Ms. More said she wanted to support the special use permit but did not support the language about the sidewalk and would be more agreeable to support something like what we have discussed. However, she did not know how it would be worded somewhat as was described with the Catholic School with some sort of letter of promise or guarantee for the future, however, she was not inclined to make that a requirement but otherwise was inclined to support the special use permit.

Ms. Spain concurred with Ms. More.

Mr. Dotson asked Ms. Riley to clarify are you speaking of a sidewalk concurrent with the addition to the school or a sidewalk at such time.

Ms. Riley replied that my proposal was to be concurrent with the development and if somebody wants to make an amendment regarding as such time, they need to do that.

Mr. Keller asked would you consider a friendly amendment.

Mr. Herrick said Mr. Chair that would be to propose a friendly amendment and he thinks Ms. Riley has indicated that she is not open to friendly amendments at this point.

Ms. Riley replied that she would be open to a friendly amendment, but just has not heard one yet.

Ms. More suggested a friendly amendment but would like the right words.

Mr. Herrick said he had drafted some language that addresses both the egress issue and the sidewalk issue modeled on the language that was used in the prior special use permit that was before the Commission. He said that would be an additional condition stating, "a sidewalk meeting County or VDOT specifications and allowing for interconnection to adjacent parcels shall be constructed along the Southern Parkway" and then two alternatives – "prior to the issuances of a Certificate of Occupancy for the

proposed school addition (that would be similar to the condition you saw in the previous one) or within one year of completion of sidewalks on adjacent parcels.” He noted that we might need to fine tune that last condition if that is what the Commission is interested in, but he thinks those are two timing conditions if in fact a sidewalk is anticipated.

Mr. Keller said he would like to ask Andrew a question does the sidewalk imply the concrete sidewalk or is that generic enough for a different pedestrian alternative.

Mr. Gast-Bray said that he was going to turn that over to say a sidewalk or equivalent would be fine with me but he has to make sure that is okay with our council. He said the one thing he would suggest perhaps slightly in support of Ms. Riley’s suggestion would be on one side or the other. Mr. Gast-Bray said he could foresee a connection going from the school to Avon as a part of that context and then later something going in. He said we would want to extend wherever these things are going because there are already active pedestrians and users of this so we might as well take advantage of that as soon as there is a connection not necessarily having to be adjacent on both sides.

Mr. Keller said that we need a second to the friendly amendment.

Mr. Herrick replied no, it would be subject to the acceptance or rejection of the original mover.

Ms. Riley asked to hear the actual language given what our Director has just recommended.

Mr. Herrick asked if you are suggesting a sidewalk or equivalent pathway meeting County or VDOT specifications in allowing for interconnection to adjacent parcels shall be constructed along the Southern Parkway within one year of the completion of sidewalks on adjacent parcels.

Ms. Riley said yes, she would accept the friendly amendment.

Mr. Herrick said there would be some additional language that he would suggest in terms of if the consensus of the board were to not allow other ingress or egress through the right only and asked staff to put up the other conditions. Mr. Herrick said if he understood Ms. Riley’s motion correctly that we would be looking to strike the right turn egress only access onto Southern Parkway from the first bullet point and the third conditions would also be rejected. He said if the Commission was inclined not to allow for the ingress and egress they would need to go one-step further and say, “That notwithstanding the application plan dated July 16, 2018 all direct vehicular access from and to the site shall be limited to Stony Ridge Road.”

Ms. Riley accepted the friendly amendment as stated by Mr. Herrick.

Mr. Dotson seconded the motion.

Mr. Keller asked for a roll call.

The motion was approved by a vote of 6:0 (Firehock absent).

Mr. Keller asked for a motion on the special exception.

Mr. Herrick said he believed that there should be a motion to address this special exception request as well. He noted that it could be a motion to recommend denial, but one way or another there ought to be a recommendation of the Planning Commission made to the Board of Supervisors whether it be approval or denial.

Ms. Riley moved to recommend denial of this special exception request for SP-2018-00004 Peabody School Amendment because we have now decided under conditions that there will be no ingress/egress off Southern Parkway into the school.

Mr. Dotson seconded the motion.

Mr. Keller invited further discussion. Hearing none, he asked for a roll call.

The motion to recommend denial of the special exception request was approved by a vote of 6:0 (Firehock absent).

Mr. Keller thanked everyone and the community for coming out and expressing their views to the Peabody School for providing this wonderful educational service to our community and for a thoughtful discussion and deliberation in this process. He said this request moves forward to the Board of Supervisors.

Ms. Spain noted that the public should recognize the difference that you made in this decision tonight since your input and that of your neighbors allowed us to rethink the application and come up with a solution that sounds like it will be more acceptable to the neighbors.

The meeting moved to the next item on the agenda.