

City of Charlottesville - City Planning Commission - Minutes:: February 13, 2001

[Return to Minutes Main Page](#)

**PLANNING COMMISSION REGULAR DOCKET
TUESDAY, FEBRUARY 13, 2001 -- 7:30 P.M.
CITY COUNCIL CHAMBERS**

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

Ms. Nancy Damon, Chair
STAFF PRESENT:
Ms. Kathy Johnson Harris
Mr. Jim Tolbert, AICP, Director
Mr. Herman Key
Mr. Ron Higgins, Planning Manager
Mr. Ken Schwartz
Mr. Marshall Slayton
Mr. Tim Supler, Vice-Chair
Mr. Eldon Wood

CITY COUNCIL MEMBERS PRESENT:

Mr. Blake Caravati, Mayor
Mr. Maurice Cox, Vice-Mayor
Mr. Kevin Lynch
Ms. Meredith Richards
Mr. David Toscano

Ms. Damon called the meeting to order at 7:30 p.m. and commended the City Council on having a quorum at 7:30.

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

Ms. Damon asked if there were any matters to be presented by the public not on the formal agenda. There being none, she closed that portion of the meeting.

Whereupon, the meeting was concluded at 9:05 p.m.

Respectfully Submitted:

James E. Tolbert, AICP

Secretary

APPROVED:

Nancy Damon, Chair

[Return to Minutes Main Page](#)

B. MINUTES

Ms. Damon asked for questions, corrections or additions to the minutes of the January 9th meeting.

Mr. Supler brought up questions/changes concerning the vote for the Import Car Store, appearing at the bottom of page 6 of those minutes. He noted that though one motion was voted down, the other motion, which ended with the language "ten to twelve feet tall," had been approved and carried four to three, although in the minutes there was no indication of that. Also, concerning the \$3,600 mentioned at the bottom of page 8 and continuing onto page 9, his recollection was that the Council decided not to charge the \$3,600. However, the actual motion on point said that it was made with the \$3,600 and was approved; he thought that was incorrect, and that instead Mr. Slayton's suggestion in the matter had been taken.

Ms. Damon called for further corrections, changes or thoughts on that issue.

Mr. Supler remarked that he had brought the motion saying they should charge the \$3,600; Mr. Key disagreed; Mr. Slayton concurred with Mr. Key because the State had spent a lot of money; Mr. Key questioned Mr. Slayton about this but agreed to

second his motion anyway, and none of this was reflected in the minutes.

Ms. Damon asked if they could change the minutes to more accurately reflect what had taken place. Having received an affirmative response, she then asked if there were further comments, additions, etc. Hearing none, she requested a motion to approve the minutes.

Mr. Wood so moved, seconded by Mr. Supler. The motion carried unanimously.

C. JOINT PUBLIC HEARINGS

1. City of Charlottesville Capital Improvement Program (CIP) FY 2002-2006: The Planning Commission is soliciting the public for comments on the proposed Capital Improvement Program for fiscal years 2001-2002 through 2005-2006. The program areas in the CIP include projects evaluated by the CIP committee on the basis of eight specific criteria. These involve projects in the Comprehensive Plan Neighborhood Plans as well as the areas of: Recreation;

education; neighborhood improvements; neighborhood development; tourism/historic preservation; CDBG areas; public safety; housing and infrastructure.

Ms. Damon reminded those present that they could still sign up to speak on either of the two issues before the Council, and mentioned that even if they had not signed up, they might still speak. She then introduced Chris Cullinan, who addressed the Council

concerning the CIP issue.

Mr. Cullinan stated that the five-year program included seventeen projects worth a total of \$34 million and representing hard work from the seven-member group which comprised the CIP committee, composed of three citizens and four members of City

Staff. They conducted the initial evaluation and ranking of the projects according to these criteria: Public health and safety; legal mandate; neighborhood impact; project consensus; community utilization; impact on City finances; economic development and community partnering. The committee's work was reviewed by the Planning Commission during its January 18th Work Session, when its only recommendation was to increase the level of funding for implementation of the Comprehensive Plan to

\$800,000 a year. The proposed CIP, he said, included that recommendation. The CIP's next stop, Mr. Cullinan stated, is the office of the City Manager, for his review and input, and inclusion in his proposed budget to City Council. Council would also

review the CIP during a series of budget Work Sessions and there would be two Public Hearings on the budget including the CIP. The budget would then be adopted on April 10, 2001 and go into effect on July 1st.

Mr. Cullinan then opened the floor for Public Hearing and subsequent questions.

Ms. Damon interposed a question concerning the dates of the other Public Hearings.

Mr. Cullinan responded that he didn't know the precise dates off the top of his head, but that they would be at Council's second regular meeting in March and their first regular meeting in April of this year.

Ms. Damon supplied the dates of March 19th and April 2nd. Mr. Cullinan reminded those present that the Budget Work Sessions were open to the public, but for observation only, not for comment.

Ms. Damon called for comments from members of the public. She invited the first speaker to come forward and state her name and address.

Mary Hill Caperton, of 611 Preston Place, a member of the Historic Resources Task Force, stated that the Task Force was working on a project for the enhancement of the Court Square area, which was one of the City's real treasures, in the hope of drawing

people off the Mall and into the most historic part of town. It was easy, she stated, to overlook that the County Courthouse is where three of America's founding fathers practiced law. The Task Force wanted to upgrade and improve the landscaping with

new plants and more appropriate lighting, and eventually put utilities underground and improve the paving of adjoining roads and sidewalks. A low brick wall was planned around the Square as well as better approaches leading to the Square from the Mall. This project, she said, would benefit surrounding neighborhoods, being good for residents, tourists and those who work in the area. She mentioned that the Court Square Committee had put out advertisements and bids and had hired a firm of excellent landscape architects from Annapolis, Maryland, who were sensitive to all the committee's wishes and monetary constraints. Ms. Caperton noted that the project

would probably be spread out over six or seven years at a minimum and that the projected cost was \$3,000,000 all told. She remarked that \$150,000 had already been raised through various means, mostly from the City, and that the County had pledged

\$200,000 toward the project. They did not expect much more from that source. She voiced the hope that the City would provide \$100,000 for the first year and \$200,000 per year for the four years following, and speculated that additional monies would have to be raised from grants, etc. She expressed the committee's position that tourism and revitalization and preservation of the entire downtown was vital to both City and County.

Ms. Damon thanked Ms. Caperton and asked for other speakers. Hearing none, she stated that the Commission had met for a Work Session with the Court Square Committee and had questioned them at that time. She commented that the Commission wished it could "bring money out of a hat" but there didn't seem to be a magician handy. She then asked for questions from City Council, and recognized Mr.

Lynch.

Mr. Lynch asked about the parking space limitations which accounted for a

significant chunk of the CIP money. He queried what evaluation criteria, other than economic development, had given this such a high priority.

Mr. Cullinan responded that he did not have with him the scores given to the projects by the CIP committee members, though he did have them and would be happy to share them with Council. He said he could not recall precisely how the specific criteria ranked out.

Mr. Cox asked if this was project-specific, meaning for a particular parking area, and Mr. Cullinan replied that it was not.

Mr. Lynch requested a copy of the matrix used by the CIP committee, to which Mr. Cullinan agreed.

Mr. Cox asked about a couple of items he had highlighted. He mentioned the proposed renovation of the Downtown Recreation Center at a figure of \$1.8 million and the parking they had just discussed. He inquired if it was really foreseen that, in 2002, that much would be spent on renovation of the Recreation Center or if there were alternative ways that that could be funded, i.e. phasing.

Mr. Cullinan responded that the Recreation Center renovation was actually a three-phase project, with the first phase involving actual renovation of the Recreation Center itself, the biggest portion of that being an HVAC System; the second phase would involve work in the downstairs section, also including HVAC work plus the creation of a training room for the City Human Resources Department; the third phase would include public restrooms on the Amphitheater side of the Recreation Center. Therefore, it was conceivable that the project could be phased if it was so desired.

Mr. Supler commented that as he recalled this was a carry-over from last year, when the roof was done.

Mr. Cullinan concurred, saying that there were existing funds that the \$1.8 million would go with to do the entire project. He added that in addition to the roof's having been done last year, there had also been some minor interior work so that the Center could be opened during this winter season for basketball leagues, classes, open gym, etc. The actual project, however, involved renovating the Center from top to bottom.

Mr. Key remarked that the Center had been shut down for over a year. Mr. Cullinan replied that this was correct.

Mr. Cox voiced his understanding that if the project were to be phased over a two year period, that might free some money for something that had gone unfunded in the CIP for the year 2002.

Mr. Cullinan said that was not necessarily the case, unless there was an actual reduction in dollars. The five year budget, he explained, was a set amount of money over that total period, and that by simply shifting an amount from one year to another within that period, no new money was "freed up." Thus, if that were the desire, he stated there would have to be an actual reduction in the dollar figure, or that there would have to be additional funds for a project on the list.

Ms. Damon remarked that they did have this discussion about the Center last year, because it was a project that was already in the pipeline and that it would be very difficult to stop work on that and use the money for something else.

Mr. Slayton indicated that at the meeting he had asked some point-blank questions on whether the items marked with an asterisk were off the table and were things they should not even bother discussing, and that the answer to his questions had come back "yes." He said that, based upon City Council's and Staff's commitment to those things, they didn't even really discuss them because they thought it was pointless.

Ms. Richards had a couple of questions. She stated that it seemed they have always set aside money for housing initiatives as part of their commitment to improving housing in the city and promoting home ownership. She noted that for this fiscal year, it appeared the housing initiative was unfunded, and she asked Mr. Cullinan to explain that.

Mr. Cullinan answered that the proposed CIP she was seeing represented the work of the CIP committee and their only recommendation had been to take the available amount of money, match it up to the ranking of projects and see how far they could get down the list. They did not feel, he explained, that they were in a position to make some of those difficult decisions in terms of reduction of funding or phasing of projects, etc. As a result of that, he noted, the money simply didn't go far enough down the list. He pointed out that housing initiatives came out number eleven on the rankings, and it was simply a case of the money not going that far.

Mr. Supler stated he would echo what Ms. Richards was saying about housing initiatives having been a priority for the Planning Commission and for City Council. He noted that it appeared that they also had no money going to the Land Bank in this CIP, where they typically would have \$80,000 to \$100,000 to go into the Land Bank. He stated he had a problem with that, because it seemed as though that should have been rated higher than it was. He remarked

that although he hated the term "trickle-down" after the way it was used in the '80s, housing in Charlottesville was such an important aspect of quality of life that he felt that that \$200,000 should be put back into the budget as a minimum. He also thought that if they could fund the Land Bank to a greater degree, they should do so.

Ms. Richards expressed thanks to Mr. Supler for his comments. She indicated that she noted a lot of items on the list that had traditionally been funded. She mentioned city-wide drainage, sidewalk repair, historic preservation, school site maintenance, traffic signal installation, and undergrounding of utilities.

Mr. Cullinan commented that the CIP committee had the difficult task of evaluating the approximately sixty-nine projects, totaling \$192 million, versus available revenues of only \$34 million, and that at the time, they did not feel they were in a position to make some of the difficult funding decisions. Instead, they directed that the money be taken as far down the list as it would go, and that would be their recommendation. He stated that some things they had committed to in the past, for instance housing and historic preservation, as well as such routine maintenance items as sidewalk and street repair, were not reflected in this budget and that he had already had some discussion on that subject with the City Manager and his staff to take a look at this, since these were items which the committee had either committed to do or which simply had to be done as part of basic good maintenance practices. He said the point was well taken, and stressed again the issue of many needs against limited funds, which created a delicate and difficult balancing act.

Ms. Damon indicated that people had commented to her that house assessments had gone up and yet the City was claiming there wasn't any money, and asked if Mr. Cullinan could explain what had happened to it.

Mr. Cullinan agreed that assessments had been rising, but that the economy had been slowing down. He cited a present growth of slightly under six percent in next year's budget, and admitted that in the past several years six percent would have been considered a banner year. However, he said, because things had been going so well it was actually a slight reduction in the rate of growth they had been experiencing. Also, he noted that expected revenues from the state would either not increase at all or increase only very slightly, which had tightened up the revenue picture for next year. He stated that the way that related to the capital fund was that the primary sources of funding for the capital fund come from the general fund, either from the revenue-sharing agreement with the County, excess income, interest income from investments or municipal bonds. He indicated the debt service payment on municipal bonds was actually in the general fund. Thus, as the general fund revenues and expenditures tightened, a ripple effect was created through the capital fund. Regarding the surplus, he stated that last year during the budget, Council adopted a policy whereby anything left over at year's end, above the required twelve percent contingency, would go directly to the capital fund. He indicated that this was reflected under fiscal year '02 in the transfer from the general fund, the fund balance of \$2.5 million.

Ms. Damon noted that evidently they were already using the surplus.

Mr. Cullinan corroborated her observation. He stated that CIP did not budget a surplus in any case. He said they must present a balanced budget each year, and could not plan for surplus; also, because a surplus was by nature a one-time occurrence, City Council opted to direct any surplus to the capital fund, the projects of which were also one-time occurrences. He mentioned that, although \$2.5 million was a lot of money, when measured against the magnitude of some of the capital projects, it was still difficult.

Mr. Toscano asked Mr. Cullinan if he could follow up on the numbers a little bit, because it seemed there was a desire to put more spending into capital. He stated that the only way that could be done was by issuing bonds in a greater amount every three years, perhaps going to \$8 million, which would show up on the operating side, or potentially raising the general fund transfer into the capital budget, which would have some dampening effect on operating expenditures. He commented that they might decide that was an appropriate thing to do: They might decide not to raise monies going to departments or agencies to the extent that they otherwise would raise them, and instead might put the money into the capital fund. He said that when the revenue-sharing agreement was first set up, the principle was to transfer all the County dollars into the capital fund. Now, he said, the revenue-sharing was close to \$7 million a year but the transfers, though at a higher percentage than they were a few years ago, were only \$3.1 million. He indicated that there was an argument which could be made to put more money into the capital fund, but

that would have an impact on the rest of the budget. He then asked Mr. Cullinan about the rarity of actually spending close to \$12 million a year on the capital side of the budget.

Mr. Cullinan said he would have to go back and take a look, because he didn't know off the top of his head.

Mr. Cox enquired where the recommendation had originated that essentially \$2.1 million per year would be spent on parking in the years 2002, 2003 and 2004.

Mr. Cullinan responded that he believed that there had been two thoughts on the matter of those particular dollar amounts for those particular years: First, that some of those funds could be dedicated to Union Station and the parking project there; and then second, that a certain amount of money could be made available to do parking in partnership with another project such as the Courts facility.

Mr. Cox asked if one of their choices would be to recoup perhaps a million dollars from one of the years further out and put that money somewhere else in 2002, if they didn't want to build parking at that rate.

Mr. Cullinan replied that that was an option, but pointed out that it obviously would limit the amount of parking that could be done, as well as when it could be done.

Mr. Caravati asked if the original funding request for parking at \$31.6 million came from implementation of the entire parking plan and nothing else. Mr. Cullinan answered that, to his knowledge, it came from just the parking plan.

Ms. Richards remarked that she had seen nothing in the capital budget about the Juvenile Detention Center or any expenses relating to the expansion of the Regional Jail, and asked if they were coming from bonds.

Mr. Cullinan responded that those were actually coming through the General Fund. He indicated that the debt service component was actually built into the per diem that they paid to both those entities, so those funds actually showed up in the General Fund as their contributions to Regional Jail and Juvenile Detention Home. However, concerning the latter, he stated that they had some money in the Capital Fund

already set aside which would help them for the first couple of years of operation, so that they could phase it into the General Fund, which also had been done with the jail beforehand. However, he said that since this year they were still phasing it in, it

still would impact next year's budget significantly, though the burden had been lightened on an annual basis.

Ms. Richards further inquired concerning the quarter million dollars for the renovation of the Paramount Theatre. She asked if that was the same item they had approved last year.

Mr. Cullinan concurred that a two year Capital pledge of \$500,000, with \$250,000 for each year, had been approved for the project the previous year.

Mr. Caravati commented that implementation of Court studies was proposed at \$22.5 million, but only \$5 million of that had been approved. He stated that that project was likely to move along at this time, and asked if that was just future readjustment, or

what the thinking was.

Mr. Cullinan stated that this was a recognition that the project was moving forward; that, more than likely, it would be phased; and that more than likely, it would take them several years to do that project, to accumulate the funds to be able to do either the phases or to do it in one lump sum at some point down the road.

Mr. Caravati asked whether Mr. Cullinan knew if Albemarle County was doing a similar type of acknowledgement in their Capital Improvement Plan.

Mr. Cullinan replied that he knew the County had begun setting some money aside, but he was not sure of the amount or the timing.

Mr. Schwartz indicated that he, representing the Board of Architectural Review, and Ms. Johnson Harris, representing the Planning Commission, had the pleasure of serving on that committee, and it was his understanding that the committee should be

reporting out fairly soon, although he was not certain when. He indicated that the \$22 million for implementation of the project reflected roughly half the total cost. He said he believed that the County process for funding was somewhat different than the

City process and involved the filing of a referendum that they had to advocate within their jurisdiction.

However, he said that among the County representatives on the committee, they were very aware of their responsibility to come forward with a process that would move forward, due to the responsibility under State law to provide the courts for the two jurisdictions. He said he had been intending to ask the same question about the \$5

million versus the \$22 million, because if anything, the \$22 million was a conservative estimate, over the twenty-year needs of the Courts, and in reality, the Commission knew, at least based on two or three years' worth of work within that committee, that

there would be a financial responsibility shared by the two jurisdictions to provide these improvements over time. He said he understood the logic of what Mr. Cullinan had just explained, but the fact of the matter was that even over twenty years at \$1 million a year, they were not going to build the Courts, so there was something fundamental, perhaps not within the five-year period but maybe within the ten-year

period, that this did not quite meet. He said he thought this was a big issue because it tied together with so many other issues in the downtown precinct, particularly the Court Square improvements, the parking, and other infrastructure and quality-of-life

issues in the downtown area. He said he didn't know what the answer was, but it was a big dollar item and a very important project in the future for Charlottesville.

Ms. Damon closed the Public Hearing on the subject, acknowledging that City Council had quite a few Work Sessions scheduled on the budget, where people could continue to ask questions. She then called for a motion or further discussion.

Mr. Slayton moved that the recommendations be approved and sent on to City Council. Mr. Wood offered to second, provided he could ask a question. Ms. Damon indicated he could.

Mr. Wood asked whether the situation at Region Ten had changed any in the past week, referring to all the stories that had come out about the lack of money

for Region Ten and closing down a good bit of it.

Mr. Cullinan said that the item in the Capital budget represented a capital commitment as the City's share of building several residential drop-in centers

throughout the city, so it was more their building needs as opposed to their operational needs, although the latter was something they were considering very closely as they worked on next year's budget.

Mr. Supler voiced his continued concern about the lack of funding for housing and a lot of the initiatives that came out of the housing study a couple of years ago. He asked if, in voting in favor of the motion on the floor, he would be losing his opportunity to address this issue, or if he could count on the Council to readdress that issue.

Mr. Cullinan answered that the City Manager recognized that commitment. He said they had some initial discussions concerning it.

Mr. Schwartz followed up on Mr. Supler's remarks, saying that he shared absolutely Mr. Supler's concerns. He stated that among the long list that Ms. Richards had read, the ones that really stood out, from his position as a Planning Commissioner, were the two which related to housing initiatives. He suggested that perhaps one way to deal with that was to move forward with the motion but to add some very particular commentary about certain items which were important to them. He stated that his reason for voting in favor of the motion was that it was hard for him to fully understand all of the various trade-offs which Mr. Toscano had just addressed, and

that to figure exactly how all those dynamics would play out was really the responsibility of City Council. He commended the CIP Committee for an excellent job in establishing criteria and for recommending its report. However, he felt that it

was important to add special note of particular topics that seemed to stand out, and echoed Mr. Supler's concern for item number eleven, Housing Initiatives, and forty-three, Land Bank for Housing.

Ms. Damon asked if he was offering that as a friendly amendment.

Mr. Schwartz said he hoped to add that commentary as particular points of interest and concern to the Planning Commission.

Mr. Slayton suggested that the motion be worded to say that they were asking that this be approved with the caveat or hope that the Council would free up money to move on down the list. He stated he did not want to readjust the priorities set by the CIP, but

he was asking that City Council fund as much, as far down the list, as humanly possible, taking funds from other revenue sources.

Mr. Supler asked about the previously-mentioned friendly amendment, to which Mr. Slayton replied that he didn't accept that because he did not want to bump number forty-three up above other people. He said he thought that would take away the priorities and the work the CIP had done. He would ask that things be kept in their ranking order as approved by the CIP committee and that this be sent on to City Council, asking that they fund as much, as far down the list, as possible.

Ms. Johnson Harris stated that, having been a part of the CIP Committee, she recalled it was very difficult because there were many things, the Housing Initiative and Land Bank for Housing among them, that they felt were important, but in the end, it all

rested with City Council. She hoped that, as the Mayor had indicated, they could depend on him.

General discussion followed, and Mr. Schwartz indicated that he did not advocate making any changes in the order, either. He said that he had merely been providing a commentary, and indicated that he supported the point that they did not want to

second-guess the complex process that went into this ranking. He said he did not mean his comments to suggest any such thing, but rather simply to highlight topics that had been of particular interest to the Planning Commission for a number of years now, and that Council could take that for what it was worth. There were, he noted, a lot of important issues on that list.

General discussion followed concerning the motion on the floor. Since Mr. Slayton had not accepted, Mr. Schwartz's friendly amendment, Mr. Schwartz offered a substitute motion: That, in addition to the motion to approve, the CIP had recommended that the Planning Commission offer particular commentary of interest about the topics relating to housing, in the hope that the City Council would address these and other

issues as they advanced this matter to the next level. The motion was seconded by Mr. Supler.

Mr. Slayton offered a friendly amendment to the effect that they include in the motion the fact that they had asked City Council to fund things according to the priorities given by CIP.

Mr. Schwartz commented that he was not going to accept the amendment because the point of the original motion was that they were advancing recommendations to City Council as presented to them by the CIP Committee, and his amendment was simply a

gentle commentary.

Ms. Damon indicated they should vote first on the substitute motion, and asked Mr. Schwartz to read the substitute motion.

Mr. Schwartz read the substitute motion as follows: "To approve the CIP recommendations as presented to the Planning Commission and to highlight our

particular interests and concerns for the issues relating to housing." The motion was seconded by Mr. Supler.

Mr. Schwartz moved that the Planning Commission recommend City Council approval of the Capital Improvement Program FY"02-06 as presented to the Planning Commission and to highlight the Planning Commission's particular interest and concerns for the items relating to housing. Mr. Supler seconded the motion. The motion passed with the following recorded vote: AYES: Damon, Harris, Key, Schwartz, Supler, Wood. NOES: Slayton.

Mr. Toscano requested that Mr. Cullinan provide the City Council with debt service figures at \$7.5 million, \$8 million and \$8.5 million, assuming the timing of every other year. He also requested more information about the budgets and how much had been

expended to date for both the Downtown Recreation Center and the Quality Community Council.

Mr. Caravati requested further information to back up the data in the application concerning item numbers eight, seventeen and thirty-four.

2. ZT--01-01-01: An ordinance to amend and reordain Section 34-731 of the Code of the City of Charlottesville (1990) as amended by adding language which sets rules for the provision of access across property to serve development on property of a more intense zoning.

Mr. Tolbert indicated that they had drafted this ordinance proposal in an attempt to try to make sure that they had adequate control for development of a more intense nature that would want to take its access, that was not the primary access, across a

piece of less intensely zoned property. He stated that this issue had been raised by a development proposal for a large project outside the city borders, which had discussed taking its access through an R1-A piece of property within the city. He expressed concerns that this might not be appropriate, and said that, in discussing the problem

with the City Attorney's office, they had come up with a proposal to add this language to the ordinance in order to give the City some control. He explained that what the members of the Planning Commission had before them was an amendment to the section which would essentially say that if a proposed access to serve any multi-family, commercial, industrial or other non-residential development crossed lands zoned

R1, R1-A or R2, then that use would have to have a special permit and would have to go before the Planning Commission and the City Council to obtain that permit. He said he felt that this was just one more level of ensuring that they had the control they

needed to prevent adverse impact on city neighborhoods from development that should not be going through them.

Ms. Damon called for public input on the proposed ordinance, and requested that comments be kept to three minutes.

Eric Geilker, of 2421 Jefferson Park Avenue, stated that he was on the board of the Fry's Springs Neighborhood Association and had also worked with the Jefferson Park Avenue Neighborhood Association. He had recently attended a meeting with a developer whose ideas were to bring a lot of traffic up just two blocks from Mr. Geilker's house to JPA on a small R1-A street. He said the developer and the

developer's attorney were "thinking real hard" and finally said that what they felt was the legal crux of the matter, for them, was whether they had the right to a curb cut on the city street. He indicated that this suggested to him a paradigm whereby "the

nail is lost, the shoe is lost, the horse is lost and the battle is lost." He commented that this man seemed to think that if he had the right to cut access on a city street, and he owned city property, then whatever he might do beyond that would be his own business. Mr. Geilker found that frightening, since this man intended to put up some thousand-plus bedrooms right next to his neighborhood. He said he didn't want to be an Urban Flight Victim and move to Ivy, preferring, along with many of his neighbors, to remain where he was; and the notion that someone could buy a few houses and acquire enough city land to funnel traffic for a big development into the city, over-utilizing city resources, was a frightening notion to him. He expressed strong

support for the ordinance that would give the City more control over such things, whenever and wherever they might occur.

Joe Mooney, of 201 Sunset Avenue, came forward to represent Ellen Catalano, the president of Fry's Springs Neighborhood Association. He stated that they had met recently to address this issue. He expressed gratitude to Mr. Tolbert and Mr. Higgins,

as well as other Staff members who had moved so quickly on this issue. He commended the City Government for its "lightning speed" in dealing with a problem which had arisen only two weeks previously. He read a statement from the Fry's Springs Neighborhood Association, as follows:

"The Fry's Springs Neighborhood Association strongly supports revision of

Zoning Ordinance 34-731 in order to ensure that Sunset Avenue remains closed to traffic at the City line. This is essential for our neighborhood preservation efforts and we thank you for your prompt attention to it. Signed, Ellen Catalano"

Mr. Mooney commented that, although this was a relatively small issue, the curb cut was "the camel's nose under the tent," since their neighborhood did look out into the County where there was an immense amount of undeveloped land, and city access was a key factor. He stated that they very much hoped for joint planning with foresight between City and County, regarding entrance corridors. He felt that as key and that it was going to become an issue which, he hoped, the City and County could get ahead

of and avoid what had happened to the north of Charlottesville. To the south, he said, there was still an opportunity to work out something ahead of time. He thanked the Commission for its attention.

Cynthia Harrison, of 203 Sunset Avenue, indicated that she thought this problem had been taken care of several years ago. She reminded the Commission that Sunset had been closed during the development of Redfields and other areas in the county, as the road simply could not take that kind of traffic due to the congestion and danger it would cause. She voiced her appreciation to the Commission and the City government for their moving ahead on the issue, and indicated her support for the ordinance.

Ellen Gwynn, of 2503 Brunswick Road, expressed her fright, as a sole individual, at the prospect of the aforementioned access actually coming to pass. She voiced appreciation for what the Commission and City Council were doing and might be able to do concerning this matter, saying it was gratifying to know how many people were aware of this. She thanked the Commission.

Ms. Damon called for further public input. Hearing none, she closed the Public Hearing and opened the floor for discussion among Council members and

Commissioners.

Mr. Slayton posed some questions, mostly concerning language. He first commended everyone who had been involved in the drafting of this needed amendment. He questioned the meaning of the term "serve," saying his only concern was the lack of

clarity.

Ms. Damon suggested they might call Ms. Kelly.

Mr. Tolbert commented that "serve" was not her word, so he didn't think it was fair to call her, and Mr. Higgins added that the word could be struck without altering the meaning.

Mr. Slayton agreed that he thought the meaning of the ordinance would be unaltered if the word "serve" were struck. He added that he thought it probably should be struck as being unnecessary and causing ambiguity, but said he would leave the decision up to

the attorneys.

Ms. Damon called for other questions or comments.

Mr. Cox commented that he, too, appreciated the fact that Staff basically understood the mis-match between densities between City and County. He added that he suspected, with the County's focus on infill density, that there were many other places along the City's borders where there were single-family designations in the city brushing up against what were assumed to be high density zones in the county.

He wondered if this was something they should be looking at on the map to see if there were other places where they were going to find similar problems, where higher density strategies were being proposed in the county on the borders of city

neighborhoods that are single family and of less density. He said he could think of at least two other examples of this strategy playing itself out, with city roads being used to access a development, so he thought it was not an isolated issue. He suggested that if it were possible to get a handle on where they could imagine this cropping up elsewhere,

they should do so and perhaps work out a coordinated strategy.

Mr. Supler asked if Mr. Cox thought the language in the present amendment was encompassing enough to address the issues he had brought up, or if it would need to be tailored to each incidence specifically.

Mr. Cox responded that this involved opening a street which currently was not open, and added that unfortunately, for a lot of the examples, street networks already existed, with high-density developments being proposed right up against those

existing roads. He suggested that they should alert Mr. Tolbert if there were other places in the city of which they should be aware, and that they should perhaps allow for other types of language change to give them some point of reference.

Mr. Tolbert expressed appreciation for the comments, and stated that they would take a look at that, adding that they had reacted very quickly to an incident that seemed to require immediate attention. He agreed that there were probably other situations

like this, and also other properties out there which adjoined city streets whose developments put a huge amount of traffic on those streets. This, he stated, was one which probably could put anywhere from three to seven or eight thousand trips per day on a street that could not handle that, which was the reason for the urgency here. The issue, he explained, was that though the development did not presently adjoin the

street, there was city property between it and the city street, and that property was zoned for lower intensity. He commented that this was an opportunity for them to deal with it.

Mr. Slayton suggested that the language at the end of line two, "multi-family, commercial, industrial or other non-residential development," be changed so that it read "any" in place of "other," as the latter implied that "non-residential" was all-encompassing for multi-family, commercial and industrial, and he felt that that was counterintuitive. Also, in response to what Mr. Cox had said, he suggested that they take out the word "proposed" at the beginning of line two so that it referred not only to proposed access but to where there was access at all. He admitted this might be broader than they could go, but if they could do so, he would be interested in

seeing it done.

Mr. Higgins commented that one could not grant a special permit for something that was already there, because the special permit was the granting of a use that did not previously exist. He pointed out that if the word "proposed" were removed, it would suggest in the ordinance that they would be granting a special permit for an access that was already there.

Ms. Damon suggested that the question had been, could they refuse access, on a road that already existed, to something that wasn't yet built but would be higher density? She said she expected they could not do that, but she was not certain.

Mr. Tolbert said he thought that is what the City did when it closed Sunset Avenue sometime back. He said that there had been an existing street that the City actually closed off to prohibit access through there.

Ms. Damon inquired if that meant that they could remove the word "proposed." If there were a street they felt was not capable of taking the traffic, could they refuse the possibility of using that street for a development?

Mr. Higgins replied that he didn't think they could if it were the only access. He commented that the key was whether that street was the only possible access to the development, as they could not deny someone access to their property; however, if they

had other access points, then the City could deny it.

Mr. Slayton suggested that what they needed to do was leave the word "proposed" in there, and then do as Mr. Cox said and find out if there were any other places where there was high density where the only access was through a low density neighborhood.

Mr. Key indicated he did not think, given the materials that were given to them, that they could deny someone access to the property; rather, they had to look at other options besides that single entry to get to that property.

Mayor Caravati encouraged the Planning Commission and Staff to adopt Mr. Slayton's recommendation that they take a very close look, not only in the county but in the city, to make sure that this did not have negative impacts on a redeveloping city. He then

asked whether the application of this ordinance in an R1 or R1/R2 combination subdivision that existed but did not have roads platted or was just a piece of land, would deny access through an R1 neighborhood to get to the R-2 zone. Mr. Higgins indicated that it would not.

Mr. Slayton commented he would not deny it, but it would mean a special use permit would have to be obtained. He added that if the situation were that obvious, then they just wouldn't grant the special use permit, so he wasn't sure that that was really a concern.

Mayor Caravati differed with Mr. Slayton, saying that having sat on the Planning Commission for a number of years, he knew full well what a special use permit meant to some people. He said that that was exactly his concern: to make sure they took a close look at all developments, and ensure it did not have a negative or positive impact. He said he could think of one development at the moment which would require multiple access.

Mr. Tolbert replied that if the Mayor was thinking of the same approximately forty-one acres he was thinking of, this did not apply to that. He stated that they had looked with the attorney's office and this had no application to that property.

Mr. Caravati mentioned Mr. Slayton's suggestion of using "any" instead of "other" concerning non-residential development in the proposed amended ordinance, and asked whether this would limit access to, for instance, a park through a piece of R1 land.

Mr. Tolbert added that, again, that would require a special use permit and he didn't know if that was necessarily a bad thing, since it would give them the opportunity to assess whether that was an appropriate access point.

Mr. Caravati commented that his impressions were based largely on the fact that he did not consider special use permits that easy to get sometimes. Mr. Tolbert responded that they shouldn't be.

The Chair then recognized Ms. Kelly and asked her to come forward so people could hear her.

Ms. Kelly stated that she thought one thing they needed to keep in mind, was that the change that was proposed, would deal with access across property that was zoned residential to another property that was zoned for different use, so it would involve only properties which were not currently dedicated as streets or already developed as an existing road. Existing roads, she noted, and what they could connect to, how they might be constructed and where they might be placed were governed by the City's

Subdivision Ordinance, which made that rather a separate issue. She mentioned that she and Mr. Tolbert had already discussed that it might be possible to insert into the special use permit language of the zoning regulations, for each residential district they wanted to protect, wording to the effect that the use allowed by such special use permit was access to differently-zoned property, e.g., commercial or industrial. She stated that, in terms of the other issues, she thought the language in line four, "...through zoning or where such development is not permitted," might cause them some problems if they were referring to access from one residential district up the ladder to the next residential district, or it also might have an effect on access from a commercially zoned property to an industrial property. She was unclear as to their intention, but recommended that they pay some attention to that phrase in looking at this.

Ms. Damon inquired if Ms. Kelly were going to suggest a change in that wording, since they would probably like to vote to take some type of action on it that night.

Ms. Kelley reiterated her recommendation that they pay attention to the phrase on line four and decide whether that was actually language they meant to include, so that they might effect access between two residentially zoned properties, such as from an R1 to

an R1-A, or from a commercial to an industrial property. She repeated her comment on the matter of form, whether in addition to making the change there, they might also want to reference access to a commercial or industrial or multi-family zone as a use for which a special use permit would be required in the actual residential zoning districts themselves.

Mr. Higgins asked if they wouldn't have to advertise all those sections, since none of those sections had been advertised for the purpose of that night's public hearing. Ms. Kelly indicated that they could come back later and do that if they wanted to.

Mr. Supler suggested that perhaps they could vote on that and get it in, as it appeared to be a matter of some urgency, and they could always come back and amend it at a later time.

Ms. Kelley stated that her remarks were only to suggest that they were talking about permitted uses and zoning districts as opposed to looking at necessarily what an established use was in any one place to which they were trying to obtain access.

She said they would really be looking at the zoning of the underlying property.

Mr. Supler remarked that since they had advertised this as such, they couldn't actually make that type of change and vote on it that night anyhow, without re-advertising it and holding another public hearing.

Ms. Kelly responded that that was correct. She said this did not have to hold them up that night, but they might want to consider following up with it later on.

Ms. Damon recognized Mr. Tolbert, who suggested a simplification in dealing with all the questions that had been raised: Scratch the "non-residential" and "or through zoning where such development is not permitted" language, changing the wording to "where proposed access to any multi-family, commercial or industrial development crosses lands zoned R1, R1-A or R2, the access shall be approved." This, he said,

addressed the question that Ms. Kelly raised but allowed them to stick to what they had initially intended anyhow. He said he had been concerned that they were doing more than they really intended to do.

Ms. Damon asked him to read it once more. Mr. Tolbert complied.

Ms. Harris moved that the Planning Commission recommend to City Council approval of the following zoning ordinance change in order to have better control over certain access across land zoned for low density residential development.

Sec. 34-731. Access to street or alley; parking near building entrances; parking within setbacks.

Off-street automobile or vehicular parking spaces required by this article shall have adequate access to a street or alley, and such access and spaces shall not thereafter be reduced or encroached upon. No vehicle shall be parked within six (6) feet of any entrance or exit a building. Any parking, required or otherwise, within required setbacks shall be subject to the following regulations:

Improved parking for up to three (3) vehicles for single-family attached or detached or two-family dwellings, or attached dwellings up to two (2) dwellings, may be located within the required front, side and rear yard setbacks; provided, that no more than twenty-five (25) percent or eighteen (18) feet of the front yard street frontage, whichever is greater, shall be improved for parking.

Parking for multi-family dwellings and nonresidential uses allowed in residential districts shall not be located within the required front or side yard setbacks, however, such parking may be located in the rear yard.

Parking in all business and industrial districts shall not be within the required front yard setback, however, such parking may be located in the side or rear yard setbacks, however, dealers in motor vehicles may display such vehicles in the required front yard.

Notwithstanding the provisions of this chapter, in such cases where proposed access to any multi-family, commercial or industrial development crosses land zoned R-1, R-1A or R-2, the access shall be approved only after obtaining a Special Use Permit in accordance with the procedures and provisions of Article XXII (Special Permits) of this Chapter.

Mr. Schwartz seconded the motion. The motion passed with the following recorded vote: AYES: Damon, Harris, Key, Schwartz, Slayton, Supler, Wood. NOES: None."

Mr. Wood asked if there was any problem with land ownership in the situation that prompted this matter. Mr. Higgins replied that there was not, and general

discussion followed.

Ms. Damon noted again that there was a motion and second on the floor to accept this zoning text amendment as proposed just recently by Mr. Tolbert, and asked if there was further discussion.

Mr. Schwartz commented that, following the vote on the motion, it would be useful to talk a little more about some of the issues that this would generate, that would go beyond the particular topic at hand. He said he had heard a number of very good

suggestions, so he would like to reserve some time after the vote to pick up on some of the thoughts that others had already offered.

Ms. Damon asked if there were any other comments. There being none, the Commission was polled, and the motion carried unanimously. Ms. Damon stated that

the amendment would now be sent to City Council, where there would be two readings. She thanked the members of the public who came to the meeting and spoke on the issue.

Mr. Schwartz said that, as a matter of process, it might be useful to consider that there had been a number of suggestions which would be reflected in the minutes and which would benefit from Staff study and Staff reports back to the Planning Commission,

ranging from unintended consequences or other situations which might parallel that, to the circumstance mentioned by Mr. Cox that could be of concern and interest to the City as well. He said that, rather than seeing Mr. Cox's concern as a threat, it might also be viewed as an opportunity for discussion between the City and the County as to

appropriate methods of connection between developments that occur within the City and the County. He suggested that it would be helpful for Staff to come back to the Planning Commission with some thoughts about where this might lead. He said

he could think of several examples himself which, if unplanned, could lead to very negative consequences for City or the County, but, if planned and looked at in a more integrative way, could be a tremendous opportunity for the City and the County to consider how the road systems were interconnected, and how roads could be to some degree coordinated between the two jurisdictions. He stated that he was very

interested and excited by some of the thoughts offered from the public and also comments from Commissioners and Council members.

Ms. Damon stated that it would be taken under advisement. She then announced the next item on the agenda.

D. LIST OF SUBDIVISIONS AND SITE PLANS APPROVED ADMINISTRATIVELY

Ms. Damon asked if anyone had any questions. Hearing none, she posed a question of her own, namely, what was happening to the parking garage.

Mr. Higgins replied that it was getting space for an additional eighty-seven cars. He added that the addition was being built on the triangular parcel behind the garage, which was the future expansion area in the original plan.

Mr. Supler moved approval of this item as submitted, seconded by Mr. Slayton. The motion carried unanimously.

LIST OF SUBDIVISIONS APPROVED ADMINISTRATIVELY

1/1/01 TO 2/1/01

1. Revised Lots 65 & 66, Block "J" "Ridgecrest" One new lot

"Hartford Court" (Private) and Monticello Road Rives Land Trust

File No. 1195-A Preliminary & Final

Final Signed: 1/17/01

LIST OF SITE PLANS APPROVED ADMINISTRATIVELY

1/1/01 TO 2/1/01

1. File No. 966-A Addition to Water Street Water Street between

Parking Garage 2nd & 4th Streets, SE

2. File No. 1278 Import Car Store – Change NE Corner of Hydraulic of Use at Branch Bank Building Road and 29 North

E. COMMISSIONERS' REPORTS

Mr. Slayton had nothing to report.

Mr. Wood reported on the QCC meetings he had attended, both general and committee. He reported that things seemed to be falling into place and he thought it was going to be quite a beneficial exercise as far as the QCC was concerned. Ms. Damon asked if they were having a public forum. Mr. Wood

responded that they were meeting almost every other Saturday, in a town hall meeting format in the Council chamber. He added that committees had been

formed according to areas of emphasis and had been meeting as such, so things seemed to be falling into place.

Mr. Supler reported that they were continuing to act as mediators between City Staff and the Skateboard Park people, and he thought they were pretty close to a compromise that would make all parties happy. He reported that the last meeting with the neighborhood association president had been cancelled.

Ms. Johnson Harris had no report.

Mr. Schwartz reported that he was going to be out of town for the Court's Facilities meeting on the following Thursday, but it had made a lot of progress, and there were draft materials circulating. He did not know when the report was actually going to come out, but he would not be surprised if it were in early March perhaps. He said he hoped they all would read it when it came out, as he felt the investment had a significance to downtown which would be profound. He said they'd have to see how it was received by the elected officials in the two jurisdictions.

Ms. Damon asked for questions.

Mr. Supler asked if there was still a consensus that one of the buildings would be in the Lucky 7 area. Mr. Schwartz replied in the negative, saying that there were four scenarios, and two of these included the property on Market Street; the other two included High Street only. He said that due to a fire, they'd lost one altogether. No one seemed to recall which one had been lost.

Mr. Supler asked if all four scenarios were equally weighed. Mr. Schwartz replied that a lot of people had wanted them to rank the scenarios. He said the report showed that the committee was identifying issues involving each scenario without ranking them, which had been a deliberate choice by the committee.

Mr. Supler said he was anxious to see the report.

Mr. Schwartz commented that this had been a long involved process, involving a wide range of people. He stated that the report would not be the final word, and would be subject to more public hearings and public involvement after it came out. He mentioned that he had offered his letter of resignation to the Planning Commission and that the Mayor had asked him if he would continue until such time as the City Council appointed a person to take his place. He said he had agreed to do that on the Planning Commission and on the BAR until they had

identified a replacement. He stated that the reasons for his departure had to do with two primary issues, one being that he was interested in considering new

possibilities and ways in which he might serve the community; and secondly, he had a couple of time-consuming and to his mind important national commitments in which he was engaged so he had thought it prudent, given family, work and everything else, to step back. He said he had enjoyed his work tremendously.

Mr. Supler remarked that they would miss him, and Ms. Johnson Harris suggested they have "a luncheon, a party, a bad celebration" because she thought they would truly miss him. She added that she did not cook.

Ms. Damon concurred that this was an excellent idea, and suggested they discuss times for this after the meeting. Ms. Damon then recognized Mr. Key. Mr. Key announced the CDBG task force meeting to be held the following Tuesday to make their recommendations to the Planning Commission and then to go on to the City Council.

F. CHAIR'S REPORT

Ms. Damon reported that she had been at the Thomas Jefferson District Planning Commission and heard a number of reports.

G. DEPARTMENT/STAFF REPORT

Mr. Tolbert thanked the members for accommodating the Staff and responding to the change in meeting dates, and announced that they were set for the regular meeting on Thursday, March 8th at 7:30 p.m. This would replace the meeting which would otherwise have been held on March 13th. He said that would also be the date of the public hearing on the Comprehensive Plan. He promised to get them some few minor revisions on the Comprehensive Plan document over the next week, as soon as they were typed; they would also go on the web with the revisions and there would be a notice going out to the community. He stated that there was a less than two percent change from what they had received a month ago. The primary thing he had added, he

indicated, was the Council's Visions and Vision Principles statements. They had seven Vision statements and seven Vision Principles, and in the draft he hadn't had all of these since the Council had not held its final retreat at that time.

He reported that neighborhood meetings were going really well, and planners were meeting with all the neighborhoods to get them to prioritize their projects. He said that, so far, they had had only one that had not been

able to prioritize these at their meeting, but they were going to meet again to accomplish that. He said they had been advised that they had until the 27th of this month to get this done, or their money would go to someone else who could make decisions, so that recommendations could

be gotten together. He thought they were all coming together and working on getting those things done and there had been pretty good attendance as well.

He said the Johnson Village Neighborhood Association meeting on Monday, the 29th of January, had gone really well. Seventy citizens were in attendance, plus himself, Ms. Damon, Mr. Wood, Ms. Richards and Mayor Caravati. He said he had sent out to all of them some revisions in the language. He did not believe these really changed the effect, but they had changed wording to make people feel more comfortable.

Unfortunately, he said, the notice of this night's public hearing came out at the same time and Mr. Bruton had thought the change was directed at his property, with which it had absolutely nothing to do.

He reported having met with the new police chief the previous week about the Johnson Village bridge issue, at which time he gave him a ten or fifteen minute briefing on it and made him aware of a meeting in the week of March 19th. He promised to get them all notice of that. The chief would meet with the Fifeville and Johnson Village neighborhoods. He said he would like to have that meeting on site, early in the evening, but the chief had asked to meet with him at the bridge, when he would give the chief as much as he could and then the chief would begin collecting data so as to be very informed about the issue when he met with the neighborhoods. He would then come back to the next Planning Commission meeting, in April, and discuss it with them. He did not know how many members had had the opportunity to meet the new

chief, but stated that he was excited about the fresh approach to that issue and others, including a lot of things they were now trying to do in the neighborhoods, of which he believed the new chief was going to be very supportive.

He announced an Open House on the 15th from two to four for anyone who had not seen the office renovation and wanted to come up. He stated that they had invited their neighborhood, all the contractors, and that refreshments would be served;

he hoped everyone would drop by, and said they were always available for a private tour for any member at any time.

Finally, he mentioned the development that prompted the wording change in ZT--01-01-01. The County Staff, he said, was working very closely with them, had made them aware of it as soon as they knew about it, and were very interested in their comments. The concern, he noted, was that they had a developer who was very aggressive and he was not sure how much control the County had, though he did not like to say that. But he was grateful for the great working relationship and communication that existed. The same, he added, could be said for the Sperry property: Wayne Cilimberg, after meeting with the Sperry developers, had emailed him the same day to tell him that these developers had been asked to get with him and they had set up a meeting for the following week. He, Mr. Higgins, the City Manager, Aubrey Watts and Angela Tucker had met with them and discussed the development, seeing its potential. He said that he and Ms. Damon were going to meet with the Mayor, the City Manager and Mr. Watts on the 20th to discuss how they could work together and then he and Ms. Damon would meet with Mr. Cilimberg and their chairman a few days later to talk about how they could work together on reviewing that project in particular but also to further some discussions that had been begun earlier by himself, Mr. Slayton, Mr. Cilimberg and the chairman. It appeared, he said, that the Sperry development would be submitted to the County in March for concurrent plan amendment and rezoning. What they had heard from the County was, in best case scenario, a six-month review. He stated that they had been shown about one million, two hundred thousand square feet of development with a large part of that in "big box," with development that was not connected to the development in the city. There would be "T" intersections into Route 29, and they were going to try to get the Post Office to move its entrance to line up with the entrance to the Sperry property development. They were not showing anything which lined up with any development to the south, and he did not know where they intended to take their access off Hydraulic Road, though he imagined the main entrance to that section of it would have to be off Hydraulic. Otherwise, one would need to go all the way up to the Litton-Sperry entrance off 29 North, make a U-turn and come back, turning right onto Hydraulic. This posed some very serious access issues, he said. He indicated that it appeared

that if it were all new and there were no other traffic at all, this alone could generate in excess of forty thousand trips per day.

Mr. Higgins commented that approximately forty-seven thousand trips already went through that intersection, and Mr. Slayton remarked, wryly, that that wasn't so bad.

Mr. Tolbert continued that obviously these would not all be new trips, but he hoped the County would work very closely with them as this development stood to have very serious impact on the city, and in particular on traffic in that area, if not handled

correctly. He assured them that he and Ms. Damon were working with the County and opening a lot of communication with the Planning Commission for their input.

Ms. Damon asked what the subject property's zoning was at present.

Mr. Higgins responded that he thought the County had most of it zoned industrial, and mentioned that there was not only the Sperry property but also the Comdial property.

Ms. Damon remarked that it would have to be rezoned, and Mr. Tolbert and Mr. Higgins agreed.

Ms. Johnson Harris asked if she had understood correctly that it would be a "big box" type of development. Mr. Tolbert affirmed her understanding, mentioning a Target and a large grocery store, and an area of two hundred eighty-five thousand square feet

in "big box" usage. He reminded the members that the development which had been turned down the previous week had been only one hundred eight thousand square

feet of "big box" including a sixteen-screen theatre.

Ms. Damon called for any further questions before they discussed plans to wine and dine Mr. Schwartz.

Mr. Tolbert said he had one more item, and apologized for not having his facts correct and being sure of them, but he thought he had been told that Mr. Anderson's father had passed away and that, if that was correct, he would arrange to send something from the Planning Commission, and would email the members about it.

Mr. Wood asked if there were a Work Session that month. Mr. Tolbert replied that there was not, and added that if anyone had any comments on the Comprehensive

Plan and wanted to get them to him prior to the public hearing, to please do so, because if he did not hear anything from anyone, he would assume they were all happy and they would move forward.

Ms. Damon suggested they look at potential dates for a luncheon for Mr. Schwartz. General discussion followed.

Mr. Tolbert asked Mr. Schwartz if his BAR appointment were not a Planning Commission seat, and Mr. Schwartz said it was. Mr. Tolbert reminded the members that, in that case, they needed to be thinking of a replacement for the BAR.

Ms. Damon called for a motion to meet on March 8th. Mr. Supler so moved, seconded by Mr. Wood. The motion carried unanimously.