

PLANNING COMMISSION REGULAR DOCKET
March 10, 2020 – 5:30 P.M.
CITY COUNCIL CHAMBERS
NDS Conference Room

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

Beginning: 4:30 pm

Location: NDS Conference Room

Members Present: Chairman Mitchell, Commissioner Lahendro, Commissioner Solla-Yates, Commissioner Heaton, Commissioner Stolzenberg, Commissioner Green

Members Absent: Commissioner Dowell

Staff Present: Patrick Cory, Missy Creasy, Carrie Rainey, Alex Ikefuna, Lisa Robertson, Paul Oberdorfer

Chair Mitchell called the meeting to order at 4:55pm and began review of the agenda. Commissioners reviewed the staff report and site plan for the evenings meeting.

II. COMMISSION REGULAR MEETING – Meeting called to order at 5:31 PM by the Chairman

A. COMMISSIONER’S REPORT

Commissioner Green – I had a TJPDC meeting last Thursday. It’s time for the budget and there was a lot of discussion on the budget. During the part of the meeting where we get to talk about other things in our localities that we are moving forward with, I gave some information about our comprehensive plan. I was able to brag a little about our citizens at First Street South about their engagement and how they have come together to design this community. There was a lot of interest in how this went from other counties. Somebody maybe getting in touch with you all. They were very excited to hear about all of the community engagement. Other localities have struggled with this as well. It was awesome to be able to talk about that.

Commissioner Stolzenberg – We had a PLACE meeting last month where we discussed a report to Council on why PLACE exists and what it does. Once they issue that, I will be able to tell you those things. We had a smart scale planning lunch this afternoon with the other jurisdictions from our MPO and from the rural area. We talked about the projects that are going to be submitted as smart scale from each of those jurisdictions. There is going to be a Hydraulic/29 package submitted again, which will include an overpass for pedestrians and bikes and potentially several different options of ways to improve the intersection itself, including extending Hillsdale Drive south to Holiday and changing the signalization around Angus Road. With regards to the city: We will be submitting anywhere from zero to three smart scale projects. Two of the possible submissions are West Main, Phase 3 and Preston/Grady. The third was not specified. There is a project down 5th Street Extended up to Old Lynchburg by the County Office Building, where they might put in a roundabout. That would also improve the bike facilities in that area. They just finished up a survey. They will be having a public meeting in the middle of May to talk about how to improve 5th Street Extended down to Southwood for bike and pedestrian. We also had a kickoff for the Cville civic innovation housing hub software effort. The goal is to essentially put together a tool that collects all of the available apartments in the area and helps housing navigators at various agencies, who are helping their clients find housing, to find available apartments with landlords, who are willing to accept vouchers. I think that it’s starting tonight.

Commissioner Heaton – I didn't have any official meetings. I attended the symposium at City Space on the clean energy and power grid use, which I thought that was fascinating. They talked about peak use and how the grid is getting cleaner and cleaner. Technology is making our options more and more prevalent around the city. There are electric chargers going into the parking garage off of Water Street. I thought that it was really good information for the public about how to reduce your carbon footprint

Commissioner Solla-Yates – I attended a Housing Advisory Committee meeting on February 19th. There was nothing on the agenda. Things did happen. Albemarle County reported that they are working to update their housing strategy, their comprehensive plan, and their zoning 12 match. They haven't substantially updated that in 40 years. We got an update on CSRAP (Charlottesville Supplemental Rental Assistance Program). This is a program that the city does to help people find housing, preferably in the city, but also in the county. There are 101 families in the program. Eighty-eight of them are currently receiving assistance and thirteen are looking for housing. Sixty of them are in the city, twenty are in the county, and sixty-nine are on the wait list. There is a preference for people who are currently homeless. That program appears to be working pretty well.

Commissioner Lahendro – The Board of Architectural Review had two meetings over the last month. The first one was on February 12th. It was a special work session with City Council. We have been tackling issues more frequently with large projects, where the projects want BAR design reviews and approvals at successive steps in the design process. For any project, there is only one Certificate of Appropriateness that can be issued, which is at the very end. We discussed what types of reviews we discuss for these early phases, what they would look like, what they would review, and how to document what the applicant can and cannot depend on for those reviews. We had a really good discussion. We are hopeful about crafting a fair process that will come from this. The second BAR meeting was the regular monthly meeting on the 19th. We had three Certificate of Appropriateness applications approved and one deferred. The Tree Commission met last night. We had a light agenda. Arbor Day will be celebrated by the City on Friday, April 24th. The details of where and what time will follow soon. We now have four open seats on the Tree Commission, but luckily there has been a great deal of interest for people being on that commission. We have over six applications. We are optimistic about getting our board up to full strength.

B. UNIVERSITY REPORT

Commissioner Palmer – The Board of Visitors met last week. The main item that was approved was new upper class student housing for the Branden Avenue Development Area. It's another 350 beds with a dining component and lots of common space for student gathering and study. That will be the next thing happening there on Branden Avenue along with the Bond House, which is already open, and the student health center, which is under construction and will open in 2021. There is news today of an initiative between the University and the community with an affordable housing component to it that will seek to have the university help with some of the affordable housing issues in our community along with three other initiatives for employment, childcare, and procurement of local goods and services. I am sure that it will come in front us at some point.

C. CHAIR'S REPORT

Chairman Mitchell – I have been to a couple meetings of the LUPEC (Land Use Planning Environmental Council). This used to be the PACC, which was a very strategic organization that focused on development being done by UVA, Albemarle County, and the City. Another component of the PACC was the PACC Tech. This was the people that think about doing the day to day work and think about what it takes to implement the vision of the people on the PACC. The PACC and the PACC Tech have morphed into what is now the LUPEC. We still don't know what exactly our charge is. We are working through that in the last couple of meetings. As we left the meeting last Wednesday, we saw ourselves as an advisory committee that consults with the City, the County, and UVA. Each entity talks about any development that maybe happening in the individual

organizations that we represent and thinks about the impact on the environment and infrastructure any development that we might undertake. In addition to staff and planning commissioners, the Rivanna Sewer Authority is represented and the University of Virginia Real Estate Foundation is also represented on the Council. We are still thinking through our reconstituted mission. I will report back when we decide who we want to be.

D. DEPARTMENT OF NDS

Ms. Creasy – We have our March work session scheduled for the 24th. We will be talking about the housing ordinance and the other housing related items that went forward to Council. Council has passed that onto the Commission for discussion. We are in our 100 day review period. We will be meeting with Commissioner Solla-Yates and Chairman Mitchell to work through the process for how we are going to work through that agenda. We also have a preliminary discussion for a site on Arlington Boulevard

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

Julie Converser – I am here to comment specifically on the proposed development at 240 Stribling Avenue. A lot of my neighbors were not able to come tonight. I am standing tonight for my neighbors, who could not come tonight. I have two major concerns regarding the development. The first is the safety of current residents on Stribling Avenue and JPA. The physical safety due to the car, pedestrian, and bike issues are of grave concern. The proposed development with 170 additional units would make those problems extreme and the danger extreme for walkers, riders, residents, and drivers in our Fry Springs area, particularly on Stribling and JPA. No process for development should move forward until there is an agreement in funding for improvements on Stribling Avenue and the cross between Stribling and JPA. Part of the proposal that was floated in February included a cut through to Morgan Court Road. The neighborhood was never designed to have two way traffic. It actually should be one way. The roads are very narrow. The roads in that neighborhood will not be capable of accommodating additional traffic. Any additional traffic through that neighborhood would pose physical danger and hazards for people in the environment.

Joy Johnson – I am here tonight to ask you to support the site for South First Street. I want to thank Chairman Mitchell, the staff, Commissioner Green, and Paul for pulling it together so we wouldn't disappoint the women of South First Street. These women have given up their Sundays since June of last year. If we hadn't pulled it all together, it would have been a big disappointment. Going with development, especially with Westhaven, I don't see how we would have gotten the momentum back. Trust is a big issue. Communication is a horrible issue. We need to fix that. We have to break down the barriers on trust. I don't like walking into a room with you looking at me as an angry black woman. It's because people look at poor people differently and they treat us differently. I do just want to say 'thank you.' I do appreciate it. Let's work on the trust and let's work on the momentum.

Keta Igala (sp) – I want to agree with what Ms. Julie said earlier today. As a resident, I have biked, walked, and driven my car through Stribling Avenue. At any given time, there is usually somebody walking on Stribling, which confines the automobiles to be in a single file. We're careful not to hit anybody. Everyone is sharing that one lane. Having 170 units and 200 to 600 additional cars is a considerable amount of traffic. I would like to voice my concern. If there is an opportunity to work with the developers to come up with an alternate plan, that would be wonderful.

Marilyn Swinford – I want to echo the sentiments of my neighbors. Stribling is so narrow you can't have more than two cars, with pedestrians, pass at the same time. It's quite dangerous. There are probably 180 to 200 homes. We understand that there is a need for affordable housing in the City. This is not the right plan for this neighborhood. We don't have the road structure for it. The mass and scale of this project is way out of

proportion with the rest of the neighborhood. I want to speak about Morgan Court. We have a little 30 foot wide street. We are going to have 34 homes when it is all built out. Visibility isn't good. I was told that the 30 foot wide street was going to be a low volume street. It is not designed to be one of the major entrances into another community. You do need to go to the Huntley and Stribling intersection. Our intersection is set back, downhill, and at an angle. If you look at our stop sign, it is directly across from the front door of the upper most house under construction. We can see nothing of oncoming traffic. It is not a good intersection. We have no capacity to take on new traffic.

John Hall – I do know about Stribling Avenue. I have conducted my own research study there over the past several years. Southern has built over 1,000 homes since its startup. They are indeed rich and successful as a company. They are saying that they will proffer over \$700,000 for pedestrian and bikeway improvements. That means about 32 feet wide in roadway in my calculation. They admit that the Fry Springs Neighborhood Association, for the last 3 years, has begged for sidewalks. I have designed a street scape one half mile with one sidewalk. That's 37 feet of street and sidewalk. I have contacted Dominion Energy about the strategic underground program, so that we can eliminate telephone lines and telephone poles from our sidewalks. The cost of sidewalks is said to be north of \$2 million. Southern Development says that they won't pay for it. Southern Development's proffer needs to be north of \$3 million. I or the City Attorney could file an injunction. I, with the community support and money backing, need to pause and reflect.

Betsy Retcker – I am here to support the approval of the South First Street Phase II Site Plan and thank you for all of the help. We have had this race to the deadline. I just wanted to point that this maybe shows opportunity in the future, since we will be working through other properties in the city to find more ways to work closely with the city in the future to reach the deadlines on time. We are not normal developers. We are learning a lot. This extra help is needed to get to equity. The systems and processes that work for everyone. I wanted to thank you for your help and your support of this project. The women, who worked on this project, have given their presentation so many times. I know that you have heard it before. I know that they have done an amazing job.

Abigail Pare – I would like to reiterate the concerns expressed earlier tonight. Walking down Stribling Avenue is problematic with no sidewalk, no street lighting. There were utilities there yesterday that took up two-thirds of the road. There was a bottleneck there. I am concerned about the safety, particularly the end with JPA. Turning left out of there is problematic. We need to sort out the access before we move any further in the development. There is a need for affordable housing. Since I moved into Morgan Court, we have already lost half the street to parking. With one side for parking, it is difficult to maneuver two cars.

Chantel Bingham – I am here tonight to speak in support of the South First Street plan and hoping that you will pass that approval with a 'yes.' As we try to build a community where everyone is included, we are still struggling quite a bit. Not all of our black and brown families are included. It's hard to find one where our work families can truly prosper and grow. This is, in large part, due to our housing crisis we are currently having. The cost of housing in Charlottesville is not where it needs to be. For a developer, it has taken decades to pick this token up. Riverbend Development with the CRHA and BRW Architects have. Over the past year, they have worked with residents to co-design a new housing project that would mean something for the community and contribute to equity in the community. There have been partners that stood up in support of them. The Charlottesville Food Justice Network is one of those partners. We have worked very hard to meet the planning and designing but with funding. We have worked to apply for funding with the Virginia Department of Housing and Community Development. I have worked with this team to apply for funding through the City Manager's Office. While we plan and design things, the intention has to be met with money and cash flow. We are up against a deadline.

Laura Goldblatt – I am encouraging you to support the South First Street Phase II Plan, even if there are still details that need to be worked out before the LI TCH application moves forward. The people, who designed it,

gave up their weekends. They gave up their leisure time so they could part of building something wonderful in their community. This is a process that has been recognized. You have seen their presentation and how amazing it is for people to stand up for themselves and build something for themselves and future generations. A vote for it is a way to gain additional trust in this community. As CRHA moves forward to redevelop other properties, they can expect real resident engagement in that process that is so crucial. A vote for it is a vote for Democratic processes. You have an opportunity to say that you are voting for Democracy. I think that this is an important step in addressing the city's housing crisis. It's a small step, but I think that it is the beginning to make sure public housing is expanded and that residents have a voice in that process.

Elaine Poon – I am a lawyer with the Legal Aid Justice Center. I just want to lift up the South First Street Plan and encourage you to approve that Site Plan.

Ashley Davies – I didn't want to miss this opportunity to thank you, staff, all of our development partners, and most importantly the residents of South First Street for their important and instrumental work that they have done here. The residents have put in over 1000 hours and their personal time to design their community. They had the opportunity to present at the Governor's State Conference. We really feel that this is a model not happening anywhere else in the country. I do want to take this opportunity to recognize the important and gritty work that has been happening over the past year.

Brandon Collins – I do want to point that tonight is an historic moment. We are asking you to approve this site plan. We think that there is a way forward that you will feel comfortable approving the site plan. It took a lot of work and we do offer thanks to the city in helping to find a way forward. It cannot be understated that this is totally an innovative process. When we say it is a Democratic process, it really is meaningful. You cannot look anywhere else in the country and see this kind of engagement. I would not even call it engagement. It transcends that concept of engagement with residents. It has put residents in decision making bodies in control of the future of their communities. They have delivered a responsible, meaningful product that's going to help the city address the affordable housing crisis, improve the quality of life, which offers the first steps towards providing amends to the wrongs that have happened in this city, which this body has been responsible for in the past. It's now up to partners to move this forward. We ask you to approve this site plan.

Dan Gathers – I stand in support of the immense amount of work that the ladies of South First Street have done in bringing this project to you. I urge you to push that forward and to stand with those ladies that have put forth the effort and time to get this done and bring it to this point. I ask you to bring it to fruition. It's about every resident in the city, who stands behind affordable housing and stands behind making life better for our fellow citizens. I urge you to do what is right. I urge you to put in the work and stand with them and present this to City Council and urge their support of it as well.

Mike Osteen – You know the process that we have gone through. It was very innovative and exciting. It was also cumbersome. This project will be backed up a full year if it's not approved tonight. This is the third project in a strategic pipeline that is going to transform public housing in the City of Charlottesville. If this is delayed by a year, there will be delays at Westhaven and 6th Street.

Patricia Howard – I am one of those that has worked on this project since June of last year. I want to thank you for giving us the time and patience to look at what we have put together. I hope that you help us to get our tax credit.

Kristin Davison – I am here as a new resident and new Housing Authority employee. I am here to support your approval of the Site Plan for Phase II of South First Street. It sounds like the plan is fully approvable. I have a very simple request. If you can't find a way to move forward with this, I hope that you will tell the women, who have done the planning, tell them why and make it very clear. I have heard about the truly incredible efforts.

Teneshia Hudson – I think that you should approve the site plan. We all know the condition of housing in Charlottesville. I think that it's important we let community members know in certain neighborhoods that they deserve adequate housing. I think that everyone should vote in a good direction today. Let's approve the site plan tonight.

Erica Williams – I echo the sentiments of all of my neighbors in the Huntley neighborhood. There is one perspective that hasn't been shared. I have kids, who play in that cul de sac. I want you to consider the perspective of the kids. As you make the decision, I would hope that you consider not allowing Morgan Court to be a cut through.

Jamie Meter – I haven't heard anyone address the Flint Road Development. From what I understand Longwood and Moseley would be the access. I am going to echo what many of the Fry Springs neighbors have said. We don't have the infrastructure on either of those roads. I think that we need the infrastructure before we build the housing.

F. CONSENT AGENDA

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

1. Minutes – January 14, 2020 – Pre-Meeting and Regular Meeting

Commissioner Green moved to approve the Consent Agenda. The motion was seconded by Commissioner Solla-Yates. The Consent Agenda was approved 6-0.

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) Commissioner Discussion and Motion

1. ZM20-00001 - Flint Hill PUD - DEFERRED by Applicant

IV. COMMISSION'S ACTION ITEMS

Continuing: until all action items are concluded.

1. Site Plan - South First Street Phase 2

i. Staff Report

Carrie Rainey, City Planner - Ashley Davies of Riverbend Development, LLC, and Scott Collins, P.E., of Collins Engineering, are representing the Charlottesville Redevelopment and Housing Authority (CRHA). This Site Plan seeks approval of a development referred to as "1st Street South Apartments – Phase IIA & IIB." Phase II, as depicted in the Site Plan will include construction of 113 multifamily dwellings, a community center, and office space. City Council approved a Special Use Permit with conditions, as well as a Critical Slopes Waiver, on January 6, 2020 to permit private outdoor recreational facilities and reduced yard setbacks of five (5) feet within the Phase II development site. On January 6, 2020, City Council

also granted a Critical Slopes Waiver, as recommended by the Commission, to allow the Developer to disturb Critical Slopes during land clearing and construction activities. Both Council resolutions are included within the final site plan. Staff has reviewed four previous site plan submissions as detailed in the staff report you received today. The current submission before the Planning Commission was received today at 3:15 PM and has not been reviewed by staff. Based on the review of previous submissions, as to which staff determined the site plan satisfies the minimum requirements of the zoning ordinance set forth within Articles 3, 8, and 9 of Chapter 34 in the applicants' representation, staff notes that no material changes have occurred in submission number five. Staff believes that submission five could be in compliance with the applicable zoning and public infrastructure requirements. Potential motions were included in the staff report you received today for reference.

ii. Commission Discussion and Motion

Motion: Commissioner Solla-Yates - I move to approve the Site Plan dated March 10, 2020 for 1st Street South Apartments – Phase IIA & Phase IIB, based on a finding that the Site Plan contains the minimum details required by City Code §34-828 and satisfies the requirements of City Code Chapter 34, Articles 3, 8 and 9 to such an extent that the only zoning requirement remaining to be satisfied in order to obtain a building permit is the posting of surety bonds. Nothing in this approval shall preclude the Stormwater Management Plan or the Erosion & Sediment Control Plan depicted within the Site Plan from being changed at a later date, as may be required by the City's Stormwater or E&S Administrator under the laws, regulations or ordinances governing administration of the VSMP or VESCP programs. (Seconded by Commissioner Green)

The Motion was passed 6-0.

Commissioner Green – I do want to thank staff for your work and everyone that has worked on this so very hard. While we review this, it is important to make sure that the quality of your project that you have work so hard. It is the same quality as these million dollar condos. We don't want anything to go wrong on that. Sometimes it takes a little bit of time. Thanks for your patience. I know that it's been frustrating. There is some equity versus equality here. Trust is huge for us to continue building here and for this to go sideways would not be good for the city. For the staff, I have been harsh on you this week. When we look at things through this equity lens with this kind of project, we do have to find a way to say 'yes' in these tight timelines. That is not always going to fit within our nice governmental processes and procedures. We have to find a way to be as invested in this as a local government employee as much as those people, who spent their time after work on Sundays. If we have to work a little on Sunday, then so be it. We have to find a way to say 'yes,' and it be just the same quality. I had to say that. It's too important. We have to find some new processes and procedures to look at these things that are this important through our equity lens.

Meeting was adjourned at 6:32 PM