

HOUSING ADVISORY COMMITTEE
DRAFT Minutes
Basement Conference Room City Hall
November 17, 2010
12:00 pm

Attendance Record	Present	Absent
MEMBERS		
Art Lichtenberger		X
Charlie Armstrong	X	
Chris Murray	X	
Dan Rosensweig	X	
Jennifer Jacobs		X
Joy Johnson	X	X
Karen Waters	X	
Kathy Galvin		X
Peter Loach	X	
Randy Bickers		X
Reed Banks		X
Richard Spurzem	X	
Ryan Jacoby		X
Sasha Farmer	X	
Satyendra Huja	X	
NON VOTING MEMBERS		
Ron White		X
Vicki Hawes		X
STAFF		
Kathy McHugh	X	
Melissa Thackston	X	
OTHERS		
Edith Good	X	
Marnie Allen	X	

The meeting began at 12:05 PM with sandwiches provided for those in attendance.

Welcome: Charlie Armstrong welcomed everyone and then asked that the HAC members review the minutes and to advise of any necessary changes. With no further comments/discussion, the minutes were approved by a unanimous vote of 9 - 0.

Updates from the Chair:

Charlie Armstrong informed the group that they needed to consider electing a new chairperson / co-chairs. He then asked Kathy McHugh if she had spoken with Kathy Galvin about the proposed nomination that she and Karen Waters serve as co-chairs. Kathy McHugh advised that she had communicated with Kathy Galvin and that Ms. Galvin (after due consideration) had agreed to serve (if elected).

Karen Waters also advised that Mr. Huja had requested that she personally contact Kathy Galvin and that she did so via e-mail but that Kathy Galvin elected to communicate with staff.

Joy Johnson asked if the HAC rules included any other officers, to which Charlie Armstrong responded that the By-laws actually indicate that the HAC will have a chair, vice chair and secretary.

There was some discussion that followed regarding the prior motion (from the September meeting) to elect Karen Waters and Kathy Galvin to serve as co-chairs. Because Ms. Galvin was absent, she was not present to voice her

thoughts on the new information. Accordingly, Karen Waters was asked if she would be willing to serve as the chairperson to which she responded that she would be agreeable.

With the details regarding committee officers clarified, Joy Johnson made a motion to elect Karen Waters as Chairperson and Kathy Galvin as Assistant Chairperson, with Kathy McHugh to serve as Secretary. Sasha Farmer seconded the motion and by unanimous vote, these individuals were voted into their respective positions.

Charlie Armstrong then turned his attention to the upcoming critical slope ordinance to be reviewed by the Planning Commission. He advised that this more restrictive law would impact housing prices negatively by raising costs.

Joy Johnson asked for a description of the meaning for the term "critical slope."

Dan Rosensweig and Charlie Armstrong then explained the definition and provided examples of what would constitute a critical slope.

Richard Spurzem voiced concern that the property that is currently available for construction of new housing is not flat, but rather sloped. As such, the new ordinance would increase complexity and costs for getting approval.

Chris Murray asked what the current ordinance says.

Dan discussed that it is vague now, but that NDS staff currently have latitude to make judgments relative to what is critical. He went on to clarify what has been discussed by the Planning Commission relative to proposed / possible changes. The idea, he explained, is to clarify what criteria would be used to make decisions. Dan agreed with Charlie about it impacting housing and suggested that we overlay the critical slope criteria to open / vacant land to see how the two line up. There was also mention about a number of "silly" projects triggering review currently.

Charlie mentioned that the overlay effort has already been done.

Richard Spurzem stated that slope issues are engineering concerns and that next to Moore's Creek (given sufficient engineering) that one could minimize (or effectively go to zero) the run-off. He also mentioned Kathy Galvin's paper regarding the need for increased housing density and that the proposed critical slope ruling could impact the ability to develop density as needed.

Chris Murray informed the group that with a finite amount of land, that non-profits are at a disadvantage when required to compete with the private sector. He then explained that he believes that the City should provide engineering assistance and expedited review for non-profits involved with affordable housing development.

Charlie Armstrong then read from an unspecified document which listed the reasons that changes to the critical slope ordinance should be considered. He pointed out that the quality of life and impact on tree canopy were listed and that NDS and/or the Planning Commission could deny a waiver request (based on these criteria) for almost any reason.

Karen Waters asked about the process for public input / hearings and the Planning Commission's involvement.

Dan Rosensweig explained that despite the length and effort to date (which could be complete in December) to involve the public in the process that more vetting is needed although this will extend the timeline until March / April 2011, that he feels this is necessary. He also suggested that the NDS staff could provide some real world examples to examine and allow for thoughtful consideration.

Karen Water asked if it is possible to ask staff to examine potential costs, time required for changes with some dummy examples.

Dan then suggested that Charlie might be able to help with providing some dummy examples for use. Dummy examples were to include previous projects to see if they could still happen.

Charlie stated that he would be glad to do this, but was concerned about the impact of basically "killing" development.

Richard stated that impact on trees is inevitable with every development and if tree considerations were used to evaluate waiver decisions, then every type of development could be impacted and possibly stopped.

Dan clarified the new dimensions (per the proposed ordinance) and explained what will be required by the developer to mitigate.

Richard, Charlie and Dan then held a discussion of the potential impact on a single tree or rock. Dan indicated that the intent of allowing for "potential impact" interpretation is quite subjective. He also indicated that his general position on this ordinance was in the minority on the Planning Commission and that the HAC membership should take this into consideration.

Dan then asked Councilman Huja for his opinion to which Mr. Huja advised that he felt it would be appropriate for the HAC to be involved in this matter.

Karen asked if the HAC has a sub-committee which could deal with this matter and was told that it would be Affordable Housing Policy Review, Formulation and Best Practices (which is chaired by Kathy Galvin) sub-committee. She then suggested that this subcommittee go to the Planning Commission meeting and then make recommendations to the HAC. She wants more information about this matter before being able to make any decision.

Charlie to send information to Kathy McHugh to distribute to the group and acknowledged that he is most concerned about impacts on affordable housing and would like to know more also.

Joy Johnson voiced concern over the lack of available housing stock and the impact of critical slopes on affordable housing. She stated that in Greenville South Carolina that decision making was shifted to the City to make decisions regarding the mix of high end versus affordable units.

Chris Murray explained that if the change in the ordinance takes any land off the available list that it will impact affordable housing.

Richard Spurzum agreed and Charlie Armstrong compared the situation to the supply and demand for potatoes. Specifically, if you have 10 potatoes and then take 5 potatoes away and 20 people want to purchase a potato that you will impact price by driving it upward.

Joy Johnson said that the City needs to look at what we have and what we need and that the City should take the lead, not developers. Also that federal and local funds should be used to address the needs as identified.

Mr. Huja explained that the HAC can provide input to the Planning Commission on this matter.

Kathy McHugh advised that the City of Greenville has much more land and that developers were not excluded from the process only that the City took a very proactive role in addressing affordable housing needs.

Peter Loach then suggested that the process be extended to get more information. This was put to a vote and was unanimously approved.

Charlie Armstrong asked Kathy McHugh to draft a memo to take to the Planning Commission on Tuesday; however, Kathy explained that she would be at the Governor's Housing Conference until Monday and that it would be a push to get it done on time.

Chris Murray then mentioned that slope frequently allows for basement development and that this provides rental options for homeowners.

Dan Rosensweig suggested that Charlie send a memo in advance to ask Jason for some extra time to discuss this issue with the Planning Commission.

Charlie Armstrong recognized Kathy McHugh for the purpose of discussing staff updates.

Kathy then recognized Daniel Nairn from TJPDC who discussed the on-going effort to update the Analysis of Impediments to Fair Housing Choice. Daniel distributed a handout (attached) to provide the HAC with an overview of the document and what will be included. There was a brief discussion and it was noted that Karen Reifenberger and Selena Cozart (both with PHA) are heavily involved with this effort. Kathy McHugh also noted that Karen has provided the City with a proposal to undertake discrimination testing; however, there are no funds currently available to undertake such an effort.

Joy Johnson asked how the TJPDC will capture information and Daniel advised that having an instrument to use would be helpful.

Karen Waters discussed using the Center for Fair Housing instead of filtering information through the various agencies.

Melissa Celii-Thackston then provided an update on the status of the CDBG Task Force and their review of CHF proposals.

Kathy McHugh then discussed the potential for changing the HAC meetings as proposed in an earlier e-mail that she sent to the group. Karen Waters indicated that she does not want to include an educational component but rather to take an active role in how funds are used and how we increase affordable housing stock. Also, subcommittee reports will take some time.

Peter Loach stated that he thinks that the sub-committee's should be doing the heavy lifting and drill down on some of the bigger topics. Group has a fair amount of ability and getting expertise would only be helpful when subcommittee suggested need for information.

HAC Specific Actions

Chris Murray presented the subcommittee report (attached) for the "Incentives for Creation of Private Affordable Housing" subcommittee. He indicated that the list is not prioritized at this time, but include the following:

1. Enable, facilitate and evaluative way to incentivize the private development of affordable housing.
 - a. Expedite plan review
 - b. Planner to proactively chase down grants the city might be eligible for, and actually make applications. Act as grant writer for non-profit affordable housing provider.
 - c. Come up with carrots instead of sticks that would proactively encourage affordable housing in the private sector.
2. Include Planner in plan reviews and use Planner to expedite plan review from zoning through Certificate of Occupancy.

Dan Rosensweig stated that he would be interested to hear how involvement of staff would impact non-profits as they are supposed to push development toward comprehensive plan goals and not affordable housing goals.

3. In-kind participation from NDS staff: engineers participate on the development team proactively, billing time to the CHF. Flip the adversarial character of plan reviews: staff to look for ways to save non-profits (or developers with a threshold of affordable housing in the development) time and soft, pre-development money.

Chris added that the development process is inherently "adversarial" and that planners are paid to review plans, (which in turn) means that they need to be able to find something in order to justify their existence. He would like to flip the process and make the planner part of planning the project.

Richard Spurzem referenced Kathy Galvin's idea of using a "town architect" to address some of these concerns.

Joy Johnson questioned if this is the job of staff and if so then staff need to be held accountable. Dan Rosensweig asked how much of this is currently included in Kathy McHugh's job. Peter Loach stated that planners are hired to enforce regulatory issues / rules and that involving staff in the planning process would not be appropriate. He also added that staff salaries are currently bleeding the Charlottesville Housing Fund.

Charlie Armstrong added that staff's job is to further comprehensive plan goals also.

Dan – the job of the planning commission is to arbitrate the process because planners are duty bound to apply the rules uniformly. He added a question of whether we should ask staff to provide extra help.

Chris stated that the new position should advocate for affordable housing projects.

Joy Johnson indicated that the new position should be an advocate for neighborhoods, based on what is best for the City. Peter Loach agreed with this position.

Karen Waters indicated that the idea of a windshield survey for current land use and housing conditions is a step in the right direction to find out where we are at and where we need to be. She also added that aligning calendars, meeting with the CDBG task force and then getting a flyer put together on prior grant investments needs to be done.

4. Accessory Dwelling Units

- a. Planner to proactively educate developers and builders about the advantages of ADU's. "Here is what the city can do for you."

5. CHF Funds: revolving loan fund for down payment assistance with 2nd deed of trust restriction. Planner to develop and administer the program.

6. LIHTC and public-funding source literacy counseling sessions for private developers.

Dan Rosensweig then mentioned that the 22 page report by Kathy Galvin (which was prepared for the Affordable Housing Policy Review, Formulation & Best Practices subcommittee) is quite extensive and that he is not ready to be a signatory at this point. He felt that it needed action items and an executive summary to provide to the HAC.

Charlie Armstrong wants to have a progress report for annual update to the City Council, to which Melissa Celii Thackston indicated that we are already doing this for P3 (internal tracking system) and that this information can be shared with the HAC.

Peter Loach wants to see a break out of delivered units versus those in the pipeline.

Dan Rosensweig stated that the goals of the HAC have never floated up to the Planning Commission and that he would like to see a discussion of the impact on affordable housing included in each staff report to indicate the impact on 2025 housing goals.

A copy of the full report prepared by Kathy Galvin is attached hereto for the record.

Next meeting is to focus on subcommittee reports and the report to City Council.

Other Business: None