

# WILLIAMS MULLEN

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October 15, 2018

VIA: Email and Hand Delivery

Megan Nedostup  
Principal Planner  
Albemarle County  
Department of Community Development

RE: Peabody School SP 2018-00004

Dear Megan,

Please find attached updated Concept Plans and Special Exception documents for the Peabody Special Use Permit Request, SP 2018-00004. As I believe you know, according to Adam Moore at VDOT, although Southern Parkway was designed and constructed to VDOT's collector road standards, in anticipation that the Parkway would eventually be extended and re-classified as a collector road, it currently is a local road and has always been classified as a local road. Adam has also confirmed by email from last week that the proposed full-access connection to Southern Parkway meets the standards for such connections to a local road, and that VDOT would approve such a connection. In addition, Adam has reiterated his opinion that the proposed connection would provide better queuing space and site circulation. The Peabody School agrees, and has asked that we work with you, the adjacent residents, and the Board members to continue the discussion about the proposed connection in the hopes that the Board would approve a full-access connection at that location.

In the meantime, we have revised the concept plan for the project to show the connection to Southern Parkway as a full-access connection. We will be reaching out to the representatives of the Mill Creek Home Owners Association to discuss this issue with them. The updated plan would allow for ingress and egress, as well as both right and left turns out of the site. It would provide an opportunity to improve the internal circulation within the school's parking lot, which would further minimize the chances of any queuing of parent vehicles beyond the lot. In addition, this secondary access point to the school provides the community benefit of mitigation of traffic flow to and from the site. The main access point from Stoney Ridge Road will continue to be utilized for drop-off and pick-up of students, however the proposed secondary access can be utilized during other times of the day and for special events and athletic event traffic.

As we have noted in the past, the School is sensitive to the concerns the Mill Creek and Foxcroft residents have raised about not forcing school traffic through Mill Creek. We believe the proposed changes to the concept plan will have the added benefits of better internal circulation without directing school traffic through the neighborhood. Cars exiting the property from this new connection will have the ability to turn left or right onto Southern Parkway just as they currently do from Stoney Ridge Road. As such, we have updated the plan entitled "Peabody Application Plan for Special Use Permit", dated 10-15-18 and prepared by Collins Engineering, to reflect the full access ingress/egress to be located on Southern Parkway.

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We realize that this issue will be discussed by the Board of Supervisors during its public hearing. In the event that the Board elects not to permit a connection to Southern Parkway, we have also provided an "Alternate Plan," also dated 10-15-18 and prepared by Collins Engineering. The Alternate Plan show does not include any connection to Southern Parkway. It is our hope that the Board will approve the full-access connection, but if not, we wanted to have the Alternate Plan ready to be approved if the Board is inclined to otherwise approve the SUP. We nevertheless prefer the plan with the full connection, which meets all VDOT standards while providing better traffic flow and management for the school with less impacts to the surrounding community.

We have also included an updated Special Exception narrative for disturbance to the landscaped buffer along Southern Parkway, to reflect the change from an exit only second access point to a full access ingress/egress onto Southern Parkway allowing left turns out of the site.

Thank you for your consideration of these updated documents. Please contact me should you need any additional information or if you have any questions.

Sincerely,



Valerie Long

Enclosures

cc: Peabody School Project Team

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## **SPECIAL EXCEPTION REQUEST**

### **Special Exception Written Narrative**

The Peabody School – Amendment to Existing Plan

**May 21, 2018**

**Updated September 13, 2018**

**Updated October 15, 2018**

### **INTRODUCTION**

The Peabody School (the "School") is the owner of 1232 Stoney Ridge Road, Tax Map Parcel 076M1-00-00-01500 (the "Property"). The School has been operating a private school on the Property since shortly after the County approved a special use permit for a private school in January, 1997 (SP 1996-46). The conditions of approval of SP 1996-46 limited the School's enrollment to 140 students, which was thought to be ambitious at the time. 140 students contemplated one class of each grade from Kindergarten through Eighth grade. The school grew more than expected, and with the addition of two preschool classes, requested amendment of the original special use permit to allow 70 additional students, for a total of 210 children. On May 8, 2013, the Board of Supervisors approved Special Use Permit SP2012-00030 (the "2013 SUP") to expand maximum enrollment to 210 students.

#### **Description of the Property:**

TMP	Acreage	Existing Use	Zoning	Comprehensive Plan Designation
076M1-00-00-01500	5.09	Private School	Planned Unit Development	Industrial

The School currently enrolls the maximum 210 students, from 150 families. To accommodate a modest expansion, with this special exception request, the School also requests an amendment of the 2013 SUP to allow an increase in enrollment of 30 students, to a total of 240, and to allow the construction of additional educational and recreational space. Currently, the School operates partially out of temporary trailers, located in the area shown as "Existing Classroom To Be Removed" on the Illustrative Renderings enclosed with the special use permit amendment application, and encompassing approximately 4,700 square feet. The School proposes to replace the existing trailers with a permanent one-story building that would include several classrooms, a fine arts studio, science lab/maker space, and a library/media center, totaling approximately 7,195 square feet. In addition to the replacement of the existing trailers, the School proposes adding a small stage or amphitheater area adjacent to the proposed new building and on the existing field area. The existing field area is labeled as "Existing Playfield Area" on the special use permit amendment Concept Plan and the amphitheater is labeled as "Proposed Amphitheater" on the Concept Plan. The amphitheater is intended to serve the School's enrolled students and will not provide space for any additional special events outside of the School's customary annual school-related events. The new additions will mirror the architecture and design of the gym that was recently approved with the 2013 SUP and constructed soon thereafter.

### **NEW ACCESS FROM SOUTHERN PARKWAY**

The School also proposes adding a full access connection from its internal driveway to Southern Parkway. Currently, the internal driveway is designed where parents enter the site from Stoney Ridge Road and then circulate through one of the two internal circular loops and then exit at the same location as the entrance. For pick-up and drop-off, this same system and main access point from Stoney Ridge Road would be utilized, but vehicles would have the ability to exit the parking lot onto Southern Parkway rather than having to circulate back through the school's parking lot. Cars exiting the property from this proposed new connection would have the ability to turn left or right onto Southern Parkway, just as they currently do from Stoney Ridge Road.

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The second connection onto Southern Parkway could be utilized during the rest of the day, as well as during athletic events or other special events at the school. This second full connection would allow for left turns onto Southern Parkway to enable traffic to flow out of the site more efficiently and avoid congestion on Stoney Ridge Road. The additional access would also provide improved access for emergency response vehicles.

The addition of the Southern Parkway access would conflict with the 60-foot buffer established by the original subdivision plat and zoning application plan applicable to the Property. The buffer was reduced to 10 feet by the 2013 SUP and enclosed 2013 subdivision plat amendment. We believe the minor disturbance of the buffer for this egress is appropriate and warranted given the benefits such access would provide to the traffic flow of the School. Therefore, the School also requests a special exception from the 10-foot buffer for the installation of the full accessway onto Southern Parkway.

Pursuant to Section 8.5.5.3 of the Albemarle County Zoning code, the School requests a variation from the subdivision plats and zoning application plans referenced above. Section 8.5.5.3(a)(6) states: "The director of planning is authorized to grant a variation from the following provisions of an approved plan, code or standard: ... (5) minor changes to street design and street location... (6) minor land disturbance including disturbance within conservation areas."

The factors listed below are those listed in Section 8.5.5.3(c) for when the director of planning is authorized to grant a variation:

### *Consistency with the Comprehensive Plan*

As stated earlier, the Property is designated Industrial on current land use maps in the Comprehensive Plan. While private schools are not typically encouraged in such areas, the School has been operating since the late 1990s and has been approved several times (SP 1996-46 and the 2013 SUP). The proposed access onto Southern Parkway will allow the School to further mitigate any potential traffic impacts, benefiting the surrounding community and reducing the risk of congestion.

### *No Increase in Approved Development Density or Intensity of Development*

No increase in density is being requested. The intensity of the private school use will not increase with the encroachment of the 10-foot buffer and construction of the full access onto Southern Parkway.

### *No Adverse Impact on Timing and Phasing of Development or any other Development in the Zoning District*

As stated earlier, the applicable PUD created the Mill Creek Industrial Park, which has been complete for some time and therefore the addition of the proposed access will have no impact on the timing and phasing of development in this district.

### *Does Not Require a Special Use Permit*

The proposed access does not require a special use permit.

### *General Accord with the Purpose and Intent of the Approved Application*

As stated earlier, the School is consistent with adjacent uses, in satisfaction of the purpose and intent of the approved application. The proposed access onto Southern Parkway will only modestly encroach

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upon the 10-foot buffer. The modest encroachment into the buffer is worth the benefit of increased efficiency of traffic flow, which would reduce the risk of congestion.

### **Enclosed:**

Subdivision Plat entitled "Subdivision Plat Parcels 1 Thru 14, Mill Creek Industrial Park, Mill Creek, Albemarle County, Virginia, dated November 17, 1989, last revised May 30, 1990, prepared by R. W. Ray, R. O. Snow & Associates, Inc., and recorded in the Albemarle County Circuit Court Clerk's Office in Deed Book 1102 at page 722.

Sheets 5 and 7 of Subdivision Plat entitled "Revised Parcel 5, Mill Creek Industrial Park, dated February 19, 1993, last revised September 8, 1993, and recorded in the Albemarle County Circuit Court Clerk's Office in Deed Book 1342, at page 242.

Easement Plat Showing Existing 60' Undisturbed Buffer Hereby Reduced to 10' Buffer Located on Revised Parcel 5, mill Creek Industrial Park, Mill Creek, Scottsville Magisterial District, Albemarle County, Virginia," dated November 5, 2012, last revised March 7, 2013, prepared by Roger W. Ray 7 Associates, Inc., and recorded in the Albemarle County Circuit Court Clerk's Office in Deed Book 4481, at page 568.

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