### MINUTES PLANNING COMMISSION REGULAR MEETING Tuesday, December 8, 2015

## I. PLANNING COMMISSION PRE-MEETING (Beginning at 4:30 p.m.)

Location: NDS Conference Room, Charlottesville City Hall, 2nd Floor

Members Present: Chairman John Santoski, Commissioners Lisa Green, Kurt Keesecker, Genevieve Keller, Jody Lahendro, Dan Rosensweig; and; UVA representative Bill Palmer Member Absent: Taneia Dowell

Call to Order: the meeting was called to order by Chair Santoski at 5:00 p.m.

Chair Santoski asked if there were any questions concerning the minutes. One change was noted and a grammatical review was requested.

Ryan Davidson provided an overview of the question presented on the CIP from Mr. Keesecker relating to public private partnership opportunities.

Mr. Santoski asked if the Commission was interested in moving Market Plaza to the beginning of the agenda. It was noted that it would be left in the current order.

For the West Main Zoning request, the Commission asked questions concerning the interpretation of height and grade.

Adjournment: At 5:30 p.m. the Chair adjourned the meeting in order to reconvene in City Council Chambers at 5:30 to continue with the Commission's regular monthly agenda.

## II. ADMINISTRATIVE AGENDA (Beginning at 5:30 p.m.)

Location: City Council Chambers, Charlottesville City Hall, 2nd Floor

Members Present: Chairman John Santoski, Commissioners Lisa Green, Kurt Keesecker, Genevieve Keller, Jody Lahendro, and Dan Rosensweig; and; UVA representative Bill Palmer Member Absent: Taneia Dowell

City Councilors - Dede Smith, Bob Fenwick, Mayor Huja, Kristin Szakos, Kathy Galvin

Call to Order: the meeting was called to order by Chairman Santoski at 5:37 p.m.

#### A. COMMISSIONERS' REPORTS:

<u>Commissioner Lahendro</u> no report <u>Commissioner Keller</u> no report <u>Commissioner Keesecker</u> reported he did not attend the BAR meeting. Two items reviewed were the Wm Taylor Plaza hotel at the corner of Cherry and Ridge and the demolition of two historic buildings on West Main were not approved.

Commissioner Rosensweig reported that the Housing Advisory Committee met on November 18<sup>th</sup> to review the 1st draft the Comprehensive Housing Analysis & Policy. The draft is still being looked at by some of the stakeholders. He said one thing of interest to the Planning Commission was that one of the things founded by the data was a reversed barbell effect that we have very little if any inventory for people earning below 50% of area median income but that also high income individuals tend to pay less than they can afford which says there is not enough product for the upper end as well. Some of that seems to be that both segments are pushing into the middle income housing inventory putting a strain on that as well so people who can afford more are pushing out people who are in the middle and people who are at the lower end of the spectrum are paying more than they can afford. He said one out of every two people in Charlottesville is considered cost burdened by housing. Some of the other provisional findings were a huge market for multi-family and also the need for student housing. If everything is built out that is on the books now by 2020 we would still need an additional couple of hundred units of off ground student housing. The Streets That Work Advisory Committee met on December 2<sup>nd</sup> to discuss an initial set of recommendations from that study and focus on guidelines for framework streets, in particular possible ways to retro-fit the various types of framework streets for multi modal transportation. He said members of the committee are in the process of sending comments back to the consultants. There is a survey about a demonstration project that is open to the committee.

#### Commissioner Green no report

<u>Chairman's Report – Mr. Santoski</u> – reported the MPO Tech committee was postponed and won't meet until January. The Belmont Bridge committee is meeting and has been reviewing the RFP for design consultants. He said he was not at the last meeting and could not report specifically but there has been a flurry of emails going back and forth between the committee members and he is sure we will be hearing more about that.

UNIVERSITY REPORT: Bill Palmer no report

B. DEPARTMENT OF NDS: <u>Missy Creasy, Planning Manager</u> reported that most of the real estate forms are in. We should start thinking about the Planning Awards. You will be getting information on that in the near future. We do not have a work session during the holiday week.

#### CONSENT AGENDA

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

- 1. Minutes November 10, 2015 Pre meeting
- 2. Minutes November 10, 2015 Regular meeting
- 3. Minutes September 22, 2015 Work Session

4. Minutes - November 24, 2015 – Work Session

<u>Commissioner Green</u> moved to approve the Consent Agenda, seconded by <u>Commissioner</u> <u>Keesecker</u> motion passes 6-0.

<u>Commissioner Keller</u> wanted to look more comprehensively at the land use matrixes and asked the chairman to appoint a sub-committee to work with staff to sort this out and look to see if the uses that are allowed by-right and by Special Use Permit in all of the zoning categories are really compatible with our new Comprehensive Plan and the goals we have for those areas of town. She said this is just a suggestion and something that concerns her.

<u>Commissioner Green</u> asked if we have a work plan for the year. She said we had a parking lot list and she would like to take a look at the items on the list.

<u>Commissioner Rosensweig</u> asked the commission to give consideration to a potential Comprehensive Plan amendment that would look at appending either Mr. Keesecker's drawing or something else as an attachment to the Comp Plan or an amendment to the Comp Plan in the land use section.

<u>Commissioner Lahendro</u> is interested in the small area plans moving forward. We need to prioritize those and deciding which one to do first.

BREAK AT 5:55, convened at 6:02

## III. JOINT PUBLIC HEARINGS (Beginning at 6:00 P.M.)

## G. JOINT PUBLIC HEARINGS

1. Charlottesville Capital Improvement Program FY 2017-2021: Consideration of the proposed 5-year Capital Improvement Program totaling \$80,008,117 in the areas of Education, Economic Development, Public Safety & Justice, Facilities Management, Transportation & Access, Parks & Recreation, Technology Infrastructure, Stormwater Initiatives and General Government Infrastructure. A copy of the proposed CIP is available for review at <a href="https://www.charlottesville.org/departments-and-services/departments-a-g/budget-and-performance-management/fy-2016-2017-budget-development">https://www.charlottesville.org/departments-and-services/departments-a-g/budget-and-performance-management/fy-2016-2017-budget-development</a> Report prepared by Ryan Davidson, Office of Budget and Performance Management.

The commission discussed an increase for tree maintenance and affordable housing. A detailed discussion was had on Small Area Planning with many suggestions for Council in the coming months.

Motion made by Commissioner Rosensweig, seconded by Commissioner Lahendro,

1. Charlottesville Housing Funding – Provide funding in each year of the 5 year CIP for CAHF consistent with the Housing Advisory's 2025 Housing Report recommendations outlined in Table 8 of the report. This year's funding level should be \$1,699,602 as outlined in the report.

2. Tree Planting Funding – The Planning Commission recommends that the Urban Tree Preservation and Planting project be funded at \$75,000.

3. Small Area Plans – Funding is recommended to be \$100,000. The commission supports using these funds for Rivanna River planning if the multijurisdictional effort moves forward.

4. Strategic Investment Area – Funding is recommended to be \$750,000. It is recommended that these funds be focused towards priorities outlined in the SIA report which may be reviewed at <a href="http://www.charlottesville.org/departments-and-services/departments-h-z/neighborhood-development-services/strategic-investment-area">http://www.charlottesville.org/departments-and-services/departments-h-z/neighborhood-development-services/strategic-investment-area</a>

The motion passed 6-0.

2. ZT15-00007 - Amendment of the City's zoning map and of zoning ordinance text - Proposed amendments to the text of City Code sections 34-541(4) and (5), 34-616 through 34-655, 34-796, 34-881, 34-1100, 34-1101 and 34-1200, and proposed zoning map amendments changing the zoning district classifications of parcels of land within the West Main Street Corridor. The rezoning stems from a study of the West Main streetscape that has been underway since 2013. The changes would reconfigure the street's two zoning districts into eastern and western ends rather than northern and southern ones.

The Planning Commission recommended moving forward with this request at its meeting in October. However, City Council referred it back to the Commission in early November to consider whether the Midway Manor property at 100 Ridge St. should be included in the new West Main East zoning district. That zone limits the maximum height to 52 feet, and representatives of Midway Manor wanted to retain the ability to go higher on the property.

At the November 2nd, 2015 meeting, City Council directed staff to present the proposed zoning amendment back to the Planning Commission with the following direction:

1. Review the proposed zoning text amendment and zoning map amendments,

2. Consider West Main Street East, as well as Water Street District, Downtown District, or Downtown Extended District as possible zoning district classifications for 100 Ridge Street,

3. Consider the comments received by staff after October 13th, 2015, and

4. Hold an additional joint public hearing on December 8th, 2015 and immediately report its findings and recommendations back to City Council.

<u>Carrie Rainey, City Urban Designer</u>, said this recommendation for the Amtrak properties was given in order to allow additional height and potential density in one of the few remaining unbuilt out sites in the corridor.

She stated the West Main Street and Ridge Street intersection is surrounded by a variety of different districts and the owners of the Midway Manor site feel they should be allowed to have a

building height that is much greater than West Main East or it could become a disjointed streetscape.

### Public Hearing

<u>Neil Williamson, The Free Enterprise Forum</u>, said four days ago he learned about definitional changes regarding average grade and building heights. He has some examples to show why we believe this item will not work. The corner average is how you come up with your building height from there. The Murray High School site has eleven corners; average elevation 414, existing building first floor elevation is 464. Washington Park has nine corners, average elevation 466, corner elevation is 494, and how tall can the building be...17 feet. Fry Springs neighborhood, McElroy Drive, four corners, average elevation is 445, zoning allows a 45 foot house height or 480 in elevation in this case, so currently a house here could only be 20 feet tall including the roof. If I give the back half to my neighbor the four corner average is 450; can my house be 11 feet taller? Greenbrier, Yorktown Drive, four corners and average elevation 425, the street elevation is 474 feet the house can be a maximum 35 feet or maximum roof elevation 460. Does the entire house need to be covered with 14 feet of dirt over the roof. The street is 14 feet above my roof elevation; clearly this is not ready for prime time.

John Cruickshank and Randy Salzmann: 324 Parkway Street, we are in favor of supporting the staff recommendation. Speaking for himself and John, we would like for Charlottesville to retain the wonderful charm and beauty that we all love and we think the staff recommendations are a pretty good start in that direction.

<u>Page Williams</u>, who represents Union Station Partners, the owner of the land, said our client objects to the downzoning of this property through what they feel is an arbitrary method. It is understood that there is a development or two that are on West Main that may not have turned out how they were expected to turn out, but the city has long promoted development of the West Main Street corridor.

Jean Hiatt 1534 Rugby Ave, as a member of the Preservation Piedmont Board, I would like to point out that in 1996 Preservation Piedmont was instrumental in the designation of West Main Street as an Architectural Design Control District. I have newspaper articles from that time period documenting the concerns of residents in adjacent neighborhoods about threatened changes to the historic nature of West Main Street and of their wish that the area be protected. Certainly our organization continues to be a strong advocate for preserving the historic character of Charlottesville's Main Street. And so, we support zoning ordinance amendments that would reduce maximum building heights and do away with special use permits that allow increased heights. The Daily Progress ran an editorial 2 weeks ago in favor of the protection of the historic fabric of West Main Street, reflecting a widespread interest in this goal. Preservation Piedmont is in support of City staff's recommendations to change the designation of West Main Street South to West Main Street West, and West Main Street North to West Main Street East. This new designation will be more compatible with the historic character of the West Main Street ADC District and it will eliminate some of the current incentives for developers to demolish properties. We also ask that you keep the Midway Manor site in the West Main East section as proposed because it is an important part of West Main Street and should remain in a West Main

Street zoning category. A much larger building at that significant site, 100 Ridge Street, a gateway to historic Ridge Street, would also have a negative impact on the Ridge Street ADC District, which is primarily residential. Thank you for your efforts to protect our historic resources on West Main Street.

<u>Mark Rinaldi</u>, 4029 Iron Bridge, Williamsburg, Virginia stated the application of the West Main East rezoning to 100 Ridge St. will not further the objectives of the zoning to protect the character of West Main Street but will instead unfairly and without broad community benefit limit this property.

<u>Scott Payton</u>, owner of the Hampton Inn & Suites, said there is a unique opportunity for the city to step in and not further compound what he thinks were unfortunate misjudgments in allowing those special-use permits. He said he realizes this is in essence a downzoning but is in full favor of it.

<u>Valerie Long</u> - 321 E Main Street, 100 Ridge Street is not part of the west main addressed, it is part of the downtown neighborhood. We ask that you consider what the staff report identified.

- West Main East changes were crafted to advance the very specific goals for West Main Street, but Midway Manor does not front on West Main Street. It fronts on Ridge Street and has a Ridge Street address.
- Midway Manor is physically separated from the West Main corridor by the dividing line formed by the Ridge/McIntire roadway
- The property has been included in the West Main East zoning district even through it has no direct relationship to the goals of that district, nor does it further the intent of the proposed West Main East district.
- Of the properties that would be affected by the proposed rezoning, Midway Manor is the only one located DOWNTOWN and the only one to previously be zoned B-4 which for decades allowed heights up to 101'.
- Midway Manor is part of the North Downtown neighborhood, and has historically been grouped with other downtown properties in planning studies, including the Torti Gallas corridor study
- Although there are no immediate plans for redevelopment of Midway Manor, NOW is the time to make certain that the zoning for the property is reasonable and appropriate.
- Midway Manor currently measures 46 feet tall –less than half the height of many of the neighboring buildings, such Waterhouse, Lewis and Clark and Market Plaza.
- Adjacent parcels allow building up to 101 feet by-right. It would be unreasonable and inequitable to subject this property to a maximum height of 52 feet under the circumstances. If this property is rezoned to West Main East, not even a single story could be added to the building, making any redevelopment of the property unlikely.

<u>Travis Pietila</u> Southern Environmental Law Center –said we believe this rezoning will strike a better balance between encouraging redevelopment and vibrancy downtown and SELC supports. Making sure this is done in a way that it compliments rather than eclipses the character of West Main and surrounding neighborhood is important. New development plans continue to pour in on West Main and one by one they are shaping the future character of this corridor. We cannot do anything about some of the problematic projects that have already been approved under the

current zoning. We urge you to siege this opportunity to set a better course for those who come next. We strongly support staff's recommendation to reintroduce a minimum setback, at the very least, to ensure ample room for street trees. We believe trees and other public amenities along the sidewalk are important to the vitality of West Main. On the Amtrak site we understand the challenges posed by the site's unique topography. We are not necessarily against the more intensive West Main West zoning for the lowest parts of the site near the bridge. If you consider moving forward with both of the changes and the new building height definition we ask that you split the site at 8<sup>th</sup> Street, one block west of the proposed division at Cream Street. It appears to us that the steep parts to this site are West of 8<sup>th</sup> and by the time you hit Cream a building of 80 feet or taller which seems possible under the new zoning and building height definition may no longer be harmonious with the shorter building heights allowed across the street. For Midway Manor, we support keeping the original West Main East zoning proposed for this site and believe it would be appropriate with its surroundings. If you do consider moving it into another category we have significant concerns with the downtown extended and Water's street districts. Downtown extended zoning would allow 101 feet by-right. This would be a significant upzoning at a time where you are considering lower heights for many surrounding properties including those directly across the street. Water Street zoning would not set any street wall height limit or require any stepbacks. For a building that could potentially go up to 101 feet on an elevated site is a big concern. Thanks to staff for all of their hard work on this and once again move this re-zoning forward tonight.

<u>Ashley Davies</u> – Williams Mullen Law Firm, 321 E. Main Street, said she fully supports the goals to protect historic properties on West Main Street, but she suggests a more targeted approach in defining building height that achieves that goal without unintended consequences which will result from the current proposal. The building height change will affect every parcel in the city not just parcels along West Main Street. The vertical distance measured from average finished grade to the highest point of the building, except that: Height of Building.

- Gable or hip roof. In the case of a gable or hip roof, height shall be measured to the midpoint between the eaves and the ridge.
- Gambrel roof. In the case of a gambrel roof, height shall be measured to the midpoint of the upper slope of the roof.
- Mansard roof. In the case of a mansard roof, height shall be measured to the roof line.
- In the case of a flat roof with a parapet wall which is three feet in height or less, the highest point shall be the roof line;
- In the case of a building with ten feet or less horizontal distance between the building setback line and the right-of-way line, height shall be measured from the average finished grade or the curb grade, whichever is less.

<u>Average finished grade</u>. The elevation obtained by averaging the finished ground surface elevation at intervals of 20 feet at the perimeter of a building.

<u>Average pre-construction grade</u>. The elevation obtained by averaging the ground surface elevation at intervals of 20 feet at the perimeter of a proposed building prior to construction.

<u>Keith Woodard</u> 100 West South street –addressed the matter of appurtenances allowing for mechanical needs. Sometimes these systems are more efficient and more hidden than some systems that are on the ground. He said there is a need and a trend for roof top garden in areas

on buildings and in order to have those, two stairways and an elevator are required to meet the fair housing act. He said having a rooftop available for easy development is a consideration when thinking about the appurtenances. He asked the commission to consider that it doesn't really compromise the massing or the scale on the ground when you add an appurtenance to a building. He suggests to consider having an appurtenance 10-15 feet setback from any street wall but still allow it up to 25% of the roof area as it is currently done.

<u>Greg Powe</u>, Architect, said a roof should not be viewed as only a functional cap to the building. He thinks it's a valuable real estate that can become a wonderful usable amenity like roof gardens. He encourages that you not discourage using this valuable real estate for the community good. This will help it to become a community gathering place that helps to build a community within itself. The trend toward green roof gets further discouraged if you do not encourage people to enter act with the roof. He thinks you will see more green roofs that are interesting assets.

<u>Jeff Levine</u> 2093 North Garden, Virginia talked about building height change and how it will affect every parcel in the city not just parcels along West Main Street.

Lena Seville 808 Altavista Avenue, is speaking on the pedestrian prospective, the set back is proposed to be 10 feet or other setback minimally necessary to allow for the planting of street trees. She likes street trees but that should not be the only consideration for setbacks. She said pedestrians also enjoy setbacks. She said things she likes on West Main are 10 foot porches which are inviting spaces on historic buildings. The setbacks are part of the character of West Main and Charlottesville. She read into the record what was passed at the bike/ped advisory board meeting: The Bicycle and Pedestrian Advisory Committee recommends as a 10 foot minimum setback as originally proposed by staff and the consultants, and requested language be created that allows accommodation for a reduced setback in exchange for enhanced pedestrian amenities in public space. She said the 10 foot setback really leaves enough space to work with and ask that you consider the 10 foot setback and if you really think a smaller setback is necessary, maybe give that in exchange for something instead of having it be the starting point.

<u>Maynard Sipe, Land Use Attorney</u>, representing Mr. Levine, said the concerns are understandable about the height of buildings on the West Main Street corridor and how the SUP process has been utilized in the past. He said much of what we are seeing is an emotional reaction in this ordinance and I don't think it is quite ready. A more thoughtful analysis is needed. Regarding the definition of height, he thinks the commission should defer. The existing structures on West Main vary as was discussed at your last meeting from a zero setback to a 10 or 20 feet. There is a certain variety in rhythm along the street that is part of the character of the street and a range is good. He said he understands the issue about the street trees. Another option would be to illuminate that waiver and find another mechanism for people to contribute street trees or contribute funds for street trees. He said the SUP process can be a very powerful tool for our city and the fact that the city has utilized it in one sense in the past doesn't mean it can't be applicable in the future and used well. He said there is demonstrated proof that a height greater than 52 feet will maintain the character of particular West Main Street. There are two tall existing buildings, the Albemarle Hotel building and the Century Link office building that are probably exceeding the height that you all are setting as a maximum height. He said there was a project approved earlier this year by the BAR at 60 feet plus an appurtenance which is the Atlantic. The BAR thought it was suitable.

<u>Maria Chapel</u> 1029 Hazel Street said she applauds our zoning laws and whatever guys can do to preserve the quality of Charlottesville for all citizens who live here.

# Closed the Public Hearing

<u>Commissioner Keller</u> said this (100 Ridge Street) has been part of a comprehensive process that's gone on for almost two years now and there's no reason at this time to take it out of West Main.

The ability to ask for a special-use permit for additional height also would be removed as part of the rezoning. Currently, developers can build as high as 101 feet with a special-use permit on the southern side of West Main. Such permits were granted for the Flats at West Village, the Uncommon and the proposed Sycamore Hotel at 1106 W. Main. The commission also discussed whether the Amtrak station and adjacent property should be included in the new West Main West district, which would allow heights up to 75 feet. The commission had agreed in October to include it in the eastern side, but City Council asked the commission to reexamine the inclusion after the property owner complained. The commission also debated how far back buildings should be set from the street, whether to change the rules for rooftop appurtenances and whether to change the way building heights are calculated city-wide.

In the end, the commission agreed to support a compromise that would allow the West Main West district on a portion of the property but with the lower zoning east of Cream Street to protect First Baptist Church. The council is expected to take a final vote on the zoning at its meeting Dec. 21.

The Commission passed a motion on each item listed under "Discussion" above separately:

1. <u>Commissioner Keller</u> moved to recommend 100 Ridge Street, known as Midway Manor, remain in the proposed West Main Street East (WME) district. <u>Commissioner Keesecker</u> seconded the motion. The Commission voted 4-2 to pass the motion.

2. <u>Commissioner Keesecker</u> moved to recommend the Amtrak site, including parcel 2.C north of West Main Street, be placed in the following districts.

a. Tax Map 30, Parcel 2 to be placed in West Main Street West (WMW) district,

b. Tax Map 30, Parcel 2.A to be placed in the West Main Street West (WMW) district west of a line parallel with the centerline of the Cream Street right-of-way and placed in the West Main Street East (WME) district east of the line,

c. Tax Map 30 Parcel 2.B to be placed in the West Main Street East (WME) district,

d. Tax Map 30 Parcel 2.C to be placed in the West Main Street East (WME) district. <u>Commissioner Lahendro</u> seconded. The Commission voted 6-0 to pass the motion.

3. <u>Commissioner Rosensweig</u> moved to recommend a setback requirement of zero (0) feet minimum to twenty (20) feet maximum for both the West Main Street East (WME) district and

the West Main Street West (WMW) district, and to recommend Council direct the Board of Architectural Review and the Tree Commission to work in consultation to develop updated guidelines (for the West Main Street Architectural Design Control District regarding appropriate setback placement and design). <u>Commissioner Green</u> seconded. The Commission voted 5-1 to pass the motion.

4. <u>Commissioner Green</u> moved to recommend that the following be added to the West Main Street East (WME) district and the West Main Street West (WMW) district regulations.

a. The term "height," when applied to a building, shall refer to the distance measured from the grade to the highest point of the building. The highest point of any building shall be: the level of a flat roof; the deck line of a mansard roof; the deck line of the roof on a building with a parapet; or, for buildings with gable, hip or gambrel roofs, the level of the average height between the eaves and ridge.

b. The grade shall be the average ground level at the primary street frontage. <u>Commissioner Keesecker</u> seconded the motion. The Commission voted 4-2 to pass the motion.

5. <u>Commissioner Rosensweig</u> moved to recommend the approval of the staff proposed modifications for the bicycle parking requirements. <u>Commissioner Keesecker</u> seconded the motion. The Commission voted 6-0 to pass the motion.

6. <u>Commissioner Keller</u> moved to recommend the further modification of the appurtenance section of the ordinance to clarify that open air rooftop use that is incidental to the primary use of the building in addition to well-screened utilitarian equipment, while restricting residential uses. <u>Commissioner Keesecker</u> seconded. The Commission voted 4-2 to pass the motion.

7. <u>Commissioner Keller</u> moved to recommend the approval of the staff proposed modifications for the use matrix in Section 34-796, to allow in the West Main Street East (WME) district and the West Main Street West (WMW) district all uses currently allowed in the West Main Street South (WMS) district. <u>Commissioner Keesecker</u> seconded. The Commission voted 6-0 to pass the motion.

<u>Commissioner Keller</u> then moved to recommend approval of this application to amend West Main Street Mixed Use Corridor districts with the previously passed motions on the basis that the proposal would serve the interests of the general public welfare and good zoning practice. This recommendation is based on Sec. 34-42(2) whether the proposed amendment will further the purposes of this chapter and the general welfare of the entire community and Sec. 34-42(3) whether there is a need and justification for the change.

<u>Commissioner Lahendro</u> seconded the motion. The Commission voted 5-1 to recommend approval of the rezoning application to amend the West Main Street Mixed Use Corridor districts, <u>Commissioner Rosensweig</u> voting no.

**REGULAR MEETING (Continued)** 

H. Site Plan

#### a. Market Plaza

The City held a preliminary site plan review conference on September 4, 2014. Seventeen members of the public attended along with the applicant. One of the chief points raised in the meeting was regarding the process, as the building as shown would require the sale of City land and the closure of 1st Street. The attendees also expressed concern about the scale of the building, particularly in relationship to the adjacent structures, as well as the traffic impact on the nearby streets. There was also discussion about the possibility of changes to 2nd Street and South Street in conjunction with the West Main Street study's recommendations for the intersection of Water Street, South Street, McIntire Road, 5th Street and West Main Street.

### Staff Recommendation

Staff recommends that the Planning Commission should grant tentative approval of the preliminary site plan, as revised through November 16, 2015, because the preliminary site plan appears to contain the information specified by City Code 34-827. This tentative approval should be granted subject to the following condition(s):

1. All of the additions, corrections and modifications set forth in the Comment Letter dated November 27, 2015 must be incorporated into the final site plan.

2. Any later-discovered deficiency in this preliminary site plan that, if left uncorrected, would violate any City, state or federal law, regulation, engineering and safety standards or requirements, shall not be considered, treated or deemed as having been approved.

3. General layout of public infrastructure, Stormwater management facilities, proposed buildings and structures shall be consistent with this tentative approval, subject to adjustment as necessary in accordance with final engineering data and calculations.

<u>Commissioner Rosensweig</u> move to grant tentative approval of this preliminary site plan, subject to all of the conditions recommended by staff, seconded by <u>Commissioner</u> <u>Keesecker</u>, Commissioners Keller and Green abstained. 4-0-2.

Motion by Commissioner Keller to adjourn at 11:07 until the second Tuesday in January.