

MINUTES  
CITY OF CHARLOTTESVILLE  
PLANNING COMMISSION  
TUESDAY, August 14, 2012 -- 5:30 P.M.  
CITY COUNCIL CHAMBERS

Commissioners Present:

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

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

Not Present:

Ms. Natasha Sienitsky

Staff Present:

Ms. Missy Creasy, AICP, Planning Manager  
Mr. Willy Thompson, AICP, Neighborhood Planner  
Mr. Brian Haluska, AICP, Neighborhood Planner

Also Present

Mr. Richard Harris, Deputy City Attorney

**II. REGULAR MEETING**

Ms. Keller convened the meeting.

**A. COMMISSIONERS' REPORT**

- Ms. Green –attended the MPO meeting July 17<sup>th</sup> and TIP amendments were discussed. The bike application data will be available in September and the application is still available for usage.
- Mr. Osteen-Nothing to report.
- Mr. Rosensweig-The HAC met on July 18<sup>th</sup> and presented a report pertaining to market rate affordable housing. He noted that the McIntire Park study would be going back to City Council next week.
- Mr. Keesecker- Nothing to report.
- Mr. Santoski-Nothing to report

**B. UNIVERSITY REPORT**

Mr. Neuman – Some students return on August 18<sup>th</sup> and preparation is being finished around the academic village. First year students will arrive August 24<sup>th</sup> & 25<sup>th</sup> with classes starting on the August 28<sup>th</sup>. The utility work at the intersection of Emmet and Ivy will begin in preparation for widening drive lanes and adding new bike lanes. This is an UVA and City of Charlottesville joint project.

**C. CHAIR'S REPORT**

Ms. Keller –announced the nominating committee which includes Kurt Keesecker and Lisa Green. She also attended the TJPDC monthly meeting which included a tour of the new Fluvanna County High School. She congratulated them on a very nice state of art building.

**D. DEPARTMENT OF NDS/STAFF REPORTS/WORK PLAN**

Ms. Creasy stated that there will be a work session August 28<sup>th</sup> including a discussion on the last three elements of the Comprehensive Plan and areas to work with the County on regional efforts. There will be a Joint work session September 18<sup>th</sup> and at that time the information from all three summer work sessions

will be brought together. There will be some citizen outreach events for the land use map in late October or early November. The dates and times are still being worked out. Two chapters of the comp plan will be distributed by Friday and she would like any comments forwarded back in the next two weeks in preparation for work sessions on those two chapters.

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

Mike Meintzshel, 621 Harris Road stated that he is in opposition of the Willoughby Place expansion. There is a big challenge currently for navigating the roadway when it snows. The land needed for the easement is owned by the HOA and they will not be granting the easement.

Logan McKinley, 106 Leigh Place is the neighborhood president and feels the road is currently unsafe. The neighborhood already has two sets of things such as buses, trash pick that are constantly in and out. . He feels that this development would cause traffic to back out onto 5<sup>th</sup> street during rush hour.

**F. CONSENT AGENDA**

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

1. Minutes - June 12, 2012 – Regular Meeting
2. Minutes- July 10, 2012-Pre Meeting
3. Minutes - –June 26, 2012-Work Session
4. Minutes- July 24, 2012-Work Session

Mr. Rosensweig made a motion to approve the Consent Agenda

Ms. Green seconded the motion

All in favor

Consent Agenda passes

**G. CRITICAL SLOPE WAIVER**

1. Stonehenge PUD-This item will be considered during the Joint Public Hearing with Stonehenge PUD

**III. JOINT PUBLIC HEARINGS**

**1. H. JOINT PUBLIC HEARINGS**

**1. ZM-12-04-06 (Stonehenge PUD):** A petition to rezone the property located off of Stonehenge Avenue from R-1S Residential District to Planned Unit Development (PUD). The property is further identified as Tax Map 60 Parcels 81.8, 90, 91, 120, 120A-C, 121, 122.4-7 having road frontage on Stonehenge Avenue and containing approximately 240,887 square feet of land or 5.53 acres. The PUD zoning allows an applicant to present a proposal independent of established zoning categories for consideration by the governing body. This proposal consists of 29 single family detached dwellings with open space and a density of no greater than 5.25 DUA. The general uses called for in the Land Use Plan of the Comprehensive Plan are for Single-Family Residential. **Report prepared by Brian Haluska, Neighborhood Planner.**

Mr. Haluska presented the staff report and gave an overview of the project proposed. He also stated why a Critical Slope waiver is needed. Mr. Haluska informed the Planning Commission that he had received letters from neighbors who are in opposition of the development and those are included in the materials.

Mr. Harris gave an overview of how, when and why the lots were platted the way they are. He also explained what could and could not be built on the lots as they are currently platted.

**Question from the Commission**

- Is the site work conforming with City regulations?
- Was Rockland Ave considered to be used as another entrance way?
- Are the lots sizes typical Belmont lot sizes if they are by right in the by-right configuration?
- Will there be public transportation servicing the area?

- Is there a stream off of Rockland and Stonehenge?
- Can 24 units currently be built with road access?
- How many trees will need to be removed and how many will be added?

Mr. Haluska stated that the applicant can apply for a Land Disturbance Permit to move earth with the proper plans. He also stated that Rockland does not abut the property and the lot size is typical of current Belmont lot sizes. Public transportation will not be able to be provided because the road is a dead end. If the owner builds “by right” only two trees will be saved, but if they build by “PUD” then 72 of the 81 trees will be saved. Street trees will also be added as required.

### **Questions from Council**

Mr. Huja wanted clarification on how many homes could be built right now. He also wanted to know if City Council could ask the applicant for proffers. He would also like to see some affordable housing.

Ms. Galvin asked if City Council could request house size dimensions, affordable housing and connectivity.

Mr. Haluska gave a breakdown of the lot sizes. He stated that 29 houses can be built.

### **Comments from the Commission**

Mr. Keesecker asked about road design at this location and it was noted that the connections provided were designed to address existing topography.

The applicant, Justin Shimp, 201 East Main St, stated that the project is unusual in nature. He gave a brief explanation of why a “PUD” would be better than a “By Right “ configuration.

### **Question from the Commission**

- Has there been any neighborhood meetings?
- Would like to see a harmonious development that included additional design details.
- What will happen to the parcels that are not used in the development?
- Can an alternative travel connection through Rockland be looked at or some type of pedestrian connector be provided?

### **Questions from Council**

Mr. Huja would like to know if affordable housing was ever considered?

Mr. Shimp stated that there have been three neighborhood meetings. At two of the meetings many were in opposition but by the third most of the neighbors were in favor of the PUD. He also stated that a rendering of the type of housing has not been created yet and they will probably not develop the lots that aren’t being used. Rockland will not be available for vehicles but a pedestrian walkway will be looked at.

Ms. Keller opened the Public Hearing

Dan Widmer, 900 Stonehenge Ave, feels that the PUD is the best proposal and the developer has done their best with the design.

Katrina Hennigar, 1006 Druid Ave, noted that the PUD is a thoughtful alternative. She feels the “By Right” design would be too costly for the developer.

Michael Hennigar, 1006 Druid Ave, stated that the current zoning keeps with the current Belmont design but would cost the developer a lot more money to build.

Jeanette Halpin, 1011 Druid Ave, would like to have been given the chance to consider the development on its own merits. If the development is done properly it could be a real asset to Belmont.

Marla Ziegler, 1008 Druid Ave, felt that trees were removed before the survey was done. She was only invited to 2 of the 3 meetings and the only change made was the addition of sidewalks.

Susan Byrd, 361 Quarry Rd, would only like to see 24 units added to the development.

Martha Dix, 914 Druid Ave, was unaware of the meetings. She is really devastated that only 2 trees were left following the site work.

Julia Williams, 751 Belmont Ave, feels that there is already a problem with pedestrians crossing on Monticello Rd and this development will make it worse. She would like to see some buffers added.

Ms. Keller closed the public hearing.

### **Discussion**

Ms. Keller felt there is justification for the PUD over the by right configuration. She also feels that comments could be addressed better if we had an idea of how the development will look. This application is incomplete. She feels that smaller lot sizes are more consistent to what is in Belmont now.

Mr. Rosensweig had the same thoughts as Ms. Keller. He also feels that work needs to be done with linkages and affordable housing.

Mr. Osteen could not get past #1 on the PUD standard of review.

Ms. Green felt that the development could be a more livable and walkable community. She feels that the development is disconnected and a pedestrian bridge could be worked out. The developer needs to look at all ten standards of review and be able to address all questions.

Mr. Santoski agrees with previous commissioner's comments. He feels he has seen better concept plans on other developments. We need to make sure things are done harmoniously

Mr. Keesecker feels that the road design is a smart one. He doesn't really see any other way to make this work.

Mr. Shimp requested a deferral and feels that some things that were discussed can be addressed.

**2. SP-12-06-09 – (715 Nalle Street)** An application from Stephen Hitchcock and Kendall Cox for an infill special use permit to establish an additional single family residential lot. The property is further identified on City Real Property Tax Map 30 Parcel 37 having road frontage on Nalle Street. The site is zoned R-1S and is approximately 0.25 acres or 10,800 square feet. The Land Use Plan generally calls for single family residential. **Report prepared by Willy Thompson, Neighborhood Planner.**

Mr. Thompson presented the staff report and stated that a lot of public comment was received and included in the materials.

The applicant Steve Hitchcock gave a brief description of the project and their intentions on what they are planning to build.

### **Questions from the Commission**

- Will the applicant be allowed to have a home occupation?
- Is there a structure on the lot that needs to come down?

Kendall Cox, the applicant stated that there is not a structure on the property that needs to come down. The shed shown on the plat has already been removed.

Mr. Thompson stated that if the homeowner meets the requirements for a home occupation they can apply for one.

Ms. Keller opened the public hearing.

William Koenig, 716 Nalle St, is in opposition of the project. He feels that the construction would be very disruptive to the neighborhood.

Jeff Erkelens, 310 6<sup>th</sup> St SW, is in support of the project. He feels that parking is a problem for everyone that lives in the neighborhood. The new house will make the street better.

Kathleen Pennick, 802 Nalle St, agrees with the previous speaker and is comfortable with what is being proposed.

Ms. Keller closed the public hearing.

**Discussion**

Mr. Osteen wanted to know if guest parking would be an option?

Mr. Rosensweig feels that it would be a community amenity to fill in the vacant area on the street. He doesn't have a problem with a guest parking pass.

Mr. Keesecker suggested that maybe the off street parking can be adjusted to allow two spaces.

Ms. Keller would like the height of the house to be consistent with adjacent properties.

Mr. Santoski doesn't want the parking to be limited.

Mr. Rosensweig moved to recommend the approval of this application to allow an infill special use permit in the R1-S Residential - Small Lot district for variations in minimum lot size and regulations subject to the following conditions and exceptions or modifications:

- a. Staff approval of the LID features presented on an engineering plan.
- b. A dwelling built on the newly created lot shall be entitled only to one residential parking permit.

Ms. Green seconded the motion

Ms. Creasy called the question

Green	Yes
Osteen	Yes
Rosensweig	Yes
Keesecker	Yes
Santoski	Yes
Keller	Yes

Motion Carries

**III. REGULAR MEETING ITEMS**

**I. Willoughby Place Appeal**

Mr. Thompson presented the staff report.

The applicant, Keith Woodard, was present and added that he gave the City Traffic Engineer a hard copy of a new roundabout design.

**Question from the Commission**

- What is the basis for the appeal?
- Did the multi-way stop meet the warrant study?

Mr. Thompson stated that there is nothing in the code that states the applicant needs a reason for an appeal and a study was never done, but the applicant could submit one now.

Mr. Woodard stated that the project has a long history and he really didn't have an understanding of the process this evening. He thought he was getting an approval. He only sees one thing in the code that relates to site distance and submitted that to the Traffic Engineer and has not gotten a response.

**Question from the Commission**

- Why hasn't a warrant study been submitted
- Is there plans for another road to come in from the new road that is being built
- Was the code stated for a single family development?

Mr. Woodard said that a traffic study would not show the volume needed for the three way stop.

Mr. Thompson stated that the code Mr. Woodard is referring comes from the City's standards and design control manual and not state code.

Ms. Green said I move to affirm the Director's July 2, 2012 disapproval of the preliminary site plan submitted by the applicant for Willoughby Place Phase 1 for the failure by the applicant to provide acceptable, safe, and convenient ingress and egress as required under section 34-896 of the zoning ordinance. The applicant shall provide an entrance that meets all applicable city codes and requirements in order to permit approval of the plan.

Mr. Santoski seconded the motion

Ms. Creasy called the question

Green	yes
Osteen	Yes
Rosensweig	Yes
Keesecker	Yes
Santoski	Yes
Keller	Yes

Motion Carries.

Ms. Green made a motion to adjourn to the second Tuesday in September.

Meeting adjourned at 8:50 pm.