

**DRAFT MINUTES**

**CITY OF CHARLOTTESVILLE**

**PLANNING COMMISSION**

**TUESDAY, 13 FEBRUARY, 2007 – 5:00 P.M.**

**BASEMENT CONFERENCE ROOM**

A Work Session and Special Meeting of the Planning Commission was held on this date with the following members present:

**Commissioners Present:**

Mr. Jon Fink (Chairman)

Mr. Bill Lucy (Vice-Chairman)

Ms. Cheri Lewis

Mr. Michael Farruggio

Mr. Michael Osteen

Mr. Jason Pearson

Mr. Hosea Mitchell

**Staff Present:**

Mr. Jim Tolbert, AICP, Director NDS

Ms. Missy Creasy, AICP

Ms. Ebony Walden

Mr. Brian Haluska, AICP

Ms. Jeanie Alexander, PE

Mr. Marty Quinn, EIT

**City Council Members Present:**

Mr. David Brown, Mayor

Mr. Dave Norris

The meeting began at 5pm with the Transportation work session. Commissioners provided comments to staff on the Draft Transportation Chapter of the Comprehensive Plan. Comments on the text included requests for additional data, increased details on alternate modes of transportation, updated data, information on traffic volume and crash data. The street car initiative also needed to be included. Staff noted that updates would be made to these sections.

Mr. Farruggio asked if this was the best time to talk about reviewing road classifications. Ms. Alexander provided background on how road classifications are determined. As the conversation continued, it was found that detailed information concerning the definition of road classifications in the text would assist in clarifying the issues that exist.

There was discussion about cut through traffic. The group struggled to define cut through traffic and there was concern about how to measure it.

The majority of the work session focused on the Goals and Objectives section of the Chapter. There was a desire for the City to speak with one voice on transportation issues so expectations could be communicated to others. There was also desire to integrate transportation and land use issues. This led to some rewording of proposed objectives to better reflect this request. The discussion moved to regional transportation opportunities and Mr. Tolbert reviewed the CHART plan and the activities taking place by the MPO and UNJAM initiatives. There is great concern about the impacts of development south of the city and how that will impact the transportation system. There was a desire to talk more about getting people efficiently from one place to another on all modes of transportation. A focus on encouraging increased use of the transit system is important.

There is a desire to really look at parking in the city. Parking will be lost downtown to a number of development opportunities in the coming years. There is some support for limiting the parking downtown to encourage other modes of transportation but not at the expense of downtown merchants. Study will need to be done to determine the balance needed. Encouraging all modes of transportation with adequate safe infrastructure will be key to the success of this initiative.

Detailed updates will be made to the transportation chapter and forwarded back to Planning Commission for review. There was a desire for continued dialogue with City Council on aspects of the Comprehensive Plan. The Mayor agreed that joint conversations are important but did not feel that Council needed to be involved in the details of the Comprehensive Plan update at this stage.

Following the Work Session, the Special Planning Commission meeting was held (beginning at 7pm).

#### **MATTERS TO BE PRESENTED BY THE PUBLIC NOT ON THE FORMAL AGENDA**

Mr. Fink called for matters not on the agenda.

Ms. Colette Hall, of 101 Robertson and President of the North Downtown Neighborhood Association asked if there was a Comprehensive Parking Plan for the Downtown and the City as a whole. She noted there is a problem with residents finding parking in the downtown area due to commuters taking spaces on the street. She noted that 24 hour permit parking allowances would aid residents.

#### **CONSENT AGENDA**

1. Amendments to Planning Commission Bylaws
2. City Accepted Tree List Update
3. Road Slope Waiver: Carters View Subdivision
4. List of site plans and subdivisions approved administratively
5. Minutes - January 18, 2007 – Work session

6. Minutes - January 23, 2007 – Work session

7. Minutes – January 25, 2007 – Work session

8. Minutes - January 9, 2007 – Agenda Review and Work session

9. Minutes- January 9, 2007 – Regular Meeting

Mr. Fink called the consent agenda. There was a request to pull item 2 and item 3 from the consent agenda discussion to later in the meeting. The remainder of the consent agenda was approved unanimously.

Since the remaining items on the regular agenda were discussion items, Planning Commission moved to the items removed from the consent agenda. Concerning the Tree Packet, there were a number of revisions to be made as follows:

1. Place 20 year calculation for all trees in the spread sheets
2. There is a discrepancy in the minimum caliper noted in the charts and the minimum the city requires. This needs to be resolved.
3. Qualifiers are needed for each of the trees on the “Not included” list. This should include circumstances for where they can or should not be used.
4. If there are truly a few trees we don’t want in the city limits, we need to take those out of the tables.
5. Outline a section noting the type of trees most appropriate for street trees
6. Include a section on maintenance of trees in the trees tips section.

It was requested that the revised version be returned to the March Meeting.

#### **Road Slope Waiver for Carter’s View Subdivision**

Brian Haluska presented the staff report noting that Marty Quinn, City Civil Engineer, who performed the review on this item, was present to assist with technical questions. There were letters from the neighborhood in the packet expressing their disfavor for this request and follow-up information from the applicant providing a response to those letters.

Mr. Fink asked what would be detriment to the City if the site plan is carried forward as approved.

Mr. Quinn noted that there would be no way to provide maintenance to the Stadium sewer line because there would be a large retaining wall over the line.

Mr. Tolbert noted that this was not discovered during the original review.

Mr. Farruggio noted that the Commission said no to a similar request in 2005. What is different now?

Mr. Quinn noted that only a portion of the road would require a grade of 10% where as the proposal in 2005 was for the entire roadway.

Mr. Pearson asked who would pay to repair the line if it were crushed. It was noted that the developer would be responsible if it were to occur within a short time of the development but the City would be responsible long term.

Mr. Quinn noted that this proposal would minimize the fill weight on the line by one third.

Mr. Pearson asked about the safety of the road. Ms. Alexander noted that there was a negligible difference between eight and ten percent in this case.

It was noted that due to the materials and age of the line that there is the potential for it to fail however this proposal has the potential to lower the risk of failure.

Mr. Pearson moved to support the staff recommendation. Mr. Mitchell seconded. The vote was 5 -2 in favor of the motion with Mr. Fink and Mr. Osteen voting no.

### **Planning Commission Policy**

Mr. Pearson expressed concern about developers contacting Planning Commissioners concerning potential and existing applications. He is concerned about having these private conversations on issues he feel should be discussed in the public. He is not in favor of these conversations and wanted to have a conversation to discuss other Planning Commissioners position on this and what reasons there would be for having them.

Mr. Fink noted that he has had conversations with developers at City Hall with a staff member present. This could be an opportunity to invite another Planning Commissioner as well.

Mr. Lucy noted that not meeting with applicants contrasts the BAR process that encourages these meetings. He has found that obtaining history on the project has been helpful.

Mr. Pearson noted that no individual member has any authority, only as a group do we have authority. He wants to encourage developers to provide all information to staff.

Mr. Farruggio noted that he has met with applicants outside of City Hall and found it helpful to obtain this general information.

There was some discussion about creating rules for these types of discussions. Mr. Osteen expressed concern with this and felt it could be more open ended.

Mr. Tolbert noted that there could be concern if the information is not shared with all Commissioners and the decisions appear to have been made prior to the public meetings and or based on information not available to all parties. There is always an option for the applicant to request a preliminary discussion prior to turning in formal applications to receive feedback.

Mr. Farruggio suggested having a policy to only meet at City Hall with a staff member. Concern was expressed about this.

Mr. Pearson moved to allow no exparte communication with developers. Mr. Mitchell seconded.

Discussion continued and the motion was not continued. It was noted that exparte conversation should not be encouraged.

Commissioners agreed that the issue should be discussed further at a future meeting.

### **Biscuit Run Discussion**

Mr. Tolbert provided an update on the Biscuit Run application. He noted that the County Planning Commission Chair came to him and noted the confusion between the staff recommendation and Mr. Lynch's comments on the proffers and asked for a clarification from the City. It was expressed that this was time contingent due to the Public Hearing scheduled for February 27<sup>th</sup>. Council provided guidance quickly but the public hearing ended up being postponed. The current proffer statement only includes one of the items the city requested.

Mr. Farruggio noted that considerations for this development should be included in the Transportation chapter. There was additional conversation concerning Old Lynchburg Road and the potential for increased traffic this development will bring.

It was noted that the February 27, 2007 work session will be canceled.

Mr. Farruggio noted that staff needs to look at the parking situation at Willoughby Towns and confirm that the site plan is being enforced.

### **City/County Planning Commission Subcommittee**

It was noted that there was a desire to have a subcommittee of the City and County Planning Commissions to continue dialogue on issues. There was question as to what the topics would be discussed noting that transportation is an important topic. Mr. Fink noted that he will be meeting with the County Commission Chair and staff in the near future to discuss joint issues.

Mr. Pearson moved they adjourn until the regular meeting, March 13, at 5 p.m. Mr. Mitchell seconded the motion. The motion carried unanimously whereupon the meeting stood adjourned at 9:05 p.m.