

**DRAFT MINUTES
CITY OF CHARLOTTESVILLE
PLANNING COMMISSION
TUESDAY, 12 APRIL, 2005 -- 6:30 P.M.
CITY COUNCIL CHAMBERS**

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

Ms. Cheri Lewis, Chair Staff Present:

Mr. Kevin O'Halloran, Vice Chair Mr. Jim Tolbert, AICP, Director NDS

Mr. Craig Barton Mr. Ron Higgins, AICP, Planning Manager

Mr. Jon Fink Ms. Ashley Cooper, Neighborhood Planner

Ms. Karen Firehock Mr. Brian Haluska, Neighborhood Planner

Ms. Kathy Johnson Harris Lisa R. Kelley, Deputy City Attorney

Mr. Bill Lucy Mr. David Neuman, UVA, Office of the Architect

City Council Members Present:

Mr. David Brown, Mayor

Mr. Kevin Lynch, Vice Mayor

Mr. Blake Caravati

I. REGULAR MEETING

Ms. Lewis called the meeting to order at 6:31 p.m. She informed the public that item I-1, the Moore's Creek Subdivision had been withdrawn by the applicant.

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

Ms. Lewis called for matters not on the agenda.

Mr. Wayne Cabell, of 133 Baylor Lane, spoke on behalf of the Ridge Street Neighborhood Association. He thanked Mr. Velente for withdrawing the Moore's Creek Subdivision and urged him to work with the neighborhood in the future to address issues relating to streets, slope and the environmental impact of the plan on the neighborhood. He asked that those people who were present and concurred with him to please stand.

B. MINUTES

March 8, 2005 -- Regular Meeting

Ms. Lewis called for review of the draft minutes.

Ms. Lewis and Mr. O'Halloran noted two typographical errors. Mr. Barton asked that the word "pedestrian" be inserted after the word "better" in the second line of the third paragraph from the bottom on page 4. Mr. Fink asked that the phrase "a potential" be added before "impact" in the fifth sentence from the top of page 4. Ms. Johnson Harris asked that "different communities" be changed to "diverse communities" on page 4. Ms. Lewis asked that on page 11 the minutes note her support of the application because of the natural topography that lent itself to subdividing. Ms. Firehock asked that the third line down on page 10 include "Ms. Firehock suggested that there are other designs that

can be used besides a concrete ditch and requested that staff and the developer work together to come up with a more environmentally friendly design solution." Ms. Firehock also noted that the word "street" on page 3 should be "streams"; she also asked that the phrase "on options for improving the City's environment" be added to that sentence.

Mr. Barton moved to accept the minutes as revised. Mr. Fink seconded the motion. The motion carried unanimously.

C. LIST OF SITE PLANS AND SUBDIVISIONS APPROVED ADMINISTRATIVELY

Ms. Lewis sought clarification regarding the Omni Hotel Terrace amendment. Ms. Cooper stated approval had been granted for the doors on the side of the addition; she had also heard from a contractor about tree protection.

Ms. Lewis asked if there was a motion to accept the list of site plans. Mr. Barton so moved. Ms. Johnson Harris seconded the motion. The motion carried unanimously.

LIST OF SITE PLANS APPROVED ADMINISTRATIVELY

3/01/05 to 4/1/05

1. File No. 581 Omni Hotel Terrace 235 West Main Street
Amendment (at west end of Mall)

LIST OF SUBDIVISIONS APPROVED ADMINISTRATIVELY

3/01/05 to 4/01/05

1. "Riverbluff" PUD 22 New single-family lots
end of Riverside Avenue at P2S Properties, LLC
Riverview Cemetery Final
File No. 1337
Final Signed: 3/8/05
2. "Union Tire" Lot, Division of TM 41C-3.1 One (1) new Commercial lot
200 Seminole Court Mosby Realty, LLC, et al.
File No. 1338 Preliminary & final
Final Signed: 3/24/05

D. COMMISSIONERS' REPORTS

Mr. Barton stated PACC Tech was scheduled to meet later in the month. He expressed his interest in the work on the Jefferson School as he had been a member of the task force.

Mr. Fink stated the Transportation Funding Options working group, an offshoot of the MPO Tech Committee, had met. They were focusing on the Meadow Creek Parkway and the interchange with the Meadow Creek Parkway as it terminates into McIntire and the Hillsdale connector. Ground is expected to be broken on the Meadow Creek Parkway as soon as the end of 2006 with a completion date in 2008.

Mr. O'Halloran had no report as his committees had not met.

Mr. Lucy reported the BAR was still wrestling with changes to the amphitheater design.

Ms. Johnson Harris had no report as her committees had not met.

Ms. Firehock stated the City Streams Task Force had received a report from the consultant who presented many recommendations for improving stormwater management.

E. CHAIR'S REPORT

Ms. Lewis stated the Thomas Jefferson Planning District Commission had met at the Monticello Library; they were trying to refine the mission of the TJPDC.

Ms. Lewis reminded the Commissioners that a work session would be held May 3rd to finish up the Entrance Corridor Guidelines. A joint work session would be held May 12th with City Council to discuss the Comprehensive Plan; three Comprehensive Plan Neighborhoods meetings were planned for April 14, 20, and 25.

F. ANNUAL PLANNING AWARDS FOR 2005

In the absence of some award recipients, Ms. Lewis moved on to the next agenda item.

G. PRESENTATIONS

1. Fontaine Avenue Design Alternatives -- RPG

Mr. Ken Schwartz, Director of Design for Renaissance Planning Group, gave a PowerPoint presentation. Mr. Schwartz thanked Mr. Higgins for helping to guide the project through. He also thanked Lee Wilkerson, of RPG, who did a great deal of the work on the presentation.

F. ANNUAL PLANNING AWARDS FOR 2005

Ms. Lewis returned to item F. She stated two new award categories had been created. Ms. Lewis then called for Mrs. Felicia Key and Mrs. Martha Wood. Ms. Lewis wanted to inform everyone of how important the people were for whom the new awards were named: Herman Key and Eldon Wood were members of the Planning Commission who passed away in the past year. Their absences will be felt but their effect will be felt for a long time to come. They were great contributors in very different ways to the Planning Commission.

"Eldon Wood was a man of few words but those few words were well chosen. Mr. Wood's service on the Commission was a yardstick for all members. He not only served on the Planning Commission for eight years, he also served in many ways, contributing as a Commissioner behind the scenes. He attended a lot of preliminary site review plans. He was willing to get together with applicants and make their designs better. He was really dedicated to having a good design product at the end of the decision process. He would be remembered as a quiet person who worked behind the scenes in a very professional way to give good plans of development in the City.

Herman Key was a very special person. His friendship meant a lot to many on the Commission. With every application considered, he always reminded the Commission of the impact of their decisions on every household in the City. For everyone on the Commission and for all decisions that are made from this point forward into the future, all decisions will always be considered using the word "visitability" as Mr. Key always asked if the projects were worthy of visitability standards."

Ms. Lewis stated one of the new awards to be presented was the Eldon Fields Wood Design Professional of the Year Award. Mrs. Wood was then presented with a memorial plaque. Ms. Lewis stated the other new award was the Herman Key Access to the Disabled Award. Mrs. Key was then presented with a memorial plaque.

Mrs. Wood thanked the Commission for the honor for her husband.

Mrs. Key read a statement of her husband's take on life: "We are all called to travel on the same road and in the same direction. We need to stay together both outwardly and inwardly. Everything we are and think and do is permeated with oneness. Those in any public office should serve with their eyes open, keeping each other's spirits up, that no one falls behind or is left out; that as leaders we would know that what to say and what to do and have the courage to say it at the right time." Mrs. Key then thanked the Commission for remembering her husband.

The Herman Key, Jr., Access to the Disabled Award was presented to Belmont Lofts at Douglas Avenue for their design, attention to accessibility, ease and visitability within the entire building. The award was given to the developer, Stonehouse Development, and to the architects, Wardell Associates. Mr. Bruce Wardell accepted the award.

The Eldon Fields Wood Design Professional of the Year Award was presented to Jim Kovach and Katie Swenson, co-founders of the Charlottesville Community Design Center in recognition of the effort of design professionals in furthering the cause of good design in our community. The Charlottesville Community Design Center has done much to improve the community and foster dialog in the community about the benefits of good planning and design. Mr. Kovach and Ms. Swenson accepted their awards.

The Plan of Development Award was presented to the Paramount Theater in recognition of a superior plan of development. The award was given to the Board of the Paramount.

The Neighborhood of the Year Award was presented to the Starr Hill Neighborhood for their work in the preservation and reuse of the Jefferson School and for all the work in the community's removal that is gone towards getting away from CDBG eligible status area. The award was given to the Neighborhood Association officers/representatives.

The Citizen Planner of the Year Award was presented to Melanie Miller, Martha Jefferson area, for her excellent communication on behalf of the neighborhood, her tireless work in researching and helping to implement the neighborhood's CIP request and for her leadership as president of her association in organizing neighborhood discussions on the future of the neighborhood issues such as historic designation. Ms. Miller accepted her award.

II. JOINT PUBLIC HEARINGS

H. PUBLIC HEARINGS

1. ZM-04-2-4: An amended petition to rezone from R-1S Residential to Planned Unit Development (PUD), with proffers, the properties at 1014 Druid Avenue. These properties are further identified on City Real Property Tax Map Number 60 as portions of parcels 124-A and 125, Lots 7 and 16-19, having collectively 48 feet of frontage on Druid Avenue, 192 feet of frontage on unbuilt Stonehenge Avenue and containing 30,172 square feet or .69 acres of land. The general uses allowed in the current R-1S

zoning are single-family detached dwellings at 7 units per acre. The PUD designation would permit the development of five detached residences instead of the ten attached residences submitted in early 2004, bringing the site total to five units, for a total density of 7.2 units per acre. The general uses called for in the Land Use Plan of the Comprehensive Plan are single-family residential at three to seven units per acre.

Mr. Higgins gave the staff report. The project underwent PUD review a little over a year ago. All standards which were met and approved in the previous PUD proposal were met or exceeded in the current application; the primary differences, access and parking, are essentially the same but were reconfigured on a smaller scale for fewer units.

Ms. Lewis recognized the applicant.

Mr. Andrew Thomas, of 1014 Druid Avenue, reiterated there were five detached units in this proposal rather than the ten attached units of the original proposal. The proffers previously submitted were being presented with the current proposal.

Ms. Lewis called for questions of the applicant.

Mr. Fink sought clarification the applicant planned to use a biofilter. Mr. Thomas concurred as he anticipated there would be less run off because there was less impervious area.

Ms. Firehock wanted to know the rationale behind changing the site plan. Mr. Thomas explained single-family detached homes were more marketable.

Ms. Lewis opened the public hearing. With no one wishing to speak to the matter, she closed the public hearing.

Ms. Lewis called for further discussion from the Commissioners. There was none.

Mr. Fink felt the density was appropriate for the neighborhood.

Mr. Barton felt the character of the new project will be closer to the character of the existing property. However, he felt the current proposal did not meet the same standards with the same level of ingenuity and vigor.

Mr. Barton moved to recommend approval of this application to rezone the property from R-1S to PUD on the basis the proposal would serve the interests of the general welfare and good zoning practice; he asked that the approval be conditioned by staff's recommendation. Ms. Firehock seconded the motion. The motion carried unanimously.

2. ZM-05-3-5: A petition to rezone from R-2U Residential to Planned Unit Development (PUD) the properties on the north side of John Street at its east end adjacent to the Dominion VA Power substation and Venable School field. The property is further identified as City Real Property Tax Map Number 4 as parcels 277-1E through 277-1H, having 196 feet of frontage on John Street and containing, collectively, 19,305 square feet of land or .44 acres. The general uses allowed in the R-1S zoning are single-family detached houses at seven units per acre. The PUD designation would permit six attached units at 13.6 units per

acre. The general uses called for in the Land Use Plan of the Comprehensive Plan are single-family detached residences at three to seven units per acre.

Ms. Cooper gave the staff report. The four lots are currently vacant. The application was originally submitted in 2003 under the previous Zoning Ordinance. In 2002, the City agreed to convey the lots to Piedmont Housing Alliance, the applicant. The townhouses would consist of two groupings of three. Twenty-four percent of the lot was proposed for open space; the minimum required is 15 percent. The applicant would need to extend John Street. Private backyards would be provided.

No public comments had been received. Staff recommends approval because the application encourages development of equal or high or higher quality than otherwise required by Zoning regulations; encourages innovative arrangement of buildings and open spaces to provide efficient, attractive, flexible and environmentally sensitive design; provides a variety of housing types; encourages clustering of dwellings.

Mr. Mark Watson, Director of Project Development for Piedmont Housing Alliance, and Gate Pratt, of Limehouse Architects, were present.

Mr. Watson stressed that the project provides a new urban model which was more pedestrian oriented and visitable. The project would provide much better backyard and off-street parking situations for four units already constructed on Page Street. The development straddles a line between the Tenth and Page and the Venable neighborhoods.

Ms. Lewis called for questions of the applicant.

Mr. Barton sought clarification of the visitable nature of the project in light of the ten foot elevation grade change. Mr. Watson stated the proposed vest pocket park had been designed specifically to allow disabled individuals to get to the back of the units.

Mr. Barton also queried the fact that over half of the 48 feet in the backyard was covered with impermeable surface; he wondered if that could be reduced. Mr. Watson stated it was possible since they had been investigating some possible surfaces for the walk.

Ms. Lewis opened the public hearing. With no one wishing to speak to the matter, she then closed the public hearing and called for comments from the Commissioners.

Mr. Barton felt the project met all of the evaluative criteria of the existing and proposed zoning in an innovative and progressive way. He was in favor of moving forward with the application.

Mr. Caravati expressed concern that the affordable units would be based on 80 percent of the median income of the area rather than 80 percent of the median income in Charlottesville, which had been the requirement in 2002. He asked the Commission consider the issue.

Ms. Firehock, while she concurred with Mr. Caravati, stated it was her understanding that the Commission did not have legal authority to mandate affordability.

Mr. Fink moved to recommend approval of application ZM-05-3-5 to rezone property from R-2U to PUD as submitted on the basis that the proposal would serve the interests of the general public welfare and good zoning practice. Mr. Lucy seconded the motion. The motion carried unanimously.

3. SP-05-1-2: An amended application for a special use permit for higher density residential development with reduced setbacks and reduced parking on the property at 200-210 Fifteenth Street, Northwest adjacent to the CSX Railroad racks. This would allow for the construction of 52 units on this site instead of the 37 allowed by right (87 units per acre instead of 64 units per acre). This property is further identified on City Real Property Tax Map Number 9 as parcels 91, 92 and 93, having approximately 300 feet of frontage on Fifteenth Street, Northwest and containing approximately 25,570 square feet of land or .587 acres. The general uses called for in the Land Use Plan of the Comprehensive Plan are for higher-density residential at 12-87 units per acre.

Ms. Cooper gave the staff report. The application had been before the Commission in February. After a marketing study, the developer wanted to include a greater diversity of unit types of anywhere from one to four bedrooms. Ms. Cooper had discovered that the property actually consisted of .6 acres.

Mr. Jim Grigg, of Daggett & Grigg Architects, stated a Special Use permit had been granted for 41 three- and four-bedroom units. The new plan would remove 12 of the three-bedroom units and include 12 two- and 11 one-bedroom units.

Ms. Lewis opened the public hearing. With no one to speak to the matter, she closed the public hearing. Ms. Lewis called for comments from the Commissioners.

Mr. Fink did not think this fundamentally affected the project. He had no problems supporting the changes on the application.

Ms. Lewis asked if that were a motion. Mr. Fink concurred. Mr. O'Halloran seconded the motion. The motion carried unanimously.

4. ZM-05-3-6: A petition to rezone from R-2 Residential to Highway Corridor District the property at 1010 Linden Avenue. This property is further identified on City Real Property Tax Map Number 61 as parcel 50, having 175 feet of frontage on Linden Avenue and containing 21,375 square feet of land or .49 acres. The general uses allowed in the R-2 zoning are two-family dwellings at seven to 12 units per acre. The Highway Corridor designation would permit high-density residential and mixed use commercial. The general uses called for in the Land Use Plan of the Comprehensive Plan are commercial.

Mr. Haluska gave the staff report. The application was from MacFrazier, Inc., for rezoning. The request comes by a zoning violation; the property is currently being used as a commercial property. The area has traditionally been a mix of business and residential. The Comprehensive Plan designates this area as commercial. Staff recommends approval because the proposal encourages infill development of the same quality allowed by Zoning, the proposal is consistent with the Comprehensive Plan. Upon approval of the rezoning, the applicant would be required to submit a site plan for administrative review.

Mr. Tom Kavounas, owner of Albemarle Heating and Air, apologized. He stated he had been told the property had already been rezoned and he never checked. He stated someone had been hired to do a site plan.

Mr. Fink asked that some trees be added in the site plan.

Ms. Lewis opened the public hearing. With no one wishing to speak to the matter, Ms. Lewis closed the public hearing and called for comments from the Commissioners.

Ms. Firehock commended the applicant for apologizing.

Ms. Lewis was persuaded by the fact the Comprehensive Plan had it zoned commercial.

Ms. Firehock encouraged the applicant to look into permeable pavers and stated any environmental amenities he could consider in designing the site would be well received.

Mr. Barton moved to recommend approval of this application to rezone property from R-2 to HW as submitted on the basis the proposal would serve the interests of the general public welfare and good zoning practice. Ms. Johnson Harris seconded the motion. The motion carried unanimously.

5. ZT-04-5-12: An ordinance to amend and re-ordain the following sections of the City Code, Chapter 34 (Zoning Ordinance).

1. §34-82: Renders initiation of land-disturbance or construction without a permit unlawful.
2. S34-216: Division of the city into districts, correcting typographical errors.
3. §34-251: Amends regulations applicable to manufactured homes in flood hazard areas.
4. §34-253: Requires subdivisions and site plans to show base flood elevation data.
5. §34-273: Corrects addresses for protected properties; deletes properties situated within a district.
6. §34-275: Corrects an erroneous code section citation.
7. §34-280: Clarifies that certificates of appropriateness (COAs) do not serve as building permits.
8. §34-282: Clarifies application process for COAs in design control districts; eliminates requirement that exterior features be visible to view from public street.
9. §34-309: Clarifies that in entrance corridors (ECs), modifications of 25% or more of the gross area of a building require a COA.
10. §34-312: Conforms application procedures in ECs to those of BAR
11. §34-314: Conforms appeal process in ECs to those of BAR;
12. §34-353: Corrects typo to establish certain front yards as average of those on adjacent properties; deletes reference to uses not allowed in certain districts; and establishes side yards for non-residential uses in R-1S districts.
13. S34-354: Add R-1S to districts affected by this adjustment clause.
14. §34-367: Allows City Council to limit the number of bedrooms per dwelling in high-density developments, R-UMD and R-UHD districts
15. §34-420: Amends uses permitted within certain residential zoning districts
16. §34-480: Amends uses permitted within certain commercial zoning districts
17. §34-558: amends streetwall regulations (Downtown Corridor District)
18. §34-560: Establishes 21 DUA as min. density for Multi-family development; allows up to 200 DUA by special use permit (Downtown)
19. §34-562: Amends limitation on ground floor uses (Downtown)
20. §34-578: Reduces required step back from 15 to 10 feet; specifies how to identify a front primary street (Downtown Extended Corridor District)
21. §34-580: establishes 21 DUA as min. density for multi-family development (Downtown Extended)
22. §34-582: Increases maximum SF of residential use of mixed-use building, from 75% to 90% and amends limitation on ground floor uses (Downtown)

Extended)

23. §34-583: Deletes open surface parking limitation for certain uses (Downtown Extended)
24. §34-598: Reduces required step back from 15 to 10 feet (Downtown North Corridor)
25. §34-600: Applies density limitation of 43 DUA to mixed use buildings having 25% to 90% residential uses (Downtown North)
26. §34-602: Increases maximum SF of residential use of mixed-use building from 75% to 90% (Downtown North)
27. S34-618: Adjust the maximum amount of street wall to be on a property line
28. §34-619: Reduces from 25% to 10% the GFA of a mixed-use building that must be designed/occupied for non-residential use (West Main North Corridor)
29. §34-621: Applies density limitation of 43 DUA to mixed use buildings having 10% GFA designed/occupied for non-residential use (reduced from 25%) (West Main North)
30. S34-638: Adjust the street wall to be consistent with other amendments
31. §34-640: Reduces from 25% to 10% the GFA of a mixed-use building that must be designed/occupied for non-residential use (West Main South Corridor)
32. §34-641: Applies density limitation of 64 DUA to mixed use buildings having 10% GFA as non-residential use (reduced from 25%); allows up to 200 DUA by special use permit; and establishes 21 DUA as min. density for multi-family development (West Main South)
33. §34-642: Amends restriction on ground floor residential uses; increases from 20 to 50 the number of parking spaces that will be subject to surface parking limitations (West Main South)
34. §34-681: Allows use of landscaped buffer to separate parking areas from public streets (High Street Corridor)
35. §34-698: Reduces required step back from 15 to 10 feet (Neighborhood Commercial Corridor)
36. §34-738: Limits applicability of required setback to one primary street frontage (Highway Corridor District)
37. §34-758: Limits applicability of required setback to one primary street frontage (Urban Corridor District)
38. §34-778: Reduces required step backs from 15 to 10 feet; limits applicability of required setback to one primary street frontage (Central City Corridor)
39. §34-781: Reduces from 25% to 10% the GFA of a mixed-use building that must be designed/occupied for non-residential use (Central City Corridor)
40. §34-796: Amends the uses permitted within certain mixed-use corridor districts
41. S34-820: Corrects reference to "preliminary" site plan.
42. S34-821: Corrects reference to "preliminary" site plan.
43. S34-824: Removes city engineer from required signatures.
44. §34-827: Adds information required within preliminary site plans.
45. §34-828: Amends requirements for final site plan submissions.
46. S34-874: References standards for parking surfaces.
47. §34-932: Requires dumpsters to be screened by 6-foot opaque fencing, in developments subject to a site plan.
48. S34-972: Clarifying the language on front yard parking limits.
49. §34-973: Deletes repetitive parking waiver provision, substitutes reference to the parking waiver standards of §34-986.

50. §34-975: Precludes certain parking spaces from being designed to allow backing into street.
51. §34-976: Prohibits driveways from being located closer than 3 ft to adjacent property lines.
52. S34-982: Clarifies the requirement for drainage provisions for parking areas.
53. §34-984: Establishes off-street parking requirements for private ambulance companies.
54. §34-986: Requires planning commission to hear all requests for parking waivers.
55. S34-1050: Adds University Corner district to areas with projecting sign clearance requirement.
56. S34-1052: Corrects the references to design control districts.
57. §34-1101: Increases height that appurtenances may extend above rooflines; amends provisions specifying the circumstances under which porches may extend into required yards.
58. §34-1104: Clarifies relationship between zoning applications and the process of reviewing certificates of occupancy under applicable building code regulations; allows NDS to charge a fee for approval of certificates of occupancy for portions of a development.
59. §34-1123: Corrects typo by specifying lot area requirements for townhouses.
60. §34-1147: Allows expansion of certain non-conforming residential structures.
61. §34-1200: Adds a definition for "bedroom"; deletes unnecessary reference to balconies and porches from "yard" definitions (ref. proposed changes to §34-1101, above).

Mr. Tolbert stated this had begun as the six month review of the Zoning Ordinance in the fall of 2003. He stated many of the changes were due to typographical errors; some had included incorrect references to Section numbers; some were substantive changes.

Mr. Lucy felt they had not reached consensus about item 51, Appurtenances. Mr. Fink felt they had wanted to revisit that issue.

Ms. Firehock felt they had not reached agreement regarding the parking section of item 33 and asked that they pull it from the list. Mr. Barton concurred with Ms. Firehock.

Mr. Tolbert thanked the Commissioners for their diligent work on the review. Ms. Lewis thanked Council and Ms. Kelley for their input.

Ms. Lewis opened the public hearing.

Mr. Daniel Ortiz, of 411 Altamont Circle, thanked everyone for reviewing the ordinance. He felt most of the proposed amendments did improve things. However, he felt there was a serious flaw in the proposed amendment to 34-1101. He had submitted a six-page document regarding this proposed amendment.

With no one else wishing to speak to the matter, Ms. Lewis closed the public hearing and called for comments from the Commissioners.

Mr. Fink felt they should pull the proposed item 57 to be revisited at a later date. Mr. Lucy concurred.

Mr. Barton expressed concern about the formula for determining mixed use. Ms. Lewis concurred as she felt they had not given the new ordinance enough time to take root.

Mr. Lucy moved that they approve the changes to ZT-04-5-12, City Code, Chapter 34, the Zoning Ordinance as proposed in the agenda with 61 items, but for the time being withdrawing from consideration items 22, 25, 26, 28, 29, 31, 39, and 57 and 33C and all of 32 except that portion which

would allow up to 200 dwelling units per acre by Special Use Permit. Mr. Barton seconded the motion and offered a friendly amendment that the numbers cited by Mr. Lucy involved the numbers within the agenda and were not Section numbers. The motion carried unanimously.

II. REGULAR MEETING ITEMS (Continued)

I. SUBDIVISIONS

1. Moore's Creek Subdivision -- Velente Property
End of Baylor Lane - 29 new single-family lots

This item was withdrawn by the applicant.

J. PRELIMINARY DISCUSSIONS OF PUD SUBMITTALS

1. River's Edge PUD -- Phase II -- Five units
Riverside Avenue, East side

Mr. Haluska gave the staff report. The plan was submitted by the Rivanna Cooperative, LLC. The proposal was for the second phase of the River's Edge PUD.

Mr. Chris Hayes and Mr. Richard Price were present on behalf of the applicant. Mr. Hayes stated Phase II would be consistent with Phase I. They would be seeking the same setbacks which would be consistent with Phase I and with the rest of the neighborhood.

Mr. Fink expressed concern about the use of a biofilter in a flood plain.

Ms. Lewis asked if any of the Phase I properties had been sold. Mr. Hayes stated one was under contract. Ms. Lewis queried if there had been any challenge in obtaining homeowners insurance in a flood plain. Mr. Hayes stated they were not in a flood plain.

Ms. Firehock wanted to know the plans for the common area. Mr. Hayes stated there had been many plans under consideration; the current plan was for a pavilion placed at the midpoint for community gatherings.

K. DEPARTMENT OF NDS/STAFF REPORTS

Mr. Tolbert stated the Regional Hazard Mitigation Plan prepared by the Thomas Jefferson Planning District Commission was being presented for review by the Commissioners and would be on the May agenda.

Mr. Tolbert stated the 12 May work session would be a brainstorming session to discuss what would be the focus of the Comprehensive Plan in the coming year. This work session will be held after neighborhood meetings had been held.

Ms. Lewis, noting that Mr. Neuman had arrived after Commissioners' Reports had been given, asked if he would like to give a report.

Mr. Neuman stated Varsity Hall had been moved successfully. The University would be having some public sessions with the JPA Neighborhood later in April. In early May, the University would be having a work session with the Lewis Mountain Neighborhood. The University has resurrected the Master

Planning Council which involves the City and the County; this group was analogous to the Charlottesville Planning Commission and would be doing the same thing the Charlottesville Planning Commission was about to embark on in terms of the Comprehensive Plan.

L. FUTURE AGENDA ITEMS

1. April 14, 2005 -- 6:00 p.m. -- Comprehensive Plan
Neighborhoods Meeting -- Buford School.
2. April 20, 2005 -- 6:00 p.m. -- Comprehensive Plan
Neighborhoods Meeting -- Westminster Presbyterian Church.
3. April 25, 2005 -- 6:00 p.m. -- Comprehensive Plan
Neighborhoods Meeting -- Walker School.
4. April 26, 2005 -- 5:30 p.m. -- Planning Commission Work Session.
5. May 10, 2005 -- 6:30 p.m. -- Regular Planning Commission Meeting.

Ms. Lewis reminded the Commissioners of the future agenda items.

Ms. Lewis stated she had appointed herself to serve on the Meadow Creek Parkway Interchange Steering Committee. She had also appointed Mr. O'Halloran to serve on the Downtown Advisory Committee.

Mr. Barton moved to adjourn and reconvene on the second Tuesday of May. Ms. Firehock seconded the motion which carried unanimously whereupon the meeting stood adjourned at 9:25 p.m.

Respectfully Submitted:

Mr. Jim Tolbert, Secretary

Approved:

Ms. Cheri Lewis, Chair