

CITY OF CHARLOTTESVILLE

PLANNING COMMISSION

TUESDAY, 13 JUNE, 2006 -- 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)

Mr. Jon Fink (Vice-Chairman)

Mr. Craig Barton

Mr. Michael Farruggio

Ms. Cheri Lewis

Mr. Bill Lucy

Mr. Kevin O'Halloran

Commissioners Not Present:

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

Staff Present:

Mr. Jim Tolbert, AICP, Director NDS

Mr. Ron Higgins

Ms. Missy Creasy

Ms. Ashley Cooper

Mr. Brian Haluska

Mr. Jim Herndon

City Council Members Present:

Mr. David Brown, Mayor

Mr. Kevin Lynch, Vice Mayor

Mr. Blake Caravati

Ms. Kendra Hamilton

Also Present

Lisa R. Kelley, Deputy City Attorney

I. REGULAR MEETING

Ms. Firehock convened the meeting at 6:31 p.m.

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

Ms. Firehock called for matters not on the agenda. There were no matters not on the agenda.

Ms. Firehock stated this would be the last meeting for Mr. Higgins. He had begun working for the City as a draftsman 30 years ago. Ms. Firehock thanked Mr. Higgins for all of the help he had provided her since her days as a neighborhood resident interested in planning issues. Speaking on behalf of the Commissioners and residents, she thanked him for his patience, care and hard, diligent work over the years.

B. MINUTES

May 9, 2006 -- Regular Meeting

Ms. Lewis asked that the word "not" be removed from the first sentence of the last full paragraph on page 5 and that "by right" be added at the end of that sentence. Mr. Farruggio mentioned two typographical errors on page 5: "of" should be "or" and "enrolment" had been used. Mr. Barton also felt "enrolment" as shown in the fourth paragraph of page 7 was a misspelling.

Mr. Barton moved to accept the minutes as amended. Ms. Lewis seconded the motion. Ms. Firehock called the question. The motion carried unanimously.

C. LIST OF SITE PLANS AND SUBDIVISIONS APPROVED ADMINISTRATIVELY

Mr. Fink moved to approve site plans and subdivisions. Mr. Barton seconded the motion. Ms. Firehock called the question. The motion carried unanimously.

D. COMMISSIONERS' REPORTS

Ms. Lewis had attended the Thomas Jefferson Planning District Commission meeting. She stated Places 29 was rolling along. The Route 250 Interchange Committee would be meeting 14 June and would have a public session at Charlottesville High School from 4 to 7 p.m. She stated she had missed the May meeting of the UVA Master Planning Council.

Mr. Farruggio stated the Parks and Recreation Advisory Committee had not met. He stated he had attended the 250 Bypass Interchange Steering Committee meeting. He stated the Neighborhood Federation had not met.

Mr. Lucy stated the Strategic Plan Citizens Committee met; it had not been a productive meeting. He stated the Board of Architectural Review had met. There had been a number of issues with the building adjacent to the Wachovia Bank building. Mr. Lucy suggested the Planning Commission revisit the height limit in the downtown area.

Mr. Fink echoed Mr. Lucy's comments regarding the Strategic Plan Committee. Mr. Fink stated the MPO Tech committee had met and discussed parallel roads to ease traffic on Route 29.

Mr. O'Halloran stated the Board of Zoning Appeals had met and had two interesting cases: a group wishing to build a house of worship in a residential zone had not been granted the setback waiver due to the precedent which would be set; and the Board had not granted the request of a property owner who had filed a site plan which was to include handicap parking spaces which the applicant did not wish to use as handicap spaces.

Mr. Barton stated none of his committees had met.

E. CHAIR'S REPORT

Ms. Firehock stated none of her committees had met.

J. DEPARTMENT OF NDS/STAFF REPORTS

In the absence of a quorum of City Council, Mr. Tolbert gave his report.

Mr. Tolbert stated the Neighborhood plans had been finalized and were going back to the neighborhoods.

Mr. Tolbert stated the revised CIP process would be worked on during the summer.

Mr. Barton recognized the service of Linda Peacock who had passed away earlier in the month. Ms. Peacock was a dedicated and friendly member of the City staff. He stated she was always professional and always able to provide you with the necessary information in a timely manner. He expressed condolences on behalf of the board to Ms. Peacock's family.

Ms. Lewis sought an update of the status of the PODS ordinance. Ms. Kelley explained she had sent a copy of the ordinance to Valerie Long, Esquire, who was representing the PODS company, along with a letter suggesting that attorney write their requests into the ordinance. Ms. Kelley was awaiting a response from Ms. Long.

Ms. Firehock expressed thanks to Mr. Caravati for his 16 years of service to the City.

A quorum of Council was attained at 7:07 p.m.

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

F. JOINT PUBLIC HEARINGS

1. ZM—06-3-4: A petition to rezone from R-1S Residential to Planned Unit Development (PUD), with proffers, the property at the east side of Franklin Street, just north of the CSX tracks. The application is to increase the density to a single-family development. This property is further identified on City Real Property Tax Map 56 as parcel 114.2, having 214.6 feet of frontage on Franklin Street and containing approximately 36,469 square feet of land or 0.84 acres. The general uses called for in the Land Use Plan of the Comprehensive Plan are for Single Family Residential of three to seven units per acre.

Mr. Haluska gave the staff report. Mr. Haluska stated there were no proffers. The applicant proposes seven single family detached units on the parcel. Four of the units would front on Franklin Street; three would front on a private loop drive as shown on the site plan. Current zoning would allow for four attached single family units. There has been a lot of public input on the application. The Woolen Mills Neighborhood Plan stresses the maintenance of the character of the neighborhood. Two preliminary

public applicant item review meetings had been held. The public had expressed concern about the density of the project, the access, the impact on the surrounding and area. Additional correspondence from the neighborhood focus on the density as well as whether the proposal was in character with the surrounding neighborhood. The original plan which had been before the Commission previously had proposed two three-unit townhouse buildings. Additional comments expressed to staff had been concerned about the neighborhood plan for Woolen Mills being ignored by the approval of infill developments. In analyzing the application, the primary consideration has been weighing the by right development against the proposed concept plan. The applicant proposes three units over the by right density. The units will impact traffic and will create a residential development out of character with surrounding residential properties. Staff recognizes the concerns raised by the public and believes their point that maintaining the character of the Woolen Mills neighborhood is a valid concern. However, this parcel relates to the Woolen Mills neighborhood and to the industrial areas to the south. The proposed PUD would replace invasive species of plants with species native to the area. The applicant proposes using rain gardens and pervious paving. The proposal provides a good transitional use. Staff recommends approval.

Ms. Firehock called for questions of staff.

Mr. Fink sought clarification that, if they looked at by right development with four lots, the accessory apartments could be detached. Mr. Haluska stated they could be. Mr. Fink asked if the density would be comparable to what was proposed. Mr. Haluska stated it could.

Mr. Farruggio wanted to know if any proffers had been discussed. Mr. Haluska stated there were some items under discussion but no proffers had yet been made.

Ms. Firehock recognized the applicant.

Mr. Kent Daugherty, of 123 Goodman Street, and Mr. Hunter McCardle were present to represent the applicant Franklin Street, LLC

Mr. McCardle stated they had felt this was a transitional property. He gave a brief history of the proposal. He stated they were interested in exploring low impact development techniques. He stated they were fully committed to affordability and would be glad to proffer that. He stated they had been in discussions with Piedmont Housing Alliance on how to structure that.

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

Ms. Lewis wanted to know how the applicants had derived their open space qualifications since open space was recreational space. Mr. Barton added that open space should be accessible to all residents of the new community. Mr. McCardle stated they had listed as open space any pervious surface.

Mr. Caravati wanted to know how much the applicant anticipated selling the units for. The applicant stated the front units would go from \$300,000 to \$350,000 and the rear units from \$200,000 to \$250,000.

Ms. Firehock opened the public hearing.

Mr. Bill Emory, of 1604 East Market Street, read a prepared statement in opposition to the proposal. He asked that the Commission recommend denial.

Ms. Victoria Dunham, of 2000 Market Street read a prepared statement in opposition to the proposal.

Ms. Laura Covert of 1809 East Market Street, read a prepared statement in opposition to the proposal. She also stated she could not think of three accessory units in the entire neighborhood.

Mr. Michael Lasko, of 1915 East Market Street, spoke in opposition of the proposal. He asked the Commission to ask themselves: what rationale is presented by the developer that is so compelling it requires them to set aside the neighborhood plan; and what rationale is so compelling it deserves overriding the wishes of the adjacent neighbors.

Ms. Betty Jo Dominic spoke in opposition of the proposal.

Mr. Karl Ackerman, of 1611 East Market Street, spoke in opposition of the proposal. He endorsed the comments of Mr. Lasko. He felt the neighborhood was not interested in up zoning.

Mr. Greg Gelburd, of 1612 East Market Street, spoke in opposition of the proposal.

Ms. Kathy Clark Gelburd, of 1612 East Market Street, speaking in opposition of the proposal, stated she was totally against increasing the density.

Mr. Bill Lankford, of 1400 East Market Street, thanked the Commission and Council for their past support of the neighborhood in its attempts to preserve a livable city. He hoped they would deny the application.

Mr. Will Curner, of 1618 East Market Street, strongly supported most of the views presented by the neighborhood. He stated there were many reasons to deny the application.

Mr. Jeff St. Dennis, of 1619 East Market Street, was present in support of his neighbors and asked the Commission to make the decision that was best for the neighborhood and best for Charlottesville.

Ms. Ryan Tucker, of Fort Collins, Colorado, spoke in opposition of the proposal.

Mr. Bob Pinio, of 1512 Chesapeake, spoke in favor of the proposal. He thought it would be a great anchor to the neighborhood.

Mr. Len Oppenheimer, of 1615 East Market Street, stated there was a movement among the neighbors to try to purchase this land back to give to a nature conservancy.

Mr. Fran Lawrence, of 1729 Chesapeake Street, stated he and his wife were opposed to the rezoning.

Mr. John Diven, of 214 Eighteenth Street, spoke in opposition of the proposal.

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

Ms. Lewis stated the Commission needed to consider whether the existing zoning of the property was reasonable and whether the proposed classification was reasonable. She stated the existing zoning was reasonable. Despite the merits of the applicants and how hard they had worked, she was not sure the proposed rezoning was reasonable in this neighborhood.

Mr. O'Halloran concurred with Ms. Lewis.

Mr. Lucy thought it was a good proposal.

Mr. Barton stated they should assess the benefits which accrue from a project. He stated what would allow him to support a PUD was confidence that the benefits that were self imposed by the developers were ones that would allow the project to be environmentally sustainable and to meet some of the challenges of the community. His concern with this project was that there was not enough certainty about what the benefits would be.

Mr. Farruggio stated that within this PUD he did not see affordable housing, sidewalks connectivity, open space that was usable to the residents, and not enough parking. He could not support this proposal.

Mr. Fink echoed many of the comments of his colleagues. He stated the same density could be achieved by right; therefore the existing zoning was reasonable. He expressed concern about ingress and egress. He saw no rationale in supporting this PUD.

Ms. Firehock stated there were reasons to support the proposal; however, going back to the PUD goals she could not support the proposal.

Mr. Farruggio moved to recommend denial of this application to rezone property from R-1S to PUD. Mr. Fink seconded the motion. Mr. Higgins called the question. The motion carried unanimously.

Ms. Firehock called for a recess to clear the chamber whereupon the Commission stood in recess at 9:08 p.m.

Ms. Firehock reconvened the public hearing at 9:16 p.m.

2. ZM—06-3-8: A petition to rezone from McIntire-5th Street Residential Corridor to Planned Unit Development (PUD), with proffers, the property located to the south of Brookwood Lane, along extended Brookwood Drive and off of the end of Raymond Road. The application is to permit the construction of 31 single-family detached units rather than 38 townhouses. This property is further identified on City Real Property Tax Map 25A as a portion of parcel 41, having approximately 340 feet of frontage along both sides of Raymond Road extension, 75 feet of frontage along Brookwood Lane, 525 feet of frontage along the platted extension of Brookwood Drive and containing approximately 302,300 square feet of land or 6.94 acres. The general uses called for in the Land Use Plan of the Comprehensive Plan are for Single Family Residential of three to seven units per acre.

Mr. Haluska gave the staff report. There has been very little public input on this project, those received have been in favor of the application. Staff recommends approval because the proposal would use an arrangement of buildings that would be cohesive with the surrounding single family neighborhood, and the applicant proposes to decrease the density of the site from the currently approved plan which will lessen the impact of the development on the surrounding neighborhood.

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

Mr. Barton wanted to know if there had been any changes to the site plan since it had last been before the Commission. Mr. Haluska stated there had not been any substantial changes.

Ms. Firehock recognized the applicant.

Mr. Frank Ballif, of Southern Development, stated there had not been any changes since his last appearance before the Commission 30 days prior. He stated the design had been changed at the request of the neighborhood.

Ms. Firehock called for questions of the applicant.

Ms. Lewis sought clarification that an area of the display was labeled "Future Development." Mr. Ballif stated it was. Ms. Lewis then sought clarification if that future development parcel had been included in the open space calculation. Mr. Ballif stated it absolutely had not.

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

Mr. Fink stated it looked like the developer was working with the neighborhood. He stated he could support this.

Mr. Fink moved to recommend the approval of this application, ZM-06-3-8, to rezone property from MR to PUD as submitted on the basis that the proposal would serve the interest of the general public welfare and good zoning practice. Mr. Farruggio seconded the motion. Ms. Firehock stated this application was different from the previous application because it does provide the ability to arrange the buildings on the site in a way that does preserve more of the environmental features. Ms. Lewis stated she was impressed by the amount of open space. Mr. Higgins called the question. The motion carried unanimously.

3. ZT—06-3-9: An ordinance to amend and re-ordain the following sections of the Code of the City of Charlottesville, 1990, as amended (Zoning Ordinance):

a.) Section 34-158: Special Permits, Application Generally: This is to specify the items which are needed as part of any special permit application, including a preliminary site plan, applicant's ownership status, Low Impact Development worksheet for certain residential development, massing and context graphics and affordable dwelling unit data.

b.) New Sections 34-165 and 34-166: Infill Development: This provides standards and requirements for residential infill development special permits on property not to exceed 2 acres in total land area. This would also include an infill area map and Low Impact Development checklist by reference.

c.) Section 34-492: Configuration (for PUDs): Adding the requirement that Planned Unit Developments consist of more than 2 acres of total land.

Mr. Tolbert gave the staff report. The intent was to address infill developments. Low impact development would be required. A low impact worksheet would go along with this; a score of ten or greater would be required before an application could be submitted for consideration. Density could not exceed more than one and-a-half times the density already allowed by right. Council could allow a density of up to 2 units per acre for an infill development scoring 13 or more.

Ms. Firehock called for questions from the Commissioners.

Mr. Farruggio felt the language in 165(b) was confusing. Mr. O'Halloran suggested the word "vehicle" be replaced by "automobile." Mr. Farruggio agreed with that suggested change.

Mr. David Hirschman explained the point system to the Commission.

Mr. Fink wanted to know how challenging it would be to get ten points. Mr. Hirschman stated it would not be impossible but it would not be easy either.

Ms. Firehock opened the public hearing.

Mr. John Simmelhack, of 1403 Chesapeake Street, offered his support of all three aspects of the ordinance.

Ms. Laura Covert, of 1809 East Market Street, stated these were great additions to the ordinance. She expressed concern as to whether there would be enough people to enforce the matter.

Mr. Dave Norris, of 1409 Early Street, realizing that zoning could not be used to cure every social ill, asked that the Commission not lose site of the goal of affordable housing.

Mr. Lyle Solla-Yates, of 1703 East Market Street, stated he was delighted to see the direction this was going in.

With no one else wishing to speak to the matter, Ms. Firehock closed the public hearing.

Ms. Firehock asked Mr. Tolbert to address the concern about enforcement. Mr. Tolbert stated the City had four certified E&S/storm water staff persons.

Ms. Lewis stated the only way she would support this matter was if they discussed affordable housing at a work session within the next two months.

Ms. Kelley stated the affordable housing issue was not tied at this point to a cluster ordinance or PUD. She stated the Commission could get started working on that independently.

Mr. Barton stated Ms. Lewis had eloquently made her point about the need to redouble their efforts to develop affordable housing.

Mr. Farruggio stated the included map was broader than the map which the Commission had discussed previously.

Mr. O'Halloran agreed with Mr. Farruggio. He suggested they remove the map from tonight's motion and look at it at a work session.

Ms. Lewis moved that they recommend that City Council amend and reordain the following sections of the Code of the City of Charlottesville: Section 34-158, Special Use Permits, Generally -- Ms. Lewis stated she was referring to the version that was headed Reviewed by City Attorney's Office, June 13, 2006 -- and New Sections 34-165 and 34-166, and amending Section 34-492 in the PUD ordinance to limit it to more than two acres with the condition that the Commission move with all due haste to finalize the map and also that they approve the LID checklist that was presented to them this evening with modifications as discussed. Mr. Farruggio seconded the motion. Mr. Higgins called the question. The motion carried unanimously.

III. REGULAR MEETING ITEMS (Continued)

G. OFF-STREET PARKING WAIVERS

428 Fifth Street, SW -- Single-family detached residence

Mr. Haluska gave the staff report. This request meets all three criteria. Staff recommends approval.

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

Mr. O'Halloran moved that they grant the waiver. Mr. Barton seconded the motion. The motion carried unanimously.

H. SITE PLANS

1. River's Edge PUD, Phase II -- Chesapeake Street and Riverside Avenue -- 5 single-family units

Mr. Haluska gave the staff report. This PUD was originally approved by City Council on 18 July, 2005. The applicant has nailed down the lots but not the building sites. The applicant had provided to staff the maximum building envelope and the storm water requirement. Staff is still reviewing that per the ENS program.

Ms. Firehock recognized the applicant.

Mr. Kennan Williams and Mr. Chris Hayes were present.

Mr. Williams stated they were not building a series of spec houses. He stated they were respecting the separations that were talked about in Phase I.

Ms. Firehock sought clarification that they would not get closer to the flood plain. Mr. Williams stated they would not.

Ms. Lewis wanted to know why the buildings were not shown on the map. Mr. Williams stated they were trying to design the houses for each lot with the clients.

Mr. O'Halloran stated this was confusing because it was different from most site plans they look at.

Mr. Barton expressed concern about setting a precedent in approving this.

Ms. Lewis asked if they could come back with a site plan after meeting with their clients. Mr. Barton suggested they go through administrative approval.

Mr. Fink moved that they accept River's Edge PUD, Phase II, with the condition that the applicant will bring back to staff for administrative approval the siting of the five structures in Phase II. Mr. Farruggio seconded the motion. The question was called by acclamation. The motion carried 6-1; Mr. O'Halloran voted against.

2. "Brookwood" Site Plan -- Cherry & Ridge Waste site for excess fill -- amended plan

Mr. Haluska gave the site report. In the original Erosion and Sediment Control plan, there was a plan to have a fill site at the corner of Cherry and Ridge. Staff ruled, in a letter from the Director of NDS on 17 November, that the futures of the site contributes significantly to the character of the neighborhood and are unique in character and that the preservation of the features was necessary to satisfy the purpose and intent of this section (Section 34-866(b)). The developer removed two pages from the Brookwood site plan in order to move the site plan forward. They are now coming back with that section of the plan. There are three issues with this particular piece of property: one, the destruction of natural

features -- there is concern by the public about the accuracy of the tree surveys on this property; two, the existence of a family graveyard on the site; three, there is an intermittent stream on the site that the Army Corps of Engineers has granted a permit to pipe. The Commission must determine whether or not this proposed amendment to the Brookwood site plan is in line with Section 34-866 (e) of the City Code: The planning commission or the director shall refuse to approve any site plan that proposes unnecessary destruction of trees or other natural features.

Mr. Tolbert added that there may have been some concern by one Commissioner about a "secret letter" written by Mr. Tolbert. Correspondence from the neighborhood referred to "Mr. Tolbert's correspondence"; this reference was to letters of November and February. Nothing else has been written to Southern Development.

Ms. Firehock called for questions of staff.

Mr. Fink sought clarification that the Department of Historic Resources had not sent anyone on site when it reviewed the graveyard. Mr. Haluska stated their correspondence had stated they did not trespass on the site.

Ms. Firehock sought clarification that the existing site plan was a by right site plan which had been accepted by the City. Mr. Haluska stated there was a site plan accepted for review that was deferred in January.

Ms. Firehock recognized the applicant.

Mr. Frank Ballif, of Southern Development, stated he had sent an E-mail to the Commission and Staff which listed out his points. He asked if he could come back after public comment. He stated the graveyard was based on a reservation giving a certain individual or that individual's heirs the right to have a grave site reserved on a much larger parcel. Their surveyors had physically surveyed every inch of the property searching for evidence of grave sites and found none. The Department of Historic Resources and Army Corps of Engineers asked that they be notified if grave sites were discovered during excavation. Mr. Ballif stated a letter of rebuttal had been sent to Mr. Tolbert in response to his 17 November letter seeking information from the City. He stated they were preserving most of the big trees.

Ms. Firehock called for questions of the applicant.

Mr. Barton asked if the applicant intended to build affordable housing that meets the City's standards. Mr. Ballif stated he did not know yet as plans were still in process.

Mr. Fink asked Mr. Ballif to respond to one part of Mr. Tolbert's letter which stated "As initially presented, I believe that your site plan does, in fact, destroy all natural features of the site." Mr. Ballif stated the plan which had been submitted before that letter did disturb the whole site. He added that after the arborist's survey a new plan had been submitted.

Ms. Firehock sought clarification as to why the developer would need to fill an area where there would not be too much development. Mr. Ballif stated the area would be used for an access road.

Ms. Lewis wanted to know who had done the first and second tree surveys. Mr. Ballif stated Rivanna Survey and Engineering did both surveys and the tree review had been done by the Van Yahres Company.

Ms. Firehock called for public comments.

Mr. Otis Douglas, of 407 Oak Street, spoke in opposition of the proposal and wanted to know how it was possible to have lots designated as a waste site without any kind of zoning change.

Ms. Ruth Telladonno, of 100 South Street, stated when she had closed on her Oak Street property the researcher told her they had run across references to graveyards on the property.

Ms. Nisha Bushway, of 755 Tenth Street, spoke in opposition of the proposal to dump on this site because it would kill all the trees there, it would set a bad precedent, and Cherry is not a good entry for this site.

Mr. Herb Porter, of 509 Seventh and-a-half Street, read a prepared statement in opposition of the proposal.

Ms. Carla Manno, of 327 Seven and-a-half Street, read a prepared statement from the Ridge Street Neighborhood Association in opposition of the proposal.

A representative of the applicant, who did not identify himself for the record, stated he would like to formally withdraw the current deferred site plan. He stated this was called a waste site plan because that was what City Code directed it to be called. He stated it was not a dump site for trash, but was for clean fill.

Ms. Lewis wanted to know how quickly the applicant would have to meet the erosion control measures. Mr. Haluska stated this would be pending an Erosion and Sediment Control Plan approved by Staff. The next step would be bonding and then a preconstruction meeting with Staff. Mr. Haluska stated there were several more steps to go through.

Ms. Firehock called for comments.

Mr. Farruggio stated it appeared the area would have to be filled for any sort of reasonable development to occur in that corner.

Mr. Fink stated there was no plan of development for the site; with no plan of development how could they allow any kind of fill to be brought in. He stated it seemed the intent had always been there to pipe the stream in order to fill. Mr. Fink stated there was a huge potential for destruction of natural resources.

Ms. Firehock stated she was not convinced the developer had shown the Commission that they had no reasonable alternative to filling the ravine.

Mr. Barton argued that in order to understand whether this was a necessary act a site plan was required.

Mr. Fink moved that they deny the Brookwood amended site plan, Cherry and Ridge Waste site for excess fill. Mr. O'Halloran seconded the motion. Ms. Lewis concurred with Mr. Barton's comments; his

comments persuaded her they should wait and see on this. Mr. Farruggio concurred as well. Mr. Higgins called the question. The motion carried unanimously.

Ms. Firehock called for a brief recess, whereupon the Commission stood in recess at 11:48 p.m.

Ms. Firehock reconvened the meeting at 11:52 p.m.

I. PRELIMINARY PUD APPLICATION DISCUSSION

1. Grove Street PUD -- 1000-1002 Grove Street at Tenth and King -- 4 single-family detached and one Duplex (six units total)

Mr. Haluska gave the staff report. This had been before the Commission in April as seven units with three detached units fronting on Tenth Street and a four-unit townhouse on Grove and King.

Ms. Lewis asked if this would be considered under the current PUD. Mr. Haluska stated it had been submitted in February. Mr. Tolbert stated the applicant would have a dilemma since this was under two acres.

Mr. Fink asked if it met open space requirements. Mr. Haluska stated it did.

Ms. Firehock recognized the applicant.

The applicant, who did not identify himself for the record, stated there had been discussion at a previous CPC meeting about single-family detached being the character of the neighborhood and a need to provide some sort of site access to the common space from the street and a need to maintain the environmental features. He stated they had gone through the Charlottesville Design Center to find an architect for the project.

Mr. Farruggio commended the applicant for the redesign. He sought clarification of how many parking spaces were required as two different numbers were shown within the report. The applicant stated 12 was the correct number.

Mr. Lucy stated the underlying question was why change zoning, why not keep things as they were. He stated the area needed larger houses.

Mr. Barton wondered if the 2900 square footage of two units could be better combined into a single unit.

Ms. Firehock stated that PUDs allowed for a diversity of housing types.

Ms. Lewis stated the applicant's plan should show why zoning the property to PUD was better than the current zoning.

Mr. Farruggio moved to adjourn. Mr. Barton seconded the motion. The motion carried unanimously whereupon the meeting stood adjourned at 12:24 a.m., Wednesday, 14 June 2006.

Approved July 11, 2006

James E Tolbert

Secretary to Planning Commission