

Planning Commission Work Session

May 28, 2019 5:00 - 7:00 p.m.

NDS Conference Room

Members Present: Chairman Lisa Green, Commissioners Jody Lahendro, Lyle Solla-Yates, and Rory Stolzenberg

Members Absent: Commissioners Taneia Dowell, Gary Heaton, and Hosea Mitchell

Staff Present: Lisa Robertson, Brian Haluska, and Kari Spittler

Chairman Green called the meeting to order at 5:15 pm.

1. Roles and Responsibilities of Planning Commission

Chairman Green: We do not have a full commission tonight, which is unfortunate because both items on the agenda are important and deserve a full commission review. Let's have a quick discussion on the roles and responsibilities for the Planning Commission, but we will be putting this on the agenda at a later time when we have the attention of the full commission because it is that important. Does anyone have questions about the roles and responsibilities of the Planning Commission?

Commissioner Lahendro: Is this the review of the document that Ms. Robertson sent out?

Chairman Green: Our bylaws were updated in 2017 and we have operating guidelines as well that were created by the Planning Commission at that time. There was also the Planning Commission Role that was a guideline Ms. Robertson found from California. She struck out things that weren't applicable to Virginia, but it has good outlines.

Commissioner Stolzenberg: Regarding bylaw 3.5, Procedures for Consideration of Planning Items, section 3 within that document details ways that non-commissioners can bring up a non-routine major planning item. Separately from that in section 3.4 it says that any matter not on the agenda can be brought up with the majority of commissioners present. Based on section 3.5(3), the regular meeting is the appropriate time to bring up new things at least for non-commissioners. What and when is the appropriate way to exercise section 3.4?

Chairman Green: The order of business to come before the meeting shall be expressed on the agenda, so there would be a conversation beforehand that could then be talked about on the agenda. It also gives it a chance for it to be advertised.

Commissioner Stolzenberg: The agenda is set in advance, but there is this clause to add a new business item.

Ms. Robertson: Section 3.5 subparagraph 3 talks about non-routine major planning items, which are referenced as planning matters that will involve study or research over a period of time and consultation

with organizations or groups of individuals outside NDS. This is saying that various people want to ask the Commission to look at things and it can be a citizen, a Commission member, etc. After preliminary consideration by the Commission, if a majority of Commissioners deem it to be worthy of consideration and study, the Commission can proceed with a study. In the past, someone in advance of a meeting while the agenda is being developed would put that matter on the agenda for consideration of a change. The Commission can initiate a change by a motion. In the past what you have done to indicate whether you want to have a further study is to put it on the consent agenda if everyone is agreement, or to put it on as an agenda item, but either way it is done in advance. Section 3.4 addresses that you can change your agenda, but very rarely has a major planning item been initiated and discussed at the same meeting when it isn't an agenda item. Section 3.5(3) says that after preliminary consideration by the Commission, which gets done by having something on an agenda for discussion, then if a matter is deemed to be worthy of further discussion, the Commission would vote at that meeting to determine if it should proceed with a study and go from there.

Commissioner Lahendro: This is not well-written and it is not clear.

Ms. Robertson: That's why we want to have a discussion. How the Commission interacts with each other and how you want to conduct your planning business should be reflected in the bylaws and operating guidelines. This is a fairly new Commission and if you want to organize yourselves differently or handle things procedurally differently, then you should have a discussion together before something comes up and agree upon it, and then we can revise it to say what this Commission wants to do.

Commissioner Lahendro: Even 3.5(3) isn't clear about what it's saying to do. It states that "other planning items may be brought to the Planning Commission by the general public, which may be put on the agenda after discussion by the Planning Commission." You mentioned that they need already be on the agenda, but it doesn't say that here.

Chairman Green: It should say to be put on a "future agenda."

Commissioner Stolzenberg: It says for it to be put on the agenda after a discussion by the Planning Commission, so do we need to put a discussion about it on the current day agenda and discuss whether or not we want to discuss it on a future agenda?

Chairman Green: As a person of the public and as a local government official, there is a lack of transparency with having that discussion that day.

Commissioner Stolzenberg: The discussion in this clause seems to be the discussion of whether to put it on a future agenda to discuss it rather than the meta-idea of discussing it.

Ms. Robertson: Paragraph 3.5 section 3 is trying to get at how you develop a proposal to a point where it is worthy of public discussion. There is a difference between receiving requests at Matters from the Public. The issue that is attempted to be dealt with here is how something gets initially discussed among Commissioners and the level of information that Commissioners should have to even have a preliminary

discussion about it and under what circumstances you would move something forward as a potential amendment to the zoning map or zoning ordinance. It is a two level inquiry.

Commissioner Lahendro: What other avenues are there for having that done? Is it just through writing into the Planning Commission?

Ms. Robertson: The other variable is that there is a state law about how zoning amendments gets initiated. There is not a provision in the state law that allows a member of the public to bring forward anything other than the initiation of a change in the zoning for his or her particular property. Other amendments are to be initiated by City Council and referred to the Commission for study, or by the Planning Commission itself by a motion. Members of the public have to come to you through Matters from the Public or writing in to express an idea, but the Commissioners are the ones that evaluate what should be developed for further discussion and a proposal to be an actual part of the City's zoning regulations.

Chairman Green: There is a work plan that is established by City Council and the Director of NDS, right?

Ms. Robertson: There has been in the last few years. It is unclear if that is a standing work plan, but it certainly was the case for the Commission for 2017 and into 2018.

Chairman Green: Are we part of that work plan?

Ms. Robertson: The Commission has done a lot of work on the work plan and now things are taking a step back and considering having a consultant come in and look at the work that has been done and to consider revising the land use plan, which would potentially include proposals like Mr. Stolzenberg's. Once that guiding plan is established then it would look at how you might use your zoning ordinance to further the goals of that plan. We are looking at coming back with a comprehensive review of the zoning ordinance at a later date. That doesn't necessarily require you to stop consideration of all changes to the zoning ordinance, however big changes that should be informed by goals and objectives in the Comprehensive Plan might want to be rolled into that process. There are a range of responses including not making any changes until there is an updated Comprehensive Plan or only considering matters that are minor housekeeping changes that would clarify what people currently needed to do.

Commissioner Stolzenberg: Is the work plan available to the public?

Ms. Robertson: Yes. It was a resolution adopted by City Council at the end of 2016 or early 2017.

Commissioner Lahendro: It would be good to publicize that this is where we would like them to bring forward proposals and suggestions for the Commission to study. Otherwise we would have to be able to entertain that coming forward to us at our monthly meeting.

Ms. Robertson: Many years ago, the Director of NDS would do an annual housekeeping proposal in which they came up for any provisions in the ordinance that were difficult to interpret or were perceived as creating problems throughout the year. There were housekeeping amendments that came

forward once per year. It was always very well-received and something similar could be done for items from the public.

Commissioner Lahendro: We could do that and gather data for developing our annual work plan with public input.

Chairman Green: We started something like that, which was our parking lot. This annual list hasn't been seen in a long time. We used to have priority planning work sessions.

Ms. Robertson: If you were to use something like a parking lot list, you would have to carve out time to actually get to it.

Commissioner Lahendro: Lately we've just been reacting to what comes to the Commission monthly.

Mr. Haluska: When Mr. Emory was on the Commission we did have a retreat and items needed to be cut because you couldn't get to everything. There are high priorities of the Commission and housekeeping items for changes in the text, which are very different in scope, but determining the Commission's interest in dealing with those things would be helpful for staff to effectively get those items to you.

Chairman Green: The priority planning meetings also informed how we looked at the CIP. However, this was brought to us to be looked at.

Commissioner Lahendro: There is a concern about how the public can bring matters to the Commission. If the only opportunity is in the Matters from the Public at the meetings, it is not acted on. We often don't even respond to them.

Ms. Robertson: That might depend on if you update these documents to provide some mechanisms. If you knew there would be an annual housekeeping, you could say that it should be something that staff should advise you on as part of the annual housekeeping changes. You could also set a calendar at an annual meeting with items you hope to attack and then build in meetings or work sessions to determine how to best to work on those things. You could do things in a more deliberate way with less frustration.

Commissioner Lahendro: When we get the entire Commission together we should discuss the possibility of having an annual work plan and housekeeping meeting. When reading the document, there are a number of other questions if we want to get into that without the full Commission.

Chairman Green: There are Commissioners that could benefit from these discussions and we may want to wait so that we don't have to go over it twice.

Ms. Robertson: This publication seemed very well done and raised many points that are on par with what the Commission has been struggling with.

Commissioner Lahendro: It was nicely organized and it prompted many questions to bring up so that we are all in agreement with one another.

Chairman Green: While this is a California publication, we can determine what items from it are appropriate so we can create our own Role to be aligned with our bylaws.

Ms. Robertson: We could also create one for you that is based on how we do business here and what Virginia laws are. We didn't want to attack that without having input first.

Commissioner Stolzenberg: Some of the things are covered in the bylaws and the guidelines, but it makes sense to talk about it together to make these decisions. It does have a lot of parallels to the materials from the VCU land use class, but there are also differences in how they do things and what they prioritize.

Chairman Green: Let's continue this with the full Commission present.

2. Zoning Discussion – Fry's Springs

Commissioner Stolzenberg: Fry's Spring has had a wave of development in recent years that is actively continuing and will soon see the remaining greenfield land developed. Much of this development has been significantly outside the existing character of Fry's Spring, speaking specifically of the built form and the price range of affordability. The developments in Fry's Spring, particularly the by-right developments and a recent PUD, have been significantly larger homes. As we fill in these areas, the homes are significantly more expensive and much larger than those around them, not only because they are detached, but they are also physically quite different. Some of the new homes, especially on Porter Ave and Oaklawn Court are among the most expensive homes in the entire neighborhood. They are in the range of \$750,000 to \$800,000. There are about 7 older historic homes in that price range along JPA closer to the University, but for the most part the newer homes are above and beyond the bulk of the neighborhood. While there is a premium for new builds, that premium is not enough to explain the whole difference. In terms of square footage, they are quite a bit larger than the average homes in the neighborhood, most of which were built between the 1940s and 1970s. For example, one house on Oaklawn was built in 2017 and is 5800 sq. ft., whereas the average is 1424 and the median is 1200 sq. ft. range. In terms of cost, the brand new homes are at the median for all construction, which is \$298,000 and it has gone up significantly in the past few years.

Ms. Robertson: You aren't accounting for changes in assessments during the timeframe versus changes in the cost of a newly constructed home, which should correlate most of the time but for something that was constructed 5 years ago, an assessment may have changed.

Commissioner Stolzenberg: This is using assessment as a proxy for cost. This is the current year assessment and I expect that to be true.

Ms. Robertson: Likewise, for something that has been there in the 1950s, you are reflecting assessment and not really what would be the cost of constructing that new today, even at 1400 sq. ft.

Commissioner Stolzenberg: Yes. To construct something a 1950s era house today it would require purchasing land at today's prices and constructing it.

Mr. Ikefuna: Based on the information you have, what do you think the estimated cost of land of construction would be right now?

Commissioner Stolzenberg: The new built premium isn't the main driver because even with the new built premium, you aren't spending significantly more per square foot to buy a brand new house. It's a little cheaper to buy an attached house and significantly cheaper to buy a duplex, even the newly built ones. Compared to the smaller 1950s era houses, you are paying the same or less, which indicates that the market doesn't significant value these new built premiums. Because of the nature of R1 zoning, which has the same dimensional requirements as R2 but requires that it only be one single non-divided house, builders are incentivized to build as much as they can. They could divide it into two and get more homes out of it, but they can't so they built the exact same houses that are much larger. Because assessments in general are significantly higher now than in the 1950s, there isn't a lot of incentive for them to build smaller than the allowed envelope so they build and sell it for as much as they can. Lastly, there is a misconception across the City that R1 zoning reflects the existing character of the neighborhood. We can see that it isn't true in terms of the built form character, but there are also non-conforming uses all over the place, even in R1 zones that were R1 for many years. The lesson to be learned is that our regulations are driving the high costs of these new homes. It is possible to build new homes and sell them profitably by dividing them in two and selling them separately. As of now we don't allow that, but even with R2 zoning they could build exactly what they see on Porter and Oaklawn. We could stop them from doing that unless we actually amended the zoning text, but if we believe that more affordable homes are a better outcome by only allowing the most expensive outcome, we are ensuring that we get the worse outcome.

Chairman Green: What is the guarantee that they cut them in half and they are still selling for \$300,000-\$400,000?

Commissioner Stolzenberg: That is a plausible outcome, but as a Commission we have to determine if it is better to have two \$300,000 duplexes or one \$600,000 home. That second family still has to go somewhere and will likely end up moving into an existing home, potentially displacing someone else. As we've seen in the RCLCO study a few years ago there are many people who would and can afford to move up market but can't because there aren't homes available. We don't have enough homes for how many people want to move to Charlottesville for our historically and nationally low unemployment rate and high quality of living.

Chairman Green: What is your proposal?

Commissioner Stolzenberg: Notes that he would like to be less prescriptive today and hear the thoughts of the Commission and whether you agree with the conclusions. Do you agree that there is urgency and that we might have these bad outcomes before a potential Comprehensive Plan and zoning rewrite is passed?

Chairman Green: You are saying that smaller lots create more affordable housing, but there are areas shown where this is not the case. In order to get this smaller cost, instead of doing single-family homes they have to be attached, not just smaller lots?

Commissioner Stolzenberg: They don't have to be, but yes. It could be smaller lots as well but this is already R1S zoning.

Ms. Robertson: The zoning says for new single family detached dwellings that you are supposed to have 6000 sq. ft. However, if you have an existing non-conforming lot as to size, you are allowed to build one dwelling on that. We want people to be able to use their lots. The question is what the benefit is of getting rid of the non-conforming duplexes versus if looking at whether having different setbacks, building envelopes, and smaller lots would accomplish the objectives more efficiently.

Commissioner Stolzenberg: There is a third option too. You can make non-conforming parcels conforming but it doesn't change much in terms of outcomes. If we are going to do that, it should be done as an aside as we make changes more broadly. We have all these parcels on Naylor but they are all zoned R1. However the ones on Mosely are all single-family attached, the ones Longwood have the PUD, and north of Harris there are a number of duplexes and single-family attached homes. Why are they zoned to be different from everything surrounding them? Is that a positive outcome when we know that doing so would create more expensive homes, especially on streets like Naylor where the street isn't an accepted street yet because it's new? There aren't neighbors on the same street that will be affected by any perceived negative consequences of having single-family attached homes near them like parking, given that they are all going to be new homes.

Commissioner Lahendro: There is the issue of lot size, but the other important part of that is street frontage. All of these lots are very narrow and the existing buildings almost fill them up from side property line to side property line. At the core of this is a national and state historic district and an unintended consequence might be that a developer might buy two or three small lots and make it one lot for a multipurpose building that destroys the historic character of the core.

Commissioner Stolzenberg: That is a great point. In R2, the dimensional requirements for detached units don't change but the side setback requirements for attached units do. There are duplexes scattered throughout the historic district so if we are talking about the existing and historic character of the district, that character is specifically mixed housing types, zoning or not.

Commissioner Lahendro: Although a lot of those started off as single-family residences and were cut up into duplexes for students. It's important to keep the buildings that were originally built as single-family dwellings and can be converted back.

Commissioner Stolzenberg: Is it important to keep them as single family alone, or is it important to keep them as the historic structure that they are?

Commissioner Lahendro: As long as they are kept and have the option of going back to a single-family home, that is the important thing.

Commissioner Stolzenberg: Most of it is R1s and because of those larger lot size requirements for attached units, they couldn't easily be converted but you couldn't just tear one down and split one up if it was already at the 6000 sq. ft. for a single family home.

Commissioner Lahendro: It would be nice to have something that allowed the backs of these very long lots to have another dwelling on them and be able to keep the historic building on them. It would be great if we could cut the property in half and sell off the back half.

Chairman Green: Access is a problem and there are critical slopes and watershed here as well.

Ms. Robertson: Is this too large of an area to consider planning it at a small-area plan level? Some of the issues are likely to be found anywhere the City has R1 zoning and we are hopefully about to embark on a comprehensive review of the land use plan. Arguably, this is an argument for looking at it wherever it occurs in the City. However, if you want to start on this particular neighborhood, why wouldn't that be a good argument for a small area plan to identify the goals for the whole neighborhood and then look at how to write the ordinances to implements those goals?

Commissioner Lahendro: It isn't representative of all of our single-family neighborhoods, but our older communities closer to Downtown have similar characteristics that would all benefit from a small area plan.

Ms. Robertson: We already have 26 different zoning districts so instead of creating a new zoning district for a particular neighborhood, it seems like maybe it would be better to do something like a small area plan and figure out how to adjust zoning ordinances for when certain conditions occur.

Chairman Green: It feels large and there are concerns knowing that this Comprehensive Plan is coming and personally feels that change is coming. If we started this as a small-area plan with community engagement, it's almost like having community engagement like a small-area plan process to be able to engage the community. We need to make sure the neighborhood knows about this and see how they feel. Community engagement is a large part of the discussion of our Comprehensive Plan.

Ms. Robertson: In 2014, one of the biggest complaints about this neighborhood was that the duplexes already there were being occupied by mostly UVA students. They had lower rents and the neighborhood residents felt that it was adversely impacting how their neighborhood felt cohesively and was developing. We are looking at it through a different lens now, but it would be good to engage the neighborhood again before you get too far along in a specific proposal because that part of town does have quite a bit of influence from UVA.

Chairman Green: In full disclosure, I had an impromptu conversation with neighbors and asked pointed questions because we kept hearing that it was the renters. When we had deep conversation about it, it was not about people who rent and don't own, but it was about UVA students coming in chopping up the house and overcrowding it. Typically speaking, some of the 1st year students who have a car park it in the neighborhood because it's close to the school. We have to put enforcement tools in place to handle the problems that we have so we can have a better understanding and buy-in. Renters are not

the real issue, but it is the University not taking accountability for their student housing and for the 1st year students who are bringing their cars when they aren't supposed to and parking it in the neighborhoods when they aren't supposed to.

Commissioner Stolzenberg: I also spoke to many Fry's Spring neighbors and will be attending their July 12 meeting to talk about this analysis and how to address it. For example, it is difficult to report a zoning violation so it might be helpful to have better informational pages on the website to point people to the right place. Regarding the 2014 zoning, it was focused on areas like Cleveland and Shamrock, which are already R2. This analysis largely focuses on the southern area around Mosely Drive, just west of the R2 area that is more affordable, as well as Camellia, Monte Vista, south of Harris, and Porter. This area is too far from UVA so aside from graduate students there probably isn't a significant population. While we should improve our enforcement mechanisms, this is distinct from that conversation.

Chairman Green: Enforcement isn't just zoning. It's also property maintenance, police, parking, etc. and it is understandable that we have frustration in this neighborhood. However, it would be helpful to promote the app so that more people are using it.

Commissioner Solla-Yates: There are many infrastructure, safety, and connectivity issues in this area and we should look at that and we aren't looking at that in the Comprehensive Plan currently so it is a serious strategic concern that should be connected to any housing we look at. Moore's Creek and the school are here as well so there are some strategic interests that are worth looking into seriously. Looking at the whole thing, it doesn't make sense but tightening it up to be more focused makes sense.

Commissioner Lahendro: The streets like Azalea, Camellia, and Hilton aren't in the historic district and they have very different housing types.

Commissioner Stolzenberg: It's almost the southern Fry's Spring analysis but it was important to get Huntley in there to demonstrate that it's not PUDs that make it affordable.

Chairman Green: Regarding the infrastructure problem, the sewage system we recently spoke about is for suburban areas we got an answer to our question that determined that the pump needed to be 150-200' from any dwelling. We all have the conversation that the lots are too large and it needs to be connected so it isn't adversely impacting the neighborhood because then we are just adding one more thing to it.

Ms. Robertson: Those are arguments of why you look at an area comprehensively and our Comprehensive Plan has historically not dealt with transportation or public sewer issues. Many localities' comprehensive plans do address those issues in the context of how an area will develop or redevelop.

Commissioner Stolzenberg: If we initiate a small-area plan, would it take longer than a Comprehensive Plan?

Ms. Robertson: Generally, a small-area plan is a piece of the Comprehensive Plan. Presumably a consultant will be working closely with the Commission as a group and it's not too late to address these problems simultaneously, assuming this gets started soon.

Commissioner Stolzenberg: The concern is that if it's on the scale of something like the SIA plan, it could take years. Perhaps we can have a community engagement process now and find the concerns and needs of the community without making it too ambitious.

Chairman Green: While the SIA plan, while it seems like it isn't being worked on, the plan has been in place for a while. Are you suggesting that just we have a Comprehensive rezoning?

Commissioner Stolzenberg: Yes. It seems odd to create a specific zoning district and perhaps a form based code may be what they are looking for, but at this point we are 5 years into the SIA form based code and it doesn't seem to be there yet.

Ms. Robertson: The SIA plan was a component of the Comprehensive Plan to set out goals and objectives that specifically referenced a form based code. It took some time to get buy-in on the heels of adopting that new component of the Comprehensive Plan. Some localities will adopt a Comprehensive Plan amendment and at the same time will adopt the ordinance changes necessary to implement the amendment. This can move along expeditiously, but it requires everyone to buy into getting it done sooner rather than later.

Chairman Green: The desire of the Commission is to not have any lag time. We can put a small-area plan around 100 different circles, but we have to have the political will to follow the plan once we get it in place or else it means nothing. Unfortunately we have yet to see that happen in the City.

Commissioner Stolzenberg: That is a good point and it's not only when things come to the Commission and Council that we disregard the plan, but it's also when the ordinance isn't aligned with the plan. Under our existing Comprehensive Plan, we are seeing outcomes that are not in alignment with it. If we aren't going to follow the existing 2013 Comprehensive Plan because we think it is too old, we need to consciously make that decision. However, just because we are two years overdue we shouldn't say that we aren't going to take any action until we have a new one.

Ms. Robertson: Which provision of the current Comprehensive Plan are the PUDs not compliant with?

Commissioner Solla-Yates: The housing chapter and the land use chapter.

Ms. Robertson: Even in the Comprehensive Plan, it's necessary to have better integration of the components. You can't have land use that is separate from all of those things. The land use map should be the guidance but it should already take into account housing and other issues.

Commissioner Stolzenberg: The land use map doesn't make any comments on this because it's all within the confines of low density, but it's not in alignment with the stated vision of both the housing and land use chapters.

Ms. Robertson: The land use map has to bring everything together and state the long range recommendations and what we anticipate the area to look like as it develops over 10-20 years. We need to fix this piece because it has to bring the housing, environmental, and transportation together into an integrated recommendation with definitions, including density recommendations. Density should be a recommendation in the Comprehensive Plan, not a restriction in the ordinance, and we do it backwards.

Commissioner Lahendro: It's pointless to do a small-area plan if we haven't finished all the Comprehensive Plan sections that it will refer back to.

Ms. Robertson: It is planned to be updated with some tweaks. The housing piece needs to be updated to account for data to account for the basis of the recommendation, but once that is done, the main thing to be done is to factor in how to come up with a land use recommendation based on housing, environmental, and transportation factors. It has to be built into the land use recommendation.

Chairman Green: We took a pause because we have a housing strategy and we didn't know if the housing strategy would match the land use plan. The whole guiding principal behind where we are going is for this new long-range planner and the RFP for consultant to work together to complete the Comprehensive Plan, land use, and housing strategy to make sure they all meet and work how they are supposed to. Once they bring us the information on what matches, then we can make recommendations. This Planning Commission cannot do the entire creation when we don't have all of the information. On the heels of that is looking at the zoning ordinance and making sure that matches. Based off of conversations, we have to get these things right or else we will just create a bigger mess than we already have.

Mr. Ikefuna: You have to look at the resources available. If you initiate it now, we have to look at getting funding. We also have the Comprehensive Plan coming as well. We have to seek the resources to do it and then we have to look at the big picture approach, which we are getting ready to embark on.

Chairman Green: Hopefully once we get it started, it will move much faster than what we have seen. It will be dedicated resources because it is under the City Manager.

Commissioner Stolzenberg: To summarize, option 1, which we are leaning towards, is to wait for the long-range planner to be hired, the RFP to be made, and to finish the Comprehensive Plan and figure out what to do from there. Option 2 is to amend the existing Comprehensive Plan in the meantime to flesh out details that it doesn't mention. Option 3 is to work within the existing Comprehensive Plan and rely on the text and do something at a smaller scale with incremental change under the guidance of the existing plan. By the time we are done with this Comprehensive Plan and the zoning ordinance, most of the area will have already been filled in.

Mr. Ikefuna: If we start preparing a small-area plan for Fry's Spring right now, how could we stop that from happening?

Commissioner Stolzenberg: We could rezone those to R2 without a small-area plan under the guidance of the existing Comprehensive Plan and not touch existing streets and homes, except maybe the ones that were built in the last 2 or 3 years.

Chairman Green: If we were to rezone them to R2 immediately, the builder can still build one single-family house. It still won't guarantee that we won't have these big houses.

Commissioner Stolzenberg: Everything that is mandated in R1 is possible in R2. It's possible that we change it all and nothing changes at all, but by only allowing the most expensive outcome, we ensure the worst possible outcome.

Commissioner Lahendro: What is the mechanism for coming forward with changing the zoning of those lots? Does staff need to pull it together first or does the Commission need to first say that we need to look into it and then ask staff to look into it?

Ms. Robertson: Staff needs to validate based on their expertise and would need to do some vetting to ensure that you don't create a new problem by fixing this problem. Usually this is talked about in the case of a downzoning and when you do an up-zoning and do it piecemeal, you're talking about a zoning classification that applies throughout the City and there may be similar places where this is happening but you're only talking about dealing with one place. It feels disjointed, which is how we got to the ordinance that we have. You have to balance wanting to address the issue of affordability through one set of measures that seem to make sense but you need a process that makes sense.

Commissioner Lahendro: Is the argument that we are so close to getting the Comprehensive Plan done that we should wait to finish it before doing this?

Ms. Robertson: Yes, or you should look at simultaneously doing a Comprehensive Plan amendment of the current Comprehensive Plan with ordinance changes to solve the patterns of development we have seen come forward in this area.

Chairman Green: How are we going to have staff to do this amendment? Our task is to make recommendations on a Comprehensive Plan, not to write the plan itself.

Ms. Robertson: You don't have resources assigned, although the development of the Comprehensive Plan and the recommendations for what should be in there is very specifically one of the Commission's duties. The question then becomes if you should roll it into the process for which you know you will have outside resources because the director has said that we don't have the resources.

Commissioner Stolzenberg: If the existing Comprehensive Plan doesn't differentiate between the two things we are talking about, then a Comprehensive Plan amendment would require adding an entire additional layer of breaking down into more specificity than the Comprehensive Plan ever provided. It makes sense within the zoning map to allow the same thing that is on the other side of Naylor without doing a Comprehensive Plan amendment because it fits the plan.

Commissioner Stolzenberg recommends initiating a rezoning from R1 to R2 for the Naylor Street parcel, Porter Avenue and Oaklawn area, and optionally the Flint Drive and Belleview areas for staff to review it for its feasibility.

Mr. Haluska: Typically, the Commission would vote on an initiation of a study that results in an agenda item in the future.

Chairman Green: We can write a memo to initiate a study for discussion at the July meeting, tentatively.

Commissioner Solla-Yates: Could we look at similar parcels within the City?

Ms. Robertson: That is a major project and the concerns that have been brought up are the same concerns that led us to need a housing strategy and update the Comprehensive Plan to get a better zoning ordinance. The focus is supposed to be the land use plan and making sure the housing strategy feeds into it.

Commissioner Lahendro: Notes that he is willing to let it go forward and let staff study it, but that is all. It would be good to have more information on it.

Commissioner Stolzenberg: Now we have a tool that can be used for any area in the City. Hopefully if we can establish a process and precedent of doing small incremental changes, if the Comprehensive Plan and zoning ordinance come about in a year or two we can keep making small incremental changes as we see urgent needs arise.

Chairman Green: What happens if it goes against the housing strategy? This makes a lot of sense, but we have resources allocated from City Council and it would be a shame to pull those resources back for small incremental changes that have no guarantee will work. We also have no guarantee if it works within the housing strategy and we are taking staff time.

Mr. Haluska: An initiation is typically a 2 page memo and this one might be a little longer. We would note concerns if there are any but we wouldn't be doing a full on rezoning staff report with accompanying documentation to do an initiation.

Ms. Robertson: There is a difference between initiating a text/map amendment and initiating a staff-supported study. If the Commission wants an initiation of a staff-supported study on the July agenda, the recommendation is that the agenda item include a specific list of properties involved to make sure the property owners and neighborhood are aware of it.

Mr. Haluska: We will tentatively plan on putting in the July agenda.

3. Public Comment

Brian Becker, Fry's Springs Neighborhood Association President: This has been a very thoughtful discussion. We are honored that you are looking at the Fry's Spring neighborhood and we appreciate the urgency. Public engagement is key and that is what we want. The concern was that this came out of

leftfield and no one in the neighborhood had been contacted about this. There is a longstanding history of lack of zoning enforcement. The number one issue is that we have noncompliant parcels and that's because there is lack of enforcement. Proposing rezoning just makes residents concerned that there will be more noncompliance, so I question the wisdom of rezoning noncompliant parcels to R2 because it simply validates that noncompliance. If you go back in history with the 2014 rezoning, we were seeking R1S so we support the ADUs. We aren't against density, but it is about what it looks like. Hopefully form based code can be part of the discussion, as well as the infrastructure issues and how we can enforce our ordinances. Fry's Spring is on the south side of the City and we aren't near where the jobs are so it doesn't make sense to focus in one of the far away neighborhoods because we want to encourage pedestrian and biking connectivity.

Susan Quinn, Fry's Springs Neighborhood Association: Don't underestimate what the proximity to the UVA gives us. You should add owner-occupied versus renters to the discussion. We just did that assessment for our street when we were thinking about asking about parking restrictions in our area and we were shocked. Observably on Raymond Avenue, there are 3 duplexes and 50% of the units are occupied by students, which that means 4 on each side and 8 cars. The entire front yard is gravel and parking, but it doesn't always accommodate 8 cars so there is pressure. You can't figure out how many are students, but the observation is that with it being that close to the University it is 50%. Further way it is probably less.

Jess Wenger: Thank you to Commissioner Stolzenberg and the Commission for starting this conversation. Mr. Haluska and Susan covered many of the concerns of the neighborhood and it is not density. We welcome new residents and neighbors whether they are renters, owners, or renters who want to become owners. Our neighborhood has generally been affordable to make that transition, although we are slowly getting out of that realm. Zoning is one of the keys there because the lack of enforcement and lack of City staff to enforce has been a problem, which is why some of the neighbors direct their ire at renters but it's really about the lack of zoning and enforcement. We aren't near the jobs and we are about 2 miles away from UVA. Having better infrastructure to support transportation, sidewalks, and bike lanes to get us out of the neighborhood if we are dense so that we can get to the places we need to go is important and keeping those things in mind when having these conversations will be awesome because those are most of the concerns that residents have. Lastly, thank you to Mr. Stolzenberg for coming to the upcoming association meeting to have conversations with even more residents.

Adjournment: 7:10 pm.