

Minutes

**PLANNING COMMISSION REGULAR MEETING
December 8, 2020 – 5:30 P.M.
Virtual Meeting**

I. COMMISSION PRE-MEETING (Agenda discussion(s))

Beginning: 5:00 PM

Location: Virtual/Electronic

Members Present: Chairman Mitchell, Commissioner Solla-Yates, Commissioner Heaton, Commissioner Russell, Commissioner Stolzenberg, Commissioner Lahendro, Commissioner Dowell, Commissioner Palmer

Staff Present: Patrick Cory, Missy Creasy, Alex Ikefuna, Joe Rice, Erin Atak, Brian Haluska, Lisa Robertson, Lachen Parks

Chair Mitchell called the meeting to order at 5:00pm and began review of the agenda. It was noted that Commissioner Russell would provide a statement and recuse from the vote for the CDBG/HOME budget item. She will be able to participate in the CDBG-CV3 item. A correction for the minutes was noted and will be repeated during the regular meeting. Concerning the 1000 Monticello application, there was a request to clarify the site acreage as the application had different numbers than the GIS system. It was noted that survey data as show in the application should be the most accurate. Commissioner Stolzenberg asked about the affordable housing language. Mr. Haluska noted that the applicant will have to comply with Zoning Ordinance Section 34-12 regardless of language included in the applicant. There was preliminary dialogue on what that language may look like.

II. COMMISSION REGULAR MEETING – Meeting called to order at 5:30 PM by the Chairman

Beginning: 5:30 PM

Location: Virtual/Electronic

A. COMMISSIONER’S REPORT

Commissioner Russell – No reports.

Commissioner Stolzenberg – We just had a TJPDC meeting. The big update there is with the rent and mortgage release program. So overall, we had \$1.46 million in all of TJPDC, dispersed as part of that program for rent and mortgage relief. In the coming months, it is going to be transitioned into what they're calling Rent Mortgage Relief Program 2.0, where instead of going through the PDC, there's going to be two single points of intake statewide: one for tenants and one for landlords provided by a contractor called Deval Company. I think there will be one more round of local disbursements and then it's all going to be running through that centralized platform. So the good news is there's more funding coming. The bad news is, yeah, we'll see how that goes. There is also some pretty cool work being done by TJPDC. Sarah Pennington, one of their staffers won an award for a program called Telework, VA. A focus before was in transportation demand management, in

trying to get people out of their cars, obviously, a lot more people are not coming into the office at all now and she's helping companies transition to that with the goal of hopefully making work more flexible and less reliant on commutes in the future, even after COVID ends. So, those are the big two updates I've got. We missed our PLACE meeting last month because it wasn't noticed. But this Thursday we will have another PLACE meeting, once again to discuss the future of the committee and if or what its task is, if it has one.

Commissioner Heaton – I did get involved a little bit more with the Rivanna River Advisory Committee. They are having a meeting tomorrow night for the South Fork Advisory Committee where they're going to be looking at setting up stream monitoring as well as monitoring of pollutants. I thought that was a worthwhile group and they're under some new leadership and they're doing some good work out there.

Commissioner Dowell – On Friday, November 13, as part of the Ridge Street Task Force, we walked the neighborhood. As we were walking the neighborhood and looking at some points or areas of concern that the Task Force had raised, we also spoke with different neighbors that we saw in the neighborhood to get their input on what they thought the concerns and needs were. At the next meeting the Task Force members had to do a little bit of homework and we will be prioritizing what the priorities are for the task force on December 16. At 4pm on November 12, we had our CDBG Task Force meeting. We had several applicants and PHAR and LBCA were in our public service sector. We also had other groups awarded funds and I'm not going to go into too many details because we do have Erin on the line, and she's going to be going over that shortly. At 6:30, I will be excusing myself just for roughly about an hour.

Commissioner Solla-Yates – The Cville Plans Together steering committee met on November 23. We reviewed a presentation about the draft affordable housing plan. I've posted that into the chat. It was the same material, but it was better the second time - worth reviewing.

Commissioner Lahendro – I met with the Board of Architectural Review on November 17th. We had five Certificate of Appropriateness applications that were approved and we deferred one of the applications for 612 West Main Street, the new apartment building on West main. We had two pre application discussions. On December 1, the tree commission met and spent a great deal of time going over our month to month annual calendar making adjustments for the world of COVID and shuffling our objectives and then putting new emphasis on certain things. We had a wonderful report from the Charlottesville area tree stewards. Mark is the representative on the tree commission and went over many of the things that they've done over the last year. We had a report on the CIP operating budget and the annual report to city council. It came up that as we were thinking about the 490 some acres of trees that the city has lost between 2004 and 2014. That equates to about point three quarters of a square mile. When you have 10.4 square miles in the city of Charlottesville, that's an awful lot of trees to lose. We're going the wrong direction for the “tree city.”

B. UNIVERSITY REPORT

Commissioner Palmer – There is a Board of Visitors meeting on Friday of this week. There are two items for approval and review. One is the School of Data Science on the Ivy Corridor that is going to

be considered for design approval. That will be the first big building on that site. The other is just a review of some athletics complex buildings: one for a football building, Olympic sports, and McCue Center renovation. That's something they have been working on in the Athletics Department. One other thing that is on there that is more related to the community is the water treatment plant site on Observatory Hill. There are some upgrades to their facilities that are also being considered. We're going to have for the first time awards given out to projects since 2017. I don't think it's taken that long to find projects that are deserving of awards, but we just got out of the habit of doing it. So that'll come out next month.

C. CHAIR'S REPORT

Chairman Mitchell – On November 20th, I went to the LUPEC meeting. The LUPEC group is the City, the County, UVA, and Utilities. The focus of the LUPEC group is to focus on environmental and land use issues that all three of us plus the utilities folks need to be worried about. We, at that meeting, were represented by Alex and a couple of other city officials and me. There were a couple of report outs regarding landfill diversion, a report out regarding the water and sewage safety yield study. The discussion was actually back and forth discussion on Smart Scale. Smart Scale is what we call streetscapes. Commissioner Russell, they pretty much echoed the issue that you talked about last month. You mentioned that we done a lot of work on Fontaine getting ready to implement that. We got done all the work up to the county line. For example, there's a sidewalk all the way up to the county line, but nothing after that. We spent the bulk of our meeting talking about what we can do better when it comes to these Smart Scale projects. What we can do better is let's do these streetscape projects and we work on and at the end of the day, we agreed that going forward, we would engage all three entities where appropriate UVA, Albemarle County and the city on all these smart streetscape projects. We don't want to have another Fontaine issue happening where again, we the city do not have to do up until the county line, and we've not engaged the county. A commitment was made to begin engaging all three important entities in the process at the conceptual level.

D. DEPARTMENT OF NDS

Ms. Creasy – We are still continuing forward in our current state. We have a number of individuals who continue to work from home. We have people pop in and pop out of the office to make sure that all of our items are addressed. As I have been able to say in our last couple of meetings, we have a path for each application to continue to move through a process and that is something that we're definitely grateful for. We are prepping for the meeting with the county Planning Commission in January. Again, a reminder that is January 26, which is the fourth Tuesday at 5:30 PM. On this Thursday, I, Alex, and Hosea will be meeting with folks at the county so we can refine the agenda for the meeting. We're excited to have that opportunity. We'll look forward to talking more about housing with our regional partners.

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

No Comments from the Public

F. CONSENT AGENDA

1. Minutes – September 9, 2020 – Pre-Meeting and Regular Meeting

Commissioner Stolzenberg moved to approve the Consent Agenda with a slight change to the September Minutes (Second by Commissioner Solla-Yates). Motion passed 7-0. The meeting was recessed until the start of the public hearings at 6:00 PM.

III. JOINT MEETING OF COMMISSION AND COUNCIL

Beginning: 6:00 PM

Continuing: Until all public hearings are complete

Format: (i) Staff Report, (ii) Applicant, (iii) Hearing, (iv) Discussion and Motion

Councilor Hill called City Council (Councilor Payne and Councilor Snook) to order for the joint meeting with the Planning Commission.

1. **Community Development Block Grant Coronavirus (CDBG-CV3) Funding, FY 20-21** The Planning Commission and City Council are considering projects to be undertaken in the amended Fiscal Year 2021 Action Plan of the multi-year Consolidated Plan utilizing CDBG-CV funds for the City of Charlottesville in response to the growing effects of the historic public health crisis. In Fiscal Year 20-21 it is expected that the City of Charlottesville will receive about \$335,024 in Community Development Block Grant Coronavirus (CDBG-CV3) funds from the Department of Housing and Urban Development HUD authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act). CDBG-CV grants will be used to facilitate projects to prevent, prepare for, and respond to coronavirus. Information pertaining to this application may be viewed online at www.charlottesville.gov/agenda. Persons interested in this item may contact Grants Coordinator Erin Atak by e-mail (atake@charlottesville.gov).
2. **Community Development Block Grant (CDBG) and HOME Funding – 3rd Year Action Plan, FY 21-22** The Planning Commission and City Council are considering projects to be undertaken in the 3rd Year Action Plan of the multi-year Consolidated Plan utilizing CDBG & HOME funds for the City of Charlottesville. In Fiscal Year 21-22 it is expected that the City of Charlottesville will receive about \$419,367 in Community Development Block Grant funds and about \$80,594 in HOME funds from the Department of Housing and Urban Development HUD. CDBG funds will be used in the City to address neighborhood improvements Ridge Street, economic development activities, housing activities, and public service projects that benefit low and moderate income citizens. HOME funds will be used to support the housing needs of low and moderate-income citizens through homeowner rehabilitation and down-payment assistance. Report prepared by Erin Atak, Grants Coordinator.
 - i. **Erin Atak, Staff Report** – As an entitlement community each year the City of Charlottesville is awarded the CDBG and HOME grants through HUD. All localities are required to complete an action plan for the grants that detail the goals and objectives to be carried out for the upcoming fiscal year. Due to the global health pandemic, the City was issued a special allocation of CDBG and known as the CDBG CV three moving forward. I'm just going to call that CV three so that there's less confusion. This was made available through the Cares Act. According to HUD priorities, CV 3 dollars are meant to fund activities that will prevent, prepare for, and respond to the Coronavirus. We'll be talking about three separate grants. First is the CV three totaling \$335,024. Second is the CDBG, totaling approximately \$419,367. And the third is the HOME fund, totaling approximately \$80,594. The city placed a request for proposals on September 30, and began accepting applications between October 1 and October 16, 2020. All project proposals

were told to support a viable urban community through the provision of decent housing, provide suitable living environments and provide economic opportunity for low and moderate income citizens which also prevents, prepare for, and respond to the Coronavirus. Applicants also had to undergo a 30 to 45 minute mandatory technical assistance meeting with me prior to submitting an application. During that session, we went over the grant requirements that were expected and mandatory for all sub recipients that if they undertook the grant, this is what was expected of them. We also covered what could be bought with federal dollars, federal paperwork requirements, and filing requirements, how long do you have to keep paperwork stored on site, submitting an audit, scope of work, and budget requirements. We went over an application workshop. How do you fill out an application for the CDBG and HOME grant, environmental review requirements, scoring rubrics, and the grant guidelines. I met with a total of 12 applicants and we received a total of eight applications. During this process, some applicants, as I was meeting with them, decided that they wanted to use this time to learn more about the grant process and revisit applying next year or a different grant cycle. And others learned that their activity doesn't actually fit the criteria. They're going to revisit and apply in a different fiscal year. The CDBG taskforce was provided with evaluation criteria, rubric grant guidelines, application, and staff notes from myself. They made the review and gave me their scores on each application. The rubric was used and created several years ago with input from a previous CDBG and HOME Task Force. It was also created with help from the HUD sub-recipient training manual. Both inputs created the CDBG rubric. One change that was made to the scoring manual this year was to address HUDs 24 CFR 570 902 A, which is a HUD timeliness entitlement regulation. Essentially a certain dollar amount must be spent by the end of the program year. As a compliance change with the rubric, any applicant not spending funds from the prior fiscal year would not be receiving as strong of a consideration during the review process. That didn't mean that they couldn't apply. They could still apply. They just wouldn't be receiving the full score. The main purpose again was to encourage applicants to increase their spending rate during the grant program to help the city stay in compliance with the HUD spending timeliness and recruit new applicants into the CDBG and HOME program. So today, following the public hearing, staff is going to be asking planning commissioners to make a funding recommendation to take forward to city council concerning the following two budgets, the CV three budget allocation for fiscal year 20-21 and the CDBG and HOME budget allocation for 21-22. Under CV three project recommendations, the task force made the following recommendations for economic development and public service activities. Under economic development, the task force made the funding recommendation for Community Investment Collaborative for \$130,970 for the micro enterprise COVID Response Program. This is aimed to help support 24 micro enterprises with grants of up to \$4,000. Under public services, the task force recommended to fund Charlottesville Redevelopment Housing Authority, also known as CRHA, up to \$91,485.94 for the eviction diversion program. This program is twofold. The first is to hire a housing stabilization coordinator. The second portion of the activity is to fund 100 COVID related emergency rents for CRHA residents. The second CV three public service activity that was put forth as a funding recommendation is the Habitat for Humanity COVID-19 Response Program. This is a mortgage rental Relief Program for 75 to 100 City residents. The fourth item budgeted for the CV three program is the administrative and planning portion of the grants set at \$67,004.80. This is used to pay staffing, citizen participation, Davis Bacon, environmental reviews, and section three for the next six years of the CV three grant. For CDBG funds, the taskforce made the following recommendations for economic development. The first is Community Investment Collaborative for the financial management program. This application will

be assisting 15 to 20 entrepreneurs. The funding recommendation was set at \$32,056.28. The second economic development application for CDBG is at \$29,238 for the Local Energy Alliance Program for the assisted Home Performance Workforce Development Program. This activity will be hiring two staff members for the assisted Home Performance program. The two staff members will be paid initially \$15 an hour minimum and will be taking weatherization training courses to receive a class certificate. The two staff members will later be receiving a pay increase later on at the end of the receipt of their certificate. Under CDBG public services, the task force recommended public housing association of residents (PHAR) receive \$34,000 for the resident involved redevelopment to help prevent homelessness among residents of public housing. The task force also recommended Literacy Volunteers of Charlottesville and Albemarle for a funding recommendation of \$25,000. Literacy Volunteers of Charlottesville and Albemarle is proposing to help provide beginner level workforce development tutoring program for 30 illiterate city residents. Under the CDBG housing section of the grant, the task force made a funding recommendation to fund the LEAP program again for the assisted Home Performance program at \$65,199.32. With this portion, LEAP will be providing 20 low income households with energy efficiency upgrades for the assisted Home Performance program. The CDBG dollars will be used in tandem with the HOME dollars. Once again, the CDBG admin and planning portion of the grant is budgeted at \$80,873.40. This is 20% of the entitlement, which is a HUD standard. This is used to pay for staffing costs, citizen participation, equipment costs, Davis Bacon, Section Three and all the citizen participation requirements for all the activities as well. For the Ridge Street Priority Neighborhood, as Ms. Dowell mentioned, the Ridge Street Task Force has been holding monthly meetings since December. Once the taskforce comes up with an activity we will come back to the Planning Commission for public feedback and input which will then be later presented to city council and adopted as part of the larger budget. For HOME, we have three activities that were put forth for recommendation. The first is the Albemarle Housing Improvement Program. The task force recommended funding AHIP at \$37,352. This is an activity that will be funding one homeowner rehab within the Ridge Street Priority Neighborhood. This is for one of the historic Tonsler homes. The second activity will be Habitat for Humanity at \$24,000. This is to provide for down payment assistance activities at \$6,000 each. The third activity again is the assisted Home Performance program with LEAP. This is to be paired with the CDBG dollars to provide 20 energy efficient upgrades for the assisted Home Performance program. There are two motions today. The urgent one is the CV three because of the short timeframe. The second one is CDBG and HOME for fiscal year 21- 22.

Commissioner Russell – I am able to participate in the discussion around the CDBG CV three funding. However, regarding the CDBG and HOME funding, I have a statement that I would like to ask Ms. Creasy to reflect in the minutes of tonight's meeting. I am a member of the Governing Board of AHIP which will stand to receive funding under these budget allocations. Because of this, I may have a personal interest in the transaction that is before the Commission tonight for action. I'm disqualifying myself from participating in that transaction. The business address of AHIP is 2127 Berkmar Drive, State Route 1403, Charlottesville, Virginia 22901.

Commissioner Stolzenberg – I think Ms. Atak did a great job of answering the questions that I did have, but then raised another one at the end. So you said the AHIP funding is for the Tonsler home? Is that the same Tonsler home that's like owned by the guy who owns Trinity? Or is this a different one?

Ms. Atak – I don't have the exact address on hand just for privacy reasons. We weren't given the address up front during the taskforce discussion. If the taskforce does move forward with the funding and is approved later on, I can send you that address as we're working through the environmental review. It is in the application itself. It does note that it's one of the historic Tonsler homes.

Commissioner Stolzenberg – I think I had seen somewhere in the minutes that someone asked if it was going to be a rental home with a wealthy landlord versus a low income homeowner, and someone did say it was going to be a homeowner. So is that right?

Commissioner Dowell – Sorry to interrupt. I do believe that the Tonsler home, if I recall correctly in the application is a family that's currently living in the home and the house needs major rehabilitation.

Commissioner Stolzenberg – The one I was thinking of, is still vacant and was getting rundown. There was a story about it a couple of years ago. But it sounds like it's not that one.

Commissioner Dowell – I would like to add that Ms. Atak omitted one small, big portion of our application process this year. We did update their scoring rubric a little bit. It also made it easier as someone on the task force to be able to flow through the application and the scoring rubric actually matched up this time. It was very easy to be able to have all of the information for that particular portion of the score rubric in order. I would like to give her those kudos that she forgot to give to herself. I do think we had good discussion. It is always hard when it comes to allocating funds when people, every project is good for the most part, and it's just about how great you can make it look on paper.

Commissioner Solla-Yates – Can you explain how federal regulations changed a little bit this year?

Ms. Atak – They didn't actually change, they were just added into the rubric to stress the importance of timeliness. Each year, when we're given a grant entitlement, we're supposed to spend down a rate of 1.5. By the end of the year, if we don't match, or if we don't meet that rate, one consequence that the city does face is a possible decrease in next year's funds. One change that was made is the rubric this year is adding an outstanding funds section to the rubric. Any applicants who wanted to apply this year with any unspent CDBG and HOME dollars were welcome to apply. If they had \$5,000 left to spend from a prior year, that would negatively impact them. The whole point of adding that in there was to encourage applicants to close that account, so that the city could maintain timeliness with HUD, and we could boost up our grants allocation for upcoming years. Does that make sense?

Commissioner Dowell – One of the other things that is part of the application is the applicants have to submit a timeline of how they plan to spend the budget. That is something that we've been looking at closely so we don't get dinged or get a decrease of funding.

Commissioner Lahendro – Just wanted to say that in reading the materials for the meeting tonight and listening to the presentation, I'm just very satisfied and impressed with the objectivity and the thoroughness of the process of the evaluation process that this city has gone through and the program has gone through.

ii. Public Hearing

Chris Myers – We have multiple proposals to the different buckets of funding because we believe that multiple activities that we deliver to low income residents in the city again fit scopes of work that are funded by the different projects. I will mention I didn't think would be a natural proposal necessarily for the economic development portion of the grant. We do anticipate growing. This is a growth sector for the state and wanting to hire more local residents specifically out of the Ridge Street Neighborhood to then serve their neighbors in this community. When we talk about hiring those positions, those people would be the ones delivering the services that the city is talking about including attic insulation, replacing hvacs, doing analysis for reducing energy costs, and other types of home improvements in that sense. I would just say we traditionally have received funding and currently receive funding from the city to do this under the capital improvement budget, but that allocation was not included this year. We are technically running out of funds to continue to do the energy efficiency work we do from the city funding. Receiving funds under the CDBG would allow us to continue to do that. We applied because we don't know what is going to happen with the capital improvement budget going forward. Being able to have security around receiving funds from these buckets will ensure again that I don't have to worry about what's happening in the capital improvement budget.

iii. Commission Discussion and Motions

Chairman Mitchell – I've actually served on the Block Grant Task Force before a number of times and I've seen a lot of these, and this is an excellent level for this work. You guys did a lot of good work here and it's easy to read. I do like the new rubric.

Motion (CV-3): Commissioner Solla-Yates – For the 2020 to 2021 CDBG-CV three budget allocations as recommended by the CDBG/Home Task Force on 11-12-2020. Move to recommend (Second by Commissioner Dowell) Motion passed 7-0

Motion (HOME): Commissioner Solla-Yates – I move to recommend the 2021 to 2022 CDBG and home budget allocations as recommended by the CDBG/Home Task Force on 11 12 2020. (Second by Commissioner Dowell) Motion passed 6-0 with Commissioner Russell recusing herself from this motion.

- 3. SP20-00001 – 1000 Monticello Road** - Piedmont Realty Holdings III, LLC, (landowner) is requesting a Special Use Permit (SUP) pursuant to City Code Sec. 34-700, to authorize a specific residential development at 1000 Monticello Road (“Subject Property”) having approximately 225 feet of frontage on Monticello Road and 110 feet of frontage on Bainbridge Street. The Subject Property is further identified on City Real Property Tax Map 57 as Parcel 36 (City Real Estate Parcel ID 570036000). The property is also known as Belmont Heights, and is currently a 23 unit multi-family residential development. The Subject Property is zoned Neighborhood Commercial Corridor (NCC). The application seeks approval of additional residential density than is allowed by right within the

Neighborhood Commercial Corridor zoning district. The specific development proposed by the applicant is a new multi-family residential building with up to 11 residential dwelling units, which would raise the total number of units on the property to 34 units (up to 42 DUA). In the Neighborhood Commercial Corridor zoning district, multi-family residential buildings are allowed by-right with residential density up to 21 dwelling units per acre (DUA). The applicant has proposed that as a condition of approval, 9 of the 11 new units will meet the definition of an affordable dwelling unit per the guidelines of the Department of Housing and Urban Development (HUD), as well as the definition set forth in City Code 34-12. The Comprehensive Land Use Map for this area calls for Neighborhood Commercial, and no density range is specified by the Comprehensive Plan. Information pertaining to this application may be viewed online at www.charlottesville.gov/agenda. Persons interested in this Special Use Permit may contact NDS Planner Brian Haluska by e-mail (haluska@charlottesville.gov)

- i. **Brian Haluska, Staff Report** – This is a special use permit for property at 1000 Monticello Road is commonly known as the Belmont Heights Apartments. The request is for additional density. That's the extent of the request. The property is currently non-conforming as to the zoning.. It's been a long standing development. The NCC zoning in 2003 probably made it non-conforming. It currently has above the by right density. They're asking for 11 additional units to the 23 that are already existing on site, which would take the total density to 42 dwelling units per acre, which the NCC permits. Zoning permits up to 43 dwelling units per acre can be requested via a special use permit. The standard of review is found in Section 34-157 of the zoning ordinance. We've gone through an analysis of that, including the comprehensive plan. There's a lot of comprehensive planning goals that this project does seem to support. There are a couple of the concerns that have been raised and I would just want to highlight. What we've seen is that this is a taller building on this corridor. It seems to be in line with the height of the adjacent industrial building, the Virginia Industries for the Blind building, adjacent to it. It does have a visual impact on downtown Belmont and it would be at the end of the downtown Belmont corridor. As you're looking down on Monticello Road from that commercial district, you would see this building and it would be three stories on Monticello. That is a correction that needs to be made on page 10. I've mentioned it being four stories and stepping down to three, if you can look at the elevations, I got that backwards. It is three stories on Monticello Road, the site slopes away from Monticello Road. It would pick up a fourth story as it moves into the site. Adjacent property owners have mentioned traffic. In looking at the analysis of the additional 11 units when it comes to traffic generation or trip relocation based on adding units to the site, you can see from the traffic generation numbers, it's a fairly small number of units in the peak hour. There is some growing concern along the entire corridor particularly the adjacent Monticello, there's been the former Jimmy Dettor property known as the Belmont Apartments property and the impact of that on that corridor along with this and kind of the cumulative effect of all of these things. So we've mentioned that, you know, that's one of the things that traffic engineering will have to maintain. But the attributable increase to that traffic on the corridor from this project is fairly small. There is a change to the access of the site. Currently the site is accessed off of Monticello Road and Bainbridge as a part of this. The building site is accessed from Monticello Road. Right now they share access with an adjacent business. This isn't an entire driveway going away in the process. But it does get narrower, as a part of the construction of this building and all traffic then accesses off of Bainbridge Street. With parking, the applicant does propose to show all parking spaces on site. The total if they are to build 34 units, they would be required to place 35 parking spaces. One of the existing units on site is a three

bedroom unit, which requires two spaces. Everything else requires one. Staff is recommending approval of this based on the comprehensive planning goals that it satisfies, as well as the ability to mitigate the impacts along that corridor. I know we do want to touch a little bit on the proposal contained within the application regarding nine of the 11 units that are being constructed on the site proposed to meet the HUD definition of affordability. Initially, there's language in the proposed condition that the applicant put forward, capping the maximum amount of rent increases per year. That is not in compliance with the city policy. Staff elected to not put that condition into the staff report, but rather use the language that was suggested by our attorneys. If all affordable units, both those that would comply with 34-12, and any above that would just comply with our policies so that we can adequately enforce that. In the course of writing the staff report and looking through our comprehensive planning goals and trying to ascertain which goals were to be included in the staff report, there's a section in our comprehensive plan about supporting existing, affordable units. I did ask the owner if they had any supported units. They replied that they did not have a formal program, but they do have subsidized units within the development informally. How we treat private owners that are doing some sort of affordability or want to do some sort of affordability but don't want to work within the parameters of the existing programs we have but want to go above and beyond. It is something to keep in mind because it just kind of popped in my head. So I want to make sure that it pops into your heads as well as we work on that type of stuff.

Commissioner Russell – Mr. Stolzenberg clarified my question about a dwelling unit density. I was trying to just figure out the net change. I did want to know if there were any changes to the application or plan made as a result of the community feedback on the eighth.

Mr. Haluska – These were the original documents that were submitted to the city. There have not been updates. Any update you see in the presentation is something that staff has not vetted.

Commissioner Russell – I have some concerns about changes to one's experience in the historic downtown Belmont. As you noted in your staff report, it will become a focal point. It will alter the skyline. I was just looking on a street view and wondering if the trees that are buffering views right now are part of that parcel. I can't tell just by looking if they are proposing to remove a lot of trees that might be screening views right now or if those trees are on the adjacent property. I think they're actually on the adjacent property.

Mr. Haluska – I believe so. I'll pull up the site plan up while we're talking. I'll confirm that for you before the applicant speaks.

Commissioner Russell – When this parcel was purchased in spring of 2019, 14 residents received notice of the end of their month to month lease. They had to move. The apartments were renovated by the current applicant. We lost some units that were functioning as affordable housing. In the conversation around, what are we asking, what provisions? What are developers doing to keep housing affordable? How should we view them? I think it's important to understand the whole picture in the story of this site, which was that there was affordable housing. That was changed and now more density is being requested.

Commissioner Stolzenberg – That is the big question about this project. To me, it is 34-157A4C that pretty clearly asks us to consider displacement of existing residents. I guess you could make

an argument that well, we kicked them all out, like the week before filing the application, so it doesn't technically count. I don't think it makes sense to approach this in that way. My question for you is, if you could add any color to what you just said about like, informally subsidized units within the existing project, because it sounds like that is related to that situation.

Mr. Haluska – I can pull up the email. It was done in context in terms of trying to ascertain if there was a goal in the comprehensive plan that they met, which is the retention of an expansion of existing units. The applicant did state that four of the long term tenants are significantly subsidized at 600 per month rent abatement, and one at 350. The applicant indicated that the owner indicated that they aren't particularly not huge fans of going through some of the public subsidy programs. That's where my comment came up. If you had people who just want to do their own thing, but you are proposing that in a special use permit, how do we formalize that? That's been a long term issue that we've had to deal with people. How do you separate the people who actually want to do it from the people that were just promising and then are going to pull it back once they get the opportunity because they don't have anything legally binding? That's probably a discussion for our increased authority under the state for affordable housing programs but not for this application. They've got to deal with the code that they have.

Commissioner Stolzenberg – I hope the applicant plans on clarifying that. If these residents were able to come back after these renovations that would make a pretty big difference than if they all got kicked out. The follow up question I'd ask in relation to that is the question about how this will work administratively with what they offered. It doesn't matter for those units, because they're not the ones being offered, but rather for the new ones. We've got this very vague paragraph that says ambiguous things. We're going to apply a condition saying that it has to abide by the adopted standard operating procedures. When those conflict, are we saying what wins?

Mr. Haluska – As the motion is drafted right now or as the proposed is drafted, the language from the applicant is not carried forward. So if it's not referenced in the resolution, that city council approves it was a note in the application but it has no kind of standing. We enforce what's in the resolution and what those conditions are as listed in the resolution approved by Council.

Commissioner Stolzenberg – Per Miss Robertson's comment in the pre meeting. If it's going beyond our statutory authority, which is 34-12, and the formula in it. They're voluntarily offered by the applicant. Obviously, we need some way of handling it administratively. Does that mean that by adding this condition, we can enforce those rules on those units?

Lisa Robertson, City Attorney – What we are saying by adding this condition is that we welcome any additional affordable units above and beyond the minimum that's required by 34-12. The developer will need to use our definition of affordability. In terms of the administrative requirements of our standard operating procedure, affordable units provided will be subject to those regulations. If a unit is provided, they may have to enter into some sort of agreement, making an enforceable commitment to a period of affordability that's allowed by the regulations. They need to use our definition of affordability. We're not requiring them to commit to any particular number of units by this. They really aren't offering a very specific number. They are saying that they are willing and offering to do some. This condition just says that when you get to the site plan and building plan approval stage and you're determining your final number of

affordable units that you're going to offer, you need to use our definition in our administrative provisions to set those up.

Commissioner Stolzenberg – Let me rephrase that just to see if I get some understanding. They're going to have to do maybe one or two units by 34-12 and the formula in it. They've offered to do additional units up to a total of nine. The condition we're adding is saying that if you offer those units, then you must go through the same administrative procedures and terms as the required ones. If you don't offer those units, because you decided not to, because as I just mentioned, you don't really like those administrative procedures, then they're still free to not do any of that.

Ms. Robertson – That's right. As a practical matter, that's the same result as if you didn't have this condition, because they're really not committing to anything. We wouldn't have enforceable provisions. Absent this condition, we wouldn't have a way to enforce anything. We don't even really have a definition of what they're proposing to do.

Commissioner Heaton – I had a question about the special exception. Is there a traffic study that is involved in this change especially if you're raising the density? I just had a question about that. Was that part of the process, especially as the neighbors are concerned?

Mr. Haluska – The guidance that we have in the city is we do not require traffic studies for developments that do not generate more than 500 trips a day. This new building would not do that.

Commissioner Heaton – 34 units does not do that?

Mr. Haluska - Not even close. Eleven additional certainly doesn't, because you have an existing traffic pattern with the current 34. The last time I looked at the traffic manual, it is seven trips per day per apartment.

Commissioner Heaton - There wasn't a study done because the actual increase was only 11?

Commissioner Solla-Yates – From public feedback, there were some concerns about setbacks. We've seen concerns about height. As I understand it, the applicant is not requesting changes to setback or height. Can you explain that?

Mr. Haluska – That is correct. The building that they show is by right under the NCC district regulations. There's no required setbacks adjacent to zoning that is not low density residential, and they are not adjacent to any low density residential zoning. They are allowed to build right up to the property line on the front. In fact, I think there's a requirement that they do for a portion of the building anyway. The height is below the maximum of 45 feet in the district.

ii. **Applicant**

Kelsey Schlein, Planner – I'd like to just start off by responding to just a few questions and concerns that were raised by the Commission. In regards to affordable housing, the condition that's proposed in the narrative, to have 80% of the units constructed, which is proposed to be nine units

designated as affordable to those making up to 80% AMI. We put that the narrative as a proposed condition with the full intent of constructing nine affordable units to that definition. However we can move forward with a condition that has some teeth to it so that we actually construct that, we're willing. I just wanted to provide assurance and clarity that that was put in the project narrative as a proposed condition for a reason. It was a commitment that this owner wanted to bring forward. Another thing that I just wanted to hit on before just going through a few slides is this is the history on this property. It's my opinion that it personally does not affect the evaluation of impacts from this proposed special use permit. It does deserve just some talking points. It clearly is important to the commission to discuss this. When Piedmont Realty Holdings acquired the property in February of 2019, it had been acquired from Core Real Estate. Twelve of the units when they were acquired by Piedmont Realty Holdings, the rents had been rented at market rate. So when the property was acquired, 11 of the units were renting at less than market rate. But 12 were renting at market rate. All residents who had an interest and who had a history of paying relatively timely rent were offered the opportunity to move back in. We did receive a few just quotes that I feel like are important to bring up from residents who lived there before, and then who moved back in. One tenant said "I never dreamed of living in an apartment that is this nice, the owners not only allowed me to move into one of the renovated apartments, but they kept my rent the same, and they paid for my move." That's from a tenant who's lived there since 2009. Another tenant who lived there since 2012 said, "the owner helped me move into a renovated unit with a new deck. And this has been a great place for me and my two sons to live. I like the neighborhood. And there's a lot of care put into making this more comfortable." We can discuss that certainly more in depth if the commission feels that is necessary. But I did feel it was important to just touch on that since it was discussed. So now going into our slides in the proposal for the 11 units that are before you tonight. The existing conditions, the views looking south and north on Monticello Avenue, this is just showing a general footprint location of the building, how the building is sited on an existing entrance, and existing parking area. We're really just maximizing on existing impervious surface and taking advantage of the housing opportunity in this currently under-utilized portion of the site. This is just showing the proposed building footprint in relation to the rest of the site. The existing entrances as staff previously stated is proposed to be removed with this establishing a more continued street frontage along Monticello and lessening the breakup and the potential pedestrian conflict points with multiple entrance points to the site. This is the preliminary site plan that was submitted with a special use permit application, showing how the parking will remain interior to the site. The proposed building will be taking advantage of that existing parking area as its future building site. We'll be adding a parking space to comply with the city's parking regulations. That was certainly a concern that was brought up at the community meeting. Everyone wants to ensure that they have convenient parking space and access to their residence. We are not requesting any waivers to or any shared parking agreement at this time. Just complying with the ordinance as set forth in the city regulations. As far as the building footprint comparison, the scale of this building is pretty reserved. It's an approximately 1700 square foot building footprint and we just pulled some building footprints from nearby residences on Belmont Avenue from GIS to just show a scale comparison of the proposed building footprints with some existing footprints in the neighborhood. This is the rendering of the proposed multifamily building. The team at Design Develop did an excellent job at working with a scale that is certainly respectful along Monticello Avenue with just three stories proposed there, a little over 30 feet, with a very generous setback towards the rear of the site, increasing to the proposed maximum height of just over 41 feet, which, as staff said, is

within the by right regulations of the neighborhood of the NCC district. Here are a few more elevations and renderings so you can see how the building would function internal to the site as well. A recap of the project proposal 23 existing units on the property with 11 additional units proposed 34 units total for a density of 42 dwelling units per acre. It is our full intent for nine of the 11 additional units to be designated as affordable to households making up to 80% AMI. I am sorry that our proposed condition in the project narrative perhaps didn't capture that commitment to affordability.

Commissioner Russell – I appreciate the building footprint comparison, I don't think that anyone is concerned about the scale of the footprint. People in the neighborhood are concerned about the height and the compatibility with adjacent buildings. I understand that it jumps from two stories abruptly and then goes back down. I'm having some reservation about that. Typically a developer offers affordability because they're taking advantage of a subsidy and that is helping to finance. In this case, how is affordability being provided?

Ms. Schlein – Typically we're using the precedent that we often work with in other localities. The owner keeps records of the rent. Upon request of the city and the housing coordinator, those records must be provided to the city to ensure that affordability as committed to the special use permit condition are being adhered to. If not, then the owner is in violation of the terms of their special use permit condition.

Commissioner Russell – My question is more from a financial structuring standpoint. What is the incentive here in this development? How is he affording this construction if it is not being subsidized through some sort of affordability component? Nine out of 11 units being offered at an affordable rate. How is he making a return on his investment?

Justin Shimp, Applicant – I deal a lot in trying to build these small buildings. Part of it here is certainly a difference. We're using a pretty small underutilized, but not necessarily expensive portion of land which is pretty unusual around here. Normally, the huge barrier to any kind of affordability is you can't afford the property, even barely for market rate units. But in this particular instance, the developer has the opportunity essentially to add on to this parcel without a lot of additional land cost. I think that's what makes it that's why he feels comfortable offering this level of affordability. I'm sure that the folks to come forward with housing vouchers and things that's a form of subsidy giving it even deeper affordability. In this sort of instance, you can build this project without additional subsidy for fairly unique reasons. That is what is happening here.

Commissioner Stolzenberg – Let's start with the existing units. I think what I just heard was promising and helps allay some of my concerns. Up until that conversation, I was leaning pretty heavily towards no. So 11 of the units had not been reset to market rate at the time the current owner purchased the property. Ms. Schlein said that. The ones that had a history of timely rent payments, were offered the opportunity to return. The first question is how many was that? Then the second question is going to be how many actually returned? Was their rent really kept the same for all of them or just for the two whose testimonials we just heard?

Ms. Schlein – There are three tenants who were not offered the opportunity to move back in. I just wanted that to be clear there. There are five long term residents who have lived there who wanted

to move back in and who lived there before Piedmont Realty acquired the property and who remain there today.

Commissioner Stolzenberg – Eight were offered the return and then three declined. Five actually still live there?

Ms. Schlein – Five long term residents continue to live on the property.

Commissioner Stolzenberg – At the same rent they had before? Is that what you said?

Ms. Schlein – There are four. This goes back to what staff said. Four of the long term residents are significantly subsidized. Three at 600 per month rent abatement and one at 350. I do know that the one bedroom rents for \$1050. I'm not certain what of the one additional long term resident currently pays. I would also just bring up that I think before these units were renovated, a lot of the tenants were paying several hundred dollars a month in utilities to pay for heating in the wintertime. The net rent maybe more than it was before that they were renovated. The gross rent accounting for utilities and especially given the fact that the owner does provide internet with the current rent isn't significantly more expensive than the gross rent, including utilities that that were paid before.

Commissioner Stolzenberg – When you say 600 to 350 rent abatement, is that a reduction on the rent, which is 1050 for a one bedroom? Or is that rent abatement abated and so it is \$600?

Ms. Schlein – That is a good clarifying question. That is the language that I have. Unfortunately, I can't provide you with a definite answer either way on what reading between the lines of abatement means for them,

Mr. Shimp – It typically means a reduction though. If it actually happens to be 600, it is about the same. I believe it typically is used to mean the reduction in. In this case, the math might work out pretty close to the same either way.

Commissioner Stolzenberg – That's what I figured for that one. That bodes well or poorly for answering this next question. Why is the owner offering this rent abatement to these tenants?

Ms. Schlein – It's my understanding because of personal relationships that he developed with them throughout the renovation process. He knows these people. He knows how long they've lived there. He knows their financial constraints. That's my understanding as to why it's being offered currently. It's a personal subsidy. There's no other federal program, or local program being taken advantage of to offer those abatements.

Commissioner Stolzenberg – What are the lease terms? Are they on a lease now? Could they be evicted next month potentially?

Ms. Schlein – I'm uncertain as to the terms of the current lease. We're almost two years into property ownership. We still have five tenants, who are long term residents, and I imagine will want to remain in the future.

Commissioner Stolzenberg – You mentioned that utilities are much lower, which is a good segue into the point that I was going to make. When you talk about rent affordability, HUD makes those definitions of 30% of your income, at least core utilities are included in that amount. So when you commit to 80% AMI, is your intention that utilities are included?

Ms. Schlein – I believe so. I'm just looking at our definition. I don't think it clarifies between net or gross rent.

Mr. Shimp – I think that's been the historic way these things have been looked at with other projects including utilities.

Commissioner Stolzenberg – If we do come up with some way to make you abide by the standard operating procedures that is going to be part of that. What I'm showing here, is just the VHDA income amounts divided by 12 and multiplied by 30%. On the right, we have the same chart, except the actual numbers end up differently. This is from the affordable housing plan. So you don't think I'm totally making this up. I don't know why the numbers are different. To answer Commissioner Russell's question, it seems to me that 80% AMI, depending on how you convert that into a unit size by household size isn't significantly below market. It does seem reasonable that it would be financially supportable. My second question is how are those apportioned in terms of units to households? If you've got a three person household, does that mean you get a two bedroom for 1700 a month or for \$1500 a month? Is it one bedroom reduction? Is it even by household size like it would be if we were in the SOP? Or are you just saying let's take 80 % AMI ignoring household size, and, and going from there? What does 80% mean for you guys?

Mr. Shimp – Just drawing on the past, I've been a part of these projects. We've tried to go in with some affordable housing proffers or conditions. It's sometimes complicated for the reasons we're discussing now. I think that's why standardizing this as far as a requirements in the 3412 section to pick up all these things would honestly be a lot cleaner than having to have these discussions all the time. As it is, we don't trigger the 3412 requirement with this building. Therefore, we're trying to get to affordability a different way. I think it's our understanding that, it's per bedrooms. We proposed one bedroom units. We would expect that to be the household cap size. I see your point right, If I could fit three people into a one bedroom unit, I could raise the rent based on that household size. That's not our intent to try to play some game like that. I also think from a record keeping standpoint, it'd be a lot cleaner to say it's a one bedroom. We go by the one unit. Here's the number. Then every year reporting is done accordingly.

Commissioner Stolzenberg – I agree that this would all be a lot simpler if we just had one policy and stuck to it. I'm not showing you guys a tweet. It's from December 2018, where I say it's unclear whether the SUP will apply. The SUP is also quite clear that the lesser of the high home rent limits fair market rent, which is the 45th percentile recent movers or 30% of the imputed household income for 80% will apply. When you say that you want to subject yourself to 34-12, does it mean that you want to subject yourself to the rest of 34-12 and not that paragraph? The other formula for calculating amounts that you suggested will apply?

Mr. Shimp – How we phrased it is we would go by what we have put into the application narrative. That is the calculation we provide, which is the 80% AMI on the area. If the commission decides they want to condition it differently, that's up to Planning Commission. City Council can impose conditions they see fit. We put out there where we think this makes sense for us. It is a different number. I can't remember how much different it is exactly.

Commissioner Stolzenberg – That's the problem. It sounds like Council is telling us that we can impose a condition. But it doesn't actually mean anything, because we're going beyond our legal authority in 34-12 in that formula to apply it. It really does matter what you're saying. What you wrote in the paragraph in your application, is the first year will be affordable at 80% AMI. After that it's going to increase faster than inflation and most likely not be affordable starting in year two, even at 80% AMI.

Mr. Shimp – That is because of the 3% increase, right with inflation, not above it.

Commissioner Heaton – The only question I had was about the neighborhood input. When you surveyed or polled and what were the conversations about the height, and the viewscape in the neighborhood? Is the new construction within the setback for as high as it is? Was there any kind of understanding of how? Because it's not closer to the road, it would really narrow the viewscape of the road. That's the only thing I see. That's kind of funky about it.

Ms. Schlein – We did receive a comment about the building impacting the visibility on the road. I don't recall in the neighborhood meeting. Mr. Shimp and Mr. Haluska were in the neighborhood meeting as well. There was a comment about operating motor vehicles on the road, and whether the proposed building heights would conflict with sight distance in some manner. I think that's the only comment that that we've been made aware of.

Commissioner Heaton – Not necessarily neighborhood aesthetic.

Ms. Schlein – I was just focusing exclusively on view sheds. There were comments on the scale of the building and the setbacks that did come up. This application isn't requesting any waivers to any of the established regulations and the NCC in regards to setback and height.

Commissioner Heaton – Mr. Shimp, did you make any alterations in design because of those concerns or comments? Or did you see them when putting this together?

Mr. Shimp – Just keep in mind the building is only 20 feet wide at the street front. That's a little bit unusual with that height, I think it will not be noticed a whole lot because of that. There were several comments about the street. There is a limited visibility corner coming around there. It's because of the grade of the other side of the road. When you come around that corner, there is limited visibility. Our building will have no impact on that. We're outside of the curve. The building won't impact pedestrians and things. It was commented by one of the neighbors that when people park along that side of the road in front of this property, people slow down driving past it, which is a positive. I think that's one of the things that we did hear. Increased street parking at that location will actually help with concerns about people going too fast in that section. I don't know

how much of an issue that is but it was brought up. It was discussed related to the on street parking being a mitigating factor for that.

Chairman Mitchell – The only comment I will make is something to get my colleagues and Ms. Robertson thinking about. The applicant has suggested that they would be willing to accept some verbiage that allowed us to lend more teeth to the ability to have nine affordable units with this. I can get behind this, if in fact, I get some guarantee that it's legal. If it is not legal, Ms. Robertson can stop me. I can get behind this if we can do 34-12. Just something to think about as we get to that part of the meeting.

Councilor Payne – There are 23 existing units. Correct. How many bedrooms are those?

Mr. Shimp – I believe they're all two bedrooms. There is an existing one three bedroom

Ms. Schlein – It's a mixture of one and two bedroom units. There are one bedroom units on the property with one three bedroom.

Councilor Payne – Of the roughly 46 people who lived there, five currently remain?

Ms. Schlein – Correct.

Councilor Payne – Over 90% of the people who lived there, no longer live there?

Ms. Schlein – Correct. The five tenants that we are aware of are all in separate apartments.

Councilor Payne – The most conservative estimate is one person/one unit. About 80% of people no longer do. When you say rent abatement, are those 5 tenants making use of vouchers or other subsidy programs?

Ms. Schlein – Not to my knowledge. The owner isn't accepting the vouchers. This is a personal abatement between the tenant and the property owner.

Councilor Payne – It's a personal abatement. There's currently no tenants with housing vouchers.

Ms. Schlein – I can't speak if there are any tenants with housing vouchers.

Councilor Payne – This may be a question you're not able to answer either. It was stated earlier that the applicant is not interested in making use of existing subsidy programs or partnerships with nonprofits in order to provide affordable units. Why is that?

Ms. Schlein – It's an experience or a lack of an introduction to those organizations. I don't believe that the door would be closed on that opportunity.

Councilor Payne – In our experience, I think it's pretty clear that it's not possible to construct affordable units at lower AMI levels for a long period of time without making use of either those nonprofit partnerships or subsidy programs. Those are all the questions I had. The final comment

I would make relates to the architecture of the building. I do think the design is dramatically out of place, not just in scale, but in terms of its basic architecture with the units there. If I was living in those units, my impression of that building would be that this is the first phase of a three phase project to either remove or reconstruct the other two buildings in order to build a complex of boutique luxury apartments in the heart of Belmont downtown.

iii. **Public Hearing**

Mark Kavit – Some of the issues of concern with this have been addressed. I am going to go down my list of items. I wanted to say that an SUP does not need to be automatically granted. It's not like a sore thumb. I have a concern with height and the building doesn't fit into the traditional neighborhood style. I'd be a little less concerned about it if it was more of a traditional style building than what's being proposed. Parking is going to be a concern. I don't believe there'll be sufficient parking and parking on the street can be very difficult in that area. There is difficulty for larger vehicles in the parking area. Someone who drives a large vehicle wouldn't want to get caught back in there. On my street, we've had numerous times because it's a dead end street. We've had numerous times where people have had their cars hit and most of the times they don't know who it is that did it. If a large vehicle comes down the street they could get caught in the street because it's a dead end street. How long will affordable housing last? Is this really a carrot to get a SUP? Is the project being used to offset a development elsewhere? What are the numbers? What will the square footage of the units be?

Kimber Hawkey – I first want to address the history of the new owner of Belmont Heights. They did evict the previous tenants. Michael, you were in the protest march about that. There were elderly and handicapped people that were evicted. They didn't leave voluntarily. They were evicted from that site. There was one elderly lady who was blind, who complained greatly about being evicted and the stress about having to leave. She was not allowed to move back in and she actually passed away shortly afterwards. That's the other side of the coin. This is a historic area on the National Register of Historic Places. It's got historic buildings and residential character. The NCC exists there, but the true intent of that code was to allow for small scale mom and pop businesses, and not for this type of building. It's obvious that the project is inappropriate. They're offering so many affordable units. In the past, it has been only to one or two. That's all that's financially feasible. It sounds from the discussion who knows how many units will be affordable in the end. There doesn't seem to be a real guarantee or commitment to or an enforceable commitment to those units. We all know what intent means. You can't enforce it. This nine out of 11 units. It's a bait for the Planning Commission and Council to accept an inappropriate development. In the end, we might end up with a bunch of shishi apartments in the heart of Belmont. There's no accountability and no guarantees. How can you pass such an inappropriate building? In the past in this area, there have been promises regarding buffers, setback, parking? These all have been violated in our area. If you know your history, you will know what I'm talking about. How do you intend to enforce promises this time? The other big question is about affordability. 80% of AMI in Charlottesville is well over \$1,000 a month. I personally don't find that affordable. How long will they be affordable? In my opinion, they should be affordable into perpetuity. That's a big question. History has shown us that the intent is not enforced. It was stated in the discussion that the development is currently in violation. It is by right density. My big question is why are they not being penalized for that rather than allowing

them a SUP to go even further down that road? That seems strange. The new owner and developers are looking to cram a three to four story building on a hill. The architecture and height is radically different from the surrounding buildings. They're cramming it into a driveway area and part of a small parking lot. The building will block off an ingress and egress. This was precisely the topic of multiple resident comments last year that were against doing that. At the time, the city assured us that there would be no closing off of ingress/egress when there were safety issues involved. This is a safety issue. Safety vehicles are big. Big vehicles like a fire truck couldn't get in and out of there. There are the problems of traffic flow, lack of setback, lack of parking, loss of parking in the current parking lot, and little on street parking possibilities, impact on the resident experience, and an issue of safety. I'm surprised that no traffic study is done. It's very important for everyone to remember that we're looking at cap shop. Supposedly, we're doing another huge development right there right next door. I believe it was over 900 car trips a day for that development. You know this this is just the first of a domino effect in that area. I would just ask that the Planning Commission consider all of these very real realities for our residents here in this neighborhood and show some concern for our safety and quality of life.

Julia Williams – I would like to echo some of the previous comments. The architecture is a significant one. I'm just reading it today for the first time. It doesn't sound like there's much that's enforceable about the affordable housing in the existing units. That really can't be weighed as a compelling reason to offer the SUP. It seems it's only what they're offering with the new development. It's a shame that we can't offer at 80% of the total complex. I understand it's 80% of the additional units. I find that a little bit heartbreaking in that we in 2019 just recently lost so much affordable housing, I wish this could be more of a leverage point. Is this long term, affordable housing? I'm not quite sure what the solution there is. It does seem like that's a really major concern. If there's any way to include in this accessible housing, I think we have a deficit of that as well. The first four units are considered as accessible. We're certainly not seeing in the parking layout an indication of accessibility. That would be another concern. I attend the neighborhood association meetings and this did not come to the neighborhood association. Was the neighborhood input you got from a formal meeting that went to the whole neighborhood or just to the residents within 500 feet?

2 Jackson – I wanted to echo my concerns that have been expressed by Mark Kavit, Kimber, and Julia regarding the affordable housing, the architecture, the height, the egress, and the safety issues. It just doesn't seem to me that those issues have been addressed in a way that is appropriate for potential residents and for the existing neighborhood.

iv. **Commission Discussion and Motion**

Chairman Mitchell – Brian, can you remind us how we noticed this? And do we go beyond the 500 feet parameter?

Mr. Haluska – Typically, for a public hearing, we require notifications that we do per state code, which is a mailing to any landowner within 500 feet of the property, as well as an advertisement in a newspaper of record. We, in the current times, have been adding to the 500 foot mailing all

addresses within 500 feet. So not just people who own property, but also people those who reside in that area who may be renters. Additionally, we post signs on the property. I know we were talking about that in the premeeting. We post those. It's mentioned in our city code. It's not a state code requirement, but we do that. I was looking at the address mailing list on my computer just a few minutes ago, we had the Belmont Neighborhood Association. We have a PO box for it. That would have been where the letter went. If that's incorrect, then obviously we need to have a representative of that neighborhood association reach out to our office and city manager's office and provide the address as to where it should be going.

Chairman Mitchell – Regarding the runoff issues, is that more of a site plan issue there? What are your thoughts on that?

Mr. Haluska – I spoke to Mr. Rucker several days ago regarding this issue. What I mentioned was the special use permit is really about the additional density on the site, which there is some question about. If this building is built on top of an existing hard surface, the stormwater impacts from the actual construction of the building are probably going to be zero in terms of the overall capacity. But I did make Mr. Shrimp and Ms. Schlein aware of Mr. Rucker's concerns regarding that property. If there was an opportunity to do something about that issue that would come up in the site plan issue. We mentioned anytime construction is going to happen, that's the time when you're going to be able to do the most amount of work on this. There's also the question of whether or not the existing system that may be on there. This is a complex built in 1973. If there are any existing issues with that, that current system as to how its operating, and where it's putting the water, or any easy changes that can be made. Sometimes it's just rerouting downspouts that we could certainly have, potentially have our engineering staff or somebody in the course of a site plan visit the site and look at what other options are out there.

Mr. Shimp – I'll be sure to go see the neighbor, Mr. Rucker in the next week, and see what's going on. I think there probably are some things we could we can do. We'll look at that. And Brian is right. It is a site plan issue. We want to be good neighbors. I will see him to see what is going on. It sounds to me there is a pretty serious concern among a few folks with the architecture of the building. There's no design control district here. At the same time, we're not opposed to changing that, either. If that's something that can be conditioned following architecture, we don't mind amending that and taking a deferral and coming back and addressing that. I think there's some question about that. We feel like we could answer them if that's something that the Planning Commission thinks makes sense. Same thing also on the housing. There's also some lack of clarity at the moment in what a condition would be. We don't want that to be a concern for anyone either. I defer to you on some ways of what you think is best. If necessary, we're happy to take a quick break on this, work with the staff on clarifying what the condition is that everyone feels comfortable with everyone and agree to what it means. That can come back in front of the Planning Commission. You all may or may not agree with it, but at least there'll be no doubt everybody knows what we're saying and how it would be enforced. That's my two big takeaways from what I've heard so far, I do feel that the other items like traffic and parking are not really issues in this particular project. But the architecture and clarifying affordability, we would not want it to be a cloud on the project for those things being unresolved.

Chairman Mitchell – With the permission of my colleagues, I would like to suggest from my perspective that some sort of language that's got teeth and some sort of language that you're going to have to live with no matter what regarding affordable housing and nine units be included in those four portable housing units. Some term, some guaranteed number of years would make your application a little stronger from my perspective. I am going to put Mr. Lahendro on the spot. I would like to get his thoughts on the architecture. The architect is not here but I think he's got some insight that would be valuable to us on the architectural piece.

Commissioner Lahendro – I have no problem with the increased density that's being requested. I do have a problem with the architecture. I believe that we do have the right, as a commission, to express our concerns through the potential adverse impacts on particularly the massing and scale of the project. With all due respect to staff, I would disagree that because The Virginian Industries for the Blind building is also tall and that means this can also be tall. The difference to me is that the tall portion of the Virginia Industries for the Blind building is over a block away. It also sits back about 25 feet from the sidewalk. There are trees on that land and landscaped lawn area. This building that's being proposed is less than five feet away from the sidewalk. There is no opportunity for putting trees to help mediate the architecture. And in fact, the architecture is designed in such a way as to emphasize its height, with the vertical windows and the dark areas, joining them together and these tall vertical stripes less than five feet away from the sidewalk. That is just completely different than the context that it's being designed in. While in the State and National register historic district for Belmont, I don't believe it includes this particular site. It looks like it is across the street, and goes up to Bainbridge and then continues on the other side of this site. But we're still in the context of this National and State Historic District. I have to agree with Councilor Payne. It does look to me suspiciously like the beginning of a long series of development step of the site that will change the architecture completely. I have serious concerns architecturally with the project. But as I said, I don't have those same concerns with the density request.

Mr. Shimp – I'd be happy to accept the deferral on the project. If anyone else wants to make any last helpful comments, that's always useful to us. I certainly understand the architectural standpoint.

Commissioner Russell – If we're asking the applicant to consider the architecture context and consider the surrounding Historic District, it would be with the awareness that it will be prominently viewed from that historic commercial core. New buildings in a historic district should not look old, but they should be in keeping with all the things that Commissioner Lahendro spoke to. I would want to see that moving forward.

Commissioner Stolzenberg – I'd like to add that there was one comment in the public hearing that was kind of a question that wasn't part of the ones we've mentioned. It was about accessibility. I was hoping either Mr. Haluska, Mr. Shimp or Ms. Shlein could go through the accessibility requirements under the Fair Housing Act. In particular, tell us whether it's a walk up or an elevator building.

Mr. Shimp – It's a walk up building. All of the first floor units would be accessible to the new construction.

Commissioner Stolzenberg – That's required by federal law as I understand it. Quickly I'll talk about architecture, which you all know, is probably not my top issue here. These trees are on this old church property. We're talking about three stories at street level. If we're afraid of three stories at street level, we would be in a pretty bad shape if we actually want to build housing in this town and under affordability crisis, I'm totally happy with changing what the outside looks like or materials.

Commissioner Russell – Building housing in this town is not going to solve the affordability crisis. Let's just understand that we're not going to solve it by only adding bedrooms, right?

Commissioner Stolzenberg – No. You need to build more housing and solve the unaffordability of market rate housing and then add subsidies for deeper AMI levels. A couple people have talked about the high percentage of affordability not proffered, but offered affordable units. Nine out of 11 makes it seem implausible. I just want to go back to what those actual numbers are in terms of rent. A two bedroom apartment at 80% AMI is \$1690 in monthly rent. The fact of the matter here is that market rate for an apartment versus a house is often affordable at that workforce housing level. That's why we need to focus our subsidies and our efforts on lower AMI levels. Because again those are much, much harder to reach. We do solve that affordability problem at the 80% level by building apartments, which are more naturally affordable on the market than less dense forms of housing. That really makes it odd to me that the nine new units are being offered as affordable. When you know, you're not really giving us that much for those. But what you are doing, apparently totally of your own volition because of personal relationships, is holding five apartments at a deeply affordable level at 30% AMI or even below. I would really like to see some way of making sure that those last and aren't fully conditioned on the good heart of Drew Holsworth. Apparently, he's done a lot better than I thought he did, based on the media. Over half the problem happened before he bought the place from the previous owner who bought it from the towing people. That's the real actual affordability that you're offering here. It sounds like it's happening anyway. I'm a little confused about why you wouldn't just put that in the thing. I guess it's something about paperwork and adhering to it or something. That's a little confusing to me. I'd note again this is a SUP for density, not for height, not for setbacks, all of which are prescribed by right in the NCC zone. I think we need to make our decision on that front. To me building more housing, cramming housing onto driveways and parking lots is exactly what we need to be doing in the city both for the housing crisis and for our climate crisis, where that land needs to be used more efficiently, and allow people to live in places like this that are rich with amenities and walkable and great. I really don't think that it's going to destroy the neighborhood to build this. My biggest problem was with that like section three of the SUP evaluation conditions, which is displacement of existing residents. I think the extent that when you come back, we can independently validate those testimonials you gave us and maybe Cville Tomorrow will go back and do a follow up story and tell us what really happened. It's certainly better than what it seemed to be the status quo a little bit ago. If you can actually get some assurances about those into whatever proffer statement that you put together. But it kind of sounds from staff, no matter what you offer, we're not going to be able to hold you to it, which is extremely distressing. This whole system is broken and sucks.

Commissioner Heaton – Everybody has the same old points that we go back to in terms of aesthetic and architectural review and neighborhood continuity. I guess the thing that's troubling me most is we have someone who's trying to address what they have heard that the city and the leadership and the council is saying about affordable housing. The way this developer has tried to address it is to up the number of apartments that would be offered, at least initially for affordable housing. Chairman Mitchell, when you say more teeth, I think it's also more clarity on how do we provide developers with what we're looking for, so they can come before us with something that we don't shoot full of holes every time. I do think it's going to be deferred tonight. I think that we need to get our act straight about what we're looking for with affordable housing. Commissioner Stolzenberg, you spoke the truth. This is a growing city, it is going to have to go up. We have to find a way to use the language that allows us to do that.

Commissioner Solla-Yates – If we're so troubled with by right density, we're going to have a really hard conversation, when we talk about actually addressing affordable housing in the city. That height is by right. The setbacks are by right. With that design, they can do whatever they want. If they want to build a mansion that looks like just a black box, they can do that. Please don't. That's your right. I'm not saying it's not broken. I'm not saying it's not stupid. That's the law. Given the current circumstances, and what we're talking about here, which is 11 new homes. 80% affordable is pretty good. That's a lot better than we normally see. That's exciting to see. I'd like to see more of that. That actually gets us towards our 4000 units that we're in the hole on. That would be great to make that kind of progress. I'm pessimistic on that right now due to our budget crisis, and things kind of falling apart in a few ways. Mining free land for affordable housing, in general is a pretty good idea. Putting it next to a school near shops near you know, exciting place to be where you don't need a car. That's pretty great. I was disappointed to see that it's fully parked. But I'm not shocked that the neighborhood wants it to be fully parked. There's a dynamic tension there. If you build it, they will come. If you're scared of people driving, parking is a good way to make sure people drive. If people have to pay to park, they might buy a car to put there. Eventually long term, we have to do something about climate change. Parking is not going to get us there. Broadly I am excited to see this. I'm told by the consultants that 10 years is not a useful number of years to be thinking about for affordable housing. We should be thinking about 99 years, which we've never discussed on this virtual dais or even the real dais. I'm interested to know if that's possible in the real world, or if that's just consultant math. If it is real, 99 years will be very exciting to see 80% in 99 years.

Commissioner Lahendro – Just to point out that we are given the right as the commission to discuss possible adverse impacts whereas by right heights and setbacks are general for a district. Given this right to discuss the impacts of any SUP application is an acknowledgment that every development is unique to the particular site and to the particular context. One size does not fit all.

Chairman Mitchell – Commissioner Stolzenberg seems a bit dubious about our ability to craft some sort of language that would lock us into nine affordable units. I frankly, think it can be done. I'm hoping that Justin and team will work with Brian and team and Ms. Robertson to craft some language that guarantees us that nine units of those 11 units that we need, and locks it in for a time period term that is reasonable.

Councilor Payne – I would just mostly agree with what Commissioner Lahendro said earlier. My major concerns are clarity around AMI levels, length of affordability, and the enforceability of it as well as the aesthetics and the architecture, not just the height. I think the design of the building is just dramatically out of place with those other two buildings in the area. I do think that the built environment matters. My final last comment would just be I know, it's not always feasible and much easier said than done. The only way we get it really even 50-60% of AMI is partnerships with nonprofits like the land trust, or other housing nonprofits in order to get at those lower AMI levels, and have it be for a longer length of time. The reality is, if we're building a couple units at 80% of AMI for 10 years, they can all go to young professionals making \$50,000 a year and make functionally no impact at all on affordable housing, perhaps a very small modest impact for young professionals. But that's it.

Councilor Hill – I think most of the thoughts that I had and the concerns that I would have raised have been covered. I really appreciate the thoughtfulness of my colleagues and planning commissioners. I really look at this, the appropriateness of this and how it may achieve the goals that we set out for it to achieve and how we strike that balance. So I don't have any further comments on that.

Councilor Snook – I have two questions. The first question is, how are the affordable units going to be different, if at all, from the non-affordable units?

Mr. Shimp – In this kind of building, I don't know for certain. You're going to build every unit kind of the same per floor. If we have, nine out of 11, you would not build different units to make them affordable. It would be going backwards as far as saving money in that regard. You would build them all the same.

Councilor Snook – Basically just two people get a discount.

Mr. Shimp – Well, in this case nine do.

Councilor Snook – Nine get a discount and two don't get a discount. I wonder, would it be possible or desirable? Would it get us closer to any goal? Supposing you said 'we're only going to make seven of them affordable' and we're all going to make it where we are going to make them all 60% AMI. We know that the problem in the marketplace is not really getting more 80% AMI units, though that is a problem. It's not the problem. The problem is trying to go for deeper affordability. I wonder if there could be a balancing act to readjust the balance if we go to a deeper affordability rating.

Mr. Shimp – We can look at that between now and next time. I know my experience matches what Councilor Payne has said many times. The problem is once you get below 80%, it is really just not doable without a government subsidy. That's how these things are built, which is good when it can happen. I think the goal of this is to try to make the affordability to the extent you can without that stuff. That stuff seems to be used for other projects and still achieve some affordability here, but I understand your question. I will we will look at that.

Councilor Snook – Please understand I'm using the seven versus nine and 60% versus 80%, without any thought to the math. You all can do the math and figure out what works. It would be a greater benefit to Charlottesville, if we possibly can get some deeper affordability into the situation. If we've got an opportunity here with a tradeoff to where you get more market rate, I think that would be an interesting study to run. I'm sure you've got the spreadsheet that could do it.

Mr. Shimp – If the commission wants to take a vote to defer? I'm happy with that.

Motion: Commissioner Heaton (Second by Commissioner Solla-Yates) – I recommend that we defer this application. Motion passes 6-0.

The meeting was recessed by the chairman for five minutes.

IV. COMMISSION ACTION ITEMS

1. Cville Plans Together

Jenny Koch, Rhodeside and Harwell – These were included in the packet. I did make a few small tweaks this morning to add the final public engagement numbers, since we gave you the draft slides before we finalize the engagement. I'll point those out. You have been talking a lot about housing and affordable housing tonight, which is obviously very important. I'm going to give you an overview of our engagement process and some initial thoughts on that. We want to start thinking about next steps related to land use. Our housing team members are not on the call with us tonight. HR&A is not here. I just wanted to make sure everyone's aware of that since I know we're in kind of a housing mindset. But if there are questions, we're happy to work with you to pass those along.

In terms of engagement, we had an engagement process through November. The public comment period ended after December 2nd. What we had out at that point was the draft affordable housing plan and the draft initial comprehensive plan revisions. To let people know about these opportunities, we had a variety of different outreach methods. We've already talked with you about this a bit. I do want to note again, one change this time around was that we had the peer engagers out. There were three paid community members who helped us distribute flyers and door hangers, and also had a lot of really great conversations, neighborhoods, and parks. Otherwise, a lot of these outreach methods were similar to those we used in the first phase of engagement in May and June. We had some sort of lessons learned related to that. We built on that first phase of engagement. Through November, we had a virtual meeting page up on our project website. On that page, you could go there and view all of the materials, either on the website or by download. We also had four webinars throughout the month. We had online drop in meeting opportunities and online survey, a toll free phone number. As you recall, we also had a work session with planning commission and council on November 10. As Commissioner Solla-Yates mentioned earlier, we had a steering committee meeting on November 23, for the C'ville Plans Together steering committee. To give you a little insight into who we heard from in the month, with all these different activities, we had really a quite a range of engagement overall. We did have less engagement than we did in May and June. This is for I think, a lot of reasons. There's a lot of burnout happening with folks right now virtually. Some of you are feeling that but community members are certainly feeling the strain. Given that we were asking folks to review materials, review a draft affordable housing plan, review comp plan materials, and provide feedback. It was a different type of survey than in May and June

when we were asking people for their visions for the future of the community. In the end, we had 274 responses to the survey. We had about 55 email and website comments. That includes letters, longer letters, and shorter emails. We're still working through those. With the webinars, I think we had somewhere between 12 and 30 people at each event. There were polls throughout each webinar, asking some questions about people's priorities. We had a Q&A session at the end of each of those events as well. I've mentioned the peer engagers will be including some information in our summary about what they ended up doing and the conversations they had. We had the toll free phone line which we had in the first phase of engagement as well. We tried this time around to have a virtual drop in sessions which were available by phone or zoom. People could drop in and we did not have much participation in those events. It is something we might try again and try differently with maybe different messaging around that. We wanted to try out something else, sort of trying to mimic the cafe conversations that we were hoping to have in person, which obviously, we couldn't. Just as I mentioned, we're working on summarizing everything we've heard. Our current plan is to have a draft summary out by the end of the year.

Chairman Mitchell – It might be helpful just to build a report. So you can remind us, every time we talk what the demographics look like, the ages, the ethnic backgrounds, the incomes, and whether there are owners, partners or owners.

Ms. Koch – We're still looking at the survey data since it did just close late last week. We will definitely include that in the summary. I can send something over to you once we have that.

Chairman Mitchell – One of the things we tried to make perfect was a representative demographic.

Ms. Koch – That's certainly something with our peer engagers. We worked with them to target neighborhoods we hadn't heard from as much in the first phase. We're still trying to assess how successful that was. What I've seen so far, it looks like we've got a pretty good spread in terms of demographics, percentage wise, even if not raw numbers. As you can see, they're lower. I'll give you a summary of that once we have it.

Commissioner Stolzenberg – Last time we talked about survey results, we talked about potentially weighting the results or re-weighting them to match Charlottesville's demographics. It would be cool if we could just get a quick slide on that next time of the last survey.

Ms. Koch – I'd like to work with you to make sure I'm understanding correctly what you're thinking. For example, what we did with that first phase was in the affordable housing plan. For example, they cited where some themes came out. For example, for people who identified as Black or African American, homeownership was a bigger issue than it was for folks who identify as white or Caucasian, or Asian American. We tried to pull out sort of qualitatively some of that information. I understand what you're saying of weighting demographics to match Charlottesville's results; more of a quantitative way of doing that. We can work on doing that. Given we got fewer survey respondents this time, it is hard to make any or may be more difficult to do that. We can look at the demographics and see how that might work out. Any other questions about the engagement process? I do have a slide on some initial of input we got. We're working on a summary. I want to pull out just a few items that we've heard at some of the meetings, the webinars, and steering committee, and some other discussions. These are very draft things. We are still very much looking into what we

heard so we just wanted to pull out some of these. For example, when we're looking at survey data, that sort of quantitative data, asking people to rate how well the priorities and goals that we put forth match with their vision for the future of Charlottesville, there was overall general agreement with the direction of both the affordable housing plan and the comprehensive plan revisions. That's not to say that everyone agreed with everything, and we're just going to move forward with it. There are open ended comments in there that we're still working through to see how people might be requesting that we think about tweaking the plan. We heard a need to clarify terminology. We had a lot of conversations about that. On the webinars, I pulled out soft density here as one example and sense of place as another example. We want to make sure this plan is accessible to everyone. We're going to just keep on tweaking some of that as we move forward. There are a few on here about the affordable housing plan. We heard that people would like to see more explicit support for homeownership and we've got some recommendations toward homeownership in the plan. We're working on making those stronger and more clear. There were questions and concerns about the funding recommendations in the plan. We're working on addressing those moving forward. There were also concerns about potential impacts of recommendations on existing residents, particularly those who may be at risk of displacement. The plan did some thinking about that. We want to make sure it's clear what we're proposing as we move forward, because we certainly don't want that to happen. We don't want to make those issues worse with the plan. As I said, this is really rough. This is a rough summary, I would say these are just some initial themes that came out to me. Any questions about this? If you were on any of the calls, any other things that you would want to pull out?

Commissioner Solla-Yates – Procedurally, what would more explicit support for homeownership look like? That is in the plan.

Ms. Koch – Just making it clearer where it is in the plan; maybe making it more prominent, for example. It's a long plan. When we hear priorities from that come up for many people in many places, we want to make sure that people know where they can find that in the plan. That's what we're working on.

Commissioner Stolzenberg – One thing I don't see in these kind of abbreviated thoughts is really any consideration about whether it targets the right AMI levels, which to me is probably the most fundamental question in characterization. Is that because people broadly support targeting the lowest AMI levels, and the plan already does that. To me, it seems from what you told us last time, that is the intention with the idea of focusing on homeownership. If you focus on homeownership, you're addressing higher AMI levels typically, unless you're spending a lot more money.

Ms. Koch – In terms of what we've heard, regarding the AMI levels in the draft affordable housing plan, I don't have that information off the top of my head. I don't think we've heard really, some consensus on that. A lot of these things listed here came out a lot in our conversations. We still need to go through the survey responses and a lot of email comments, and so it could very well come out within that.

As I mentioned, we're working through December to compile the community input received, not only from the general community engagement, but we also want to pull out what we heard from the steering committee and some of the themes that came out of the joint session. We'll be moving

forward. Once we've got the summary completed, we'll be looking at revisions to the materials that we put out previously, the comp plan, initial revisions, and the draft affordable housing plan. With the comprehensive plan, we're going to start moving forward toward revising the goals and strategies within those topic specific chapters, which I know a lot of you worked on those draft plans from 2018 pretty closely. We're going to be looking at how we might propose revising those to match these revised vision statements. We're also looking at revisions to the future land use map. We'll talk about more in just a second. One thing we talked about with you in February was that it might help to have a check-in point to help us have some agreement on some of these larger concepts before we move forward with the rest of the comprehensive plan. What naturally seems like a good point for that is with the draft affordable housing plan or with the draft with the revised affordable housing plan. Our plan right now is to meet with Council. We're revising the plan now and we'll have a revision in the coming month or so. The plan right now is to have a conversation with Council in January and then hopefully work toward some sort of endorsement by Council of the plan. The reason for that is because we're hoping to have endorsement of some of the direction especially in terms of land use and zoning. When we are looking into the comprehensive plan, we're moving toward the future land use map, then to zoning, we want to make sure we've had those conversations.

Chairman Mitchell – Is your assumption that when you ask Council, if they agree with where you're going, you've already gotten our buy in?

Ms. Creasy – We have actually talked through that. At this level, the endorsement would not be an approval process, necessarily, but more of a nod that it's moving in the right direction, so that the next phase of the project can continue forward with a little bit of confidence that the steps that they're working through here, will move forward from there. You all will be providing comments throughout this.

Chairman Mitchell – I just don't want to get in front of Council with something that you guys haven't gotten our consensus on as well. That could cause a lot of rework and slow things down. I just ask you to be careful about that. Make sure you bring my colleagues and me along with you, when you do it. I still don't want us to take any steps backwards. I want to get this done.

Ms. Koch – What I've got up on the screen now is the current schedule. During November, when we were meeting with the community, we noted that we're meeting with you in early December, and we wanted to do a check in on this, noting that it's an ambitious schedule. It might be more realistic to consider whether we need to adjust this a bit. Right now, the plan is to have a draft comprehensive plan in February. That would include some revisions to goals and strategies and the future land use map and then having a community engagement around that at that point. With many steps in between bringing that to a hearing in spring. We've got it marked out here in April. My instinct is that time between February and April may end up being slightly longer than shown here allowing for more conversations. I want to hear some of your thoughts around that. The reason for this sort of tight schedule is that we are working from draft chapters. We're not starting from zero here. The thought is we don't want to go back. We want to just move forward from where you all left off. That's why we're starting with this tighter schedule. But I'd like to hear your thoughts.

Chairman Mitchell – Could you repeat the question?

Ms. Koch – Recognizing this is sort of, I wouldn't say accelerated, but it's an ambitious schedule. The reason for that is that we are not starting from zero on the chapters. We have the draft text of the chapters from 2018. The goal here and especially as we move toward February is that we're looking at the chapters. We're bringing in revised versions of the guiding principles and the vision statements that we put out in November. We're working on revisions to the goals and strategies that are already in those chapters, potentially adding some or revising some and then working from the draft land use map, which is our next and final item to discuss. So my question here is, does this right now seem feasible to you all, in terms of the timeframes?

Chairman Mitchell – I think this is eminently reasonable, because I am hoping that you're building upon all the work that we've done in the last five years getting to this point. You're not going back and redoing and rewriting stuff that doesn't need to be redone and rewritten. Commissioner Lahendro, you've been around for a long time. You've worked on this forever. You got any thoughts on this?

Commissioner Lahendro – How critical is it that the affordable housing plan be finished before you can proceed with the comprehensive plan?

Ms. Koch – We can certainly work on a lot of pieces of the comprehensive plan without having a final affordable housing plan. The housing chapter and the land use chapter will need to be influenced by that affordable housing plan piece. If there is disagreement on the direction with that that would certainly influence the schedule for those chapters in particular.

Commissioner Lahendro – I think you've heard just sitting in this meeting tonight with us how important the affordable housing issue is in the city. If you are going to get Planning Commission's buy in for something that is taken to Council, then I think the January target for the affordable housing plan is suspect, which then delays the other things that is feeding into. Just my gut reaction.

Commissioner Stolzenberg – My question is pretty close to Commissioner Lahendro's. On this schedule, the affordable housing plan just gets folded into the comp plan. Is the idea that you get this kind of informal nod from Council, but actual plan approval happens when the comp plan is approved?

Ms. Koch – Yes. The thought of this endorsement is that we're hoping we don't get to April, and have a lot of those hard conversations that need to be had about some of those really difficult topics. We're hoping we can have those earlier. That's why we've had things like the work session and some of these other previous meetings. To Commissioner Lahendro's point, we certainly don't think we're done talking about the affordable housing plan. We have had quite a few discussions. We've been working to address concerns we've heard. We're hoping that a lot of those have been brought up already. If we get to January, and we're checking in with you all, we're going to figure out the best way to do that. That will impact the schedule, if need be, which is fine.

Commissioner Stolzenberg – This comp plan in just a few weeks from now, will be four years old. I was 25 years old, and didn't think about zoning at all. I'd really appreciate it if it's finished before I hit 30. Don't slip more than a quarter. One thing that you should need to be talking about, if there's

work on part of the commission is having an actual work session for it in the off week, like we occasionally talk about. I know that communication staff is constrained. I can think of some meetings that happen that are less important than that would be. I'd rather do that than slip anymore.

Commissioner Solla-Yates – That's my concern, too. We're talking about hard stuff. It was hard in 2018. It's hard now. If we can come to agreement on the map, we're going to make our times. If we can't, then it's all ruined.

Commissioner Russell – I look forward to seeing the summary and then that will kind of help me see where we are.

Ms. Koch – This is a discussion. This is your plan. I think this is useful. I think we can certainly figure. Commissioner Stolzenberg, when you mentioned a work session, are you talking about the affordable housing plan piece or the land use piece?

Commissioner Stolzenberg – I'm just saying that it should be a tool in the toolbox. If you guys feel it needs more work and would have to be deferred to the next full session.

Ms. Koch – I will keep checking in with you on this. As Commissioner Russell was saying that will help us figure out where we are at and we'll be having that summary of what we heard. You'll be one of the first to get that call.

As our final item, we want to start thinking about the land use map. There are a few things I want to say before we dive into this. For the benefit of those who may be on the line, but aren't as familiar with the future land use map, the comprehensive plan land use chapter contains the future land use map, which incorporates some of the land use sort of goals that are in the plan, but also is a long term strategy for land use in the city. It often is the basis for some zoning adjustments. The future land use map is also often a much longer term vision for land use than what current zoning would be. The map we're showing here is the latest and the last version that the planning commission discussed with the public in March, 2018. There were several working versions of this map developed after this point. The reason we're starting with this is because it was as we recall, the last version shared at a public meeting,

Commissioner Stolzenberg – This map is from 2017, but it did stay in effect, because they never talked about the future land use map again until November of 2018. A new map was produced. That was presented to Council in December of 2018. That map would be the latest produced in public. There are actually two maps between the November work session and the Council one. The colors changed in the middle, but they're based on the same work session.

Chairman Mitchell – Why wouldn't we use this as a stake in the ground and work on this map? Then use this map to move forward to get to the end game? Is there any reason not to do that?

Commissioner Stolzenberg – I thought that we were building on top of the work that was done in 2018. Whereas this seems to be kind of reverting all of that.

Ms. Creasy – There were many discussions that happened along the way, but they didn't gain consensus. There's a lot of information that you all have had discussions on and we provided that information to the consultants. We've got to start with something concrete. We're kind of all over the place guys. We have a lot of good background information. If we if we can start from a spot, hopefully, potentially this one and then gather the comments that you all still feel are relevant from those other discussions.

Chairman Mitchell – This is the last place where we did have a real true consensus. We all knew this is the starting point. That's what we're trying to build on. Every time we tried to build beyond this we have different opinions. Just for the consultants, this is where the perfect really got in the way of the good. So keep that in mind as you're walking us through this. This will be a living breathing, iterative document. It doesn't have to be perfect. You don't have to get everybody's nodding. Just get us to a point where we can get enough people nodding in the right direction and then we can iterate it as it goes on.

Ms. Koch – We met with you in February. I think all of you were there. You did bring some things up to us at that point that you had thought about in previous processes. You mentioned you've done some thinking about how to tie transportation into land use. You mentioned wanting to move away from dictating exact densities and heights by parcel in this future land use map. We talked about nodes and sort of nodes of community services, and why to consider ways to make the map more place based and less focus on linear corridors. We talked about the need to consider topography and land suitability in all of this. That's a really abbreviated version of what we talked about. We went back and we've looked at that. You've already given us a lot of your thoughts on that. We are including that in our discussion here. We added some questions on the slide. We're not trying to answer all these tonight. We don't even need to talk through them individually. We want to know, in general, what you would like us to keep in mind as we begin this process of updating the land use map. I'd suggest that for this meeting, it might be best to keep input to the larger scale, sort of big picture, things that you want us to keep in mind. Recognizing that we will need to have really specific discussions about neighborhoods and places. At this point I'm suggesting maybe those artist guild comments might be best.

Commissioner Lahendro – The guidance you can get from me is that what Ms. Koch is starting on for us will be another couple of hours going through. This is an involved conversation that I don't think you can handle just generally. I'm having a hard time remembering what I did three years ago. I need a little time to digest this. I need a little time to go back through my notes and where we were, and come back to this point. It's going to take a while to go from affordable housing comp plan to the land use map.

Commissioner Heaton – I have a comment about the whole land use map process as well. It is a huge issue that shapes the questions that will come after this. The one thing I would put in there is the University of Virginia. Where the city ends and the University of Virginia begins. Our land use map should reflect how we envision the future of the city as it pertains to the effect of the University on the city. I'm going to throw this in. This is always my record. I've been a planning Commissioner in other places, and I have friends. Ohio State University, Blacksburg, and Virginia Tech are places that also have been heavily affected by the university. If the city could somehow get out in front, there would be ways that could address affordable housing that would allow the university to

participate in addressing those issues. I don't have the answers to the language that we use. But when you look at the map, I believe that the University of Virginia has a vested interest in affordable housing just for the functioning of the people who work there. I would love to see some designation of color around where the university is. What do you call it? Someone put commerce corridors. I know there are ways to talk about these sensitive areas. That right now the land use map we're looking at isn't really guiding us anywhere, as it pertains to this city's relationship to the University of Virginia. Look at some other places that have the same kind of relationship and what they've done with their land use and their planning that allows the university to help us go in the direction we want to go. That's a big, big idea thing. It's the elephant in the room a lot of times.

Commissioner Solla-Yates – When we put up this map in 2017, people freaked out. There was concern that it's a downzoning. We were actually getting rid of affordable housing during an affordable housing crisis. This is reflecting and reading coding century old race lines that are shameful and painful and should not be in our code.

Commissioner Russell – I certainly don't benefit from the knowledge that other commissioners have. Whatever can be shared to help bring me up to speed and it's not going to be just comparing map for map. I can see the draft that is apparently a revision to this iteration. There's a heck of a lot more colors and they are a lot brighter. Of course I want to know the conversation that went into that. The first question if this went out as a current draft today, what would the general reaction be? There's a lot of light yellow. That's something we know is a problem in our current land use map you know. I look forward to more information and being part of the process.

Commissioner Stolzenberg – I think the biggest thing I said when we started drawing on this map is what Commissioner Heaton said. We know UVA is big and growing at a set rate. If you don't build enough beds for those kids to sleep in, they're going to spread out into the rest of the housing units in our city. There's no reason to not just jam as many of them into as small of a space over there as we possibly can. The other high level thing I note on this map is thinking about where the purple areas are. That's not where, if you asked any random person on the street, where do you think you'd like to live or where the tall buildings should be or where the densest part of the city should be. They would not say in Food Lion or where Burger King is in Barracks Road. They would say up near UVA and downtown. Even before you start thinking about what the colors mean, not that I have anything against using or putting higher density and intensity into either underutilized shopping centers or underutilized industrial areas. I think that's great. If you put all of the perspective intensity there, it's just not going to happen. We know who owns Barracks Road. We know that they have absolutely zero intention of ever putting housing units or big buildings on it because they run suburban strip malls and shopping centers for a living. That is what that realty trust does. I think if people saw this, they would ask, what is this purple dot? I don't even know what that is. It turns out it's like all on a floodplain. It's a totally underutilized scrap yard. I would hope that we go beyond hopes of maybe this place can be used better in the future. We should totally still include those two and start saying that these two places are the jobs and amenities center centers of the whole city. People who are willing to live in apartments and want to be near stuff, they want to be near those things and not way out there. Once you think about the fact that this is the amenity center of the city, you really start to wonder why this purple blob is biased towards the south side, rather than the north side, which in terms of current built form is probably denser. There are a lot of very high lot coverage buildings up here. They're mostly pretty old. There are several stories. It's pretty

intense. Whereas here you have an old woollen mill, that's like 90% parking. It's just a vast expanse of asphalt. If you want to actually answer that question, I'll just pose it hypothetically. Here is an industrial area. I think some amount of industrial uses, or land being re devoted towards more productive uses is nice. At the same time, there's good reason to have industrial land in the first place. They are job centers and important. The difference between industry and an eight story residential building doesn't really exist on this map, because they're both purple and it just means high intensity. To echo what Russell said, it was very frustrating to me, in looking back on this stuff. There are no minutes from that November 2017 meeting. As far as I know, there's no recording, at least not publicly. This is the product of that meeting. We all just drew on a piece of paper. It was really hard to see what was underneath and came out with this. Staff kind of turned this into a different map. I think this map probably has some problems. I think this was the first map produced, and then it became this one. I don't know why the colors change. What really gets to the big question of, a map without a legend or a graph without units, is really just a bunch of lines or colors on a page. Right? Ultimately, this doesn't really mean very much at all. I do know for a fact that this land use narrative was adopted by unanimous consent by the commission. This is supposed to be what the colors mean, except that we re-adopted this idea of hatches for mixed use areas, because, as the Belmont people will attest, there's probably good reason to put additional restrictions on some commercial uses versus residential, even as we generally want to get into just regulating intensity and build for. If we're keeping this narrative, which I think we should, because it's a great start, then this map looks a fair amount better than it did in the real early stages when yellow meant large lot single family detached homes. That's pretty much my thoughts. The other thing I'll say, and I always say is, please look at actual built forms in examining what a city or a neighborhood or a part of the city looks like, like places on the current zoning map or the current comp plan map. If you look at those maps, you would think that these places are very, very different from what they are in reality.

Commissioner Palmer – I knew that was a pretty high level comment Commissioner Heaton had about UVA and how we affect the built environment around us. One of my thoughts initially was maybe there's a way of getting more of UVA on this map. It's always weird because the way the City County line bisects our grounds. You'll have areas on here that are part of the health system that are in the city, and then the bulk of grounds is not. It'd be good to somehow get the density or the land use or a bit of both for UVA into this. It might give those areas to the west of town a little more context. Maybe reexamine these areas around. If this is deemed a really important aspect of the plan and UVA's role on this and before we go too far forward with this map, really look at those areas around UVA to make sure they're depicted correctly now. I know that there was quite an up-zoning a good while back at this point of the neighborhoods around UVA to try to absorb more student housing type development. Is it orange? It feels like maybe it's a little more intense than what's being shown here. Likewise, the health system is shown in orange, and it is super dense. It's probably one of the most intensely used areas of land in the city. With that, it might give things a little more context and help this discussion forward a little bit.

Chairman Mitchell – Ms. Koch, I think there may be great value in someone from your group spending 30 to 40 minutes with Commissioner Palmer talking about UVA. Commissioner Heaton invited me to the UVA master planning council. I get updates on the things that they're thinking about. There's a whole lot of stuff going on right in this area that's 5-10-15-20 years down the road that would be of value for your team to be aware of it. Sharing it with Bill would be a value.

Commissioner Palmer – If you're not aware of it already, definitely around the Ivy corridor development. Brandon Ave has been intensifying since we've built some student housing and Student Health down there. I know that Alice Raucher, the architect for UVA, is on the committee for the comp plan. She may be dialed into this a little bit more than I am, depending on what that group has discussed so far. As you start to develop this map a little more, I don't know if that's the next step. I'm sure she'll have a lot a lot to say as well. If you don't end up getting it from her and you want to talk to me, that's totally fine.

Commissioner Heaton – The more I hear people talk, maybe there's an additional color to be added. I'm not sure if other university towns may have already done this type of stuff. At the intersection, there could be another whole color that pertains directly to the city's interface with the university with provisions that help move in a direction that only happened in a place like that. Let's not reinvent the wheel. There's probably another city or another town that has something like that.

Commissioner Stolzenberg – I know PAC is dead. Is the area B area a map still in effect?

Commissioner Palmer – It's not. The three party agreement still stands.

Ms. Creasy – It's not this map. The map that is valid was originally put in place with the area plan back in the 80s. This map has not been adopted in the same manner that that one was.

Commissioner Lahendro – Listening to this conversation and everyone talking, my conclusion is for Ms. Koch that the map that you have up here now is the product of a different Planning Commission. Here we are about two years after that Planning Commission started the process. About this time, the Planning Commission changed radically by the number of members, and by the kind of sensibilities of those new members. I'm not sure what value this map currently has right now with this planning commission. I give that for what it's worth.

Commissioner Stolzenberg – I do agree that you do have to start somewhere. It maybe has some value in that just like we approached it at the 11-17 meeting. One nice thing I'll say about this map is that it's easy to create a better map by just being additive. Just taking a marker, because there's no erasers for markers. That makes it trickier, if you're drawing on a physical piece of paper, which you're not anymore, to start with a map that's fairly intense and scale it back. I think the map that came out of it in really one area in particular, Birdwood should have been scaled back. This one, I think for the most part, if you just color more stuff in, you're going to be in pretty good shape.

Commissioner Russell – I think it would be an interesting exercise for the consultants, regardless of the existing status of the map, to apply some of the principles outlined in the affordable housing plan and see how they would then overlay with a map. Because right away that's going to reveal some potentially problematic conflicts within the language of the affordable housing plan. On the one hand, we say, 'we don't necessarily want to focus density and change in historically African American neighborhoods, or things that might displace residents' and then you look at the map and go, 'Whoa, wait a second, that's not colored that way.' It would just be interesting to see how those things all move forward holistically.

Ms. Koch – I think that seems like a good way to think about it. I think it would be a rough sketch of what that would look like. In terms of what is in the draft affordable housing plan, I think that would be a good place to start on our end. I hear what you're saying Commissioner Lahendro. This might not be the best place to start from. I think we can take what we've heard tonight into consideration and what we talked about in February and think about what we might think would come out of this map that would be useful based on what we heard from you, and based on what we have in these documents we've been developing, and what we think needs to change. We won't be shy about that. Moving forward, you have us on the team for a reason. We don't want to lose work that you've done. Hearing all these comments tonight, I think it sounds like you're not wedded to this map. That's all really good to know. This is an interim discussion. This is one of many discussions. I know we all need to get our head back into this as well. You all want to as well. If you have additional thoughts that come up on these questions, on other things, things you remember, notes you took at previous meetings, please feel free to send that to us. We're information sponges, and it'll help us in our process.

Commissioner Heaton – There is a lot of rethinking and re planning about what is going to never be the same again after COVID. In terms of the timing of a new map coming out, the term I've heard several times is never waste a good crisis. If there's ever a time for the next map to come out to look vastly different than the last one, it will be coming out of this crisis. Whatever tools or other places you have, I'm open to seeing something completely innovative.

Commissioner Stolzenberg – Let's remember there was a previous crisis that led to this map getting rejected as well. One more thing I'd add, separate from that last point, but not really talking about anything specific in mapping in general. That one principle, you mentioned, about not drawing colors on a per parcel basis, and instead drawing colors generally and then letting them bleed. It sounds like a really cool concept, but it leads to some ambiguity. The actual way in which the amount you let it bleed, starts to really matter. Whether it gets cut off, you know at major, topographical, or other physical barriers; this is across a railroad. It probably shouldn't be bleeding over there. Should it bleed? This many pixels from this color to that color. That was all really out of scope of our original conversation. This one really didn't bleed at all. I think this is the first map that came out of that meeting. Those technical decisions that seem like not really something you think about. In this case, we're really just done by whoever put this maps together matter, if we're going to stick to that particular principle. Because eventually, some guy right at The Corner is going to say, 'my parcel is in this thing, even though you didn't specifically color my parcel or choose to, but you did color it. So therefore, it's this color, therefore, I want this or that. Something to think about.

Ms. Creasy – We have had those discussions back in the day. We had how the map was pixelated was done in a mathematical way. There is some background as to how that was done. As staff, we had talked through different ways we could potentially handle requests for parcels that were on borders. We hadn't gotten to a point where we had a mock project. That was actually one of our next steps before our process shut down. We figured that we would have multiple analyses if it was near an area where there were multiple areas because it could go either way. There was some thought into how that could be analyzed at that point in time.

Chairman Mitchell – We really, really want to get this done. You'll hear me say this over and over again. Do not let the perfect become the enemy of the good. Let's get a good document out there and then we'll perfect over the years.

Meeting was adjourned at 9:21 PM