

MINUTES
CITY OF CHARLOTTESVILLE
PLANNING COMMISSION
TUESDAY, February 8, 2011 -- 5:30 P.M.
CITY COUNCIL CHAMBERS

Commissioners Present:

Mr. Jason Pearson (Chairman)
Mr. Dan Rosensweig
Mr. Kurt Keesecker
Mr. John Santoski
Ms. Genevieve Keller
Ms. Lisa Green

Staff Present:

Mr. Jim Tolbert, AICP, Director NDS
Ms. Missy Creasy, AICP, Planning Manager
Mr. Nick Rogers, AICP, Neighborhood Planner
Mr. Brian Haluska, AICP, Neighborhood Planner
Mr. Michael Smith, Planning Assistant

Also Present

Mr. Craig Brown, City Attorney

Not Present:

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

II. REGULAR MEETING

Mr. Pearson convened the meeting.

A. COMMISSIONERS' REPORT

- Mr. Keesecker had no report.
- Mr. Rosensweig informed commissioners that the Parks and Recreation Advisory Board met, and they announced that the YMCA had met their fundraising goal and will start construction soon. He also talked about a fair housing bill that is trying to pass through Senate.
- Ms. Keller informed the commissioners that the CDBG Task Force completed their work for the season and the results will be coming out.
- Mr. Santoski informed the commissioners that he attended two meetings. One with the School CIP committee concerning the new turf field for the high school. The other was PACC Tech. Their next meeting will be April 21, 2011.
- Ms. Green had no report.

B. UNIVERSITY REPORT

No Report. Mr. Neuman was not present at the meeting.

C. CHAIR'S REPORT

Mr. Pearson informed everyone of the joint meeting between City Council and the Planning Commission. They discussed Critical Slopes and the public was not asked for comments or questions, so at the next Planning Commission work session in March from 7:00 p.m. to 7:30 p.m. the public will be given the opportunity to ask questions and make comments.

D. DEPARTMENT OF NDS/STAFF REPORTS/WORK PLAN

Ms. Creasy stated that the Planning Commission had turned in votes for the awards in March. We will have a presentation of the State of UVA report in March.

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

William Page, 1401 Wellford St, wanted to know how the YMCA met their funding. He felt that the Planning Commission needs a little more background on the YMCA since some are new. He also feels the size of the building is too large.

Patricia Napoleon, 700 Lyons Ave, feels that the YMCA is destroying the park land. She feels removal of the trees is irreplaceable and the project was managed poorly.

Clara Bell Wheeler, 1754 Stony Point Rd, noted that the largest green space is being destroyed by the YMCA. The trees will take generations to grow back. She feels the building is too big since it's the length of a football field.

F. CONSENT AGENDA

(Items removed from the consent agenda will be considered at the end of the regular agenda)

1. Site Plan and Subdivision approval list
2. Minutes - December 14, 2010 – Regular meeting
3. Minutes - February 8, 2011 – Regular meeting
4. Minutes - February 8, 2011 – Pre meeting
5. Minutes - January 25, 2011 – Work Session
6. Zoning Text Change Initiation – Non zoned Properties and Proposed Additional Entrance Corridors

Mr. Rosensweig would like to pull items F5 and F6 from the Consent Agenda. He would also like a copy of the January 25, 2011 minutes sent via email to track changes.

Mr. Keesecker would like to recuse himself from item F6.

Ms. Keller made the motion for approval with the changes.

Mr. Santoski second the motion

All in favor. Consent agenda passed.

The commission asked questions about the proposed entrance corridors and then voted to initiate both zoning text amendment by acclamation.

III. JOINT PUBLIC HEARINGS

G. JOINT PUBLIC HEARINGS

1. **ZM-10-11-29** (William Taylor Plaza) A petition to amend the Planned Unit Development (PUD) zoning for the properties located at the corner of Cherry Avenue and Ridge Street. The approved PUD currently allows for the establishment of a 100,000 square foot mixed use building. Proposed amendments include (1) modifications to the building site location, (2) increasing the maximum square footage from 100,000 sf to 120,000 sf, (3) increasing the maximum number of residential units from 50 to 80 units, (4) reducing the minimum commercial square footage from 20% to 10% of building, and (5) modifying residential unit types to eliminate studios and allow three bedrooms. Original proffers include use of green building practices and low impact development principles during construction, increased sidewalk widths, transit improvements, traffic improvements, additional open space, parking, and landscape provisions, additional bike storage facilities, affordable housing donations, and residential density and commercial square footage restrictions. Changes to the original proffers include (a) seeking Earthcraft House Certification or LEED Certification (b) providing affordable housing on site and/or a monetary contribution, and (c) allowing removal of dead, diseased or dangerous trees. This property is identified on City Real Property Tax Map #29 as parcels 145, 146, 147, 149, 150, 151, 157 having approximately 350 feet of frontage on Cherry Avenue and 320 feet on Ridge Street and containing approximately 125,300 square feet of land or 2.875 acres. The PUD zoning allows an applicant to present a proposal independent of established zoning categories for consideration by the governing body. This proposal includes a residential cluster development with dedicated open space containing a density of 27.5 DUA. The general uses called for in the Land Use Plan of the Comprehensive Plan are for Multi-Family Residential. **Report prepared by Brian Haluska, Neighborhood Planner.**

Mr. Haluska presented the staff report.

Several questions were discussed by the staff and commission.

The applicant, Charlie Armstrong representing Southern Development, emphasized that the plans were changed to secure financing through VHDA and to meet the budget.

Mr. Pearson opened the public hearing

Stan Sweeney, 418 5th St. SW stated that he did not get a letter about the new plans. He is against the new plan and feels that the Planning Commission should listen to the citizens.

Antoinette Roades, 406 Oak St, feels that the new plan is not what they are proposing it will be. She feels a lot of home owners will lose their property.

Lee Scouten, 406 Oak St, feels that the developer should have taken time and met with the citizens and gotten their input before proceeding.

Jennifer Jacobs, 1201 Herold Circle, AHIP representative supports the new project. She feels that it is sustainable and vital to for the city affordable housing.

Dr. Dan Smith, 505 Ridge St, wanted to know if the park would be available to everyone. He also touched on the difficulty with parking already.

Pascal Bussiere, 7 ½ St. SW is in full support of the project. He feels it would benefit the city.

Clara Belle Wheeler, 1754 Stony Point Rd, does not live in the area, but is against the project. She feels that the behavior in the neighborhood is already bad and this would add to the problem.

Eugene Williams, 620 Ridge St, feels that the developer is not being honest.

Andrew Owen, 410 Oak St, feels that the street is not large enough to handle the traffic that this development will bring.

William Wilcox, 409 Ridge St, feels that there is too much police activity now and this project will add to the problem.

David Gist, 307 5th St SW, feels that the entrance way to the city is not suitable for the traffic the project will create.

Donald Long, 1716 Yorktown Dr, supports the project to the fullest. He feels this will enhance the area.

Maurice Cox, 702 Ridge St, stressed the entrance to the city and how the project doesn't fit. This plan is different from the first plan.

Jeffrey Lanterman, 405 Ridge St, has a petition with 75 signatures against the project.

Aileen Sweeney, 418 5th St SW, touched on the park, drug trafficking and death threats to tenants renting her property.

Mr. Pearson closed the public forum and asked for questions and comments from the Commissioners.

Mr. Rosensweig felt that the new site plan would be beneficial to affordable housing. He also feels that this project is the first to provide housing on all income levels.

Mr. Pearson is excited about the project and feels it would be a great asset to the area. He feels it is just what that area needs.

Other Commissioners feel that the project will not take care of the affordable housing problem. They also stressed the proper removal of the trees and preserving them.

Mr. Pearson called for a motion.

Ms. Keller moved to recommend denial of the application to amend the concept plan for the William Taylor Plaza planned unit development, with proffers because the proposal would not serve the general public welfare and good zoning practice.

Mr. Rosensweig seconded.

Ms. Creasy called the question:

Green Yes

Santoski Yes

Keller Yes

Rosensweig No

Keesecker Yes

Pearson No

Motion Passes. The request moves forward to Council with a recommendation for denial.

2. ZT-10-12-31- An ordinance to amend and reordain Section 34-273(b) of the Code of the City of Charlottesville, 1990, as amended (Zoning Ordinance) relating to Individually Protected properties by creating an “overlay” zoning restrictions without affecting the underlying zoning district designation. This ordinance would create minor design control district status for the following:

The structure and property at 233 4th Street NW (Jefferson School), Tax Map 32, Parcel 89.

ZM-10-12-32- 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 minor Architectural Design Control District for the following:

The property located at 233 4th Street NW, further identified on City Real Property Tax Map #32 as parcel 89 having approximately 507 feet of frontage on 4th Street NW and containing approximately 161,607 square feet of land (3.71 acres). The general uses called for in the Land Use Plan of the Comprehensive Plan are for Public/Semi-Public. The current underlying zoning, which will remain, is B-2 Business district with proffers. **Report prepared by Mary Joy Scala, Preservation and Design Planner.**

Mary Joy Scala presented the staff report.

Mr. Pearson called for questions from the commission

Planning Commission asked several questions to clarify what was being asked of them.

Ms. Scala clarified that the Planning Commission is tasked with making a recommendation to City Council to designate the Jefferson School as an Individual Protected property. She also stated that in the future it could be included in the Downtown/Starr Hill district.

Mr. Pearson opened the public hearing.

Bill Emory, 1604 East Market St, fully supports the IPP for the Jefferson School. He just wished that the Woolen Mills neighborhood would have been done this way, which is the right way.

Mr. Pearson closed the public hearing.

*Ms. Keller moved to recommend that City Council approve the petition on the basis that the rezoning would serve the interest of the public necessity, convenience, general welfare and good zoning practice and would meet the historic criteria of section 34-274B including **ZT-10-12-31** an ordinance to amend and reordain section 34-273B of the Code of the City of Charlottesville, 1990, as amended zoning ordinance relating to the IPP by creating an overlay zoning restriction without affecting the underlying zoning district designation. The ordinance would create minor design control district status for the following;The structure and property at 233 4th Street NW Jefferson School, tax map 32, parcel 89 and*

***ZM-10-12-32** and ordinance to reordain the zoning district map corporated in section 34-1 of the zoning ordinance of the Code of the City of Charlottesville 1990, as amended by adding minor architectural design control district for the following;*

The property located at 233 4th Street NW further identified on city real property tax map 32 as parcel 89 having approximately 507ft of frontage on 4th Street NW and containing approximately 161,607sqft of land (3.71 acres). The general use is called for in the land use plan in the comprehensive plan are for

public and semi-public, the current underlying zoning which will remain as B2 business district with proffers.

Ms. Green seconded the motion.

Mr. Haluska called the question.

Green Yes

Santoski Yes

Keller Yes

Rosensweig Yes

Keesecker Yes

Pearson Yes

Motion passed.

3. Charlottesville Sidewalk- Priorities-Consideration of a proposed prioritization plan to construct new sidewalks over a five year period in areas lacking interconnectivity city-wide. This plan would replace the current sidewalk priority list. **Report presented by Jim Tolbert, Director.**

Jim Tolbert gave the staff report.

Several questions were discussed by the commission.

The Commission wanted to know if the sidewalk plan could happen in 4 years instead of 5. They also wanted to know how the neighborhoods were chosen.

Mr. Huja wanted to know how the sidewalks would be built if there is an existing Virginia Power pole.

The Commission stressed that funding will be needed to build the sidewalks.

Mr. Pearson asked for additional questions from the Commissioners and called for a motion

Mr. Keller asked if a sidewalk could be considered for Meridian to provide connectivity in the Belmont neighborhood.

Mr. Rosensweig moved for approval of the sidewalk plan. Mr. Keesecker seconded.

Ms. Creasy called the question.

Green Yes

Santoski Yes

Keller Yes

Rosensweig Yes

Keesecker Yes

Pearson Yes

Motion Passed.

4. SP-10-12-33- (207 14th Street NW) An application to amend the special use permit for the property at 207 14th Street NW. The current special permit allow for a 31 room hotel in the B-1 Commercial District with Historic Preservation Overlay district with side yard setbacks of 10' on the north and 7' to the south and 3 parking spaces on site. The amendment would increase the number of hotel rooms to 40. This property is further identified on Tax Map 9, Parcels 70.1-70.21 having frontage on 14th and 15th streets and containing approximately 10,900 square feet of land or 0.25 acres. The property is zoned B-1 with Historic District Overlay and the Land Use Plan generally calls for office. **Report prepared by Nick Rogers, Neighborhood Planner**

Nick Rogers gave the staff report.

The applicant, Valerie Long was available to answer questions.

Mr. Pearson opened the public hearing.

With no one wishing to speak to the matter, Mr. Pearson closed the public hearing and called for discussion among the Commissioners.

Several questions were discussed by the staff and commission.

Mr. Santoski moved to recommend the approval for a special use permit for a 40 room hotel at 207 14th Street NW with the following conditions; Reduction of the side yard setbacks for the two story edition from 23ft to 10ft on the north and 7ft on the south. Reduction in the required number of parking spaces on site to 3 spaces and to provide the remaining spaces in the 14th Street parking garage. That the applicant would have a lease showing these additional parking spaces were procured before the new site plan is approved.

Ms. Green seconded the motion.

Ms. Creasy called the question.

Green Yes

Santoski Yes

Keller Yes

Rosensweig Yes

Keesecker Yes

Pearson Yes

Motion passed.

5. Entrance Corridor Guidelines Revision-Consideration of proposed changes to the Entrance Corridor Design Guidelines as required by Section 34-305(b) of the City Code. Proposed changes include the inclusion of current comprehensive plan language, procedural clarifications and updates to various

principles and guidelines including streetscapes, sites and buildings. **Report prepared by Mary Joy Scala, Preservation and Design Planner.**

Ms. Scala gave the staff report

Mr. Pearson opened the public hearing.

With no one wishing to speak to the matter, Mr. Pearson closed the public hearing and called for discussion among the Commissioners.

There were several comments and questions discussed by staff and the commission.

The Commissioners wanted to include and make sure some bullets will stay in the guidelines. They would also like to add some things and take some things out.

Ms. Keller moved to recommend approval of the Entrance Corridor Guidelines Revision presented by Ms. Scala with the changes suggested by the Commissioners.

Mr. Santoski seconded the motion

Ms. Creasy called the question.

Green Yes

Santoski Yes

Keller Yes

Rosensweig Yes

Keesecker Yes

Pearson Yes

Motion Passed

IV. Regular Meeting Items (Cont.)

H. Critical Slope Waiver

1. 901 River Road

I. YMCA

1. Landscape Waiver

Mr. Rogers gave the staff report.

The applicant was present for questions.

The commission wanted to make sure that the trees are preserved in the manner they should be. They also wanted to make sure that the tree canopy would be met and maintained.

Mr. Green moved to approve the YMCA Landscape waiver with the amendments; the YMCA would maintain the required tree canopy.

Mr. Keesecker second the motion

Ms. Creasy called the question.

Green Yes

Santoski Yes

Keller No

Rosensweig Yes

Keesecker Yes

Pearson Yes

Motion passed

Adjourned at 11:05 p.m.