

MINUTES
PLANNING COMMISSION REGULAR MEETING
Tuesday, January 13, 2015

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

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

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

Call to Order: the meeting was called to order by Chair Rosensweig at 5:10 p.m.

The Commission noted that they would pull the December 9th meeting minutes from the consent agenda for review of the wording of motions.

Ms. Green asked if a timeframe for the SUP for the Farmer's Market could be placed as a condition. It was noted that a time limit could be a consideration since the application asks for a temporary use for this site.

Commissioners asked for clarification on the spot blight process including when there would be BAR review and that information was provided.

Ms. Creasy provided an overview of the preliminary discussion process. Mr. Rosensweig asked how the current construction at 201 Garrett fits into the SUP request. Staff noted that the work being done right now is by right.

Ms. Dowell asked for background information on the William Taylor Plaza parking layout and that information was provided.

The meeting ended at 5:25.

Votes: No Vote or other action was taken by the Commission.

Adjournment: At 5:25 p.m. the Chair adjourned the meeting in order to reconvene in City Council Chambers at 5:30 to continue with the Commission's regular monthly agenda.

II. ADMINISTRATIVE AGENDA (Beginning at 5:30 p.m.)

Location: City Council Chambers, Charlottesville City Hall, 2nd Floor

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

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

A. Commissioner's Reports:

Commissioner Lahendro— reported on December 10th, the Tree Commission met and approved the nomination of the first two trees under the new tree conservation ordinance. The two nominations go to City Council for approval. The design for signage for a small tree arboretum on Jefferson Park Avenue was approved. The Commission then reviewed the landscape plan for the Virginia Department of Transportation proposed Best Buy ramp design and concluded with a request for additional tree canopy in that design.

The Parks and Recreation Board met December 17th. Mr. Daly, Director of Parks and Recreation opened the meeting by announcing the City had received three awards at the Virginia Recreation and Park Society Conference held in December for 2013 projects. The City received the Best Environmental Sustainability Effort for Extreme Restoration, the Best New Program in Art Adventures at Open House, and the Best Renovation or Addition in the Bricks and Mortar category for Carver Recreation. The McIntire Park Master Plan was discussed. It was presented at the December City Council meeting where there were some concerns expressed about the large ponds. There will be a public open house in January for public comment on the McIntire Plan and design options. Revisions based on City Council and public comments will be brought back to City Council in February. The Skateboard Park design was approved at the December City Council meeting. An open house for the Skate Park design will be held on January 22nd for public comment, and then the plan will return back to the City Council in February for final approval. During the public comment period, a citizens group made a pitch for a City and County indoor tennis facility to be located at the Darden Towe Park.

Commissioner Keller— said the TJDPC is in the process of strategic planning and will be holding a retreat soon. The PLACE Task Force has re-scheduled its meeting for January 27th.

Commissioner Dowell— reported the Community Block Development Grant meeting was cancelled in December, and the next meeting is February 2, 2015.

Commissioner Keesecker— reported the BAR met in December and discussed three items of interest to the Planning Commission. 1) changes to the massing and scale of the project the Commission reviewed on 1000 West Main were brought forward. The revised project will be less tall, less intense, have fewer and smaller units, as well as some changes to street level. The BAR had concerns about the expression of some of the architectural ideas particularly on West Main as a result of those changes. It was an informal discussion but it will come back. 2) The Market Plaza project on Water Street for the City Market. There was discussion on stepbacks and setbacks. The Planning Commission gave the BAR a range to work with, and it turned out that the BAR seemed to be comfortable with what the applicant put forward. The BAR did add another opening on 2nd street which was a concern of the Planning Commission for some time -- animating the façade on 2nd Street with a mezzanine that would be accessible off 2nd Street so you could look into the Market area as well as look up to some activity that was half a level up. There was a lot of talk about the stairs on 1st Street and the applicant will come back with more detail. The BAR also talked about the trees on the plaza in planters. Some of the landscape architects on the BAR had concerns about their viability and whether they would ever grow to any maturity. The discussion related to trying to find another vertical element in the landscape that could delineate 1st Street in a memorialized way that had a

better way of survival. Ultimately, the BAR will see those plans again. 3) The Atlantic on West Main is a mixed use project that is located closely to the Jefferson School. The discussion had a lot to do with the architectural treatment on Commerce Street, trying to understand what Commerce Street was historically and how the design could be improved even by including a little pocket park part of that Commerce Street façade.

Commissioner Santoski— reported the MPO Tech Committee did not have a December meeting but will be meeting on January 20th.

Commissioner Green - reported the Citizen Transportation Advisory Committee (CTAC) met on January 7, 2015. The TJPDC staff has prepared a document named Lessons Learned from the last Long Range Transportation Plan and in it included the letter the Planning Commission sent asking for more input in the process. It is a draft document right now but will eventually be an internal document to use. There was a lot of discussion about the role of CTAC members and bringing information back and forth between the commissions and committees on which the Committee members participate. There was discussion about the long range transportation plan--having a plan A and plan B. This led into the discussion on the reallocation of the funds of the Long Range Transportation Plan that were originally designated for the Western Bypass but could be reallocated to the projects that are in the Long Range Transportation Plan or a new project. This was discussed at the MPO meeting and the consensus was to use those funds for existing projects that are already on the Long Range Transportation Plan. The MPO Policy Board will meet on the 28th of January. The CTAC is looking to update its bylaws and at the work program for 2016 which began on July 1st. Part of the work program is putting together a Transportation Academy to help people understand how transportation projects are planned. The next meeting will be March 5th at 7:00 pm at the Water Street Center.

- B. University Report—Bill Palmer - Palmer reported classes are in session this week for the Spring semester, and the School of Architecture is having its 4th Annual vortex. This is a multi-disciplinary studio that most of the students in the school participate in. They are looking at the Ivy road corridor going from the bypass to Emmet Street intersection and they will focus on 3 sites to form design solutions with a residential focus for University housing. The designs will be presented on Sunday at Carver Recreation Center.

Ms. Keller also reported the project started with the geography of Ivy road between Emmet Street and the Boars Head Inn and looking at this as a large landscape area in which the University has a considerable ownership and interest both directly and through the foundation. After the events of last fall the project was re-interpreted to add a residential and public space component as a prompt for design. The students and the faculty will be looking at three specific intersections: the Emmet Street intersection with Ivy Road, the Alderman-Massie intersection, and the area between the former Children's Rehabilitation Center and the 29- 250 bypass interchange. Those will have some specific design recommendations. There are also 4 research type teams: one is looking at residential life and public space, transportation, cultural landscapes and how to communicate with design ideas from the school to the public. Each one of the teams will be looking at Ivy Road as a complete street. While some of these solutions would be theoretical, it is an opportunity to explore ideas without the

constraints of reality but using the guidance that is available from the city, county and the University. Products will be on exhibition at City Space through the month of February with the opening on February 6th. She said it is an honor to have Sylvia Carr, a notable landscape architect from the Netherlands present for the project. She has already given two public lectures and is an expert on many topics the project is dealing with including highway design. She is very sensitive to our community and the University.

- C. Chair's Report—Chair Rosensweig- reported that the Housing Advisory Committee met in sub-committees in December and are recommending incentives for producing affordable units and also reviewing the code from the perspective of the goals in the housing section of the Comprehensive Plan. The next HAC meeting will be on Wednesday, January 21st at 12:00 in the NDS conference room. The next Planning Commission work session will be in two weeks from today to discuss two issues--the draft unified development code ordinance and a report from the Small Area Plan committee on priorities. He said the River Committee met today and Ms. Creasy will make a report on that. He commended the NDS staff for organizing and the public for attending the interesting and informative event at the Jefferson School on December 13th on the Streets That Work and the Code Audit efforts. He said there were many great comments from the public. Mr. Rosensweig informed everyone that the Director of Neighborhood Development Services, Jim Tolbert, after many years of service to the community is leaving to take a job as Assistant City Manager in a town in Georgia. He expressed his personal gratitude to Mr. Tolbert for all the work he has done over the years, things big and small, noticed and unnoticed. He has been at the helm during a period of remarkable change for Charlottesville but what people who only see him in public don't realize is what a really good person he is and what a huge heart he has in particular for people who have historically fewer opportunities in the community. The City is going to miss him but we very much wish him the best of luck.
- D. NDS Department Report: given by Missy Creasy- She attended the Rivanna River meeting which went well. This is a group set by City Council and the Albemarle Board of Supervisors. The group has been asked to look at three issues: the courts, transportation, and the Rivanna River. These are areas where we need to work together. People were invited from the Economic Development office, both the City and County Visitor's Bureau to talk about opportunities that they saw from their prospective and what they are hearing from folks in the community about things that could happened with the river. She said this still in the and will invite a lot of other people to speak with us about and speak with us about their experience with similar types of projects and opportunities to learn a little bit about what has worked in other places and hasn't worked for Charlottesville. She also mentioned the votes for the Planning awards The Planning award celebration will be at the Commission meeting in February. This is an opportunity for the Planning Commission provide to awards to people in the community for good projects or outstanding community efforts. She thanked Heather Poole, the new planner who had done a lot of the logistics for this. She said we are a Department in transition and she will be taking over as interim director of Neighborhood Development Services for a period of time until a successor is chosen. There will be some additional staff working more directly with the Planning Commission for a period of time. The staff will keep The Commission informed of the things they need to be aware of and any questions should be directed to her. She said the staff is really going to miss Jim as well.

E. Public Comment (Items Not Scheduled for a Public Hearing on the Regular Agenda):

1. Travis Pietila, from the Southern Environmental Law Center, speaking on the proposed changes to the William Taylor Plaza PUD, said the commitment to provide 90% of the parking in an underground structure has been replaced with a simple statement that surface parking will be provided and shielded from view. There is no longer any mention of structured parking in the proffer statement. The drawings indicate that the amount of surface parking has jumped considerably. More surface parking usually means more pavement translating into more run off and a number of other environmental harms. It appears that the commitment that all buildings in the PUD are built to LEED standards has been eliminated. This was not only a condition of the initial PUD approval but also the City sale of land for this project. The applicant also seeks to allow construction of roads and parking areas in the open space. This change is not only inconsistent with the number of the City's goals for PUDs but also the language of the PUD ordinance which clearly states that streets and parking areas should not be counted as open space. He urged the Commission to make sure the request does not become a precedent for allowing an applicant to renege on important environmental commitments that helped the project gain approval.
2. Mr. Clayton Lauder, 507 Ridge Street which is adjacent to the William Taylor PUD said this is an historic part of the city. He said the recent proposal completely flies in the face of any historic value that the City has deemed as appropriate to this area. He said his land is adjacent to the bottom area to which the proposed parking area is located. The significant amount of degradation it would do to his land value in addition to the significant runoff and other environmental concerns mentioned by the gentleman from Southern Environmental Law Center raises significant concerns in his mind. He said he is very much in support of sensible development of the area, understanding the commitment the city has made to the original plan of development makes sense. He said that the changes are really are abhorrent to the development in this part of the City.
3. Ms. Jean Maushammer, 200 Garrett Street, speaking about the proposed Special Use Permit for 201 Garrett Street, stated that she is a board member of the Unit Owners Association for the Gleason. They have 44 owners, businesses and residents in the Condominium Association. They are not pleased with the proposal to increase the density of the housing in their area. It is 57 units which are allowed in their area and the developer is proposing 229 units. The applicant is talking about 450 square foot units that would be studio apartment type of use and the Association feels that this does not fit into the neighborhood. The Gleason owners are the only residential owners in that area. Everything around their building is rental apartments or commercial businesses. The Association's principle objection is parking. The Association is also worried about the type of neighborhood it creates with such an intense development. This is an area which is developing and the owners welcome development but they feel the amount of units is too much. The proposal is a nine story building which seems to be out of whack for the rest of the area.
4. Kurt Woerpel – Blue Ridge Road, speaking about the proposed Special Use Permit for 201 Garrett Street, stated that he owns the Downtown Design Center Building which is between 1st

and 2nd Street in Garrett. The Downtown Design Center Building is a warehouse building and parking lot across from Gleason and next to the Glass Building. He said what the applicant is proposing looks very smart to him. He said there are plenty of large condos, the Waterhouse is empty, there are plenty of apartments down Water Street and many of those are not full yet. He said the applicant is proposing something very innovative and it is reasonable. He said the applicant is not proposing to build a massive square structural building, corner to corner using every inch of the geography. He said the applicant has done a great job at this before. He said the applicant has been very intelligent about what he is doing and again, what the applicant is proposing is pioneering. He said the applicant was the first one to cross the railroad tracks. He said the applicant bought a building there and invested in a warehouse which is now the Warehouse District. He supports this request very much.

F. Consent Agenda:

- 1) Minutes, December 9, 2014 Pre-Meeting
- 2) Minutes, December 9, 2014 Regular Meeting
- 3) Minutes, November 18, 2014

Motion: to remove items F1 and F3 from the Consent Agenda and to Approve the Remaining Items on the Consent Agenda

Motion by: Commissioner Keller
Seconded: Commissioner Santoski

VOTE:

“Aye”: Commissioners Dowell, Green, Keesecker, Keller, Lahendro, Rosensweig, Santoski

“Nay”: None

Abstentions: None

Disqualifications: None

III. REGULAR AGENDA

A. JOINT PUBLIC HEARINGS (Beginning at 6:00 p.m.)

1) **SP-14-12-12—SUP Application for Temporary Farmer’s Market**

Applicant: Director of NDS, on behalf of City of Charlottesville

Owner: Charlottesville Parking Center, Inc.

Subject Property: City Tax Map 28 Parcel 62

Presentation: Staff Planner Brian Haluska gave a verbal summary of the Staff Report dated December 19, 2014, on behalf of the Department of Neighborhood Development Services

Presentation by Applicant’s Representative: Planner Haluska’s Staff Report served as the Applicant’s presentation.

Mr. Rosensweig opened the Public Hearing. Having no speakers, he closed the Public Hearing.

Commissioners discussed the 3 year time frame for the parking lot.

Jim Tolbert, Director of NDS advised them instead of stating a 3 year time frame, to use the terms at the end of three market seasons which was agreed and inserted in the motion.

MOTION: To Approve **SP-14-12-12**, subject to the following conditions: (1) the temporary farmer's market shall be easily visible from adjacent vehicular rights-of-way, easily accessible from adjacent sidewalks, and shall be arranged in a manner that facilitates a comfortable flow of pedestrians among the vendor stands in the temporary farmer's market; and (2) the special use permit for this temporary farmer's market shall expire on December 31, 2017, upon a finding that the proposed temporary use is required by the public necessity, convenience, general welfare, or good zoning practice.

Motion by: Commissioner Keller
Seconded: Commissioner Santoski

VOTE:

"Aye": Commissioners Dowell, Green, Keesecker, Keller, Lahendro, Rosensweig, Santoski

"Nay": None

Abstentions: None

Disqualifications: None

2) Review of Preliminary Determination of Spot Blight (610 Ridge Street)

Presentation: Jim Tolbert, Director of Neighborhood Development Services made a verbal presentation to the Commission, summarizing the information set forth within his written report to the Commission ("Repair or Disposition of Blighted Property (City Code 5-194)) dated December 15, 2014).

Commissioners discussed the condition of the property and the outstanding building code violations.

Building Code Official, Patricia Carrington reported that the violations are that exterior wood surfaces are peeling and chipped paint. Window surfaces exposed are rotting and deteriorating, stucco is cracked, loose and falling away from the structure, the down spout is in bad shape and detached from the house.

RESOLUTION: Commissioner Santoski read into the record a written Resolution making the findings and determinations required by City Code 5-195, and made a motion for approval of the resolution. A copy of the Resolution is attached to these minutes and incorporated by reference.

Motion by: Commissioner Santoski
Seconded: Commissioner Lahendro

VOTE:

"Aye": Commissioners Dowell, Keesecker, Keller, Lahendro, Rosensweig, Santoski

"Nay": Commissioner Green

Abstentions: None

Disqualifications: None

B. PRELIMINARY DISCUSSION—PROPOSED DEVELOPMENT(S)

1) **Site: 201 Garrett Street**. Proposal for a Special Use Permit Authorizing Additional Residential Density

Presentation: by Russell Nixon and Oliver Kuttner,

The maximum by-right residential density in the Downtown Extended corridor is 43 dwelling units per acre, with 240 units per acre permitted by special use permit. The applicant is requesting density of 168 dwelling units an acre.

The Commissioners discussed the proposed development questioning the size of the units and the height of the buildings.

Commissioner Green stated this approach is extremely refreshing.

Commissioner Rosensweig questioned where else do we want density but right where we have businesses and jobs and transit.

Commissioner Keller said it would be good to make sure there's really nothing like this on the market and asked how many market-rate apartments are there in this section of the city?

Mr. Kuttner said there would be three buildings in all as part of the complex and they would be built in phases. He said he would build the required parking spaces, but he will design the garage to be flexible.

No Vote or other action was taken by the Commission.

2) **Project: William Taylor Plaza PUD (Ridge/ Cherry). Proposal to Amend PUD** to allow for the establishment of a Hotel

Disclosure: Chair Rosensweig made a statement for the record, disclosing that he is employed as the executive director of a non-profit agency that has contractual relationships with Southern Development, but that he does not have a personal interest in this transaction and can participate in the Commission's discussions and consideration of this project.

Presentation: by Charlie Armstrong, President of Southern Development

Commissioner Keller said she can see this as extending the Fifth Street and Interstate 64 interchange into the heart of our city and she really doesn't like that.

Commissioner John Santoski said he didn't care about the expense and that the applicant shouldn't have agreed to that condition back in 2009 if he had no plans to build it. He said it gives him extreme heartburn that they want to take away the open space and substitute open-air parking and that they want to take away the LEED certification, which was a big selling point at the time.

Commissioner Keller, who was on the commission in 2009, said she was surprised to see the requested changes. She further stated that she didn't think any of them thought of a hotel as commercial but were thinking restaurants, cafes, offices and those kinds more neighborhood commercial uses.

Ms. Creasy, assistant director of the Neighborhood Development Services department, commented that zoning ordinance would classify a hotel use as commercial. However, she also said the commission should look at the proposal as if it is a brand-new application.

Ms. Creasy stated they have an approved Planned Unit Development and that it is the zoning for the site. She said they are asking to revise the rezoning and this brings the opportunity for all things to be discussed because it will be a new zoning.

Commissioner Lahendro said he noticed in the 2009 plans are three articulated blocks of buildings with porosity in between them to allow pedestrians to get from Cherry to the interior lot.

Other commissioners also said they could not support the rezoning.

Commissioner Green said this project in concept is to bring life and vitality to the neighborhood of Cherry Avenue and she's not convinced that a hotel does that.

No Vote or other action was taken by the Commission.

ATTACHMENT TO MINUTES:

1. Resolution Regarding Determination of Blight at 610 Ridge Street

CERTIFICATION OF MINUTES

I certify that the foregoing Minutes were approved by the Charlottesville Planning Commission on _____, 2015.

Signature: _____

**RESOLUTION OF THE CHARLOTTESVILLE PLANNING COMMISSION
REPORTING FINDINGS AS TO PROPERTY BLIGHT AT 610 RIDGE STREET**

BE IT RESOLVED by the Charlottesville Planning Commission, following a public hearing conducted on January 13, 2015 to consider the condition of property located at 610 Ridge Street (“Property”) which is the subject of a preliminary determination of blight pursuant to City Code Sec. 5-193, THAT:

- (1) The property is a blighted property, as defined within City Code section 5-192
- (2) The owner has failed to cure the blight or to present a reasonable plan to do so;
- (3) The property is not occupied for personal residential purposes,
- (4) The property has not been condemned for human habitation for more than one (1) year;
- (5) The director's plan for the repair or other disposition of the property is reasonable and in accordance with the city's adopted comprehensive plan, zoning ordinances, and other applicable land use regulations; and
- (6) The property is located within an area listed on the National Register of Historic Places. This commission has referred the director’s plan to the board of architectural review for comment regarding the director's proposed plan for repair or other disposition of the property; AND

BE IT FURTHER RESOLVED THAT this Planning Commission hereby directs staff to transmit these findings to City Council after receipt of the BAR’s written comments on the Director’s plan, and the Council transmittal shall include a recommendation that City Council should affirm these findings and take all necessary action to abate the blight on this Property.

Approved: _____, 2015