

CITY OF CHARLOTTESVILLE

PLANNING COMMISSION

TUESDAY, DECEMBER 13, 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. Karen Firehock (Chairman) Commissioners Not Present:

Mr. John Fink (Vice-Chairman) Craig Barton

Mr. Michael Farruggio

Ms. Cheri Lewis Staff Present:

Mr. Bill Lucy Mr. Jim Tolbert, AICP, Director of NDS

Mr. Kevin O'Halloran Mr. Ron Higgins, AICP, Planning Manager

Mr. David Neuman, Ex-officio, UVA Ms. Ashley Cooper, Neighborhood Planner

Office of the Architect Ms. Mary Joy Scale, Preservation & Design Planner

Ms. Lisa Kelley, Deputy City Attorney

City Council Members Present: Ms. Leslie Beauregard, City Budget Manager

Mr. David Brown, Mayor Mr. Mike Svetz, Director of Parks & Recreation

Mr. Kevin Lynch, Vice Mayor

Mr. Rob Schilling

I. REGULAR MEETING

Ms. Firehock convened the meeting at 6:33 p.m.

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

Ms. Firehock called for matters not on the agenda. There were none.

B. LIST OF SITE PLANS AND SUBDIVISIONS APPROVED ADMINISTRATIVELY

Mr. Fink sought clarification of the minor amendment to Cheeseburger in Paradise. Mr. Higgins explained they moved a utility line out of the way.

Mr. Farruggio sought clarification of the change to the Pavilion. Mr. Tolbert explained there had been some minor changes of tree locations and additional landscaping was added.

Ms. Firehock asked if there was a motion to accept these. Mr. Fink so moved. Ms. Lewis seconded the motion which carried unanimously.

List of Site Plans Approved Administratively

11/1/05 to 12/1/05

1. File No. 632 Cheeseburger in Paradise 1101 Seminole Trail
Restaurant – Minor Amendment & Seminole Court

2. File No. Kroger Site – ABC Store 1904 Emmet Street
T-05-000017 - Truck Radius changes to islands
3. File No. Charlottesville Music Pavilion 600-700 Block of
T-04-000026 - landscape amendment East Main (Mall)
4. File No. 430 Carlton Bridge Apartments End of Nassau St. &
- Amendments Linden Avenue
5. File No. 1041 Pen Park/Meadowcreek Golf Pen Park Road
Club-Maintenance Site Improvements
6. File No. 380 Administrative Amendment 824 Hinton Avenue
- for seating area & 3 parking spaces
7. File No. Grand marc Apartments at 307-321 15 Street, NW
T-05-000006 the “Corner”
8. File No. Carrollton Terrace Apartments 1730 Carrollton Terrace
T-04-000005 - Amendment off of JPA
9. File No. 1000 Bio Mechanical Testing Facility 1011 Linden Avenue
– Accessory Building Additions

List of Subdivisions Approved Administratively

11/1/05 to 12/1/05

1. Division of TM 51-21 “Locust Grove” One new s.f. lot
803 & 805 Locust Avenue Sharon Marshall Davis &
Kevin Marshall – Trustees
File No. 1359 Preliminary & Final
Final Signed: 11/14/05
2. Division of TM 56-40 “Carlton” One new s.f. lot
1502 East Market St. & Leake Lane Last Nickel, LLC
File No. 1360 Preliminary & Final
Final Signed: 11/14/05
3. Division of TM 54-107 Divide Duplex into s.f. attached lots
1107 Little High Street Richard T. Spurzem
File No. 1361 Preliminary & Final
Final Signed: 11/29/05

C. COMMISSIONERS’ REPORTS

Mr. O'Halloran had no report as the BZA had not met.

Mr. Fink had no report as he had been out of the country last month.

Mr. Lucy stated the BAR made a preliminary recommendation that in future districts the level of review be modified so that demolitions or additions of 25 percent or greater of a structure would be

reviewed. He stated that if that passed, the BAR, CPC and City Council may want to consider if that should also apply to existing districts as well.

Mr. Farruggio had no report; his first committee meeting would be 14 December.

Ms. Lewis had attended the TJPDC regular meeting and legislative lunch. The UVa Master Planning Council had met on 12 December; Mr. Neuman's group led an interesting discussion on transportation.

D. CHAIR'S REPORT

Ms. Firehock had no report to give as she had been out of the state for most of November.

H. DEPARTMENT OF NDS/STAFF REPORTS

Ms. Firehock called for Mr. Tolbert's report ahead of schedule.

Mr. Tolbert stated the MPO Tech Committee had met twice since the November CPC meeting; VDOT had come out with a list of road projects which were priorities that VDOT had determined throughout the state including widening 29 North and widening 250 East.

Mr. Tolbert reminded the Commissioners they would be meeting on Thursday 15 December beginning at 6:30.

The Commission stood in recess at 6:45 p.m.

Ms. Firehock reconvened the meeting at 7:01 p.m.

II. JOINT PUBLIC HEARINGS (Beginning at 7:00 p.m.)

E. JOINT PUBLIC HEARINGS

1. ZT-05-8-12: Rugby Road-University Circle-Venable Neighborhood Architectural Design Control District: An ordinance to amend and reordain Section 34-272 of the Code of the City of Charlottesville, 1990, as amended (Zoning Ordinance), relating to protected properties by creating an "overlay" zoning restriction without affecting the underlying zoning district designations. This ordinance would create an eighth major architectural design control district, District H, known as the Rugby Road-University Circle-Venable Neighborhood Architectural Design Control District. The district would include all of the properties listed in the legal advertisement for this hearing and shown on maps prepared by the City Neighborhood Development Services Department. An alternative may include fewer properties with some individually listed as shown on those same maps. Report contact: Mary Joy Scala, Preservation and Design Planner.

2. ZM-05-8-13: Rugby Road-University Circle-Venable Neighborhood Architectural Design Control District: An ordinance to amend and reordain the Zoning District Map incorporated in Section 34-1 of the Zoning Ordinance of the Code of the City of Charlottesville, 1990, as amended, by adding an eighth major Architectural Design Control District consisting of the properties listed in the legal advertisement for this hearing and shown on the maps prepared by the City Neighborhood Development Services Department (the same as ZT-05-8-12, above).

Ms. Scala gave the staff report. The Planning Commission is being asked to make a recommendation to City Council to add Rugby Road-University Circle-Venable Neighborhood Architectural Design Control District as the eighth major design control district. Most of the district is currently listed on the state and National Registers; these are honorary designations carrying no regulations and allow tax credits for rehabilitation. On 21 June, the BAR recommended approval noting potential conflicts with the R-UHD zoning located on Fourteenth and Fifteenth Streets south of Johns Street. A subcommittee comprised of some CPC and BAR members and the mayor discussed the conflict and devised recommendations, most of which have been accomplished. The options before the Commission were: option 1, the original proposal; and options 2 and 2-A which most closely correspond to the subcommittee's recommendations. The subcommittee recommended that rather than having the usual ADC requirements within the area zoned R-UHD, demolitions within that area not be subject to BAR approval. The subcommittee also recommended that the highest graded properties in the area south of Johns Street would be individually protected. The difference between 2 and 2-A is the area south of the R-UHD zoning would be subject to the same requirements as the rest of the district; 2-A would end the district at the R-UHD zoning. Option 3 is the area currently designated as a National and state Register District; this is the minimum area to be protected. Neighborhood meetings have been held with the University Neighborhood Association and also the Venable Neighborhood Association to review the four options. Staff has received many letters in favor of the district as proposed as well as a petition which had been copied and mailed to the Commissioners; an updated petition had been received by NDS with 81 additional signatures.

Ms. Lewis noted for the record that she had not yet received a copy of either petition.

Ms. Scala continued the staff report. Staff recommends option 2 which is most similar to the Rugby subcommittee's recommendation: The entire area would be designated as an ADC District; however, the area zoned R-UHD would be designated as a sub-area where the BAR review of demolitions would not be required. Option 2-A is also recommended.

Ms. Firehock called for questions from the Commissioners for staff.

Mr. Farruggio sought additional information on the approximately 25 buildings which could be demolished without review. Ms. Scala explained that the consultant determined certain buildings did not meet the criteria for contributing properties.

Ms. Firehock called for questions from Councilors for staff. There were none.

Ms. Firehock opened the public hearing.

Mr. Wade Tremblay, of 1025 Wertland Street, expressed his appreciation for the Commission's consideration of this matter. He spoke in favor of the proposal, expressing a preference for option 2-A which was a trade off that would work well.

Ms. Karen Dougald, of 20 University Circle, was glad the Commission was considering the area. She stated the neighborhood was interested in protecting the charming historic cottages in the area between Rugby Road and Fourteenth Street.

Mr. Ben Ford, of 117 Amherst Commons, provided the Commission with additional petitions, bringing the count to 217 signatures. He was concerned about the presence of high density in the area. He expressed a preference for option 1.

Ms. Kay Slaughter, of 1501 Short Eighteenth Street, spoke in favor of the proposal and expressed a preference for option 1. She stated the Commission needed to concern themselves with quality of housing over quantity of housing.

Ms. Ashlyn Smith, of 620 Park Street, spoke in favor of the proposal, preferring option 1.

Mr. Daniel Veliky, of 428-C Brandon Avenue, spoke in opposition of the proposal. He stated the land is what is valuable in this area.

Ms. Lori Veliky Booker, owner of the property at 1401 Gordon Avenue, was in agreement with her father and spoke in opposition of the proposal.

Ms. Frances Stephenson, of 1406 Grady Avenue, spoke in favor of the proposal, expressing a preference for option 3 or option 2-A.

Mr. Timothy Veliky, of 428-C Brandon Avenue, spoke in opposition of the proposal. Owning several properties in the area, he did not want someone else telling him how to paint them or what type of roofing material to use. He suggested those people in favor of the designation get their properties individually designated.

Mr. David Veliky, of 428-C Brandon Avenue, spoke in opposition of the proposal.

Ms. Gina Haney, of 807 Elliott Avenue, read a prepared statement in favor of the proposal. She expressed a preference for option 1.

Mr. Victor Stephanivich spoke against the proposed designation. He stated one can preserve buildings rather than doing a blanket ruling.

Mr. Fernando Bere, stating that preserving the community is more important than the individual, spoke in favor of the option 1.

Mr. Hasmak Shaw, of 114 Goodman Street, felt that for so long the City and the public tried to keep the students contained in one area and not in the family residential neighborhoods. He felt this was a back door approach at defeating that zoning proposal.

Mr. Jim Stultz, president of the University Neighborhood Association, spoke in opposition of the proposal stating that 82 percent of the properties in the proposal were designated contributing. He stated an estimated half a billion dollars in revenue would be lost if the high and medium density zone became historic.

Mr. Daniel Bluestone expressed support of option 1.

Mr. Rick Jones, a Fluvanna County resident who owned property in the district, believing that option 1 was in direct conflict with the University High and Medium Density zones of the Comprehensive Plan, expressed preference of option 3 or option 2-A.

Mr. Aaron Wunsch, of 338 Monticello Road and a member of Preservation Piedmont, encouraged support of option 1 and submitted another petition with an additional 14 signatures.

Ms. Genevieve Keller, of 504 North First Street, spoke in support of option 1.

Ms. Carrie Douglass, of 25 University Circle, expressed support of option 1.

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

Ms. Lewis noted that she had earlier disclosed a conflict she had with regard to consideration of this matter. She had represented clients who were selling property on Fourteenth Street; the property closed 10 November. Ms. Lewis stated her representation of them had ceased. Ms. Kelley had advised Ms. Lewis that she was free to engage in discussions and voting on this matter.

Ms. Lewis wondered if there was precedent for considering option 2-A as it seemed like gerrymandering. Ms. Scala stated option 2-A protected the most significant resources.

Mr. Lynch wanted clarification between the Design Guidelines and the Zoning. Ms. Scala stated that the BAR had made recommendations to make the Guidelines more compatible, especially with the University-Medium Density area, before the newly revised Guidelines went to Council for adoption.

Mr. Lynch stated he was required to declare his interest pursuant to subdivision A 2, 2.2-3112; he stated he was a member of a group that is affected by the transaction: He had a former residence on Virginia Avenue. Mr. Lynch further stated he believed he could participate in the transaction fairly, objectively, and in the public interest.

Mr. Lynch stated that back when the Zoning Ordinance had been passed, he had expressed concern that they not go forward with the High Density designation without the historic protection that would allow them to protect landmark structures that might not be historically designated already. He recognized that not every building in a district is contributing. He applauded the Commission for grading the buildings. Mr. Lynch recommended the Commission stick with option 1. He suggested they, in their deliberations, be thinking about the precedent that would be set for other areas of the City.

Ms. Lewis raised a point of order: During the discussion phase, the Commissioners could not accept comments from Councilors. By law, the decision must be made by the Commission; if they were swayed by the position of a Councilor, or all Councilors present, it was deemed to be a decision of City Council.

Ms. Firehock called for additional comments from Commissioners.

Mr. Fink stated that since a UHD designation had been adopted for the area, option 2-A with the individual designation of two properties would strike the fairest balance.

Ms. Lewis expressed a preference for 2 over 2-A. Ms. Lewis stated she supported option 1; however it was in conflict with the Comprehensive Plan. Any jurisdiction which enacts an Ordinance that violates the Comprehensive Plan or Land Use Plan, can be sued. If they did not agree with the High or Medium Density designation, they should go back and rewrite it to refine the district.

Mr. O'Halloran wanted to support option 1 but could not. He thought what was proposed was better than what currently existed. He did not see how they could resolve the call for an even greater density in the UHD district and the new historic overlay district option 1. He felt options 2 or 2-A were the best at representing the full unfolding of the process.

Mr. Lucy wished there was another option but option 2 was the best they had.

Mr. Farruggio believed in option 1 but stated he must support option 2 based on the Comprehensive Plan.

Mr. Fink moved for the Planning Commission to recommend to City Council a Zoning Ordinance amendment to add a new major design control district called the Rugby Road-University Circle-Venable Neighborhood Architectural Design Control District as set forth within the proposed new design control district ordinance option 2, dated December 13th, 2005, based on their finding that such amendment would serve the public necessity, convenience, general public welfare or good zoning practice. Ms. Lewis seconded the motion. Mr. O'Halloran verified that Mr. Fink was recommending option 2 and not 2-A. Ms. Lewis concurred with Mr. Lucy that she wished there were another option, a compromise between options 1 and 2. Ms. Firehock concurred with Ms. Lewis but stated there were limits to their ability to be creative. Mr. O'Halloran stated this had been a difficult and contentious process into which a lot of thinking had gone. Ms. Lewis thanked Ms. Scala for all of her work on this. The motion passed, 5-1; Mr. Farruggio voted against.

Mr. Tolbert noted for the record that the vote was for both the Ordinance and the map.

Ms. Firehock called for a two minute recess so people could clear the chamber whereupon the meeting stood in recess at 8:47 p.m.

Ms. Firehock reconvened the meeting at 8:53 p.m.

3. ZT-05-8-14: Expansion of the Downtown and North Downtown Architectural Design Control Districts: An ordinance to amend and reordain Section 34-272 (1) and (2) of the Code of the City of Charlottesville, 1990, as amended (Zoning Ordinance), relating to protected properties, by expanding the Downtown Architectural Design Control District (A) and the North Downtown Architectural Design Control District (B). This would create an "overlay" zoning restriction on these properties without affecting the underlying zoning district designations. The properties to be added would include all of the properties listed in the legal advertisement for this hearing and shown on the map prepared by the City Neighborhood Development Services Department. Report contact: Mary Joy Scala, Preservation and Design Planner.

4. ZM-05-8-15: Expansion of the Downtown and North Downtown Architectural Design Control Districts: An ordinance to amend and reordain the Zoning District Map incorporated in Section 34-1 of the Zoning Ordinance of the Code of the City of Charlottesville, 1990, as amended, by adding to the Downtown and the North Downtown Architectural Design Control Districts, the properties listed in the legal advertisement for this hearing and shown on the map prepared by the City Neighborhood Development Services Department (the same as ZT-05-8-14, above).

Ms. Scala gave the staff report. The Commission is being asked to make a recommendation to City Council to designate additional properties within the Downtown and North Downtown Architectural Design Control Districts. The intent is to align the boundaries of the two districts with the boundary of the National and state registered historic district. The BAR, on 16 August, recommended approval of the district additions as proposed; they excepted five properties which they thought should be noncontributing: 415 McIntire, 533 North First Street, 437 Third Street Northeast, 119 Walker Street, and 201 Avon Street. Staff recommends approval of the district additions as recommended by the Board of Architectural Review. If the Planning Commission chooses to exclude 215 Avon Street with the thought that it can be included in the proposed North Belmont ADC District when that comes forward it will likely be at least a year before that district is surveyed and brought through the public hearing process. If 215 Avon Street is excluded at this time, the adjacent 201 Avon Street should also be excluded.

Ms. Firehock called for questions from the Commissioners and Councilors.

Mr. Farruggio sought clarification that if the two Avon Street properties and Belmont was surveyed later, they could be removed from this part and put in with Belmont. Ms. Scala concurred and stated they would be in one or the either of the districts.

Ms. Firehock opened the public hearing.

Mr. Lewis Martin, III, of 923 Marshall Street, thought there were legitimate reasons for the 415 building not to be included within the historic district.

Mr. David Cook, of 1501 Old Oaks Drive in the County and a partner with Mr. Martin, concurred with Mr. Martin's remarks.

s. Genevieve Keller, of 504 North First Street, urged the Commission to adopt the revisions as originally proposed. She felt the Mill was a very important part of the rural context of Charlottesville.

Ms. Kay Slaughter, of 1501 Short Eighteenth Street, spoke in favor of the proposal. She felt they should do as staff as proposed in this case.

Mr. Mark Saunders, of 419 Fourth Street Northeast, believed that keeping the building at 415 is 15 important as it is a buffer.

Mr. Rick Jones, a Fluvanna County resident and owner of 500 McIntyre Road, stated he had enjoyed working on his building without the help of the BAR.

Ms. Helena Devereux, of 532 North First Street, having lived within the North Downtown Design Control District for over 20 years had not felt it was a problem to be within a design control district.

Ms. Gina Haney, of 807 Elliott Avenue, wanted to ditto the comments made by Ms. Slaughter and Ms. Keller. She supported the inclusion of 215 Avon Street.

Mr. Aaron Wunsch, of 338 Monticello Road, wanted to reiterate the comments of Ms. Haney.

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

Mr. Farruggio agreed with the Staff and BAR recommendations.

Mr. O'Halloran concurred. He felt this was a much easier discussion than the previous one. He had no difficulty in following Staff's recommendations.

Ms. Lewis concurred.

Mr. Fink, as someone living in an individually designated house, stated it was a fulfilling experience. He felt these districts added tremendous value and substance to the community fabric.

Ms. Firehock expressed her support of the district. She was concerned about excluding the Beck Cohen building.

Mr. Farruggio moved for the Planning Commission to recommend to City Council the Zoning Ordinance amendment to add certain properties to the City's Downtown and North Downtown Architectural Design Control District as set forth within the proposed ordinance dated December 13th, 2005, based on their finding that such amendment would serve the public necessity, convenience, and general welfare or good zoning practice. Mr. Lucy seconded the motion. The motion carried unanimously.

Ms. Firehock stated the Commission, barring objection from the public, wished to rearrange the order of items 5 and 6.

6. SP-05-9-20: An application for a special permit for expansion of Alumni Hall at Emmet Street between Sprigg Lane and Lewis Mountain Road. This property is further identified on City Real Property Tax Map Number 8 as parcel 45, having approximately 348 feet of frontage on Emmet Street, 437 feet of frontage on Sprigg Lane, 369 feet of frontage on Lewis Mountain Road and containing approximately 143,022 square feet of land or 3.28 acres. The general uses called for in the Land Use Plan of the Comprehensive Plan are for single-family residential of 3-7 units per acre. Report prepared by Ashley Cooper, Neighborhood Planner.

Ms. Cooper gave the staff report. This proposal was to amend a previous Special Use Permit for Alumni Hall which was granted in 1980. The application was for an addition of approximately 1600 square feet to the southern side of the existing Alumni Hall to expand the main ballroom space. The neighborhood has been supportive of the request. The 1980 designation of private noncommercial recreational facility for group use no longer exists; the closest designation is private club. There is no new parking proposed nor is it required. The site plan is very sensitive and is being careful not to damage any of the existing heavily landscaped lot. Since the site plan was written, neighbors have mentioned issues with the existing lighting. Ms. Cooper stated this should be addressed as a condition in this permit. The neighborhood would prefer some type of wall to buffer the sounds and sight lines. Staff recommends approval with the conditions included in the written report.

Ms. Firehock called for questions of Ms. Cooper. There were none.

Ms. Firehock recognized the applicant.

Mr. Jim Boyd, of Hayward Boyd Architects, was present with his associate, Ms. Lisa Cohen. He stated they had tried to be mindful of the neighborhood and respond to their concerns. He expressed his surprise at hearing about lighting concerns. He stated they would install outside shields to buffer the lights. There had been traffic concerns from the neighbors during the 1980 Special Use Permit

application hence the proposal to put up a barrier and to limit the ability to turn back on Lewis Mountain Road.

Ms. Firehock opened the public hearing.

Mr. Arthur Lichtenberger, president of the Lewis Mountain Neighborhood, stated he had met with the alumni association and discussed the proposal. He stated the 1980 agreement had been very contentious and ironed out. He stated they would be against overturning the clause of not having that lot closed. He stated the chain to restrict access was often open and had been for most of the previous day.

Mr. Charles Holt, of 1921 Lewis Mountain Road, while expressing support for the project, stated his concern for the noise screening. He thought the wall was a great idea.

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

Mr. Fink thought that lighting abatement should be looked at if it is an issue. He did feel strongly that any kind of landscaping would not adequately abate the noise. He recommended a hedge on the inside of the wall.

Mr. Farruggio felt the gate issue had a lower priority. Mr. O'Halloran stated he had heard the neighborhood say that they wanted a gate. Mr. Farruggio felt a bollard would serve the function perfectly.

Mr. Fink felt the language of the 1980 Special Use Permit "erection of control devices to limit the use" did not mean chain. He thought it should be a gate or fence. He felt the chain is nonconforming.

Ms. Lewis felt the Special Use Permit needed to specifically say that the gate closure needs to be enforced except in special events and not just the afternoon before a special event, but during the hours of a special event.

Mr. O'Halloran moved to recommend approval of this application to allow a Special Use Permit in the R-1U Residential University District for Club, Private at 221 Emmet Street subject to the following conditions and exceptions or modifications: a, Staff approval of the final site plan amendment; b, provide noise control for air handling units on the western side of the building; c, provide brick wall and landscape screen along the western side of the parking lot; d, curb must be designed to discourage right-hand turns off of Lewis Mountain Road; e, lights must conform to our current ordinance, and; f, a gate must be erected at the southern exit of the parking lot to the west of Alumni Hall. Ms. Lewis seconded the motion. Mr. Fink offered a friendly amendment that they specify that the brick wall be 100 feet in length and terminate at the north corner of the section of that parking lot. Mr. O'Halloran accepted the amendment. Ms. Lewis asked that they specify a wrought iron gate. Mr. O'Halloran stated there had been a gate specified in the proposal; he asked if they say the gate that was submitted. Mr. O'Halloran accepted that amendment. Mr. Fink amended his amendment to say it was a matching brick wall. Mr. O'Halloran accepted the amendment. Ms. Firehock sought

clarification that Mr. O'Halloran meant all existing outdoor lighting; he did. The motion carried unanimously.

5. Charlottesville Capital Improvement Program FY 2007-2011: Consideration of the proposed 5-year Capital Improvement Program totaling \$58,250,997 in the areas of Economic Development, Neighborhood Improvements, Safety & Justice, Facilities Management, Transportation & Access, Parks and Recreation and General Government Infrastructure.

Ms. Cooper gave a PowerPoint presentation on the CIP.

Ms. Firehock called for questions from the Commissioners.

Ms. Firehock stated her understanding that the CPC's role was to determine if the projects in the CIP were in accordance with the goals of the Comprehensive Plan.

Mr. Farruggio sought clarification that all of the projects complied with the CIP. Ms. Cooper knew of nothing that was out of the ordinary.

Mr. Farruggio expressed concern that page 6 showed \$2 million going to the Jefferson School which is only partially used and for which there was no clear plan or anything other than maintenance costs and only \$1.4 million to all nine City schools for 4,000 students.

Mr. O'Halloran stated that they, as the Planning Commission, being familiar with the Comprehensive Plan, had questions about the wisdom of stockpiling this much money for a project that is not clearly defined when there were a lot of other capital needs.

Mr. Farruggio expressed concern that there were not enough funds for sidewalks which was a real concern he heard from residents of Charlottesville; concerns included a lack of sidewalks and the lack of sidewalk structure.

Ms. Firehock expressed concern that the Jefferson School business plan was still lacking and still in a conceptual plan. She expressed concern about putting something towards a theoretical when there was such extremely important needs in the existing schools.

Ms. Lewis suggested they flip the numbers for the Jefferson School and City schools. Mr. O'Halloran felt they needed to put some of the \$2 million towards City schools and some towards new projects.

Mr. Neuman left the meeting at 10:55 p.m.

Mr. Farruggio made a motion to request that \$2 million be removed from the Jefferson School project, 250,000 be put back into it for some sort of professional strategic planning and development and three-quarter million be put into the schools and 1 million into sidewalks. Ms. Lewis seconded the motion. Ms. Firehock sought clarification that he would be proposing to adopt the rest of the CIP; Mr. Farruggio concurred. Ms. Lewis sought clarification that Mr. Farruggio meant to say they generally support the Jefferson School being revitalized but they are concerned about stockpiling money with no imminent plan to develop it and are concerned about schools and sidewalks that are in need of repair in the City.

Mr. Fink stated his support but stated the Commission needed to realize this could be a very polarizing statement. Ms. Lewis noted for the record that it came to their attention that the Jefferson School was

receiving \$2 million while the nine City schools for 4,000 students were receiving only \$1.4 million and they had an unfunded need of 1.1 million in the 2007 fiscal year and that they found that a striking contrast. Mr. Tolbert suggested that after the matter was voted on, they draft a letter to the Mayor, Council, and City Manager.

Mr. Lucy felt there were three other items that needed attention: \$700,000 for the Mall crossing, which they had only begun to discuss; \$400,000 for McGuffey Park, which may or may not be consistent with the Parks and Recreation Plan and which was allegedly in there to help leverage \$240,000 in private funds, which is not a good ratio; and \$900,000 for streetscape improvements on West Main, which was all in the next year's capital budget and nothing in the next five years.

Mr. Tolbert suggested they express concern about the Mall crossing dollars in their letter to the Mayor, Council and City Manager and say that they would like to reserve comment that if there was a decision not to make the Mall crossing you would make suggestions on how those dollars would be reallocated. Mr. Tolbert stated they had been working on a project jointly with the University to do the first part of that from the Ninth/Tenth connector to JPA and on up to the railroad trestle; the University would do everything that was University property while the City did the pieces of property that were not plus participate in the undergrounding of utilities.

Mr. Mike Svetz, Director of Parks and Recreation, stated that Friends of McGuffey Park had already started some fundraising. He stated the large percentage of City funding was necessary to be able to get the grass roots off the ground.

Ms. Lewis asked if the City would release its funds if the Friends of McGuffey did not raise its share; Mr. Svetz stated it would not. Ms. Lewis disclosed that she had recently learned that her law firm did the incorporation and sought the nonprofit status for Friends of McGuffey; however, she had not worked on the project.

Mr. Farruggio amended his motion to include Mr. Lucy's concerns and having those items come back before the Commission if the Mall crossing is not done -- have that money come back for a recommendation from the Planning Commission and do the same for all three of those. Mr. Farruggio thanked Mr. Lucy for bringing those items up and not allowing them to rush past those. Ms. Lewis, as seconded, accepted the friendly amendment. The motion carried unanimously.

Ms. Firehock asked if there was a motion to adjourn and reconvene on Thursday, December 15 at 6:30 p.m. Mr. O'Halloran so moved. Ms. Firehock seconded the motion. The motion carried unanimously whereupon the meeting stood adjourned at 11:14 p.m.

Respectfully submitted:

Mr. Jim Tolbert, Secretary

Approved:

Ms. Karen Firehock, Chair