

SPECIAL EXCEPTION REQUEST (SE2025000XX)

TO: Current Planner
Albemarle County Community Development

FROM: Kendra Moon, PE
Line and Grade Civil Engineering

DATE: April 14, 2025

RE: Miller School Dormitory Expansion
Special Exception Request – Critical Slopes Disturbance

PROJECT DETAILS

Applicant: Kendra Moon | Line and Grade Civil Engineering
 Name of Project: Miller School Dormitory Expansion
 Short Description: Special Exception to Disturb 0.38 Acres Critical Slopes
 Proposed Site: 1000 Samuel Miller Loop
 Charlottesville, VA 22903

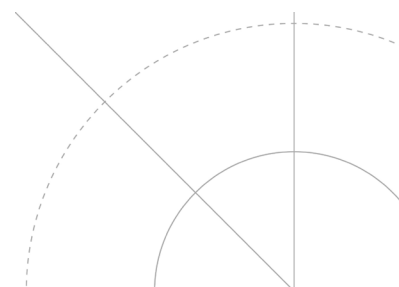
Areas	Acres or Square Feet (sf)	
Total Site	1,046.98 acres	
Total critical slopes onsite	225.70 acres (9,831,474 sf)	21.56% of total site
Critical slopes disturbed	0.38 acres (16,450 sf)	0.04% of total site 0.17% of total critical slopes

PROPERTY DETAILS

Short Parcel ID(s): 72-32
 Owner: The Miller School of Albemarle (Contact Michael Drude, Head of School)
 Magisterial District: Samuel Miller
 Zoning: Rural Areas

EXECUTIVE SUMMARY

An initial site plan has been submitted for the Miller School of Albemarle to expand their campus with an added gymnasium and dormitory facilities. This expansion is consistent with the approved Special Use Permit SP2022-00032. The campus is located on a plateau but is mostly surrounded by critical slopes as the topography drops off rather steeply on all sides. The proposed critical slopes disturbance includes the upgrade of existing private water and sewer utilities that are already located within these slopes. There are other minor areas of disturbance proposed for pedestrian and vehicular access which have been located to minimize impacts. At this time, the exact locations and extents of disturbance are not final since there may be minor changes to the proposed grading and utilities that occur with the Final Site Plan and VESMP. For example, existing water and sanitary piping may need to be replaced in kind, and the exact locations are not yet known. For this reason, the extents of critical slopes disturbance has been overestimated to avoid an additional critical slopes waiver at the time of Final Site Plan submission. The maximum total disturbance area proposed amounts to 0.38 acres and is not anticipated to cause erosion or a change in stormwater runoff due to the minor nature of the disturbance.



REQUEST OF SPECIAL EXCEPTION FOR CRITICAL SLOPES DISTURBANCE

According to Chapter 18, Article II, Section 4.2.5 of the County's Code of Ordinances, any requirement of Section 4.2.3 may be modified or waived by special exception of the Board of Supervisors as provided in section 33.5 and herein:

- a. *Modification or waiver generally.* The Board of Supervisors may modify or waive any requirement as provided in subsection (b), as follows:
 1. *Request.* A developer or subdivider requesting a modification or waiver shall file a written request in accordance with section 32.3.5 of this chapter and identify and state how the request would satisfy one or more of the findings set forth in subsection 4.2.5(a)(3) . If the request pertains to a modification or waiver of the prohibition of disturbing slopes of 25 percent or greater (hereinafter, "critical slopes"), the request also shall state the reason for the modification or waiver, explaining how the modification or waiver, if granted, would address the rapid and/or large-scale movement of soil and rock, excessive stormwater run-off, siltation of natural and man-made bodies of water, loss of aesthetic resources, and, in the event of septic system failure, a greater travel distance of septic effluent (collectively referred to as the "public health, safety, and welfare factors") that might otherwise result from the disturbance of critical slopes.

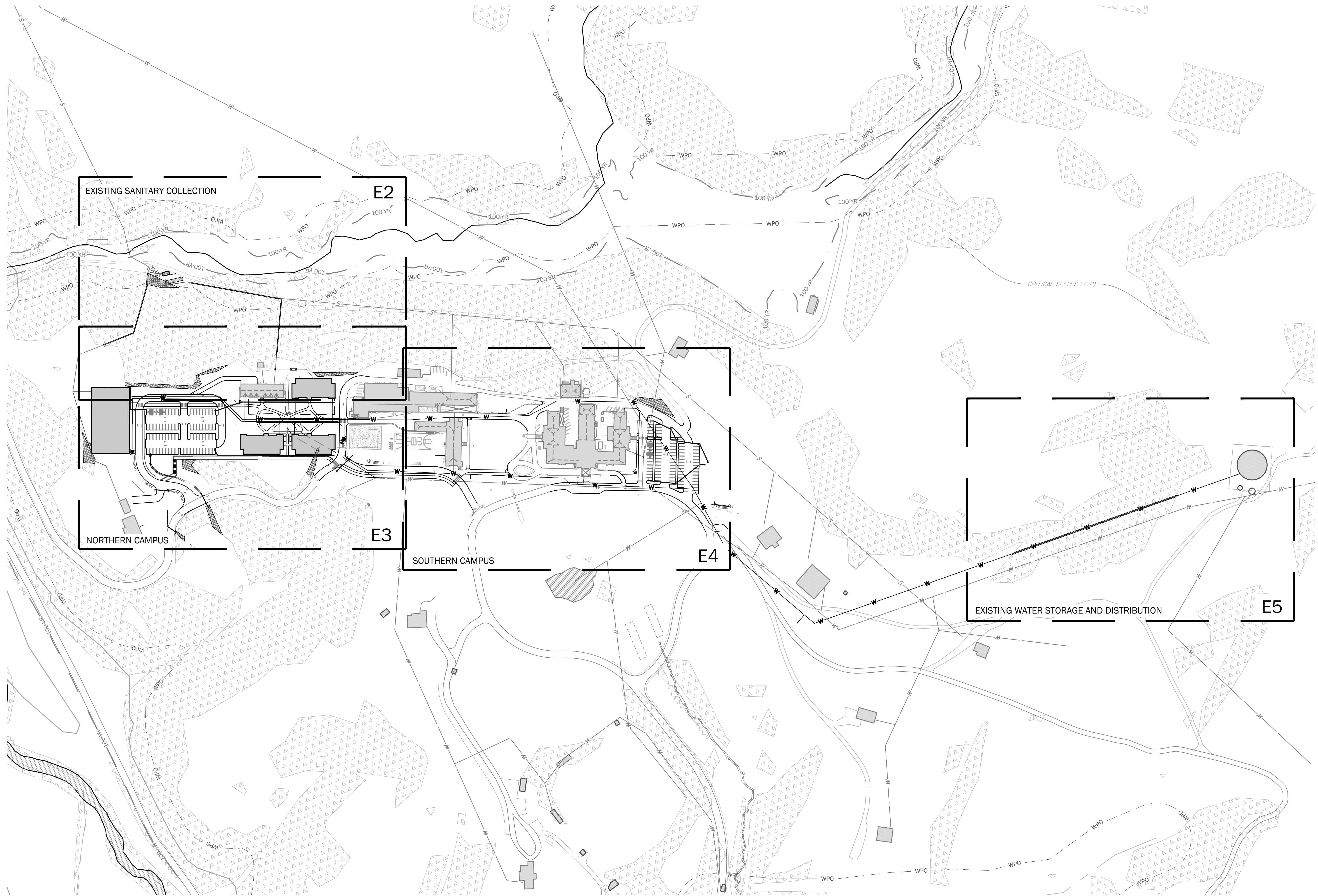
Critical slopes disturbance is requested in several relatively small areas throughout the campus for various reasons. The attached exhibit outlines areas of existing sanitary collection, the main campus, and existing water storage and distribution. In the existing sanitary collection and water storage areas, critical slopes disturbance is proposed in order to upgrade existing facilities that have been in place for at least 50 years. The existing utility lines likely need to be replaced for greater longevity and to ensure they have the capacity for expansion of facilities at the Miller School. The proposed areas of critical slopes disturbance within the main campus area are primarily for the construction or realignment of accessways, both vehicular and pedestrian. A few of these areas have been previously disturbed or are not entirely 25% based on field run topography. The construction activity associated with almost all critical slopes disturbance fits into one of two categories: linear utility improvements or proposed grading at the top of a hill. The disturbance associated with the linear utility improvements will be minimal, with a trench that is a maximum of 2 ft wide. These areas will be put back to their original condition almost immediately, as the trenches will not be open for more than a day and will be reseeded. Critical slopes disturbance located at the very top of the hill is easily accessed for construction purposes and silt fence can be installed just downstream to prevent the migration of soils downstream during a rain event. Other proposed disturbance includes proposed outlet channels for storm structures, which will be immediately stabilized, and for the upgrade of the existing sanitary collection system in order to add a treatment component beyond just a settling tank. This will improve public health and safety as the existing sanitary effluent is not treated to this degree.

2. *Consideration of recommendation; determination by county engineer.* In reviewing a request for a modification or waiver, the Board of Supervisors shall consider the recommendation of the agent as to whether any of the findings set forth in subsection 4.2.5(a)(3) can be made by the commission. If the request pertains to a modification or waiver of the prohibition of disturbing critical slopes, the Board of Supervisors shall consider the determination by the county engineer as to whether the developer or subdivider will address each of the public health, safety and welfare factors so that the disturbance of the critical slopes will not pose a threat to the public drinking water supplies and flood plain areas, and that soil erosion, sedimentation, water pollution and septic disposal issues will be mitigated to the satisfaction of the county engineer. The county engineer shall evaluate the potential for soil erosion, sedimentation and water pollution that might result from the disturbance of slopes of 25 percent or greater in accordance with the current provisions of the Virginia Department of Transportation Drainage Manual, the Commonwealth of Virginia Erosion and Sediment Control Handbook and Virginia State Water Control Board best management practices, and where applicable, Chapter 17, Water Protection, of the Code.

We do not believe that the proposed critical slopes disturbance poses a threat to public health, safety, or welfare as areas will have proper erosion and sediment control measures in place and will be immediately stabilized.

3. Findings. The Board of Supervisors may grant a modification or waiver under this subsection (a) if it finds that the modification or waiver would not be detrimental to the public health, safety or welfare, to the orderly development of the area, or to adjacent properties; would not be contrary to sound engineering practices; and at least one of the following:
 - 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;
 - b. Alternatives proposed by the developer or subdivider would satisfy the intent and purposes of section 4.2 to at least an equivalent degree;
 - 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
 - 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.

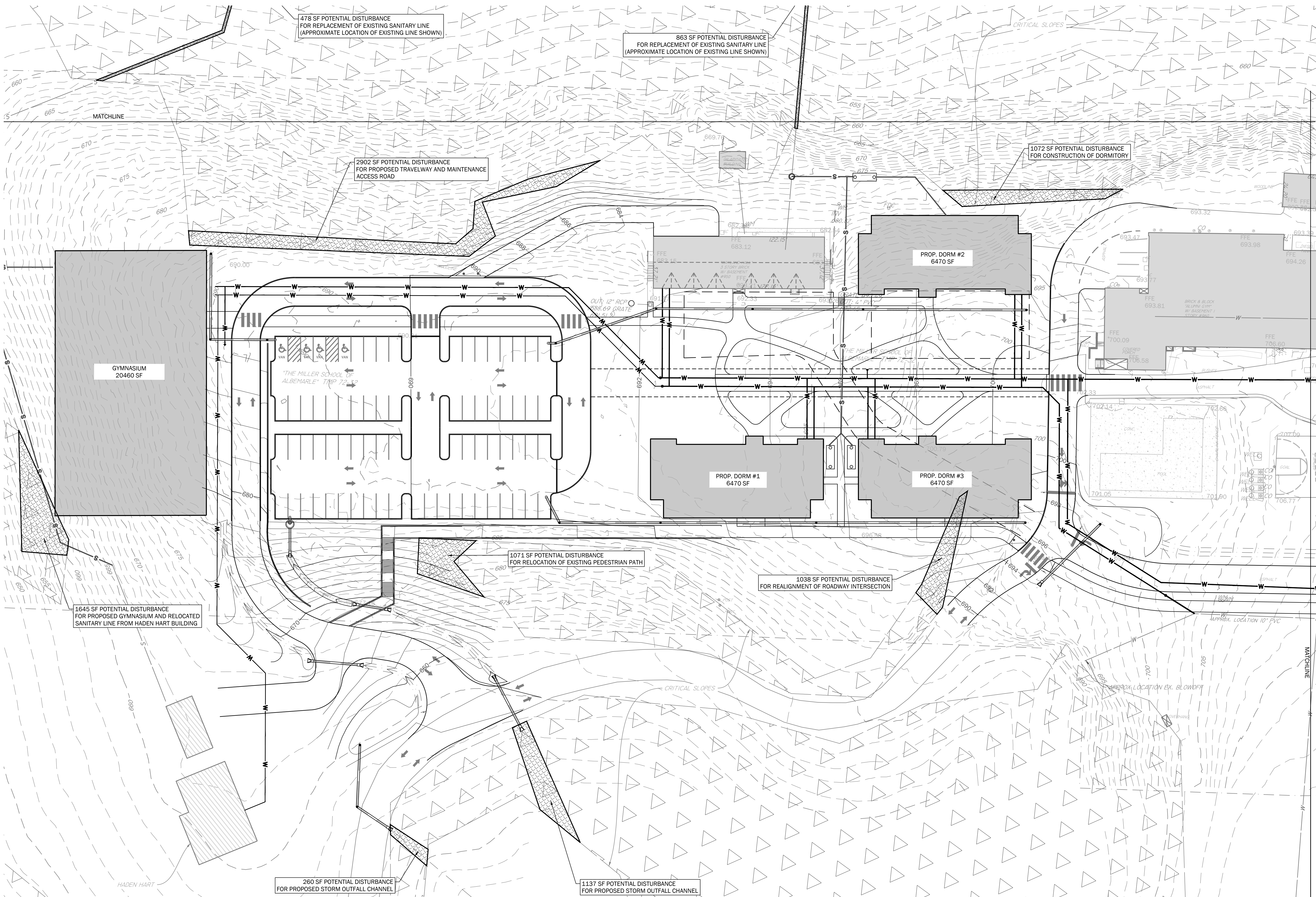
Both A and B above apply to this special exception request. For areas of existing infrastructure within critical slopes that are proposed to be upgraded, it is believed that the strict application of the requirements of section 4.2 would not forward the purposes of this chapter. If existing utilities were not able to be upgraded or replaced, they may fail and cause more erosion issues downstream (waterline failure) or the leakage of raw sewage (should the sanitary lines fail). The small areas of critical slopes proposed to be disturbed in other areas can easily be managed during construction with the use of silt fence and immediate stabilization of soil, which will satisfy the intent and purposes of section 4.2 as outlined in B above.



1 KEY MAP
 1" = 120' 0 120 240



1 EXISTING SANITARY COLLECTION
 1" = 30' 0 30 60



478 SF POTENTIAL DISTURBANCE FOR REPLACEMENT OF EXISTING SANITARY LINE (APPROXIMATE LOCATION OF EXISTING LINE SHOWN)

863 SF POTENTIAL DISTURBANCE FOR REPLACEMENT OF EXISTING SANITARY LINE (APPROXIMATE LOCATION OF EXISTING LINE SHOWN)

2902 SF POTENTIAL DISTURBANCE FOR PROPOSED TRAVELWAY AND MAINTENANCE ACCESS ROAD

1072 SF POTENTIAL DISTURBANCE FOR CONSTRUCTION OF DORMITORY

GYMNASIUM
20460 SF

PROP. DORM #1
6470 SF

PROP. DORM #2
6470 SF

PROP. DORM #3
6470 SF

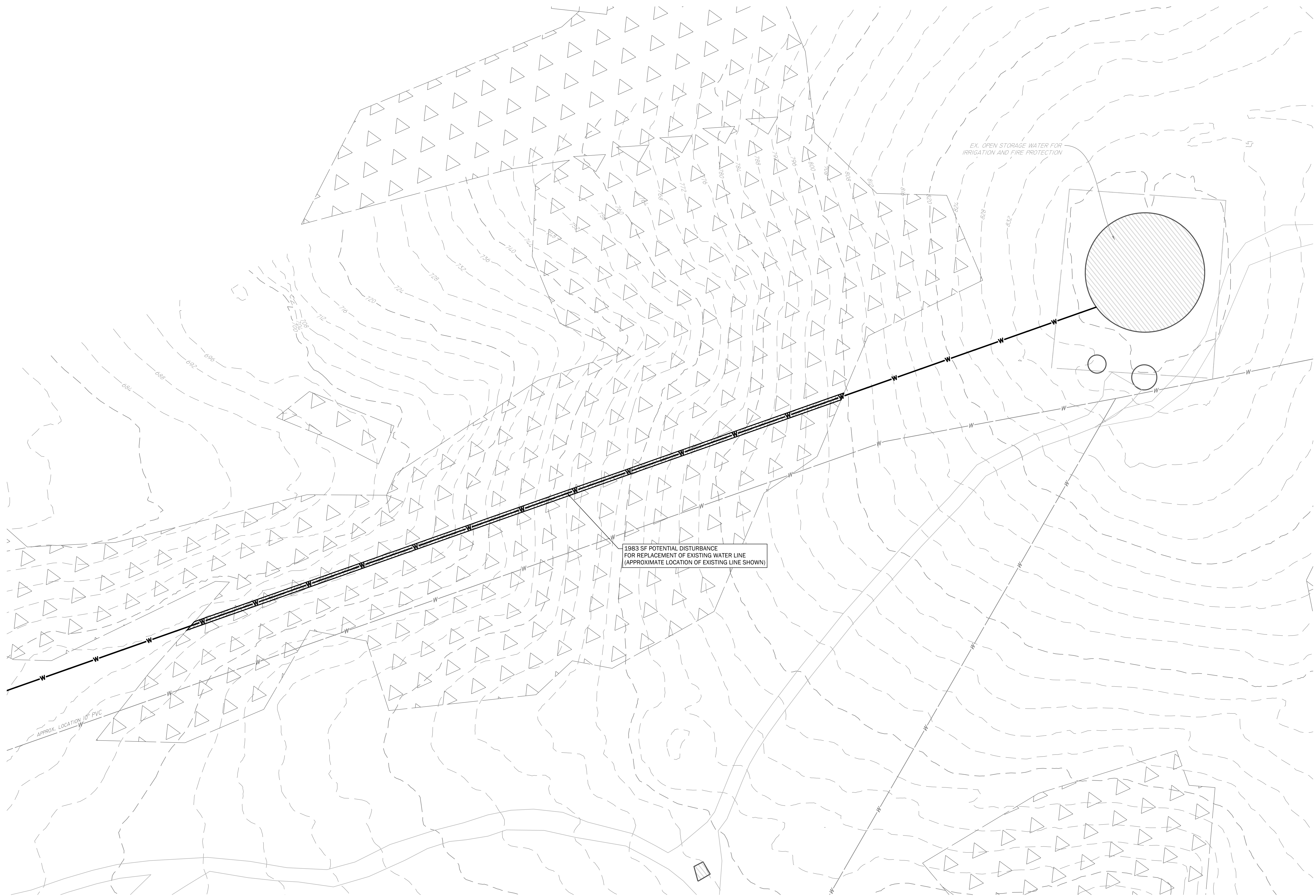
1071 SF POTENTIAL DISTURBANCE FOR RELOCATION OF EXISTING PEDESTRIAN PATH

1038 SF POTENTIAL DISTURBANCE FOR REALIGNMENT OF ROADWAY INTERSECTION

1645 SF POTENTIAL DISTURBANCE FOR PROPOSED GYMNASIUM AND RELOCATED SANITARY LINE FROM HADEN HART BUILDING

260 SF POTENTIAL DISTURBANCE FOR PROPOSED STORM OUTFALL CHANNEL

1137 SF POTENTIAL DISTURBANCE FOR PROPOSED STORM OUTFALL CHANNEL



1 EXISTING WATER STORAGE AND DISTRIBUTION
1" = 30' 0 30 60