

MINUTES
PLANNING COMMISSION REGULAR MEETING
Tuesday, August 11, 2015

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

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

Members Present: Chairman Dan Rosensweig; Commissioners John Santoski, Kurt Keesecker, Taneaia Dowell, Genevieve Keller, Jody Lahendro, and UVA representative Bill Palmer

Call to Order: the meeting was called to order by Chair Rosensweig at 5:00 p.m. He then reviewed the agenda and asked if there were any questions pertaining to the agenda.

Jody Lahendro asked for clarification on the 1130 East High application of the number of commercial verses residential units. Staff reviewed the proposal as well as the zoning category allowances.

Mr. Rosensweig noted that if a COA was approved at this time for this property then it would be important for Ms. Scala to have the ability to review administratively for compliance for the final version of the design.

Mr. Rosensweig then talked through the proposed discussion format for the West Main zoning item. Kurt Keesecker asked for clarification on one item on the proposed code and Mr. Lahendro noted that the tree commission expressed concern with the bike storage requirements proposed.

Adjournment: At 5:27 p.m. the Chair adjourned the meeting in order to reconvene in City Council Chambers at 5:30 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: Chair Rosensweig; Commissioners John Santoski, Kurt Keesecker, Taneaia Dowell, Genevieve Keller, Jody Lahendro, and UVA representative Bill Palmer

Call to Order: the meeting was called to order by Chair Rosensweig at 5:30 p.m.

A. Commissioner's Reports:

Commissioner Lahendro reported he attended the Parks and Recreation Advisory Board on July 15th where the Meadowcreek Master Plan update was provided and it was noted that a new Frisbee disc golf course will open July 22nd. There is also a study to connect Greenbrier Park with two trail bridges that will go across Meadow Creek. At the south end they are requesting VDOT approval to use a culvert under 250 and Hydraulic to gain access from Meadowcreek to the northside behind the new Kroger. McIntire Park infrastructure schematic design was submitted July 17th and contract documents for the pedestrian bridge over the railroad is going to bid in September. The Skate Park contract documents will be completed in October and fundraising has started for the 1.6 million project. The Tree Commission

met July 22nd. Four trees in McIntire Park are going to be submitted for tree conservation ordinance review. Approved recommendations were submitted to the Planning Commission and the City Council regarding the West Main Street form based code and they have received a \$7000 grant towards a tree canopy project.

Commissioner Keller absent
Commissioner Green absent
Commissioner Keesecker nothing to report
Commissioner Santoski absent

B. University Report - Bill Palmer reported that the University has hired a new architect Alice Rochire and she will start on or around September 16th. We are looking forward to having her come on board. McCormick Road improvements are underway and it should be on track to open by August 21st when the first year students start moving in.

C. Chair's Report Chairman Rosensweig reported there was no Housing Advisory meeting this month and the River committee met this morning and he was unable to attend. The City Manager has hired a new Director of Neighborhood Development Services Alexander Ikefuna, who most recently has been working as an independent consultant and before that he was the Director of Planning in Mobile Ala. and prior to that he served as the Director of Planning and Zoning in Salt Lake City, Utah. He brings a world of experience to the job and it was a pleasure meeting him when he was here for an interview and he noticed a very calm even temperament that will gather a lot of respect here in Charlottesville. He begins on August 17th and we are looking forward to welcoming Mr. Ikefuna to Charlottesville and the position.

D. NDS Department Report: given by Brian Haluska, Principle planner reported that when Mr. Ikefuna starts on the 17th the juggling of duties still continues in our office. This means this is the last time he is am on the dais and Missy will return to her place in September as Planning Manager. You have a work session on August 25th and that is a review of the small area plan process and some updates on that from the staff. Staff has developed some ideas about how to deal with not the prioritization of the plans but some of the other goals in that section of the Comprehensive Plan. The plans talk about a common list of items for a small area process report. Additionally the Capital Improvement Program will be on the work session agenda. We are starting that process again and the planning commission enjoys being involved in that. My final note is that your September meeting will be on Wednesday the 9th. Because of Labor Day and the bumping of City Council and because Council has to be present at your meetings so please make note of the change in the schedule.

E. Matters from the Public

Travis Pietila, Southern Environmental Law Center said he is glad to see this (West Main Zoning) moving forward, and this is a big priority for the community and SELC and time is of the essence. A few points to touch on appurtenances: a) he agrees with the staff that now is the time rather than citywide code audit, b) he commented that appurtenances as habitable space is inappropriate; potential to undermine regulations, c) the staff potential solution to remove rooftop appurtenance paragraph; ambiguity remains, d) it's better to clearly state rooftop appurtenances cannot include habitable space, d) only use appurtenances for mechanical equipment and other non-occupiable infrastructure. Travis also spoke on zoning boundaries: a) whether to extend West Main zoning boundaries, b) would it be beneficial to keep parcels at the west end within the current corner zoning district, c) they should contain small-scale historic buildings, and corner district limits height to maximum 50 ft., d) in contrast, pulling into West Main West would bring this height up to 70' or 75' feet, e) one of the main reasons behind

rezoning to better protect character of this historic corridor and an objective would not be served by increasing allowable heights on these parcels. Lastly, he talked about the Definition of “build-to-zone”, a) questions and potential clarifications about proposed definition of “build-to-zone” need to be made, b) draft definition: “minor deviations such as recessed entries” will not count against the calculation of build-to percentage requirements:

1. “Recessed entries” is quite broad – hotel entrance and vehicle turnaround?
2. Recessed space will count toward meeting the 80% build-to requirement, or just taken out of equation and must meet for remainder of site?

Closed the meeting because we need a quorum. Meeting reconvened at 5:43 pm

F. CONSENT AGENDA

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

1. Minutes – July 14 2015 – Pre-Meeting
 - 2. Minutes – July 14, 2015 – Regular Meeting – will be approved at next meeting**
 3. Minutes – July 28, 2015 – Work Session
 4. Preliminary Site Plan – 1725 Jefferson Park Avenue
- Motion by: Commissioner Keesecker
Seconded: Commissioner Lahendro

VOTE: 4-0

“Aye”: Commissioners Dowell, Keesecker, Lahendro, Rosensweig,

“Nay”: None

Abstentions: None

Disqualifications: None

G. ENTRANCE CORRIDOR REVIEW

1. 1130 East High Street

The applicant is requesting approval of a certificate of appropriateness to construct four 2-3 story mixed-use buildings with 14 total units around a courtyard, with parking for maximum 15 cars. The vehicular circulation includes one entrance from East High Street to access 5 surface parking spaces and 10 covered parking spaces tucked under buildings, including one HC space. There is an existing 5-foot sidewalk along East High Street. The main pedestrian access is a paved forecourt that links the public sidewalk to the interior courtyard. A second pedestrian access connects the public sidewalk with the accessible parking space. Three existing street trees are proposed to be saved in the front yard, a 30” Maple, 30” Ash, and 18” Pecan. The front and rear yards will be planted with S1 buffers; a hedge will screen parking along the property line; the courtyard will contain a lawn and rain gardens. Building materials consist of painted cement fiber siding (hardiplank and hardipanel); and aluminum clad windows. The roofs are not visible behind parapets. A monument sign is proposed at the main entrance.

Rosalyn Keesee: on behalf of Richard Price – stated she’s here to answer any questions.

Chairman Rosensweig asked have you considered commercial entrances fronting High Street and to advertise those couple of units in the front as accessible?

Ms. Keesee said we have and she has a drawing that she could share. The primary reason for this design is to minimize the work around the trees. You will see the entrance has been turned to face High Street and then the commercial entrances will be engaged off the forecourt. In addition you will see the doors straight from High Street that pedestrian entrances to the residential units will continue into the interior court.

Chairman Rosensweig said it looks like you added some benches also, and these improvements are excellent.

Commissioner Lahendro commented he is very please with the design and it is appropriate and compatible for this area considering the amount of commercial development along High Street but the residential is too close. He thinks it's wonderful to provide mixed use in this project and very appropriate for the area.

In staff's opinion, the project as developed so far meets the standards and guidelines for a certificate of appropriateness in the Entrance Corridor. Staff recommends approval of this application subject to staff approval of final scaled drawings, provided the building design, materials, colors, site design, landscaping, lighting, and signage all remain essentially the same as described in the application packet dated July 15, 2015.

Commissioner Keesecker move to approve the Entrance Corridor Certificate of Appropriateness application for the new mixed use building at 1130 East High Street, with the following condition:

1. Staff approval of final scaled drawings, provided the building design, materials, colors, site design, landscaping, lighting, and signage all remain essentially the same as described in the application packet dated July 15, 2015 as well as supplemental materials provided at the meeting which moves the entrances of the commercial spaces so they face E. High Street dated August 7, 2015, Seconded by Commissioner Dowell.

Commissioner Keesecker thought the report was awesome. It all came together.

Chairman Rosensweig said it's a great first step in the re-development of that corridor which is something we have been looking for for a long time. His vote is an enthusiastic yes.

The motion passes 4-0.

A. WORK SESSION (NDS CONFERENCE ROOM)

1. West Main Street Zoning

Chairman Rosensweig said he wanted to discuss several items

A. Heights

B. Which zoning classification should the train station be located.

Chairman Rosensweig said the draft appeared to be a compromise between the form based code and BAR/PC overview.

For the West Main Street zoning discussion, staff provided the commission with a series of questions to review and repond to refine the draft. The following outlines the discussion and guidance for each question:

1. Relabeling of districts: The proposed FBC suggests labeling the western portion of West Main Street as WM-1 and the eastern portion as WM-2. In the draft code sections, staff has amended these labels to be West Main Street West and West Main Street East to better fit the existing system of mixed use corridor labeling and to reduce confusion as to which area of the street a particular code section applies.

Which system of labeling the districts does the Planning Commission prefer?

The Planning Commission noted they were okay with using West Main Street West and West Main Street East but would be willing to review other options.

2. Designation of primary and linking streets: The proposed FBC suggests a new way to designate primary and linking streets. A list of primary streets is given, with all other streets falling into the linking category. This format is used in the proposed code draft. A second option is to continue with the designation format in the existing code. Potential traditional designations:

a. West Main Street West

I. Primary streets: Jefferson Park Avenue, Wertland Street, 10th Street NW, Roosevelt Brown Boulevard and West Main Street.

II. Linking streets: 12th Street NW, 11th Street SW, and 9th Street SW.

b. West Main Street East

I. Primary streets: 7th Street SW, 4th Street NW, Ridge Street, South Street, Commerce Street, and West Main Street.

II. Linking streets: 8th Street NW, Cream Street, 7th Street NW, 6th Street NW, and 5th Street SW.

Which system of labeling primary and linking streets does the Planning Commission prefer?

The Commission would like to list only the primary streets as noted in the proposed FBC language.

3. The proposed FBC designated heights for building stories do not correspond with the existing code designations. Staff has designated minimum and maximum heights by story in the proposed code draft, which will follow heights specified in Section 34-1100 Height- Application of district regulations. Following this code section, a maximum of six (6) stories in height is equal to seventy (70) feet. In contrast, the proposed FBC specified a height of seventy-five (75) feet for a six story building. Alternatively, the Planning Commission may consider amending the West Main Street districts to have alternative height allowances as specified in the FBC. While considering these options, Planning Commission may wish to consider item 4 below in conjunction, as required minimum ground floor heights may affect achievable story counts.

What option does the Planning Commission prefer?

The Commissioners agreed that a hard line should be place at 91 feet for west and 68' for east; and should not go taller than that. The Commissioners also discussed the heights 70' versus 75'. The Commissioners requested input from the consultant team on the maximum height determined to be appropriate through the corridor analysis; specifically whether the consultants considered the allowed appurtenance space to part of the appropriate height maximum.

4. Per request of Council, staff has added a section of code (proposed Sec. 34-618(c) and 34-838(c)) limiting allowable building width before a differentiation is required. Staff has provided language that is

not detailed to allow the Board of Architectural Review (BAR) flexibility in determining what constitutes an adequate break based on building context. Additional options include requiring an inset at a maximum spacing, or requiring different materials at a maximum spacing. However, these options may not achieve the desired results and limit the BAR's ability to require changes from applicants.

What option does the Planning Commission prefer?

Chairman Rosensweig said he was concerned that lowering the economic potential of that property would keep it as an undeveloped surface parking lot (the Amtrak lot) for many years.

He said the zoning changes originally restricted the role that would be played by the Board of Architectural Review by listing specific details of how buildings should look. West Main is its own architectural district and all structures need a certificate of appropriateness from the BAR. He stated the consultants came to us with something that was more of a form-based code and there was a concern that would take the Board of Architectural Review too much out of the process and so there was some design discretion added back in.

Commissioner Keesecker talked about maintaining rhythm within the context of the area and if that is not the desire of the applicant, they would need to make that case to the BAR.

Lisa Robertson, Deputy City Attorney, said something to consider is to look at the BAR guidelines. She also stated that per this proposed code it could be 200 feet unless the BAR recommends a different façade break.

The Planning Commission noted that consideration should be given to establishing a minimum/maximum or to send back to Council with instruction that the BAR should address building articulation through their review.

The proposed FBC allows for residential use on the first floor if adequate story height is met to ensure the potential for re-use of the space as commercial if desired in the future. The existing code does not allow ground floor residential uses (see Section 34-620 and 34-640 in the proposed code sections document). Staff suggests consideration of amending the existing code to allow for ground floor residential with a minimum story height (fifteen (15) feet is specified in the proposed FBC). The Planning Commission may wish to consider addressing this issue Citywide during the code audit. The Planning Commission may wish to consider amended the sections noted above to the following:

The following uses are prohibited within a building that fronts on a primary street, within any ground floor areas adjacent to such frontage:

- (1) Dwelling units and guest rooms (residential and transient occupancies).
- (2) Parking garages, except ingress/egress.

If a building has frontage on more than one primary street, the ground floor area adjacent to one (1) primary street may contain dwelling units or guest rooms, but not on West Main Street.

The Planning Commission noted that 15 feet in height is appropriate for the first story. An allowance for residential use on the first floor was not clarified.

6. The requirements for bicycle parking suggested in the proposed FBC and included in proposed draft code sections specifies percentages of bicycle parking that should be short-term or long-term (example: eighty (80) percent short-term and twenty (20) percent long-term). However, the minimum required number of spaces is two (2) for most uses. In the circumstance that less than five (5) spaces are required, it is not possible to meet the percentage designations for short-term and long-term, as less than one (1) space would need to be designated as long-term.

The Commission choose option “a” which reads:

a. Include a statement in the code authorizing the Director of Neighborhood Development Services to determine appropriate percentages of short-term and long-term spaces in instances where less than five (5) spaces are required.

The Commission suggested bicycle parking should be given more robust analysis and consideration during the Citywide code audit project. The Commission suggested confirming with the Bicycle and Pedestrian Coordinator that one bicycle parking space per unit was appropriate.

7. The proposed text regarding required bicycle parking does not include “bike closets” in individual residential units to contribute to the bicycle parking requirements. The Planning Commission may wish to include such storage systems in the code as allowable in meeting the bicycle parking requirements. However, such storage systems may be appropriated by residents for other uses and not provide the desired bicycle parking opportunity.

The Planning Commission suggested placement of a communal area for bikes as well as looking to alternative ways of storing bikes such as hitches or hooks on the wall. The Commission suggested these spaces be required to be labeled on the site plan for a development opting to include bicycle parking interior to individual units.

8. The reorientation of the zoning districts from north-south to east-west requires changes to the Use Matrix in Section 34-796. The existing West Main Street South (WMS) allows more height than West Main Street North (WMN), as the proposed West Main Street West (WMW) allows more height than West Main Street East (WME). Staff proposes uses that are currently found in WMS but not WMN be allowed in WMW but not WME. These uses are noted in blue in the proposed Use Matrix document. Alternatively, the Planning Commission may wish to further study existing allowed uses and make more substantial changes to the Use Matrix.

Commissioner Kurt Keesecker said the redefined zoning districts would give the city a chance to define a new vision for West Main. He said it seems like we’ve come to some consensus as a community that we want smaller, fine-grained development on the east side, and we’re generally okay with a little bit taller on the west side.

Commissioner Keller said we want to preserve some flexibility in here so that we don’t have a cookie-cutter approach and we are not some new neo-traditional community somewhere in Florida. It’s a corridor approaching a World Heritage site. We want it to look like Charlottesville.

It was decided to update that use matrix per the staff recommendation, but circle back in the future for more of a fine grain discussion on the East side. A Commissioner requested information on the percentage of lots in the east side with frontages of forty (40) to sixty (60) feet for use in analysis of the appropriate rhythm of the street.

9. The proposed FBC did not suggest changes to the City's regulations on appurtenances, found in Section 34-1101. Many members of the public and various review boards have expressed frustration with the existing code's ambiguity. Staff suggests the Planning Commission consider addressing the issue concurrently with consideration of the proposed code changes to the West Main Street districts. Planning Commission may wish to discuss removing Section 110-1(c), which rooftop allows appurtenances to include habitable space:

No rooftop appurtenance shall: (i) itself measure more than sixteen (16) feet in height above the building, or (ii) cover more than twenty-five (25) percent of the roof area of a building. A roof-top appurtenance may contain useable floor area, but such area may only be used for or as an accessory to a residential or commercial use allowed within the applicable zoning district.

The Planning Commission had some agreement that appurtances should not contain habitable space but there was not a firm direction on the overall height of the building. Mr. Keesecker asked that review of the definition of height review how the parapet of a building is counted. Clarity on height will be needed to determined to address this issue.

10. A new definition (under Section 34-1200) has been proposed for build-to-zone, as the term does not exist in the current code. Planning Commission may choose to edit the definition, or alternatively remove the requirements for build-to-zones found in the proposed Sections 34-618(a)(1), 34-638(a)(2), 34-638(a)(1), and 34-638(a)(2). To build to zone clear a little bit of their site and potential issues that might come up.

The Planning Commission decided the definition proposed by staff should move forward

11. The proposed new zoning map provided by the consultants along with the FBC does not simply re-label the existing lots found within the West Main Street North and West Main Street South zoning districts. Several lots are moved from adjacent zoning districts to be included in the new West Main Street West district, and lots currently found in the West Main Street South district were not included in the new West Main Street zoning categories. Staff has created a new map that follows the same overall boundaries of the existing West Main Street districts, but redraws the dividing line between the two categories. Alternatively, the Planning Commission may wish to pursue the boundaries provided by the consultant. If so, additional consideration of affected parcels is required. Both maps are provided in this packet of information.

The Planning Commission Agreed with staff's recommendation except there was no consensus on which zoning district the Amtrak station site should be located. The Planning Commission suggested studying the inclusion of parcels on Ridge Street in the West Main Street East district at a later date.

Public Comments

Travis Pietila, Southern Environmental Law Center, said looking at the heights for zoning regulations on West Main, the appurtances were not included in the materials from the consultants. He recommended using the 52' and 75' heights without appurtances.

Adjournment 8:50.

