

City of Charlottesville - City Planning Commission - Minutes: July 11, 2000

**PLANNING COMMISSION REGULAR DOCKET
TUESDAY, JULY 11, 2000 -- 7:30 P.M.
CITY COUNCIL CHAMBERS**

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

Mr. Marshall Slayton, Chair

STAFF PRESENT:

Mr. Tim Supler, Vice Chair

Mr. Jim Tolbert, AICP, Director

Ms. Nancy Damon

Mr. Ron Higgins, Planning Manager

Ms. Kathy Johnson Harris

Ms. Tarpley Vest, Neighborhood Planner

Mr. Herman Key

Mr. Kenneth Schwartz

Mr. Eldon Wood

City Council Members Present:

Mr. Blake Caravati

Mr. Maurice Cox

Mr. Kevin Lynch

Mr. Slayton called the meeting to order at 7:30 p.m.

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

Ms. Hannah Twaddell, with the Thomas Jefferson Planning District Commission, gave a brief presentation on a two-year project called the Eastern Planning Initiative. She indicated that the goal of the project, which is funded by the Federal Highway Administration, is to come up with an innovative computer model, a planning process that can be used by the country at large, and a fifty-year transportation and land-use strategy for the local community. She stated that this project emerges from principles and goals established previously by groups such as the Sustainability Council. She indicated that Mr. Schwartz, Mr. Slayton, Mr. Tolbert and Ms. Damon have all participated in the planning initiative in various capacities, and that the initiative includes private consultants such as the Virginia Department of Architecture, the Federal Highway Administration and VDOT. She stated that one of the main goals is to come up with a document that will serve as a guiding principle and set of strategies that each community involved can buy into for the long term. The planning steps essentially involve developing three key features: 1) Defining the building blocks of what makes each part of the community unique; 2) Looking at alternatives of how land, jobs and people can be distributed throughout the region, and considering the local and region-wide impact of those decisions; and 3) Determining how such decisions can be evaluated in terms of how they impact both the local community (and the quality-of-life measures already adopted by the Sustainability Council) and the larger regions. The computer program being developed would allow these elements to be converted into maps, with actual numbers that would reliably show what kinds of jobs and people a community may be accommodating in the future, and what kinds of transportation facilities could be used. She indicated that through such a process, they can work together to identify a fifty-year goal for the region in terms of what is the best combination of land use and transportation choices available, and to come up with specific

implementation strategies. She compared this planning initiative to work being done by the Albemarle Disk study, but commented that it will be more comprehensive, involving rural and suburban areas as well as urban ones. She then referred the commissioners to a handout which describes the modeling process in simple terms, stating that after reviewing it on their own time, they could call her with any questions. She stated that the project is about halfway through, and that by next March or April, she would be coming back to the Planning Commission with the findings of the community charettes and advisory committee meetings, on what the best possible strategies are to

achieve the kind of vision that they have come up with for each locality to buy into. She added that a morning workshop is scheduled for September 9th, and that the commissioners would be welcome to attend and would have the chance there to participate in a game which would illustrate some of the functions of the more complex computer model.

B. JOINT PUBLIC HEARINGS

1. Closing of Leander Avenue Right-of-Way and Adjacent 12' Alley: A petition to close the old 60' Leander Avenue right-of-way a distance of approximately 433' between 6th Street and Avon Street and a 12' alley a distance of approximately 433' between 6th Street and Avon Street running parallel to the Leander Avenue right-of-way through the 6th Street mobile home park.

Mr. Higgins gave a brief presentation. Using a map of the southern sector of the city to locate the site in question, he stated that a piece of Leander Avenue shows up on the map at the southern end of the property of Mr. and Mrs. Barnett, although that section of road does not exist in actuality. It is a paper street. He indicated that a title search turned up discrepancies about that, and so the Barnetts are petitioning to close it off officially again, in order to clear up the title. He stated that the site is zoned B-2, and that a portion of the

right-of-way of Leander Avenue is in the flood plain, and so is not a buildable place for a street. The Barnetts have also discovered a 12' alley in their title search, but it does not appear in the records consistently, and so they could not clarify the alley right-of-way either. Mr. Higgins indicated that staff has looked at values of property adjacent to the site, and there are vacant parcels zoned B-2 commercial in the area. He added that in the trailer park area, there are sanitary sewer lines, which would require a twenty-foot easement, and since the comprehensive plan calls for a greenbelt system along a number of the major creeks, rivers and streams, a twenty-foot right-of-way would be required in the flood plain as well. He stated that staff therefore recommends closing the right-of-ways in question, but retaining the easements for the sewer systems and the trail.

Mr. Slayton asked if the applicant had anything she wanted to add.

Mrs. Frances Barnett commented that the plat and letters she had passed out should be self-explanatory, and that Mr. Higgins had covered everything in his presentation, but she would be willing to answer any questions.

Mr. Slayton called for questions or comments from the general public. Seeing none, he closed the public hearing and called for questions from the commissioners for the applicant or for staff.

Ms. Damon asked if the retention of the easements would be written into the sale of the property. Mr. Higgins indicated that staff would request that the ordinance for closing include the retention of an easement. That would be recorded in the closing book in the courthouse, and would appear on the title at the time of purchase.

Ms. Damon then asked if, with the B-2 zoning, there would be any foreseeable need for the paper street in the future. Mr. Higgins stated that one would not be needed where the paper one is located, and that there is already an access between 6th and Avon immediately north of that.

Mr. Lynch asked if the applicants were agreeable to maintaining the easement for the trail. Ms. Barnett indicated that the land in that area is unusable, so they would have no objection.

Mr. Slayton stated that some of the land is developable and would provide the applicants with some income, and asked whether they have already paid for that or not. Mr. Higgins indicated that the applicants have been paying taxes on the land for years, and so this has already been incorporated in the price.

Mr. Slayton called for any further questions or comments. Seeing none, he called for a motion.

Ms. Damon moved that the Planning Commission recommend to City Council approval of the closing of the 60' Leander Avenue right-of-way between Avon Street and 6th Street, SW and the 12' alley between Avon Street and 6th Street, SW, both at a distance of approximately 433'. The reasons for this approval are that no public benefit would result in having these remain as public right-of-ways as currently located, and the public benefit resulting from the closure would include the designation of the trail easement for the greenbelt along Moore's Creek. This approval is conditioned upon the provision of 20' wide easements for all public utilities crossing the property and

the provisions of a 20' wide easement along Moore's Creek for the Greenbelt Trail to be located in the field as appropriate. Ms. Harris seconded the motion. The motion passed with the following recorded vote: AYES: Damon, Harris, Key, Schwartz, Slayton, Wood. NOES: None.

C. SITE PLANS

1. Woolen Mills Mini Storage

Franklin Street (behind 1512 East Market Street)

File No. 1263

Ms. Vest gave a brief presentation. She indicated that the site for the storage facility is zoned partially Residential and partially M-2 Industrial, with the latter portion being about 165,000 square feet. She stated that at a preliminary site plan conference on the proposal back in May, concerns had been raised about lighting and screening of the facility and the hours of use. She indicated that the applicants plan to operate the facility 24 hours a day, which is legal, and that everything in the proposal is legally permitted by city ordinances. She added that the applicants have offered to provide an extra layer of cypress screening along Franklin Street, and to use fully shielded light, without a lot of spillover, to minimize the impact on the neighborhood. To address concerns about evening hour traffic, the owners propose an access card system to limit entrance to the facility. Ms. Vest indicated that based on the site plan, staff recommends approval of the proposal, with the condition that the applicants show a city-standard sidewalk along Franklin Street.

Mr. Slayton asked the applicants if they had any comments they would like to make.

Mr. Preston Coiner, of 411 Second Street Northeast, a stockholder in the corporation that owns the property, stated that he had no comments to make, but would be willing to answer any questions.

Ms. Damon indicated she had received a fax about the proposal, but would like Ms. Vest to go over it a little bit more, particularly whether all elements of the neighborhood's concerns had been addressed.

Ms. Vest commented that everything had been addressed to meet the city code, with the exception of the sidewalk along Franklin Street.

Mr. Slayton asked about the regular hours of operation, when an employee would be present. Mr. Coiner indicated someone would be there from 8 a.m. to 5 p.m.

Mr. Slayton asked if there would be an option for the evening lighting to be motion-sensitive. Mr. Jeff Keith, the engineer, indicated that the lighting would be shoebox-type lighting, to limit the glare and spread the light out almost to the property line.

Mr. Slayton commented he was asking more about lights that come on in response to motion, and Mr. Coiner indicated that in his personal experience, those sorts of lights do not work very well. He added that with the exception of one standing, ornamental light at the gate, there would be no pole lighting at all.

Ms. Johnson Harris commented that the newest version of sensor lights respond to body heat rather than motion.

Mr. Keith commented that the main concern is to keep the facility lighted, to discourage break-ins. The sensor lights might be more attractive to the applicant for financial reasons, but for security, the proposed lights are the better option.

Ms. Damon commented that sensor lights on the periphery should come on in most instances of attempted entry. Mr. Keith replied that that is something to consider, but in his opinion, continuous lighting is the safest option.

Mr. Supler asked about the output of the lights, and general discussion followed. Mr. Keith indicated that Charlottesville has no code regulating output, but the proposed lights fall within Albemarle, Henrico and other county dark sky guideline standards.

Mr. Key asked about the shade trees in the parking lot area, as mentioned in the fax. Mr. Coiner indicated he had received the fax as well, and the area being addressed is the hundred-foot length from the R-1A to the first building on the M-2. He stated that in this area, it is not a screening issue, but a requirement for blacktopping, to provide shade trees.

Mr. Wood asked about the fencing around the site and the location of the gate. Mr. Coiner indicated that a security

fence would run from the gate, nearby the office, around a portion of the property, and entrance would be controlled by a keypad.

Ms. Damon commented she would like to make a vote for less asphalt. Mr. Coiner indicated that they are interested in getting back to natural-looking areas, including over by Franklin Street.

Mr. Slayton indicated that they would entertain public comments on this issue.

Mr. Fran Lawrence, of 1729 Chesapeake Street, commented that he wanted to second the letter that the commissioners received from Mike and Peggy Van Yahres. He stated that the site is located in an historic, residential neighborhood, and that the storage facility will have a negative impact. He commented that he appreciated the efforts to screen the facility and have the entrance reflect the elevations of a residential neighborhood, but he was sorry to see so many good trees taken down before the site plan process had really even begun.

Mr. Slayton called for any further comments on the proposal.

Mr. Key requested staff to speak to Mrs. Van Yahres' criticism of the process.

Mr. Tolbert indicated that staff agrees in principle with Mrs. Van Yahres' comments, and that they are reviewing their processes and are hoping to continue to make broad changes as they go forward.

Ms. Damon commented it must have been more expensive than necessary for Mr. Coiner, to have removed trees that could have been left in the grading process.

Mr. Higgins replied that the two issues were unrelated. The removal of the trees related to a drainage issue along much of the length of the railroad, across a number of properties, including this one. He commented that typically, this does not happen, and they would like to avoid it happening in the future.

Mr. Wood asked if the "grading" was actually just the dumping of excess dirt from other properties onto this site.

Mr. Higgins replied that some excess dirt was used, but there was also regrading related to drainage issues. He added that a soil erosion plan was done for the receiving property.

Ms. Johnson Harris asked if the applicant was open to reconsidering the hours of operation, given the residential nature of the neighborhood. Mr. Coiner replied that the hours of operation relate to customer need and convenience, but if problems should arise, they would be willing to change them.

Mr. Slayton commented that he was aware of a storage facility in Albemarle County where typically nobody comes in after 8 p.m., so nighttime disturbance should not be much of an issue.

Mr. Slayton called for a motion. Mr. Supler moved to approve the application as submitted, with the requirement that they put in a city-standard sidewalk. Mr. Wood seconded the motion, and it carried unanimously.

2. Clark School Playground Renovations

Belmont Avenue, Monticello Avenue and Tufton Avenue

File No. 854-A

Mr. Higgins gave a brief presentation, referring to several drawings and photographs. He went over the history of the school and its facilities, and commented that under current standards, the school grounds are about a third of the size they should be for a school of this size. He stated that plans for renovations have been underway for several years. An independent study revealed the school, the grounds and the equipment to be in deplorable condition, with a poor use of space. He commented that the proposal is to open the space up, converting the two-tiered layout of the grounds to three tiers and planting some more appropriate trees. The drawings show proposed improvements to the entire site in three phases, with the first phase relating to the playground renovations. He stated that they would like to get underway by the first of August, so the grading could be completed by the third week. The addition of equipment, landscaping and seeding would take place over the course of the fall, while school is in session. He indicated that a site plan conference had been held and members of the Belmont Neighborhood Association had been consulted. Some of the things they recommend are outlined in the memo, and they will need to be added to the final plan before it is signed. He stated that staff recommends approval of the plan, subject to the addition of those items.

Mr. Slayton called for any comments or questions.

Mr. Supler asked if this proposal had come before the Planning Commission six months before. Mr. Higgins replied that this project had been discussed previously at the Capital Improvements Program Committee, when additional money was allocated to go to the playground. He added that the quarter of a million dollars assembled would be sufficient to complete Phase One, with perhaps some spillover into the other phases.

Mr. Supler stated he recalled that the Planning Commission had decided that they were going to work with the Parks and Recreation Department on this project. He commented that he sits on the advisory board for Parks and Recreation, and he does not recall the item coming before them between then and now.

Mr. Higgins commented it was his understanding that Parks and Recreation had been consulted concerning the proposed removal of the asphalt.

General discussion followed on Parks and Recreation being kept out of the loop on this and other issues, and Mr. Supler stressed that in the future, they should be part of the planning process.

Mr. Schwartz asked Mr. Tom Meeks, the landscape architect, whether or not he had considered how to deal with the problem of hillside run-off on this site.

Mr. Meeks commented that there is no drainage system on the site. He reviewed the landscaping plans as depicted in the drawings, but added that they are not doing any cutting-edge storm water management strategies, considering the restrictive size of the property. He stated that they plan to pursue aggressive aeration, putting in good top soil and "fluffing things up," and that there may be some need for underground storage in the tighter areas, depending on calculations on all the surfaces.

Mr. Schwartz asked if there was going to be a net reduction in asphalt coverage. Mr. Meeks replied that there would be, but they would be adding a cutting-edge, rubberized play surface, which would bring the playground up to the best national code for playground safety and use.

Ms. Johnson Harris asked whether or not fencing was going to be put up, and what its height would be. Mr. Meeks replied that they plan to put up six-foot high, vinyl-coated fencing, to replace the fencing that is currently at the perimeter of the playground.

Mr. Key asked if the applicant had looked at options to provide accessibility for children or parents with disabilities, in terms of various structures to purchase or build, and he cited Tonsler Park as exemplary in that regard.

Mr. Higgins replied that those things are being considered. He stated that the Parks and Recreation Department is going to actually select the equipment for the playground, and Mr. Meeks added that the equipment would be state-of-the-art.

Mr. Key commented that equipment being state-of-the-art does not always Reflect accessibility issues, and Mr. Meeks stated that that was a good point.

Mr. Slayton asked if there were any comments from the public. Seeing none, he called for a motion.

Mr. Supler made a motion to approve the application as submitted, with additions A through I and number 2. Mr. Key seconded the motion, and it carried unanimously.

D. OTHER MAJOR PLANNING ITEMS

1. Community Participation on Zoning Issues

Mr. Tolbert made a brief presentation. He stated that as a result of some of the suggestions that have arisen, he has prepared a proposal suggesting a public review meeting after submission of applications for zoning items, prior to the Planning Commission's public hearing, modeled after the site plan conference; that they do a good job of notification; and that they do a preliminary agenda on the website, to be sent out to all of their contacts, via email where possible, and mail where not. He stated that this would not take the place of regular public hearings, but would be a separate step in the process. He commented that in the long-term, they ought to consider lengthening the time for notice on site plan conferences, as one week is woefully short.

Ms. Damon asked for clarification on the proposal. Mr. Tolbert stated that he is proposing that when they get an application for rezoning or a special-use permit, they should not wait until Mr. Higgins draws up the agenda before sending notice out, but rather send notice out the next day, and set up a meeting for the following Wednesday after the deadline, to let any interested people come in and talk about it and get information. He stated that this would give neighborhood people plenty of time to raise whatever issues they might have with a proposal.

Ms. Johnson Harris applauded Mr. Tolbert's efforts, commenting that lack of education has been the biggest problem for most processes, and that this is a step in the right direction.

Mr. Wood commented that this should give them the opportunity to work out all the problems about notification. Mr. Key suggested sending the notifications in different colored envelopes, or with some other distinguishing feature, and Ms. Damon agreed.

Mr. Slayton commented that the memo states that no decision has been made on the scope of the notice, as far as how wide they are going to expand the net.

Mr. Higgins commented that typically, "adjacent neighbors" has referred to owners who are immediately adjacent, across the street or diagonal to the site in question, but that they could expand it to the next block.

Mr. Tolbert stated that Jim Herndon has suggested working with a determined distance, and so they are going to try starting with a thousand feet to see what happens and how that works.

Mr. Slayton asked if choosing a subcommittee would help facilitate making that decision, or if staff is comfortable handling it on their own. Mr. Tolbert stated that staff could handle it.

Mr. Higgins brought up the old Lee Tennis Products project meeting, when a lady from a block down the street came and decided the matter did not concern her.

Ms. Damon asked if the adjacent property owner is also the owner of the site in question, whether or not they would then go a thousand feet from that second property.

Mr. Tolbert replied that they would look at each situation individually, and Mr. Higgins added that if the adjacent owner is the same owner, usually they do not treat him or her as the adjacent owner.

Mr. Slayton asked if anybody would be interested in working with Mr. Higgins on this, and Mr. Key indicated that they would defer to staff's judgment.

Ms. Damon asked whether or not they were considering having the meeting at 10 a.m., and whether or not it would be a drop-in meeting, or have a fixed schedule.

Mr. Tolbert replied that they would like to have it at 10 a.m., considering the number of night meetings they already have, and that they would prefer to run it like a site plan conference. He added that the notices will indicate that if people cannot make a particular meeting, staff will make arrangements to meet with them individually.

Mr. Lynch commented that he appreciates the effort to address the notification issue. He then asked whether this could go beyond just site plan notification and touch on notification for all agendas, so that they could all go out a week ahead of time.

Mr. Tolbert indicated that the plan is for the preliminary agenda to go out the day after the deadline, and if this is done well, the agenda deadline should be at least three weeks prior to the meeting. He added that this is for the whole agenda, not just the site plans, and that it would go out to all neighborhood association presidents and other interested parties. They will then focus back in and do the thousand-foot notice of the preliminary meeting.

Mr. Slayton called for a motion. Mr. Key made a motion that they move forward with community participation on zoning issues. Mr. Schwartz seconded, and the motion carried unanimously.

2. Recognition for Outstanding Planning Efforts

Mr. Tolbert gave a brief report. He referred the commissioners to a memo he had drafted suggesting that they look at the programs just started by the Board of Architectural Review to recognize architectural preservation and significant historic preservation efforts, and consult with Board of Architectural Review members in developing criteria for a similar program. He commented that national town planning week would be an ideal time to recognize outstanding planning efforts in the community, and suggested that the awards be given in response to such things as outstanding site planning design, landscaping or signage.

Mr. Slayton asked if anyone had any questions for Mr. Tolbert. Seeing none, he asked if anyone on the Planning Commission would be interested in helping staff design guidelines and recommendations. Mr. Wood volunteered, and Mr. Slayton then voiced his interest to help as well.

E. LIST OF SUBDIVISIONS AND SITE PLANS APPROVED ADMINISTRATIVELY

Mr. Slayton asked if there were any questions for staff regarding the list of site plans and subdivisions approved administratively. Seeing none, he called for a motion.

Ms. Damon made a motion for approval. Mr. Supler seconded the motion, and it carried unanimously.

LIST OF SUBDIVISIONS APPROVED ADMINISTRATIVELY
6/1/00 TO 7/1/00

1. Redivision of TM3, Parcels 66 & 67.2 No new lots

Preston and Cabell Avenues Harold Herz

File No. 1240 Preliminary & Final

Final Signed: 6/5/00

LIST OF SITE PLANS APPROVED ADMINISTRATIVELY

6/1/00 TO 7/1/00

1. File No. 1185-A Lee-Duval Hall Renovation 2132 Ivy Road

St. Anne's Belfield School

2. File No. 963-B Jotz Plaza Demolition & Addition Carlton Avenue 3. File NO. 957-A Temporary Classroom Addition Rose Hill Drive and

to Murray High School Rivanna Avenue

4. File No. 631 Addition to Va. Oil Company 1100 Harris Street

Complex

5. File No. 1251-A Retaining Wall Addition to 1109-1213 Wertland St.

Wade Apartment Complex

6. File No. 1264 Monroe Lane University 416 & 424 Monroe Lane

Housing – CBS Rentals 210 15th Street, SW

F. COMMISSIONERS' REPORTS

In response to Mr. Slayton's questions, Mr. Wood indicated that his term on the Planning Commission would be up in August, but he would be willing to reconsider another four-year term. He then indicated that he had attended an MPO Technical Committee meeting within the last month, but would have a better report to give once all of the consultants' reports came in.

Ms. Damon indicated she had been to a number of "meeting number fours," but the planning district commission did not meet in July. She then reminded

the commissioners that she would be unable to attend the July work session and the county planning commission meeting because she would be out of town.

Mr. Supler indicated that the last Parks and Recreation meeting had been very productive. There was lengthy discussion about dogs in the city parks, and reports were given on the ongoing athletic field study and the comp plan.

Ms. Johnson Harris had nothing to report.

Mr. Schwartz suggested that the Planning Commission write a letter to the Court Facilities Study Committee, requesting a presentation at the next appropriate time on the progress of the committee's work. He stated that there

are planning dimensions downtown that he thinks would be of interest to the Planning Commission, and suggested a work session format to discuss the developments. After general discussion about scheduling, Mr. Slayton indicated he would bring this up at the next luncheon and try to set up a joint meeting for September.

Mr. Key had nothing to report.

G. CHAIR'S REPORT

Mr. Slayton indicated he had attended the Eastern Planning Initiative. He commented that his own personal view is that the computer model would not be very useful for Charlottesville, because the city is so built out, but it would be helpful for surrounding counties that have small planning staffs and limited resources.

H. DEPARTMENT/STAFF REPORT

Mr. Tolbert indicated that the location and the exact time for the July 25th joint meeting has not been decided upon yet, but that he would send out a notice. He reminded the commissioners that the tour of the stadium would take place on August 14th at 4 p.m., and that they were all to meet at the trailer on Stadium Road. He then indicated that in connection with the comp plan, a community-wide meeting to discuss a transportation plan has been tentatively set for 7 p.m. on August 3rd at the Buford School. He stated that Dan Painter would be giving a short presentation, and would have a lot of information ready to facilitate the discussion. Mr. Tolbert added that the comp plan neighborhood meetings are over until September, and the goal is to have drafts of all 18 neighborhood plans ready on the 19th of July. He stated he would also be meeting with the Parks and Recreation advisory board in the first week of August, to let them talk about their issues and needs in relation to the comp plan. General discussion then followed about organizing a party to celebrate the completion of the 2000 comp plan.

Mr. Slayton reminded the commissioners that there would be extra meetings in August, and to be prepared for that.

Mr. Supler made a motion to have the next Planning Commission meeting on August 8th, 7:30 p.m., at the same location. Ms. Damon seconded the motion, and it carried unanimously.

Whereupon, the meeting was adjourned at 9:00 p.m.

Respectfully Submitted:

James E. Tolbert, AICP, Secretary

APPROVED:

Marshall Slayton, Chair