

PLANNING COMMISSION REGULAR MEETING
March 9, 2021 – 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 Heaton, Commissioner Russell, Commissioner Dowell, Commissioner Lahendro, Commissioner Solla-Yates, Commissioner Stolzenberg, Commissioner Palmer

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

Chair Mitchell called the meeting to order at 5:00pm and asked Commissioners for questions. Commissioner Russell asked for information on why the Starr Hill Plan is a vision plan rather than including land use recommendations. Mr. Ikefuna provided context on reasons. She also asked about the pedestrian bridge and pedestrian tunnel included in the document. Ms. Yolunda Harrell, New Hill Development, noted that the tunnel was the currently closed tunnel on the City Yard site. The proposal would be to reopen it for a connection which would require the City yard to move or to provide for subdivision of that part of the property. The bridge was seen as a vision item for thinking about connectivity. Commissioner Solla-Yates mentioned at a previous meeting. There is no set location for this item. Commissioner Russell stated that Mr. Ikefuna mentioned affordable housing requirements at the Cville Plans Together meeting last evening. She noted page 68 of this plan notes small lots on Brown Street. We cannot ensure that units are affordable can we? Mr. Ikefuna noted that it would depend on the ownership of the property. If the City owns the land, there would be more opportunity.

Commissioner Russell asked about the condition on the Harris Street application to only allow for one building. Mr. Haluska noted that these conditions were outlined from the current approved SUP. The condition noted is to memorialize the drawings submitted as part of the request. Commissioner Russell asked about price points of the units and Mr. Haluska noted that the applicant is prepared to speak to that during the meeting.

Commissioner Dowell asked why this plan is coming back since they just received this SUP? Mr. Haluska noted that the applicant will speak to their intentions. The change of units will be within the approved structure footprint.

Chair Mitchell noted the BZA case for this site and that this site has been changing.

Commissioner Solla-Yates outlined an email he received from Kathy Galvin which discussed the connection from Starr Hill to Downtown. He also noted that tree canopy has been discussed for this site but he noted it was a parking lot. Mr. Haluska noted that there has been concern about trees along Harris. There will be tree canopy requirements for this site plan including site canopy and street trees. There is a sidewalk project underway for this area which may result in additional greenery.

Commissioner Lahendro asked for information on the range of affordability. Also, he wanted to know if there was any clarification on the text of the Comp Plan and how that can be applied. Ms. Robertson noted that the comp plan is a broad document and does not provide detailed guidelines. She did clarify that if an applicant offers affordable housing as part of their project, the Commission can ask questions concerning what that means

in terms of AMI, length of affordability, recorded instruments etc. and that information can be memorialized as part of the application.

Commissioner Stolzenberg asked for clarity on the number of affordable units and it was noted that the applicant will address during the meeting.

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 –

Commissioner Stolzenberg – The other meeting last month was the TJPDC meeting. Our new Interim Executive Director Christine Jacobs is off to a strong start. Big news from that meeting is there's going to be a study of the Route 29 corridor from Airport Road up to Frays Mill Road. It is going to be studying how to make efficient traffic flow on that corridor. I also was interim Lyle for a day and stepped in to watch HAC. There was quite a bit of discussion on essentially the affordable housing plan presented by the consultants that was given the nod by Council last week. I did speak with Mr. Broyles. He did give an update to the HAC. Many members of committee asked questions about what HAC’s role would be moving forward. It seemed like everyone had the impression that they are in a little bit of a holding pattern until the affordable housing plan is done. There are some recommendations about what HAC will be doing once the Affordable Housing Trust Fund and the committee to govern it is set up. Chip gave a great introduction and talked about his previous work in housing in Baton Rouge. Everyone gave all sorts of feedback about what HAC has to bring to the table to offer for advice and what it's done in the past and initiatives like the rental assistance program. There was some talk about how staff can build the capacity to support all these programs, given that staff is mostly overstretched so far. I think that covers the main gist there. I know one big priority for Mr. Boyles is to bring in new department heads. Currently, all the deputy city manager positions are vacant. A big part of the process of stabilizing the organization is going to be bringing in deputy city managers and department heads and getting the leadership in order to have a functional, well-oiled machine of a system. He has talked quite a bit about speeding up the housing pipeline so that we can get projects through the pipeline faster.

Commissioner Heaton – No Report. I did attend the IMPACT Cville Rally. Several of our city council members did an admirable job of answering the citizens’ questions and representing the hope for the comprehensive plan and mostly addressing IMPACT’s advocacy for affordable housing.

I have informed staff and Chairman Mitchell last week that I have been projected to be re-assigned elsewhere in the state. That’s part of being itinerant. I will be re-assigned as of July. I will be exiting my responsibilities on the Planning Commission the 15th of April.

Commissioner Dowell – On February 24th, I attended the Ridge Street Task Force meeting. We had a really good meeting and made some what we thought were some great strides. An email came through today that seemed a little counter as to what I felt like our meeting had covered. Originally, we thought we were going to be able to have bus shelters added to the neighborhood. The email today stated that without sufficient ridership or data setting that that will not be feasible. We had talked about the rehabbing of existing properties in the neighborhood. Once again, that came back today that, that would not be feasible. Ownership of private properties is something that you will have to get the owner of the property to buy into. Something that we did

cover that is going to be beneficial and will stick is that we are adding sidewalks to the neighborhood. We're definitely increasing the signage of the speed limit in the neighborhood to try to use that traffic calming and also adding crosswalks on Elliott. I believe at the end of First Street where it connects to Elliot.

Commissioner Solla-Yates – Mr. Lahendro and I attended the Cville Plans Together steering committee meeting yesterday. The content was very familiar to this group. It was just discussing the presentation that we saw about the future land use plan, draft concept. They moved the dot for Woolen Mills slightly. I found the feedback very interesting though. There were a lot of good ideas talking about more pedestrian engagement, not just focusing the on/off ramps on 250, but more of a pedestrian experience and a quieter, more business friendly, not just large scale commercial, which I found very informative and helpful.

Commissioner Lahendro – I attended a Board of Architectural Review meeting February 17. At this meeting, we had another pulmonary discussion of the ongoing design for 612 West Main Street. We did defer one application. We did provide Certificates of Appropriateness for three projects. That was the only meeting I've attended. The Tree Commission meeting had to be rescheduled and will actually happen tomorrow at five o'clock.

B. UNIVERSITY REPORT

C. CHAIR'S REPORT

Chairman Mitchell – Mr. Ikefuna and I attended the LUPEC meeting a couple of weeks ago. There were two basic topics running through the meeting. One was affordable housing and the other was the Belmont Bridge. The affordable housing piece focused on what UVA is thinking about doing to add 1000 to 1500 affordable units in the city and the county over the next 10 years. Affordable Housing is not a core competence of the universities. They bought a consultant on board. The consultant is Northern Real Estate Urban Ventures. They've got a pretty large portfolio of affordable housing projects. They're very, very good in this space. They're going to be leading the effort to help UVA develop 1000 to 1500 affordable housing units in the county and in the city, on UVA property, and on UVA foundation properties. The presentation that we got was from the consultant. It was just an introductory presentation. That presentation should have hit your inbox about 20 minutes ago. You have that presentation. There also was a presentation on the Belmont Bridge as well. There are a couple of important dates. The invitation to bid advertisement went out in January. The bid was due to open last Friday, I don't know if it opened or not. It was due to open on the fifth. Work is going to begin by the end of May. We're hoping to actually accept the bridge in December of 2023. That presentation should have hit your inbox about 20 minutes ago as well. The Parks and Recreation group met as well to talk about when we're going to open things up. All the parks, all the open spaces, all the shelters, the golf course, and the skate park have opened. The rec centers, the spray pools, the spray parks and pools are not open. We're getting a lot of pressure to open those up. It's viewed by many in the community as an equity issue because most of the private pools are open. There's a lot of pressure to do that. There's also pressure to re-engage with things like little league baseball. I think Council did something a couple of weeks ago about that. We are hoping that by the end of May, everything that's not open right now will be open. That will be dependent on the feedback we get from the CDC and Council being on board with opening these things up. Our hope is that we are ready to open things up by the end of May.

D. DEPARTMENT OF NDS

Ms. Creasy – Council provided endorsement of the Affordable Housing Plan on Feb 16th and the Cville Plans Together Steering Committee meeting was held last night as outlined by Commissioners. Note that the video for that meeting should be posted soon on the project website. March 30, 2021 Work Session - The Commission

will meet on March 30 to discuss the next version of the future land use map. The consultants will be coordinating with staff over the next few weeks in preparation. The public is encouraged to continue providing comments.

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

No Comments from the Public

F. CONSENT AGENDA

1. Minutes – November 10, 2020 – Pre-Meeting and Regular Meeting

Motion to approve Consent Agenda by Commissioner Solla-Yates (Second by Commissioner Heaton). Motion passes 7-0.

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

The Meeting was recessed until 6:00 PM and the start of the joint meeting with City Council.

III. JOINT MEETING OF COMMISSION AND COUNCIL

Beginning: 6:00 PM

Continuing: Until all public hearings are complete

Format: (i) Staff Report, (ii) Applicant Presentation (iii) Hearing, (iv) Commission Discussion and Recommendation

1. CP21-00002: Comprehensive Plan Amendment – Starr Hill Neighborhood Community Vision Plan: The Planning Commission and City Council will jointly conduct a public hearing on a proposed amendment to the 2013 Comprehensive Plan, to include the contents of the Starr Hill Neighborhood Community Vision Plan as prepared by New Hill Development Corporation. The purpose of the Starr Hill Neighborhood Community Vision Plan is to set a conceptual vision for the Starr Hill Neighborhood and surrounding areas to be utilized as a guide for development within the Study Area, consisting of approximately 48 acres. This Vision Plan focuses on community vision and opportunity areas with three main areas of focus: City Yard, Starr Hill Residential Neighborhood and Jefferson School and Adjacent Arterial Streets. Market analysis information is included in the appendix for the Starr Hill Neighborhood and surrounding areas. The area included within this Community Vision Plan is bounded by Preston Avenue on the north, Ridge/McIntire to the east, the CSX railroad tracks to the south, and Norfolk Southern railroad tracks to the west. A map showing the general or approximate boundaries of the area can be found on page 52 of the Starr Hill Neighborhood Vision Plan document, which may be viewed at <https://www.newhilldev.org/starr-hill>.

Following the joint public hearing, the Planning Commission may approve, amend and approve, or disapprove the Vision Plan, in whole or in part; upon approval, the Planning Commission shall by resolution, recommend the Vision Plan, or part thereof, to the City Council.

- i. Alex Ikefuna, Staff Report** – I'm going to provide an overview of the staff report and how the process started. I'll turn it over to the CEO of New Hill Development Corporation, Yolunda Harrell. On November 18, 2019, City Council, after receiving the draft small area plan, passed a resolution to transmit the plan to the Planning Commission for review and consideration. On December 20, planning staff reviewed the plan and then determined as a result of the scope of work, that the plan did not contain all the necessary land use components to warrant adoption of the plan as a small area plan. It was agreed that the plan will be advanced to the Planning Commission and subsequently to the City Council as a

community vision plan. On August 11, the draft of the plan was presented to the Planning Commission. The Planning Commission reviewed the plan and provided some guidance and comments. The consultant went back and updated the plan. What you have before you right now takes into consideration the feedback received by the consultant from the Planning Commission on August 11, 2020. The plan is consistent with the several goals of the comprehensive plan and includes a community vision and guiding principles necessary to guide the implementation of the plan. What staff is asking the Planning Commission tonight is to approve the past resolution to amend the 2013 comprehensive plan to include the Star Hill Vision Plan?

- ii. **Yolunda Harrell, Applicant** – Who benefits from this Star Hill Vision Plan? It's the community. This plan intentionally centers the black community, not to the exclusion of others, but rather to the intentional inclusion of us. The plan specifically looks at opportunities to increase the street level presence of sustainable, well capitalized, existing, and startup black owned businesses. We've envisioned co ownership opportunities, industry specific accelerators, and addressing the financing gaps, which means friendly or capital, ranging between the anywhere from the 50 to \$200,000 range. This plan also imagines future housing options across a wide range of affordability to include rental and ownership opportunities. Whether you're a first time homebuyer or a voucher holder or someone looking for the next phase of housing along their financial growth path, we have demonstrated how those opportunities can and will exist. This plan explores how to build upon the African American Heritage Center's tremendous work of curation of local history and art, moving it beyond the doors and into the built environment. The plan elevates and centers the Jefferson school City Center and the Jefferson School Foundation's desire to sustain the Jefferson School to enhance its vitality and importance as a cultural, educational, and community resource. This plan also speaks to the need for gathering spaces where people can connect or just be where they are empowered to congregate and co create, build and own and innovate and learn. The community has envisioned a culturally distinctive neighborhood with not only financial but also social accessible community spaces and activities. This plan envisions what housing possibilities could look like in this area. Through the engagement process and the examination of the existing community assets, the city yard offers the greatest opportunities to address the housing needs. While city yard represents a genuine opportunity for new affordable housing as part of a mixed use development, Starr Hill's existing residential neighborhood must be sustained and strengthened. This plan is committed to encouraging that home owners in Starr Hill can afford to stay in their homes. That measures are taken to alleviate vehicular and parking pressures within the neighborhood. Residents have a strong and active voice in Starr Hill's continued development going forward. How much housing is going to be created? The plan looks at what can be done immediately, which is creating housing on Brown Street; thus shoring up and strengthening the integrity of the existing residential neighborhood. This can be done while we explore other opportunities in the larger plan. Through the subdivision of city yard in the immediate, you can you could see at a minimum an additional 10 to 46 units of new housing to include new home ownership opportunities for first time homebuyers. In the larger parcel, there are more possibilities available. What we have proposed is simply a vision of what could be done considering the existing easements. In the pre-development phase of this property that's where the exploration of options with the community and city will occur. If we just look at what is proposed in his vision, our city could gain upwards of 250 additional housing units, not to mention the additional office, rental space, and retail space. Based on the proposed vision, this slide shows a possibility of what can be done with City Yard. What does this mean for our community from a jobs perspective? Based on the current vision proposed in this plan, what could be built on city yard? This plan could create a considerable amount of job opportunities upwards of 1400 jobs. Some of those jobs will be during and some of those would be after the construction process. Not only will it create jobs, those jobs will translate into revenue for local small businesses, which translates into tax revenue for the city. Let us not forget about the additional tax revenue once the area is built out. What has been added since we came before this commission back in 2020? We have addressed one very important aspect of what makes this

community and the life of this community so very special for many. We've also included one big idea. Since our last meeting, we were able to meet with leadership from First Baptist, Ebenezer Baptist, and Pilgrim Baptist churches to understand more about their hopes, their dreams, and concerns for the future of their church and the surrounding community, which has been included in this latest iteration of the plan. The resounding top two themes of concern we heard were around repopulation of the church and parking. In this latest edition we have suggested a minimum parking allocation of 50 spaces for First Baptist Church. As I know you are very much aware there is very little onsite parking for First Baptist. Additionally, Main Street will lose parking spaces. Without a parking plan, this church's very survival is at stake. Currently, the church rents 50 parking spaces for Sunday services. Should and when the Amtrak parking lot become home to new construction and taking into taking into consideration, this is currently the main reliable parking available for the church's congregation. Allocation of spaces for the church is absolutely necessary. Growth of the residential community was deemed very positive by the churches because it presents an opportunity to address the repopulation concerns. Pilgrim Baptist has a monastery school in the works. First Lady Cooper was thrilled at the possibility to support additional families with the convenience of an early childhood education center within walking distance. We've also included some of the history of the current churches and history to remind us of the churches that were once present. However, we have received some additional information and documents over the last couple of days that has helped to inform more of that history, which we will address. We will work with Miss Jane Smith and the Heritage Center to ensure we have an accurate depiction of the local history in this area. Finally, the big idea. As my partner Shelley would say, if the mind could dream what would it do? There is an important opportunity to restore and strengthen the connections between Starr Hill to the broader network of neighborhoods from West Haven, 10th, and Page to Rose Hill to the downtown mall. That's what the pedestrian bridge offers. Other ideas to consider, as we plan the future of this area and the future of our city. Could this provide us with more connectivity from neighborhoods to the downtown area, creating more opportunities for safer mobility for our pedestrians? Through connectivity, Can they also be works of art? I'll end with this. This vision of a Star Hill Area Community, whose future growth is guided by a commitment to racial, economic, and social equity, we will create a neighborhood identity rooted in African American presence and prosperity with real opportunities for the black community to foster ownership of property, commerce and culture.

Commissioner Lahendro – There is a mention of the Main Street West Main Street historic district in the appendix. It seems to me it could possibly be considered as one of the economic strategies also by noting that most of the buildings that are in the Star Hill study area, on this part of West Main Street are contributing members to that Historic District. With investment tax credits, there is available about 50% of whatever is invested in these historic buildings, to rehabilitate them. To my mind, that accomplishes a couple of things. There's an economic advantage to those who do that work and own the buildings, but it's also a way of ensuring that the existing fabric and the historic fabric of the community is preserved. I just wanted to point that out as an opportunity that I would just suggest that you all consider.

Commissioner Solla-Yates – We had some comments from the public and former councilor, Kathy Galvin, discussing the project. One point she focused on was the connection between Starr Hill and downtown, which is crucial. Can you speak to that?

Ms. Harrell – Absolutely. As we were going through this process, we looked back at some of the history and met with a number of people to talk about past plans and when the downtown mall was originally built. What were some of the ideas that they had in mind in terms of connectivity all the way out to the neighborhoods? However, those things weren't realized. As we look at this plan, one of the things that we tried to do was to look at creating a public square that centers the Jefferson School but bringing that square across the street over to the downtown mall, so that you can see how you know this

area can all connect and flow together. We even included calming traffic patterns at some of the major intersections so that we can have a better sense of pedestrians as they are attempting to cross the roads. We know all too well how significant that can be, especially with the number of accidents that we've seen just with pedestrians trying to cross our streets. We wanted to make sure that we added those calming traffic patterns. That encourages connectivity and encourages people to walk. We talked about opening up the tunnel that leads between the 10th and Page neighborhood and the Starr Hill area. That tunnel does sit on city yard. In order for that tunnel to be open, you would have to open up city yard. We also looked at the abandoned or the unused rail spur that runs along the backside of the community as a way to help promote connectivity between the communities as well as to the downtown area, giving pedestrians a safer way to travel, to be able to encourage us to see more of a community. We're not in these isolation spaces from each other. One neighborhood can flow gently into another neighborhood.

Commissioner Heaton – I also had some questions about traffic calming measures. There are so many options. A lot of different communities have been very creative. Was any thought put into pedestrian over walk? That's large infrastructure investment. That is probably the best way to keep people safe.

Ms. Harrell – That was the last slide of our presentation. That's part of what we added as our last big idea. Commissioner Yates actually brought that up in our last meeting. It was something that we had considered when we were doing this. We did think if we should we put that in there. We were really greatly encouraged when a number of folks said “Hey, what about an overpass?” We did put in their ideas. As we think about the built area and the future of this area, what would it look like to have these beautiful pedestrian bridges? Not just to have just a plain bridge but to make sure that it's something that's beautiful, that it's works of art, and that it's something that helps us to envision what the possibilities could be.

Commissioner Heaton – Other communities in other places that have done this, you didn't really settle on an idea or an architectural rendering?

Ms. Harrell – No we didn't. This is a vision plan. It's designed to give you the idea of things that can be done. As we're thinking and planning this particular area, as it gets developed out, these are things that should be taken into consideration. The pedestrian bridge speaks to the idea of this being a great opportunity in this area. Not only does it serve as a means to help connect to the downtown area better and safer, it also can serve as a marker, as an entry point as you're coming into that area. It's also been used as a means of being able to convey information in other cities. This is just one picture in the plan itself. We have several different ideas around it. No, we didn't settle anything specific but just wanted to bring to light the idea of what could be done.

Commissioner Heaton – It would be a major entry/gateway feature of the city. It would need a lot of creativity.

Commissioner Stolzenberg – I'd like to continue on the topic of connectivity. Thinking a little bit less about the longer term or large scale vision of the bridges and more about the street level and maybe nearer term easier wins. I know last time we talked about how in this area there are a lot of demand paths have dirt trodden paths through medians and lawn areas where people need to get from A to B. Right now, there really isn't any sidewalk or pedestrian infrastructure to get there. Have you guys given any more thought to how we can formalize those into real infrastructure? The one by the corner of the Omni lot and the one at the corner of the McDonald's lot are the ones that really come to mind for me. That's where I walk most of the time. In order to make those actual infrastructure and accessible and compliant, which probably requires working with the property owners, and then where they connect to

the crosswalks. In particular, the one of the Omni has no lights. It goes right into a driveway with no sidewalks. Is there an avenue to potentially get some easy wins by hardening those crosswalks and making that infrastructure relatively cheap?

Ms. Harrell – Absolutely. We actually speak to that inside the plan where we suggest some of those same intersections. We demonstrated that we put some examples of just how you can either use pavers and art, so that you can really brighten up those intersections again, to really train the traffic to be more observant of pedestrians that are coming through that space. One of the things that we also talked about is along Commerce Street. When you go down Commerce Street, you don't really have sidewalks. It's not really a pedestrian friendly street. We even talk about how you could potentially make that even more of a vibrant space. It is also the entry point to the African American Heritage Center. How can we make this more vibrant and encourage more pedestrian traffic through that area, putting in pavers and adding sidewalks, and those kinds of things could really help to reorient the way we think about that space. At the major intersections, we do talk about using paint and pavers. We really need to highlight that space so that as people are coming upon them they're really thinking about the fact that this is where pedestrians are most likely to be. Those are some things that we could do right now as some early wins.

Commissioner Stolzenberg – I love that idea. That sounds great to me. In terms of the relocation of the city yard, it seems like something of a prerequisite for a lot of the larger goals out here. Have there been discussions? I really love the idea of shaving or squaring off the corner to create that land on Brown Street. There's some talk about relocating the administrative building. For the industrial parts of the yard, have there been plans and consideration of what it will take to move that? I think there's talk about moving it to Avon. How much money that would cost? What would the timeline be and how to get it done?

Ms. Harrell – When we were going through this process, one of the things that we were aware of was that there had been a study that was done years ago on the feasibility of relocating the city yard out to Avon Street. Unfortunately, during this process, we were never able to really see the study. We can't really speak a whole lot to the study itself. However, part of the reason why we suggested the subdivision of city yard is because that portion that could be added to the existing to expand existing neighborhood of Starr Hill, that particular portion of city yard is mostly parking lot. It wouldn't really pose that much of an inconvenience in our opinion. I'm sure others may disagree. If you were to subdivide that piece off, while we're working on the larger pieces of redevelopment of the larger parcel of land, that's how you can get that early win. What we show is that you can create two streets. You can have one row of housing right there along Brown Street and another row of housing behind it, and a little small multi-family that could go down based on the topography of the land in that area. What that also would do is that it would allow us to be able to open up that tunnel as well. The tunnel connects the 10th and Page and West Haven communities to the Starr Hill community. While we're figuring out the larger piece, you can go ahead and get some housing to help address some of the housing needs that we have in the city. As it relates to moving that land, that's one of the things. I think that once we get to a place where we have our city staff back in at the senior level secured, that's where we can begin to have those next level of conversations. When we started this process, several years ago, we were having this conversation with Maurice Jones. As you can imagine, it's been a few iterations of that city manager since then. When we started with him, it was around what we could do before we got into the steps of how we move city yard to another place. That's how we came to do the vision for this particular area. It was starting that process. Now we have a vision. The next step says 'Okay, so what would it take?' This is a great moment and opportunity to look at how other cities that have done it. With Greenville, South Carolina, they moved their city yard that was in the heart of their city by a river. They've moved it out to their county space. It cost them about \$26 million to do it when they did it. Obviously, prices are

different between the areas. During this pandemic, prices are really different. That gives you some idea of what it could potentially cost in terms of moving. One of the reasons why very early on, we brought in partners like Liske and other foundations that we've had conversations with was to talk about how we could support that. Our vision, when we started this process, was never for this to be something that became the sole burden of the city to figure out. That's where the partnership comes in. We work with you and we bring other partners to the table that do this all around the country and figure help figure these things out. Not only help figure these things out but also help bring the financial resources to bear to make it happen. That's where we would like to see this go next is to get those start ordering those steps.

Commissioner Stolzenberg – What was the deal with the study? Was it missing? Is it confidential?

Ms. Harrell – I am not sure. We asked for it. It was never provided to us.

Commissioner Russell – I also read that there was an environmental remediation study approved in fiscal year 2020. Are we talking about the same thing?

Mr. Ikefuna – I haven't seen any remediation reports. If there is one, it wasn't sent to NDS. It would have to be at Public Works. We have a new Public Works director. The previous Public Works director, Paul Oberdorfer and the Assistant City Manager for Operations was in the middle of the whole discussion. After COVID-19, the new City Manager will have to pick up where everybody else left and continue with the new Public Works director. In terms of the remediation report, I haven't seen anything.

Commissioner Russell – If the \$300,000 wasn't spent, we can be sure that it doesn't exist. I was curious if you could speak to the Vision Plan and how they relate to whether West Main is or isn't carried out in full. I know one of the things that I read was about a proposed parking structure in the park of Starr Hill. Let's not do that. If that isn't carried out in West Main, then that is not a conflict. Are there any other mismatches that you are aware of?

Ms. Harrell – Our suggestion was, please don't give that to the park. That's really the only major green space in that particular community there. Part of what the community talked about was 'if we have to give up the park in order to support parking.' There is a huge pressure on that particular community. The streets are very narrow. Because of the growing area, what they're seeing is that a lot of people are coming into their neighborhood and parking. Some of the things that we suggested were: we've got to have some enforcement in that area. People should be able to park in front of their own home or at least near it. If you were to give up the park, you had to have another park someplace else. Don't give up that park until you get a park. If city yard becomes available, then you create another park in that space. The West Main streetscape was going to get rid of 32 parking spaces. That was going to further drive the needs of that particular community. Part of what we thought about was, when you look at the parking for the Jefferson School, that original parking deck was supposed to be three levels. When they were doing that particular renovation or that addition, it was post-financial crisis of 2008 and the real estate crisis. There had to be some cuts made. What they decided to do was just make it a two level garage. It has the ability support the parking. That's how you could help support that particular community, but also any future built opportunities that would exist on city yard. That could also help to bring some support in terms of parking to that particular community.

Commissioner Russell – With Commissioner Lahendro’s point about tax credits at West Main, Starr Hill is eligible for listing certain structures for the rehabilitation tax credit as well.

Ms. Harrell – What we did, as we looked at the various strategies of things that could potentially be done that's woven throughout the body of the Vision Plan in there, we talked about different ways that things can be financed. You'll find some more of that stuff in the appendix. We do talk to the fact that there's obviously tax credits, historical tax credits, rehabilitative credits, and those kinds of things that can be brought to bear in order to ensure that we're able to redevelop this area where those, especially for individuals that own spaces that are historical. Those are means that you can utilize in order to make that happen.

Commissioner Palmer – I have a ‘nuts and bolts’ question. In the slides, you used the term ‘majority affordable’ a couple of times. I was curious what that exactly meant? I assume it is a mix of market rate and affordable.

Ms. Harrell – Absolutely. When we thought about this, our goal was to try to go as deep as we could in the AMIs and look at what else was happening in our community. In order to truly make this into a mixed income community, we go as low as 40% AMI and up to your market rate. One of the new things that they are allowing you to do with LI TCH is that you can do the income averaging. As long as it averages out to 60% AMI, then you're in compliance with what you're able to do. We thought about that when it comes down to financing and how you pay for things. Our goal in doing this was to make sure that we created housing along the spectrum, not just at one particular phase of someone's financial path but to make sure that there was a way for individuals to be able to grow along that financial path. If they wanted to change housing, they could. If they definitely wanted to have ownership opportunities, we wanted to make sure that existed, not just at the high level, but at a level that really allows more people to participate in owning opportunities here in Charlottesville.

Commissioner Palmer – I was also thinking about the Starr Hill Park and noticing that city parking lot that abuts it and the idea that you had. You have this publicly owned swath that goes from the city yard and then up through the park and the parking lot. I didn't really see that in the plan. I don't know how much you guys thought about that as another big move in that space, given the public ownership of the property there. The parking lot was just deemed a little too political. It is valuable as parking.

Ms. Harrell – We have a section on reimagining Starr Hill Park. In talking with the neighbors and doing either the engagements or porch interviews was the fact that they didn't want their green space to go away. When talking with some of the community members of the churches that had once upon a time had after school programs and they were bringing the youth over to the park, there's nothing really there in the park to really create gathering in that park. Some folks that have pets, use it as their little dog park. That's pretty much it. You have two benches that are in that park. Our goal is to say, ‘let's reimagine this. Let's really turn it into something that's usable, that really encourages gathering.’ One of the neighbors from the Starr Hill community talked about how frustrating it was that there was no place for her to go and just sit and have a conversation. If she walked up Main Street, she would be at someone's establishment. She would have to buy something in order to just be there and to sit and have a conversation. Even if she would walk further over, there was just no place to really just be in that neighborhood where you can go outside and just go and walk and sit and enjoy the day. That's part of what we're saying to envision with that particular parcel is to really rethink that part. It really could be more beneficial for that community for the now and for the future community.

Commissioner Stolzenberg – I just wanted to add that with the 2015 parking study for West Main, I think the idea wasn't actually to build the garage over the park. There's the public parking lot by the park and another private parking lot, if you swing around the Albemarle Hotel. I think that was the site they were talking about. I think either way it didn't make a lot of sense because of the shape of the site. We've seen with the one on Seventh and Market that you really want a big square site for a parking garage and not a weird U or L shaped lot. I definitely like the idea of programming the park better. I did have a question about the idea of adding extra trays of parking for the Jefferson School parking garage. It sounds like at least in the immediate term, the big demand for that parking would be for the local churches, especially First Baptist, which is pretty parking constrained. I would think that most of the demand for parking that actually parks there now is for stuff at the Jefferson School and is mostly focused on weekdays. What is the utilization of that garage on Sundays when First Baptist would need it? Is there an opportunity to potentially maybe sublease that space or those parking spaces to churches without necessarily having to add new garages? Maybe in the longer run, as you have this private redevelopment in place and opportunities for shared parking, they might not want to want to build the parking into their own structures, where they could finance the extra decks if they need the parking off site. We won't have to spend city money to build it.

Ms. Harrell – When we first were having this conversation around what could potentially be done for the parking and what we were looking at, this was part of us having conversations with folks that work at the Jefferson School and the Jefferson School Board Foundation. It's the need of that particular area; not just thinking about the current need, but the future need. Actually, that particular garage is a little farther away from First Baptist. It is closer to Ebenezer Church. Ebenezer has most of their parking on some land that they own right now. They still struggle with parking as well. It was also looking at the fact that if parking spaces went away from West Main Street, how do we help to create this opportunity for people to not park in the neighborhood that don't belong in the neighborhood, but to rather just walk a little bit further and park at the Jefferson school? That was part of what we were thinking about. At the time, the court wasn't built. It was under construction. What does that mean? They're going to be using the Staples parking lot for their parking to support their hotel. That tends to be overflow when you have several events going on at the Jefferson School. Parking is going to be a big concern. If they have a party going on over at The Cork, there are all sorts of opportunity where parking is going to become such a huge constraint in this particular area. The idea was really to think about, 'let's make sure that we're planning ahead and thinking about the vitality of this particular area and all the vibrancy that having a new hotel in the area brings, and all of the programming that happens with the Heritage Center. If you build something onto the yard, then it helps to support what is going to be built down in the future.

Commissioner Stolzenberg – There are two decks of parking right now. The new ones would be 105. Is it 210 spaces on the site right now?

Ms. Harrell – That's correct.

Commissioner Stolzenberg – That makes sense to me. Can we get that new development? Maybe a lot of the demand comes from the hotel or other offsite developers. Can we get them to 'pony up the money' so that we can save the city money for things like housing? Are there going to be opportunities for a public-private partnership?

Ms. Harrell - As we think about everything in this, there should always be the thought of public-private partnership and how we collaborate. There's not just one entity solely responsible for trying to make this all work. How do we work collaboratively to make sure that these things can happen? You've got the

Code Building that's going up. There are all kinds of opportunities for partnerships and who could potentially chip in to help this become a reality in the future.

Councilor Snook – I had a couple questions. The first question was touched on a little bit before but maybe to amplify on it a little bit. I'm interested in the extent to which Starr Hill interacts with or would with how this new design scheme would interact with West Main. Part of what's attractive to me about the West Main Streetscape is the plan's discussion of place making. I'm not conscious right now of there being any place making going on in that area. The one place I can think of along the Starr Hill portion of West Main is the commercial space around Mel's. It's a place that people go. It's a node in a sense. An architect would sit there and probably say 'no, that doesn't qualify as a node.' It's a place where people gather. Do you have a sense of other ways other places along that four or five block area where Starr Hill butts up against and intersects with West Main Street? Are there other places that you can see where we might be able to do some place making?

Ms. Harrell – One of the things that we speak to in there is the idea around pocket parks; to use some of those streets where the buildings are very close together. It's a one way street where you could create a pocket park or pocket parks in between the buildings. That gives some opportunity for the residential community or just people that are coming down Main Street to have a place to sit and pause. Even looking at one of the things that we talk about in our place making session section is to take the art that exists of local history and bring that more out into the community. It's not something that just resides inside a building. It comes out onto the street where you can really start to have the markers and things like that, that helps tell the story of the history of that particular area. Those are some of the ways we demonstrated in there, not so much at the Main Street level, because Main Street is such a built out space. Looking at some of the in between spaces that bring you up to Main Street and that's where those pocket parks were suggested.

Councilor Snook – One of the thoughts in the streetscape proposal was that there would be clusters of trees on a wider sidewalk where people might gather and gather in the shade. Maybe there'd be some chairs there. Maybe it would be right outside of a restaurant or something like that. The notion of using an art feature as being a highlight or a point at around which people might gather, is intriguing to me. There are a lot of walls there that could be mural spaces.

Ms. Harrell – Miss Douglas, from the Heritage Center, has such a great vision around art and what can be done especially with the walls that face that the front of the Heritage Center that are just these very bland, commercial, old walls. They could be beautiful canvases that can be turned into wonderful works of art. Being able to use local artists, young and up and coming artists are ways to tell the history, tell the story, and to really showcase legacy throughout that area.

Councilor Payne – I don't have any specific questions. I have just the bigger questions similar with all small area plans. What steps are needed to turn it into reality? In particular, I'm definitely interested in a clear sense of the dollar amount of investment that would be needed from the city, even with public private partnerships in order to turn some of this into reality? The city yard site is a difficult site, which will require some significant amount of remediation. I would want a clear sense of what that dollar amount investment from the city would need to be. What city assets are needed? What does it take to turn these kind of plans into reality?

Ms. Harrell – One of the things that we've done is the sequencing of events of what things should happen first, second, third. We don't get deep into the pricing. Without having the true ability to understand what the original feasibility study said, it was difficult for us to speculate. We could

speculate on what could be built. There's lots of opportunity through grants. Those were some of the things that we explored in terms of ways like remediation could be covered. In the environmental report that we received during this process that was done several years ago, the initial study shows that there was no significant reason why housing couldn't be developed on this particular land. Most of any remediation that needed to happen would need to happen more towards the front side of the city yard area. We envisioned it would have more of your commercial and your retail space in that particular area. Some remediation was done to my understanding when the garage for the Jefferson School was built. There is probably some that still needs to be accomplished. There's definitely a lot of state level or federal grants that can assist with that. Our goal would certainly be to sit down and really pencil out what the next steps are. Before you came to Council when we presented this back in 2019 to Council, we did speak to what are steps that council could take to help in the immediate. That would allow for us to start to see this vision come to life. Some of those things are things that we've talked about here today. This subdivision of the land allows for us to be able to go ahead and get started with adding to the housing stock. We also talked about the street calming measures that could take place. The park that could take place. Those are things that really helps to show the community that the efforts that they put into helping see this vision come to life are being honored. Those are some of the things that we felt like were easy wins that we can start now as we think about their really big piece of it.

iii. **Public Hearing**

Jehu Martin – The whole project sounds terrific. In terms of money and finances, how much has the city spent so far? It is not a breakdown that sometime in the near future breakdown of how much will be spent in the future before revenues come back? City needs a lot of things. This is one of them. As city has already spent some money in this area, just curious as to what else needs to be budgeted over the next couple of years to make this happen. I think if their budget guidelines set up, then they won't be exceeded, which sometimes happens in any multi phasic project like this.

Peter Krebs – I'm so excited. This is something that we've been looking forward to for a long time. I think a big congratulations to Yolunda are in order. My boss is always reminding me that this stuff doesn't happen by accident. Great communities don't just make themselves. It's really important to get in front of the huge forces that drive development and change communities. We, as a community, get to decide what kind of place we want this to be. This is what that work looks like. We're not revitalizing a community. That's such an important thing that this project acknowledges. Supporting a vital community that's there. We're thinking a lot about the good built environment elements. I love the connectivity thing with neighborhoods to surrounding resources, taming certain streets, getting rid of blank brick walls, transforming the rail corridor, and penetrating the city yard, are all good things. I think it's also really important and knowing how Yolunda and her team have been working. The physical piece is only half of what they're talking about. This is truly economic development in the way that I love to see it, which really starts with the community and the residents and their stories and their ideas and their visions for entrepreneurship. It's appropriately black centered. I think that is so important. If I was on the Planning Commission or Council, job one would be trying to figure out how to keep the heart of Charlottesville how it has been. This is a real down payment or a way to start locking in a vision that is one that is right for our city. It's about people their histories, their dreams. That's what really makes this study. This is just so great. Chairman Mitchell said that this is a vision. This is just one piece of a vision but it is that. It's one that's worthy of the heart of Charlottesville. Council, give them the resources they need to make this vision come to pass.

Kathy Galvin – Wonderful comments from the public. Thank you Yolunda for a great presentation. Thanks for the opportunity, Chair Mitchell and planning commissioners. I'm going to just reiterate and underscore the five reasons I gave eight months ago as to why this vision is so important. It hasn't gone

away; it's only gotten enhanced. The plan celebrates Starr Hill's historic residential part and the Jefferson School. It calls out the redevelopment potential for the city yard, the Vinegar Hill Shopping Center, and the mixed use corner at Preston Avenue and Fourth. All of this promotes a sense of place while guiding future investments and people in places. The plan provides a vision for redevelopment, not by one developer, but by one community most impacted by development. It reclaims, reimagines, and reuses, the land that we have squandered. The plan addresses the injustice of Vinegar Hill, in part by establishing "a visible and tangible place for the incubation of new businesses linked to Charlottesville's black business networks, and a cause for an anti-displacement tax run program." It is a step towards repairing this scarred cultural and physical landscape. The current 2013 comp plan provides thorough guidance on how to protect Starr Hill from market forces governed by a universally discredited zoning ordinance. The plan will serve as an interim safeguard for these vulnerable neighborhoods. Thirteen months ago, Council passed a resolution. It's time to adopt this plan. Turning parking lots into public places, enclosed by black owned businesses and homes and physically connected to the downtown, as shown via the public Plaza on page 75. The Preston Harris Innovation Hub is described in text and diagram on page 54 is bold. Replacing auto centric equity blind one size fits all zoning with one that promotes, walking, affordable housing, black wealth creation, and respects Charlottesville's beloved, black neighborhoods is bold. Reconstructing the once walkable blocks lined with black owned homes and businesses of Vinegar Hill, cleared in 1965, to make way for super blocks dominated by corporate chains is bold. Please, please endorse this plan. Send it to Council with your full 100% endorsement. We will see, just like we saw with the Fifeville neighborhood, that you'll be edifying the community and putting back faith in the fact that government can actually get things done. It starts with a plan. It starts with the vision. When you have that, you'll have the guidance to guide development, guide the kind of development, and guide public and private investment.

iv. **Commission Discussion and Recommendation/Motion**

Chairman Mitchell – This is not a small area plan. It is a vision plan. It will eventually become a small area plan. This is the vision we're making a recommendation on.

Commissioner Lahendro – I want to thank New Hill Development for coming back with a better plan than what was presented in August. I am so pleased to have the core anchor institutions of the African American churches recognized and acknowledged and made part of this plan and folded into the strategies. This is a much stronger plan because of it. I did want to say one thing about parking. We talk about how parking on Main Street is going to be stressed in the future if the Main Street development happens. I can assure you that it is happening now with the increased development along West Main Street. When the Blue Moon Diner opened for Sunday brunch, parking really became unavailable for many of the parishioners at First Baptist Church. That's only going to increase as more and more development happens along West Main Street and that area revitalizes. We do have a serious parking issue that needs to be addressed. It's a smart plan. It's sensitive to the community. It's thoughtful. It has a lot of details from opening up tunnels for pedestrians to thinking about parking, to thinking about pocket parks. I'm very, very supportive of it. I'm also fearful. I'm fearful of the Starr Hill Historic Residential Neighborhood. I drive through there and I see those small bungalow houses, wonderful houses, and resources. I think about development happening and legs getting under this vision plan and thinking about the development pressures on these landowners to sell these small houses and build far bigger units. Anything we can do with our zoning ordinance changes to ensure that this neighborhood is protected, we have to be conscious and aware of that and do our best to keep this neighborhood preserved.

Commissioner Solla-Yates – My concern is that I want it now. Do we have a sense of timing on the small area plan implementation? Let's get this done now.

Mr. Ikefuna – Once the plan is adopted by the City Council, we start referencing the plan. In terms of implementation, we let other city departments that have a vested interest know that the plan is adopted. They can review the plans and then work some of the practical implementation projects into their work schedule in terms of funding and scheduling. One of the big items is the city yard, which is about 10 acres. With the new City Manager, we have to bring that to his attention if he's not already in the loop. Once he has the Assistant City Manager for Operations, you can re-engage again one more time in the discussion of everything that has to do with the relocation of that particular operation to a new site. The main thing right now is adoption of the plan, then we take it to the next steps. As folks may know, there is a hold on the long range planner. When the economy improves and there is a lift on the freeze, then we will move forward with hiring that particular position. That person, among other things, will also be responsible for coordinating implementation of the comprehensive plan, the small area plan or vision plan, and other long range activities. The next step in the implementation is approval of the plan. We take it as subsequent after Council action from there.

Commissioner Dowell – I do like the work that we have put into this plan. I look forward to the fruition of the plan.

Commissioner Heaton – I was delighted to see some attention paid to Sunday morning parking. It is a constant present conversation among downtown churches. I think church culture and commerce does not benefit from blue laws and things anymore, as it once did. It's not all about infrastructure. I was delighted to see that addressed. I think a lot of the congregations who've tried to make a commitment to staying downtown would love to see this type of thing repeated or at least the consideration of it. I also want to applaud the place making process. We borrowed that from other communities that have had success in looking at development with nodes and place making. Finally, with the connectivity issue and the car centric transportation, there is no easy answer to that. I think it'd be foolish to pretend that cars are going to go away. At the same time, we will encourage a less car centered community if we put a premium on pedestrian and other transit needs. I think this is a great start. I would love to see it move quickly to the small area plan process.

Commissioner Stolzenberg – I would like to echo other commissioners and Miss Galvin and commending you guys on all the work you've done. This is a really critical part of our city. It's scarred from the mistakes that planners of the past have made, often, deliberately and maliciously. I am glad to see that we're starting the process of undoing those wrongs. I have some minor things, I'll probably follow up by email. They're things like typos and whatever. I would like you guys to take a look at that graphic on page 19. I think what you will find is that in the city Class B apartments can reach much deeper levels of affordability than what it says there. I don't think it is 2200 and change per month for a Class B apartment in the city yet, and even for new ones. I walked every block of Starr Hill as part of reviewing his plan. What I saw was that the process of gentrification and redevelopment into upscale large single family homes is well under way, whether it's through renovation or teardown or just changing hands. I think that really provides an impetus to get some urgency to the affordable housing efforts outlined in the plan. I really like the easy win of new homes on Brown Street. I think what we also see is that there's already a big mix of housing forms in the neighborhood. That's reflected in the plan. As change happens, I'd like to see us embrace those housing quorums that are most affordable naturally.

Commissioner Russell – Great segue into my echoing concern about protecting those naturally occurring, modest, and older historic houses. We'll be hoping to look at as we moved forward in the zoning rewrite. I posed this as a thought exercise, which is for these small area and vision plans. I'm thinking of Cherry Avenue and now Starr Hill. How do we take these into account as we move forward

in the comprehensive planning process and keep them. What informs what? Are we thinking about these very recent and deliberate plans as we address items within the comp plan update? If we are doing so, is that equitable to other communities that have not had the opportunity to have recent small area plans or vision plans? How is their input? We're paused on long term planning. It doesn't sound like there are any future vision plans or small area plans. My question is more of a process one for us to think about as we move forward. Another thought is something we talked about in our pre meeting to ensure affordability of those new units proposed on Brown Street. It sounded to me like the city would either need to own those lots through a land bank or land acquisition program or heavily incentivize affordability via a subsidy or else you'll probably see new empty lots available. Those would be snatched up pretty quick and not become affordable. We want to try to think of that as we move forward in the zoning. I just want to commend and applaud New Hill and the startup community for its visionary thinking.

Mr. Ikefuna – Once the Planning Commission recommends and City Council approves, it becomes part of the comprehensive plan. We continue to discuss with the consultant handling the comprehensive plan update. We have several small area plans that include Route 29, Cherry Avenue, Starr Hill, Fifth Street corridor study, Ravenna River Corridor, and other plans that they need to take into consideration in updating the comprehensive plan and then crafting the zoning rewrite. When we take the action that Planning Commission takes tonight and subsequently by the City Council, our consultant will take those into consideration in updating the comprehensive plan. It's going to align with the comprehensive plan.

Commissioner Palmer – I wouldn't say I have any groundbreaking thoughts with what's already been said. It's a very exciting idea for this part of the city. The idea that they take something like the city yard, which is something that people don't really focus on. It's right in the middle of the city and just turning it on its head so that that it really becomes this linchpin in the middle of the city to create all of these connections and provide all this housing and jobs and office space, mixed use is really something. I am looking forward to seeing how this progresses.

Motion – Commissioner Solla-Yates – I'd like to suggest that we approve the resolution in the packet starting with resolution of the Charlottesville Planning Commission recommending adoption of the Starr Hill Vision Plan. (Second by Commissioner Lahendro). Motion passes 7-0.

The meeting was recessed for 5 minutes.

2. SP21-00001 - Harris Street Apartments – 1221, 1223 and 1225 Harris Street - Landowner Cville Business Park, LLC is requesting an amendment of a previously-issued Special Use Permit (SUP). Pursuant to City Code Sec. 34-457(b)(5) the amended SUP would authorize a specific mixed-use development (residential apartments (“multifamily dwellings”) combined with commercial uses) on property located at 1221, 1223, and 1225 Harris Street (together, the “Subject Property”). The Subject Property has approximately 345 feet of frontage on Harris Street and is further identified on City Real Property Tax Map 34 as Parcels 90B, 90C, and 90.1. (City Real Estate Parcel IDs 340090B00, 340090C00, and 340090100), and has a total area of approximately 2.446 acres. The Subject Property is zoned Industrial Corridor (IC), with a Special Use Permit previously approved to allow a mixed use building with up to 105 dwelling units and a total site density of 43 DUA. The project proposed by the applicant is a 6 story mixed-use building, containing ground floor commercial space (approx. 7 percent of the building SF), and up to 120 dwelling residential units above the ground floor (up to 50 DUA), and internal parking. In the IC zoning district, mixed use buildings are allowed by right, up to a height of 4 stories, with residential density up to 21 dwelling units per acre (DUA). Multifamily residential units are allowed only as part of a mixed-use building or development, and if residential density exceeds 21 DUA an SUP is required. The Comprehensive Land Use Map for this area calls for Business and Technology, and no density range for residential use is specified by the Comprehensive Plan. Information pertaining to this application may be

viewed online at <https://www.charlottesville.gov/1077/Agendas-Minutes> or obtained from the Department of Neighborhood Development Services, 2nd Floor of City Hall, 610 East Main Street. Persons interested in this Comprehensive Plan Amendment request may contact NDS Planner Brian Haluska by email at haluska@charlottesville.gov or by telephone (434-970-3186)

- i. **Staff Report, Brian Haluska** – This is a special use permit request for a Special Use Permit or an amendment of an existing special use permit. The process for amending a special use permit is the same as granting a special use permit. There is no real difference in the process that we are going through on this property. The property is 1221, 1223, and 1225 Harris Street. That site currently contains a commercial building that is fronting on Harris Street, a residence on Harris Street, and contains the building that is known as The Habitat Store. The Habitat Store is not intended to be impacted by the project that was previously approved. The building will sit on the two properties in the front. For the purposes of calculating density, they are allowed to incorporate it into the site and use that acreage in terms of calculating density. This special use permit was granted for this property previously that allowed up to 43 dwelling units per acre. The applicant in front of you this evening has requested to increase the density permitted to 250 units per acre, which would result in a net maximum gain of 15 units on the site currently approved for 105 maximum units. The request before you is to increase it to 120 units total maximum. Some of the questions that have been brought up by the public were brought up then. One of them was traffic. As we noted in our staff report, the intersection of McIntire and Harris Street is of concern to our traffic engineer. It would need to be monitored as a part of this project. It is going to be monitored as part of development in general in that area, particularly as previously constructed space leases up. That intersection with Allied Street there is a weird intersection because of the topography and the four points coming together at an odd configuration. The traffic engineer has already noted that this sites impact would have to be calculated along this. I know some concern came up about other modes of transportation in this area, particularly pedestrian access to the Schenks Branch Greenway and McIntire Park. The city is already in the planning stages of constructing a sidewalk adjacent to this property that would connect with the sidewalk going down Allied and connected to the rest of Harris Street. That is coming soon. It will probably most likely be constructed prior to this building because it's further along in the process. That project has been coordinated with the applicant for this project. In analyzing the increase in density, a lot of the same metrics that we use for the original special use permit still apply here. There is considerable parkland within walking distance of the site with McIntire Park and Schenks Greenway. It is walkable to the downtown area and also to the increasing amount of commercial space and commercial uses along the Allied Street property, right down the hill from this. They're all under common ownership. There have been two residential buildings built at the bottom of the hill along that cul de sac of Allied and also the rehab of the old furniture warehouse that is now being used as commercial space. Some other concerns that were raised included tree canopy. As I noted in the pre-meeting, the tree canopy regulations are set by our zoning ordinance. They do need to comply and show compliance with those regulations as a part of the site plan process. That will be covered during that process. The trip generation will be a part of that site plan. If a traffic study is warranted by the traffic count, it would be done at that stage of the development. I know the applicant has been told to be prepared to discuss the affordable housing that was previously approved on this site, the conditions that were offered by the applicant, and approved by Council. They can certainly discuss that in some detail. The other item that's out there that isn't really referenced in the staff report because staff felt it wasn't really germane to the topic tonight. I do know Chairman Mitchell mentioned it. With The Board of Zoning Appeals, a variance was requested and granted by the Board of Zoning Appeals for this site. That really pertains to how height would be measured on the site. The way our code reads, the frontage along allied Street counted as part of measuring height. They really didn't get the benefit of the topo in this situation because of that frontage on Allied, which sits far below Harris. I believe the applicants request was related to the uniqueness of the site. They offered a way to measure height that would allow them to implement the building that they did propose to the Planning

Commission and the City Council. In reviewing it further, city staff determined that our definition of height and the way we measure height would not have permitted the building that they proposed, even though it complied with all of the conditions in the SUP. The condition of 1B is the highest elevation point of 520. The issue here was that the building can only be a certain number of numerical feet tall. Based on our height definition, when you factored in Allied Street, their height on Harris exceeded that number. That's where the BZA came in. That was really a definition question. The variance goes with the property. It's granted. Because it related to the size and shape of the building, it's really not under review this evening. What's under review this evening is what they can do within the confines of the building, as it was presented in a special use permit and as the variance was granted by the BZA to build. Staff has no real reservations about the request. It mirrors what was previously approved by City Council, including all the conditions previously granted. The only correction I will make regarding it is a reference to a site plan. The supported drawings were updated by the applicant.

Chairman Mitchell – I am a little confused about the recommendation on page 12. Is that even relevant anymore? Should that be in this? It limits the height below what the BZA had approved.

Mr. Haluska – That's not my take on it. Condition one, like we said in the pre-meeting, was really intended to memorialize the drawings that we received back in December 2019 and what the Planning Commission and City Council saw in the consideration of the special use permit. The applicant's intent was always not to exceed that level. The problem that they ran into was when they then spoke to zoning about the drawing that they had and said 'what's the height? How do you measure height on this site?' It's such an odd site in the way it's been put together. Our determination was that the code was written, we couldn't approve it as it was drawn up with the height that they were asking for, which was that six story block on Harris.

Chairman Mitchell – How many feet above sea level does that 6 story block take them? Are they still at 520 or below?

Mr. Haluska – The roof was at 520.

Chairman Mitchell – Based on what the BZA approved?

Mr. Haluska – The BZA's approval enabled that building to happen. 520 is based on the SUP drawings. The issue that came up after the fact was that the zoning did not allow them to build what they had proposed.

- ii. **Chris Virgilio, Applicant** – The project we've been discussing does have an approved SUP for six stories and 105 dwelling units. We are asking for the 15 extra units. Included with the site plan, the project now totals 120 residential units, 170 parking spaces, and 5000 square feet of commercial. I included the vicinity map here just to remind us that this building will be a part of McIntire Plaza. These residents will be steps away from supporting all the 100 small businesses and local businesses down at McIntire Plaza. We see that as a huge positive to this project and the increased residential density that we're asking for. I highlighted some floor plans here to show you where the project is now. The red is commercial use. You can see in the top left we have still have commercial use on the Allied Street level frontage. There is also commercial space at your bottom left ground level on the private access drive. That would face The Habitat Store on the backside of the building. The blue is parking and the green is residential. I do want to remind everybody that the yellow arrows indicate entrances to the parking garage. We've designed this building with no internal ramping. We have on grade entrances to each level of parking below the structured parking that is below the building. This allows us to most efficiently use the space inside of the building for parking, residential and commercial. 458 in the top right is the level

that's about on grade with Harris Street. You can see that we kept commercial uses on the Harris Street frontage. Above that we have the five stories of residential. The bottom right is the top story of the building. We do want to note one change, I wanted to bring to your attention. We did slide that amenity space to the front of the building closer to Harris Street. We could include a few more residential units on that floor, which are highlighted on the massing plan. You can see that rectangular portion at the top level of the building is what I was just describing as the added residential dwelling unit space on the top floor. We also added the net of about 10 feet in height off Allied Street from the massing drawings that you saw on the previous application. You can see these changes again. The project overall hasn't changed much. We still think it's a great project for Charlottesville. I just want to remind everybody that these aren't luxury apartments. They're going to be economically priced units for Charlottesville workers. It's providing housing that's close to their urban core. We did agree with City Council and we are committed to providing five affordable dwelling units in in the building.

Commissioner Russell – Your presentation clarified a question I had. What way is the building facing? I wasn't on the Planning Commission when this was first reviewed. I am disappointed that this building will have its back to Harris Street and that parking will be at the street level. It is hard for me to understand how the circulation is moving around with parking and commercial at The Habitat Store. It seems like it might be problematic for people trying to get to the commercial and trying to get into the parking deck there. There are challenges with the grade. What is the building fronting? How is its relationship to the streets around it?

Mr. Virgilio – We are considering Allied Street and Harris Street as the primary frontages. We consider the building as having two fronts. One on Allied and one on Harris. We tried to keep that commercial space along the frontage to engage with the sidewalk.

Commissioner Russell – Is the frontage on Harris Street, not facing the Habitat Store? That's how I was interpreting that.

Mr. Virgilio – What I am calling the backside of the building would face the Habitat Store. Between the new proposed building and the Habitat Store is the private access drive that runs parallel to Harris Street.

Commissioner Russell – Is there a commercial facing Harris?

Mr. Virgilio – Yes, there is.

Commissioner Stolzenberg – There is commercial facing Harris Street? That's not what I see in your levels here. Is it residential facing Harris Street?

Mr. Virgilio – There is commercial at the sidewalk level on Harris Street. Above that would be residential.

Commissioner Stolzenberg – There is commercial along Allied Street and 40 feet up along Harris?

Mr. Virgilio – Correct, at the street level along both primary streets.

Commissioner Stolzenberg – My most important question is about the affordable housing. There's two separate affordable housing conditions here. I think we discussed this last time, but the agenda and the minutes are not on the websites, I couldn't find them. We have five units that are offered to be affordable, and what level either rents or percent of AMI, will they be affordable at? Will they be in compliance with our standard operating procedures for affordable dwelling units?

Mr. Virgilio – We ran the calculation. I didn't discuss this with the Planning Commission the last time. We did discuss it with City Council. We ran the calculations and consulted with John Sales who was the Housing Coordinator at the time. The calculations come out to actually the building being just below 1FAR. It was teetering on 1FAR. We were teetering on not triggering the affordable dwelling ordinance and just being just slightly above it. We may have not been required to provide any units or possibly like a fraction of the unit, which would have been rounded up to one unit. We decided as a company that we wanted to do something more. That's why we came up with the five units and we're offering those at the 80% AMI for 10 years. In addition to that, we did agree to hold a certain amount of the units for voucher holders at initial at initial lease up.

Commissioner Stolzenberg – That's the second half of my question. Five units for voucher holders. To apply a voucher, there are rent limits on that right? They're called the payment standards. For a housing authority, that's 90 to 110%, of fair market rents. In Charlottesville, it's 110% fair market rents. That amount is lower than 80% AMI. Are those five units separately reserved for the housing voucher? Is it going to be priced at a level where you can apply a housing voucher? 80% of AMI for a one bedroom is going to be \$1500, including utilities. 110% of FMR for a one bedroom is going to be \$1185 or \$1393 for a two bedroom.

Mr. Virgilio – I think it will be close with those figures. We were looking at the market rate between \$1200 to \$1500. It is hard to say until we actually get the building built and see what the rents will be at that time.

Commissioner Stolzenberg – You're talking about the normal units under development?

Mr. Virgilio – Correct.

Commissioner Stolzenberg – When you guys are saying that you're going to reserve five units for housing choice voucher holders, you're not making any commitments that the rents will allow application of that voucher for those five units?

Mr. Virgilio – We're committed to the five affordable units. When we had talked about this with John Sales, he had said that this would be something nice to offer. At the time, there are 50 to 60 people on the wait list for people with vouchers trying to find apartments. That was just something else we threw on there. If it worked out, it would help.

Commissioner Stolzenberg – By new state law that's passed since we last approved your project, you're not allowed to discriminate against Housing Choice Voucher holders anyway. I thought we had discussed it last time. We had come to the conclusion that five units would be at 80% AMI and the others would be at fair market rent in order to make that work. I'm a little bit confused about what that promise is worth?

Mr. Virgilio – I know as a company, we own and manage our own housing here in Charlottesville, and we accept vouchers at all our properties. We had put that in there on advice from John Sales. Maybe it is meaningless. All of our properties accept vouchers already and this one wouldn't be any different. That's a good point.

Commissioner Stolzenberg – In your application, you're right that there are no existing residents on the property that will be displaced as a result of a special use permit because the redevelopment is permitted as a matter of right. I understand there's a duplex on the property right now, which of course, you can

always tear down your duplex and leave it as empty, barren land. I don't think that is the intent of that question in the application. I see on Zillow that as of September, you had rented out one of the units, the one bedroom and that duplex for 925 a month, which is affordable at a little bit under 50%, AMI. With the B unit, there's the two bedroom hadn't been rented out since 2015 or so. Back then it was \$800 a month or at least that I can find online. To be clear, there are people living on site right now, right?

Mr. Virgilio – That's correct. One of those apartments is now occupied.

Commissioner Stolzenberg – I think we're making a tradeoff here between one person potential or one household potentially being displaced and 120 new ones being built. I personally think that probably makes sense as a tradeoff. I really just don't appreciate the disingenuous response in that application to that question. There are residents on site. That should be the answer to that question.

Commissioner Heaton – I wanted to follow up about the five affordable units. What is the additional unit request? Are those on the upper stories?

Mr. Virgilio – The five affordable units will be in the building. It will be mixed throughout all of the floors of the building.

Commissioner Heaton – Throughout the building will be affordable. The changes that you're making are not on these affordable units.

Mr. Virgilio – The change is really adding a few more units to the building. There is no change to the affordable units.

Commissioner Dowell – Rory, thank you for that question. That was one of the questions I too had about the affordability of the units and also about someone being displaced. We did see the report that there was a duplex on the property. It was also a little confusing. I think we've cleared it up but I'm going to ask the question again, just in case somebody at home may be having the same question. In the report, it said that you were doing affordable units and you also were offering the housing vouchers. For clarity, the housing vouchers that you're offering are for the five affordable units; that's not additional units that the voucher can go to?

Mr. Virgilio – It was intended to be two separate things.

Commissioner Dowell – In the report, it seemed like two separate things. I wasn't sure. Just so we're clear, the project is offering five affordable units and 80% AMI. In addition, you will be able to accept Housing Choice vouchers for unit outside of those five affordable.

Mr. Virgilio – Yes Ma'am.

Commissioner Stolzenberg – I think, at 80% AMI, the rent is just still too high to apply Housing Choice vouchers. It wouldn't be possible to use the vouchers on those units?

Commissioner Dowell – My question to the commission is, if that is part of the stipulations of the project, and they're not going to be able to uphold them. How do we move forward with that?

Mr. Haluska – One of the ways that we look at those conditions from a staff perspective is the enforceability of them during the zoning, review, and during the continued operation of the building. As the way that condition is written: During the first two months for which the building leases dwelling

units, the land owner shall reserve five units for lease by Housing Choice Voucher holders. Five units are available for two months. We obviously have to work with the applicant in their agreement with the city that proceeds a building permit during the site planning process to flesh out how that complies with our SAP and how that would be monitored and ultimately get the monitoring from them. It harkens back to some of the older commitments we had with affordable housing at the time when they were offered. A lot of times they would mention PHA. PHA, unbeknownst to PHA would get put into a condition. Somebody would say, 'I've got a house ready. PHA provided me a buyer within three months.' PHA wouldn't have any buyers and that house would become market rate. The way that condition is written, at the end of the two months, if those units have not been taken by voucher holders, presumably they would then be offered to the general public.

Lisa Robertson, City Attorney – The only other thing I would add is that there's a rule of interpretation that says you don't interpret words in a way that assumes that people intend impossibility. One way to read these words is to interpret them as saying: If units have to be reserved for people who have Housing Choice vouchers, the rents have to be at rents that would allow people to use those vouchers. I would tend to say that, if I were advising the zoning administrator three years from now, from what these words mean, I would say that it means that the rents for those first two months for those units have to be at a level that would allow people to use their vouchers. If that is not what is intended by the applicants offer, then we have to take a new look at whether the applicant is still offering that as a prospect. If not, how the lack of that might fit into your overall analysis of the request for additional units.

Commissioner Stolzenberg – I really thought that we had gone over this last time. That was roughly the conclusion that we ended up with, which is maybe a lesson in getting everything in writing or at least having the minutes online. Maybe I should have watched the video. I feel like part of the confusion here is just what actual rents are for the abstract concepts of percent AMI that we talked about? Because, if you're talking about your one bedrooms at 1200 and your two or three bedrooms at 1500. It sounds like the market rate rents that you expect to have are lower than these like 80% AMI affordable unit rents that you're offering. Perhaps the market rate rents would be possible to vouchers based on what you're planning. I sent you a spreadsheet in the chat of rents, including utilities are for different affordability thresholds if that answers the questions.

Commissioner Solla-Yates – 10 years was discussed previously. We're currently working on a housing strategy, where it was recommended that 99 years become standard as an ordinance. It is not an ordinance yet. I'm interested in your thoughts on that.

Mr. Virgilio – We have these projects that have to meet certain financial benchmarks in order to be financed. That type of subsidy, if it's required to be provided by the developer, these projects just wouldn't happen, because developers couldn't afford them.

Commissioner Solla-Yates – We have got a lot of public comment about trees. Can you talk about that?

Mr. Virgilio – I think there is opportunity on Harris Street to provide some trees. We're trying to figure out a way to provide some trees on the frontage on Allied Street as well. I know the building footprint takes up most of the site. We are working on some ways to get trees back around the building.

Commissioner Stolzenberg – I do have one more question. What motivated this change with these extra 15 units or 10 feet of height on the side? Why now rather than back when we originally discussed this?

Mr. Virgilio – I think it was mainly for two reasons. When we presented the Planning Commission last year. There were one or two commissioners had commented or even requested and asked if we could get more units in the building and the same footprint with the same math, same shell. We went back and scratched our heads on that and came up with a way to do that. It is helping us deal with the current financial situation. With the construction materials, wood has gone up four or five times what it was when we started looking at this project a year ago. We're trying to balance the construction costs as well.

Commissioner Stolzenberg – Are you able to construct this out of wood given the number of stories in it?

Mr. Virgilio – Yes. We believe we can. We haven't had an official meeting with the building code officers. We believe that we can build it out of wood on a podium.

iii. Public Hearing

Linda Goldstein – I'm quite close to this. I was really pleased to hear earlier in the meeting all the talk about sidewalks and trees and things which will make the complex more attractive. I think that's good. I would like to suggest just another way to make things more attractive to the neighborhood. That would be a small grocery store on the ground floor. It would be a real asset to the community. I envision a place where one can buy the basics for preparing a meal without having to get into a car to drive to a store, which would help with the traffic flow. Things like yogurt, vegetables, meat, rice, fruit, and other items of that sort would be very handy to have nearby. I would frequent such a place. I know other people who would as well. With multiple apartment complexes in the plaza now and homes on McIntire, in my neighborhood, around Birdwood. A well run market could do well if the items were not priced too high. I'm thinking of something along the lines of Market Street Market. I'm not thinking of a 711 kind of store. I would just encourage the developer to think about that.

Victoria Metcalf – I'd like some clarification of how you plan to respond to the traffic issue. I just heard vague responses of that there will be a traffic study if it's necessary. What does that mean? What does that lead to what can be done? Do you need to have that done before you approve this project?

iv. Commission Discussion and Recommendation/Motion

Mr. Haluska – The traffic is a part of the site plan process, which is our nomenclature here. Right now, we're reviewing the special use permit. The special use permit sets the boundaries in terms of the maximum densities and maximum heights that a developer can take advantage of when they develop a property. If this were to be approved, the developer would then move forward with a plan of development, which will get into the engineering of the site. Part of the engineering is traffic management. It is access and making sure there is safe access to the site and looking at the total number of volume of trips that are going to be exiting and entering into the site and at what times. A lot of that depends on the use of the building and the square footage of the building. The unit count that's in it, but also where those trips are coming in and out. As the applicant has stated, the car trips are intended to enter and exit off of Allied and that road next to the Habitat Store between the site and Habitat Store. There's the question of whether those cars use Allied Street to get out? Will those cars go up the hill and use an exit off onto Harris? All of these things are things that are analyzed as a part of a site plan review that will go on in the future. Ultimately, if there's an unsafe condition, in the opinion of the traffic engineer, corrections need to be made to the plan to make sure that we have a safe condition. That relates more to the geometry of the site, in terms of like turning movements and things like that and sightlines. The other element of this is a broader concern with all of the projects in this area and the impact on the intersection down at the bottom of the hill. That is something that is on the traffic

engineer's radar. It's already on the radar. This building merely makes the fire a little hotter under that intersection. There's already potential changes that are in the mind of the traffic engineer. As this project moves forward, it may create a situation where they've got to hasten some improvements to that. Particularly, I think the one that I've often heard about is the right hand turning movement from Harris on to McIntire and the fact that's tied up. The width of the road there allows for all of the turning movements to sometimes tie each other up and back the cars up Harris. They will certainly be monitoring that. They're monitoring that now. They will continue to monitor that. My guess is this building's not going to go over the threshold potentially for a traffic study. If it does, there would be a traffic study, it would cover very much of what I've already said in terms of how much it is going to contribute and the conditions at that intersection. Do they get to the point where we've got to mitigate those with some sort of improvements at that intersection? Whether it's better signaling or potentially restriping or something that allows the movement of cars in there not to impede access up Harris. Hopefully, that answers the question. It's to be determined what actually gets done. It is something that comes up in the development review process prior to a site plan being approved.

Commissioner Stolzenberg – Last time we actually had 130 parking spaces in this proposal. We now have 170 spaces. What drives that 40 space increase in parking?

Mr. Virgilio – We have 15 extra units. We heard concerns from neighbors and businesses about street parking, people from the building parking on the street, or in McIntire Plaza. We were trying to balance both getting more units in the building and also trying to maximize the parking in the building as well. I think we've done that. We only have 120 units. Some of those apartments will have two cars in there. Probably 10 to 15 of those parking spaces will be for the commercial use as well. It seems like a lot of parking but I don't think it's excessive by any means.

Commissioner Stolzenberg – I personally would like to see even more units and less parking. I'd like to echo the point you made last time. Because you have both residential and commercial in the same building, to some extent that they can share the amount of parking available because they operate at different tempos. We probably can't add extra units beyond what you've requested this time. The hearing has already been advertised. Personally, I think anytime you can add more housing and less housing for cars, that is something to be desired.

Mr. Virgilio – There are a lot of areas in the building that aren't livable, that are only good for parking because of windows and unit layout. We've really tried to use the areas of the building that are effective for residential dwelling units. A lot of the areas where we have parking are not.

Commissioner Russell – I don't understand the affordability component of this. What are we getting out of this? Will we be able to achieve this proffering of five at 80% AMI and five with housing vouchers available in the first two months? Is that how the process works?

Mr. Haluska – Yes, that's the way that's the way staff understands it. As Commissioner Stolzenberg has mentioned several times recently, as a part of the development review process, anytime there's affordable units that have been conditioned or offered, there is our agreement. We actually just got a draft of the agreement from our staff today to review that lays out the guidelines. A lot of that is done so that should a question come up about condition compliance on a special use permit, the zoning administrator has something to go on other than just the vague language of some of the conditions. The city and the applicant work together to come up with a formal agreement that lays out how this is going to work prior to getting a building permit, prior to any building coming out of the ground. We all understand what the applicant is going to do. We have the agreement in hand that we can enforce.

Chairman Mitchell – Miss Robertson, let me walk you through the way I think this works. We have approved and Council has approved an SUP for residential and commercial development that will allow for 105 units. That has already been approved. What we're looking at is an amendment to add 15 more units. That's what we're voting on tonight. If we vote no, then we just simply revert back to what's already been approved with the affordable housing component in it that's already in it. We just revert back to what initially existed. In fact, did lose 15 additional units

Ms. Robertson – That's right. Ultimately, it is Council's decision. You all are making a recommendation. That's the way it would work.

Chairman Mitchell – The initial 105 units and the affordable housing algorithm that exists is done effectively? We're just working on getting 15 more units for the City of Charlottesville?

Ms. Robertson – As the developer noted, there's some question about whether or not under the requirements under city code 34-12, whether there would be a requirement for even one affordable unit.

Commissioner Stolzenberg – Because they have voluntarily offered these units, as we discussed, these conditions are binding?

Ms. Robertson – What I want everybody to understand is that these are not proffers, which you can only take in a rezoning. What we have been doing with special use permits is taking at face value, what the developer represents to you within the application. The benefit of having a special use permit approved to a developer is that if the developer seeks that approval for a specific development that's been described in an application, once that SUP is approved, if you change your zoning ordinance, they can still build the development as you have approved it. What we have been doing is making sure that as much as possible within your special use permit itself, we provide adequate details describing the specific development that's been approved. Within the last couple of years, that specific development isn't simply described as a six story building with some commercial and some residential. Most of these applications at your urging are including representations that some number of units will be affordable. We've gotten to the point where that term is almost a buzz word that has no meaning. Under our city regulations that apply to units that you get under Section 34-12, we have a standard operating procedure. You all may or may not like what's in there, but it's there. Those regulations require a recorded, written document that runs with the land. With a special use permit approval, you always say it runs with the land but it's a zoning approval. It can be changed at any time. Something that's recorded in the city's land records is something that binds subsequent owners of the property. When somebody says to you, you're going to get five units affordable at 80% AMI over a period of 10 years, I don't know if you all understand the administrative structure that has to be put in place to administer that. It's not something simple for the zoning administrator to just go magically figure this out. In a lot of ways, unless you have a zoning ordinance structure that requires written reports to be given to the city, it will be almost impossible for the zoning administrator, short of litigation to get information about what's actually going on in a building. This is a long winded way of saying, we have got to get to a new zoning ordinance as quickly as possible. We've been saying this for five years now. In this particular instance, what I will say to you is, this developer does own and operate a number of projects within the city that accept Housing Choice vouchers. They know how to administer that program. They have operated some affordable units for many, many years. This is a developer who does know how to do it and has experience administering vouchers within the city. At this point, while there's some bumps in the road here, I think that certainly, if you interpret the words as written, the requirement for Housing Choice vouchers, which necessarily comes with a specific rental amount, is certainly enforceable. As to the other provisions is no more or no less affordable than any number of other projects that you've approved with things like that, in the past. You are stuck with that language until we get a new ordinance, if you want the possibility of units at all.

Chairman Mitchell – I frankly have a lot of confidence in this developer. This developer’s dedication to enhancing our affordable housing portfolio and this developer’s interest in our low wealth community. This developer served with me on the Housing Authority and demonstrated interest in providing affordable housing when he did that.

Ms. Robertson – Once it gets the point of rewriting your zoning ordinance, another option that's not used now, but will certainly be a possibility with a new ordinance, is that one of the options available to people would be to make leasing options or purchase options available to either the city or the Housing Authority. Down the road, you'll get to a place, where instead of having a developer have to administer these things themselves, it may be easier to make those units available to the Housing Authority to administer or to something else. We're just we're not quite there yet. It is a significant administrative undertaking. While many Developers are not people who have done it themselves, this is a developer who has operated and administered units that use vouchers. They know how to do it.

Commissioner Stolzenberg – If I can maybe restate that, just so I'm clear on exactly what's going on here. We have the standard operating procedures that govern mandatory affordable units under 34-12, adopted per 34-12G. Because these are offered units and not mandatory under that, those standard operating procedures don't automatically kick in. Instead, we're left with just the wording in this voluntarily offered condition because it predates us talking about asking developers to voluntarily submit to those standard operating procedures, which include things like reporting requirements and city. What we're left with under this condition, it seems to be a five units at 80% AMI for 10 years, which will presumably be administered more or less in accord with those requirements, but without the teeth behind it. And then an additional separate five units that, because of the fact that the wording of it implies that they will be available for Housing Choice voucher recipients, will be available at rents that you can apply a housing voucher to and then reserved for kind of first dibs for the voucher holders. Is that right?

Ms. Robertson – Yes.

Commissioner Stolzenberg – I think my inclination in particular with what Chairman Mitchell said, we already stepped in this one year and change ago with the first 105 units. That's done and gone. This is for an additional 15 units on top. It's a no brainer that we would allow it. I'm inclined to support it and say that we should approve this SUP. I would really urge staff and the applicant to consider formalizing those affordability offers into something that makes more sense and isn't ambiguous where we go back a year later and don't know what's going on. I'm comfortable leaving not to staff any obligation to work out between us and Council, rather than suggesting that we wait for that to happen. Do we want to make any changes to the exact wording of conditions 2 and 3 in order memorialize what we have just discussed? Was the commercial facing Harris Street specifically planned to be retail or was that just unspecified commercial?

Mr. Virgilio – Specified commercial retail might be a little limiting

Ms. Robertson – I might recommend, given all of the discussion, it might be good to revise the third condition to say “during the first two months for which the building leases dwelling units, landowner shall reserve five units for lease by Housing Choice Voucher holders at rents that allow the vouchers to be utilized?”

Commissioner Stolzenberg – Does it make sense to add something there requiring notifying the Housing Authority that those are available? Is that reasonable and legal?

Ms. Robertson – I think that would be a reasonable condition.

Motion – Commissioner Stolzenberg – I move to recommend approval the special use permit allowing the specific development proposed within the application materials for SP21-00001 subject to the following reasonable conditions and safeguards. The conditions presented in the staff report with the following modifications. Condition 1b: The commercial space on the ground floor of the building, facing Allied Street shall be designed, occupied and used for retail uses and commercial space facing Harris Street shall be in the building the rest as specified. Condition 3: During the first two months for which the building leases dwelling units, the landowner shall reserve five units for lease by Housing Choice Voucher holders at rents that allow vouchers to be attached and provide notification to the Charlottesville Redevelopment and Housing Authority that such units are available. (Second by Commissioner Heaton). Motion passes 7-0.

IV. COMMISSION’S ACTION ITEMS

Continuing: until all action items are concluded

V. ADJOURNMENT

The meeting was adjourned at 8:42 PM.