

MINUTES
PLANNING COMMISISON MEETING
April 8, 2014
CITY COUNCIL CHAMBERS

Commissioners Present:

Mr. Dan Rosensweig (Chairperson)
Ms. Genevieve Keller
Ms. Natasha Sienitsky
Ms. Lisa Green
Mr. John Santoski
Mr. Michael Osteen

Staff Present:

Ms. Missy Creasy, AICP, Planning Manager

Also Present

Ms. Lisa Robertson, Chief Deputy City Attorney

Not Present

Mr. David Neuman, Ex-officio, UVA Office of the Architect

Mr. Rosensweig called the meeting to order.

A. Commissioner's Report

Genevieve Keller announced that the TJPDC had hired an Executive Director and his is name is Chip Boyles from Baton Rouge, LA.

Natasha Sienitsky attended the parks and recreation monthly meeting and a number of topics were discussed including the Rives Park upgrade timeline and the McIntire Park East master plan.

Mr. Osteen attended the BAR monthly meeting and several projects were discussed and approved such as the Regal Cinema renovation and the details and material for 1000 West Main. There was an application for renovations to a fraternity house that was approved that had support from neighbors. He also attended the meeting of the Tree Commission and many projects are moving forward.

Mr. Santoski attended the Free Bridge meeting and they will be coordinating a walk from Riverview Park. He will keep everyone posted on the date.

Ms. Green stated that the MPO has not met, but will be meeting in May and she will have a report at that time.

C. Chair's Report

Mr. Rosensweig attended the Housing Advisory Committee meeting on March 19th. The committee reviewed the draft revision of the Housing Policy Report, which outlines the guidelines for awarding housing funds. He stated that the items that were discussed were sent to the subcommittee and they will meet next Tuesday to

discuss. Mr. Rosensweig stated the March 25th work session was postponed and will take place this evening after the regular meeting. He reminded everyone of the panel discussion on April 22, 2014.

D. Department of NDS

Ms. Creasy added that after the panel discussion there will be another viewing of the webinar on Complete and Green Streets.

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

There was no one present to speak.

F. Consent Agenda

1. Minutes - January 14, 2014- Regular meeting
2. Minutes - March 11, 2014 – Pre meeting
3. Minutes - March 11, 2014 – Regular meeting
4. Zoning Text Initiation-Water Resources Regulatory Updates

The Commission would like to pull item # 1.

Ms. Sienitsky made a motion to approve the consent agenda with item # 1 being pulled.

Mr. Osteen seconded the motion.

By acclamation the motion passes.

G. Rives Park Master Plan Amendment-Presentation and Comment.

Mr. Ehman explained to the Commission that the amendment requires no action this evening and any comments provided will be forwarded to City Council. He went over the changes proposed to Rives Park by the parks and recreation advisory committee after input from public meetings.

Discussion and Concerns

The Commission has concerns with maintaining community gardens in that park due to the proximity of residences. Commissioners provided additional input which was to be included in a memo forwarded to Council.

H. JOINT PUBLIC HEARINGS

1. ZT-14-03-01 – Water Resources Updates – Zoning Ordinance: An ordinance to amend and reordain § 34-827 and § 34-828 of the Zoning Ordinance of the City of Charlottesville, to reflect new procedures and requirements of the City’s local Virginia storm water management program (VSMP) and to provide for the integration of the VSMP with the City’s procedures for approving development which requires site plan approval. Pursuant to revised § 34-827 preliminary site plans will need to include a concept plan and information describing how the VSMP requirements of Chapter 10 of the City Code will be achieved, and pursuant to revised § 34-828 final site plans will need to include the details and specifications required by Chapter 10 of the City Code for an approved storm water management plan.

2. SO-14-03-02 – Water Resources Updates – Subdivision Ordinance: An ordinance to amend and reordain §§ 29-2, 29-76, 29-111, 29-161, 29-202, 29-231, 29-232, and 29-260 of the Subdivision Ordinance of the City of Charlottesville, to reflect new procedures and requirements of the City’s local Virginia storm water

management program (VSMP) and to provide for the integration of the VSMP with the City's procedures for approving subdivision and development of land, and coordination of both processes with the requirements of the City's local Virginia Erosion and Sediment Control Program (VESCP). Preliminary subdivision plats will need to include a concept plan and information describing how the VSMP requirements of Chapter 10 of the City Code will be achieved, and final subdivision plats will need to include the details and specifications required by Chapter 10 of the City Code for an approved storm water management plan. The amendments to clarify the timing of subdivision approvals and the approvals required by Chapter 10, to clarify the

Mr. Rosensweig announced that the items in the joint public hearing will be considered together.

Ms. Lisa Robertson provided the report.

Mr. Santoski asked if the word "subdivider" would only be used in some places and replaced with "developer." Ms. Robertson stated that those terms can be used interchangeably. She explained how the person that brings in the application may not necessarily be the developer.

Ms. Keller asked when the word "developer" is used in the document does it mean something specific and Ms. Robertson stated no, that she just used the same language from the enabling legislation to make it consistent.

Ms. Keller asked if the Planning Commission would be responsible for clarifying the difference between the developer and the subdivider in their definitions to make it clear that those terms are interchangeable. Mr. Rosensweig stated that the question would be parked for later discussion.

Ms. Keller asked where manmade is referenced, do we need to use that term or can we use a gender neutral term. Ms. Robertson said that is a term used for erosion sediment and storm water management.

Mr. Rosensweig stated that in section 202-A he wanted to address a few languages choices to see if they were from state code. Minimizing disturbance seems a little objective. He also expressed concern with the term natural drainage area. Was there a conscious choice to make it natural drainage area and not streams? Ms. Robertson asked for Mr. Silman's assistance in answering the question. Mr. Silman stated that a natural drainage area is where at a certain point an area receives drainage.

Mr. Rosensweig asked if there was another place in the code where natural drainage areas are being protected and Ms. Robertson stated that they are trying to get as much information on the topographic sites. They are requiring applicants to provide a topographic survey that identifies specific things.

Mr. Rosensweig stated that it is not just identifying, it is minimizing the disturbance. Ms. Robertson stated that the statement can be changed.

Most of the Commission like the term natural drainage and would like to keep it.

Mr. Rosensweig asked a question about 29-11 - are landscape architects allowed to make the same decisions as an engineer and Ms. Robertson said the legislation allows that in this case. Ms. Keller asked Mr. Osteen to clarify that they are now registered and not certified and he stated that was correct. Ms. Keller feels the state terms should be used for those professions used by the state of Virginia and she made that recommendation.

Questions from Council

Ms. Szakos asked about Ms. Robertson's answer to 29-202 - she felt the answer was more about the drainage rather than the area that was being protected and she was wondering if the word "area" could be removed. Ms. Robertson stated that it could be taken out.

Mr. Rosensweig opened up the public hearing and with no one to speak he closed the public hearing.

Ms. Green feels this is less challenging since she does this every day.

Ms. Green moved to recommend that City Council adopt the amendments to the city's subdivision ordinance and zoning ordinance as presented ZT-14-03-01 and SO-14-03-02 to also include the definition of developer, subdivider and to include the language from the state code 29-11-2, where it notes who should prepare the materials for state storm water management (by an engineer or a landscape architect) and mimic the state requirements as to who can submit the requirements and define that the proposed amendments define for public necessity and public general welfare in compliance with state law and regulations.

Ms. Sientisky seconded the motion

Ms. Creasy called the roll

Ms. Keller Yes

Ms. Sientisky Yes

Mr. Osteen Yes

Mr. Santoski Yes

Ms. Green Yes

Mr. Rosensweig No

The motion passes.

1. Entrance Corridor Review

- A. Country Inn & Suites (1600 N. Emmett Street)

Ms. Scala provided the staff report.

Ms. Keller asked for clarification of the signage and gable. Ms. Scala stated that the gable is there to accommodate the sign.

Ms. Green asked what color the building would be and Ms. Scala stated that most of the building will be a cream color. She also asked if there will be a lighted path on the Emmet St. sidewalks to accommodate people walking up the street and Ms. Scala stated that the applicant would have to answer that.

Mr. Santoski asked if the exit ramp would keep straight across the intersection and Ms. Scala stated no.

The applicant, Julia Skare, from Draper Aden and Associates was present and addressed the questions the Commission had asked. She stated that the property in question had been divided and a parking agreement will not be needed.

Mr. Osteen feels a more robust landscape plan is needed. He would like to see some large trees on the site.

The applicant stated that it's a small hotel and they are trying to get more bang for their buck. They will make Emmet St. more pedestrian friendly. They don't want to see too many colors used on the hotel.

Ms. Green would like to see the Emmet Street side be more appealing. She feels this is a major thoroughfare and would love to see something better on that façade.

Ms. Keller agrees with the staff report and she would like to see the sidewalk separated from the trees and the sidewalk. She is also critical of the use of the brick design. She would like to see Emmet St beefed up a little with the landscaping and design. Maybe creating some bays on the building would be better.

Ms. Sientisky agrees with the staff report and Ms. Keller about the sidewalks.

Mr. Santoski feels the sidewalk will not be a deal breaker, but he would love to see more done with the back of the building.

Mr. Rosensweig feels there is consensus for a deferral, but would like to provide some clear guidance for the applicant, which includes a more robust landscape plan that includes verticality on the south west corner and also trees buffering the bypass ramp from the building. Have planters through the parking lot to soften the asphalt and create a pedestrian connection between Emmet St and create a dual entrance to the building to make it look like an entrance to the building.

The applicant requested a deferral and by acclamation the deferral was granted.

Mr. Rosensweig announced that the Planning Commission would now be moving to the NDS conference room to have their work session.

Planning Commission Work Session

Ms. Creasy went over the homework that was given concerning the different city projects. She stated that some issues are out of their purview such as, affordable housing, vested rights and design control.

Code Audit

Mr. Tolbert explained that City Council is asking for an audit on the codes and regulations. He announced that Amanda Poncy has been working with him and Ms. Creasy on this process. The SIA and West Main consultant has done an audit for part of the City.

Mr. Tolbert feels there are a lot of bullet points that need to be addressed. He feels if we aren't achieving what our code allows or we aren't allowing our code to allow us to do certain things, this should be addressed.

Mr. Tolbert stated that staff will be going through an extensive research process and presenting this to committees and the public. There will be a four day charette in May and a lot of the issues will be discussed. They will be asking the committees what is missing and a six month review period will take place and the differences will come from that.

Staff feels the West Main consultants have given a lot of useful feedback.

Comments or Questions

Ms. Sienitsky feels "The Standard" would be relevant. The exterior courtyard should be open to the public in a development. She would like to have a list of issues given to them, so they can be looked at and those conditions can be addressed.

Ms. Keller feels that if you are providing public space, let it be public space. She would like to know what they feel is more desirable, balconies, decks or a blind wall. She feels that staff does not provide a lot of guidance to the Planning Commission. She feels the staff report rarely refers to conditions that staff feels would be appropriate conditions.

Mr. Rosensweig feels that height in the code should be addressed.

Mr. Osteen feels that in a mixed use development what is on the 1st floor could be moved to the 2nd floor.

Ms. Green would like the specific applicant to be less of a factor when the Planning Commission is asked to rezone a piece of property.

Mr. Tolbert stated that he would love for the Planning Commission to say “no” occasionally. He feels it would be helpful for staff to know what the Planning Commission wants.

Ms. Creasy stated that many projects do not come to the Planning Commission after initial discussions with staff.

Mr. Rosensweig feels they have sent bad development back to the drawing board and they should have said no.

Mr. Santoski wanted to know why the Planning Commission is approving items if staff is disapproving.

Mr. Rosensweig feels that the bad applications never get to them and staff is telling the applicant they will not be approved.

Mr. Tolbert stated that the codes need to be right to generate better developments.

Public Comment

Lena Seville stated she enjoyed the meeting and the comments that were made.

Mr. Rosensweig adjourned the meeting.