

MINUTES
PLANNING COMMISSION REGULAR MEETING
Tuesday, February 9, 2016

I. PLANNING COMMISSION PRE-MEETING (Beginning at 4:30 p.m.)

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

Members Present: Chairman John Santoski, Commissioners Lisa Green, Kurt Keesecker, Genevieve Keller, and Jody Lahendro,

Call to Order: the meeting was called to order by Chair Santoski at 5:00 p.m.

Mr. Santoski asked if there were any questions on the awards or minutes. He then asked if there were any other questions.

Mr. Lahendro asked about the use of a resolution as the means of presenting a motion on the West Main Street rezoning matter after the public hearing. He expressed concern about having a motion and a second on a written resolution, prior to reaching consensus on language to be included within a resolution. A discussion followed of Robert's Rules of Order, which provides that a resolution is a written form of a motion, and that since the West Main Street item was very complex, it could be helpful to use the resolution structure as a means of putting a motion on the table, and then the Commission could vote on desired amendments to the language of a resolution prior to voting on it.

Ms. Green asked for clarification that the materials in the package are the same as those reviewed in December 2015. Staff confirmed that the proposed ordinance and proposed zoning map were the same as those reviewed in December, but the staff report for this meeting contains additional information and requests from two Council members.

Commissioners also indicated a preference that if a resolution were introduced as a means of making a motion on the West Main Street matter, the entire resolution should be read out loud so that the public in attendance could be aware of the specific recommendation being offered for discussion.

Mr. Keesecker noted that he had submitted a number of questions to staff regarding the West Main Street agenda matter, and wanted to highlight a few for the commission. He noted that it was difficult to respond to the density question that two members of Council has inquired about, since there are a number of variables which relate to the number of units developed. Mr. Keesecker inquired about whether the density could be achieved. It was noted by staff that the allowable density of development was not being changed by the proposed zoning text amendments, and that there are other zoning districts within the City which allow similar density and that have similar, or in some cases, even lower maximum building height. He also noted that he had an idea for how to potentially address the height concerns. He is planning to share this with the BAR but he wanted to make sure to discuss with the commission first.

Adjournment: At 5:30 p.m. the Chair adjourned the meeting in order to reconvene in City Council Chambers at 5:35 to continue with the Commission's regular monthly agenda.

II. ADMINISTRATIVE AGENDA (Beginning at 5:30 p.m.)

Location: City Council Chambers, Charlottesville City Hall, 2nd Floor

Members Present: Chairman John Santoski, Commissioners Lisa Green, Kurt Keesecker, Genevieve Keller, Jody Lahendro, and UVA representative Allison Raucher

City Councilors –Kathy Galvin, Bob Fenwick, Kristin Szakos

Call to Order: the meeting was called to order by Chairman Santoski at 5:35 p.m.

A. COMMISSIONERS' REPORTS:

Commissioner Lahendro reported he attended the Parks & Recreation Advisory Board on January 20, 2016. The Meadow Creek Valley Master Plan was updated and Parks & Rec are plotting the trail route, obtaining easements and waiting for flood plain updates to complete the design of pedestrian bridges. The Tonsler Park master plan update, specifically the southeast corner stairs between the park and the tennis courts, are out to bid and there is about an \$85,000 budget available. Planning for a community presentation on designs for a new playground are coming soon. The Board reviewed the reports on Parks & Rec maintenance projects. He said this is just a snap shot of the kind of projects that Parks and Rec does. About 150 small projects and 1/3 have been completed in the last two months. Two-thirds are in progress, and ½ of these projects are done with in-house staff. The Tree Commission met on January 27 and reported on the planting of 11 swamp oaks on Monticello Ave with Charlottesville Tree Stewards a very successful project. Already, the Tree Commission has applied for another Virginia Department of Forestry grant to plant 70 more trees over the next few years. Helen Wilson, a UVA Landscape Architect, gave a report on University tree planting, maintenance and issues such as the ash boar. He said detail plans for Hillsdale Drive extension were presented by city staff and the Tree Commissioners had several objections to what they saw. A letter has been written to the city with these suggestions and they include things like VDOT imposing a right of way that is too narrow to support the sidewalk, the bike lane, planting strips, and the planting strips are too small to support the tree canopy or else we depend upon private owners to put the trees on their lot. A onetime opportunity for a great multi-modal boulevard that is not being realized in the current design. We also heard an appeal from a city resident to advocate for the planting of more street trees to approve walkability of streets. The result of the tree canopy study will be presented at the March meeting, and lastly Paul Josey replaced Maynard Sipe as the Chair and Roxanne White replaced Paul Josey as Vice Chair.

Commissioner Keller no report

Commissioner Keesecker reported the BAR met on January 19th and there were three items of interest to the commissioners and the audience. There was a review of some changes to the details to the Market Plaza project on Waters Street; details related to some spandrel glass along the façades, a change to the size of the tent structure, before the fountain had been removed from the scope but now the fountain has come back. We also discussed future development generally in the vicinity of the Blue Moon Diner and its adjacent market building and to applicant's credit they are working to save the two existing structures as a result the project has proposed a tall building to the rear of the property on the railroad tracks, and the BAR had some concerns about the height to the proposal as presented and deferred the application after some discussion. The owners of the Violet Crown had taken an appeal to Council related to the dark glass on the downtown mall and before the Council meeting last week they decided to withdraw their appeal. There will be continuing discussions on how to resolve that issue of the darker glass on the downtown mall.

Commissioner Green reported the MPO will be having a joint meeting between the MPO and the MPO Policy and Technical group on February 24th at 7 p.m. at the Water's Street Center. State legislature is in session right now and there are a lot of bills out there and there's a lot going on.

Chairman's Report – Commissioner Santoski reported the MPO Tech committee meeting started to review the strategic plan that is going to be reviewed by the MPO. There was an update of the Title Six and public participations plan, bike and pedestrian counts, House Bill Two updates and transit updates. The next meeting of the MPO Tech Committee is March 15th at the Water Street Center.

B. DEPARTMENT OF NDS: Missy Creasy, Planning Manager
2016 Planning Awards

During this time each year, the Planning Commission presents awards to recognize great planning efforts in the community for the previous year. There were many worthy projects to consider and Planning Commission had a difficult time narrowing the listing. Ultimately Planning Commission decided to award the following:

The Eldon Fields Wood DESIGN PROFESSIONAL OF THE YEAR

The Design Professional of the Year award is named for Eldon Wood, a former Planning Commissioner and Active Citizen in the Community. This year's award is presented to Toole Design Group.

Toole Design Group is being honored as the Eldon Fields Wood Design Professional of the Year for its exemplary service to the City, most notably in the Bicycle and Pedestrian Master Plan, Streets that Work, and West Main Master Plan efforts. The group's professionals have proven knowledgeable, approachable, and committed to our community. Their broad experience provided a depth of design expertise to inform our civic conversation and visioning process.

Ms. Jennifer Toole is here to accept this award.

CITIZEN PLANNER OF THE YEAR

For Citizen Planner of the Year: Francis Fife

Francis Fife, former Mayor of Charlottesville, was a major civic leader in our community until he passed away last October. Mr. Fife brought his quiet vision and the ability to engage diverse voices to bear in his lifelong efforts to make Charlottesville a better place. He served as chair of the Rivanna Water and Sewer Authority, the Thomas Jefferson Planning District, and the Piedmont Housing Alliance and lent a hand to countless other organizations such as Camp Holiday Trails and the Charlottesville Free Clinic. As mayor, Mr. Fife co-founded the Rivanna Trail System and helped initiate the revitalization of the Downtown Mall. Charlottesville is fortunate to have had such an accomplished person providing leadership and passing on his wisdom to younger participants in the citizen planning process.

Ms. Nancy O'Brien is with us tonight to accept Francis Fife's award in his honor.

Herman Key Jr., ACCESS TO THE DISABLED AWARD.

The Access to the Disabled award is named for Herman Key Jr., a former Planner Commissioner and Active Charlottesville Citizen who was a big advocate for accessibility in the community. This year's award is presented to the Bicycle and Pedestrian Advisory Committee.

The Bicycle and Pedestrian Advisory Committee (BPAC) is being recognized for its earnest study, insight, debate, and discussion on a great number of planning projects that will help make the City more accessible for

all, including the Bicycle and Pedestrian Master Plan, the Streets That Work initiative, the West Main Master Plan, the annual CIP process, and a variety of site-specific infill or redevelopment applications.

To accept this award on behalf of BPAC are co-chairs Mr. Jake Fox and Ms. Lena Seville.

OUTSTANDING NEIGHBORHOOD EFFORT

For Outstanding Neighborhood Effort: Ix Art Park

The Ridge Street Neighborhood, under the able and committed leadership of Brian Wimer and with the generosity of Ludwig Kuttner, has created a new public space in the City. Ix Art Park is an interactive space for dance, music, poetry, and visual art. As an integral part of the Strategic Investment Area, the Park helps fulfill Charlottesville's vision for an inclusive, inspiring, and wildly creative future.

To accept this award on behalf of the Ix Art Park is Mr. Ludwig Kuttner, who helped make this project possible.

OUTSTANDING SUSTAINABLE DEVELOPMENT

This year's award is presented to the Coca Cola Building at 722 Preston Avenue.

This project imagined a new future for a historic structure that respects the working spirit of Preston Avenue while embracing new ideas about commerce, environmental stewardship, and social gathering. The renovation of the Coca Cola Building promises to be an invigorating example for future development and will hopefully become the anchor for a vibrant and sustainable corridor in our City.

Here to accept the award on behalf of the Coca Cola Building is Mr. Alan Taylor

NEIGHBORHOOD OF THE YEAR

Neighborhood of the Year is awarded to 10th and Page Neighborhood.

The 10th and Page Neighborhood, which lies between the two major corridors of West Main Street and Preston Avenue, have worked hard this past year to create safe connections for pedestrians, cyclists, and motorists. Members of the 10th and Page CDBG Task Force as well as concerned citizens have demonstrated great skill and dedication in crafting a new vision for their neighborhood. Change is all around them, but this remains one of the most close-knit and caring neighborhoods in the City.

To accept this award on behalf of the 10th and Page Neighborhood is Ms. Veneza Howard, Neighborhood President.

In addition to these awards, the commission to recognized Dan Rosensweig for his service to the Planning Commission. Mr. Santoski thanked Mr. Rosensweig for all of his hard work and dedication.

Ms. Creasy said the Planning Commission would like to congratulate all the people honored tonight. We encourage tonight's honorees to attend the City Council meeting scheduled February 16th, 2016 where Council will recognize your accomplishments.

Mr. Santoski thanked everyone again for their commitment to making Charlottesville a great place to live.

Ms. Creasy reminded everyone of the Work Session for February 23rd. The agenda will be the items we had to postpone in January; Small Area Planning and City Council priorities that they have been working through over the last couple of weeks.

C. CONSENT AGENDA

1. Minutes – January 12, 2016 – Pre meeting

2. Minutes –January 12, 2016 – Regular meeting

Commissioner Keller moved to approve the Consent Agenda, seconded by Commissioner Green Motion passes 5-0.

D. University Representative – Ms. Allison Raucher is the University architect who started in September and she stated that she was very proud to be in attendance at her first Commission meeting.

The Meeting was adjourned until Council quorum could be obtained.

III. JOINT PUBLIC HEARINGS (Beginning at 6:00 P.M.)

G. JOINT PUBLIC HEARINGS

1. **ZT15-00007 - Amendment of the City’s zoning map and of zoning ordinance text** - Proposed amendments to the text of City Code sections 34-541(4) and (5), 34-616 through 34-655, 34-796, 34-881, 34-1100, 34-1101 and 34-1200, and proposed zoning map amendments changing the zoning district classifications of parcels of land within the West Main Street Corridor.

Ms. Rainey provided the staff report. She provided the project timeline and noted that City Councilors Kathy Galvin and Kristin Szakos (among others) held a conference call with Rhodeside & Harwell and Code Studio, the two consultants who worked on the West Main streetscape. Following the conference call, Councilors Galvin and Szakos requested that the commissioners consider three additional items based on that conversation, as outlined in the staff report.

Public Hearing: Chair Santoski opened the public hearing on behalf of the Planning Commission. At that point, Kristen Szakos, for City Council, noted the presence of a quorum (of herself, Councilor Galvin, and Councilor Fenwick) and opened the public hearing on behalf of City Council.

Patricia Edwards 212 6th NW said we are in danger of being flooded by an ocean, “the Atlantic”. She thanked the commission for what they do, and she urged the commission to pass this without exceptions. The character of West Main Street east of the bridge is in danger and the neighborhoods on either side of the street are in danger. She is speaking for a lot of people; and the First Baptist Church. She asked to please do this as quickly as you can.

Jean Hyatt 1534 Rugby Avenue, President of Preservation Piedmont, noted that Charlottesville was selected as one of the distinguished dozen destination groups in 2007 by the National Historic Preservation Trust. The Rotunda and Pavilions of the University of Virginia, a world heritage site is just down the street. With that in mind, it is important for the city to carefully protect our Main Street and adjacent neighborhoods. Preservation Piedmont supports the staff’s zoning amendment recommendations to re-classify West Main Street North and West Main Street South into the two new zoning district classifications. Our organization requests that you no longer grant SUP’s for additional building height on West Main Street. We ask that new construction be required to have a setback of a minimum of 10 feet and preferably 15 feet. We also ask that you continue to include the Midway Manor property in the proposed West Main Street East zoning district. A very tall building at that elevated site would adversely affect the Ridge Street ADC district as well as West Main Street and South Street. Thank you for considering these recommendations.

Morgan Butler Southern Environmental Law Center, 201 West Main Street said the challenge facing West Main Street these days are largely symbolic of the general growing pains the city is going through.

As we re-develop we must be mindful of the historic character and unique neighborhoods located along West Main Street so they don't get too diluted or overwhelmed. The goal must be to strike a careful balance between development and preservation. The proposed zoning changes before you aim to strike that balance. We support requiring a building setback to ensure that there is enough room for street trees, but 5 feet is too short for that purpose. We support placing the Amtrak parcels in the West Main East zoning district but by measuring building height from the street level and giving those parcels the taller West Main Street West zoning district would be over-kill. The idea of getting rid of density limits is intriguing. He said it might make sense to cut off the by-right at some point perhaps at the 200 dwelling units per acre level so that you and Council would still have some say over proposals that reach that size and scale. We support the direction you have taken to address the abuse that has been made of the current roof top appurtenance allowance. However we are not sold on the part that would allow waivers of the height limit on appurtenances. He said thanks to the Planning Commission for the long nights you have put into this proposal.

Neil Williamson Free Enterprise Forum, said during the last public hearing he brought forward a number of height definitions and he is disappointed in the lack of clarity in the materials for this meeting. He said it took him a long time to get through to what was in front of you. In October you talked about the average of the building footprint and what is before you now, the height is being considered the average of the corner of a parcel He said he appreciated the long consideration the Planning Commission took on the definition of height and limiting the height definition to be only in the west main corridor. He said the solution made a lot of sense and you dealt with height from the curb on the street frontage. The way we actual experience buildings are from the street frontage. He said some landowners he spoke to suggested that if you use the building envelope it would literally cost them a floor, depending upon the depth and it would mean that project might not be financeable or buildable. How tall is this? He encourage the Planning Commission to go forward with what they came up with and to limit it to the West Main Corridor because there are a number of people throughout the city who are very concerned with this definitional change being across the entire city and he doesn't believe that you have done the homework on how it impacts the other areas. He thanked them for their work in the community.

Meredith Richards 1621 Trail Ridge Road, chairwoman of the Piedmont Rail Coalition and a former Charlottesville city councilor, said she is speaking for the city's rail connection and urges the Planning Commission to limit the possibility of development of the Amtrak site. She said you've never sought the input of the one entity that's been bringing intercity passenger rail to this city for the past 45 years. She also said the property's value to the city as a transportation center far exceeds its value for development. She said she was concerned that the development of the site would jeopardize Amtrak's future in the city. She ended by asking the Planning Commission to please suspend any decisions about the Amtrak property especially any decisions to up-zone and increase the density of development that will invite buildings on this property until a process involving Amtrak and the Department of Rail and Transportation for planning the future of those properties is complete. She is asking City Council to initiate such a process and do what you must do to take those properties out of the zoning code until that time.

John Cruickshank 324 Park Way Street, Piedmont Group of the Sierra Club noted that we support urban re-development and we see this as a positive to current zoning rules. He said in some places the sidewalk can barely accommodate two-way pedestrian travel. He would like to see new zoning regulations that ensure that new buildings are more in line with West Mains historic character while making it both bike and pedestrian friendly. We all want Charlottesville to retain its charm and beauty. These zoning changes will help us to achieve that goal.

Lena Seville 808 Altavista Avenue, said thanks to Amanda Poncy and Claudia for their help in achieving the Bicycle and Pedestrian Award; she said the West Main consultants have advised setbacks, the Tree Commission, Bicycle and Pedestrian Advisory Committee have seen the streetscape plans for West Main and we hope something good gets approved and if it does we don't know if it will ever get funded so we can't count on those expanded sidewalks to give us a little bit more room between the building. A little bit of variation in the street wall makes a place feel more inviting and gives a sense of place and she ask if the Planning Commission would listen to Councils Request to include a setback for this greater than zero feet.

Mark Renaulde, Midway Manor at 100 Ridge St, requested the commission not to place their property in the West Main East district. Instead they want the property to be placed in the Water Street District, which would allow higher buildings when redevelopment occurs.

Valerie Long with the firm Williams Mullen, 321 E Main Street, representative for Midway Manor, said Midway Manor is the one and only property that is part of the downtown neighborhood and not West Main Street.

David Mitchell Great Eastern Management Co, asked the city to leave the zoning allowance for taller buildings in place because height is important in a city that is landlocked. He said we have major changes in elevation across our properties. You're talking about losing floors, not just in the commercial areas but in the residential areas.

Chris Harrison 108 Bedford Place, voiced opposition to the propose appurtenance language. He does not support eliminating the use of appurtenance roof top garden and roof top amenities.

Maynard Sipe – representing Jeffrey Levine, said it is unfortunately the city made a decision when they adopted the zoning in 2003 to facilitate more urban development in the corridor and this ordinance sends the opposite message and I think it will create stagnation on West Main Street. He said special-use permits for additional density above 43 units per acre still could be granted. It seems to me that special use permit allowance could be retained to allow up to 70 feet and this is a powerful tool for the city because a special use permit will allow for site specific evaluation of the height.

Page Williams, with the firm Lenhart Pettit and speaking for the owner of the Amtrak site, Union Station Partners, said he appreciated Ms. Richards views on the site; and stated this is one of the few un-built sites in the West Main corridor. He said when the height was raised, the tax values went up and we also feel that the dividing line of the bridge was simply arbitrary.

At the conclusion of the public remarks, and there being no other individuals who indicated a desire to speak, Chairman Santoski closed the public hearing on behalf of the Commission, and Councilor Szakos closed the public hearing on behalf of City Council.

A motion was made by Ms. Green for the Planning Commission to recommend approval of the proposed zoning text and zoning map amendments, subject to modifications set forth within a proposed resolution that Ms. Green read out loud. Commissioner Lahendro seconded Ms. Green's motion and the following motions were made and individually voted on, to amend the language of the resolution as proposed by Ms. Green:

A Motion was made by Commissioner Lahendro to amend the building setbacks presented in the resolution to be changed from 15 foot minimum up to 20 foot maximum and that the latter part of the sentence be deleted "however no zero setback development will be eligible for street tree exemption

under 34-870". This motion was seconded by Commissioner Keller and then was discussed by the Commission. On conclusion of discussions, the Chair called for a vote, and the Motion passed, upon the following votes: "4-Aye": Commissioners Keesecker; "1-Nay".

A Motion was made by Commissioner Keesecker to amend language regarding parcel address 810-820 West Main Street identified as city tax map 30 on parcel 2, item #1 on the resolution at the bottom for zoning map amendments and item #2 referenced to city tax map 30 on parcel 2A and 2B as West Main East instead of the variability noted in the resolution. This motion was seconded by Commissioner Green. On conclusion the Chair called for a vote, and the Motion passed, upon the following votes: "5-Aye": "0-Nay".

Chairman Santoski inquired as to whether the Commissioners wished to make any additional changes to the resolution as proposed by Commissioner Green. Not hearing any additional requested changes, Chairman Santoski called for a vote on Commissioner Green's Resolution, as amended by the Commission, 5-Aye": 0-Nay". The Resolution, as amended, was approved.

At 7:19 p.m. Commissioner Green made a motion to adjourn until the seconded Tuesday in March 2016. Commissioner Keesecker seconded, and the motion passed 5-0.