

**Albemarle County Planning Commission
FINAL Minutes MARCH 14, 2023**

The Albemarle County Planning Commission held a public hearing on Tuesday, March 14, 2023, at 6:00 p.m.

Members attending: Corey Clayborne, Chair; Fred Missel, Vice Chair; Karen Firehock; Julian Bivins; Luis Carrazana; and Lonnie Murray.

Members absent: None.

Other officials present: Kevin McDermott, Director of Planning; Andy Herrick, County Attorney's Office; Jodie Filardo; Rebecca Ragsdale; Alberic Karina-Plun; and Carolyn Shaffer, Clerk to the Planning Commission (remote).

Call to Order and Establish Quorum

Mr. Clayborne called the meeting to order.

Ms. Shaffer called the roll.

Mr. Clayborne established a quorum.

Other Matters Not Listed on the Agenda from the Public

There were none.

Consent Agenda

Mr. Missel moved to adopt the consent agenda as presented. The motion was seconded by Ms. Firehock and passed unanimously (6-0).

Public Hearings

SP202200012 – City Church Expansion

Ms. Rebecca Ragsdale, Planning Manager, stated that the City Church was a religious assembly use, and it was located across from Belvidere Boulevard, between CATEC and the City neighborhood of Greenbrier, and near Dunlora and the John Warner Parkway. She said that the site had existing structures, parking, and a wooded buffer separating the property from Greenbrier. She said that the existing property was zoned R4, and the surrounding properties were zoned R4 and commercial. She said that the parcel was designated as urban-density residential in the master plan. She said that religious assembly uses were considered secondary use in residential areas.

Ms. Ragsdale said that the concept plan for the site was provided. She said that the existing use had been in operation since the 1980s. She said that there were existing entrances to the site from Rio Road. She said that there was a previous special use permit which included a request for up to 500 seats and redevelopment of the property, but there had been a reevaluation of the church's needs. She said that the present request was for 320 seats, to expand the existing

structure and parking, and to build a multi-purpose building to use as a gym and office space. She said that grading and stormwater management facilities were associated with the requested use.

Ms. Ragsdale said that other major elements of the proposal included the 20-foot buffer along the western property line. She said that there was a height limit of 35 feet, and the building would be located at the rear of the parcel. She said that staff did not identify concerns related to the impacts of the development. She said that the site plan would contain the final landscaping details. She continued that the existing parking areas would be brought to compliance with the code requirements for tree canopy, landscape islands, and parking lot landscaping requirements.

Ms. Ragsdale noted that the concept plan for the site did not make any proposals that would preclude the implementation of the Rio Corridor Plan continuous green-T. She said that staff did not identify concerns related to additional traffic impacts. She said that a community meeting was held, and there were several questions regarding traffic that had been answered at the meeting. She said that Greenbrier residents expressed concerns about stormwater runoff, but the stormwater management would improve with the site plan. She said that there may be drainage from other areas that generated concerns for the City residents.

Ms. Ragsdale noted that the proposal was for an existing use seeking to expand to meet current needs. She said that proposal was not out of character with the longstanding use. She said that the comprehensive plan recognized the need for secondary uses in residential areas. She said that the staff recommended approval and did not identify concerns with the use.

Ms. Ragsdale said that the recommended conditions were typical special use permit conditions that stipulated consistency with the concept plan, established a maximum capacity and provided the necessary area to implement the Rio Road Corridor Plan. She said that it was typical to include an expiration for the use to commence, and five years were allotted for the proposal. She noted that the previous special use permit would expire in May.

Mr. Bivins clarified that the applicant was not requesting for the previous special use permit to be extended past the May expiration date.

Ms. Ragsdale responded yes.

Mr. Missel clarified that the parking did not intrude into the 10-foot parking buffer.

Ms. Ragsdale said that the buffer was along the western property line. She said that the other setbacks were consistent with residential requirements.

Mr. Missel asked if the parallel parking spaces were within the buffer.

Ms. Ragsdale responded that there was no setback requirement for parking, and staff did not recommend a buffer requirement along the property line with CATEC.

Mr. Missel asked how the critical slopes on the site would be handled.

Ms. Ragsdale responded that the site was within the development area, so there were managed and preserved slopes. She said that the impacted slopes were managed slopes, and they met the design standards of the ordinance.

Ms. Firehock asked whether trees would be removed to install the stormwater management pond.

Ms. Ragsdale responded that there would be tree removal. She said that the wooded areas to remain had to maintain a 20-foot buffer.

Mr. Murray asked whether the stormwater management would be a biofilter or retention pond.

Ms. Ragsdale said that the final design would be addressed with the site plan. She said that the applicant would be able to provide more details.

Mr. Clayborne asked whether the project would be built before the intersection improvements.

Mr. McDermott said that it would be likely because the intersection project was not currently funded. He explained that the intersection project could be identified for funding in FY 25, and then it would probably take four years to complete.

Mr. Clayborne opened the public hearing. He read the rules for public comment.

Mr. Chris Becker, Operations Pastor of City Church, stated that they had been hosting services at Charlottesville High School, but they had to move to their current space due to the pandemic. He said that their services had required more space and facilities as more people joined the congregation during the pandemic.

Mr. Craig Kotarski of the Timmons Group, representing the applicant, said that the proposal included the addition of a multi-use structure for the church. He said that the request was for 10,600 square feet, 40 additional parking spaces, and 320 seats. He noted that they were not proposing more seats than the current attendance, which was about 310. He said that the prior special use permit was no longer being pursued. He said that they anticipated starting construction a year after the permit was approved and intended to complete the project before the Rio Road corridor improvements were to occur.

Mr. Kotarski said that some trees would be removed. He said that the site would be brought into compliance with the tree canopy requirements. He said that the parking site was void of trees in the parking area, so they sought to reduce heat islands. He said that the stormwater management would likely either be a biofilter or stormwater retention pond, but they were hesitant to have standing water around children. He said that they wanted to enhance the water quality of the stormwater runoff.

Mr. Bivins asked about the potential for a road connection between the church site and the CATEC site to facilitate entering and exiting.

Mr. McDermott explained that in the Rio Corridor plan, a connection between the City Church parking lot and CATEC was conceptualized, but they had not moved forward with the plan. He said that if the project to improve the intersection moved forward, there was a funded project for a roundabout on John Warner Parkway, which was projected to begin construction in 2025. He said that if the project were to move forward, a U-turn location would be available at the next street, Greenbrier Terrace.

Mr. Carrazana clarified that the applicant would be bringing fill to the site for grading.

Mr. Kotarski responded that the site grading was only conceptual, and they wanted to limit the use of fill. He said that there was a retaining wall that could be extended. He said that grading would be addressed in the site plan.

Mr. Carrazana suggested that the applicant address the slopes at the back of the building.

Mr. Kotarski said that the steeper slopes were on land that was harder to use.

Mr. Missel noted that the plan included in the staff report was different from the report shown by the applicant. He asked if the applicant had a preference for one plan or the other.

Mr. Kotarski said that if the plans were different, then they were fairly close in content because few items were changed in response to comments from the County staff.

Mr. Missel said that the proposed parking was different between the plans.

Mr. Kotarski said that they were looking for ways to maximize parking on the site, but there were limitations to the site.

Mr. Missel asked how the stormwater flow from the parking lot would be addressed.

Mr. Kotarski responded that the addition was sited near the parking lot, and the stormwater flow went toward the building. He said that they would later address the placement of inlets and backup systems.

Ms. Firehock asked what the applicant intended to use the new building for.

Mr. Becker said that they used the building seven days a week, and they struggled with capacity. He said that local groups had requested to meet in the church. He said that they currently utilized the gym at the church across the street. He said that the youth group currently met in the sanctuary. He said that the proposed building would include a gym and office space. He said that there would be space throughout the week for small groups to use the facility.

Ms. Firehock asked whether they anticipated community groups to use the facilities to host meetings.

Mr. Becker said yes. He said that they received several requests from the community and from groups within the church.

Ms. Firehock asked if there were plans for the lawn area on the site.

Mr. Becker said that during the pandemic, they created an open field with a platform to host services outside. He said that the field was also used as a meeting spot for children. He said that they would continue to keep the area as greenspace.

Mr. Murray noted that parking islands could be used to treat stormwater. He said that allowing stormwater flow to the plants in the islands reduced the need for watering. He said that Crozet Elementary provided informational pavers about the local plants.

Mr. Clayborne asked if they would be able to maintain the minimum amount of parking during

construction.

Mr. Kotarski responded that the church had an agreement with CATEC, and a lot of the parking occurred at CATEC, and there was a path that led to the church.

Mr. Clayborne asked what other sustainability measures were being considered by the applicant.

Mr. Kotarski said that they were always trying to consider sustainability measures. He said that they wanted to ensure that they used native plants.

Mr. Clayborne noted that the dumpster was located at the front of the entrance.

Mr. Kotarski said that the site would likely be screened. He said that there was space in the rear of the building, but they wanted to consider access to the dumpster.

Mr. Missel asked what the maximum assembly was for the service.

Mr. Becker said that it was around 340 people.

Mr. Missel noted that the staff recommendation was to limit the seats to 320. He asked whether the requirement would reduce the capacity.

Mr. Herrick responded that the current condition limited the capacity to 320 seats, so the proposed condition was just a continuation of the previous condition.

Ms. Ragsdale responded that the prior special use permits did not limit the number of seats, and the most recent amendment was for 500 seats. She said that they typically included a condition to establish the sanctuary.

Mr. Clayborne asked how big the congregation was.

Mr. Becker responded that they typically hosted about 500 people on Sundays, but there were three services.

Mr. Clayborne opened the hearing for public comment. He noted that there were no speakers and closed the public hearing.

Ms. Firehock noted that the proposed use was appropriate for the site. She said that she did not have any concerns.

Mr. Bivins said that he did not have any concerns.

Mr. Carrazana said that there were some issues to address during the site plan, but otherwise, the proposal was straightforward.

Mr. Clayborne clarified that there would be a requirement for entrance and exit signage on the site.

Ms. Ragsdale responded yes. She said that landscaping and additional pedestrian infrastructure would be addressed in the site plan.

Mr. Missel motioned for the Commission to recommend approval of the special use permit, SP2022-00012 City Church Expansion, Attachment D, for the reasons stated in the staff report and with the conditions presented by staff at the meeting. Mr. Murray seconded the motion, which carried unanimously (6-0).

Presentations

Affordable Housing Developer Incentives

Dr. Stacy Pethia, Housing Policy Manager, stated that the presentation would not be focused on developer incentives, but it would provide an overall update on the housing progress since 2021. She said that they would cover an update on the affordable housing stock in the County, an update on funding activities for Southwood, an update on funding awards for affordable housing the past fiscal years, an overview of the affordable housing grant program, a discussion on a proposed affordable dwelling unit ordinance, and other activities on the work agenda.

Ms. Pethia stated that Housing Albemarle was formed in 2021, and since then, Board approved funding in January 2022 to hire a housing project manager to assist the program. She said that they hired a staff person in December 2022 after an 11-month search. She said that the housing project manager was currently working on Southwood and the CDBG.

Ms. Pethia said that there was a work session with the Board in February 2022 on a proposed affordable housing overlay, but progress had not moved forward. She said that there was a Board meeting in May 2022 to discuss an affordable dwelling unit ordinance, and the Board passed a resolution of intent to amend the zoning code. She said that a meeting was scheduled for April 2023 before the Board, and they planned to hold a work session with the Commission after the Board meeting.

Ms. Pethia said that they provided funding in April and July 2022, and they had another work session scheduled with the Board. She said that the affordable housing stock figures were current up to May 2022, and the staff was collecting new figures which would be published in May. She said that there were 2,157 affordable housing units in the County, and those included rental and for-sale units. She said that about 1,400 units were subsidized rental units, including low-income housing tax credits and other federally funded units.

Ms. Pethia said that there were about 1,500 affordable units in the development pipeline as of May 2022, and nearly 900 of those units were subsidized rental units. She noted that there were 653 proffered units. She said that in terms of Southwood, a performance agreement was signed in 2019 that provided \$3.2M in funding, and \$1.8M was cash through the housing fund. She said that the money was disbursed over six disbursements as Habitat reached six milestones. She said that Habitat reached all six milestones, and the entire cash contribution had been distributed. She said that the remaining funds of \$1.4M was going to be provided through real-property tax rebates which should begin in 2023.

Ms. Pethia explained that there was a hierarchy of usage for the funds—the funds should be used to construct Habitat homes; the funds could be used to pay down construction-related debt; and any remaining funds could be saved for Phase 2 construction. She said that they were awarded a \$1M CDBG, and those funds were being used to construct five single-family homes—one single-family detached, and the other units were duplexes. She said that \$40K of the \$1M was

being used to construct a small tribute park to the Monacan Indian Nation heritage on the site.

Ms. Pethia said that FY 23 funding was awarded to the housing fund, and they awarded \$306K to Habitat to help with rental assistance as residents in Phase 2 needed to move to accommodate construction. She said that the funds were to be used as short-term rental assistance to help with relocation. She said that in FY 22 and FY 23, they awarded \$12.4M through a variety of sources, such as the CBDG and the Agency Budget Review Team (ABRT).

Ms. Pethia said that there was \$118K in HOME Investment partnership funding to help construct one house in Southwood. She said that there was \$2.7M in ARPA funding, which was primarily focused on the Premiere Circle permanent supportive housing project. She said that the project should start construction later in the year. She said that there had been a delay due to construction costs rising, so they were applying for additional low-income housing tax credits to fill the funding gap.

Ms. Pethia said that revenue through the housing fund was about \$4.9M. She said that the funding supported the construction of 724 affordable rental units and 352 owner-occupied units. She said that the funding included rehabilitation and safe shelter for 200 survivors of domestic violence. She said that they provided services and shelter for 406 individuals and families experiencing homelessness, and they provided housing counseling services for 558 households.

Ms. Pethia said that she did not yet have details on the affordable housing grant program. She said that the program was focused on implementing Housing Albemarle Strategy 2C, to provide incentives to increase the production of rental housing. She said that the program was authorized under Virginia Code § 15.2-958. She said that the grant program could be used for individual homeowners who needed to perform housing rehabilitation.

Ms. Pethia explained that for property owners to receive the loans, they would need to provide a minimum of 20% of the residential units as affordable housing with a minimum affordability program of 10 years. She said that the County was allowed to set the affordability period to a longer term. She said that staff proposed that the grant program be structured as a real-property tax rebate.

Ms. Pethia said that the affordable dwelling unit ordinance was enabled under Virginia Code § 15.2-2304. She said that the County was able to require a percentage of the total residential units to be set aside as affordable. She said that the County could set affordability levels for the units and the length of affordability. She said that the County could establish a per-unit cash-in-lieu fee and incentivize the construction of units beyond the density increase. She said that the staff was scheduled to have a work session about a proposed ordinance with the Board on April 19. She said that once the work session happened, staff would incorporate the Board's feedback and schedule a work session with the Planning Commission.

Ms. Pethia said that they were working on creating an affordable housing waiting list, and it would be directly connected to the proffered units through an ADU ordinance. She said that the goal was to connect income-qualified renters and buyers directly to the units. She said that the plan was to start small, and they intended to start with the Police Foundation and County staff. She said that they would open up the waitlist County-wide once the process was established.

Ms. Pethia said that they were developing a tool to track the implementation of Housing Albemarle and how they were meeting their objectives. She said that they were waiting to hear whether the

County would be awarded an infrastructure grant. She said that they had not made the tentative list, but they did make the contingency list. She said that 24 projects had received tentative offers for grants, and 14 projects had made the contingency list. She said that they would have an answer by the middle of April. She said that if they received the award, then the agreement with Southwood was that the County would manage the project.

Mr. Murray noted that the stormwater conservation district had helped residents with septic issues. He asked if Ms. Pethia could provide more information about the program and how the funding had been used.

Ms. Pethia responded that she did not manage the program, and it went through the Finance and Budget Department.

Mr. Murray said that the program helped to keep people in their houses.

Ms. Pethia said that some ARPA funding had been used for the program. She said she would provide updates to the Commission after the meeting.

Ms. Firehock asked if the annual report included a review of how many units were no longer affordable.

Ms. Pethia responded that they did not yet include a review of units that were no longer affordable. She said that they did not have a tracking system in place, but they were trying to create a tool. She said that there was a national group that tracked assisted housing.

Ms. Firehock noted that the median housing price kept increasing. She said she wanted a sense of whether they were increasing real affordable housing stock.

Ms. Pethia said that they did not have a good way to track that information.

Ms. Firehock asked if they had considered a longer period for affordable rental and for-sale units to be on the market.

Ms. Pethia said that they wanted to ensure developers were not holding onto the property for so long that they lost money. She said that they needed to find a way to keep the properties affordable for longer periods. She said that they could create an affordable dwelling unit program ordinance. She said that there would still be a 90-day affordability period, but the program could be changed so that the County could restrict the resale price for 40 years. She said that the ADU ordinance allowed them to implement requirements that they were not able to do through the proffer system.

Ms. Firehock asked if the affordable units would remain affordable or if the affordability had an expiration date. She said that there was a certain hope that the person living in the affordable unit would advance in their career and be able to afford the price when it changed, but many for many jobs, that did not happen, so the problem was only deferred for those who were unable to afford an increased price.

Ms. Pethia said that the housing policy recommended extending the time period from 10 years to 30 years, which could be achieved through an ordinance.

Mr. Missel said that the tracking tool would be a great thing to have, and being able to check and know how they were doing was important. He asked if the tracking tool include more subjective measures such as quality of the housing, equity, or subjects other than statistical and financial data.

Ms. Pethia said that she would have to figure out how to include that information, because it was important data to have. She said that the funding agreements through the housing fund included collection of household data to go along with that, so they would be able to say how many people were in the household, who the head of household was, if there were any people with disabilities, senior citizens, children, along with race, ethnicity, and income level. She said that she would have to research other types of data to include as well, and may have to refer from census data, but could certainly include more.

Ms. Firehock asked if potential quality questions could be related to people per bedroom and square footage of rooms.

Mr. Missel said that another Commissioner had mentioned that poor quality affordable housing was still losing affordable housing, so it was important to understand that if they were losing poor quality affordable housing and replacing it with much better affordable housing, that was positive, but if those people had to leave their home because of that and were displaced to a distant location it was not. He said that retainment of residents and whether they can remain in their homes should also be assessed as part of the tool.

Mr. Missel said that the wait list was mentioned as being income-qualified, and he would like to know if there were other data points that were measured.

Ms. Pethia said that they would have to focus on income qualification, because any other measure may pose fair housing issues that should be avoided.

Mr. Missel asked if Ms. Pethia could share what developer incentives were being considered.

Ms. Pethia said that the information presented to the Planning Commission was the most up-to-date information she currently had. She explained that staff was analyzing if the amount of property tax rebated each year must be capped, such as Washington D.C.'s tax abatement program for affordable housing that capped FY24's tax abatement across the applicable areas at \$400,000, then \$4M the following year, then \$400M the next year. She said that she would not have an answer to Mr. Missel's question until next week.

Mr. Missel asked if things like tap fees, real estate taxes, housing density bonuses, and cash contributions were being looked at.

Ms. Pethia said that this item was specifically focused on a property tax rebate, and to help support construction or provision of those units as affordable housing.

Mr. Missel asked if the per-unit cash-in-lieu fee amounts mentioned in Virginia Code §15.2-2304 would be paid into a larger fund.

Ms. Pethia said that it would. She said that currently, the cash-in-lieu payments for housing proffers went into the housing fund, so this money would do the same thing.

Mr. Missel asked how the housing fund funds were distributed and what the qualifications process entailed.

Ms. Pethia said that in the past, there was never large sums of money, so if there was any money in the housing fund, the director would request nonprofits to send proposals in, and then make recommendations to the Board of Supervisors. She said that they currently were looking at implementing a competitive application process, with a request for proposals issued annually along with a very specific set of requirements to respond with. She said that using an evaluation matrix, a cross-departmental review team would score and evaluate each application, and those recommendations for funding would be taken to the Board of Supervisors.

Mr. Missel asked Ms. Pethia if this team would be similar to Alexandria's housing advisory committee who administered those funds.

Ms. Pethia said yes. She said that one of the recommendations in the housing policy was to create a housing advisory committee, which could potentially be utilized for that purpose. She said that initially, the internal team would be different representatives of different County departments.

Mr. Missel asked if the team would be composed of only individuals within the County.

Ms. Pethia said yes, until they had the capacity to allow other community members to participate.

Mr. Missel asked what the current balance of the housing fund was.

Ms. Pethia said that it was approximately \$650,000, with more funding to be received in the next fiscal year budget.

Mr. Missel asked if the housing fund balance was different than the housing fund reserve amount of \$4.8M.

Ms. Pethia said that that figure was how much funding was issued out of that fund.

Mr. Missel asked if there was only \$650,000 remaining.

Ms. Pethia said yes.

Mr. Missel asked if that amount only continued to grow if developers put money into it.

Ms. Pethia said that was correct. She said that once or twice per year, when a pool of cash-in-lieu payments or proffered cash payments, those payments were transferred to the housing fund, and generally through the budget process more funds were placed into there. She said that in the upcoming budget, it was recommended that \$3.9M be placed in.

Mr. Missel asked if the amount was replenished every year.

Ms. Pethia said that was correct.

Mr. Missel asked what the amount paid in lieu was as an average.

Ms. Pethia said that it varied. She said that she would have to calculate that number.

Mr. Missel asked if that could be compared as a percentage to what developers built as houses.

Ms. Pethia said that she would have to look further into that information.

Mr. Carrazana asked how Ms. Pethia saw this analytic building along with other factors that were being introduced, and how she saw its informed the comprehensive plan.

Ms. Pethia said that there was a recommendation in the housing policy to perform an affordable housing survey that could be performed annually, every other year or every five years that would collect information from renters in the County. She said that this would give a sense of what was going on in the new developments, so that was a good source to begin with and then ask additional questions as it progressed. She said that there were many different types of information that could be collected and used through that tool, but it was a huge undertaking, so likely was not something that could be one every year, but was something that should be considered for future use.

Ms. Pethia said that she believed that a survey was the best way to understanding the rental housing stock in the County, but for homeownership the information was more dependent on census data. She said that they were working on how to keep better track of the proffered units over time and to add that information to the larger database. She said that local nonprofits may be able to collect information related to specific topics, so they were attempting to collaborate and to get as much information from as many sources as possible.

Mr. Carrazana said that he asked the question because as they moved into setting goals and priorities in the comprehensive plan, affordable housing would be one of those goals, and how they approached affordable housing as a topic should change. He said that he agreed that they all felt that they were losing traction as costs of construction and the AMI continued to increase. He said that he hoped that these tools would help them, and he encouraged Ms. Pethia to develop many with as much information as possible so that they can be able to set these goals and agendas and assess any existing issues and how to move forward. He asked if the preserved units were mainly AHIP units.

Ms. Pethia said yes.

Mr. Carrazana said nothing was coming online for that. He asked if there was a way that it could be incentivized so that developers would choose to give money to keep people in their houses through preservation. He asked if there was an issue with incentivizing that, because he did not see any preserved homes coming online in the 1,552 units.

Ms. Pethia said that was correct. She said that was tracking the new units and what they funded AHIP to do. She said that there was potential to create a separate program where funds were directly applied to homeowners to help with home renovations, upgrades, and energy efficiency upgrades. She said that it was easier and more efficient for County staff to partner with AHIP and with LEAP and other nonprofits to do that, because they were set up and used to doing that kind of work, and also had the systems set up to be able to track the funds provided to homeowners.

Ms. Pethia said that there was no reason that they would not be providing more money to AHIP or LEAP in the future, as they were current partners for housing rehabilitation in the County and recipients of \$500,000 between the housing fund and climate action fund for energy efficiency

work. She said that that information was collected through the grant process, and the entities must provide a report, but they had not been able to collect that information in one place.

Mr. Carrazana asked Ms. Pethia to provide a clear of a picture as possible of the housing in the County. He said that these in-depth analytics would be needed as they moved forward in setting policies for the future in the comprehensive plan.

Mr. Bivins asked if Ms. Pethia's office had one to two staff members.

Ms. Pethia confirmed that they were an office of two now.

Mr. Bivins said that many of the requests and ideas from the Commissioners were things that required more than the work of two people to accomplish. He said that there were many options and opportunities, but an 80-hour work week for two staff members was going to result in some of those items being prioritized over others.

Mr. Bivins said that he would like to have serious conversations about reducing the need and not increase the inventory for affordable housing. He said that this was a question of where there was a good job, so there must be industries and employment opportunities that allowed people to increase their salaries within the County and not have to find higher pay in surrounding areas.

Mr. Bivins said that he also would like to have discussion about why land trusts did not have the same tax relief options that agricultural and forestal land did. He said that the general reasoning given was that those tax breaks allowed marginal farmers to continue their agricultural practices, but he questioned the worthwhileness of the County doing so, especially without consideration of whether that was the proper channel to divert tax revenues.

Mr. Bivins asked if this topic could be included in a future work session so that the Planning Commission could discuss with the Board of Supervisors that people who enter into land trusts should get a tax benefit for doing so. He said that by doing so, they were setting before the market an opportunity for decisions to be made that support what they were doing as a community. He said that the obvious market solutions could not be relied upon, because this process gave an obvious benefit to developers, and 10 units back was in no way an equivalent nor a quid pro quo.

Mr. Bivins said that bringing in more workforce housing required the County to look within their own inventory of land and to begin imagining development of some of the vacant properties. He said that if the only issue being faced was convincing developers to do what the County wanted, it must be recognized that businesses were not necessarily planning on how they were going to bring affordable housing to communities, but the County had land inventory and taxing capabilities that balanced that. He said that the process may be a different one for the County, but the land trust was no different than agricultural and forestal tax breaks but depended on where people wanted to put the tax breaks.

Mr. Clayborne said that housing was such a large issue that it required a theory of change, which was a simplistic way of viewing a complex topic and developing metrics to measure the actions. He asked if staff was creating the tracking tool and what the tool would look like.

Ms. Pethia said that she was not certain yet, but it was likely that there would be several programs created out of Housing Albemarle that would have their own system to track their activities

through. She said that this would be done mainly so that they could see how that particular approach worked.

Ms. Pethia said that tracking initiatives such as the developer incentive programs over time would yield a larger pool of data that can be further analyzed so relationships can be understood and future action can be decided. She said that there would be several different ways to do this, including tracking proffer units and if specific neighborhoods were lacking affordable housing. She reiterated that there would likely be no large single tracking tool, but a series of smaller tracking tools would look at different things and all act together to give a big picture.

Mr. Clayborne said that they could not calculate how many affordable units they were losing due to the time expiration unless they had the tracking tool to understand that. He asked how they got to a value below 80% AMI to increase affordability. He clarified that such a decrease was not the same as Section 8 housing.

Ms. Pethia confirmed that housing choice vouchers under Section 8 were for very low-income households, meaning they were near or at the poverty level. She said that 60% and 80% AMI were meant to affect people who were employed but had to leave the area because they could not afford to live there.

Ms. Pethia said that through an affordable dwelling unit ordinance, they could set maximum sale and rental prices and set them to 80% AMI and below, around \$214,000, making that affordable to some 60% AMI families, and with enough assistance, they could reach families with as low as 50% AMI. She said that setting pricing that was more achievable for working class families was important, because \$243,750 was the current maximum sale price for 80% AMI. She said that also important was bringing down maximum rental prices, which was focused at 60% AMI households and below.

Ms. Pethia said that the focus should be on rental units because of the current shortage, and if the County wanted renters to become homeowners, it must acknowledge that those with 50% and 60% AMI will have difficulty saving for a down payment for a house, so setting rental prices at a rate that would allow people to save money over time would allow them to purchase a home much sooner than they could have otherwise.

Mr. Clayborne asked when Ms. Pethia anticipated the ordinance would be completed.

Ms. Pethia said that they were due to have a work session with the Board on April 19, so an ordinance and administrative guidelines had been drafted on how the entire process would work. She said they would then have a work session with the Planning Commission after receiving Board feedback, and after that, the ordinance would have a public hearing with the Planning Commission and then with the Board.

Mr. Clayborne asked if a joint work session would be possible in order to expedite the process.

Mr. McDermott said that it could be considered.

Ms. Firehock said that she hoped that they could have a joint work session, because there was a lot of planning expertise in the Planning Commission, and the Board may benefit from having a joint conversation to exchange ideas. She said that she hoped that as they discussed the

importance of affordable housing that they were making a direct tie to the ability to attract employers to their County.

Ms. Firehock said that she had recently created a new full-time position at her own company, and had reached out to Ms. Pethia for affordable housing and AMI information because she wanted to ensure that she was able to employ someone who could also afford to live in the County. She said that to attract job growth, they had to have an attractive affordable housing package in order to bring anyone there. She said that they should emphasize the link between employers, new businesses facilitating startups, and the ability for workers to have a place to live.

Mr. Clayborne asked what new residents of the County must do to find these affordable units.

Ms. Pethia said that she was currently working on a good way to list the proffered units and any units done through rezonings on the website. She said that Porchlight, hosted by the regional housing partnership, provided a listing service for affordable units, and while that service was currently limited to rental units, they were looking for a way to use it for affordable homeownership opportunities. She said that otherwise, the online rental sites and property real estate sites were the only options for advertisement.

Ms. Pethia said that one of the reasons she had not yet advertised these on the website was because the proposed ADU ordinance recommended that those units that come through that program be marketed directly to people on the waiting list before opening it up to the general public. She said that after giving those people on the waiting list the time to apply for those units, they could then be posted on the website or another platform.

Mr. Clayborne asked if the ordinance had any requirements for affordable units to have similar quality of surrounding units. He said that he wanted to avoid having less-than optimal quality given to the affordable units versus the market-price units.

Ms. Pethia said that yes, there was a requirement that they be compatible to everything; in that respect, it reflected their current comprehensive plan and ordinances. She asked Mr. Herrick what the specific language for the requirement was.

Mr. Herrick said that it included "safe, decent, and affordable housing." He said that the word "decent" was included with a description.

Ms. Pethia said that the affordable units must be of comparable quality to the surrounding buildings.

Mr. Murray said that the most affordable housing in the County was in the rural area, but much of the focus on affordable housing tended to be in the growth area, where housing was the most expensive and subsidizing affordable housing was the most expensive. He asked if metrics could be provided as to how many people were living in the rural area, in order to understand how much affordable housing, they were losing in the rural area.

Mr. Murray said that he knew of a lot of rural communities who had been forced out and were facing something similar to gentrification. He said that he agreed with Mr. Bivins' point about employers being so important, because he knew that Crozet was most affordable when they had the large employer, Morton Frozen Foods.

Mr. Carrazana said that many of the topics raised by Commissioners could be looked at to inform the comprehensive plan and analyze the housing stock of the County. He noted that Ms. Pethia mentioned a plethora of projects she was currently working on, and while they talked a lot about how important affordable housing was, they were not investing in that with their staff. He asked if they should have two full-time employees if it was important.

Ms. Firehock said that the second position had been repeatedly requested by the Planning Commission to be restored, because it formerly existed. She stated that some items could be completed through outside studies and did not need to be done by Ms. Pethia.

Mr. Bivins said that the 2020 AMI for Albemarle County was \$40,200. He said that when property owners only offered rents of \$3,000, it became incredibly difficult for someone with 60% AMI to pay a \$2,000 rent.

Mr. Clayborne asked if that amount was before or after taxes were taken out.

Mr. Bivins said that it was before.

Ms. Firehock said that they also talked in the past about the importance of transportation. She said that she had been hopeful that a County transportation provider would be doing trips to Scottsville, where more affordable houses were in the County, but that did not happen. She said that it was important that transportation be investigated, because a reliable vehicle may be what makes something affordable to someone in the rural area, so they should not only focus on building in the development areas.

Committee Reports

Mr. Bivins said that Supervisor McKeel arranged for the Jack Jouett Places 29 Hydraulic CAC to visit Southwood yesterday. He said that they were working on Phase 1, and what was done with the entire process made him glad. He said that it was complicated because they had to move people off of land in order to develop it, and there were not many places to allow for non-displacement of residents, but they were working hard in that regard. He said that the Habitat houses were smaller than some of the at-market houses, but they were similar in composition and it felt that the community was integrating with style and economics and with people playing there.

Mr. Bivins said that he was still concerned about Phase 2, because that was when there would be a majority of market-rate housing, and the Dan Rosensweig, the CEO of Habitat for Humanity, said that there would be 500 units there, but it would take 20-30 years to complete in total. He said that the site was problematic, so figuring out how to move people, build houses, and build a community that people would embrace, was not going to be done clearly or overnight.

Mr. Bivins said that he encouraged everyone to visit the site and see the progress so far. He said that he believed that due to the hard work of Ms. Pethia and her other department member, it would become a very welcoming place that any of them could see themselves living in.

Review of Board of Supervisors Meeting: March 1 and 8, 2023

Mr. McDermott said that the March 1, 2023, Board of Supervisors meeting had one item on the agenda in the afternoon regarding the Freebridge Lane project, which appeared to be a great effort toward closing Freebridge Lane between Darden Towe and Route 250 and turn it into a bike-ped “promenade,” and the Board approved a pilot project to see how it operated and over time rethink the design of that corridor to make it fit in better with the riverside. He said that the Old Ivy Residences item went until after midnight with a lot of comment, after which it was unanimously approved by the Board.

Mr. Bivins asked if there was more information about the changes or improvements made by the applicant.

Mr. McDermott said that there were additional proffers included related to transportation that came out of the Commission meeting, and the follow-up with the proposal from VDOT, referred to as “the triangle” on the western end, had been put on hold by VDOT, and they had offered to do a corridor study. He said that concerns from the community were that they were not looking big enough when looking at the triangle-about idea, and there may be unintended consequences, so the community wanted them to look at a broader area. He said that the VDOT study would be looking at the entire VDOT corridor from Boar’s Head to the City line, which would be happening over the next year and hopefully would give recommendations for the Smart Scale applications for next year with new projects.

New Business: AC44 Update

Mr. McDermott said that the efforts of Part 1 of Phase 2 were being finalized, which was focus on the topic areas. He said that a lot of time was being spent going to various technical committees who were tasked with addressing certain topic areas, meeting with other agencies to figure out how their needs could be addressed through the comprehensive plan, and gathering data from the online survey, which was open until Friday. He said that in addition, the working group was gathering data from the community, and pop-up events were being held in each district. He said that the next phase would follow and would include planning toolkits for topics such as growth management and multimodal corridor planning.

Ms. Firehock said that she could not attend the pop-ups in her district due to her job. She asked if other timeframes for those who worked during the day so that they could participate.

Mr. Bivins said that an evening pop-up event occurred in the Jack Jouett District in the form of a bingo night at Greer Elementary, where surveys were provided to those families participating in the event.

Ms. Firehock asked if the events in her district would be getting events at other times of the day.

Mr. McDermott said the team was currently working to identify best times, so he would bring it up to them. He said that the pop-ups were meant to occur where people already were expected to be during those times, and suggestions for places could be submitted at any time.

Ms. Firehock said that there were ongoing events and busy places that could be utilized.

Mr. McDermott said that they would be holding more pop-up events, so he would follow up on that information with the Commissioners.

Old Business/New Business

There was none.

Adjournment

At 7:53 p.m., the Commission adjourned to March 28, 2022, Albemarle County Planning Commission meeting, 6:00 p.m. in Lane Auditorium.



Kevin McDermott, Director of Planning

(Recorded by Carolyn S. Shaffer, Clerk to Planning Commission & Planning Boards; transcribed by Golden Transcription Services)

Approved by Planning Commission
Date: 04/25/2023
Initials: CSS