

**DRAFT MINUTES  
CITY OF CHARLOTTESVILLE  
PLANNING COMMISSION  
TUESDAY, DECEMBER 14, 2004 -- 6:30 P.M.  
CITY COUNCIL CHAMBERS**

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

Ms. Cheri Lewis, Chair	<i>Commissioners Not Present:</i>
Mr. Kevin O'Halloran, Vice Chair	Mr. Craig Barton
Mr. Jon Fink	Ms. Karen Firehock
Ms. Kathy Johnson Harris	Mr. David Neuman, Office of the Architect
Mr. Bill Lucy	

*Staff Present:*

**City Council was not present**

Mr. Jim Tolbert, AICP, Director of NDS  
Mr. Ron Higgins, AICP, Planning Manager  
Ms. Ashley Cooper, Neighborhood Planner  
Ms. Missy Creasy, AICP, Neighborhood Planner  
Ms. Mary Joy Scala, AICP, Neighborhood Planner  
Ms. Lisa Kelley, Deputy City Attorney  
Ms. Lewis convened the meeting at 6:28 P.M.

**I. REGULAR MEETING**

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

Ms. Lewis called for matters from the public not on the agenda. There were none.

**B. MINUTES**

**1. October 12, 2004** -- Regular Meeting

Mr. Fink asked that the reference to Ms. Fenton on page eight be changed to Ms. Firehock. Ms. Lewis noted that, also on page eight, Mr. Jack Yellott had been incorrectly referred to as Mr. Yellott's.

Ms. Lewis asked if there was a motion to approve the minutes with revisions stated. Mr. O'Halloran so moved. Mr. Lucy seconded the motion which carried unanimously.

**2. November 9, 2004** -- Regular Meeting

Mr. Fink moved that they approve the November 9th, 2004, minutes. Mr. O'Halloran seconded the motion which carried unanimously.

**C. LIST OF SUBDIVISIONS AND SITE PLANS APPROVED ADMINISTRATIVELY**

Ms. Lewis stated she had financial interest in a property that was shown on site plan number four which was approved administratively; it was adjoining property to First Presbyterian Church. She thought she could vote on the matter without any problems.

Ms. Lewis asked if there was a motion to approve the subdivisions and site plans approved administratively November 1st through December 1st. Mr. O'Halloran so moved. Mr. Fink seconded the motion. The motion carried unanimously.

#### **LIST OF SUBDIVISIONS APPROVED ADMINISTRATIVELY**

11/1/2004 - 12/1/2004

1. Boundary Adjustment of TM 10, Parcels 81-81.2 No New lots 11th Street, SW at CSX Railroad VAPARC LLG & CSX

File No. 1327 preliminary & final

Final Signed: 11/1/2004

2. Redivision of Lots 6 & 7, Block 18 "Carlton Addition" No new lots  
Rives Street at Hampton Street Pamela Morris

File No. 1328 preliminary & final

Final Signed: 11/30/2004

#### **LIST OF SITE PLANS APPROVED ADMINISTRATIVELY**

11/1/2004 TO 12/1/2004

1. File No. 1162 Parking reconfiguration 908 E. High St. (Old Credit Union Office)

2. File No. T-04-000006 Juvenile & Domestic Relations 411-417 E. High St.  
Court -- Demolition Plan

3. File No. 229 RW & SA Pumping Station --end of Chesapeake St.  
Carbon Scrubber at Riverside Ave.

4. File No. 788 First Presbyterian Church 500 Park St. Parking lot space addition

5. File No. T-04-000017 River Bluff PUD – 22 unit send of Riverside Ave.

#### **D. COMMISSIONERS' REPORTS**

Mr. Fink had attended the MPO Tech Committee meeting; Phase III of the study of the 250/29 Bypass had been discussed as well as the Meadow Creek Parkway. Mr. Fink stated Ms. Firehock's graduate class gave a brilliantly conceived and articulated presentation to the community on 1 December about the Rivanna Watershed; the City Streams Task Force would present this to City Council, the Planning Commission and the area schools.

Mr. O'Halloran stated the CDBG had met; he was chairing its Housing Task Force. He stated the Board of Zoning Appeals was meeting regularly; Mike Chandler, formerly of Virginia Tech, had given an overview of the duties of the BZA.

Mr. Lucy informed the Commission of an Arlington County Circuit Court decision that a ten percent voluntary contribution of affordable housing in development projects lacks adequate state authority to be continued as a policy; since Charlottesville had a somewhat similar policy, he thought they needed to

be mindful of that and try to have language in the policy that would pass state purview. Ms. Lewis suggested Ms. Kelley research that and report back to the Commissioners either in writing or at the next meeting. Mr. Lucy felt there were conditions evolving in the City that threaten the robust housing market and impact the projects coming before the Commission. Mr. Lucy stated the BAR was considering a second level of review for future or existing architectural design control districts. Ms. Lewis asked that Ms. Scala keep the Commission up to date on the BAR's moving forward with the secondary designation.

Ms. Johnson Harris stated that on 15 November City Council proclaimed that Herman Key's name would be placed on the Downtown Center; the dedication service would happen sometime in the spring. Ms. Johnson Harris stated the administrative offices for the Charlottesville City schools would be moved to a new location which was meant to be more neighborhood friendly. The Ridge Street Neighborhood Association met; Ms. Johnson Harris spoke highly of Mr. Higgins who attended the meeting and was very professional. Ms. Johnson Harris stated Mr. Higgins had been outstanding. She further stated the Neighborhood Federations Committee would meet in January; the 2005 budget would be the topic.

#### **E. CHAIR'S REPORT**

Ms. Lewis had attended her first Thomas Jefferson Planning District Commission meeting; environmental issues had been discussed. She reminded the Commissioners they would be making use of the option of a second meeting in January on the 25th. The work session would deal with revisions to the Zoning Ordinance. Ms. Lewis asked the Neighborhood Planners to let the Commissioners know when there was a neighborhood meeting they needed help on. Ms. Lewis stated she had received a letter from Lynne Heetderks, Vice Chair of the Board of Architectural Review, stating that the BAR was beginning to proactively review the individually protected properties and was looking to add to that list.

#### **F. SITE PLANS**

Ms. Lewis asked that they take up the first site plan in conjunction with the first ERB Review.

##### **1. Union Bank -- Cedars Court at Barracks Road --New bank building**

Ms. Creasy gave the staff report. Union Bank and Trust was requesting preliminary site plan approval for development of a 3,218 square foot bank located at the corner of Cedars Court and

Barracks Road. The majority of the administrative comments had been dealt with; the only comments remaining were minor engineering comments of wording and notes. Staff recommended approval pending those minor comments.

Ms. Lewis recognized the applicant.

Mr. Rod Gentry, Senior Vice President, Regional Retail Banking Executive of Union Bank was present to answer questions from the Commissioners.

Mr. Fink asked who the contractor was for the project. Mr. Gentry stated one had not yet been hired. Mr. Fink asked that they be good stewards of the stream running through the property. Mr. Gentry stated the stream had been one of the most attractive things about the site.

Ms. Lewis noted for the record the arrival of Mr. Tolbert at 6:56 P.M.

Mr. O'Halloran moved that they accept the site plan as outlined. Ms. Johnson Harris seconded the motion. The motion carried unanimously.

Ms. Lewis then called for discussion of the Entrance Review considerations for Union Bank.

## **G. ERB REVIEWS**

### **1. Union Bank -- Cedars Court at Barracks Road --New bank building**

Ms. Scala gave the staff report. The application was for a Certificate of Appropriateness since the site is located on an Entrance Corridor. The bank would have a drive-through window in the rear. There would be three driveway entrances; one from Barracks road and two from Cedars Court. The parking lot has 20 spaces. There is a bioretention area for storm water management proposed in the Meadow Creek floodway. The application was complete except for a proposed bridge. Staff could approve the bridge administratively if the Commission so desired. The proposed design is compatible with other properties along Barracks Road. The development addresses the criteria outlined in entrance Corridor Regulations and Urban Corridor Zoning District. Staff recommends approval.

Ms. Lewis again recognized Mr. Gentry. The applicant had nothing to add.

Ms. Lewis called for questions and comments from the Commissioners.

Ms. Lewis stated she liked the west elevation more than the Barracks Road elevation. Ms. Lewis commended the quality materials and the thought that had gone into the design.

Mr. Fink felt it was a good use of materials. He liked the massing.

Mr. O'Halloran moved that they approve the Certificate of Appropriateness. Mr. Fink seconded the motion which carried unanimously.

## **F. SITE PLANS -- Continued.**

### **2. Watson Manor -- Number 3 University Circle -- Renovation and addition for Institute for Advanced Studies in Culture**

Ms. Scala gave the staff report. The Commission had requested approving the site plan when they reviewed the Special Use Permit in June. This was a renovation to the existing circa 1900 Victorian building on the site and a new two-story addition. The landscape plan includes preservation and maintenance strategies to preserve an existing beech tree near the new driveway. The final plan is ready for approval subject to bonding for the ENS plan and for improvements in the right-of-way. The Special Use Permit had been approved 16 August. Staff recommends approval of the final site plan subject to the required bonding. The applicant was present to answer any questions.

Ms. Lewis called for comments from the Commissioners.

Mr. O'Halloran felt Mr. Matthews had done a good job in designing the building. He commended the applicant for working with the neighborhood.

Mr. Fink moved to approve the site plan for 3 University Circle. Mr. Lucy seconded the motion. The motion carried unanimously.

### **3. 2006 Jefferson Park Avenue Apartments -- 2006 JPA at Observatory Avenue -- eight units**

Ms. Scala gave the staff report. This was a final site plan approval for a four-story building with basement. The plan was before the Commission only because it was located on an Entrance Corridor. The Erosion and Sedimentation Plan needed approval and a bond needed to be posted. The Traffic Engineer recommended but did not require a stop sign. The Rivanna Water and Sewer Authority water line must be added to the plan. Staff recommends approval of the site plan with the conditions of approval of the ENS plan, approval of the bonds for ENS and improvements within the public right-of-way, and the Rivanna Water and Sewer Authority water line added to the site plan.

Ms. Lewis recognized the applicant.

Mr. Billy Farella, of Daggett & Grigg Architects, had nothing to add but was present to answer any questions the Commissioners had.

Mr. Fink moved to approve the final site plan for the development subject to the conditions of approval and signature on an ENS plan, approval of the ENS bonding for improvements within the public right-of-way, that the RWSA water line is added to the site plan; and they would strongly recommend that the applicant install a stop sign at the gateway to Jefferson Park Avenue. Ms. Johnson Harris seconded the motion. The motion carried unanimously.

### **G. ERB REVIEWS -- Continued**

#### **2. 2006 Jefferson Park Avenue Apartments -- 2006 JPA at Observatory Avenue -- eight units**

Ms. Scala gave the staff report. She pointed out that the applicant had proposed protruding balconies. A recent Board of Zoning Appeals decision about balconies in a required yard made them illegal. There was a pending amendment to the Zoning Ordinance that may allow those balconies to protrude within a required yard. The applicant eliminated the balconies and put a flat railing in front of the patio doors. The opposite side of JPA was zoned R-3; the other side was R-UHD, higher density zoning. The proposed building would be similar to other structures on JPA. Staff commends the choice of windows and the landscape plan. Staff recommends approval.

Mr. Fink sought clarification if the removal of balconies needed to be mentioned in a motion. Ms. Scala stated the matter had been addressed in the site plan.

Ms. Lewis called for questions and comments.

Mr. Fink commended the applicant's choice of materials. He felt the building would enhance the Entrance Corridor.

Mr. Lucy moved that the Certificate of Appropriateness be approved for the property at 2006 Jefferson Park Avenue. Mr. Fink seconded the motion. The motion carried unanimously.

### **H. DEPARTMENT OF NDS/STAFF REPORTS**

Mr. Tolbert stated an agreement had been entered into with the University. The University would pay for a Housing Inspector/Property Maintenance Inspector which the City would dedicate to the University neighborhoods.

Mr. Tolbert stated a meeting had been held on 18 November about the progress of the Comprehensive Plan. The recommendations and conclusions from that meeting would be given to the Commissioners.

With no additional business, Ms. Lewis asked if there was a motion to reconvene the meeting at the Blue Light Restaurant on Main Street. Mr. Fink so moved. Mr. O'Halloran seconded the motion. Ms. Johnson Harris offered a friendly amendment that they reconvene for the regular meeting in January. Ms. Lewis noted for the record they intended to make a motion when the meeting concluded, adjourning the Commission until the 11 January 2005 regular monthly meeting. The motion carried unanimously whereupon the Commissioners adjourned to the Blue Light Restaurant at 7:31 P.M.

Respectfully submitted:

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Mr. Jim Tolbert, Secretary

Approved:

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Ms. Cheri Lewis, Chair