

CITY OF CHARLOTTESVILLE

PLANNING COMMISSION

TUESDAY, FEBRUARY 14, 2006 -- 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. Karen Firehock (Chairman) STAFF PRESENT:

Mr. Jon Fink (Vice-Chairman) Mr. Jim Tolbert, AICP, Director of NDS

Mr. Craig Barton Mr. Ron Higgins, AICP, Planning Manager

Mr. Michael Farruggio Ms. Ashley Cooper, Neighborhood Planner

Ms. Cheri Lewis Mr. Brian Haluska, Neighborhood Planner

Mr. Bill Lucy Ms. Amy Kilroy, Grants Coordinator

Mr. Kevin O'Halloran Ms. Lisa R. Kelley, Deputy City Attorney

City Council Members Present:

Mr. David Brown, Mayor

Mr. Kevin Lynch, Vice Mayor

Mr. Rob Schilling

I. REGULAR MEETING

Ms. Firehock convened the meeting at 6:31 p.m.

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

Ms. Firehock called for matters from the public.

Ms. Andrea K. Wieder, of 2331 Highland Avenue, expressed her concerns about the Cherry Avenue PUD. She stated that, when the plan was initially put forth, members of the Fry's Spring Neighborhood Association and other community members had asked: that the numbers of houses being built be kept as small as possible; that a second road allow access. Ms. Wieder expressed concern about the number of cars that would come out onto Cherry Avenue. She asked that the Planning Commission go to City Council and find another road. She also presented the Commission with a letter of particulars on the issue.

Mr. Laurance Wieder, of 2331 Highland Avenue, stated the Cherry Hill PUD was the wrong size, burdens residents, will cause assessments to go up and is possible because the bureaucracy favors development .

Mr. Wesley Kilbrith, of 706 Shamrock Road, expressed concern about tree preservation and stated there was a lack of a tree buffer.

Mr. Michael Petrus, of 209 Todd Avenue, expressed support of the proposal that the Cherry Avenue PUD be reexamined for another entrance/exit.

B. MINUTES

1. January 10, 2006 -- Regular Meeting

Mr. Fink stated "add" in the fourth sentence of page 7 should be "had." Ms. Lewis stated that she had stated yes to the question of whether Mr. Morgan would be replaced. Ms. Lewis stated that, while the fifth paragraph down on page 6 notes that she stated she could not find 40 percent of open space on the proposal; however, Ms. Lewis asked that the record reflect that she had also expressed a concern that the Planning Commission was again faced with an application where the open space calculation was not met and was, in fact, represented and that she was dismayed by that. Ms. Lewis further stated her belief that Mr. O'Halloran had concurred with her and had made similar comments. Ms. Lewis stated those comments were probably the most important thing discussed on that application. Mr. O'Halloran stated that was an accurate characterization. Ms. Lewis stated that a few paragraphs down stated that Ms. Firehock had contacted the applicant; Ms. Lewis thought Ms. Firehock had said she had contacted Staff. Ms. Firehock stated she had planned to note that as well. Ms. Lewis cited the second paragraph from the bottom of page 11; she stated she had also asked Ms. Kelley why the procedures for opening and closing streets differed in the City and Ms. Kelley had answered that City Council had the ability to decide to close something to traffic. Mr. Barton, citing the fourth line of the third paragraph of page 8, stated the word "them" should be between "see" and "very." Mr. Barton also cited the last paragraph of page 15 and asked that the sentence instead read: "Mr. Barton stated his belief that the units outside the limits of the Entrance Corridor Review would be undermined by changing the material palette from a higher grade palette to a lower grade palette." Ms. Firehock asked that "voiced by the neighborhood" be added after "had long been a concern" in the second paragraph of page 15.

Ms. Firehock asked for a motion to adopt the minutes with these changes. Mr. Barton so moved. Ms. Lewis seconded the motion. Ms. Firehock called the question; the motion carried unanimously.

C. LIST OF SITE PLANS AND SUBDIVISIONS APPROVED ADMINISTRATIVELY

Ms. Lewis thanked Staff for adding the "signed by" notation.

Ms. Firehock asked if there was a motion to adopt. Mr. Fink so moved. Ms. Lewis seconded the motion. Ms. Firehock called the question; the motion carried unanimously.

LIST OF SITE PLANS APPROVED ADMINISTRATIVELY

1/1/06 TO 2/1/06

1. File No. Alumni Hall Addition 221 Emmet Street

T-05-000018 Signed by: Ashley Cooper

2. File No. Mews Apartments at Little 1111-1113 Little High Street

T-01-000019 High Street – Amendment

Signed by: Missy Creasy

LIST OF SUBDIVISIONS APPROVED ADMINISTRATIVELY

12/21/05 TO 2/1/06

1. "Village Place", TM 22A-3 Division 36 new single family lots/PUD

Extension of Highland Ave. & Village Rd. Cherry Hills, Inc.

File No. 1345 Preliminary & Final

Final Signed: 12/21/05

By: Karen Firehock & Ashley Cooper

2. "Mews" Apartments - Sewer Easement No new lots

1111-1113 Little High Street CH Mews Housing L.P. &

Richard T. Spurzem

File No. 1246-B Preliminary & Final

Final Signed: 1/6/06

By: Karen Firehock & Missy Creasy

3. Combining TM 56-40.4A & 42.3 No new lots

Woolen Mills Self Storage & Franklin St. Woolen Mills Self Storage, Inc.

Burgess Lane Properties

File No. 1364 Preliminary & Final

Final Signed: 1/6/06

By: Karen Firehock & Brian Haluska

4. Abandoned Portion of 9th Street, SW No new lots/New easements

Added to former parcels 3-7, Tax Map 30

West Main Street, east of old 9th St. Merchants Acquisition, LLC

File No. 1365 Preliminary & Final

Final Signed: 1/6/06

By: Karen Firehock & Brian Haluska

5. Boundary Adjustment "Martha Jefferson House" No new lots

1602 Gordon Ave. & 401 Ackley Lane Martha Jefferson House

File No. 1366 Preliminary & Final

Final Signed: 1/24/06

By: Karen Firehock & Missy Creasy

D. COMMISSIONERS' REPORTS

Mr. Barton stated the PACC Tech Committee meeting had met; the majority of the meeting had been taken up by a presentation by Mr. Neuman and members of his staff concerning the University's long-term plans for the Blue Ridge Sanitarium site and its potential development as a University research center. Mr. Barton also stated his other committee assignments had not met.

Mr. O'Halloran stated the BZA had not met in January but would be meeting February 16th. Mr. O'Halloran had not been able to attend the Downtown Advisory Committee meeting due to a professional commitment.

Mr. Fink stated the MPO Tech Committee had met. Nothing had changed with regard to the transportation initiatives; however, a walking/biking/pedestrian trail had been proposed. The trail would go from northern Albemarle County and would connect with Downtown Charlottesville. Mr. Fink stated the Strategic Plan Committee had had its initial meeting. They identified critical community issues which would, over the next several meetings, be fleshed out and turned into initiatives and proposals to be presented to City Council in the fall. Ms. Firehock asked Mr. Fink how the public could get something to the Strategic Plan Committee. Mr. Fink clarified with Mr. Tolbert that the next meeting would be March 16th; however, Mr. Tolbert stated that was not a public meeting but there would be a public meeting in May. Mr. Tolbert further stated there would be two to three public meetings throughout the process. Mr. Fink stated the public would be kept well informed.

Mr. Lucy stated the Board of Architectural Review had not met but City Council had acted on a matter which had been before the BAR previously; City Council altered the recommendation regarding the proposed Rugby/Venable Historic District to allow for the maximum protection for contributing buildings. He stated the Councilors had discussed a rating system for the structures. He stated the Conservation District proposal would be coming to the BAR at its next meeting. Mr. Fink asked Mr. Lucy how a different rating system could be done. Mr. Lucy stated that had not been discussed. Mr. Tolbert stated Council had not committed to that. Ms. Firehock asked for additional information on the Conservation District. Mr. Lucy stated there were several neighborhoods proposed for study to determine whether there were some structures that should be regarded as contributing to the historic character of the neighborhood; a conservation district would reduce the role of review of the Board of Architectural Review so that the Board would only consider alterations of: additions of more than 25 percent of the current square footage; or demolitions of 25 percent or more of an existing structure.

Mr. Farruggio stated the Parks and Recreation Advisory Committee had met February 9th. The Director of Parks and Recreation and the consultants gave a presentation to City Council on the strategic plans they would like to follow through with for modernizing and changing some of the way the parks are run. Mr. Farruggio stated his other committees had not met.

Ms. Lewis had a conflict with the meeting of the Thomas Jefferson Planning District Commission and was not able to attend. Ms. Lewis congratulated Ms. Firehock for organizing the Green Building Forum which had met February 13th. The Forum had been well attended and representatives of Albemarle County had also been present. She stated tons of good ideas had come from the forum. There would be follow up. Ms. Lewis encouraged members of the public to participate in the discussions as they go forward.

E. CHAIR'S REPORT

Ms. Firehock stated the Community Development Block Grant committee was in the process of awarding Housing and Urban Development money.

In the absence of a quorum of Councilors, Ms. Firehock called for Item J.

J. DEPARTMENT OF NDS/STAFF REPORTS

Mr. Tolbert stated it had come to his attention in appointing a new housing task force that a Planning Commissioner had not been appointed to serve. Mr. Tolbert stated the TJPDC had notified them that they would like a Commissioner appointed to the CHART committee, the citizen's body of the MPO which would meet one Wednesday evening per month. Mr. Tolbert stated they had received an invitation to attend the County's Planning Commission meeting to discuss the Biscuit Run Development on 7 March. Ms. Lewis asked that someone from staff send directions to the meeting. Ms. Firehock asked for additional information on the CHART Task Force. Mr. Tolbert stated the MPO Policy Board had been amended to require a CPC member. The committee would meet on the first Wednesday of each month from 7 to 9. Ms. Firehock stated it seemed redundant to have someone on CHART and on MPO.

II. JOINT PUBLIC HEARINGS

F. JOINT PUBLIC HEARINGS

1. ZM-05-9-19: A petition to rezone from R-2 Residential and M-I Industrial to Planned Unit Development (PUD) the land at the northeast corner of Carlton Avenue and Chestnut Street to Carlton Road. The application is to increase that density to allow clustered development of single-family dwellings of different types toward Chestnut and mixed commercial toward Carlton Road. These properties are further identified on City Real Property Tax Map Number 57 as parcels 165, 165.1, 164 & 161, having, together, approximately 290 feet of frontage on Carlton Avenue, 120 feet of frontage on Chestnut Street, 140 feet of frontage on Carlton Road and containing, approximately 43,750 square feet of land or 1.01 acres. The general uses called for in the Land Use Plan of the Comprehensive Plan are for Two-Family Residential of 7-12 units per acre and Industrial. Report prepared by Brian Haluska, Neighborhood Planner. This item was deferred from the January 10, 2006, meeting.

Mr. Haluska gave the staff report. The proposal was for ten units at the corner of Chestnut and Carlton and would incorporate the commercial plaza on the corner of Carlton Road and Carlton Avenue. The layout of the application had changed slightly to provide space for active recreational use. The applicant had provided materials including the two walking areas between the buildings and the planting ideas for the development. The applicant had also provided a drawing of the open space. The application provides 25 percent open space according to the City Code definition. Fifteen percent of the total development is either incorporated in rain gardens or the active walking space between the buildings. The applicant had also provided photo simulations of the development.

Ms. Firehock called for questions from the Commissioners for Staff.

Ms. Lewis asked if there were any differences between the concept landscape plan and the final plan. Mr. Haluska stated, in glancing over the plans, they looked similar; the species had not changed much.

Ms. Lewis asked if there was any difference between the rezoning petition in the members' packets and the one received just prior to the start of the meeting. Ms. Lewis stated she found it really difficult to be presented with brand new information at 6:30 the day of the application when they ask for a packet a week in advance. Ms. Lewis sought clarification from the Chair what the submission was: the one from the packet or the proposal on display. Ms. Firehock stated she could not answer the question as she was in the same boat as Ms. Lewis. Mr. Haluska stated the materials received that day included the photo simulations and the other document was copies of the Zoning Ordinance, the PUD Ordinance with pertinent points highlighted, and the 2006 Neighborhood Plan for the Belmont area.

Mr. Fink asked if the massing, location and scale shown in the photo simulations was similar or exact to the site plan. Mr. Haluska answered in the affirmative. Mr. Haluska further stated the materials were addendums to the plans the Commissioners had received.

Ms. Firehock called for questions of Staff from City Council. There were none.

Mr. Fink disclosed that he was contacted earlier in the month by the applicant's representative, with whom he had a conversation. Mr. Fink stated he had also been contacted by the applicant, with whom he had a conversation. During that conversation Mr. Fink suggested that any further conversations with Staff members in City Hall.

Mr. Farruggio stated that he also had met with the applicant.

Mr. O'Halloran stated he was unaware that was their procedure. He also stated he had had a conversation with him as well.

Ms. Lewis stated she had also.

Mr. Fink stated that Mr. Tolbert had stated at their last work session that meetings or conversations should be done in a public forum. Ms. Firehock clarified there was no rule in place about whether Commissioners could talk with applicants. She stated it had been suggested by staff that it made good practice to meet with them with another staff person so there was no possibility for misunderstanding to occur. Mr. O'Halloran and Ms. Lewis both stated they did not think it was a procedure they had decided to follow. Ms. Lewis further stated it was not part of their bylaws.

Mr. Barton stated he had also been contacted by the applicant and had met with him with Mr. Haluska and Mr. Higgins at City Hall.

Ms. Firehock stated she had also been contacted and met with the applicant, Mr. Tolbert and staff from NDS at City Hall to go over the application to help them make sure they had all the proper documentation going forward.

Mr. O'Halloran noted for the record that he did not like the implication that there was anything wrong with having a discussion with a member of the public about an application that was coming before this body. He stated he resented the implication.

Ms. Lewis stated she resented the fact they would have to go through a staff member to obtain information about an application. Ms. Lewis stated she had met with the applicant in her office because the office of the applicant's representative is across the parking lot from her office. She knew it would

be convenient for most of the people involved in the meeting. She stated she saw nothing improper with that and never thought there needed to be a Staff member present.

Ms. Firehock recognized the applicant.

Mr. Charlie Lewis expressed appreciation for the Commission hearing them again. He stated the biggest unanswered question from the last meeting was the open space. New drawings provided showed what would be done. A landscape plan showed plantings and where the open space would be. He stated they took out the sidewalk proffer which the Commission had thought was not a proffer. He stated they had added a proffer to down zone the commercial portion from M-1 to B-2 which would eliminate allowed uses that could be detrimental to the residential neighborhood.

Mr. Charles Henderson, of the Gaines Group, stated the packet received by the Commission that day was not meant to add confusion to the process but was to clarify his presentation. The packet differs in that it has more illustrations. Twenty percent of the residential units would be offered as affordable housing. A home owners association would be in place to ensure the quality of the structure and landscape. There would be 4,584 square feet of tree canopy. The Eddins Cottages will add to the housing types and amount of housing in Belmont as called for in the PUD and the Comp Plan. The project is not a multi-family project in a big blot. The proposed off street parking spaces will reduce the impact of the project on the neighborhood. The units would have garages to eliminate the need for a parking lot. Mr. Henderson stated 18.87 percent of the site was open space; this included the landscaped areas along Carlton, the rain garden and the linear garden. An additional 6.64 percent of the site was just green space to reduce the impact of the paved area.

Ms. Firehock called for questions from the Commissioners.

Mr. Fink sought clarification that there would be 25.5 percent total green space. Mr. Henderson replied in the affirmative.

Ms. Firehock sought clarification of the proffer which stated the applicant would "contemplate planting 13 large caliper trees on the site." Ms. Firehock stated "contemplate" was an odd word to put in a proffer. Mr. Henderson stated they could adjust the proffer to reflect that they plan on planting as many trees as are on the landscape plan.

Ms. Lewis sought clarification of the S2-type buffer on the east and north edge of the development. Mr. Henderson stated that was required on the landscape plan. He stated it was not an S2 buffer, but you couldn't see through it. Ms. Lewis asked what kind of buffer they were talking about. Mr. Henderson stated probably a solid board wood fence that would be 6 feet high. He stated there would be landscaping and fence on the east side.

Mr. Fink asked for a definition of "large caliper tree" as far as diameter. Ms. Joan Albiston, of the Gaines Group, stated the trees along Carlton and Chestnut would be two to two and-a-half inch caliper and would be 10 to 12 feet in height at installation.

Ms. Lewis stated she was having a hard time finding the fence on the preliminary document. Ms. Albiston stated she had not labeled that; it was there, but not labeled. Ms. Lewis noted for the record that there was no fence indicated on the plan. Ms. Lewis stated there was a line with dots on it but there was no legend or grid telling what that was supposed to be. Mr. Henderson stated that if the

Commission made it a condition of approval that they achieve an S2-type buffer that would automatically make them do the wood fence or landscaping that you can't see through. Ms. Lewis asked if there would be fence on the eastern side. Mr. Henderson stated there would be fence on the eastern and northern side. Mr. Barton stated his belief his colleague's point was the way in which this property is being defined, and the relative degree of transparency or opacity achieved by the fence and the aesthetic conditions of the fence.

Ms. Lewis stated they were reviewing this as a whole and a larger parcel that was not shown. Mr. Barton stated the way it was screened from adjacent parcels is something they have to consider.

Ms. Firehock called for questions from the public.

Ms. Marjorie Janini spoke in opposition of the proposal. She thought it was ridiculous to put ten units in that small space.

Mr. Robert M. Burke, Jr., representing the Virginia Industry for the Blind, sought clarification of "rain garden." Ms. Firehock explained it was a way to capture rainwater and filter and clean it before it is slowly released. Mr. Burke asked if trees could be planted in a rain garden. Ms. Firehock answered in the affirmative but stated they were certain shrubs and trees that had to tolerate the wet. Mr. Burke also sought clarification if seats could be placed in the area. Ms. Firehock answered in the affirmative. Mr. Burke asked if it could be accessible under ADA. Ms. Firehock stated she thought there were some stepping stones incorporated in there. She further stated you can get around the development in general but possibly only the edge of the rain garden. Mr. Burke thought they needed a little more information about the accessibility of the buildings and accessibility of the rain garden.

With no one else wishing to speak to the issue, Ms. Firehock closed the public hearing. Ms. Firehock called for questions or comments from the Commissioners.

Mr. Farruggio asked if the rain garden was set up so that all of the nonporous pavement would drain through the rain garden. Mr. Henderson stated the only part not draining into a rain garden is the access drive on the eastern edge of the site.

Mr. Lucy stated the style of the arrangement of the houses was much more appropriate to the neighborhood.

Ms. Lewis commended the applicant for providing one-fifth of the units in affordable housing and for a lot of work on meeting the comments the Commission has had. She was disappointed that a lot of the information came to them very late. She reiterated that she could not read the information placed on display for the Commission. She stated if they did approve this application, she would like to call the site plan up for their review. Ms. Lewis stated they were charged with whether the application met the objectives of Section 34-490, the objectives of the PUD districts. Ms. Lewis stated she did not think it met all of the criteria; however it did: encourage developments of equal or higher quality; encourage innovative arrangements of designs in open spaces; provide efficient, attractive, flexible, and environmentally sensitive design; promote a variety of housing types; encourage the clustering of dwellings; ensure that a development will be harmonious with the existing uses and character of adjacent property; coordination of architectural styles within the neighborhood. Ms. Lewis found that this does meet the objectives of the PUD District and that this development should be rezoned with the noted proffers and conditioned by a site plan review.

Mr. O'Halloran stated he would concur with everything said by Mr. Lucy and Ms. Lewis.

Mr. O'Halloran moved to recommend the approval of the application to rezone the property from R-2 and M-1 to PUD with proffers as submitted on the basis that the proposal would serve the interests of the general public welfare and good zoning practice. Mr. Barton seconded the motion. Mr. Farruggio asked if they needed to add the information about the S2-type buffer on the north and east side. Mr. Fink asked if they needed to add the condition of taking away the wording "contemplates planting" and replace it with "agrees to plant." Mr. O'Halloran accepted that as a friendly amendment. Mr. Barton, as seconder, accepted the friendly amendment. Mr. Farruggio commended the developer for the level of detail shown to work within the plans. Mr. Higgins called the question. The motion carried unanimously.

III. REGULAR MEETING ITEMS (Continued)

Ms. Firehock called for items H and I to be moved forward on the agenda.

H. SUBDIVISION

1. Moore's Creek PUD -- Palatine Avenue, east of Avon Street -- 21 single-family lots (Report by Brian Haluska, Neighborhood Planner)

Mr. Haluska gave the staff report. The application for a subdivision was coming before the Commission since it was over ten lots. A landscape plan was presented since it was requested at the preliminary hearing. At the preliminary hearing, the applicant was requesting a waiver of the landscape plan requirement. The development no longer needs a waiver since a plan had been drawn up in compliance with the Ordinance. The applicant is seeking subdivision approval at this time.

Ms. Firehock called for questions of staff.

Mr. Farruggio asked if anything had been added in reference to lighting. Mr. Haluska stated the applicant had not dealt with one but they were trying to work something out.

Ms. Firehock called for questions of the applicant.

Ms. Lewis wondered how the lots being in flood plains would impact homeowners' insurance for the owners. The applicant, Mr. Rampini, stated he was talking to a mortgage company. Ms. Lewis asked how much fill dirt the applicant was bringing in. Mr. Rampini stated there would be 18 feet of fill.

Ms. Firehock stated their role was to approve the subdivision if it meets all the requirements of Code. Ms. Firehock also stated it was unfortunate that Charlottesville allows filling in the flood plain to elevate buildings above flood elevation as that caused further flooding downstream.

Mr. Barton agreed with the Chair that their limits were ministerial. He further stated they had appeared to have met the requirements for submission of a subdivision.

Mr. Barton moved to approve the proposed subdivision plat located at Tax Map 59, Parcel 374. Mr. Fink seconded the motion. The motion carried unanimously.

I. SITE PLAN

1. Cherry Hill PUD (part of Johnson Village PUD) -- Cherry Avenue and Cleveland Avenue -- 23 single-family houses and 94 townhouse units. (Report by Ashley Cooper, Neighborhood Planner)

Ms. Cooper gave the staff report. The site is part of a larger rezoning that occurred in 2004. This is the second phase of the PUD development; the first phase was Village Place single-family homes. One of the main points of this concept was being harmonious with the single-family lots of the existing neighborhood. The property is adjacent to Johnson Elementary School. The development features 28 percent of the site dedicated to the private common area that will be owned and maintained by the homeowners association. The applicant has worked closely with the Johnson Elementary school. Several of the proffers deal with the elementary school. The development limits through-traffic in the neighborhood. There is an emergency access at Highland Avenue but not a second regular vehicle access. The only bonus factor in the development is the tree preservation for the existing trees. The site is heavily wooded. Several members of the community have called in upset about the loss of the trees. The plan follows the development plan approved in the 2004 rezoning. Site work will be one phase. There is an extensive detention vault at the southern end of the site to capture all the storm water. Gas lamps will be provided along the streets. The applicant is proffering a pedestrian trail and picnic tables in the pocket park; these are denoted on the site plan. The playground has been paid for and redone. The open space pedestrian trail will be part of the third parcel in the rezoning. The applicant has provided a cash proffer for redesign to this intersection. The neighborhood is not pleased at this point. The Cleveland connection proffer is only in conjunction with a major amendment. Ms. Cooper stated this was an extensive site plan. Staff recommends approval as they had put in a major effort to meet the Commissions' requirements.

Ms. Firehock called for questions of Ms. Cooper.

Mr. Barton sought clarification of the size of area under review. Ms. Cooper stated it was 14.9 acres. Mr. Barton asked how much square footage of tree canopy was being preserved. Ms. Cooper stated it was 84,466 square feet.

Ms. Firehock wanted to know the tree preservation requirement in terms of how many trees they are allowed to preserve. Mr. Tolbert stated there was no required preservation. Mr. Tolbert stated the developer had stated they would attempt to preserve every tree that they could, but due to the topography of the site, there would be significant clearing required to do the development.

Mr. Lucy wanted to know how the 20 percent of tree canopy was calculated. Mr. Tolbert stated that each tree in the approved tree planting list had its own formula to use.

Mr. Barton stated he may have misinterpreted Mr. Tolbert. Mr. Barton stated his understanding was that the development needed to clear cut the site. Mr. Barton felt the development plan was not meeting best practices. He also stated he had been firmly against the prohibition of a second entrance into the property.

Mr. Farruggio didn't think there was any option other than clear cutting that area.

Mr. Fink stated the Commission and the City should have much higher alternatives than cut and fill.

Mr. Lynch wanted to know how storm water runoff would be treated as to whether it would run to detention bases or to Lodge Creek.

Mr. Don Franco, of KG Associates, was present on behalf of the developer. He stated that all runoff from the site would go through two triple-box culverts that would contain the water and release it slowly.

Mr. Fink asked the applicant to share his E&S abatement measures. Mr. Frank stated it called for berming and silt fencing along the creek.

Mr. Farruggio asked if the matter was strictly ministerial. When told it was, he stated it did comply with the law.

Ms. Lewis noted that the site plan misspelled "street."

Ms. Lewis moved to approve the preliminary site plan submitted to the Commission; the Commission requests that the final subdivision approval be brought back to the Commission. Mr. Lucy seconded the motion. Mr. Higgins called the question. The motion carried unanimously.

Mr. Lucy left the meeting at 8:57 p.m. for a business trip.

Ms. Firehock stated the Green Building Forum to try to gather creative ideas for things that might go in the Comprehensive Plan. They had also talked about incentives, new programs, and things being done in other localities.

G. OTHER MAJOR PLANNING ITEMS (DISCUSSION)

1. Comprehensive Plan Update – 2006 Draft Plan, Chapters 1-3: Introduction, Community Values, Demographics Land Use, Transportation and Urban Design sections Natural Environment section

Mr. Tolbert stated he had sent out three draft chapters. He asked the Commissioners to send him their comments by the middle of March.

Mr. Tolbert stated they would discuss historic preservation and the Natural Environment and Housing sections at the 28 February work session.

Ms. Lewis asked that a formal report on the Charter Bill be given before the work session.

2. Annual Planning Awards -- Discussion and selections

Mr. Higgins stated he had created a ballot based on provided suggestions. The votes would be tallied so awards could be prepared to be given at the March meeting.

Ms. Firehock stated she would not be at the March meeting because she will be getting married. Good wishes were expressed all around.

Mr. Barton moved to adjourn until the next joint public hearing date of March 14, 2006. Mr. O'Halloran seconded the motion. The motion carried unanimously whereupon the meeting stood adjourned at 9:24 p.m.

Respectfully submitted:

Mr. Jim Tolbert, Secretary

Approved:

Ms. Karen Firehock, Chair