



ALBEMARLE COUNTY PLANNING
STAFF REPORT SUMMARY

Project Name: SP202100004 and ZMA202100003 Clifton Inn and Collina Farm Expansion	Staff: Rebecca Ragsdale, Planning Manager
Planning Commission Public Hearing: August 23, 2022	Board of Supervisors Hearing: TBD
Owner(s): Clifton Inn LLC c/o Clifton Inn Management LLC	Applicant(s): Kelsey Schlein, Shimp Engineering
Acreage: Approximately 94.07 acres across four parcels.	Rezone from: PRD Planned Residential District to RA Rural Areas (28.05 acres) Special Use Permit for: Restaurants, taverns and Inns under Section 10.2.2 (27) of the Zoning Ordinance.
TMP: 079000000023B0, 079000000024B0, 07900000003600 and 079000000023F0	Location: 1296-1320 Clifton Inn Drive, 3055-3097 Collina Farm
School District: Elementary: Stone Robinson Middle: Burley High: Monticello	By-right use: RA- Agricultural, forestal and fishery uses; residential density (0.5 unit/acre in development lots); previously approved SP allows for up to 14 guest rooms at Clifton Inn, 5 guest rooms were approved at Collina Farm as a bed and breakfast, 52-seat restaurant and a maximum of 200 persons on-site at one time at Clifton. PRD parcel allows 7 residential lots and private street
Magisterial District: Rivanna	Proffers/Conditions: Yes
Requested # of Dwelling Units/Lots: not applicable	DA - RA - X
Proposal: <u>ZMA202100003</u> - Request to rezone 28.05 acres from PRD to RA. <u>SP202100004</u> - Request for expansion of guest rooms from 14 to 50 at Clifton Inn and 5 to 21 guest rooms at Collina Farm, increase restaurant seating from 52 to 100 seats, add events structures at Clifton and Collina, allow events up to 75 people at Clifton, events up to 300 people 12/year at Collina and up to 200 people events other days of the year. <u>SE202200014</u> - Special exception to disturb	Comp. Plan Designation: Rural Area- preserve and protect agricultural, forestall, open space, and natural, historic and scenic resources; residential (0.5 unit/acre in development lots)

7,979 square feet of critical slopes.	
Character of Property: Clifton Inn is developed with a 14-room inn and associated parking, Collina is developed with a farmhouse and several outbuildings, along with extensive wooded areas.	Use of Surrounding Properties: Mixture of residential and agricultural uses in the area, wooded areas, lake, Rivanna River, and elementary school
<p>Positive Aspects:</p> <ol style="list-style-type: none"> 1. The Inn expansion would allow for an existing facility that is a feature in the Rural Area to maintain its economic vitality and would promote and enhance tourism which is supported in the Economic Development Chapter of the Comprehensive Plan. 2. The proposed expansions have been designed to maintain the historic resources on the property. 3. The rezoning from PRD to RA eliminates seven residential lots, a private street, and critical slopes disturbance in sensitive areas of the site, consistent with the Comprehensive Plan recommendations for the Rural Area. 4. Concept plan provides shared use path along the Route 250/Richmond Road frontage. 5. Concept plan provides for an easement to be dedicated to the County for the Old Mills Trail and Milton Boat Launch. 	<p>Concerns:</p> <ol style="list-style-type: none"> 1. The commercial use does not promote the agricultural and forestal policies of the Comprehensive Plan. 2. Size and scale of events as well as the proposed expansion at Collina Farm are not consistent with recommendations of the Comprehensive Plan. 3. The additional water and sewer capacity needed to support the proposed use does not comply with recommendations for the Rural Area chapter of the Comprehensive Plan. 4. The proposed events could cause noise and traffic impacts to neighboring properties.
Recommendation: Due to the concerns identified, staff is unable to recommend approval at this time.	

STAFF CONTACT:
PLANNING COMMISSION:
BOARD OF SUPERVISORS:

Rebecca Ragsdale, Planning Manager
August 23, 2022
To be scheduled

PETITIONS:

PROJECT: ZMA202100003 Clifton Inn & Collina Farm

MAGISTERIAL DISTRICT: Scottsville

TAX MAP/PARCEL(S): 079000000023F0

LOCATION: On the southeast side of Rt. 729 (North Milton Rd.) across from Stone-Robinson Elementary School

PROPOSAL: Rezone the parcel from Planned Residential District, which allows residential (3-34 units/acre) with limited commercial uses, to Rural Areas, which allows agricultural, forestal and fishery uses, residential density (0.5 unit/acre in development lots), to allow for the improvements associated with an expansion of Clifton Inn and Collina Farm to include improvements such as drainfields and an entrance road to Collina Farm. Reference SP202100004.

PROFFERS: No

OVERLAY DISTRICT(S): Entrance Corridor; Flood Hazard; Monticello Viewshed

COMPREHENSIVE PLAN: Rural Areas - preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources; residential density (0.5 unit/acres in development lots)

PROJECT: SP202100004 Clifton Inn & Collina Farm

MAGISTERIAL DISTRICT: Scottsville

TAX MAP/PARCEL(S): 079000000023B0, 079000000024B0, 07900000003600 and 079000000023F0

LOCATION: 1296-1320 Clifton Inn Drive, 3055-3097 Collina Farm, and property on the southeast side of Rt. 729 (North Milton Rd.) across from Stone-Robinson Elementary School and adjacent to the Rivanna River

PROPOSAL: To amend the historic inn and tavern special use permit SP-2002-19 by adding approximately 83.28 acres and increasing total number of guest rooms to 71. The total guest rooms includes a proposed 35 room expansion at Clifton for a total of 50 and 16 proposed rooms in future cottages at Collina, for a total of 21 on that property; revision to SP-2002-19 to allow for more than 200 guests and to allow for an 100 seat restaurant at Clifton; add a 5,000 sf structure to accommodate a spa and event area for up to 75 persons at Clifton; continue to allow 200 person events at Clifton until proposed event structure at Collina is operational; add an approx. 10,500 sf event structure at Collina to hold events for up to 300 persons 12 times/year and in addition, allow other events of up to 200 persons; to establish new parking areas; and to close the existing entrance at Rt. 729 and establish a new entrance to Collina Farm. This request is associated with ZMA-2021-03, a request to rezone parcel 79-23F from PRD to RA in association with the expansion under this SP request.

PETITION: To amend an existing Special Use Permit to allow expansion of an historic inn under Sections 10.2.2.27(a) and 5.1.61 of the zoning ordinance.

ZONING: Parcels 079000000023B0, 079000000024B0, 07900000003600 are zoned RA Rural Areas – agricultural, forestal and fishery uses; residential density (0.5 unit/acre in development lots); Parcel 079000000023F0 is zoned PRD Planned Residential Development - which allows residential (3-34 units/acre) with limited commercial uses.

OVERLAY DISTRICT(S): Entrance Corridor; Flood Hazard; Monticello Viewshed

COMPREHENSIVE PLAN: Rural Areas - preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources; residential density (0.5 unit/acres in development lots)

CHARACTER OF THE AREA

The proposal includes four separate parcels, most of which are wooded, with stream buffer and flood plain, adjacent to Clifton Lake and the Rivanna River. The Clifton Inn parcel is developed with the existing inn, associated buildings such as the carriage house, livery, parking areas, and

a tent pad where special events are held. The Collina Farm property includes a farm house, tennis court, and several outbuildings.

(Attachment 1-Location Map) Abutting properties are described below:

	Land Use	Zoning District	Comp Plan Designation
North	Residential, gas station/convenience store	RA Rural Area, C1 Commercial	Rural Area
South	Wooded, Milton Boat launch, Rivanna River Corridor, across river	RA Rural Areas, PRD Planned Development Residential	Rural Area
East	Lake, Residential	RA Rural Areas, Planned Development Residential	Rural Area
West	Elementary School, quarry	RA Rural Areas	Rural Area

PLANNING AND ZONING HISTORY (Attachment 2-Zoning Map):

SP1987-49- Approved to allow a 7-room inn and 50 seat restaurant.
 SP1991-58- Approved to allow a 14-room inn and 24 seat restaurant and occasional luncheons, wedding receptions, cocktail parties and the like.
 SP2001-39-Approved to allow 14-room inn and a 52-seat restaurant. At no time would the aggregate of guests at the inn, the restaurant, and special events on premises exceed 80 people.
 SP2002-19-Amended previous SP to increase the aggregate number of people on premises at the inn, restaurant, and event to 200 people. The number of guest rooms remained at a maximum of 14 and maximum 52-seat restaurant.
 ZMA2015-06 Shadwell Estates-Approved a request to amend the PRD approved with ZMA1977-24 to allow 7 residential lots and a private street, along with a critical slopes waiver, building site waiver, and setback modification.

DETAILS OF THE PROPOSAL (Attachment-3 Project Narrative and Attachment 4-Concept Plan):

- Rezoning of TMP 79-23F from PRD to RA
- An amendment to SP200200019 to expand the historic inn and restaurant use to TMP 79-23B, 79-23F, 79-24B, 79-36
- Removal of SP02-19 Condition #3 which requires “construction of the parking lot (shown on the SP02-19 concept plan) to commence within twenty-four (24) months upon approval or this special use shall expire”; adequate parking is provided as shown in the current concept plans and exhibits presented with this SP and ZMA request
- Revision to approved SP02-19 Condition #4 to allow for more than 200 guests on the property, to allow for up to 71 guest rooms, and to allow for a 100-seat restaurant
- 71 Guest Rooms total, including 35 additional rooms at Clifton, primarily with an addition to the carriage house, and 16 additional rooms at Collina to be located in 10 cottages along the edge of the stream buffer around the lake.
- 300 Person Events up to twelve (12) times per year on the Collina Property to be located in a proposed 10,500 square foot building.
- 200 Person Events on the Collina Farm Property besides those twelve (12) permitted for

up to 300

- 75 person events at Clifton once the Collina Farm event structure is operational, request to continue 200 person events at Clifton until a time when the Collina event structure is constructed and can be rented out for events. Events would be located in a proposed 5,500 square foot building that would replace the existing tent pad.

COMMUNITY MEETING:

The community meeting was held over Zoom March 31, 2021. ([Link](#)) There were several neighboring property owners in attendance who expressed questions and concerns regarding:

- Noise from events
- Traffic
- Fireworks and effects on nearby horses
- Adequate water supply
- What kind of landscaping and planting is planned to help compensate for loss of wildlife habitat, to replace what's lost in the development process, to protect the air and water quality and to provide a view and sound buffer for the neighboring residential properties?

ZMA202100003 ANALYSIS OF THE REZONING REQUEST

APPLICANT'S REQUEST

The applicant has requested to rezone 28.05 acres from PRD to RA to allow expansion of the inn uses onto Tax Map Parcel (TMP) 79-23F. The current PRD application plan associated with ZMA2015-06 (Attachment 5) would allow up to 7 residential lots and a new private street. The proposed concept plan for the special use permit would allow primarily parking, new entrance to Collina, and drainfields to serve the inn.

COMPREHENSIVE PLAN

The Comprehensive Plan (Comp Plan) designates the property as Rural Area, which calls for the preservation and protection of agricultural, forestal, open space and natural, historic and scenic resources and recommends residential development be directed towards the Development Areas.

A rezoning from PRD to RA is consistent with the Comp Plan. This rezoning will remove seven proposed residential lots from sensitive natural resource areas, including stream buffer and slopes on private lots that were to be located on private lots. It will also eliminate an access road that required critical slopes disturbance. The proposed inn expansion and events are discussed in the special use permit section of this report.

Anticipated impact on public facilities and services

The elimination of 7 residential lots reduces impacts on public facilities and services. Potential impacts from the proposed inn expansion are discussed in the special use permit section of this report.

Anticipated impact on environmental, cultural and historic resources

As mentioned above, significant areas of critical slopes and a required stream buffer were proposed on private lots. Staff had concerns about homeowners being aware of restrictions in

tree conservation easement areas. The concept plan proposed with the special use permit does not impact those critical resource areas of concern.

Anticipated impact on nearby and surrounding properties

The changes on the parcel to be rezoned do not affect impacts to abutting properties. However, concerns with the proposed inn use are discussed in the special use permit section of this report.

Public need and justification for the change

While there is no demonstrated public need and justification, the proposed plan reduces the number of new lots and brings the proposal closer into compliance with Rural Area policies.

SP202100004 ANALYSIS OF THE SPECIAL USE PERMIT REQUEST

Section 33.8 of the Zoning Ordinance states that the Planning Commission and Board of Supervisors shall reasonably consider the following factors when reviewing and acting upon an application for a special use permit:

No substantial detriment.

Staff believes the proposed events structure, scale and frequency of events, number of guest rooms proposed, and level of parking and infrastructure improvements to Collina Farm change the character of the property from rural to a commercial. Staff believes that there are potential impacts to abutting properties from noise. The applicant conducted a sound study based on a building at Collina that may have windows or doors open. While the study demonstrates decibel levels of the ordinance could be met and the applicant has offered to use sound monitoring equipment, staff remains concerned about impacts to neighbors. If approved, a condition of approval is recommended that no outdoor amplified music be permitted. Alternatively, conditions could address hours of outdoor amplified music and sound monitoring.

Character of district unchanged. The character of the district will not be changed by the proposed special use.

Staff believes that the expansion of the inn and its facilities at Clifton Inn would be on the interior of the site and would not affect the character of the community. Events would be moved into an enclosed building, rather than a tent, to mitigate noise impacts to neighbors. Proposed expansions are generally within already existing building and parking envelopes around the site at Clifton.

Staff believes the proposed events structure, scale and frequency of events, number of guest rooms proposed, and level of parking and infrastructure improvements to Collina Farm change the character of the property from rural to a commercial. Expansions more than triple the existing capacity of the inn and dramatically changes the scale of the operation.

Harmony. The proposed special use will be in harmony with the purpose and intent of this chapter.

Section 18, Chapter 10 of the Zoning Ordinance outlines the purpose of Rural Areas zoning district as follows:

“This district (hereafter referred to as RA) is hereby created and may hereafter be established by amendment of the zoning map for the following purposes:

- Preservation of agricultural and forestal lands and activities;

- Water supply protection;
- Limited service delivery to the rural areas; and
- Conservation of natural, scenic, and historic resource

The proposed expansion does not comply directly with most of these purposes, but the inn is an existing, approved, use in this Rural Areas District. Changing economic conditions for a facility such as this mean that changes to the existing inn may be necessary. The applicant has indicated expansions have been sited to avoid impacts to important resources.

...with the uses permitted by right in the district

The level of proposed commercial activity is not entirely compatible with agricultural and residential uses in the RA zoning district.

...with the regulations provided in section 5 as applicable,

Section 5.1.61 is applicable to this request

1. ***The use shall be consistent with the Rural Area goals listed in the Comprehensive Plan.***

This is already a criteria of the ordinance in Section 33 and is discussed in detail below

2. ***The location and scale of proposed structures and additions shall be complementary and proportionate to the existing structures and/or site, and additions and new structures shall be clearly subordinate to the historic structures on the site. In no event shall the proposed additions, new structures, or exterior modifications to the historic structure adversely impact the historic character or significance of the structure and/or site as determined by the director of planning or his/her designee.***
3. ***In no event shall the proposed additions, new structures, or exterior modifications to the historic structure result in de-listing of the structure and/or site from the National Register of Historic Places and/or Virginia Landmarks Register, as indicated in a determination by the Virginia Department of Historic Resources.***
4. ***The proposed additions, new structures, and exterior modifications to the historic structure shall protect archaeological resources and preserve them in place. If such resources must be disturbed, mitigation measures as determined by the director of planning or his/her designee shall be undertaken.***

Clifton Inn is a contributing resource to the Southern Albemarle Rural Historic District and is individually listed on the State and National Register. Collina Farm is not within the historic district. The applicant has provided preliminary building plans for expansions at Clifton Inn that the Department of Historic Resources (DHR) has not raised concerns with. The applicant has indicated that expansions at Clifton Inn and new buildings at Collina Farm will not detract from the integrity of the historic resources. If approved, a condition of approval is recommended that DHR approve any new structures prior to building permit.

The applicant is agreeable to conducting archaeological testing prior to construction of the guest room expansion and a condition of approval is recommended that requires testing and approval of a plan prepared by a professional archaeologist for the identification, protection, preservation and mitigation of archaeological resources and on-site cemeteries within the project area. The plan must account for the possibility of archaeological testing in sequential phases depending

on the results of previous phases of study.

The size and scale of increased intensity of use at Collina Farm doesn't directly display a relationship to the existing Clifton Inn historic structures. Allowing larger events to shift to Collina Farm are intended to be in support of the inn. However, it could function as its own separate events space.

...and with the public health, safety and general welfare.

Traffic

The applicant has provided traffic generation estimates and will add additional traffic to nearby roads. VDOT has reviewed the request and did not raise concerns with the request or indicate turn lanes would be necessary. The concept plan proposes to relocate the entrance to Collina Farm and would improve spacing of the entrance from Richmond Road. The applicant has indicated a willingness to continue use of parking at Stone Robinson Elementary for events, which limits the number of left turns from North Milton into Clifton Inn.

Water and Sewer

As a growth management tool, public water and sewer is not provided in the Rural Area and an expectation exists that new uses should not create a need for either public water and sewer nor a central water or sewer system. This policy exists to help prevent the Rural Area from massive residential development and commercial development. There are exceptions to the rule concerning central water and sewer systems. In some cases, a central water or sewer system is necessary, such as with existing public schools in the Rural Area. Currently, the Clifton Inn parcel is designated water to existing structures only. All new structures at Clifton and Collina would be served by well and septic. Based on the number of structures proposed at Collina, a central system would need to be approved by the Board of Supervisors. That request has not been made at this time and well and septic are not fully designed. If the special use permit is approved, that request could be process with site plan approval.

Consistency with the Comprehensive Plan.

The Comp Plan shows this area as Rural Area. The designation includes as primary uses: preserve and protect agricultural, forestall, open space, and natural, historic and scenic resources. Specific strategies and objectives that relate to this proposal are discussed below.

Parcels associated with the inn are located within the Rivanna River Corridor, one of three conservation focus areas identified in the Biodiversity Action Plan and Natural Resources chapter of the Comprehensive Plan. Parcel 79-36, the wooded slopes on parcel 79-23B, and the wooded southern end of parcel 79-23F are the most important areas of the overall property for protecting the habitat and water-protection values of this corridor. The Natural Resources section of the Comp Plan recommends:

Strategy 4g: Encourage the use of locally native plants in landscaping to to protect and provide habitat for native biodiversity, to save water, and to connect landowners to the local ecosystem.

Objective 6: Retain and improve land cover near rivers and streams and protect wetlands.

Given such, even greater care and measures should be in place beyond ordinance minimums to

protect resources. Staff believes there are opportunities revise the concept plan to further define and minimize things such as limits of clearing for drainfields, new cottages at Collina, and eliminate the internal access road. A note could be added to the concept plan regarding the use of local native plants and enhanced stormwater strategies as well.

Objective 1: Continue to identify and recognize the value of buildings, structures, landscapes, sites, and districts and the historical, architectural, archaeological, or cultural significance.

Strategy 2b: Continue to find ways for preservation of historic structures and sites to be financially viable for property owners. Rehabilitation, restoration, and maintenance of historic structures can be costly. These high costs combined with limited options for using historic properties, particularly in the Rural Areas where the majority of the County's historic buildings are located, threaten these valuable resources. A greater variety of allowable uses for historic buildings and sites could encourage historic property owners to spend the money required to maintain, rehabilitate and restore these buildings. Objective 5 in the Rural Area Chapter provides guidance for use of restaurants and artist residencies in the Rural Area. Additional uses that can be accommodated in older buildings and sites while maintaining conformity with Rural Area goals, objectives, and strategies should be considered.

Staff believes that the use is consistent with the goals of the Comprehensive Plan as long as the impacts of noise, water and sewer are addressed with the recommended. Additional uses would support ongoing preservation of the historic inn resources.

Objective 1: Promote economic development activities that help build on the County's assets while recognizing distinctions between expectations for the Development Areas and the Rural Area.

The Economic Development Chapter of the Comprehensive Plan addresses the importance of tourism:

Strategy 1c: Promote tourism that helps preserve scenic, historic, and natural resources.

Tourism brings visitors to enjoy the County's scenic rural landscapes and also to spend money in the County. Rural Area businesses that showcase the County's rich and diverse rural, agrarian, and historical resources provide sustainable economic development opportunities. In so doing, these businesses also help preserve, protect, and in some cases restore the Rural Area characteristics that make Albemarle County a desirable destination. Tourism and agribusiness opportunities are discussed in more detail in the [Rural Area Chapter of this Plan](#). Recent State legislation has made large gatherings for commercial events possible at farm breweries and other bona fide agricultural operations. Events can help promote tourism and provide for enjoyment of scenic and natural resources; however, the County needs to ensure that the health, safety, and welfare of the residents of the Rural Area are protected when large events occur.

This Chapter also recommends uses that promote tourism that helps preserve scenic, historic, and natural resources.

Clifton Inn and its expansion will contribute to the economic development goals of the County, recognizing that impacts should be mitigated with the recommended conditions.

Objective 4: Promote rural and historic landscapes that enhance visitors' experience and give historic sites as authentic a setting as possible. Tourism is a vital part of Albemarle County's economy.

Expansion of the number of guest rooms at the inn would be supportive of tourism. Additional guest rooms have been designed to be compatible with the Clifton Inn historic resources.

Strategy 4a: Continue to require special use permits for events at farm wineries, farm breweries, and bona fide agricultural operations for over 200 persons and for other events in the Rural Area for over 150 persons. These special events should promote or support agricultural production or a uniquely rural activity, such as a County fair, and be limited to once or twice per year. Sometimes, requests for larger, more frequent events at farm wineries, farm breweries or farms must be evaluated. To date, the County has approved some of these requests when an occasional larger event is appropriate. Frequent or regular large events are not appropriate in the Rural Area. This is because of impacts on nearby and adjoining Rural Area properties and Rural Area roads. At places other than farms and farm wineries, the County has been fairly consistent in allowing groups larger than 150 persons on an occasional, but not regular basis. **The County should continue to evaluate individual requests on a case-by-case basis with preference given to occasional rather than regular large events.**

Strategy 4A-At places other than farms and farm wineries, the County has been fairly consistent in allowing groups larger than 150 persons on an occasional, but not regular basis. The County should continue to evaluate individual requests on a case-by-case basis with preference given to occasional rather than regular large events.

Regarding recommendations for events in the Comp Plan, events at uses other than farm wineries, breweries, or distilleries are evaluated individually on a case by case basis. However, the Comp Plan indicates that events larger than 150 people should be on an occasional not regular basis. The maximum of 150 people is consistent with the regulations found in Section 5.1.43 pertaining to special events. Currently, the special use permit limits the number of guests at the inn, the restaurant, and any special events on the premises not to exceed 200. The maximum of no more than 200 event attendees is consistent with limits on farm wineries, breweries, and distilleries. This proposed expansion includes up to 300 attendees for events at Collina and up to 75 attendees at Clifton, not including guests and restaurant patrons, exceeds the recommendations of the Comp Plan. To address this strategy, the applicant has indicated a willingness to limit the number of events of up to 300 people to 12 times per year.

Strategy 4C-Lodging Another significant aspect of tourism is transient lodging in the Rural Area. In 2012, County staff estimated 230 rooms available for lodging in the Rural Area. This includes Keswick Hall (48 rooms), the Clifton Inn (17 rooms), Farmington (40 rooms), and approximately 125 rooms in homes as rental cottages, bed and breakfasts (B&Bs), and guestrooms. Generally, new hotels, motels, inns, and retreat centers are not considered to be appropriate in the Rural Area due to their water requirements, wastewater needs, and traffic impacts. However, more study is needed of smaller scale rural lodging activities that may provide.

Clifton Inn is an existing restaurant and inn within the Rural Areas. Under the Rural Area chapter of the Comprehensive Plan, a new hotel, inn or retreat center are not considered appropriate uses the Rural Areas due to water requirements, wastewater needs, and traffic impacts. However, it recognizes Clifton as an existing use, and prior legislative acts have supported the continuation and expansion of the inn. However, the Comprehensive Plan does not provide guidance as to the level of expansion. New structures and lodging and event activity are proposed at Collina Farm, where previously only a bed and breakfast permit of up to five guest rooms has been approved as a by-right activity.

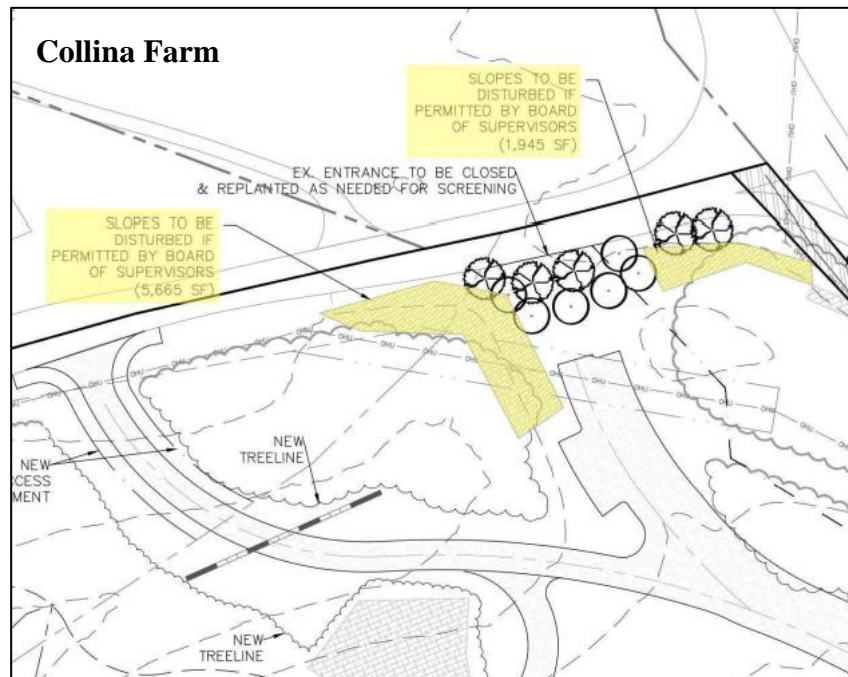
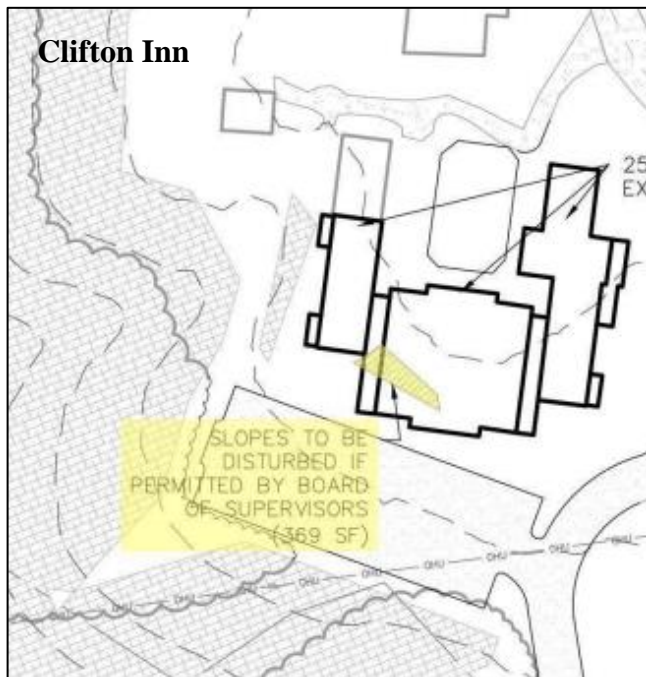
Parks, Recreation, Greenways, Blueways-Strategy 3b: Continue to develop the County’s greenway system as shown in the Development Area Master Plans and on the Greenway Plan

A portion of tax parcel 79-36 is designated in the County’s Green Systems plan as a key connection to working towards the completion of the Old Mills Trails. If this special use permit request is approved, the owner is committed to working with ACPR to establish a variable width easement within a portion of tax parcel 79-36 along the Rivanna River’s frontage to allow for the County to construct a portion of the Old Mills trail and affiliated parking through the property. Establishing this easement will directly contribute to the County’s goal of continuing to develop the greenway system. The area proposed for an easement is shown on the Concept Plan.

SE202200014-CRITICAL SLOPES SPECIAL EXCEPTION REQUEST

The applicant requested a special exception to allow for the disturbance of critical slopes on the site (Attachment). Planning Commission action is not required for the special exception request; however, the Board may consider a recommendation by the Planning Commission. The applicant is proposing to disturb two areas of critical slopes, 369 square feet on the Clifton Inn parcel and 7, 610 square feet on the Collina Farm parcel:

	ACREAGE	SF OF SLOPES DISTURBANCE REQUEST	% OF PROPERTY DESIGNATED AS CRITICAL SLOPES	% OF SLOPES REQUESTED TO BE DISTURBED ON PROPERTY
TMP 79-23B	10.78 AC	369 SF	41% (Total 192,814 SF)	0.2%
TMP 79-24B	25.75	7,610 SF	20% (Total 220,131 SF)	3%



Slopes proposed for disturbance for the Clifton Inn expansion are shown on the inset to the left above and are 369 square feet on non-contiguous slopes. The applicant indicates these have likely been disturbed for internal access roads. The disturbance of the slopes would allow for siting of new guest rooms in a manner that would be secondary to historic structures.

Slopes proposed for disturbance at Collina Farm are located near the existing entrance to the property and are shown on the inset to the right above. The entrance does not meet VDOT requirements and if the special use permit is approved, will be relocated to the south. Part of the existing access road would be filled and used for parking to serve the proposed events space.

Engineering staff has reviewed the request under the requirements of section 4.2.5(A)(1) and has no objection to the proposed critical slope disturbances. Staff believes that strict application of the requirements of Section 4.2 regarding preservation of critical slopes would not forward the purposes of this chapter or otherwise serve the public health, safety or welfare. If the special use permit is approved, staff recommends that the special exception for the disturbance of critical slopes be approved. Conditions of approval are recommended to address adequate landscaping is provided to screen parking and meet Entrance Corridor requirements.

SUMMARY:

Staff has identified several positive aspects of the proposal as well as multiple concerns.

Positive aspects of this request include:

1. The Inn expansion would allow for an existing facility that is a feature in the Rural Area to maintain its economic vitality and would promote and enhance tourism which is supported in the Economic Development Chapter of the Comprehensive Plan.
2. The proposed expansions have been designed to maintain the historic resources on the property.
3. The rezoning from PRD to RA eliminates seven residential lots, a private street, and critical slopes disturbance in sensitive areas of the site, consistent with the Comprehensive Plan recommendations for the Rural Area.
4. Concept plan provides shared use path along the Route 250/Richmond Road frontage.
5. Concept plan provides for an easement to be dedicated to the County for the Old Mills Trail and Milton Boat Launch.

Concerns associated with this request include:

1. The commercial use does not promote the agricultural and forestal policies of the Comprehensive Plan.
2. Size and scale of events and expansion at Collina Farm are not consistent with recommendations of the Comprehensive Plan.
3. The additional water and sewer capacity needed to accommodate the proposed use is does not comply with recommendations for the Rural Area chapter of the Comprehensive Plan.
4. The proposed events could cause noise and traffic impacts to neighboring properties.

RECOMMENDED ACTION:

ZMA202100003- Staff recommends approval of the rezoning of 28.05 acres from PRD to RA.

SP202100004 and SE202200014- Staff does not recommend approval of the proposed special use permit and critical slopes waiver.

However, if the Planning Commission wishes to recommend approval of the special use permit as proposed, the following conditions are recommended:

1. Development and use shall be in general accord with the conceptual plan, as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the Conceptual Plan, development and use shall reflect the following major elements within the development essential to the design of the development, as shown on the Conceptual Plan and described in the Narrative:
 - a. location of buildings and structures
 - b. location of parking areas
 - c. Limits of disturbance
 - d. Landscape screening

Minor modifications to the plan which do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance.

2. The number of guest rooms must not exceed 71.
3. The number of restaurant seats must not exceed 100.
4. Special events at Clifton Inn must not exceed 75 persons.
5. Special events at Collina Farm must not exceed 200 persons provided that events of up to 300 persons are permitted 12 times a year.
6. No outdoor amplified music is permitted.
7. Prior to issuance of a building permit for any structures on the Clifton Inn property, building plans must be reviewed by the Virginia Department of Historic resources to confirm they will not result in de-listing from the State and National Register.
8. Prior to final site plan approval, a plan prepared by a professional archaeologist for the identification, protection, preservation and mitigation of archaeological resources and on-site cemeteries within the project area must be reviewed and approved by the Virginia Department of Historic Resources The plan must account for the possibility of archaeological testing in sequential phases depending on the results of previous phases of study.
9. In the event that the use, structure or activity for which this special use permit is issued is not commenced within twenty-four (24) months from the date of Board of Supervisors approval, it shall be deemed abandoned and the permitted terminated. The term "commenced" means "construction of any structure necessary to the use of the permit".

MOTIONS:

ZMA202100003

- A. Should the Planning Commission **choose to recommend denial** of this special use permit:

I move to recommend denial of SP202100004. For the reasons stated in the staff report.

- B. Should the Planning Commission choose to recommend approval of this special use permit:
I move to recommend approval of with the recommended changes and conditions outlined in the staff report.

SP202100004

- A. Should the Planning Commission choose to recommend denial of this special use permit:
I move to recommend denial of SP202100004. For the reasons stated in the staff report.
- B. Should the Planning Commission choose to recommend approval of this special use permit:
I move to recommend approval of with the recommended changes and conditions outlined in the staff report.

ATTACHMENTS

1. Location Map
2. Zoning Map
3. Application Narrative
4. Concept Plan
5. ZMA2015-06 Application Plan
6. Special Exception Request to Disturb Critical Slopes