

MINUTES
CITY OF CHARLOTTESVILLE
PLANNING COMMISSION
TUESDAY, MAY 13, 2003 -- 6:30 P.M.
CITY COUNCIL CHAMBERS

The Regular Meeting of the Planning Commission was held on this date with the following members present:

Mr. Kevin O'Halloran, Chair
Mr. Craig Barton, Vice Chair
Ms. Kathy Johnson Harris
Ms. Cheri Lewis
Mr. Eldon Wood
Mr. Bruce Appleyard
Ms. Karen Firehock

STAFF PRESENT:

Mr. Jim Tolbert, AICP, Director
Ms. Lisa R. Kelley, Deputy City Attorney
Ms. Missy Creasy, Neighborhood Planner

Mr. O'Halloran called the meeting to order at 6:32 p.m.

A. MATTERS TO BE PRESENTED BY THE PUBLIC NOT ON THE FORMAL AGENDA

Mr. O'Halloran called for those matters from the public not on the agenda. There were none.

B. MINUTES - April 8, 2003 Regular Meeting

Ms. Lewis had a typographical correction on page 6 which did not include the "M" in Ms.

Mr. Appleyard sought to clarify what he had tried to say and was represented on page 6. He asked that the minutes state, "Mr. Appleyard expressed hope that Staff would elect to have development proposals as important as this to come before the Planning Commission." He also asked that the second paragraph on page 6 read: He further stated it was important for the Commission to be involved in the review of this proposal and its impact to the Corridor and the surrounding neighborhood. He also stated that he had not said the applicant had done a great job on preparing the site plan, he had referenced a statement from Mr. Tolbert who had said that; he asked that statement be stricken. Ms. Lewis stated that she thought he had been acknowledging what Mr. Tolbert had reported but in acknowledging it, Mr.

Appleyard had stated it. Mr. Appleyard asked if the minutes could instead say: Mr. Appleyard was reassured by Staff's report that the applicant had done a great job on preparing the site plan. Mr. Appleyard also asked that the second paragraph down on page 7 be shown as Hydraulic/250/29 corridor study. He further asked that the third sentence of the third paragraph of page 7 be changed to state: Mr. Appleyard explained it would be the transportation issues and how the development proposal fits into those issues.

Ms. Lewis stated that she would like it inserted in the third full paragraph on page 7 that, "Mr. Tolbert said that Mr. Higgins would be calling to schedule that meeting the next morning," meaning the next morning after the 8 April meeting.

Mr. Wood noted that page 7 should state the Colonnade Club, not the Colonnades.

Ms. Lewis made a motion to approve the minutes as revised. Ms. Firehock seconded the motion, which carried unanimously.

C. LIST OF SUBDIVISIONS & SITE PLANS APPROVED ADMINISTRATIVELY

Ms. Lewis stated she had not seen notices on the preliminary site review and subdivision plans. She asked if the Commissioners would have been noticed on the plans and if the Planning Commission would have been given an opportunity, with Staff, to meet at the preliminary reviews of all the matters. Mr. Tolbert stated he would have to get an answer for her because he was unsure. After further review, Mr. Tolbert realized that notices had not been sent on plans which had minor amendments.

Ms. Lewis also asked if the date was shown correctly on the plans. Mr. Tolbert concurred that it was not. Ms. Lewis asked that it be changed from 4/1/03 to 5/1/03.

Ms. Johnson Harris made a motion that the site plans, with the correction of the date, be approved. Mr. Barton seconded the motion, which carried unanimously.

LIST OF SUBDIVISIONS APPROVED ADMINISTRATIVELY 3/1/03 TO 5/1/03

- | | |
|------------------------------|---|
| 1. Coleman Court Subdivision | 7 new duplex lots |
| N.end of Coleman Street | Stanley & Judy Tatum,
Jonathan & Janet Frank |
| File No. 1294 | Preliminary & Final |
| | Planning Commission: 7/9/02 |
| | Final Signed: 3/7/03 |

2. Oxford Hill, LLC One new lot
 Madison Avenue ,portion of TM 3-125.2 Douglas E. Caton, Oxford Hill, LLC
 File No. 1298 Preliminary & Final
 Final Signed: 4/8/03

3. Lots 42 & 41,"Albemarle Golf Club" Two new s. f. lots
 Block B
 Fairway Ave. at Caroline Ave. r-o-w Leora T. Brown
 File No. 1282-A Preliminary & Final
 Final Signed: 4/11/03

**LIST OF SITE PLANS APPROVED ADMINISTRATIVELY
 3/1/03 to 5/1/03**

- | | | | |
|----|-------------------------|--|---|
| 1. | File No.
T-02-000030 | Coleman Street Development
- Seven duplex lots | N. end of Coleman Street |
| 2. | File No.
T-01-000011 | Belmont Lofts Amendment
- entrance changes | N. end of Douglas Ave. |
| 3. | File No. 860 | Wrights Salvage Yard – Storage
Building Addition | Rear of 1320 E. Market St. |
| 4. | File No.888-A | Monticello Apartments – Cell
Tower equipment addition
Inside fence | 1600 Monticello Avenue
at Druid Avenue |

D. COMMISSIONERS' REPORTS

Ms. Lewis stated the Board of Architectural Review continued to be very busy with a special meeting planned for June 3rd to review pending changes to the Zoning Ordinance in the Historic Districts as well as beginning the process of revising the design guidelines for the City of Charlottesville. Ms. Lewis commended that everyone read the draft report of the US29/Hydraulic/250 Bypass Intersection Study. Ms. Lewis asked if Staff had an update on the meeting for the TJPDC, County and City. Mr. Tolbert stated he did; the update would be part of his report. Ms. Lewis stated she had attended her first PACC Tech meeting. She expressed that the City had done a great job on the Area B map.

Mr. Appleyard stated that he spoke at the Virginia American Planning Association Conference. He had also attended the Governor's Task Force on the Reauthorization of the Federal Transportation Funding Bill as an environmental representative. He stated there were a lot of people working on a federal level who were trying to strengthen the power of localities in transportation planning decisions. Mr. Appleyard stated his belief that July 1st was the deadline for Enhancement Grant applications. He had also attended the Walkability Workshop at the TJPDC with Dan Burton. Mr. Appleyard had also written a letter on behalf of the Alliance for Community Choice in Transportation's grant application to the Department of Motor Vehicles to continue their Safe Routes to School grant. He further stated that he had an article appearing in the planning magazine about the Safe Routes to School movement.

Mr. Barton stated that he had officially been sworn in as a member of the Board of Zoning Appeals and would be attending a meeting on May 14th. He stated that the Jefferson School Task Force now had two chairs, Lelia Brown and Mary Reese. The Jefferson School Task Force had been divided into sub-committees to explore potential programs. He further stated that one proposal was to use the school as an educational venue for the 50th anniversary of the Brown vs. the Board of Education decision to commemorate and educate local residents about the significant impact of the Brown decision.

Mr. Wood stated the McIntire Park Steering Committee had not met for lack of a quorum. The Urban Design Committee met and had an interesting presentation on transportation. He also stated that the area of the bus center had been listed as President's Plaza. He asked if that were the official title. Mr. Tolbert stated it was the working name given it by the committee. Mr. Wood suggested the name be pluralized to Presidents'.

Ms. Johnson Harris stated the Capital Improvement Program committee had not met; however renovations of Jackson Via Elementary were being planned to begin in June. She also stated the Neighborhood Federation met and talked about the demographics of the school system and about the housing initiatives going on throughout the community. Ms. Johnson Harris stated the Housing Committee would meet on May 22nd.

Ms. Firehock had met with the Community Development Block Grant Task Force on April 13th to clarify the guidelines and application deadlines. She had attended a subcommittee meeting of the Parks Advisory Board which was trying to develop a strategy for management of city parks.

E. CHAIR'S REPORT

Mr. O'Halloran stated he had been reviewing the Zoning Ordinance and was looking forward to the meeting on May 15th at 7 p.m. He had attended the TJPDC meeting. He suggested the Commission have a meeting May 22nd to discuss any public comments regarding the Zoning Ordinance at the May 15th Public Hearing.

F. DEPARTMENT/STAFF REPORT

Mr. Tolbert stated he would give his report after the Planning Items section of the meeting.

G. SITE PLANS/SUBDIVISIONS

1. "St. Charles' Subdivision" -- Twenty-four single-family detached lots located off the north end of St. Charles Avenue at Smith Street. Final Subdivision Plan and Plat (Preliminary Approval: 1/14/03)

Ms. Creasy gave the staff report. Staff recognized there were several comments that still needed to be addressed, but they would not significantly change the concept plan as presented. The maximum street grade percentage is eight percent but the Charlottesville Planning Commission can waive that up to ten percent; the applicant was seeking the ten percent. The applicant had been working on trail connections with the Locust Grove Neighborhood, Locust Meadows Home Owners' Association and the Rivanna Trails Foundation. Numerous neighborhood comments had been received. Neighborhood concerns remain in reference to the location of the Rivanna Trail to the Locust Meadows common space. The proposed trail would be relocated. The applicant will be required to adhere to the erosion and sediment control regulations at each step of the construction process. Other neighborhood concerns include stream buffers, off site traffic calming, trail relocation and additional tree planting; the developer is aware of these but the City cannot enforce these items. Maintenance of the biofilter located at the top of the property will be included in the homeowners' association agreement. Staff recommends approval of the final plat subject to comments attached to the plan and subject to Charlottesville Planning Commission approval of the street grade waiver.

Mr. Wood asked for clarification as to where the street grade waiver was required. Ms. Creasy stated it was a 27 foot section at the beginning where it comes off of St. Charles Avenue.

Mr. O'Halloran called for questions for Ms. Creasy.

Ms. Firehock stated she had made several site visits. She stated she was ecstatic about the biofilter, which is the first in the City. She commended the developer for being a pioneer in the city for including the biofilter. She expressed concern about the proposed placement of the trail.

Mr. Barton stated that the process of construction might temporarily remove the trail. He seconded Ms. Firehock's comments about not relocating the trail but keeping it as close to its existing location as it can be. He asked that Staff continue to work with the developer to find an even better resolution to the issue.

Mr. Appleyard wanted to echo support for the comments of Ms. Firehock and Mr. Barton. He thanked the developer for including the ten-foot pedestrian easement. Mr. Appleyard did express concern over the four-foot width of the asphalt since he thought the ADA regulations require five feet. He asked that the developer consider making a six foot asphalt path. Ms. Lewis sought clarification regarding which trail Mr. Appleyard meant. He stated his comments were in regard to the path connecting Locust Lane and St. Charles Court. He asked that for further clarification it be referred to as a pedestrian and bicycle easement.

Mr. Barton applauded the applicant since the developer proposed to replant the tree canopy which exceeds the required vegetation standard for the City.

Ms. Firehock asked if there would be any enhancements to the pedestrian easement for easy access to the trail. Ms. Creasy stated there was nothing specified on the plan.

Mr. Rich Carter, with Southland Homes, stated it had taken a lot to develop the plan. He stated they view the trail as an amenity. He agreed that the easement between the cul-de-sacs was steep and there was no good way to fix that since they were limited to switchbacks. He stated having the trail stay where it was not an option. Mr. Carter stated that the paved area was designated as four feet because it matches the existing walks in the neighborhood and because they had tried to keep pavement to a minimum.

Ms. Firehock stated she was comfortable with the plan since the developer was willing to work with Rivanna Trails.

Mr. O'Halloran asked for questions and comments from the public.

Ms. Garnet Mellen, of 1107 Calhoun Street, appeared in her capacity of president of the Locust Grove Neighborhood Association. She stated they were concerned about Meadow Creek and the Rivanna Trail as well as being concerned about traffic. She

expressed concern about the placement of the trail near an active channel of the Rivanna which was not shown on the map. She expressed concern over the steep grade and how close construction would come to the creek and to other people's property.

Ms. Kristen Pickering, of 14 Elizabeth Avenue, asked that the trail and creek be kept in mind.

Ms. Sandy DeKay, of 800 Calhoun Street, urged the Commissioners to be mindful of the ever-increasing traffic problem.

Ms. Gail Wylie, of 911 Locust Lane and president of the Locust Meadows Owners Association, expressed concern about the water flow from the biofilter. She also expressed concern about the trail.

Mr. Fahy Mullaney, of 1101 Locust Avenue, expressed concern about the location of the street, which reduces backyard separation. He stated his understanding that the street was located due to a City requirement that a development not extend a current street and therefore that street had a non-direct route out of St. Charles. He asked why the street position had not been changed. The applicant explained that if the streets were taken straight or with a slight bend, downhill lots would not be usable.

Mr. O'Halloran called for comments from the Commission.

Ms. Firehock stated that as long as the site plan meets the existing Code, there was not a lot that the Planning Commission could do. She stated that some of the comments were in an attitude of cajoling the applicant to recommend those things, which could not be required.

Ms. Lewis concurred with Ms. Firehock that the Charlottesville Planning Commission did not have discretion over all matters in a subdivision plan. She commended the applicant for helping the neighborhood relocate a mislocated trail. Ms. Lewis stated she would support granting the waiver to ten percent.

Mr. O'Halloran asked for additional thoughts from the Commissioners regarding the ten percent waiver.

Mr. Barton stated he would support granting the waiver. Mr. Barton asked that the Commissioners look at the development in the vein of former chairman, Herman Key, and consider the visitability.

Mr. Appleyard stated that he wanted to commend Mr. Carter for having done a lot of work to address people's concerns. He further stated that they had limited powers but

they tried to do the best to deal with certain issues. The cul-de-sacs were not to be connected so that more traffic would not flow out of St. Charles. He felt that had been a good compromise. Mr. Appleyard stated he supported the waiver.

Mr. Appleyard made a motion that the Charlottesville Planning Commission allow the waiver. Mr. Wood seconded the motion. Ms. Lewis sought clarification that the motion was just regarding the waiver. Mr. Appleyard amended his motion to approve the subdivision site plan with the conditions discussed and allowing for the waiver of the eight percent grade requirement.

Ms. Lewis made a friendly amendment that the motion state pending staff approval on the issues cited in the May 5th letter. Mr. Appleyard accepted the friendly amendment. Mr. Barton offered a friendly amendment that the Charlottesville Planning Commission recommend that Mr. Carter continue to have conversations with the City about the dimension of the pedestrian path since a six foot width would be a good neighbor gesture which would be appreciated in the future. Mr. Appleyard accepted Mr. Barton's amendment. Mr. Tolbert called the question. The motion carried unanimously.

With no other planning items on the agenda, Mr. O'Halloran reminded the public of the public hearing to be held at 7 o'clock on May 15th

Mr. O'Halloran recognized Mr. Tolbert to present his deferred report.

F. DEPARTMENT/STAFF REPORT

Mr. Tolbert stated that Wallace, Robertson, Todd would be making a presentation on May 21st at 6:30 p.m. regarding the status of the transit center.

He expressed his hope that PACC would approve the recommendation for the Area B Steering Committee, which was three members from the City, three from the County and three from the University.

Mr. Tolbert explained the format for the public hearing to be held May 15th.

Mr. Tolbert stated that the County wanted to have a staff get-together to discuss the 29 development issues before a joint meeting with the Planning Commissions and property owners. Staff would meet on May 22nd. He asked that the Commissioners consult their calendars to come up with possible dates to meet with the County Commissioners. Ms. Lewis and Mr. O'Halloran suggested June 4th at 5:30 p.m. Mr. Tolbert stated he would send an invitation.

Ms. Lewis asked if anyone would be attending either the June or August session of the Certified Planning Commissioners Course. The course would also be offered in September and December in Lexington. Mr. Tolbert stated the City would pay for the course.

Ms. Lewis also recommended the Virginia Institute of Planning Commissioners meeting, which would be held at the Omni Hotel on October 12-14.

Ms. Lewis asked if after the zoning ordinance was completed, the Charlottesville Planning Commission could have a retreat with City Council as required by the bylaws.

Mr. Barton made a motion to adjourn. Ms. Johnson Harris seconded the motion, which carried unanimously, whereupon the meeting stood adjourned at 8:14 p.m.

Respectfully submitted,

Mr. James E. Tolbert, AICP, Secretary

APPROVED:

Kevin O'Halloran, Chair