

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

<b>AGENDA TITLE:</b> ZMA201500006 Shadwell Estates	<b>AGENDA DATE:</b> September 13, 2017
<b>SUBJECT/PROPOSAL/REQUEST:</b> Request to amend proffers for ZMA1977-24 on property zoned Planned Residential Development (PRD) to allow up to 7 residential lots	<b>STAFF CONTACT(S):</b> Walker, Blair, Graham, Gast-Bray, Echols, Falkenstein
<b>SCHOOL DISTRICT:</b> Elementary: Stone-Robinson; Middle: Burley; High: Monticello	<b>PRESENTER (S):</b> Rachel Falkenstein

**BACKGROUND:**

At its meeting on June 20, 2017, the Planning Commission voted 5:1 (Keller nay; Firehock absent) to recommend approval of ZMA201500006 conditioned on the applicant making the revisions noted in the staff report (Attachment J). In addition to the rezoning request, the applicant requested special exceptions for the disturbance of critical slopes, a modification of the rectangular building site requirement and modification of the maximum front setback requirement. (Resolutions for the special exceptions can be found in Attachments B, C, and D)

**DISCUSSION:**

The applicant made all revisions to the proffers (Attachment E) and application plan (Attachment F) as recommended by the Planning Commission.

Although the Planning Commission recommended approval with changes outlined in the staff report, they cautioned the Board that:

1. Alternative septic systems may be needed for the proposed lots and the systems could pose maintenance issues for future homeowners.
2. The tree conservation easement offered by the applicant may not be sufficient to prevent homeowners from removing trees from environmentally sensitive areas such as critical slopes and the stream buffer.
3. Potential impacts of the development may be greater when considered as a whole with other properties owned by the applicant, specifically, properties associated with the Clifton Inn, as seen on the attached map showing all properties owned by the applicant, proposals previously approved or currently under review associated with these properties, and existing and proposed greenways and blueways from the Comprehensive Plan (see Attachments G & F).

**RECOMMENDATIONS:**

Staff recommends that the Board adopt the ordinance to approve ZMA201700006 (Attachment A) and adopt the attached resolutions to approve the special exceptions for disturbance to critical slopes, modifications to building sites, and modification to maximum front setback (Attachments B, C, and D).

**ATTACHMENTS:**

- A – Ordinance approving ZMA201500006
- B – Resolution approving Critical Slopes Special Exception
- C – Resolution approving Rectangular Building Site Special Exception
- D – Resolution approving Maximum Setback Special Exception
- E – Revised Proffers

F – Revised Application Plan  
G – Context Map  
H – Proposed Expansion Plan for Clifton Inn  
I – Planning Commission action letter  
J – Planning Commission staff report  
K – Planning Commission minutes