

Minutes
PLANNING COMMISSION REGULAR DOCKET
Tuesday April 11, 2017 – 5:30 P.M.
CITY COUNCIL CHAMBERS

I. Commission Work Session (Agenda discussion(s))

Beginning: 4:30 p.m.

Location: City Hall, 2nd Floor, NDS Conference Room

Members Present: Chairman Kurt Keesecker, Vice-Chair; Lisa Green, Commissioners Genevieve Keller, Jody Lahendro, Taneaia Dowell; UVA representative: Brian Hogg

Member Absent: John Santoski

Chair Keesecker called the meeting to order at 5:15pm and provided a review of the agenda. Commissioner Keller asked if the rock wall area on the MAACA site was protected under an easement. It was noted that there is no easement.

The discussion concluded at 5:25pm.

II. Commission Regular Meeting

Beginning: 5:30 p.m.

Location: City Hall, 2nd Floor, Council Chambers

II. Commission Regular Meeting

Beginning: 5:30 p.m.

Location: City Hall, 2nd Floor, Council Chambers

Members Present: Chairman Kurt Keesecker Vice-Chair; Lisa Green, Commissioners Genevieve Keller, Jody Lahendro, John Santoski, and Corey Clayborne; UVA representative: Brian Hogg

Members Absent: Taneaia Dowell

Staff: Missy Creasy, Heather Newmyer, Matt Alfele, Carolyn McCray

Call to Order: The meeting was called to order by Chairman Keesecker at 5:30

A. COMMISSIONERS' REPORTS

Jody Lahendro attended the Tree Commission meeting on April 4th where NDS staff presented a Planning 101 session on Comprehensive Planning and Zoning. This will assist the Tree Commission in finding opportunities to incorporate the preservation and planting of trees into the Comprehensive Plan, Zoning Ordinances and the Code Audit. We also discussed the need for the Tree Commission to provide input to the Planning Commission for the current Comprehensive Plan process. We had a consultant present the current results of a project to map opportunities for planting new trees on both public and private properties. The project is in the early phases and will provide us with a lot of good data information for finding new places to plant trees. It should be complete in a few months. Staff presented the integrated pest management annual report which will soon be coming to City Council. Staff also presented the result of a study to understand the cost of maintaining and watering new trees. This is based on data going back five years. The greatest effort in ensuring a healthy tree occurs in the first two years of planting and it is found that the average cost to the city per tree for two years is \$705.00. That is what the Tree Commission will use as justification for their request for the CIP. Arbor Day is on Friday, April 28th. The Tree Commission will join the Charlottesville Area Tree Stewards in celebration at 10:00 at the downtown library.

Ms. Keller – no report

Ms. Dowell – no report

Ms. Green – no report

Mr. Clayborne - arrived at 5:46 – no report

B. UNIVERSITY REPORT – Brian Hogg - no report

C. CHAIR'S REPORT – Kurt Keesecker said he attended a charrett as part of the Route 29/ Hydraulic small area plan advisory committee, facilitated by VDOT and Sal Masssaro from Kimley Horn. They worked with the group to consider a study area around the intersection of Hydraulic and 29. He said there were a series of activities they moved through as a group of 12. They also had a good discussion touching on aspirational goals that will have to be looked at a little more clearly to find out what is conceivable. It was a four hour session and it felt like it took about 30 minutes. He will report more on the outcome of that when it is online. Other representatives from the city including Ms. Galvin and Mr. Ikefuna, and myself talked a lot about walkability and those ideas were shared and were common with our colleagues from the County. The other conference he attended this afternoon was sponsored by the Thriving Cities Project. It is an outreach event for the Institute of Cultural Studies. They put together a group of experts in the realm of creative placemaking. He learned this is more fully the bringing together the people in the arts or the creative fields to help enhance both community engagement and bring people together in cities. He said he had his mind blown by some of the things that were presented. There were a number of people who were active in Richmond. Those attending the event included a gentleman who runs a storefront for design which is a community design center in Richmond, and I saw alumni from the NDS staff named Ebony Walden.

D. DEPARTMENT OF NDS – Missy Creasy - The Meadows Neighborhood be meeting tomorrow night with the consultants for the Hydraulic/29 study at the Holiday Inn at 6:30. Neighbors will have the opportunity to meet with community members and will be able to share concerns and dialogue back and forth. On Thursday night there is a Fifeville meeting at 6:30 at Tonsler Park where staff and commissioners will be meeting with community members. The next Planning Commission work session is April 25, 2017.

Commissioner Keller said there was a reference in Natasha Sienitsky letter that said I know you can't attend these meetings. She said it has never been clear because now we have the requirements about the community meetings that applicants hold whether Planning Commissioners can attend those meetings.

Ms. Creasy said commissioners can attend but there can only be two attending unless it is advertised publicly.

Commissioner Green asked about Tuesday at the Tom Tom hometown event. Will we all be in the same session or what?

Ms. Creasy said that is true. You all will be attending the conference. That was a general invitation so we will make sure it is posted.

Commissioner Keller said if something is informational or educational and we are not discussing business, why would there be a constraint on us being present.

Ms. Creasy said we just like to make sure all of our bases are cover.

Commissioner Keller said it seems to be the detriment of good government that it is necessarily elevating a conflict of interest. If we are not discussing something and interacting with the public and we all showed up at town hall meeting and never said a word, why would there be a problem.

E. MATTERS TO BE PRESENTED BY THE PUBLIC NOT ON THE FORMAL AGENDA – No one was there to speak.

F. CONSENT AGENDA

(Items removed from the consent agenda will be considered at the end of the regular agenda)

1. Minutes - October 25, 2016 – Work Session
2. Minutes - February 28, 2017 – Work Session

Motioned by Commissioner Keller seconded Commissioner Lahendro to approve the consent agenda, motion passed 7-0.

1. Discussion

a. Planning Commission Operational Procedures

Ms. Creasy reported that back in 2006-07 the bylaws were updated and the Commission at that time adopted operating guidelines. Commissioner Keller suggested that we bring that as a talking point that the Commissioners could consider some of these items.

Chair Keesecker said pertaining to the 2006-07 guidelines, did anyone have any thoughts or comments related to those and where we might go from here.

Ms. Creasy said you all did not commit to signing anything but she didn't think you all committed to these things either. She thought the commissioners wanted to have a conversation about whether these things were appropriate.

Commissioner Green said as a Planning Commissioner, ethically, we want to uphold these guidelines but there is no enforcement mechanism once you are off the Planning Commission.

Chair Keesecker said we are just trying to be clearer in a language that is more understood by any of those that might be interested in how we conduct our business instead of having to be a state law expert. Mr. Keesecker said he only circled one paragraph in the operating guidelines that we had to review which was the second paragraph under #4 which talks about meetings that we might have as individuals outside of our formal meetings.

Ms. Creasy said that was one of the main drivers behind the guidelines back then because commission members had different stances on that and so if members decided they wanted to meet with people, they wanted to make sure that there were some guidelines for doing so. For the most part, you all follow that generally anyway and we encourage it because it helps the process. If there is a meeting with one of the commissioners, if staff is present it allows for us to be note takers and be able to share the process.

Chair Keesecker explained how this series of paragraphs has to do with what we all at different times been asked to do is to meet outside of commission meetings with applicants to either to answer their questions as we could or get a better understanding of the projects as it is presented to us.

Commissioner Keller said it seems like that is the most useful of the enumerated items here because it gives the commissioner an out if someone is really putting a lot of muscle on them to try to meet outside. We generally have a policy that we meet with staff at City Hall and it gets you out of a sticky situation.

Chair Keesecker said he noted that this paragraph says strong consideration shall be given to holding such a meeting during regular business hours at public locations such a city hall with a member of staff present, but that language does not preclude or prohibit anybody from meeting with an applicant in the coffee shop at the end of the day. He said we all have jobs, some in different places. He said he has met with applicants prior to meetings even sometimes prior to their submissions to the staff. Before anything goes in but he said his has be fairly good trying to disclose when he has had those meeting and been careful not to make any promises. For him it's a chance to get a better knowledge of what is going. He can then do research, ask questions that they might want to address when they come and talk to us.

Commissioner Clayborne said there is a time and place for it like for instance when you partnered with the applicant that was having challenges simply navigating through the process and we stepped up to the plate and help him get through the third time.

Commissioner Green said we should either do it or not which is the reason why she says there is not enforcement. She gets what they are talking about, but the discussion in the pre-meeting regarding proffers to what you can and

can't say; when you sit down to coffee and meet with them, you are still representative of the Commission. She said you are still liable.

Commissioner Keller said the stakes are higher now as of July 1 of last year than they were in 2006.

Chair Keesecker said the question is whether the language in the paragraph stating "Stronger consideration needs to be stronger" because it doesn't prohibit.

Chair Keesecker said they need to move to the Preliminary Discussion - 1025 Park Street.

III. JOINT MEETING OF COMMISSION/ COUNCIL

Beginning: 6:00 p.m.

Mayor Signor called the Joint Meeting to Session

Commissioner Dowell recused herself because she is employed by MACAA

1. Preliminary Discussion - 1025 Park Street PUD (current MACAA site)

Heather Newmyer, City Planner presented the reported that Kurt Wassenaar is representing Monticello Area Community Action Agency (MACAA) and New Millennium Senior Living Communities (NMSLC), a development group based out of Roanoke, Virginia that specializes in senior housing, independent living, assisted living and nursing properties in the Mid-Atlantic and Southeast regions of the United States. The applicant plans to submit a rezoning application to rezone properties 1021, 1023 and 1025 Park Street from the existing single-family low-density residential zoning (R-1) to a Planned Unit Development (PUD). In addition to the R-1 zoning, 1025 Park Street (MACAA's current site) has a special use permit granted by City Council in 1993 for a private school/education facility (community education center) and amended in 1995 to permanently close access to 250 Bypass.

City staff has met with the applicant's representative and associated team to have preliminary discussions regarding the rezoning request and held a formal pre-application meeting per Sec. 34-41(b)(1) on March 22, 2017. The applicant has stated part of the planning process for the PUD request is to preserve and incorporate the above mentioned environmental/historic features. Staff has provided the applicant with the Streets That Work Plan and the Park Street design developed in 2015 as part of the Bicycle and Pedestrian Plan to inform their planning process for the proposed intersection design should they move forward with a formal rezoning request.

After a lengthy discussion on the zoning request, Ms. Creasy gave a detailed way the process is done stating you will be providing a packet. With a PUD, which is the zoning requested for the site, one would include all of the details you choose to put into your packet. You can memorialize some of the things you are talking about by articulating those as both in the development plan and in any sort of text.

Commissioner Lahendro said he is elated that the applicant is making this compatible to the neighborhood and to continue to work with Mary Joy Scala for historical guidance.

Commissioner Keller said you should understand that Ms. Creasy is more diplomatic than she is. Because this is an PUD which in affect is a zoning change and we either vote this up or down in our recommendation and so, the more specific it is the more certainty we are going to have in our comfort level. She said we have projects in the past both in the City and the County where there was an expectation and something happened, there was a change in ownership and that zoning went for a completely different project. The things we might like about this one may go away if they are not memorialized.

Chair Keesecker said given the footprint is what it is, the next largest footprint is the First Baptist Church and the new YMCA and in the immediate area are smaller footprint homes. He asked how can one navigate between that larger footprint scale and the immediate context and it would be hard for us to understand that from zoning

drawings. Views of this building from different points across the buildings on Park Street and other methods that might be more architectural would speak to Ms. Keller's point on helping us understand how to address the concerns he has in number six.

Chair Keesecker said the Commission looks forward to your application and it will make for a robust review if you address those concerns related to the criteria that we are obligated to look at as we evaluate your submission. Thank you for your presentation.

IV. COMMISSION'S ACTION Items

Beginning: upon conclusion of all joint public hearings

Continuing: until all action items are concluded

*ADJOURN TO NDS CONFERENCE ROOM

Ms. Creasy said we have kick-offs coming up and a lot of dates, locations and reservations and we want to see how the agenda is going to flush out so we can get some confirmations on those because the agenda will determine the space. The key item for this evening is to refine the workshop agenda so that we've got what we are going to do as a program for these workshops. We have started a kick off with attachment two that was put together by Commissioner Lahendro.

Facilitator Allison Linney: she has read the entire document and spent time with staff to brief her and she feels she is up to speed with what is on paper. She said what we are going to try to do is together to come up with an agenda and ground rules to allow us to ensure a very similar product across all four meetings.

Chair Keesecker asked about the pre-meeting that council requested of us.

Ms. Creasy said PHAR has not been able to fit us in right now. Vice-Mayor Bellamy said he would like to help set a meeting of folks able to help this process.

Chair Keesecker is concerned about the pre-meeting piece and instead of thinking of it as the fifth meeting it actually would be meeting number zero. He said he reached out to Councilor Bellamy because he wanted to understand better and it was impassioned and earnest and he wanted to make sure he understood what his thoughts were and he understood what we were all coming from with the idea many more meeting with all kind of different groups, and hopefully mixed groups. He said we would get a lot of energy if we could put the three groups together. He said it would be a lot more energetic if we could make it happen. Councilor Bellamy's concern is to have a robust engagement process. We can engage them to take some ownership and participate in the process from the very beginning if we are opened to have them give us input on how to shape those meeting details as we move forward. There may not be any practical changes once someone sees what we are trying to do with our 4 kick off meetings but the idea we would reach out and say what would make these better would be a helpful gesture for people who may decide it's just a another dog and pony show so I'll wait until the end. If we are going to have community engagement, we need to engage with them before all of this happens.

Chairman Keesecker asked what is the risk and reward of having an early conversation with someone to get their thoughts. He doesn't feel like he has the expertise to determine the absolute best way to start a conversation with groups of people in the City that he doesn't have a lot of daily interact with other than in these formal meetings that is not the best place for ideas to exchange.

Commissioner Lahendro said the challenge will be to keep those meetings on focus for our objective which is to find out how to get input from citizens. They are going to immediately go into what is wrong with form based code, what is wrong with how they are living now.

Ms. Creasy has reached out to PHAR. Councilor Bellamy is scheduling a meeting of folks able to help this process, and to kick off meeting number five. People in the neighborhoods will reach out to Councilor Bellamy

for more specific information and he was wanted it to be more one on one sessions. Everyone has been on the same page with smaller outreach groups during the summer.

Ms. Linney said you need to think about how you want to give people to influence the agenda. If you have pretty good sense that this agenda is what needs to happen, don't ask a question that you don't fully intend to take actions on the answer.

Commissioner Keller said that has been her concern all along that we could raise expectations for things that are outside of our scope that the Comprehensive Plan is not going to deal with. When we engage the community we need to be clear in what our expectation in our engagement is.

Ms. Linney said the other piece she is trusting is that you all are saying that these meetings need to be three hours because there is that much to cover in order for someone to be an informed person.

Ms. Creasy said we have booked for three hours which allows for set up and clean up.

Ms. Lenny said:

- To pick one of those to do, perfectly to go on record, see his list of because of opinion across the community, we have to move fast.
- Kurt does not want the deadline to make us not do our best.
- Don't ask a question that you are not going to act on the answer.
- Run 3 tightly run discussions
 - Listening, no opinions
 - What your concerns are.
 - Get those issues to the table.
 - As well as anyone in the public
 - One at lunchtime and one at dinner time.
 - Neighborhood of Friendship Court.
 - Representative of people from all over the community.

Mr. Haluska said he is working with Economic Development about the job portion because after the last work session the Commission had two large categories, where people live and where people are working if the city is going to continue to grow and we are all under that assumption. He has 2 questions already and one that lays out 4 different scenarios potentially for growth. One is a housing visual preference.

Commissioner Green said she didn't think we want to use the term if the City is going to grow.

Mr. Haluska will do a demographic pie chart to collect input to see who is attending and which groups we need to outreach to further.

- 30 minutes folks later or earlier
- 15 minutes presentation included portion of 1-5
- 30 minute break out what kind of report out
- 30 minute close out but a mingle questions, allow for folks earlier and later

The group got 90 second to present two most interesting thing to make sure fellow citizens want to hear what you have to say.

Commissioner Dowell said as part of the presentation say these are the places from the maps we have already done as part of our presentation and then let the community decide if they agree.

Ms. Linney said for tonight we have a high level agenda and we now know who our presenters are: Commissioner Dowell and Commissioner Lahendro. Brian and Missy will be starting the PowerPoint; and all Commissioners will be part of this and we would like for you all to react to this.

Ms. Creasy said she will be sending out the exact day and time. We will have a work session on April 25th. The Planning Commission is going to try their best to engage the public.

Adjourn 8:55 p.m.

FUTURE MEETING SCHEDULE/ADJOURN

Tuesday, April 25, 2017 – 5:00 PM Work Session Citizen Engagement for Comp Plan