

# SHIMP ENGINEERING, P.C.

Design Focused Engineering

**Project Narrative For:** Special Exception for Christian Aid Mission

**Parcel Description:** Tax Map 59, Parcel 23G1

**Initial Submittal:** Date *October 26, 2020*

**Revised:** Date(s) *January 11, 2021*

*March 25, 2021*

*April 22, 2021*

**Pre-App Meeting Date:** Date *June 8, 2020*

	ACREAGE	EXISTING ZONING	LAND USE	COMP PLAN DESIGNATION
TMP 59-23G1	12 AC	Commercial Office	Semi-Public	Rural Areas

## Additional Zoning Considerations:

Entrance Corridor, Critical Slopes

## Location:

Northeast corner of the intersection of Route 250 and Broomley Road

## Project Proposal:

Christian Aid Mission is the owner (the “owner”) of tax map parcel 05900-00-00-023G1, a 12-acre property located at the northeastern corner of the intersection of Ivy Road (Route 250) and Broomley Road (the “property”). The owner desires to construct a full-access entrance to the site from Broomley Road; construction of this entrance will require disturbance of 4,950 square feet of critical slopes. Although the property is zoned commercial office, it is designated within the Rural Areas of the Albemarle Comprehensive Plan and therefore, granting of a special exception is required for the disturbance of these slopes.

A special exception request for slopes disturbance on the property to establish an entrance from Broomley Road was previously brought before the Board of Supervisors in 2014. Staff recommended approval of the 2014 special exception request, siting that slopes disturbance was necessary to establish a safer site entrance to the property and that the slopes slated to be disturbed appeared to be man-made. The request was denied by the Board of Supervisors with several of the Supervisors siting the premature nature of the request with the impending reconstruction of the Broomley Road Bridge. In the Board minutes from August 13, 2014, it is noted that,

“[Supervisor Palmer] thought the Broomley Road entrance could potentially work and could improve the safety of the area, but there is a bridge going in and the corridor will probably look much different after that happens. She added that she would not approve the Broomley Road entrance as this time. Ms. Palmer said that they do not want to put in an entrance they have to live with that is in the wrong spot, and they may be creating something very dangerous that will be there for years – so they could look at this at a later date and put the entrance further back if they choose,”

And it is noted that Supervisor Sheffield “said that if Broomley Road is required, he does not support the expansion [of the Regents School] because he does not support use of that road – specifically because there is a better opportunity to create the entrance once the bridge is built;” additionally, Supervisor McKeel

“stated that the new bridge will go out to bid in December, so the construction will start fairly quickly and will take 18 months – so that area would look very different. She said that approving an entrance onto Broomley Road would be very short sighted, because it is possible they could end up with an entrance VDOT might not approve, or would not be safe, so it is just not the time to be putting an entrance there.”

With the reconstruction of Broomley Road bridge completed in late 2015, this request to disturb critical slopes to establish a full access entrance from Broomley Road may now be considered in the context of a corridor with significant road improvements that have been made since the request was previously evaluated by the Board of Supervisors.

In addition to the road improvements that have been completed since the 2014 special exception was heard before the Board of Supervisors, this request also differs from the 2014 request because the proposed location of the entrance is several hundred feet north of the entrance location proposed in 2014. The proposed entrance location that necessitates the disturbance of critical slopes with this request is nearly 460’ from the signalized intersection of Route 250 and Broomley Road; this spacing exceeds the minimum spacing required between full access entrances on collector streets and signalized intersections.

The 2014 Board minutes reflect the concerns from neighbors regarding the spacing of the Broomley Road entrance from the Broomley Road and Route 250 intersection; this proposed redesign of the entrance location addresses many of those concerns relating to the location of the 2014 entrance proposal and the entrance has been moved several hundred feet north with this request.

A third reason that this proposal differs from the 2014 special exception request is that with the approval of SP201800011, the Regents School of Charlottesville was granted approval to operate on a property off of Reservoir Road in Albemarle County and so in anticipation of the Regents School of Charlottesville moving to their new location off of Reservoir Road, the owner requests the Board of Supervisors approve the disturbance of critical slopes for the construction of a full access entrance off of Broomley Road to better serve the Christian Aid Mission and/or a future user on the property with a safer full access entrance once the property is no longer encumbered by the conditions triggered by the operation of a private school use. Previously, the entrance request was made to better serve the Regents School traffic however, this request is focused on how the property will function and serve its users with safe points of ingress and egress once the school is no longer operating on the property.

**In accordance with Sec 4.2.5(a).(1.) address the following (the public, health, safety, and welfare factors):**

**Rapid and/or Large-Scale movement of soil and rock**

The disturbance of critical slopes will require cutting into existing native soils (see attached section exhibit). Cutting into existing native soils and existing slopes does not create high risk of rapid or large-scale movement of soil and rock, as opposed to placing fill on top of a sloped area. Cut slopes are no steeper than 2:1. Adherence to County erosion and sediment control measures, as well as stormwater regulations shall protect against erosion that could lead to rapid or large-scale movement of soil and rock.

### **Excessive stormwater run-off**

An engineered ditch and swale are proposed along the southern edge of the new entrance and accessway and a curb is proposed along the northern edge of the accessway to prevent excessive stormwater run-off. A drainage inlet is to be provided at the end of the ditch, piping stormwater to the existing riprap on the other side of the entrance. The proposed stormwater management features must additionally be in accordance with County regulations, which are in place to effectively manage stormwater run-off.

### **Siltation of natural and man-made bodies of water, loss of aesthetic resources**

The proposed improvement will be subject to the County's Water Protection Ordinance, with erosion and sediment control measures provided at the time of construction. While a stream exists approximately 700' northwest of the proposed entrance, a railroad right-of-way with an accompanying ditch is present between the property and the stream. With the proposed ditch, the presence of the railroad bed, and compliance with the County ordinances in place, it is highly unlikely that impacts would directly affect the stream. As the critical slopes have been previously graded by the Virginia Department of Transportation during the reconstruction of the Broomley Road Bridge and during the construction of the ditch adjacent to Broomley Road, they do not provide an aesthetic resource in this area.

### **In the event of septic systems failure: a greater travel distance of septic effluent**

This factor is not applicable, as the site will connect to public sanitary services as there is a standing approval for public sanitary connections for existing buildings.

### **In accordance with Sec. 4.2.5.3, please consider the following findings:**

- a. Strict application of the requirements of section 4.2 would not forward the purposes of this chapter or otherwise serve the public health, safety or welfare;

The construction of a safer entrance from Broomley Road that would facilitate controlled left-out movements from the property may better forward the health, safety, and public welfare than the preservation of critical slopes that were man-made and a portion of which were recently disturbed with the reconstruction of the Broomley Road bridge.

- b. Alternatives proposed by the developer or subdivider would satisfy the intent and purposes of section 4.2 to at least an equivalent degree;

There are no proposed alternatives proposed with this request; the installation of an entrance anywhere on Broomley Road would require disturbance of critical slopes.

- c. Due to the property's unusual size, topography, shape, location or other unusual conditions, excluding the proprietary interest of the developer or subdivider, prohibiting the disturbance of critical slopes would effectively prohibit or unreasonably restrict the use of the property or would result in significant degradation of the property or adjacent properties; or

The critical slopes disturbance is necessary to establish an entrance off of Broomley Road so that users exiting the site to head east on Route 250, especially at peak hours, may have the option of exiting the site from Broomley, head south along Broomley to the traffic light at the intersection of Route 250 and Broomley and make a controlled left-turn movement out onto Route 250.

- d. Granting the modification or waiver would serve a public purpose of greater import than would be served by strict application of the regulations sought to be modified or waived

The disturbance of critical slopes would allow for drivers exiting the site to utilize the Broomley entrance to make a controlled left-out movement onto Route 250 east by utilizing the light at the intersection of Broomley and Route 250.

**Summary of Attached Exhibits:**

Two exhibits are provided with this submittal and per request of the County, VDOT crash data is provided.

An alternative entrance exhibit was requested by the County, to see if moving the entrance to the existing gravel road was feasible. While it is feasible, the travelway is increased in length to meet the required grade and results in increased critical slopes disturbance, the location of the entrance proposed with this application meets VDOT intersection spacing standards and minimizes slopes disturbance when compared to the alternate location shown in the exhibit.

A cross section of the proposed entrance depicts the cut section into critical slopes, which demonstrates that the accessway and adjacent ditch would act as a graded bench. The graded bench would be constructed within the existing critical slope, capturing stormwater run-off rather than allowing drainage to sheet flow across a steep slope.

*Attachments:*

Entrance Location Exhibit  
Section A-A' Exhibit  
VDOT Collision Data