

FINAL ACTIONS
Planning Commission Meeting of September 8, 2009

<u>AGENDA ITEM/ACTION</u>	<u>FOLLOW-UP ACTION</u>
<p>1. Call to Order.</p> <ul style="list-style-type: none"> • Meeting was called to order at 6:01 p.m. by Eric Strucko. PC members present were Mr. Morris, Mr. Loach, Ms. Porterfield, Ms. Joseph, Mr. Edgerton, Mr. Franco and Mr. Strucko. Mr. Franco arrived at 7:24 p.m. Julia Monteith was absent. • Staff present was Gerald Gatobu, David Benish, Wayne Cilimberg, Bill Fritz, Amy Pflaum, Elaine Echols, Sharon Taylor and Greg Kamptner. 	
<p>2. Committee Reports</p> <ul style="list-style-type: none"> • Mr. Morris reported that last week the Pantops Steering Advisory Committee briefed the Board of Supervisors. 	<ul style="list-style-type: none"> • No action required.
<p>3. From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • No action required.
<p>4. Review of Board of Supervisors Meeting – September 2, 2009.</p>	<ul style="list-style-type: none"> • No action required.
<p>5. <u>Consent Agenda</u></p> <p>Accept applications and/or refer the following to the Agricultural Forestal District Advisory Committee:</p> <ul style="list-style-type: none"> ▪ Review of the Jacob’s Run Agricultural/Forestal District ▪ Yellow Mountain Addition ▪ Moorman’s River Addition ▪ Carter’s Bridge Addition ▪ South Garden Addition ▪ Kinloch Additions ▪ Jacob’s Run Addition ▪ Buck’s Elbow Mountain Creation ▪ Lanark Addition 	<p>Staff:</p> <ul style="list-style-type: none"> • Action Letters – Acceptance of applications and/or referral to Agricultural/Forestal District Advisory Committee. (Attachment 1 - full descriptions). • Staff to provide maps of the additions/new districts to the Commissioners.

<ul style="list-style-type: none"> ▪ Free Union Addition ▪ Buck Mountain Addition ▪ Blue Run Addition ▪ Keswick Addition ▪ Batesville Addition ▪ Eastman Addition ▪ Hardware Addition ▪ High Mowing Addition ▪ Chalk Mountain Addition ▪ Sugar Hollow Addition ▪ Fox Mountain Creation ▪ Ivy Creek Addition <p>APPROVED CONSENT AGENDA, by a vote of 6:0. (Attachment 1)</p>	
<p>6. Work Session</p> <p><u>CPA-2008-00003 Village of Rivanna Master Plan</u> – Work session on Draft Plan dated August 26, 2009, also including Resolution of Intent to amend the Comprehensive Plan. (Elaine Echols)</p> <ul style="list-style-type: none"> • The Commission discussed and asked questions about the Draft Plan dated August 26, 2009, took public comment and provided guidance and feedback. <p>ADOPTED RESOLUTION OF INTENT, by a vote of 6:0 to proceed to public hearing.</p>	<p><u>Clerk:</u></p> <ul style="list-style-type: none"> • Staff to incorporate the Commission’s comments into the next draft of the Village of Rivanna Master Plan document as summarized in Attachment 1 and bring back for Commission review at a future work session. (Attachment 2 – Comments) • Resolution of Intent approved with request for staff to schedule public hearing prior to December.
<p>The Planning Commission took a break at 7:16 p.m.</p> <p>The meeting reconvened at 7:24 p.m.</p> <p>Mr. Franco arrived at 7:24 p.m.</p>	
<p>7. <u>Deferred Item</u></p> <p><u>SDP-2009-00009 Arden Place</u> The request is for preliminary site plan approval of 212 multifamily residential apartment units and a club house on the R15 residential zoned portion of Tax Map 61 Parcel 124 which consists of 11.350 acres. Associated waivers include section 4.2 (critical slopes) and section 21.7.c (disturbance of a buffer zone adjacent to a residential district). (Gerald Gatobu) <i>DEFERRED FROM THE JUNE 23, 2009 PLANNING COMMISSION MEETING.</i></p> <ul style="list-style-type: none"> • APPROVED CRITICAL SLOPE WAIVER REQUEST, by a vote of 7:0 per Section 4.2 of County Code based on the findings in the staff report. 	<p><u>Clerk:</u></p> <ul style="list-style-type: none"> • Action Letters – (does not go to Board of Supervisors) for critical slope waiver, buffer disturbance waiver and preliminary site plan. (Attachment 3 – Conditions of Approval) • Action Letter – Recommendation of open space dedication to the Board of Supervisors to be heard at a date to be determined. (The tentative date is November 4) (Attachment 3 – Conditions of Approval)

<ul style="list-style-type: none"> • APPROVED BUFFER DISTURBANCE WAIVER REQUEST, by a vote of 7:0 per Section 21.7.c1 of the County Code for the reasons recommended by staff. • APPROVED SDP-2009-00009 Arden Place preliminary site plan, by a vote of 7:0 with conditions as recommended by staff and modified by the Planning Commission. (Attachment 3 – conditions of approval) • RECOMMENDED APPROVAL OF OPEN SPACE DEDICATION TO THE BOARD OF SUPERVISORS, by a vote of 7:0, with conditions. (Attachment 3 – conditions of approval) 	
<p>8.</p> <ul style="list-style-type: none"> • Old Business • Mr. Franco noted a phone call from a business in his district regarding delayed scheduling of a ZMA and SP. 	<ul style="list-style-type: none"> • Staff responded that scheduling was based on the schedule for review of submitted information. The applicant recently submitted new proffers, which went under review as of today. The earliest date the project could be scheduled after comments are provided to the applicant following staff review would be Nov. 10. Staff will contact the applicant and provide them an option of being scheduled in October if they do not wish to receive staff comments.
<p>9.</p> <ul style="list-style-type: none"> • New Business 	<ul style="list-style-type: none"> • Staff is working on the critical slope provisions and plans to hold a round table and work session in the winter.
<p>10. Adjourn to September 15, 2009, 6:00 p.m., Auditorium, Second Floor, County Office Building, 401 McIntire Road, Charlottesville, Virginia. The meeting was adjourned at 9:39 p.m.</p>	

Attachment 1 - PC Referral Consent Agenda Text

Attachment 2 - CPA-2008-00003 Village of Rivanna Master Plan – Resolution of Intent and Planning Commission Comments and Suggestions

Attachment 3 – SDP-2009-00009 Arden Place – Conditions of Approval

Attachment 3 – SDP-2009-00009 Arden Place – Conditions of Approval

By a vote of 7:0 the Planning Commission approved SDP-2009-00009 Arden Place with the conditions recommended by staff, amended, as follows:

- A. Must comply with the Virginia Statewide Fire Prevention Code. Approval is subject to field inspection and verification. [Fire and Rescue]
- B. RWSA capacity certification is required before final site plan approval can be granted.
- C. Proposed wooded area must meet the definition of “wooded area” found in section 3. [Albemarle County zoning ordinance]. An arborist report and a tree preservation plan must be submitted with the final site plan.
- D. A conservation plan checklist must be shown on the final site plan. The conservation plan checklist will have to be checked and signed [Albemarle County Code section 32.7.9.4.b.]
- E. Applicant must obtain VDOT approval before final site plan approval can be granted.
- F. Albemarle County Current Development Engineering approval must be obtained.
- G. Add the following 2 notes to the Arden Place ADA Trail Feasibility Exhibit dated 8-5-09, and include the exhibit in the final site plan. The first should go above the part that begins, "Trail width..." It should say, "ADA Standards Listed in the Virginia Trail ways Toolbox". The second note should say, "The trails shall have ADA-accessible grade and conform to standards for Class A, Type 1 Trails as described in the *Albemarle County Design Standards Manual*." The 5-foot wide path shall not extend north of the Carmike pedestrian connection.
- H. There will be no vehicular access to Rio Road from Arden Place other than from Putt Putt Place if vehicular access to Carmike is provided.
- I. Applicant must address all outstanding ARB conditions before final site plan approval can be granted.

The Planning Commission recommended approval to the Board of Supervisors of an open space dedication including a proposed pedestrian path running from Rio Road to the potential Carmike entrance and an additional land dedication to be defined by staff before it goes to the Board as follows:

1. The dedication would be in the area behind Building 6 adjacent to the Lagoon project.
2. The path shall be designed as a 5-foot wide Class A, Type 1 path with ADA-compliant grades. The applicant will provide maintenance of that path.
3. If either of the Commission’s recommended conditions change as part of the Board’s acceptance, the changes do not affect the Commission’s preliminary site plan approval.