

**DRAFT MINUTES
CITY OF CHARLOTTESVILLE
PLANNING COMMISSION
TUESDAY, SEPTEMBER 14, 2004 -- 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. Craig Barton, Chair
Mr. Jon Fink
Ms. Karen Firehock
Ms. Kathy Johnson Harris
Ms. Cheri Lewis, Vice Chair
Mr. Eldon Wood

ABSENT:

Mr. Kevin O'Halloran
Mr. Ron Higgins, AICP, Planning Manager
Ms. Missy Creasy, AICP, Neighborhood Planner
Ms. Lisa Kelley, Deputy City Attorney
Ms. Mary Hughes, UVa Office of the Architect

STAFF PRESENT:

Mr. Jim Tolbert, AICP, Director NDS

City Council Members Present:

Dr. David Brown, Mayor
Mr. Blake Caravati
Ms. Kendra Hamilton

I. REGULAR MEETING

Mr. Barton called the meeting to order at 6:30 p.m. noting that Ms. Mary Hughes was in attendance in the place of Mr. Neuman. He informed the public that public statements would be limited to ten minutes on items under section H. since these were not public hearings.

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

Mr. Barton called for matters from the public.

Mr. Paul Hinton, of 311 East Market Street, spoke regarding the balance between the need for security and the aesthetics in terms of the lighting and the degree of brightness of the lighting around the Court Square area and the parks. The night lighting is four to five times brighter than it was. The lighting has an overtone of a prison environment.

Mr. John Via, of 513 Hunters Road, spoke regarding the property boundary. The plat which had read 42 degrees now read 43 degrees. The building had been on the property 40 years. He asked that the Commission take into consideration the adverse possession before they assign setbacks. Mr. Fink

wanted to know how much property was affected; Mr. Via explained it was as deep as 16 feet on portions of the 100-200 feet wide section.

Ms. Naomi Roberts, of 1140 St. Clair Avenue, spoke regarding the Locust Lane PUD. She was concerned about the appearance of the neighborhood since the proposed cottages were two-story with attics while the neighborhood was single-story one family residences. She was also concerned about parking.

B. MINUTES

Mr. Barton called for comments on the August 10, 2004 minutes. Mr. Barton and Ms. Lewis noted they had not been present and would abstain from the discussion.

Mr. Fink asked that, on the middle of page 11, "addresses" be changed to "addressed."

Ms. Firehock moved to approve the minutes as submitted with the typo correction. Ms. Johnson Harris seconded the motion which carried 5-0-2, with Mr. Barton and Ms. Lewis abstaining.

C. LIST OF SITE PLANS APPROVED ADMINISTRATIVELY

Mr. Barton sought clarification from Mr. Tolbert regarding what the Commission would see of the ACAC project; Mr. Tolbert stated they would see nothing, since it was approved administratively.

Ms. Lewis moved to approve the list of site plans approved administratively from August 1st through September 1st of '04. Ms. Firehock seconded the motion. The motion carried unanimously.

List of Site Plans Approved Administratively

8/1/04 to 9/1/04

1. File No. ACAC at old Ivy Industries Monticello Avenue
B-04-000023 Building

2. File No. The Ten Center 10th Street, NW
T-03-000013

3. File No. Oak Lawn Cottages 206-208 5th St., SW
T-04-000013

D. COMMISSIONERS' REPORTS

Mr. Fink stated the MPO Tech had not met. The Planning Commission's Nominating Committee met and selected nominees for Chair and Vice Chair. Ms. Johnson Harris stated she had not been notified of the meeting. Mr. Barton commended the Nominating Committee for expeditiously discharging its duties; however a vote could not be held until after new members were appointed to serve and all members on the nominating committee had met.

Ms. Hughes stated Mr. Neuman was attending the Albemarle County Planning Commission meeting to address an item regarding the University. She stated there was progress in studying the issue of transportation at the University as it relates to parking.

Ms. Lewis stated the Board of Architectural Review remained busy. She hoped that they would, in considering changes to the ordinance, eliminate the Charlottesville Planning Commission delegate position on the Board of Architectural Review. She stated that Mr. Tolbert was in support of the change.

Mr. Wood had not had any meetings to attend. He stated he would be looking forward to October. Mr. Barton clarified that Mr. Wood's eight years of service on the Planning Commission was about to end and Mr. Wood would not be seeking reappointment.

Ms. Johnson Harris stated two of her committees had not met. Regarding the School Projects, CHS renovations were still ongoing; Venable's exterior renovations were ongoing; Jackson-Via was in Phase II. She stated the Herman Key Memorial Tribute had presented a letter to City Council on September 7th; Council was impressed with the recommendation of naming the Ninth-Tenth Street connector or the downtown center in honor of Mr. Key. A suggestion had been made to meet with Mr. Key's neighborhood to receive their input. Mr. Barton commended Ms. Johnson Harris for the work she did organizing and shepherding the committee. Ms. Johnson Harris stated it had been an honor to serve in that capacity. She stated Mr. Key had touched the lives of everyone who served with him and knew him.

Ms. Firehock stated the City Park Advisory Board had met. There would be a celebration/dedication of the Greenway Trail on October 2nd. The City Streams Task Force had not met; a public hearing was set for September 20th. The committee would not meet until after City Council voted on the water protection ordinance.

E. CHAIR'S REPORT

Mr. Barton stated none of his committees had met. However, he noted the annual retreat was tentatively scheduled for October 31st; it was hoped City Councilors would be able to attend as well. The Jefferson School Task Force had been discharged by Council for completing its work; the City was seeking a preservationist and architect. Mr. Barton, noting that there were several issues needing work sessions, proposed setting aside a standing monthly date of the fourth Tuesday of each month from 5:30 to 7:00 as work sessions; if a work session was not needed, they would not meet. The commissioners agreed to this.

Mr. Barton asked Mr. Wood to stand. Mr. Barton stated it was his great honor to read a proclamation from the Planning Commission to Mr. Eldon Wood whose service began September 10, 1996 and continued to September 14, 2004. The proclamation read as follows:

"Whereas, we recognize with gratitude your eight years of service and dedication to our community and this Commission; Whereas, we recall your excellent work in representing the Planning Commission on the Meadowcreek Parkway Design Committee; Whereas, your service on the Urban Design Committee has greatly enhanced the community; Whereas, your service on various subcommittees during the Comprehensive Plan and new Zoning Ordinance process, as well as your consistent participation in development review meetings has greatly benefitted the community; and Whereas, we also recognize the gifts of attention to detail and the design conscience which you have brought to this Commission, Therefore, be it resolved that we do this date, September 14, 2004, extend to you our sincere appreciation for your service as one of us and wish you continued in success in all of your endeavors."

Mr. Barton thanked Mr. Wood and stated he would miss his sage advice and dry wit. Mr. Wood stated it had been a pleasure.

II. JOINT PUBLIC HEARINGS

F. JOINT PUBLIC HEARINGS

1. Proposed Changes to the City Parking Ordinance: Proposed changes to the City Code parking ordinance, Chapter 15, Article V, to provide for notice and comment on permanent parking changes and to permit citizen petitions.

Mr. Tolbert gave the staff report. The proposal had been discussed at the August meeting upon referral by City Council. Mr. John Yellott had broached the matter to Council to allow more participation in decisions made regarding permanent changes to parking. All permanent changes would require written authorization of the Traffic Engineer; the Traffic Engineer, Police and Fire Officials are authorized to devise temporary or emergency changes; for permanent changes, notice would be posted and a two week comment period would be established; citizens may also petition for changes. Temporary changes and citizen petitions were already allowed. Staff supports the ordinance changes; however, staff is concerned about how to post notices. Mr. Tolbert asked that, if they were to recommend City Council adopt this, the approval include a suggestion that Mr.

Tolbert and Mr. Yellott have a proposal that would state administratively how to handle notice. Mr. Tolbert was concerned about over burdening staff by the notice issue.

Ms. Lewis sought clarification as to Mr. Tolbert's change of opinion since July. Mr. Tolbert stated he had been able to speak with Mr. Yellott and with Staff since the July memo. His only concern was staff time.

Mr. Caravati sought clarification as to why the sheriffs had been excluded and suggested staff contact the Albemarle County Circuit Court and the Juvenile and Domestic Relations Court staff for their input.

Ms. Lewis asked if the proposal had gone before the City Attorney's Office. Mr. Tolbert stated Mr. Brown had reviewed it before it was sent to Mr. Tolbert.

Mr. Barton opened the public hearing.

Mr. John Yellott, of 311 East Market Street, spoke in favor of the proposal. He addressed the matter of how much work would be involved in the change. The ordinance would apply to major permanent changes. He suggested each neighborhood association designate a local parking expert. This person would notify the neighborhood.

Mr. Barton called for questions of Mr. Yellott.

Mr. Barton sought clarification that notification would be done by the relevant or affected neighborhood organization. Mr. Yellott concurred.

Ms. Lewis sought clarification of the change of notification from 72 hours to one month for temporary changes. Mr. Yellott explained that three days was not enough notice. Changes brought on by construction would be covered by a different section of the ordinance.

Dr. Brown expressed concern about relying on notification by a neighborhood designee. Mr. Yellott suggested posting a notice on a telephone pole. Mr. Tolbert explained those were illegal. Mr. Tolbert stated that if the ordinance read, "By written notice delivered to residents," it was their responsibility to ensure delivery happens. Delivery must be proven.

Ms. Firehock was concerned about having a neighborhood designee post notice for a large neighborhood; this could not be done on short notice. She suggested posting notice on the site for so many weeks and assume that those who would be concerned would take notice. She did not want to put burden on the City.

Ms. Johnson Harris supported Mr. Caravati's statement about including the sheriff. She expressed concern about dual parking since Court sometimes ran into the evening and since there was a possibility of establishing Night Court.

Mr. Barton supported Ms. Firehock's suggestion of posted signage at the affected site. Mr. Barton wondered if they would want to limit the number of repeated requests for temporary parking on a specific site. With no other members of the public wishing to address the matter, Mr. Barton closed the public hearing.

Mr. Barton stated the options before the Commission: discussion with a vote on the text as submitted; conditional approval based on conditions, which would be suggested to Mr. Tolbert; or deferral until the final text was before the Commission. He asked if the changes represented by the discussion were substantive enough that they were not comfortable approving the document although they may approve of the concept.

Mr. Wood felt this was not something that needed immediate action. He suggested taking a month to collect recommendations the Commission had and vote at the next meeting. Mr. Barton suggested they discuss the issue to provide Mr. Yellott and Mr. Tolbert with a sense of the opinion of the Commission to guide them in structuring the language of the proposal.

Ms. Lewis supported Mr. Caravati's addition of the Sheriff to authorize a temporary parking change. She wanted to see the neighborhood associations notified of changes but not relied on for notice. She wanted a two week period between posting of notice and the deadline. She wanted "residents and businesses" changed to "property owners and residential and business occupants." Ms. Lewis wanted "emergency parking changes" defined. She thanked Mr. Yellott for his perseverance in supporting this change. Ms. Lewis felt this was a great example of citizen initiative.

Mr. Fink echoed Ms. Lewis' comments. He also wanted temporary signs allowed for less than one month without a repeat. He also supported Ms. Firehock's and Mr. Caravati's suggestion of posting notice at the location.

Ms. Firehock asked that "pertinent block" be defined for purposes of delivering written notice. Mr. Tolbert stated the permit parking definition of a block would be used.

Ms. Lewis moved to give a consensus of the Commission that they generally support the changes to the City's parking ordinance and would defer voting on this so that Staff could incorporate all of their comments and gather further comments from Commissioners, Councilors, and the public and bring this back for further consideration at the October meeting. Ms. Firehock seconded the motion. The motion carried unanimously.

2. Closing portion of alley off of Tenth Street, Northeast: A petition to close a portion of the 15 foot wide alley running east 180 feet from Tenth Street, Northeast behind 100 Tenth Street, Northeast.

Ms. Creasy gave the staff report. The applicant has one property under contract and is in the process of purchasing the other two parcels. The applicant plans to combine the parcels in order to build a mixed use development. The City holds no title to the alley; however, public rights could be present. The closing is requested to resolve whether the property within the alleyway can be counted as part of the density calculation for the proposed development. Neighbors have expressed concern because they do not want to lose access they currently have. The applicant is prepared to deed a permanent access easement to all adjacent property owners. Staff concludes vacation of the alley would be consistent with the City Council policy on street closings if an access easement is placed to allow for continued access by adjacent owners, and would be consistent with the City's Comprehensive Plan. It is possible the development could move forward without the alley closing. The applicant still has the ability to develop the parcels without the alley closing. Granting a permanent access easement could address the concerns about access to the property. The applicant met with the neighbors to discuss the closing. Staff recommends approval if the applicant continues to work with the adjacent property owners to provide the permanent access easement to all who live along the alley. Establishing this agreement is the responsibility of the private owners and should be completed at the time of final approval of the alley closing and submitted for recordation at the same time.

Mr. Barton called for questions of Ms. Creasy.

Mr. Wood sought clarification of the available property within the alley. Ms. Creasy stated it would allow the applicant three development rights and was crucial to the design put forth at this time.

Ms. Lewis asked if the fair market value would be diminished by the easement to adjacent owners. Ms. Creasy concurred.

Mr. Barton called upon the applicant.

Mr. Joe Milby, of 120 Woodstock Drive, was present with his attorney, Ms. Tara Boyd, Esquire, of LeClair Ryan.

Ms. Boyd stated Mr. Milby had been before the Commission before and had been asked to get the neighbors on board with his proposal. He had met with the neighbors and reconfigured the location of the proposed buildings so none would be located on the alley.

Mr. Barton called for questions of the applicant.

Mr. Fink asked if a draft of the easement had been prepared. It had not since the neighbors wanted to meet with their own counsel first.

Mr. Barton opened the public hearing.

Ms. Joan Carpenter, of 2570 Holly Knoll Road, read a prepared statement expressing concern about the proposed access easement. She also presented a letter from the Charlottesville/Albemarle Rescue Squad regarding access to the rear.

With no other members of the public wishing to speak, Mr. Barton closed the public hearing.

Mr. Barton called for questions and comments from the Commissioners.

Mr. Fink stated he would be inclined to support the alley closing but he would like to see a draft document for the access easement. He also wanted the neighbors to review the draft document and sign off on it. Mr. Fink was concerned about the assigned valuation and asked that it be revisited.

Ms. Firehock clarified for Ms. Carpenter that once the alley was closed, the access easement would be permanent.

Ms. Lewis reiterated that a permanent easement could not be revoked.

Mr. Barton stated they were not reviewing the site plan at this meeting; however, he asked that the site plan come before the Commission due to some of the concerns expressed.

Ms. Lewis concurred with the Chair. She was concerned about the absence of the adjacent property owners. Ms. Lewis also felt it would help to have their signatures on the deed of easement and a maintenance agreement.

Ms. Lewis made a motion to defer and allow the applicant an opportunity to draft a deed of easement and maintenance agreement, present that to the owners and their council, and once that is fully signed by the neighbors or current owners and the applicant that be presented to the Commission and they then could proceed to vote on the closing of this alley. Ms. Lewis stated it was unclear at this point and, absent that, she would vote to deny the proposal. She stated the desires of the neighbors had been a strong precedent on these matters in the past. Mr. Fink asked Ms. Lewis to restate her motion. Ms. Lewis moved to defer to give the applicant an opportunity to draft and negotiate a deed of easement and road maintenance agreement with the adjoining owners that would be benefitted by such a deed of easement; once that is fully signed and negotiated and ready for recordation, the applicant could return to the Charlottesville Planning Commission and they would vote on closing this alley. Ms. Johnson Harris seconded the motion. Mr. Fink offered a friendly amendment to add the phrase "irrevocable deed" [sic]. Ms. Lewis clarified that deeds of easement by their nature are irrevocable, but if it would make people feel better, she would add "irrevocable." Ms. Johnson Harris as seconder also accepted the friendly amendment. The motion carried unanimously.

3. CP--4-8-15: Amendment to the Comprehensive Plan, Chapter Three, Demographics, Housing and Education, and the Key Actions portion of Chapter Fourteen to include data updates from the 2000 US Census and revised comments on the status of actions.

Mr. Barton stated Mr. Tolbert had asked to pull this item from the agenda. There continue to be some issues of language that are being reviewed by the City Attorney's Office and as a result, the document is not fully ready for vote and approval.

Ms. Lewis asked if comments could be submitted to Neighborhood Development Services before the end of the month. Mr. Tolbert concurred.

Mr. Barton closed the Joint Public Hearing. He then stated a brief recess would be allowed.

The Commission stood in recess from 8:12 to 8:16 p.m.

Mr. Barton reconvened the meeting.

III. REGULAR MEETING ITEMS (CONTINUED)

G. SITE PLANS

a. RiverBluff PUD -- North end of Riverside Avenue -- 22 new units.

Mr. Tolbert gave the staff report. The site had been rezoned in April and had been undergoing the site planning process and site plan review. The proposal has met all site plan requirements. Three points remained to be addressed including bonding required for the right of way work. The fire department requested removal of four parking spaces on the entrance drive into the property; the applicant has agreed those would be removed when the final plat is submitted for signature. Staff recommends approval as they believe this meets all the conditions of a PUD. Mr. Barton recognized the applicant.

Mr. Richard Price, of 321 Park Way, had given a conceptual design packet to the Commissioners. Also present with Mr. Price was Mr. Allan Franklin, representing the engineer.

Mr. Fink asked if they could give assurance that the applicant would be able to secure access to the Greenbelt Trail. Mr. Price stated he shared their concern. He stated that a current access which was in the floodway would be moved up the hill so a gate could be placed. He stated it would be posted no trespassing.

Mr. Barton sought clarification regarding the storm water waiver. Mr. Price stated there were specific requirements in the zoning ordinance; the Code provides for a waiver to provide storm water quality instead of just quantity. Mr. Price stated the City Engineer had signed the waiver. Mr. Barton sought clarification that the conditions of the waiver were expressed on page 11. Mr. Price concurred.

Ms. Firehock made a motion to approve this site plan as submitted. Ms. Lewis seconded the motion. Mr. Fink offered a friendly amendment that they take into account the bullet points in the staff recommendations which included the bonding, the removal of the four parking spaces, the draft language for the homeowners association agreement, as well as making sure the detail on page SK-1 is amended or incorporated into the final site plan. Ms. Firehock and Ms. Lewis accepted the friendly amendment. Mr. Higgins called the question. The motion carried unanimously.

b. Willoughby Townes -- Fifth Street, Southwest at Harris Road -- 46 new townhomes

Mr. Tolbert gave the staff report. This site plan had been before the Commission several times. By right the property would allow 78 units; the applicant proposes 46. The applicant needs to submit three copies of the ENS plan. Staff would like noted in approval that a portion to the north of the site has some illegal fill; the applicant, NDS and DEQ have been working to clean it up. Staff asks that professional engineering be submitted for those portions of the development that will be on the fill area. As heard earlier in the meeting, Mr. John Via has an outbuilding, which sits partially on the property; this should not hold up the site plan. Two conditions are proposed by the City Attorney's Office: (1) With respect to any lots subject to a title dispute raised by an adjacent property owner, approval should be conditioned upon confirmation by the developer that the lots that are the subject of that dispute will meet all site plan requirements; and, (2) With respect to any portion of the development that proposes to utilize property that is currently a part of Old Fifth Street, approval should be conditioned upon the developer's obtaining Council's approval of the street closing, and satisfaction of any conditions precedent to the effective date of the closing. With those two conditions and the bullet points in the memo, Staff recommends approval.

Ms. Firehock asked if litigation would be involved in the property dispute. Mr. Tolbert stated there had been a survey; the fence was on the applicant's property. The issue was whether the Vias had gained that portion of the property through adverse possession. Mr. Tolbert explained that the applicant would need to prove they could meet the requirements with or without the property in question.

Ms. Lewis expressed concern over the access of emergency vehicles. Mr. Tolbert stated it met the street standards.

Mr. Barton recognized the applicant.

Mr. Frank Baliff, of Southern Development, explained that changes that had been made due to the change from condominiums to townhomes. Traffic restrictions would be up to the homeowners association. He reiterated they had met with DEQ about the illegal dump site. All illegal items would be removed and disposed of properly. Four units would be marketed through Piedmont Housing Alliance. Storm water facility maintenance would be conducted yearly by a licensed professional engineer. He also stated the ENS plans had been submitted. He felt Mr. Via did not have adverse possession of the section of property in question; he would work the matter out with Mr. Via.

Mr. Barton called for questions of the applicant.

Ms. Lewis asked if the maples and poplars could be saved. Mr. Bailiff stated they could not because of the grading; the tree protection plan was part of section S4 in the proposal.

Mr. Barton expressed concerns about tree protection during the development. He stated he was not prepared to move forward on this until there was assurance that there would be protection. The applicant stated they could use a safety fence and flag trees to be protected.

Ms. Lewis stated she would be more concerned about Mr. Via's interest if this were a rezoning or if they had broader discretion in what they were doing. She felt the confident that the building encroachment could be settled in a neighborly fashion. She stated they did want to be sensitive to any neighbors that are affected by plans of development that come before them. Ms. Lewis felt the applicant had dealt with the previous comments of the Commission.

Mr. Fink felt the applicant had been sincere and diligent.

Ms. Johnson Harris concurred with her colleagues as did Ms. Firehock.

Mr. Fink moved that they approve the site plan, Willoughby Townes, based on the following conditions: the bullet points the City put forth -- the City will need a professional engineer letter with the new buildings that will be built over the area of the illegal landfill; that the City Attorney and the applicant's attorney work together for appropriate language for a homeowners association document that will cover fees and all the necessary items of that document; that the applicant files a tree protection plan that is reviewed by the Department of Neighborhood Development Services and signed off on -- as well as two conditions that were given to them at a late hour: that any title disputes will be solved between adjacent property owners and that the resolution of the old Fifth Street is brought before City Council for a final decision and approved by City Council.

Ms. Kelley clarified the condition about the title; the intended recommendation was that Neighborhood Development be able to confirm that regardless of any dispute there was enough property there for a

legal lot and not necessarily that there is title one way or another. Ms. Kelley stated approval should be conditioned upon confirmation by the developer that the lots that are the subject of any dispute raised by Mr. Via will meet all site plan requirements such as lot size, setbacks, that sort of thing. Mr. Fink stated they would take that condition as written and presented to the Commission. Mr. Barton clarified that Neighborhood Development Services was to review the developer's material of confirmation and asked that the condition state "confirmation by the developer and Neighborhood Development Services." Ms. Kelley concurred. Ms. Firehock seconded the motion. The motion carried unanimously.

H. PRESENTATION OF REZONING CONCEPTS/DISCUSSION OF ISSUES

Mr. Tolbert reminded the Commissioners that this was to be an informal discussion within the limited time to review the submission. Mr. Barton also stated this was not a moment for entertaining public comment; public comment would be allowed when the matters came to a joint public hearing.

1. Locust Lane Cottages PUD -- 1141 St. Clair Avenue and Locust Lane -- five cottages

Ms. Creasy gave the staff report. This is a rezoning request from R-1S to PUD. The property has a one story frame dwelling on .301 acres. The proposal is to remove the existing structure and construct five detached urban cottages with two stories and usable attic space. There are no proffers or waivers at this time. The open space amount is 19.7 percent.

Mr. Daniel Walter, of 523 Rose Valley Farm, Crozet, thanked the Commission for hearing him. He had met with Staff, Councilors and private residents; all agreed there was a need for unique housing that fits the scale of existing neighborhoods. He felt the backyard cottages did just that. He felt this was responsible development for the city.

Mr. Fink expressed concern that the neighborhood is largely single family homes on quarter-acre lots while the proposal is for two-story homes with attics. He sought clarification as to how that fit the scale of the neighborhood. Mr. Walter felt the footprint of the homes had to be considered. By right, two houses of 4,000 or 5,000 square feet could be built. Mr. Walter felt that would not fit the scale of the neighborhood.

Mr. Barton asked that the applicant charge his architects with looking at other models that reduce the number of footprints on the site and consider the volume as well. The proposal seems isolated from the neighborhood. Mr. Barton did not feel this was the only way to develop this site. He felt it was too dense.

Ms. Firehock concurred with Mr. Barton. She expressed concern about the location of the project.

Mr. Fink expressed his discomfort with the spirit of the PUD. He felt it was too dense.

Mr. Barton felt the spirit of the PUD was thoughtful, careful, knitting of new design into the existing fabric of the neighborhood.

Ms. Lewis stated there had been support for the applicant's previous designs because they had seemed more compatible with the neighborhoods they were in. She was not certain she could support something that was two story.

2. Belmont Cottages PUD -- 217 Douglas Avenue -- five cottages

Mr. Tolbert gave the staff report. This was a proposal to rezone from R-2 to PUD. The site is 9570 square feet. It is bordered by Douglas Avenue, Third Street and an unimproved street with a 20 foot right of way and graveled alley. The proposal is for five single-family units, each two-stories in height with an average footprint of 600 square feet. There would be six parking spaces for the five units. This part of Belmont has a large number of rental properties; most are larger homes converted to apartments. Staff suggests the applicant provide building elevations perspectives to indicate how this development is in scale and character with the current development and how five units on one lot is in character.

Mr. Walter gave a brief presentation. The existing house had structural problems and it would benefit people if it were not there.

Mr. Fink felt this concept was more amenable. He felt parking was inadequate. He liked the idea of affordable housing.

Ms. Firehock felt this area was highly walkable. She liked the diversity of the housing.

Ms. Lewis thought the two applications were a study in the feel of a rezoning and whether or not a PUD works in a neighborhood. She felt this one worked better than the previous one.

Mr. Barton wondered why there must be five units on the lot. He also expressed concern that the design was relegated to the construction of the facade; a significant part of the design is the design of the site plan. Mr. Barton also asked that the applicant bring drawings and digital photography as part of the PUD materials.

Ms. Firehock asked the applicant to bring a vegetation plan as part of the materials.

I. DEPARTMENT OF NDS/STAFF REPORTS

Mr. Tolbert stated that Ken Schwartz would present the Area B Study recommendation at the October meeting.

Mr. Tolbert said he and Ms. Scala would be meeting with Mr. Frazier about design guidelines.

Mr. Tolbert stated that City employee Scott Hendrix had designed the school sign on the bypass.

Mr. Fink wanted to acknowledge the contribution of Eldon Wood. Mr. Wood had been very valuable in Mr. Fink's tenure on the Planning Commission.

Mr. Barton stated he and Mr. Tolbert would be contacting members regarding forming a committee which will meet once with Councilors to discuss the Comprehensive Plan and the public processes which will be used to vet it.

Ms. Johnson Harris moved to adjourn and reconvene on Tuesday, October 12 at 6:30 p.m. Mr. Fink seconded the motion. The motion carried unanimously whereupon the meeting stood adjourned at 9:56 p.m.

Respectfully submitted,

Mr. James E. Tolbert, Secretary

Approved,

Mr. Craig Barton, Chair