

DRAFT MINUTES
CITY OF CHARLOTTESVILLE
PLANNING COMMISSION
TUESDAY, JUNE 10, 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. Bruce Appleyard
Mr. Craig Barton, Vice-Chair
Ms. Karen Firehock
Ms. Kathy Johnson-Harris
Ms. Cheri Lewis
Mr. Eldon Wood

STAFF PRESENT:

Mr. Jim Tolbert, AICP, Director
Ms. Lisa Kelley, Deputy City Attorney
Mr. Ron Higgins, AICP, Planning Manager
Ms. Mary Joy Scala, Neighborhood Planner
Ms. Missy Creasy, Neighborhood Planner
Ms. Claudette Grant, Neighborhood Planner

City Council Members Present

Mr. Blake Caravati
Mr. Maurice Cox
Mr. Rob Schilling

I. REGULAR MEETING

Mr. O'Halloran called the meeting to order at 6:30 p.m. He then stated that one of the planned public hearings for the evening had been cancelled; the applicant withdrew his petition to close a portion of Albemarle Street. Ms. Lewis asked when the petition had been withdrawn. Mr. Higgins stated the letter had been received that morning.

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

Mr. O'Halloran called for matters not on the agenda.

Ms. Allison Ewing, of 1900 Chesapeake Street, spoke on behalf of the Woolen Mills neighborhood. The neighborhood has expressed concern over industrial encroachment in the past and has created a zoning committee in response to the Burgess Lane issue. The neighborhood was pleased with the decision made by the CPC about Burgess Lane. Ms. Ewing then made a formal request that the Commission undertake a Master Plan study of the area from Meade to Carleton, East Market back to the railroad given the proximity to downtown, the historic nature of the neighborhood and the long term potential of the area.

Ms. Kendra Hamilton, of 620 Booker Street, stated that people were wanting to live in the Rose Hill neighborhood. She stated there was a conflict between industrial/business sectors and the homeowners. She asked that the Commissioners keep a good balance of business and residential in the neighborhood.

Ms. Sarah Terrell, of 703 Charlton Avenue, spoke about a dog daycare center in operation at 706 Henry Avenue without a Special Use Permit. She stated there was a business license for the owners trading as All Things Pawsible. She also had a concern about the traffic at Charlton and Albemarle Street. She asked that someone look at the traffic situation and do something about it.

Mr. John Hunter, of 707 Cynthianna Avenue, echoed the comments of Ms. Hamilton. He expressed concern over the demolition of houses to make way for businesses. He offered support to the Commission to maintain a harmonious balance of commercial interests and residences.

Ms. Mary Burton, of 715 Cynthianna Avenue, expressed concern over the amount of industrial traffic in the neighborhood. She felt a four-way stop sign system was needed at Fourth and Concord.

B. MINUTES

With no further matters from the public, Mr. O'Halloran called for approval of the 13 May minutes. Mr. Appleyard stated that Dan Burden's name had been misspelled on page 4. Ms. Firehock asked that an addition of, "to ensure that the trail access and functions remain," be made to her statement on page 6 which would clarify her remark. She also asked for additions to the seventh paragraph down on page 7 to clarify her remarks. She suggested the sentence read: She stated that some of the comments "from the Planning Commission" were "in the spirit of" cajoling the applicant to "implement" those things which could not be required under "existing statutory authority." Ms. Firehock also questioned a statement attributed to Ms. Lewis in the next paragraph. She sought clarification that Ms. Lewis' point was that the trail was not now in the correct place. Ms. Lewis stated that was the testimony of everyone in the neighborhood. Ms. Lewis had no objection to the language of the statement in the May minutes.

Ms. Lewis made a motion to approve with revisions as noted. Mr. Barton seconded the motion which carried unanimously.

C. LIST OF SUBDIVISIONS AND SITE PLANS APPROVED ADMINISTRATIVELY

Ms. Lewis stated that she had asked Mr. Tolbert at the last meeting if notices were being sent to the Commissioners about these matters. Mr. Higgins stated they don't. He further

explained that at times they will see on the list plans which had been before them in the past. Mr. Higgins stated these plans were reported to the Commission each month as the plans are signed. He explained that certain matters, such as redesigning a boundary adjustment or plat, would not come before the Charlottesville Planning Commission. Amendments also do not come before the Commission unless Neighborhood Development requests it such as in the case of a major amendment. Mr. O'Halloran stated that the Chairman did sign the plats.

Ms. Lewis asked if the 36 new lots of Burnett Commons were newly configured. Mr. Higgins stated that the previously approved PUD had been signed; there were no changes to what the Charlottesville Planning Commission approved.

Ms. Johnson Harris made a motion to accept the list of subdivisions approved administratively. Ms. Firehock seconded the motion which carried unanimously.

LIST OF SUBDIVISIONS APPROVED ADMINISTRATIVELY
5/1/03 to 6/1/03

- | | | |
|----|--|--|
| 1. | Division of TM 56-42.1
Burgess Lane & Leake Lane

File No. 1299 | One new s.f. lot
Preston A. Coiner – Burgess Lane
Properties, Inc.
Preliminary & Final |
| | Final Signed: 5/2/03 | |
| 2. | Revised Lot 9, Block 9, "Rugby"
1877 Field Road
File No. 1300 | No new lots
Thomas Crowell
Preliminary & Final |
| | Final Signed: 5/2/03 | |
| 3. | Division of Lot 3, "Longwood Park"
206 Harris Road
File No. 1301 | One new s.f. lot
Charles & Joyce Hall
Preliminary & Final |
| | Final Signed: 5/2/03 | |
| 4. | Division of Lot B "Seminole Court"
Piedmont Avenue
File No. 1303 | One new duplex lot
Toomas Rikken
Preliminary & Final |
| | Final Signed: 5/8/03 | |
| 5. | "Burnet Commons" PUD
Elliott Avenue to Lankford Avenue | 36 new s.f. lots
Charles Hurt
Preliminary & Final |
| | Final Signed: 5/8/03 | |
| 6. | Adding Alley to TM 31-109
910 Anderson Street

File No. 1304 | No new lots
Michael Mallory, Theresa Williams &
Piedmont Housing Alliance
Preliminary & Final |

- Final Signed: 5/8/03
7. Division of TM 31-109 Two s.f. attached lots, two s.f. lots
 910 Anderson Street Piedmont Housing Alliance
 File No.1304-A Preliminary & Final
- Final Signed: 5/8/03
8. Redivision of Lots 1-3, Blk 13 "Carlton" No new lots
 1304 Midland Street Glenn & Victoria Branham
 File No.1302 Preliminary & Final
- Final Signed: 5/22/03

LIST OF SITE PLANS APPROVED ADMINISTRATIVELY
 5/1/03 to 6/1/03

- | | | | |
|----|-------------------------|--|---------------------|
| 1. | File No.
T-02-000033 | Anderson Street P.U.D.
(4 units) | 910 Anderson Street |
| 2. | File No. 1280 | Burley Middle School – Basketball
Court - Amendment | Rose Hill Drive |

D. COMMISSIONERS' REPORTS

Ms. Firehock had nothing to report. None of her committees had met due to lack of quorum and other matters.

Ms. Johnson Harris was unable to attend the Housing Policy Task Force meeting on 3 June. She received some reading materials regarding the cost of housing and the available housing in the community. She also stated the CIP did not meet nor did the Neighborhood Federation.

Mr. Wood stated that the two committees to which he is appointed did not meet, therefore he had no report.

Mr. Barton stated that the Jefferson School Task Force had continued its discussion of potential programs for the building. There would be two meetings in the following week with the intention of developing one or more proposed set of programs for the building. He also stated that the Board of Zoning Appeals had not met since the last Charlottesville Planning Commission meeting.

Mr. Appleyard stated the Walkability Workshops had been discussed at the MPO Tech meeting. They had also had an update on the Hydraulic Road intersection study. At that meeting he had resigned his position. Mr. Appleyard's article on planning safe routes to school had come out in Planning Magazine.

Ms. Lewis stated the Board of Architectural Review continued to be busy. She publicly acknowledged Mary Joy Scala who has done a terrific job as staff person for the Board of Architectural Review. Ms. Lewis was planning to E-mail Mr. Tolbert and Mr. O'Halloran with her final comments on the historic preservation part of the zoning ordinance. Ms. Lewis asked if any member of the Charlottesville Planning Commission had signed up for the Certified Planning Commissioners certification course in Lexington, Virginia, September 29 and 30 or December 11 and 12. She also mentioned that the statewide institute would be coming to the Omni in October.

E. CHAIR'S REPORT

Mr. O'Halloran had nothing to report on the PDC. He stated he was glad they had met for a transportation work session at 5:30. Mr. O'Halloran stated that this was the last meeting with Mr. Appleyard who would be missed. Mr. O'Halloran stated that Mr. Appleyard had added a lot to the discussions. He commended Mr. Appleyard for his dedication and hard work.

F. DEPARTMENT/STAFF REPORT

Mr. Tolbert stated that, at the May hearing, a question had been raised about why two months worth of site plans were shown on the administratively approved list. He then explained that there were some site plans which had been signed during the previous month which had not been included on the list.

Mr. Tolbert stated that the zoning administrator was on top of the issue regarding All Things Pawsible.

Mr. Tolbert addressed the parking concern which had been raised earlier in the meeting. A site plan had been approved with speculative uses. The business has exceeded the available parking. They have been asked to revise their site plan.

Ms. Firehock asked that Mr. Tolbert inform the Commission, either through E-mail or at the next meeting, the resolution of those matters. Mr. Tolbert stated he would do his best to.

Mr. Tolbert reiterated that the Housing Task Force had met. He asked if the Commissioners would like to be copied on all correspondence.

Mr. Tolbert stated there would be a presentation at the July meeting about the creation and development of additional historic districts.

He further stated there would be a recommended CIP expenditure for the \$800,000 in neighborhood money.

Mr. Tolbert stated there would be a meeting October 11 and 12 regarding the transit plans along the West Main corridor. Attending the meeting would be Robert Savarro, Gene Arrington and Robert Duffy.

II. PLANNING ITEMS

G. SITE PLANS/SUBDIVISIONS

1. Melbourne Park Condominiums SW corner of Melbourne Road & Park Street 52 Condominium Townhouses

Ms. Missy Creasy gave the staff report. The site plan is for 52 multi-family condominiums. The parcel contains about 6.95 acres. The proposed development is by-right and contains about one-third of the units that would be allowed. The applicant will need a street grade waiver for the exit that goes onto Park Street. That road is an exit only. The current grade is 14 percent; allowable by-right is 8 percent. It can be up to 14 percent or higher as long as safety issues are taken into consideration. There is concern about the driveway during rough weather. Staff has asked the applicant to address how they would handle that. A copy of the condominium agreement has been sent to the City Attorney's office. The Fire Department reviewed the plan and signed off on it. Concerns voiced at the preliminary site plan meeting ranged around traffic, changes in the character of the neighborhood, cut through traffic, noise and the impact on the Meadowcreek Parkway project. Staff addressed the concerns. The Meadowcreek Parkway would not be impacted at all. Staff recommends approval with the street grade waiver for the exit on Park Street.

Mr. Tolbert explained that this was before the Charlottesville Planning Commission because of the concerns about Park Street.

Ms. Lewis expressed concern over the items left to be completed before approval. Ms. Creasy explained that many of those items had been completed since the information was sent to the Commissioners.

Mr. O'Halloran called for comments.

Ms. Firehock stated she had talked with Ms. Creasy about a traffic light at Melbourne and Park. She felt that would help with the ingress and egress of the development. However, she did have concerns about the road during rough weather. She was also concerned about the inability to see oncoming traffic when trying to exit on Park Street; she was informed that the exit was meant to be right-turn only. Mr. Tolbert stated that there were construction techniques which could be used to force the exit to be a right turn only. Ms. Lewis stated that she would like to require that to be a condition.

Ms. Firehock was ecstatic there would be another bio-filter in the City.

Mr. Barton applauded the applicant for identifying the species and dimensions of trees which would be removed.

Mr. Caravati expressed concern about the 15 degree slope. He felt that it would not be deleterious to wait a month so the site plan could have more details completed. Ms. Lewis agreed with his concerns but felt that staff could deal with the details.

Mr. Barton suggested they ask the applicant to explore reducing the grade.

Mr. Allen Franklin, of the firm McKee Carson, spoke on behalf of the applicant. He addressed the question of whether the grade could be lowered. He did not think it could; it would require too much grading and widening and would eliminate more of the tree cover. He further explained that lowering the grade would require lowering a parking lot which would also cause more grading on the top of the ridge. He stated that the exit could be removed from the plan and be allowed as a pedestrian access to Park Street.

Ms. Firehock stated her preference that the road be pedestrian or bicycle access only. Mr. Franklin stated his belief that no one would try a left turn. He also stated that exit would provide quick access to 250 so residents would not have to go through the neighborhood. Mr. Barton asked if it would be better for the applicant to return in a month to give a chance to transform that access to bike or pedestrian traffic. Mr. Schilling, as a resident of that neighborhood, expressed concern about the amount of traffic which would be diverted onto Melbourne.

Mr. Appleyard asked if there would be a sidewalk if the Park Street access was changed to pedestrian. Mr. Franklin stated there would not.

Ms. Firehock stated she would like to see the design. She was not comfortable with approving the waiver at this time without more information on how to restrict the turn.

Mr. Barton felt a month would be a reasonable time to take the comments proposed and knit them into the proposal. He would be willing to support it given adjustments.

Mr. Wood asked if they could approve all but the waiver request. Mr. Tolbert asked the applicant and engineer what impact 30 days would have on them. Mr. Tolbert suggested they approve the site plan with that as pedestrian access only with the opportunity to bring the drive back to the Commission at the next meeting at which point it could be approved as a vehicle access also and a waiver if it is worked out. Mr. Schilling expressed concern because it could lock that into not having a vehicular exit onto Park Street which he felt was not a good idea.

Ms. Lewis made a motion for approval of the site plan upon Staff's recommendation and subject to all the outstanding issues that Staff may still have to address with the applicant, but granting pedestrian access only on the proposed exit to Park Street at this time and reserving to the applicant the option to come before the Commission again for approval of redesign of that exit on Park Street. Mr. Tolbert explained to Mr. Franklin that everyone would like to find a way to approve the access onto Park Street and the motion was a way to let the applicant keep going but requiring them to come back to try to resolve the issue. Ms. Kelly stated it would be best to defer the proposal until the next meeting to allow the applicant to work with staff to try to come up with a design. Mr. O'Halloran stated the applicant preferred to have an additional month to move forward with other aspects of the project. Ms. Lewis stated it was a strong preference of the Commission to see an exit there. She further stated that, while the applicant could not be required to come back, it would be a strong preference that the applicant make a viable vehicular exit there. Mr. Barton seconded the motion. The motion carried unanimously.

2. Harris Street Commercial Development
Harris Street and Allied Streets
(considered with item H-2, SP-03-05-03, below)

H. JOINT PUBLIC HEARINGS

1. Closing of Portion of Albemarle Street Right of Way.

This application was withdrawn at the request of the applicant.

2. SP-03-05-03: An application for a special permit to use portions of the properties on Harris Street/Allied Street for warehouse space in B-3 zoning. The general uses allowed in the B-3 zoning are commercial and wholesale establishments of a general nature. The property is further identified on City Real Property Tax Map 34 as parcel numbers 90.B and 90.1 having, collectively, 623 feet of frontage on Harris Street, 120 Feet of frontage on Allied Street, and containing approximately 168,229 square feet of land or 3.86 acres. The uses called for in the Land Use Plan of the Comprehensive Plan are major commercial uses.

Ms. Scala gave the staff report. The applicant, Charles Hurt, seeks a special use permit to allow warehouses in a B-3 Business District. The proposed use is office and warehouse buildings with on-site parking. The site is currently zoned M-1 to the south and B-3 Business to the north. M-1 allows warehouses by right; B-3 zoning requires a special use permit. The site plan proposes three new two-story buildings with approximately 27,000 square feet total. Sixty-four parking spaces are planned for the use of those buildings.

Staff recommends approval subject to final staff approval of the site plan. There are many conditions remaining before approval; however, none pose any insurmountable problems. A Planning Commission waiver is required for the access road because it exceed a 15 percent grade. Warehouses on this site would not adversely impact adjacent uses. A site plan conference had been held in February. A property owner had expressed concern regarding periodic flooding on Allied Street; a new box culvert would be put in under the access from Allied Street.

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

Ms. Firehock asked how traffic would be affected by the development. Ms. Scala stated this use would increase traffic but she had not quantified that.

Mr. Caravati asked if the proposal would add to the flooding on Allied Street. Ms. Scala explained that there was a huge drainage area that ends up in Allied Street. She also stated her belief that the problem was preexisting.

Mr. O'Halloran opened the public hearing.

Mr. Katurah Roell, speaking on behalf of the applicant, stated the proposed use was a much less intense use.

Mr. O'Halloran called for questions.

Ms. Firehock asked about the existing grade of the road and if the applicant planned to keep it. Mr. Rellette stated it was about a 15 percent grade. He explained that the site in front of the building up to the Saab lot would be an eight percent grade.

Mr. Caravati asked if the representative had investigated flattening the grade. The representative explained that a larger flat area was necessary to keep from impacting Allied Street directly in regards to drainage.

Mr. O'Halloran closed the public portion of the hearing. He called for comments from the Commissioners.

Mr. Wood stated his belief that the proposal was not hurting the area.

Ms. Johnson Harris stated that given what was there and given what was being proposed, she supported the proposal.

Ms. Firehock stated the site was compatible with existing uses.

Ms. Lewis made a motion to recommend approval of the application to allow the Special Use Permit in this B-3 Business District for warehouses at 1225 Harris Street subject to staff approval on the final site plan. She made the motion on the basis that it serves the interest of the general public welfare and good zoning practice. Ms. Johnson Harris seconded the motion. The motion carried unanimously.

3. ZM-03-05-03: A petition to rezone the property at 104 Hartman's Mill Road, known as the Banks Property, from R-1A Residential to R-1A Planned Unit Development (PUD). The R-1A zoning allows single-family detached dwellings at 3-7 units/acre. The PUD designation would allow the subdivision of the property to include the three existing houses and 18 additional units as single-family detached, attached or townhouses unit types, at approximately 9.5 units/acre. The property is further identified on City Real Tax Map 26, having approximately 250 feet of frontage on Hartman's Mill Road and containing approximately 96,268 square feet of land or 2.21 acres. The uses called for in the Land Use Plan of the Comprehensive Plan are single-family detached residential at 3-7 units per acre.

Mr. Barton stated he needed to recuse himself from the hearing since the project was being undertaken in his architectural practice. Mr. Barton left the meeting at 7:58 p.m.

Mr. Cox stated he, too, should recuse himself from discussion on the project, but he would remain in chambers to maintain a quorum of City Council. Ms. Kelly stated that as long as he remained a quorum would be possible; the fact that he would not participate would be fine. Mr. Cox stood down.

Ms. Johnson Harris, as a longtime friend and co-worker of Mrs. Banks, asked if she should recuse herself. Ms. Lewis stated her understanding that someone should recuse himself only if he had a pecuniary interest in the outcome.

Mr. Schilling stated that, although it may be legal for Mr. Cox to recuse himself but stay in the meeting, he was very uncomfortable with the situation of not having a third Councilor seated. He felt they were treading a line of what might be perceived as improper. Ms. Lewis and Mr. O'Halloran asked Ms. Kelly to state her understanding of the situation. Ms. Kelly stated that as long as three Council members were present in the room, that they would still have a quorum. She further stated that they may, among themselves, if they are not comfortable as a group holding their part of the public hearing, they may decide to have their own public hearing in front of Council separately which would not affect the Commission's ability to go forth with its public hearing. She felt that they had a quorum even though one of them may not ultimately participate in the vote and deliberations of Council; that did not defeat the quorum. Mr. Schilling, while he understood what Ms. Kelly was saying, was uncomfortable with it. He did not want to participate in it without another Councilor present. Mr. Schilling felt that he needed to leave. Mr. Caravati

explained that Councilors Richards and Lynch were out of town and thus unable to attend the public hearing. Ms. Kelly suggested that Mr. Schilling remain and seek counsel from the City Attorney as to whether Council needs to have a separate hearing. Mr. Schilling stated that he felt it was a grey area with which he was uncomfortable. He felt he must excuse himself from the meeting since he must ultimately do that which was most comfortable to him in carrying out his public duties. Mr. Schilling apologized and left the meeting at 8:04 p.m.

Ms. Johnson Harris asked Ms. Kelly if she should remain due to her relationship with the Banks family. Ms. Kelly stated she could as long as she felt she could make an informed decision without being prejudiced by her relationship. Ms. Johnson Harris stated she had wanted that on the record because she wanted to be fair and above board.

With no City Council quorum present, Mr. Caravati left the meeting at 8:05 p.m.

Ms. Grant gave the staff report. The applicant seeks to rezone from R-1A to R-1A Planned Unit Development. The site is located west of the intersection of Hartman's Mill Road and Jordan Avenue. The current zoning allows single family detached dwellings at three to seven units per acre. The density is less than the maximum overall density permitted in the PUD zone of 14 units per acre. The area currently consists of single family residential uses. Adjacent properties are zoned R-1A. The majority of the parcel is vacant except for three existing properties. All lots would front on a proposed public street, which will consist of two-way traffic lanes that will turn into a one-way route in the middle of the site. There will be a Homeowners' Association and agreement for the site. Each site will have two off street parking spaces; eight parallel parking spaces will be provided on the streets. The applicant has requested a waiver regarding the minimum offset between central lines of non aligning streets; the development plan has less than the 150 feet required between center lines. The requirement cannot be met without compromising the small lot development pattern and would push six of the 18 houses into the flood plain. A waiver of the eight percent maximum allowable street grade was also sought. Approximately 50 linear feet of the new road has a street grade of ten percent, which is allowable under VDOT Street Standards. The applicant also requests that the sidewalks be narrower at four feet than the by-right City standards of five feet. Staff recommends approval conditioned on items noted in the staff report for administrative approval.

Ms. Lewis asked if the streets would be dedicated to public use later. Ms. Grant concurred.

Mr. Wood wanted to know about the storm water facilities in the area. Ms. Grant did not know; she stated it was still up for review with the engineer.

Ms. Firehock asked if there would be any restrictions for backyard usage on the flood

plains. Ms. Grant stated her belief that part of the Homeowners' agreement would deal with that. She further stated that the agreement was with the City Attorney for review.

Ms. Giovanna Galfione spoke on behalf of the applicant. She displayed a model of the PUD for the Commission.

Ms. Lewis asked about parking for the three existing houses. Ms. Galfione explained which areas were parking areas.

Ms. Firehock thanked the applicant for providing a model of the project.

Ms. Johnson Harris commended the development for being affordable housing in a country, but city, neighborhood.

Mr. O'Halloran left the meeting to answer a phone call at 8:27:19 p.m. He returned at 8:27:52 p.m.

Ms. Lewis stated the development looked wonderful. She felt it was in an important place in the neighborhood. She stated she would support rezoning.

Ms. Lewis felt the wording of the Homeowners' Association needed to be tweaked to say that the assessments would maintain them until such time as they are dedicated for public use and the City or VDOT accepts them for public use.

Mr. Appleyard agreed that the development was very nice.

Mr. O'Halloran opened the public hearing for public comment.

Mr. Charles Young, of Richmond, stated he and his sister owned one of the adjacent properties. He further stated that they had entered in a contract to sell their property for a PUD adjoining this one. Part of the contract called for donating two acres to the City to expand Jordan Park. He stated he wholeheartedly endorsed the proposal, including the waivers.

Mr. O'Halloran closed the public hearing.

Mr. Higgins stated it was great to see a mixture of units.

Ms. Firehock made a motion to recommend approval of this application to rezone property from R-1A to R-1A PUD on the basis that the proposal would serve the interest of the general public welfare and good zoning practice. Ms. Johnson Harris seconded the motion. Ms. Lewis offered a friendly amendment that they grant the waivers that are

requested: the offset between the center lines of the non aligning street and the narrowing of the sidewalks. Ms. Firehock accepted the friendly amendment as did Ms. Johnson Harris. The motion carried unanimously.

Mr. Barton returned to the meeting at 8:35 p.m.

Mr. O'Halloran called for a recess. The meeting stood at recess, 8:35 p.m to 8:41 p.m.

Mr. Tolbert continued his staff report. He stated he had given the Commissioners a memo. He would go through it and not ask for any decisions from the Commission.

Changing the front yard setback in RUHD from zero to an average: The statement was worded to say within 500 feet of either side of the property.

The 200 foot buffer for RUHD: Mr. Tolbert suggested saying 75 feet instead of 200 but to require a 25 foot landscape area within that to be the S-3 buffer, the incompatible use buffers.

Restriction of a one square foot sign for property management offices: That had been changed to two by two.

The Kohl property had been in the downtown north district; Mr. Tolbert felt it should go in the downtown extended district.

The amount of open space in a PUD: The proposal is for a minimum open space of 15 percent. Current zoning is for 20 percent which includes all open space. The proposal says it cannot be in the yards, streets, rights-of-way. Mr. Tolbert suggested that it be qualified to say if part of that open space is flood plain or flood way, that only 33 percent of that acreage can be counted.

Lot size: Currently if a lot is less than 6,000 square feet it can be used for any permitted use in the district in which it is located provided it meets all other zoning requirements. Language would be added to say that for single-family homes on non conforming lots, the director may modify the setbacks to the setback of houses previously existing on the lot or to the average of houses in the block in which the lot is located.

Parking requirement in UHD and UMD: Currently the requirement is 0.5. Because of usage they could still sell 1015 permits; more than what they currently have. Mr. Tolbert felt the Commission needed to set a number such as one space per unit up to four bedrooms and two spaces per unit for the four bedroom.

Best Practices language: Mr. Tolbert asked for suggestions to be sent to him.

Definition of steep slopes: Mr. Tolbert stated Ms. Firehock would work on that.

Design guidelines and review in historic corridors and districts: Staff interns were working on new historic districts. Surveys were being done for the Rugby District, Martha Jefferson and the north downtown extension as well as North Belmont and Tenth and Page had been requested for consideration. City Council had coined a phrase, "vintage structures," which were older, significant structures that may not be designated as individually protected structures under the current ordinance that, outside a historic district, have no protection.

The final part of the packet was three matrices. Mr. Tolbert stated these were responses to corrections of things that got left out. The second was that in the mixed use corridors, with all the transformations, only two things were allowed so they had to go in to fix that. The third was allowing multi-family, commercial mixed use development in the River Road area.

Mr. Tolbert stated another errata sheet would be prepared.

Mr. Tolbert suggested that the meeting on June 24th be a public meeting, not a public hearing, and that the Commissioners be able to take action.

Mr. Barton made a motion to adjourn until the Joint Public Hearing on 8 July 2003. Ms. Firehock seconded the motion, which carried unanimously; whereupon the meeting stood adjourned at 9:11 p.m.

Respectfully submitted,

James E. Tolbert, AICP
Secretary

APPROVED:

Kevin O'Halloran