

**MINUTES
CITY OF CHARLOTTESVILLE
PLANNING COMMISSION
TUESDAY, JANUARY 14, 2003 -- 6:30 P.M.
CITY COUNCIL CHAMBERS**

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

Mr. Kevin O'Halloran, Chair
Mr. Bruce Appleyard
Ms. Karen Firehock
Ms. Kathy Johnson Harris
Ms. Cheri Lewis
Mr. Eldon Wood

Absent:

Mr. Craig Barton, Vice Chair

Staff Present:

Mr. Jim Tolbert, AICP, Director
Mr. Ron Higgins, Planning Manager
Ms. Lisa Kelley, Deputy City Attorney

City Council Members Present:

None

I. REGULAR MEETING

Mr. O'Halloran called the meeting to order at 6:27 p.m. He then welcomed and introduced the two new Planning Commissioners, Karen Firehock and Bruce

Appleyard.

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

Ms. Diana Foster, President of the Rivanna Trails Foundation, of 400 Balbion Drive, Earlysville, welcomed the new members to the CPC. She restated the desire of the Rivanna Trails Foundation to work with the City to create and protect the Rivanna Trail as well as other hiking trails. She presented the Commission with a list of thanks, concerns and recommendations regarding the Rivanna Trail.

B. MINUTES

Mr. O'Halloran called for approval of the December 10, 2002, minutes. Ms. Lewis mentioned the typographical error of "rescue" when "recuse" was meant. She also sought to revise her motion to adjourn to state January 14 rather than January

15. Ms. Lewis made a motion to approve the minutes as amended. Mr. Wood seconded the motion which carried with Ms. Firehock and Mr. Appleyard abstaining.

C. COMMISSIONERS' REPORTS

Ms. Lewis had not had a Board of Architectural Review meeting since her last report.

Mr. Appleyard attended an Active Living by Design research grant meeting.

Mr. Wood had no report to give due to no meetings having been held.

Ms. Johnson Harris had meetings scheduled with the CIP, January 29, and the Federation of Neighborhoods, January 23. The Housing Policy Task Force had not yet communicated with her.

Ms. Firehock met with the Community Development Block Grant Committee in December to look over funding applications. She would be meeting with the Parks and Recreation Advisory Board January 15. She stated the CDBG would also be meeting January 15. A meeting of the McIntire Park Study Committee would be meeting in January.

D. CHAIR'S REPORT

Mr. O'Halloran was not able to attend the Planning District Commission meeting; however, the Planning District Commission was working on the Robert Wood Johnson grant. The Planning District Commission had held a second UNJAM workshop. The Planning District Commission has produced a brochure on the Eastern Planning Initiative.

E. DEPARTMENT/STAFF REPORT

Mr. Tolbert stated the Housing Policy Task Force update was presented to City Council at its last meeting. The Task Force wanted to expand its membership and charge. Ms. Lewis asked how large the Task Force would be. Mr. Tolbert stated it would probably be 25 people. The 29/Hydraulic Study would be holding a staff working session on 15 January.

Changes were being made in Planner roles and responsibilities. New maps would be forthcoming. Mr. Higgins' responsibilities would be changing and he would no longer be dealing with the Neighborhood Plan issues and the supervision of the Planners. Mr. Higgins would be working with the Housing Policy Task Force, among other things. Claudette Grant would be working with Fifeville, Johnson Village, Belmont, Woolen Mills, Jackson Via, and Ridge Street. Missy Creasy would be working with Barracks/Rugby, Greenbrier, Rose Hill, Locust Grove and Meadows and Martha Jefferson. Mary Joy Scala would be working with Fry's Spring, Jefferson Park Avenue, Venable, Lewis Mountain, Tenth and Page, North Downtown, and Starr Hill. Ms. Scala would also be staffing the Board of Architectural Review.

The Planning Commission's work session on the Zoning Ordinance has been rescheduled for January 25th.

Mr. O'Halloran moved forward the 2003 Planning Awards.

H. 2003 PLANNING AWARDS

Mr. Tolbert gave a brief description of the Planning Awards for the new Commissioners. The first awards, which honor outstanding planning efforts in the community, were given in 2002.

Mr. Higgins stated the four award categories were Outstanding Neighborhood Effort, Outstanding Plan of Development, Outstanding Citizen Planner, and Outstanding Example of Access to the Disabled. Nominees for Plan of Development included the

mixed use development at Tenth and Market as well as Burnett Commons. Nominees in Access to the Disabled included the Woolworth Building on the Mall.

Ms. Lewis asked if the Dymond Property could be added to the Outstanding Plan of Development category since the developer had included a quotient of affordable housing, had sought neighborhood input, and the difficulty in coordinating with the trails and natural area. Mr. Appleyard seconded the nomination of the Dymond Property as well as the comments lauding the developer.

Ms. Johnson Harris asked that only one award be given per category to keep the awards from losing validity. Ms. Lewis stated her agreement with Ms. Johnson Harris; however, she asked that, due to the outstanding candidates for Plan of Development, two awards be given in that category.

Mr. O'Halloran asked if there were any more candidates to be added. There being none, nominations were closed. Ms. Lewis made a motion that the Charlottesville Planning Commission honor one from each category, and just for

this year, two from the Outstanding Plan of Development category. Ms. Johnson Harris seconded the motion. The motion carried unanimously whereupon the Commissioners cast their

ballots for the awards which would later be tabulated for presentation at a future Charlottesville Planning Commission meeting.

II. PLANNING ITEMS

F. SITE PLANS

1. Starr Hill Cottages 211 Fifth Street SW

Ms. Grant gave the staff report. The Starr Hill Cottages site plan is six two-story detached residences. The site is zoned transition and consists of 16,433 square feet. Nine parking spaces are proposed with one designated handicapped. Zoning district regulations have been met. Compliance with the City's Erosion and Sediment Control Ordinance is being completed. Staff recommends approval with conditions including the slope of the sanitary sewer line needs to be increased to a minimum of one percent, a 12 inch minimum vertical separation between all utility crossings, proposed grading near the wall and steps extending into the sidewalk needs to be addressed, revised water and sewer utilities, revised water service lines, revised sewer service lines.

Mr. O'Halloran called on the applicant to address the Commission. Mr. Daniel Walter, of 5238 Rose Valley Farm, Crozet, representing DKW Development,

presented a rendering of the elevation and floor plan. The focus for the site had been stand alone housing with the mission being affordability. He stated they were in partnership with Piedmont Housing Alliance to address the needed broadening for the current market. He stated they were trying to change the name of the cottages at the request of the neighborhood.

Mr. O'Halloran called for questions of Mr. Walter.

Ms. Firehock sought clarification of the partnership with Piedmont Housing Alliance. Mr. Walter stated that the partnership would allow Piedmont Housing Alliance to place their clients in a percentage of the units.

Mr. O'Halloran recognized Kenneth Page, a neighbor of the site. Mr. Page expressed concern over the landscaping proposed next to his property. He

stated that he is agreeable to what Mr. Walter had promised him would be done.

Mr. O'Halloran asked if there were any final comments on the matter. Mr. Appleyard wondered about the lack of a walkway by the driveway connecting to Fifth Street. Mr. Higgins stated his belief that was intentional because there was a walkway system between the houses.

Ms. Lewis wanted to make a motion for approval of the site plan as submitted. Mr. Appleyard seconded the motion. Mr. O'Halloran called for discussion. Ms. Johnson Harris stated her pleasure with the development and the transition

zone; however, she hoped they would consider changing the name. She suggested the applicant speak with Mr. Page about the history of the property which could help suggest a new name. Mr. Walter stated the property had been known as Oak Grove in 1830, Oak Lawn in 1847 when owned by Reverend Fife, and only changed its name when the area became engulfed by the City and became Fifeville. Mr. O'Halloran called the vote. The motion carried unanimously.

G. SUBDIVISIONS

1. "St. Clair Subdivision"

Located off of St. Charles and Smith Street

Ms. Creasy gave the staff report. The applicant is Southland Homes and has submitted a subdivision for single-family residential development. The

preliminary site plan indicated 24 lots; the site plan submitted indicates 26 lots. The applicant seeks approval of the preliminary subdivision plat. Staff concerns included the fact that lots one and two do not front on a public street and must be removed or revised to meet the subdivision ordinance. The development does not provide a connection from Locust Lane to the new subdivision. The plat is in the preliminary stage and numerous items concerning utilities, streets, grading, and soil erosion have not been addressed. Staff spoke with the Rivanna Trail Foundation which was concerned that the Trail was not located on the plat. Staff wanted the Charlottesville Planning Commission to consider: Should the development connect to Locust Lane? Should St. Charles Avenue connect smoothly through the subdivision? Staff was concerned about traffic and connectivity and sought the direction of the Charlottesville Planning Commission.

Mr. Tolbert stated there had been much staff debate about the road issue. Staff recognized the need for connectivity but was concerned about the need for traffic calming. Mr. Tolbert stated the plat was far from approval as a subdivision plat. The plat has a lot of issues, which need to be resolved.

Mr. Rich Carter, with Southland Homes, of 2119 Berkmar Drive, stated he was present to answer questions. He realized that the plat was very preliminary. He stated he had met with the Neighborhood Association, which did not want to see the road connected.

Mr. Tolbert stated that the site had once been the co-housing site which was approved previously by the Charlottesville Planning Commission and City Council as a PUD. At the time of that approval, it did not have connectivity.

Mr. O'Halloran called for comments from the public.

Ms. Gail Wylie, President of the Locust Meadows Owners Association, of 911 Locust Lane, expressed concern over the amount of traffic which would be generated as well as concern about the easement for the Rivanna Trail.

Mr. Fay Malini, of 1101 Locust, spoke in opposition of connectivity. He expressed a hope that there would be adequate recreation space provided for children.

Ms. Garnet Mellen, President of the Locust Grove Neighborhood Association, of 1107 Calhoun Street, stated that the Neighborhood had met just prior to the Charlottesville Planning Commission meeting and expressed a desire for walking

paths from Locust Lane to St. Charles as well as a path from St. Charles to Sheridan, and a walking path from St. Charles to the Rivanna Trail. The

Neighborhood also had concern for the flood plain.

Mr. O'Halloran called for comments from the Commission.

Ms. Lewis sought clarification regarding the flood plain issue. Ms. Creasy stated the plan was in such a preliminary stage that it had not been engineered to that point. Concerns relating to the flood plain and utilities have not been engineered.

Mr. O'Halloran asked if there had been an agreement between the previous owner of the property and the Trail Foundation for people to use this land. Mr. Walter stated it was not on any plat he had seen.

Mr. O'Halloran expressed his mixed feelings regarding connectivity.

Mr. Appleyard stated he felt the cul-de-sacs would best be served by not being connected. Locust Lane is accessed by other means. He further stated that it would be important to have a pedestrian connection between the cul de-sacs.

Mr. Appleyard felt he could not approve the plan without the pedestrian issue being addressed.

Ms. Firehock stated she agreed with Mr. Appleyard. She expressed concern over the drainage and storm water management techniques.

Ms. Johnson Harris stated she felt the roads should not be connected. She felt it would cause a traffic problem.

Mr. Wood stated he had never gone along with the connectivity idea. He would go along with the pedestrian connections.

Ms. Lewis sought clarification about the conditions under the subdivision ordinance having not been met. She wanted to know what action staff would

want the Commission to take. Mr. Tolbert stated there were three issues: resolving the two lots, connectivity of the trails, and the connection to Locust Lane. He further stated his belief that an appropriate motion would be to give conditional

approval to the subdivision as a preliminary plan subject to addressing connectivity of Locust Lane and the cul-de-sac, providing the necessary

easements and improvements on the trails as discussed, and to resolve the issue of lots to either redesign or get them on a public street.

Ms. Lewis asked if enough has been satisfied under the ordinance so the Commission could approve the plan. Ms. Creasy explained that the proposal met

the basic requirements for a preliminary subdivision.

Ms. Firehock asked if it were normal to receive a plan on such an extreme site without receiving a storm water erosion settled control plan. Ms. Creasy explained there weren't many applications for major subdivisions. Ms. Creasy further

stated that as a preliminary plat, it met the concept plan.

Mr. O'Halloran stated it seemed that there was a consensus on vehicular connectivity and the fact that pedestrian connectivity was needed.

Ms. Johnson Harris asked how the affordability issues would be addressed. Mr. Tolbert stated that was less a part of discussion of a subdivision. He further stated that the Commission could tell the applicant they would like to see affordability.

Mr. Appleyard stated they should also think about bicycle connectivity. He further stated there should be some minimum standards.

Ms. Kelly stated that the Charlottesville Planning Commission needed to look to the standards in the City Code. The Commissioners could not plat by plat or site plan by site plan say what they would like to see and impose that. She further stated that her office would have to help staff with looking at the issue of requiring

a dedicated easement for a pedestrian/bike trail versus actually requiring some sort of deed to Rivanna Trail's Foundation or construction to a certain design standard.

Ms. Lewis made a motion to approve the subdivision as submitted with the condition that the subdivision provide for bicycle and pedestrian connection to the Rivanna Trails and addressing lots one and two, whether they have to be revised

or removed from the plan and all of the other comments that are on the staff report and also included in Ms. Creasy's letter of January 6th to the applicant. Mr. Higgins sought clarification that this was a preliminary approval. Ms. Lewis

concurred that it was preliminary subdivision approval. Ms. Firehock seconded the motion. Ms. Lewis stated that she shared the concerns of the Locust Meadows Association for connectivity, but the Charlottesville Planning Commission could not require the applicant to do anything off-site. Mr. O'Halloran called the

question which passed unanimously.

Ms. Lewis expressed thanks to the staff for the construction report.

Mr. O'Halloran thanked everyone for coming. He explained to the Locust Lane neighbors that the preliminary site plan had been approved without any street connection. He further stated that Mr. Carter would have to get with staff to iron out the difficulties discussed. A final subdivision plan would come back to the Charlottesville Planning Commission for final approval.

Mr. Appleyard made a motion to adjourn and reconvene for a joint public hearing on February 11th. Mr. Wood seconded the motion which carried unanimously. Whereupon the meeting stood adjourned at 8:11 p.m.

Respectively submitted,

James E. Tolbert, AICP, Director

APPROVED:

Kevin O'Halloran, Chair