

**Planning Commission Work Session**

**October 29, 2019 5:00 PM to 7:00 PM**

**NDS Conference Room**

**Members Present:** Chairman Mitchell, Commissioners Heaton, Solla-Yates, Stolzenberg , Green, Lahendro, Dowell

**Staff Present:** Patrick Cory, Carrie Rainey, Alex Ikefuna

The meeting was called to order by the chairman at 5:05 PM

**1. CRHA South First Street, Phase II Preliminary Discussion**

**Staff Report**

**Carrie Rainey, City Planner** – Ashley Davies of Riverbend Development, on behalf of Charlottesville Redevelopment and Housing Authority (or CRHA), requests a Special Use Permit (SUP) to allow for private outdoor parks, playgrounds, and ball courts per Z.O. Sec. 34-420 and a reduction of the minimum required yard setback to five (5) feet for all setbacks per Z.O. Sec. 34-162(a). The applicant submitted a preliminary site plan and Critical Slope Waiver request in conjunction with the Special Use Permit application. The preliminary site plan proposes 113 multifamily residential units at an approximate density of 14.23 dwelling unit per acre (DUA), a community center, and office space for to be used by CRHA. Staff anticipates the Planning Commission will hear the Critical Slope Waiver request at the same meeting at which the Joint Public Hearing for the Special Use Permit is held (anticipated for December 10, 2019). The applicant is requesting a Special Use Permit both to establish uses on the subject property and to modify yard setbacks. Staff recommends the Planning Commission focus their discussions on the potential impacts related to each request.

*Outdoor private parks, playgrounds, and ball courts*

Z.O. Sec. 34-420 permits outdoor public parks, playgrounds, and ball courts by-right. Privately-owned facilities require a Special Use Permit. The application indicates the spaces will be located throughout the site, including a grouping adjacent to the proposed community center (clubhouse), which is located at the center of the development. The Planning Commission should consider:

1. Are the proposed uses harmonious with existing patterns of use and development within the neighborhood? (Z.O. Sec. 34-157(a)(1))
2. Do the proposed uses conform to the Comprehensive Plan? (Z.O. Sec. 34-157(a)(2))

For reference, the Comprehensive Plan defines High Density Residential as land intended to be occupied by multifamily housing types (townhouses, apartments, and condominiums) and at a density greater than 15 dwelling units per acre (DUA).

### *Modified Yard Setbacks*

Z.O. Sec. 34-162(a) permits City Council to modify yard regulations when reviewing a Special Use Permit application. The R-3 Multifamily Residential District requires a 25-foot front and rear yard setback, and side yard setbacks dependent upon residential density and height. For this development as currently proposed (14.23 DUA, 35-foot building height per preliminary site plan), the applicable side yard setback is 17.5 feet. The applicant requests a reduction for all yard setbacks to five (5) feet. The application notes the reduced yard setbacks allow for better utilization of the buildable area, less impact to Critical Slopes, and creation of a more comfortable street environment.

The Planning Commission may wish to refer to the preliminary site plan, which shows front porches on the units fronting on 1<sup>st</sup> Street S, and proposes the buildings along Elliott Avenue as set further back than the requested five (5) foot minimum setback. However, the preliminary site plan does show a minimum 25 foot rear setback along the eastern (Pollocks Branch) side of the property, when it otherwise references the requested five (5) feet requested setback. For clarification, the Zoning Administrator has confirmed this is the side of the property (Elliott Avenue is considered the front of the property per Z.O. Sec. 34-1122). The Planning Commission may wish to ask for clarification between the two submissions, as suggested below. The Planning Commission should consider:

1. Does the applicant wish to retain the flexibility of 5-foot setbacks for all front, side, and rear yards, while planning to provide larger actual setbacks for most buildings?
2. Will the proposed development have any potentially adverse impacts on the surrounding neighborhood due to massing or scale, and if so, are there any reasonable conditions that would satisfactorily mitigate such impacts? (Z.O. Sec. 34-157(a)(4)(j))
3. Are the yard regulation modifications in harmony with the purposes and intent of the regulations of the R-3 Multifamily Residential District? (Z.O. Sec. 34-162(a)(1))
4. Are the yard regulation modifications necessary or desirable in view of the particular nature, circumstances, location, or situation of the proposed uses? (Z.O. Sec. 34-162(a)(2))

**Ashley Davies, Riverbend Development** – A year ago we were before you with the Phase I critical slopes waiver. We had successful LIHTC applications for both the South First Street Phase I and the Crescent Hall renovations. Those projects will be underway early next year. This is the second Phase of the South First Street redevelopment. The first phase was on the vacant ballfield land. That was sixty-two apartment units and a community center. For this Phase II development, the residents of South First Street have been working intensively since the beginning of the summer every week with Bruce Wardell, whose team of architects and planners envision what type of community and neighborhood that they want here. The site plan, special use permit, and the critical slopes waiver are all a result of that work with the residents. It is so impressive what they have come up with. Everybody is very excited about the project. In terms of the Special Use Permit, there was a very intentional move to group some of the larger areas around the community center, which is at the heart of the neighborhood. Every grouping has

their own smaller scale outdoor amenity space. Those are really peppered throughout the community. We were frustrated in Phase I with the suburban setbacks with the typical R-3 zoning. We did wrestle with that 25 foot setback on the front and how we do create the street frontage that we want along South First Street. That is our additional request with this special use permit that we would have a five foot setback instead. As it stands now, the property line is already five feet from the rear of the existing sidewalk.

**Chairman Mitchell** – Can you talk about the discrepancy between the site plan and what you are asking for?

**Ashley Davies** – The R-3 zoning typically has a 25 foot front yard setback. In our Phase I project, we just did standard by right development because of the time constraints we were dealing with to meet the tax credit deadline. We started earlier to allow for the community resident planning and the master planning process. Through that, we decided that we wanted to pull those buildings forward and not have such a suburban setback. It creates a better street frontage instead of that 25 foot setback.

**Chairman Mitchell** – What you submit will reflect what you really want?

**Ashley Davies** – Yes. On the special use permit, that is correct. On the site plan, it still has a 25 foot rear yard setback. We just need to correct that.

**Patricia Howard, Resident Planner** – I live on South First Street and I am one of the community planners for our community. The guiding principles are working together, friendliness, communication, including the children, teamwork, inviting others to join, and make this place our own.

**Alicia Gardner, Resident Planner** – Neighborhood characteristics include the following: Appropriate sized apartments, security in the neighborhood, cleanliness, a good neighborhood design, minimize multi-story construction, open spaces for children, lots of green space, good mechanical systems, prioritize the residents and manage visitors, private yard areas for the units, and use of the landscapes.

**Patricia Howard** – Phase I is going to start in January or February. One, two, and three bedroom units are going to be at the bottom in front of the community center

**Ashley Davies** – That's where the current ballfields and basketball court are now located. One of the issues is that those play spaces are away from the homes. None of the parents can watch their children, while they are playing.

**Patricia Howard** – Phase II is where the center and the maintenance department are located. They are going to take out all of that. The first row of apartments in front of the community center are going to go as well. They are going to put in 4 and 5 bedroom apartments all of the way to South First Street. There are going to be a few 1, 2, and 3 bedroom apartments. The buildings in the back are going to be the townhouses and apartment buildings. These buildings are going to be two stories high. There are going to be townhouses in the front. There are going to be apartment buildings facing Elliott Avenue.

**Alicia Gardner** – We broke down the neighborhood into different sections. This is the South First Street Side, we have the wooded creek area, we have the edge, and we have the area around Elliott Avenue. In the middle, we have a road that comes through with parking. We decided to make that the central area with the recreation center, parks, and basketball courts.

**Debbie Cooper, Resident Planner** – These are the different open spaces and areas in the site.

**Ashley Davies** – There are sensitive areas to the site. All of the areas in pink are the city GIS layer of critical slopes. You have Pollocks Branch. The areas in white are the setbacks. That was trying to get the initial idea of what is the buildable area and the areas that we want to avoid impacting as much as we can.

**Patricia Howard** – There is that little creek back there and nothing can be built back there. Everybody had to put stickers on where they would like the community center to be. We voted on how many people liked it there and where we wanted the apartment buildings to go. It is going to provide more safety for the kids by cutting off certain roads, and the kids won't be out playing in the roads. Cars will not be able to fly thru to the other side.

**Alicia Gardner** – Over the past weeks, this is how we put everything together. It is a different layout with the different green spaces. We have taken out some of the buildings where some of the bigger green spaces are going to be. Collectively, we went through and tried to determine where we are going to put the roads, where the parking was going to go, how it is going to look from the outside, and how it is going to blend in with the rest of the neighborhood. We collaborated on all of this together. We have decided that the community center should be at the center of neighborhood, so that everybody will be able to see it. It is going to be a central area for everyone. It can be seen from everybody's home. It makes it safer for the kids in the community to go to the community center. There are 4 and 5 bedroom apartments with 3 or 4 stories, and we figured that was the best place to put an apartment building. Everybody has their own green space and courtyard area. This is a rough draft of the finished product. The courtyards don't face the street. They face inside. We changed the flow of the traffic. We wanted to keep the neighborhood connected and not disconnected. There will be walkways that ties it all together, instead of it being separate neighborhoods.

**Ashley Davies** – This is on track for another tax credit submittal in March. We wanted to have the opportunity have a conversation with Commission in advance of any official meeting or public hearing on the Special Use Permit.

## **2. Public Comment and Commissioner Comments/Questions**

**Commissioner Lahendro** – Is the trail at Pollocks Branch still in the works?

**Ashley Davies** – In the Phase I work that we did, there is an existing twenty foot pedestrian access easement that follows the trail system. It also gives access through the neighborhood down to the bridge that the City will be installing across Pollocks Branch. The trails wind up by the stream. That easement is in place already for the system.

**Commissioner Lahendro** – My question has to do with the conceiving of this design. Connections between the neighborhood and that future trail have been considered. I can see that being an amazing amenity. A concern that I have is that I am little disappointed that there are not more trees planned for the neighborhood, especially those along First Street are under story trees and not canopy trees. Is there a reason for that?

**Carrie Rainey** – They do not meet the requirements for streetscape trees. Staff is in the process of reviewing preliminary site plan to provide comments. We don't have an actual comment letter. Staff has noted that as well.

**Commissioner Lahendro** – Some of the concerns involve townhouse units looking out into parking areas, with no trees or vegetation shown in between those places. I really encourage looking at opportunities for adding more trees and larger trees.

**Ashley Davies** – This landscape plan will definitely evolve. We are working with Water Street Studios. This is the engineer's version of the plan. We do have a wonderful landscape architecture studio that is plugged in. The next version of this coming in will be a vast evolution.

**Bruce Wardell, Architect** – There is also a balancing act between the LIHTC applications, with the overall cost. You take the unit mix and divide it by the overall cost of the project. There is the balancing of submitting a site plan that meets the code requirements, but not loading it with extra costs as we go through the LIHTC application. There is this "threading the needle" that we have to do with the lie tech application.

**Commissioner Lahendro** – I do like the concept of the townhomes being closer to First Street. That is a great idea. That gives the street a character to it that is more urban. I like the layout, the placement of the community center, and the ball courts. I am very pleased with what I see for that. I don't want the neighborhood to be on the short end of the stick for getting the appropriate kind of landscaping that everyone needs for health, and the city needs for getting rid of pollutants.

**Patricia Howard** – We will be having more trees and nice landscaping.

**Commissioner Green** – I am in awe at the amount of the work that has been put in. Taking ownership of the community is the first part. Getting a community engaged is something that we always strive for. You have done so much work, and it is amazing. There are some great planning principles. The best way to access those trails is through Phase I due to the critical slopes. We do need to have more accessibility. I am thrilled with all of the work that has been done.

**Commissioner Stolzenberg** - I do like how it is right up against the street. The Special Use Permit is for the reduced setbacks. This isn't the first time that a group has come to the Commission to reduce the setbacks. We should think about getting rid of the rule that we have to set it back 30 feet from the street. The plan looks really great. I did have one question about parking. Is it one spot per unit plus a visitor?

**Alicia Gardner** – There is at least one parking spot for each resident. There is roughly one guest parking spot per apartment. We also wanted to make parking that was not that far from the units walking. There are going to be some handicapped accessible units. We do want to make sure to have some parking regulated with a parking pass. I don't know how the parking is going to go.

**Patricia Howard** – The one and two bedroom apartments are going to have one parking space. The rest will have two parking spaces.

**Commissioner Stolzenberg** – I had a question about the phasing. The Phase 2a is the first stuff that is going off. Does everyone move out of their existing place?

**Alicia Gardner** – The plan is for the construction on the ballfield to be done at that time, so that they can move residents. There is not a lot of displacement. The reason for that was because the buildings on the ballfield. We had to find somewhere to accommodate them so that they are not displaced. That is where 2a comes from to help accommodate those living in 4 and 5 bedroom apartments. It doesn't really displace any families.

**Commissioner Green** – Can you speak about the need?

**Patricia Howard** – There are about 19 four and five bedroom apartments that are existing.

**Bruce Wardell** – We need 11 four bedroom apartments and 11 five bedroom apartments on site right now. In the Phase I construction, there are no 4 or 5 bedrooms apartments. We needed to phase the project, so that those in the 4 and 5 bedroom apartments have a place to go to.

**Chairman Mitchell** – How many bedrooms are in existence now? How many will we net?

**Bruce Wardell** – Right now, there are 58 units total.

**Ashley Davies** – There will be 175 units.

**Bruce Wardell** – When we started this process, we didn't have a plan for those in 4 and 5 bedroom units. When we talk about a resident led process, they made sure that we had a plan for the families in the 4 and 5 bedroom units. We went through 6 plans on how to give a general alternate for those families. They came up with this phasing idea and keeping people on the property. This is a plan that they pushed us to develop.

**Commissioner Solla-Yates** – Significant improvements over Phase 1. The work really shows. The excellence of what I am seeing here will make Phase 1 look better. The process is exciting to see. It's the best I have seen. We want to see resident led and people focused design and planning. Can you help me understand the private and public split?

**Ashley Davies** – The ballfields, parks, and playgrounds that are private are primarily geared towards the residents of South First Street.

**Dave Norris** – With this neighborhood, there is a constant flow of people and pedestrians. At the end of the day, it is Housing Authority property. We are liable and accountable for what happens there. We do reserve the right to control access.

**Commissioner Solla-Yates** – Is there a possibility of using the spare parking to benefit the rest of the community? How does that relationship work?

**Ashley Davies** – I don't think that we have fully vetted how the parking is going to be distributed. If you get into larger, multi-family complexes, you're not going to have people there at the same time. You will have additional parking that is available. You are going to have to work with residents and make sure people have a space that's available to them close to their unit and see what the demand is.

**Commissioner Dowell** – I see from the plan that there is going to be green space and basketball courts. Is there going to be any kind of play structures?

**Ashley Davies** – Yes.

**Commissioner Dowell** – I am excited that we are getting affordable units in the city. I look forward to the rest of the project.

**Commissioner Heaton** – Somebody mentioned parking enforcement. That's a concern that needs to be raised for the whole city. If there is no enforcement, what is that going to look like?

**Patricia Howard** – We do have a policy now. If you live there, you have a permanent sticker on your window. For visitors, you have the tag that you hang in your windows. Some things might have to change on that. We feel that it is not really being enforced right now. Maybe those that live there can have a number for the parking space and you have a visitor parking space. That will cut down some of the traffic.

**Alicia Gardner** – Accountability is going to be important. It's for the Housing Authority to hold those people accountable.

**Commissioner Heaton** – That's why I wanted to raise that. It's not going to be in this permitting process. The Housing Authority needs to realize that this is a problem.

**Commissioner Dowell** – We do need to make sure that we have parking enforcement so that the residents do have somewhere to park. Don't make it so stringent that guests don't want to come and visit.

**Commissioner Heaton** – Are there currently any high canopy trees on the property that could be preserved during construction? Those landscape features that you can preserve will really help. I really like the creativity in the phasing that you put together.

**Chairman Mitchell** – I am very impressed with the work that you guys have done. I am impressed with the work that you have done together. You have to protect the creek. My only recommendation is to be very detailed with the steep slope waiver and complete with the application.

**Peter Krebs** – Piedmont Environmental Council – Amazed by all of the work that has been done – Like how you put the basketball courts where kids and parents can see it – Execution to be useful for people to get around – Way up to Rockland Street is suitable – Continuous connection to Jordan Park – Would like to work with the group in the future

**Kathy Galvin, City Councilor** – This is incredible work – There are very good concepts of excellent planning – You are creating a beautiful edge to South First Street – Really good use of the SUP application

**Commissioner Dowell** – There was a community garden in the ballfield. Is that going to be part of this?

**Alicia Gardner** – We are hoping that big green space next to the community center is going to become a playground area. The hope is that the community will do their own small community garden. It will not be as big. It will be something that the kids can go to the community center to work on. We have discussed having a little garden.

The meeting was adjourned at 6:30 PM by Chairman Mitchell