

COUNTY OF ALBEMARLE
TRANSMITTAL TO THE BOARD OF SUPERVISORS
SUMMARY OF PLANNING COMMISSION ACTION

<p>AGENDA TITLE: SP202100004, ZMA202100003, and SE202200014 Clifton Inn and Collina Farm Expansion</p> <p>SUBJECT/PROPOSAL/REQUEST: <u>ZMA202100003</u>- Application to rezone 28.05 acres from PRD to RA for Inn uses. <u>SP202100004</u>- Application 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 7,979 square feet of critical slopes.</p> <p>SCHOOL DISTRICT: Stone Robinson (Elementary); Burley (Middle School); Monticello (High School)</p>	<p>AGENDA DATE: November 16, 2022</p> <p>STAFF CONTACT(S): Walker, Filardo, Rapp, Ragsdale</p> <p>PRESENTER (S): Rebecca Ragsdale, Planning Manager</p>
--	--

BACKGROUND:

At its meeting on August 23, 2022, the Planning Commission (PC) held a public hearing to review the proposed applications and voted unanimously to recommend approval of each. The staff report, PC action letters, and PC minutes are provided as Attachments A, B, C and D. Staff did not recommend approval of the special use permit due to concerns regarding the proposed size and scale of events along with the potential noise impacts.

During the public hearing, some members of the public expressed support for the proposal, while others expressed concerns. During its discussion, the PC considered not only the positive aspects of the proposal identified in the staff report, but also the following:

- The property's development rights and how many single-family dwellings could be constructed if the property were not used for the inn
- The proposal's support of tourism and economic development goals
- The property's uniqueness and location, including adequate roads, on-site buffering, and the number of neighboring non-residential uses

The PC recommended (a) clarification of the condition that requires archeological resources and (b) allowing outdoor amplified music, consistent with other Rural Areas uses that allow outdoor amplified music.

DISCUSSION:

The applicant has not revised the scope of the proposal since the PC meeting, however a few minor corrections were made to the Concept Plan (Attachment E). Staff remains concerned about the size and scale of events and potential noise impacts, and did not recommend outdoor amplified music for this reason. However, because the PC recommended approval, including allowing outdoor amplified music, staff has revised the following recommended conditions of approval both (a) to allow for outdoor amplified music with limitations consistent with agricultural operations and (b) to clarify major elements of the Concept Plan:

1. Development and use must be in general accord (as determined by the Director of Planning and the Zoning Administrator) with the Conceptual Plan. To be in general accord with the Conceptual Plan, development and use must reflect the following major elements, as shown on the Conceptual Plan and described in the Narrative, that are essential to the design of the development:
 - a. Location of buildings and structures
 - b. Location of parking areas
 - c. Limits of disturbance
 - d. Landscape screening
 - e. Right-of-Way reservation area for Route 250 improvements
 - f. Proposed new Greenway Easement for County trails, parking, and other amenities for the Rivanna River greenway and Milton Boat launch

Minor modifications to the Conceptual Plan that do not conflict with these major elements 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. Attendance at special events at Clifton Inn must not exceed 75 persons.
5. Attendance at special events at Collina Farm must not exceed 200 persons, provided that special events of up to 300 persons are permitted up to 12 times per year.
6. No additional building permit(s) may be issued for any structures on the Clifton Inn property until the building plans have been reviewed by the Virginia Department of Historic resources to confirm that no plan(s) would result in de-listing from the State and/or National Register.
7. No final site plan may be approved unless and until a plan prepared by a professional archaeologist (for the identification, protection, preservation and mitigation of archaeological resources and on-site cemeteries within areas of disturbance) has been 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.
8. Sound generated by outdoor amplified music will be subject to the same standards as are applicable to agricultural operations under *County Code* § 18-5.1.58(g).
9. In the event that the use, structure, or activity for which this special use permit is issued is not commenced within sixty (60) months from the date of Board of Supervisors approval, it will be deemed abandoned and the permit terminated. The term "commenced" means "construction of any structure necessary to the use of the permit."

RECOMMENDATIONS:

Staff and the Planning Commission recommended approval of the proposed zoning map amendment from Planned Residential District (PRD) to Rural Areas (RA) (ZMA202100003). An ordinance to approve ZMA202100003 is provided as Attachment F.

Though staff recommended denial of the proposed special use permit, the PC recommended approval. As a result, staff has prepared separate alternate resolutions to approve (including

recommended conditions of approval) and deny, provided as Attachments G and H, respectively.

If the special use permit is approved, staff recommends approval of the associated critical slopes special exception. A resolution to approve is provided as Attachment I.

Following the public hearing, the Board may approve or disapprove the proposed rezoning, or may defer action. Based on County Code § 18-33.4(O)(2), Board action is not required on this application until March 1, 2023.

ATTACHMENTS:

- A. PC Staff Report for August 23, 2022 Public Hearing
 - 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
- B. SP 2021-04 PC Action Letter
- C. ZMA2021-03 PC Action Letter
- D. PC Minutes
- E. Concept Plan, last revised November 1, 2022
- F. Ordinance to approve ZMA202100003
- G. Resolution to approve SP202100004, including proposed conditions of approval
- H. Resolution to deny SP202100004
- I. Resolution to approve SE202200014