

An adjourned meeting of the Board of Supervisors of Albemarle County, Virginia, was held on August 7, 2018, at 3:00 p.m., Room 241, County Office Building, McIntire Road, Charlottesville, Virginia. The meeting was adjourned from August 1, 2018.

PRESENT: Mr. Norman G. Dill, Mr. Ned Gallaway, Ms. Ann Mallek, Ms. Diantha H. McKeel, Ms. Liz A. Palmer and Mr. Rick Randolph.

ABSENT: None.

OFFICERS PRESENT: County Executive, Jeff Richardson, County Attorney, Greg Kamptner, Clerk, Claudette Borgersen, and Senior Deputy Clerk, Travis O. Morris.

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PLANNING COMMISSION MEMBERS PRESENT: Mr. Julian Bivins, Mr. Bruce Dotson, Mr. Tim Keller, Mr. Bill Palmer, Ms. Pam Riley and Ms. Daphne Spain.

ABSENT: Ms. Karen Firehock, Ms. Jennie More and Mr. Bill Palmer.

STAFF PRESENT: Clerk to Planning Commission, Sharon Taylor..

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Agenda Item No. 1. Call to Order and Establish Quorum. At 3:02 p.m., Ms. Mallek, Chair, of the Board of Supervisors, and Mr. Keller, Chair, of the Planning Commission, called the meeting to order for a joint work session of the two bodies.

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Agenda Item No. 2a. **Work Session: ZMA201800003 Southwood Phase 1.**

MAGISTERIAL DISTRICT: Scottsville.

TAX MAP/PARCEL(S): 090000000001A0; 090A10000001E0; 076000000051A0.

LOCATION: Southwood Mobile Home Park located along Old Lynchburg Road (State Route 631) off of Hickory Street approximately 350 feet from Ambrose Commons Drive.

PROPOSAL: Rezone property from residential to a mixed use- mixed income development.

PETITION: Rezone 32.5 acres from R2 Residential zoning district, which allows residential uses at a density of 2 units per acre, and Neighborhood Model District (NMD), which allows residential uses at a density of 3-34 units per acres, mixed with commercial, service, and industrial uses, to Neighborhood Model District (NMD). This request includes amending a portion of ZMA200500017 Biscuit Run included on TMP 90A1-1E which is zoned NMD to remove the proffers from the parcel. A maximum of 400 units are proposed for a density of approximately 12 units per acre. A maximum of 120,000 non-residential square footage is also requested.

OVERLAY DISTRICT(S): Flood Hazard Overlay District; Steep Slopes- Managed and Preserved

PROFFERS: No.

COMPREHENSIVE PLAN: Parks and Green Systems – parks, playgrounds, play fields, greenways, trails, paths, recreational facilities and equipment, plazas, outdoor sitting areas, natural areas, preservation of stream buffers, floodplains and steep slopes adjacent to rivers and streams; Urban Density Residential – residential (6.01-34 units/acre); supporting uses such as places of worship, schools, public and institutional uses, neighborhood scale commercial, office, and service uses with a Center in the Southern Neighborhood within the Southern and Western Urban Area Master Plan.

MONTICELLO VIEWSHED: Yes.

The Executive Summary forwarded to the Board states that Southwood Mobile Home Park is located approximately one-half of a mile west of the Covenant School, and approximately 2 miles southwest of 5th Street Station. The area proposed for rezoning was formerly part of the Biscuit Run State Park land and consists of three parcels located to the east of Old Lynchburg Road and southwest of the existing Southwood community. The parcels are heavily wooded. The edges of Parcel 090A1-00-00-001E0 contain preserved and managed slopes, and partially lie within the 100 Year Floodplain and Stream Buffer. Attachment A shows the location of the mobile home park and area proposed for rezoning.

The applicant is proposing to rezone three parcels: two parcels are currently zoned R-2 Residential (2-3 units/acre) and one parcel is zoned Neighborhood Model District (NMD up to 34 units/acre). The proposed district is a unified NMD for all three parcels (up to 34 units/acre). The applicant is also requesting waivers for alternative parking locations and for substitution for recreational facility requirements. While not essential for this work session, the applicant will be providing a traffic study and proffer statement in the future. Attachment B provides the Code of Development (COD) and Attachment C contains the Application Plan.

The purpose of this work session is for Habitat and staff to receive answers and direction from the Planning Commission and the Board of Supervisors on key questions about the character of the transect areas, level of detail provided in the Code of Development and Application Plan, and provision of affordable housing. The action of the Planning Commission and the Board is non-binding but is meant to help advise the applicant on next steps. In addition, this is an opportunity to give the Planning Commission and Board members, who have not been fully involved in this effort to date, an overview and background of all the work and collaboration that has occurred between the County and Habitat.

Currently, there are 341 mobile homes and approximately 1,500 residents in Southwood. Southwood contains the largest concentration of substandard housing in the County, which Habitat plans to replace with new units that will meet codes and ordinances using a phased development approach.

Habitat is committed to redeveloping Southwood as a well-designed, sustainable, mixed income community of substantial benefit to the region guided by the following core values: (Page 5 of the Code of Development)

- Non-displacement
- Net increase in affordable housing
- Community engagement
- Asset-based approach
- Self-help model
- Fiscal responsibility

Habitat has had success with other mobile home park redevelopments without displacement, such as Sunrise Park in the City of Charlottesville. The Southwood redevelopment is expected to uphold the same values, although it would occur at a significantly larger scale.

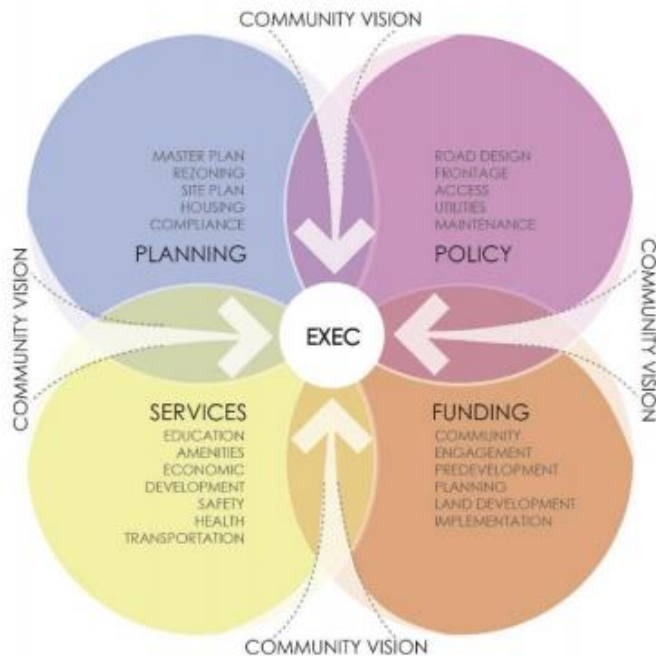
#### **Key Milestones Relevant to the Southwood Rezoning Proposal**

A summary of activities, meetings, and review of the project is provided as Attachment D. This history represents the extensive outreach and collaboration of Habitat to Southwood residents and its partnership with the County in preparation for the redevelopment and this rezoning request. Key milestones include:

- 2007 -- Habitat for Humanity (Habitat) acquired the Southwood Mobile Home Park.
- 2011 -- Habitat established core values for the Southwood redevelopment project. The most important value is non-displacement, while others include increasing the net amount of affordable housing and using a community-driven approach.
- October 5, 2016 -- The Board of Supervisors approved a resolution for a partnership between the County and Habitat. (Attachment E)
- November 2016 -- Southwood redevelopment Action Plan was included as part of the Albemarle County FY17-19 Strategic Plan, under the 'Revitalize Aging Urban Neighborhoods' priority.
- January 2017 through April 2017-- Habitat led a series of bimonthly workshops through which 70 Southwood residents became versed in planning and design topics from neighborhood and land use planning to block patterns and road design.
- March 2017 -- Habitat acquired the 20 acre 'exchange parcel' from the Virginia Department of Conservation and Recreation, giving Habitat the space it needed for redeveloping Southwood. This would allow Habitat to build in a greenfield area without having to move residents out of their homes.
- September 8th, 2017 -- The Board of Supervisors considered questions from Staff on Southwood and provided additional input. The Board emphasized that this project should be flexible and adapt over time, and should be directed by residents as much as possible. The Board recommended that a variety of commercial uses be allowed, determined mainly by residents, and that residents have opportunities to start and continue their own businesses.
- January 10, 2018 -- The Board of Supervisors unanimously approved the appropriations, redevelopment team approach, action plan for Phase I and the Performance Agreement for the Southwood redevelopment project. The appropriations included \$400,000 (FY18) for the ZMA application process and \$275,000 (FY19) for the application plan and code of development. (Link to Documents)
- February 20, 2018 -- The ZMA application for Phase I was submitted by Habitat.
- June 2018 -- Two charrettes were held to provide more clarity and detail for the application from discussions within the Executive Team, Southwood residents, Habitat staff (including their consultants BRW Architects, Water Street Studios, Timmons Group Engineers), Board of Supervisors members, Planning Commission members and County Staff attended. Residents used scaled wooden and paper pieces to build their concept of Phase I, including housing, parking, roads and greenspaces. They incorporated different types of housing, both market and affordable, as well as a mixture of uses. Habitat consultants are currently designing renderings that will use residents' models from the charrettes, while accounting for environmental and other limiting factors.
- July 2, 2018 -- The ZMA application for Phase I was resubmitted.
- July 26, 2018 -- Habitat and their consultants held a meeting/charrette where they presented the combined renderings from the results of the June charrettes to the Southwood residents.

Due to the scope and complexity of the proposed redevelopment, a multi-disciplinary/functional team approach was presented to the Board that included teams for the following areas: Planning, Services, Policy Funding, and Executive team which would be led by the residents vision for Southwood. See diagram below.

Team Diagram:



#### **Details on the Rezoning Application**

Phase I of the Southwood Redevelopment project is to rezone the three parcels along Old Lynchburg Road, including the 'exchange parcel' described in Attachment D. The first part of this development would be the constructing a model village which will set a standard for the larger-scale redevelopment to occur in Phase II. Phase I will also provide residents with a chance to see an accomplished section of the overall project.

This rezoning is the first of its kind to involve a redevelopment where replacement housing on a large scale is proposed for existing residents. Most residential rezonings have been for green field development and have included a masterplan for all parcels involved in the new development. In this case, the applicant believes there are overriding goals and safeguards that justify moving forward with rezoning only a portion of the property. Habitat has a commitment to resident-led design and a goal to prevent displacement of any resident who wishes to reside in the community. As a result, Habitat wants to build housing on the exchange parcel and move current residents there to make room for redevelopment in the area that already contains homes. Habitat hopes to build trust with the residents by showing progress and making sure they have a voice in how Southwood develops. These factors and the County's commitment to be involved in the project lead to staff support of Habitat's approach to only rezoning a portion of the property at this time.

As seen in the Code of Development and Application Plan (Attachments B & C), Block A of Phase I would consist of mainly residential uses with opportunity for small neighborhood scale non-residential uses. Block A would have between 110 and 150 units in a variety of unit types. Any commercial uses would be at a neighborhood scale, such as a coffee shop or community center. Block B would have up to 250 units and more intense commercial uses. The area for commercial uses is intended to provide an opportunity for Southwood residents as well as others to open businesses.

#### **Expected Timeline for Development**

The applicant hopes for approval of this Phase 1 rezoning in early 2019. To achieve this, the applicant intends to complete work on the ZMA application in September 2018, with an October Planning Commission public hearing and recommendation to the Board of Supervisors in December. Habitat and County staff expect to provide planning workshops for Southwood residents in fall 2018. . Once the ZMA is approved, Phase I will then move to the site planning process and construction in 2020 and residents moving into the village in 2021. The Phase II ZMA would likely be submitted in 2020 and buildout is expected to be completed in 2033.

#### **Questions**

As stated earlier, the purpose of the joint work session is for the Commission and Board to provide guidance on the proposal. Below are the questions for which answers are requested. Staff has provided comments to help guide the Commission and Board's understanding before weighing in.

**Q1: Is the character of each area (described on Page 29 of the Code of Development and detailed on pages 30-32) appropriate or are improvements or changes needed?**

Habitat and their professional consultants have worked closely together with the Executive Team, Planning Team, and most importantly with the residents of Southwood to revise and resubmit their rezoning application to address concerns from the County regarding the amount of detail provided within the Code of Development. In response to the concerns, Habitat and their consultants completed three design charrettes with the residents of Southwood. The results of these design charrettes have developed character areas showing density, open space, a variety of unit types, a mixture of affordable and market rate housing, with a more detailed code of development as noted above.

Staff Comment

Early in the rezoning process, Habitat and their consultants completed three design charrettes with the residents of Southwood. The results of these design charrettes have developed character areas (transect) showing density, open space, a variety of unit types, a mixture of affordable and market rate housing, with a more detailed code of development as noted above. To evaluate how well the areas conform to the County's design expectations for all development, staff analyzed the proposed Transects in relation to the Neighborhood Model Principles below:

1. **Pedestrian Orientation:** All transects contain street sections where the sidewalk is not buffered by a planting strip or street trees, although all sidewalks are at least buffered by a parking lane. Block lengths are not specifically described; however, the environment is designed to be walkable and accessible for pedestrians. Street furniture, crosswalks and outdoor lighting are not specifically mentioned as proposed improvements.
2. **Mixture of Uses:** All Transects allow for a mixture of uses. Uses transition gradually from a higher intensity in T-1 to a lower intensity in T-5. Trees will be used to screen parking.
3. **Neighborhood Centers:** All Transects are expected to have their own character and sense of place, which will be determined with residents' input. T-3 is the only transect that specifically calls for a "distinct identity as created by use, connection, form or material."
4. **Mixture of Housing Types and Affordable Units:** All Transects allow for a variety of housing types by right. There is no minimum lot size for any of the Transects. A commitment has been made for 43% on-site affordable housing within the overall development. Affordable housing is discussed later in this report.
5. **Interconnected Streets and Transportation Network:** When redeveloped, the mobile home park is expected to retain its interconnected street system. The rezoned area will connect to the existing Southwood development with a future road connection into the existing network, as well as the proposed trail system will connect to the existing trails within Southwood.
6. **Multimodal Transportation Options:** Options will be provided for pedestrians, bicyclists, motorists and public transit users. CAT service will continue to operate in the Southwood neighborhood with the Services team advocating for an extension of that system. Bike lanes are listed as optional for the T-1 and T-2 areas and would add 4' to the ROW width. A trail is proposed (where) as a Class B Type 1 primitive trail to protect managed and preserved slopes but allow residents to access natural areas. Design standards call for this type of trail to have breaks to prevent erosion and a 20% maximum grade.
7. **Parks, Recreational Amenities, and Open Space:** Recreation amenities will be provided in accordance with the Zoning Ordinance with the exception that a request has been made for the proposed pedestrian trail to substitute for one required lot in Block A. No greenspace or amenities are indicated in T-1 or T-2 (Block B), although 90% of units in Block B will be within 1/4 mile of the proposed trail and multi-family and any proposed attached residential development will be subject to the recreation requirements stated in the zoning ordinance. All of Block A will be within 1/4 mile of the trail or existing soccer field. T-1 and T-2 does provide for civic and open space opportunities.
8. **Buildings and Spaces of Human Scale:** Standards for building setbacks in T1-T-3 are within NM guidelines and keep buildings close to the street to provide a sense of enclosure and more active street environment. However, Transects 4 and 5 do not provide a maximum setback, which does not meet the NM guidelines. A maximum setback should be provided so that the units are close to the street.
9. **Relegated Parking:** The Code provides for buildings in all of the Transects to be oriented toward the street, although amenity-oriented lots are allowed. Amenity-oriented lots will have at least 40' between units, with the amenity at least 30' in width. On street or relegated parking is only required in T-1 and T-3. Front-load garages are not permitted in T-1 and T-2, and must be setback at least 18' in the other Transects. Side-load garages are permitted in T-3, T-4 and T-5. Applicant is requesting a waiver to allow parking requirements to be met in alternative locations, and not necessarily on the parcel. This includes off-street, on-street, alleys and parking lots. Parking must be within 200' of the associated parcel.
10. **Redevelopment:** This NM principle does not apply to the first phase of Southwood, but will apply to the second phase of redevelopment.
11. **Respecting Terrain and Careful Grading and Re-grading of Terrain:** Managed and preserved slopes will not be disturbed with development on the rezoned parcel. The proposed trail along managed and preserved slopes is a Class B Type 1 primitive trail, which will respect grading and be designed with erosion-prevention in mind.
12. **Clear Boundaries between the Development Areas and the Rural Area:** Southwood is not adjacent to the Rural Area. There will be a 30' preserved mature tree buffer along Old Lynchburg Road.

On the whole, staff believes that the character/transect areas are appropriate and workable with some additional revisions.

**Q2: Do you support Habitat's proposal to a future commitment of 43% on-site affordable units for the overall project during future rezonings knowing that with this rezoning for Phase I the affordable housing commitment is only within Block A, and two outcomes are possible that would equate to less than 43% overall?**

Given that Southwood residents are focused on designing model villages in Block A and have created a code of development for Block B to allow for more outward facing uses, Habitat focused its commitments of affordable housing to Block A and to the future sections of the site as it rezones and redevelops. Therefore, no affordable housing is committed to be located in Block B. The details of their affordable housing proposal is located on page 18 of the COD.

There are two scenarios that have been provided by Habitat for Block A regarding affordable housing for this first phase rezoning. The first is that they have committed to 43 units out of 110 to be provided within Block A. This equates to 12% overall in Phase I if Block B builds out to the maximum proposed density/residential units.

In the second scenario, Habitat has committed that if Block A exceeds 110 units, 43% of the total units in Block A will be affordable. This equates to 16% provided overall in this phase if both Block A and Block B build the maximum proposed density/residential units.

Habitat has stated that they will provide a future commitment of 43% over the whole project during subsequent rezonings for the other phases, and will provide 43% within Block A if density increases over 110 units. However, as explained above, there is a scenario in which only 12% affordable housing will be provided in this phase. Since non-displacement is the most important goal for the redevelopment, the 43% corresponds to the number of units expected in the whole project for current Southwood residents.

*Staff Comment*

*The Housing chapter of the Comprehensive plans contains many objectives and strategies in relation to affordable housing. One of those strategies, under Objective 6, is to ensure that at a minimum, 15% of all units developed under rezoning and special use permits are affordable. While in one scenario for Phase I of Southwood would not provide the recommended 15% affordable units, the overall commitment of 43% will well exceed the recommendation. The Policy Team that was formed since the adoption of the Action Plan has recommended that a commitment should be made that would provide a minimum of 15% affordable housing in accordance with the recommendation in the Comprehensive Plan, and staff supports this recommendation.*

*The redevelopment of Southwood will be meeting many of the other objectives outlined in the Housing chapter of the Comprehensive Plan. These include the following:*

- 1. Objective 1: Support the provision of decent, safe, and sanitary housing in good repair for all residents.** *With the redevelopment, all of the substandard mobile homes will be replaced with housing that meets this objective.*
- 2. Objective 2: Ensure that housing is equally available to all populations.** *Southwood will provide housing options for people of all incomes and populations by creating a mixed income community.*
- 3. Objective 3: Provide for a variety of housing types for all income levels and help provide for increased density in the Development Areas.** *The proposed density for Phase I is within the proposed density recommended in the Comprehensive Plan. The Code of Development also allows for a large variety of housing types within Block A and Block B, including multi-family, townhouses, single family detached, accessory apartments, carriage units, and other attached single family.*
- 4. Objective 5: Support provision of housing which meets the needs of various ages and levels of mobility.** *Southwood consists of a number of residents that have mobility needs as well as seniors. Habitat has made the commitment to non-displacement for any current resident that wishes to stay in the community. In addition accessible sidewalks and pedestrian paths are proposed, access to public transportation system will remain (CAT and Jaunt), and assisted living is an allowable by-right use within Block B.*
- 5. Objective 7: Promote the inclusion of affordable units throughout neighborhoods and strive for similarity in exterior appearance to market-rate units.** *In other mixed income communities within the area that Habitat has built, the affordable homes are indistinguishable to the market rate units.*

**Q3: Given that one of the goals of Southwood redevelopment is to catalyze affordable housing opportunities throughout the region (page 5 of the COD) and that Southwood residents may want flexibility to choose other locations, what are your thoughts concerning Habitat's proposal to provide 51% across jurisdictions and not just within Albemarle County? Do you support this proposal?**

On page 18 in the submitted COD, Habitat has stated that they will make a commitment to provide 43% of the housing developed on-site to be affordable over the whole project with future rezonings. Additionally, a commitment that 51% of the total housing units will be affordable allowing for

cross jurisdictional (in other areas of the County or adjacent jurisdictions) development. Habitat has stated that the whole redevelopment is projected to allow up to 800 units. The 43% commitment would equate to non-displacement for all the residents of Southwood (341 homes). In order to address the goal of increasing the affordable housing stock in the region, Habitat has committed to providing up to 51% either on-site or in other jurisdictions.

Staff Comment Question

*The Neighborhood Model and the Housing Chapter of the Comprehensive Plan state that affordable housing units should be dispersed throughout the Development Areas rather than built in enclaves. The Housing Chapter of the Comprehensive Plan recommends as a strategy that the County develop a plan for a regional cooperation for affordable housing that is connected to community amenities, parks, trails and services in the City of Charlottesville and Development Areas of the County. In addition, the strategy states that each of the Commissions in the City and the County believe that a more regional collaboration on housing is needed.*

*The County's policy and practice for rezonings is that the units are provided on the property proposed to be rezoned, which is under the control of the developer and allows for easy tracking of the units. However, Habitat's proposal could be seen as a way to better disperse affordable housing than potentially create an enclave in Southwood. It could also meet the objective to create a more regional approach to provision of affordable housing. In addition, allowing for 51% to be provided in other areas of the region could allow more flexibility for the residents of Southwood, or other community members looking for affordable housing, to choose where they would like to live. Staff believes that provision of affordable housing outside of Southwood is supported by the Comprehensive Plan; however, it might be more appropriate to limit the area to just Albemarle County or to jurisdictions adjacent to Albemarle County.*

**Q4: Within the Code of Development and Application Plan that has been submitted, are there aspects that require additional detail?**

Staff Comment Question 1

*Habitat and their professional consultants have worked closely with the Executive Team, Planning Team, Policy Team, and most importantly with the residents of Southwood to revise and resubmit their rezoning application to address concerns from the County regarding the amount of detail provided within the Code of Development. In general, staff believes there is sufficient information to understand the expectations for the project and enforce its zoning. There are a few technical issues that need to be resolved but by and large, staff is satisfied with the amount of detail provided in the COD. Due to the fact that staff has been closely involved with the preparation of the project, staff and the applicant want to make sure that it appropriately meets the Commission's and Board's expectations for clarity and detail.*

Staff recommends that the Board of Supervisors and Planning Commission provide input to staff and the applicant at this meeting to help Habitat complete preparation of its rezoning request for a public hearing.

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Ms. Megan Nedostup, Principal Planner, provided an outline for the meeting agenda and introduced Ms. Kristy Shifflett, Director of Project Management.

Ms. Shifflett stated that she is the Project Director for the Southwood project. She stated that the goal for this meeting is to present the same information and become grounded in the same facts, as well as getting input from both the Board and Commission to help reach consensus on the topics related to the project.

Ms. Shifflett reported that in fall 2016, the Board adopted a resolution of partnership with Habitat for Humanity to focus on the Southwood project. She noted that this is a bit different from typical rezonings and reviews. Ms. Shifflett explained that the County has committed itself to extensive collaboration and coordination with the project developer, affected residents, public agents, and County staff and officials. She stated that staff has been focused in working with Habitat through the entire rezoning process and wanted to come together as partners to show what has been developed to date and to help the Board and Commission understand that the same rules and regulations apply to this rezoning, despite the need for heightened collaboration.

Ms. Shifflett reported that in November 2016, the Southwood Redevelopment Action Plan was included in the County's strategic plan; and in January 2017 they came together and passed the action plan, which led to this meeting and ultimately the final rezoning. She stated that in February, Habitat submitted the ZMA application and hosted a lot of charrettes with Southwood residents, which also involved Board and Commission members. She said that Habitat resubmitted the ZMA application on July 2, which was the last action prior to this joint work session – with the hope for resubmittal of the application on September 4, 2018, to go to the Commission for public hearing in October and the Board in December.

Ms. Nedostup stated that Southwood is located on Old Lynchburg Road and pointed it out on a map provided, noting the location of critical resources and the three parcels being proposed for rezoning. She said that one parcel is part of the original Biscuit Run rezoning and is referred to as the "exchange parcel" because it was exchanged with the State, and all three parcels are greenfield parcels without

houses or improvements. Ms. Nedostup pointed out the environmental constraints, including water protection buffers, floodplains, and preserved slopes.

Ms. Nedostup explained that Habitat is proposing to rezone the three parcels, with the two closest to Old Lynchburg Road currently zoned R-2, residential, to be zoned NMD, and the exchange parcel already with that designation to be amended to be part of this proposal. She reported that the proposal consists of two blocks: Block B, adjacent to Old Lynchburg Road; and Block A, located in the exchange parcel. She said the main entrance is located off of Hickory Street from Old Lynchburg Road, with a new main road proposed to go into the exchange parcel and into the site. She noted that the applicant is also including some potential future connections into the existing Southwood Mobile Home Park and a potential secondary fire access. She reported that Block B is the most intensely developed part of the proposal, with both non-residential and residential uses permitted and Block A anticipated to be mostly residential with limited non-residential uses that are restricted in intensity by the size.

Ms. Rose Glasgow, a Resident Planner for the Southwood project, stated that the redevelopment is a huge undertaking that involves the resident community in the transition to a new and different direction. Ms. Glasgow stated that over the past year and a half, the residents and redevelopment committee have spent more than 1,500 hours, along with engineers, architects, and County planners to cultivate this innovative project. She mentioned that the recent EF-0 tornado touched down right in Southwood's backyard, and residents are extremely excited to know that their new community will alleviate the stress of uncertain and changing weather conditions. Ms. Glasgow added that flexibility of all involved in the redevelopment projects will also be key as they strive toward the goal of safe, affordable, healthy family-based housing. She encouraged expediency in the process and said this will be a new model for future redevelopment projects.

Ms. Marta Trujillo, an interpreter, provided a verbal Spanish interpretation of Ms. Glasgow's comments.

Mr. Dan Rosensweig, President and CEO of Habitat for Humanity, expressed his appreciation for those – especially residents – who put together the code of development in a unique partnership. Mr. Rosensweig explained that Habitat purchased Southwood in 2007 and for the first four years was trying to stabilize operations in the park. Habitat invested about \$3 million in deferred maintenance for issues like backed-up sewage. He said that after doing Sunrise, their first trailer park project, the Habitat Board defined “core values,” with the first being upgraded housing.

Mr. Rosensweig stated that Southwood has 1,500 residents, but the condition of many of the trailers are not great and vary in condition. He said that Habitat's first commitment was for non-displacement, and they have come to understand that this must be holistic and encompass revenue streams, the sense of community, friendships, and spatial organization, among other aspects. He stated that one of the most important realizations was that Habitat was looking at the framework in a dated and detached manner, which does not work anywhere because it does not allow the residents to plan, design, and eventually own their community. Mr. Rosensweig cited an example of the residents coming to Habitat and saying they wanted a soccer field instead of a community garden, and the residents planned and built the field themselves.

Ms. Rush Otis, Habitat's Director of Redevelopment, stated that the organization was able to reframe the project and accept the premise that not every partner had to be ready at once, instead recognizing that they could work with people as they became ready. She stated that this non-coercive approach yielded an “early adopted” approach, with residents who were ready first leading the charge on redevelopment.

Ms. Otis said one of the first questions to be answered in the most recent leg of the process was to identify where redevelopment would begin. When Habitat talked with the State and the Department of Conservation and Recreation about 10 years ago about this potential land swap and the exchange parcel, and the aspirations that it would be their starting point for redevelopment, and in speaking with engineers and architects about the viability, it was determined to be quite expensive due to the greenfield nature of the site, and no infrastructure. She said that as they talked with residents, the physical and psychological residents of being able to start on a green site and ability to demonstrate Habitat's commitment to non-displacement outweighed the costs incurred from a land development perspective.

Ms. Otis said that what is presented today is the first phase of a very long process of the first redevelopment and rezoning. She stated that the 32.5 acres of undeveloped land to the south and west of Southwood will provide an opportunity to demonstrate Habitat's commitment to non-displacement and ensure that residents' lives continue on in the fashion they were today. She stated that in January 2017, they realized they could not have a particularly authentic conversation with residents about design without first defining some of the vocabulary and building some skills – so they set out at the beginning to build some common language around what defined “density,” what housing types are, and what some of the constraints that happen when going into a land development project.

Ms. Otis added that they also discussed the push and pull of land as a limited resource and the need to prioritize aspects of the project, which provide an opportunity for residents to learn these skills and shift their focus on what is best for the community as a whole – shifting from “me” to “we.” Ms. Otis stated that they found from this process that the vision for the community from the resident perspective was the vision of an affordable and inclusive place to live, with enough housing for a diverse community to grow and flourish. She said they also invested in some resident leadership skills and committee work, giving the residents the opportunity to be the messengers around redevelopment – both with neighbors



and with decision-makers such as State leaders and local officials, recognizing that the resident voice is stronger than anything a representative could do or say.

Ms. Otis explained that in the resident workshops, they got more specific as to what would happen in the first phase, with discussions around the process of rezoning and how a piece of land get through entitlements. She stated that they talked with residents about how the rezoning was really about setting up a framework for design and how they could ensure they had the rules and regulations to support an organic, vibrant redevelopment effort. She stated that the charrette process done most recently took a deeper dive into that process, taking those developed skills and putting them into practice, designing Block A. Ms. Otis noted that the work from the charrettes developed into the character areas and the regulations reflected in the code of development.

Ms. Otis stated that there were about 1,500 hours of volunteer effort by community members, with thousands of hours put in by County staff, as well as the engineers, architects, and landscape architects – who were at the table facilitating design conversations with residents. She said that this led to the ability to translate that energy and vision into a document that planners and governing officials can understand and use to evaluate what is requested in the rezoning. Ms. Otis stated that there are already 37 residents who have expressed an interest in the first phase, which can only grow as people get more excited and start to see the manifestation of the work. She said that the County is committed to continuing the resident-led process through the site planning of the next few villages in the first phase and future rezonings, which will involve changes spanning over 16 years.

Mr. Bruce Wardell, Principal with BRW Architects, stated that his firm was part of the design team that included Timmons Group and Water Street Studios as community planners. He said that the most important partner in the team was the group of early adopters in the Southwood community, with process intersecting with actual design work. Mr. Wardell stated that they brought back to the community charrettes done in June and responses to those done in July, and found that in translating the process and values, the community has developed an idea of the two blocks – Block B along Old Lynchburg Road, envisioned as a mixed-use commercial/residential area; and Block A. He said that a major amenity to the community is an 8.3-acre greenspace that surrounds the block and slopes down to the stream, with the community focusing on the desire for a connection to the natural area as an integrated part of the community.

Mr. Wardell emphasized the importance of getting the roads right in a neighborhood development, as they can provide a reinforcement to the connectivity, the way the neighborhood is organized, and the connections to open space. He stated that this is reflected in the proposed code of development, and they will discuss the possibilities for making the road systems reinforce the character of the community. Mr. Wardell said that the team took the work from the past 18 months and brought the understanding and knowledge the community developed, then broke into four teams – with design proposals emerging from the first charrette. They came back in the second charrette to refine and improve the design proposals. He stated that there was an amazing amount of energy in the room as residents were beginning to make their own neighborhoods.

Mr. Wardell explained that from the second charrette, they looked at the patterns and things that developed out of the neighborhoods. They looked at open space, density, connections within the neighborhood, etc., and found consistent patterns, so the professional design team interpreted those patterns into the character areas as seen in the code of development, along with a matrix that evolves into defined dimensions and organization. He stated that the design team then took the charrettes and brought back some ideas as to how the neighborhood could be developed in two different ways. Mr. Wardell said that they found this character of a “central green” where everything was facing and possibly weaving into the next phase of the community – and a very different approach with smaller greens in different parts of the neighborhood, with six to twelve homes organized around each green. He stated that it would have been easy to take the process out of the neighbors’ hands at this point, but instead they gave it back to the residents to make it better.

Mr. Wardell said that the package before the Board and Commission attempts to lay the design and process aspects on top of each other so they know the process being developed has the capability of creating wonderful neighborhoods but also enables residents to have their own neighborhood in their own hands.

Recognizing the number of people present and standing, Mr. Trevor Henry, Assistant County Executive, stated that the video and audio of this meeting are available in the Auditorium if people prefer to sit down.

Ms. Nedostup asked the Board and Commission to refer to question one in their packets: Is the character of each area as described in the code appropriate, or are improvements and changes needed? She noted that transect one refers to the most intense transect, with transect five being the least intense. Ms. Nedostup mentioned that since the report was written, there has been concerns expressed about Block B and the transects T-1 and T-2, so she thought it might be good to address those areas first.

Mr. Bivins commented that in starting with Block B, which is the mixed-use area that would be facing out, and he stated that the land in the area is wonderful and reminds him of a planned community in Maryland known as Greenville. He said that he would like a sense of how Block A would be integrated so it has a similar feeling to Block B, and how long it would take for an eight or nine-year-old to run an errand such as buying some bread. He clarified that he is trying to establish the walking time and distance from the center of T-4 to the intersection of where Hickory come off of Old Lynchburg Road – and then



down to the Boys & Girls Club. A representative from Water Street Studio indicated that it is about a 10-minute walk at the most, being about a one-quarter-mile total.

Mr. Wardell noted that the design team is working with the planners of the trail, which would hopefully go behind Mill Creek and connect with the trail system in a multi-use path that goes through the green areas, with a total length of about two miles off road. He noted that the idea is for a trail that straddles Biscuit Run and connects to their internal trail system. He asked about sidewalks that are wide enough for walkers and bikers. Mr. Bivins also emphasized that there is a whole sense of safe community in the existing area.

Mr. Rosensweig stated that they will not have enough time at this meeting to address roads, but the road sections allowable by VDOT currently do not make for safe, neighborhood-scale placemaking-type pedestrian walkways. He said there are sidewalk requirements on both sides of the road that they will adhere to, probably with a planting strip between the back of the curb and the sidewalk. He added that ultimately they would like to do shared streets, and the residents have said one of the best parts of the neighborhood is the fact that the kids ride bikes – and they are not enamored with the idea of bike lanes on roads, so the idea is for the off-road multi-use path that kids could use. Mr. Rosensweig added that this is also where the greenspace begins to tie together the ultimate geographic center of the existing neighborhood.

Ms. Nedostup clarified that the residents are proposing a maximum of a six-foot-wide sidewalk, with a minimum of four feet, and they have recommended a wider swath for multi-use paths but that has not been integrated into the application. She added that County Transportation Planner, Mr. Kevin McDermott, has recommended a path of at least eight feet wide for multi-use.

Mr. Wardell noted that it is 1,400 feet from the geographic center of Block A to the intersection of Hickory Road.

Ms. Palmer asked if that happens if they recommend it. Ms. Nedostup responded that it is part of their comments, so it would be heard as a desire, although she cannot speak for them.

Mr. Rosensweig asked for clarity as to whether the desire was sidewalks on both sides and a certain width, or specific dimensions for a multi-use path.

Ms. Mallek stated that it is difficult to answer based on the one chunk without the context of anything else, but sidewalks or ways for people to get places are topics that can be addressed.

Mr. Rosensweig pointed out that they have not shown the structure of the partnership between the County and Habitat. They know there are some tools missing from the general toolbox –mostly pertaining to standards of design but also possibly relating to zoning. He stated that along with rezoning, they are trying to push the envelope of what VDOT will accept as VDOT roads, and Habitat's opinion is that the right of ways and curb-to-curb sections are too big for neighborhood scale in any neighborhood. He said that the hope is to approach VDOT to see how they can build neighborhood roads that existed pre-car culture, and without that element it will be very difficult to knit the whole neighborhood together.

Ms. McKeel stated that there has been many discussions and concerns expressed already about this issue, so it is good that this team is also raising it.

Ms. Mallek commented that it is not completely outside the box, as VDOT mentioned context sensitivity in reviewing the roads that were put in at Old Trail.

Mr. Rosensweig stated that they had shots of the neighborhood streets in north downtown, which were the dimensions they were considering for this, and they would like to have that as the framework of the development and design.

Ms. Elaine Echols, Chief of Planning-Long Range, asked if it was fair to say that this group believes there need to be more refinement of the pedestrian network in here, and that sidewalks are a key feature that need to be concentrated on.

Mr. Randolph said that it should also encompass multi-modal paths, not just pedestrian uses, because bike lanes are listed as optional for T-1 and T-2, but are accepted as critical in enabling people to move across Southwood on an east-west access as well as a north-south access.

Mr. Rosensweig said that it would be satisfactory to do them off street.

Ms. Riley stated that she would like to talk about the character of the buildings and the use in T-1 and T-2, as it is being proposed as the most intense but they have the least information in the packets. She said that the table with various setbacks, heights, and restrictions allows three to five stories, and her understanding is that Habitat is asking for a waiver of greenspace and parking on the entire Block B as they feel it does not need to be provided there. Ms. Riley added that she is also interested in understanding the character of the density, how Block B interfaces with the existing community and along Old Lynchburg Road. Ms. Otis clarified that there is no reduction in parking requested for Block A and Block B, but they have requested flexibility in how they count the parking, so that residents can have input into whether parking is directly on their site.

Ms. Riley said that she is mostly concerned about the commercial development. Ms. Otis responded that there is no waiver requested for parking on Block B, and the waiver request is for the eight acres in the amenity areas to count for one of the tot lot requirements, based on the density in Block A.

Ms. Nedostup stated that Ms. Riley's comment is that the parking is not clear in the code of development that the parking is restricted specifically for residential uses and not for commercial, as it talks about the parking in general being able to be shifted around.

Mr. Randolph commented that it is easy to look at this project in isolation in association of Block A to Block B, but they also need to be mindful that Block B interfaces directly across the street from an existing residential community – and without greenspace in Block B, he can easily see a scenario in which Block B looks like the Flats at West Main, but will be five massive stories. He emphasized that character refers to the context of the overall community and how it interfaces with other communities, and permitting up to five stories with no setbacks or greenspace in Block B seems problematic to him.

Ms. Nedostup confirmed that there is not a proposed setback where after a number of stories or height the building would be stepped back to provide variation, and it is listed as three to five stories in that block with setbacks as zero.

Ms. Riley commented that there are no setbacks and what she would call completely flexibility. Ms. Nedostup clarified that there is a maximum but not a minimum.

Ms. Mallek stated that in the downtown Crozet district, multiple stories were required, three stories were ideal, and any height above that would get special permission, with setbacks all designed in the code of development. She commented that that is already designed and can be lifted and used by not reinventing the wheel, but there is a way with multiple stories to create a very personable-sized street fronting Old Lynchburg Road and it does not have to be a mass.

Ms. Palmer said that there is a lot of new development, including affordable housing, going into the other side of Old Lynchburg Road, and she wondered if a traffic study has been done as it would be very important.

Mr. Wardell stated that in the early stages they focused on the residential aspects and found there were interested parties, so they began to respond to those specific interests. He explained that they realized they needed to set up a framework within which they could accommodate and address those interests, as there may be a third party that come in and do development here. Mr. Wardell emphasized that they needed to establish a framework that was flexible but also one that would allow the neighborhood to evaluate the proposals. He said that no one is envisioning a long, five-story structure with no breaks in it along that street, as the street is envisioned as one-half of a main street that the other side fronts on – with townhouses or similar. Mr. Wardell said they also do not imagine this fronting on Old Lynchburg Road because the access to the property is on Hickory Road and another entrance cannot be made off of Old Lynchburg.

Mr. Randolph said that he understands that, but the community has invested significant time in planning Block A, and to turn Block B over to a third party to develop with no community involvement for development will hand over broad flexibility via these guidelines – with the potential for tall buildings with no setbacks or open space, along with other variables that lends to massification for other neighborhoods but also for Block A. He stated that Block B does not seem to be ready to advance, as it does not have the precision or community involvement that Block A had, and the ambiguity concerns him. Mr. Wardell responded that Mr. Randolph's points are salient, but he wants to emphasize that Block A will not happen without community involvement.

Ms. Nedostup pointed out that there will be an "internal ARB" per the code of the development, but the way the zoning would work means that what is in the code of development would have to be approved. She said that if a site plan came in with a five-story building, it would have to be approved if it met the code of development.

Ms. Riley stated that the job of the Commission and Board at this meeting is to provide feedback, and there are concerns about the lack of specificity in the code of development and the potential for massification. She said that she feels that community involvement is a separate issue, although she happens to agree with it.

Mr. Rosensweig commented that the residents have rated the form-based code by indicating the kinds of structures and uses they want on that block, so the use matrix itself was entirely community generated. He said that Habitat disagrees in some aspects but defers to the residents. The form itself is regulated by the specific setbacks and step backs – and if the Board and Commission feels these would not yield something positive or appropriate, they should provide that feedback.

Mr. Keller suggested that they move onto the bigger issues, specifically the questions most related to the overall planning, as they are more implied in the first set.

Ms. Nedostup stated that this was implied in the first question, but she wants to start with the Block B issues that she has heard.

Ms. Mallek asked if staff could provide the feedback about Block B. Ms. Echols stated that she is hearing that there needs to be more specificity about what is happening on Block B, and there is a strong desire that the relationship of what goes there is assessed and planned for both what is facing internally and facing Old Lynchburg Road. She said that there is a strong desire that there not be a canyon effect on either side.

Ms. Palmer noted that greenspace was mentioned.

Ms. Riley said that greenspace and parking were raised.

Ms. Echols stated that the character of the area does not need to be all buildings and parking without greenspace or open space.

Ms. Mallek said that this would be applied to this type of development anywhere, and she would like to see the common expectations.

Mr. Kamptner said that he heard the desire for an expanded description of T-1 and T-2 on page 29 and pages 30-31 need parking and amenities clarified and enhanced. He said that page 31 in the code of development addresses front setbacks and step backs, and if these issues are not being raised now, the applicant and staff would surmise that the two bodies are fine with those items not discussed.

Mr. Keller responded that this is not the case.

Ms. Mallek mentioned that the three to five stories are concerns.

Mr. Kamptner said minimum and maximum lot sizes, building footprints, accessory structure setbacks, and other setback and step back requirements would be covered in that.

Mr. Keller commented that it seems premature because there is a large portion not being addressed where 1,500 are living, and Mr. Bivins' point about connectivity and how that may or may not be developed is a significant piece of this. He said that this is why there were comments about the whole piece needing to be master planned together.

Ms. Echols stated that she would like to bring closure to the issues already raised, and she wants to make sure that buildings over three stories would need special exceptions, as five stories are not acceptable as presented.

Mr. Randolph said that a special use permit should be required for buildings over three stories.

Ms. Mallek noted that the setback issue is different in different perspectives, as in downtown Crozet it is a 10-foot maximum because people wanted the buildings to front the street.

Ms. Echols added that Old Lynchburg Road and the internal street has to be considered in that.

Mr. Keller stated that he questioned all along how much Habitat paid for the property in the first place. Mr. Rosensweig responded that Habitat paid \$7 million.

Mr. Keller said that having looked at some interesting revitalized communities in Texas and New Mexico, in looking at the largest parcel in this project, he wonders what would happen if it were bought as a land bank with infrastructure put into it – with a partnership over time between Habitat and the County working with individuals who received the parcel they are living on and having parcels rehabilitated individually as families wanted them to do it. He emphasized that there have been constraints on what citizen involvement entailed, and perhaps it is not pertinent for this project but could be in future mobile developments. Mr. Keller said that he does not mean to degrade this approach, but he wonders if something more innovative could be done for less money, with open space reserved and the potential for money to be given back to support the land trust, given that this is a long-term buildout.

Mr. Rosensweig responded that resident-owned communities (ROCs) typically work with the first intervention being an outside entity coming in and helps residents purchase the land from its owner. He explained that in this case, a nonprofit helps residents create the equivalent of condo documents for joint ownership, which would have residents owning the land. He stated that typically that happens with mobile home parks where the infrastructure itself is up to standard, but in this case there are needs for improved water/sewer, with lot dimensions not allowable per County zoning regulations and roads not up to VDOT standards.

Mr. Keller asked if they are sure of that in terms of PUD potential. Ms. Nedostup confirmed that the current R-2 zoning would prohibit this, but a rezoning could possibly allow it.

Ms. Echols stated that she would like to know if they are okay in general with the form and detail proposed for Block A.

Mr. Randolph responded that he is not comfortable with no minimum setbacks in T-1 on the front, side, side corners, and rear – and he is also not supportive of no minimum lot size or building footprint.

Ms. Mallek said that the question seems to be whether they need more specificity in T-3, T-4, and T-5, to which she responded that she was.

Mr. Bivins stated that there is a lot to grapple within Block B because he is concerned that there will be a bifurcation between an active sense of entry into the Southwood neighborhood, but nothing is happening in the community once they come in and he agrees with Mr. Randolph regarding the concerns over transition between the blocks. He added that he has some concerns with the housing types in Block A, and there may be some approaches that would provide some uniqueness, and lay nicely on the property.

Mr. Keller said that he agrees with Mr. Randolph in that they are putting the cart before the horse, as they need to know what is going to happen with the heart of the community and how the part not being rendered is going to be developed – and this needs to be clarified prior to them saying how they would develop the portions adjacent to the external edge and roadway.

Ms. Echols asked if there was agreement among other members or if they are comfortable with two distinct rezonings: one for the properties currently in greenfield, with the knowledge that in the future, the other part of the existing Southwood would come in for another rezoning. She asked if they are okay with the separation or if they want a single master plan.

Mr. Dotson responded that he is comfortable with this as a Phase I, but there should be an overall concept that commits to key principles that would apply to both parts.

Ms. Spain stated that she shares the concern in wanting a fuller picture of the entire development, but she is also sympathetic to how Habitat can engage the residents in the entire process if the County demands an overall master plan. She said that this is just a first step, and the new part could be the model for directing redevelopment.

Mr. Keller said they also need to be candid as to how many residents were involved in this on a recurring basis.

Ms. Mallek commented that they are doing their best, adding that with 8,000 people in Crozet, she still got 50 to 100 people involved.

Ms. Riley stated that they are not asking for a master plan but are looking for a conceptual plan, and they had already touched on a number of those elements. She said that the major concern for her is the lack of specificity and the intent for it to be the most intent use on Block B, and no sense of how it relates to the existing community. She emphasized that a conceptual plan is necessary to address the issues raised thus far.

Ms. Echols said that the distinction is the level of commitment and whether having a conceptual plan is sufficient, and whether they would be okay with just seeing a general conceptual layout that addresses connectivity and relationships to the existing development.

Ms. Palmer said that this would be the basis for the rezoning. Ms. Echols clarified that it would be for Phase I rezoning.

Ms. Mallek suggested proceeding with Block A now, getting more information about Block B, and then letting the existing part be Phase II.

Ms. Echols said that they seem to be supportive in general of the parameters in the code of development for Block A. With the Board and Commission permission, she said she would like to move onto the next item.

Ms. Riley commented that she is comfortable with Block A but has concerns about the sidewalks and the buffering of sidewalks, which is standard in Neighborhood Model Development.

Ms. Palmer asked at what point a traffic study for Old Lynchburg Road would be available. Ms. Nedostup replied that it is being submitted.

Mr. Craig Katorski, with Timmons Group, stated that they have been working with VDOT on getting background traffic data, and VDOT is already doing a study in partnership with the County. He said that they received information three or four weeks earlier and are finalizing the traffic study. He added that they have set some caps related to total traffic coming out of the redevelopment, and it considers the entirety of the property. Mr. Katorski added that the study will also consider different traffic patterns that could occur if Block B is more commercial versus multi-family residential, as that would be going out onto 5th Street whereas commercial would be coming in. He stated that he anticipates the study information to be submitted within the next week.

Ms. Shifflett mentioned that the executive team met and submitted a request to Habitat on June 6 asking for an overall concept plan, with the stipulation that it would not be binding and should reflect reasonable estimates, locations of density, approximate number of affordable housing units, road networks, blocks and uses. She said that the language of the memo states that it is understandable and acceptable to the County that the concept may change during Phase I actual development, and the requested concept plan would be separate from the code of development. Ms. Shifflett noted that some of the key components – road networks, blocks, uses and housing units – are difficult considering they will be planned at a later date.

Ms. Mallek said that the existing and new roads should meet in a way that encourages connectivity, with sidewalks and greenways helping to connect this; that is enough for her to know this is going to be possible and can successfully be carried out. She stated that having an approval for Block A and Block B and having those be successful depends upon the successful completion of the second phase – otherwise it does not work. Ms. Mallek emphasized that they will be getting a tremendous investment in the first phase that would yield hard work to bring the second phase into existence. She commented that failure is not an option here, so they will just have to maintain effort to make it work, and everyone around the table wants to do that. Ms. Mallek added that she is hopeful that with the infrastructure connections identified, they will have enough information to be comfortable going forward in two phases.

Mr. Dotson stated that he found the photographs of the models of the blocks the residents put out to give a holistic picture, and perhaps they could be used going forward to help develop a conceptual plan.

Mr. Wardell commented that planning something over an existing property that residents have not been part of is the moment they take the process back and undo everything they have worked for over the last seven or eight years. He said that when they talk about concept, they can talk about “heat maps” that denote similarities in things like edge conditions or internal blocks – without putting community centers, roads, and parks over someone’s existing property – and a key component of this process is to not superimpose planning over people that are not participating at this point and are waiting to see if it is successful. Mr. Wardell stated that 37 adopters out of 341 homes is a 10% level of involvement, and any other community in the County with that level would be significant. He noted that the percentage of the participation in this community is higher than the general population as a whole, so any inference that they are only working with a tiny group is not really true. Mr. Wardell emphasized that they are working with an engaged and enthusiastic group, and there are people who are inventors and initiative-makers and others who wait to see how things will work out.

Ms. Echols stated that the next conversations revolve around affordable housing, and if they run out of time they will need to determine how to complete that conversation.

Ms. Mallek asked if she had considered doing questions 3 and 4 first, then going into a separate discussion on question 2. Ms. Echols responded that they could do that if the group agrees.

Mr. Randolph agreed with the approach. There were nods of agreement from other individuals.

Ms. Nedostup stated that the applicant’s proposal is to provide 51% across the jurisdiction but not just within Albemarle County, so they are stating in their code of development that with future rezonings they will commit to 43% overall affordable housing, which equates to non-displacement of current residents at the maximum projected density. She said they are also saying they will provide up to 51% in other jurisdictions, but not onsite and not necessarily within Albemarle County, so the question is whether the Board and Commission supports the regional approach.

Ms. Mallek responded that having seen how well the neighborhood at Wickham Pond is prospering, she would definitely support it in Albemarle County, but only in Albemarle.

Ms. Palmer responded “no”.

Mr. Bivins clarified that they are proposing 43% of the property, so they are talking about a net difference that would not necessarily be done on this property. Ms. Nedostup confirmed this, adding that it could be done on the property but would not have to be – and 43% is the base level. She emphasized that this question is really about future rezonings, and the second submittal involves the whole property being rezoned.

Mr. Bivins commented that this is 16 years out, and because of that, he wants it all on the property. The property should be able to absorb it because the 88 acres is a clean slate.

Ms. Riley agreed, stating that currently the level is 96-98% affordable, so if the intent is no displacement and maintaining the character of the community, they need to shoot higher than 51% affordable homes and put 43% onsite.

Mr. Keller stated that he agrees with his colleagues, but they have not yet talked about AMI and he is not sure if they are discussing homes that would switch from affordable to market rate. He commented that this is a very complicated question that continues to surface at the Planning Commission level, which is ultimately passed onto the Board, and in the long term they are not increasing their affordable housing numbers.

Ms. Riley said that there is also the issue in the proposal that anyone below 40% AMI would count as 1.5 units, which diminishes the number of units fairly dramatically, and that is something that needs to be flagged.

Ms. Echols clarified that the question being asked is whether there should be more affordable housing provided than just to deal with the displacement, and if they could answer that they might be able to pinpoint some numbers – but right now they need to establish whether this project need more affordable housing than for just the people who live there now.

The Board and Commission members expressed that they felt it should.

Ms. Riley commented that this was the original principle.

Mr. Gallaway stated that was the original rationale for him to go along with investing the money and staff time into this project.

Mr. Rosensweig stated that he would like to clear up some inaccuracies. He said that there is 43% affordable housing guaranteed onsite, with 51% overall across the area – and not 100% of Southwood residents want to live onsite. Habitat has already sold homes to Southwood families elsewhere. He emphasized that they would not force people to stay where they are and instead would offer opportunities to go elsewhere, either in the County or in the City. Mr. Rosensweig stated that if they restricted offsite affordable housing in Albemarle County, the County's own affordable housing proffer have made it impossible for developers to develop those homes. He explained that with the 60 or 90-day rule to put something on the market, the developer offboards his requirement to the builder, who puts it on the market for \$243,000, which is usually a small unit. Mr. Rosensweig said that five years ago when they did Wickham Pond, the developer and builder were willing to give that up, finding that in today's hot market they paid less for the land because of the proffer but made more money by developing and selling it. He stated that Habitat cannot even pay market value in Albemarle County and have been searching for a year for other space – but the County's own proffer policy has made it impossible for them to find it.

Mr. Rosensweig stated that trying to cram all the affordable housing needs into this one neighborhood might conflict with everything else in terms of the space people need to breathe, the parkland. Habitat is willing to make a commitment of about 400 units, but that has to transpire over time. He stressed that in Habitat's 27-year history, they have built 220 units of affordable housing and now are looking to double that over the next 10-15 years.

Mr. Rosensweig said that if they promise 51% of affordable housing onsite, there would be some complicating factors. He explained that 90% of American housing subsidy goes to low income housing tax credits, which are typically multi-family units developed "in a mediocre way," pockets of single income – usually above 50%, which means the vast majority of Southwood residents would not qualify. Mr. Rosensweig said that after 15 years, the tax credit financing runs out and those units go off the market, so 70% of units would go out of affordable housing.

Mr. Rosensweig stated that the most important part is that Southwood residents do not want to live in apartments or multi-family units, and they like having some space. He emphasized that if the County required the arbitrary 51% onsite, it would push Habitat into a low-income tax credit project that would ultimately be multi-family warehouse-type housing that the residents of Southwood do not want – which is an unintended consequence he is certain the Board and Commission do not want. Mr. Rosensweig said he is an advocate for affordable housing; someone who lives, breathes and sleeps creating affordable housing. He asked that they be careful of some of the requirements they impose on this proposal because it could make the project either unviable or unrecognizable to the most important people, the residents.

Mr. Randolph stated that the Board signed onto the project with the stipulation of 51% affordable housing, and they secured support out of the budget for \$675,000 to deliver on that. He said that Habitat came back and provided a level of 60-70%, so now to see a figure in the 40-percent range is completely unacceptable to him. He emphasized to Mr. Rosensweig that he knew it was the County's goal, and there has been several meetings where 51% has come up. Mr. Randolph said that he was actually shocked to see the proposition that property elsewhere in the region could be counted – Greene County, the City of Charlottesville – while Albemarle County taxpayers' money is going to this project. He stated that he is confident that Habitat can deliver 51% affordable housing, because while some people will want to leave, others will want to move in. Mr. Randolph emphasized that they are not talking about removing the greenspace, and all that design in Southwood from the last charrette is laudable. He clarified that the Board and Commission are saying they want a higher level, and to him the 51% is non-negotiable, with a commitment as a County to affordable housing through other projects. Mr. Randolph said that he wants the entire Southwood community to remain affordable, while retaining its character.

Ms. Mallek stated that she pulled up the Board's resolution, and the 51% level was not specified there. She said that she recalled the non-displacement creed at that percentage, and if they are going from 400+ units to 700+ units, that created the mixture that was up to 100% because they are not reducing numbers, but additional units on top of those already there. She said that she understood that they were signing off on the concept of non-displacement, which in her mind generated the numbers they had agreed upon. She added that the other important aspect is having Habitat be the lender so the houses do come back and someone wants to sell them, and do not go out and become market rate homes – which to her is the major failure of their current housing policy.

Ms. Echols stated that she is hearing a few different opinions from them and wants to get other Board and Commission members to weigh in, as this reflects the initial expectation the Board had when they went into the partnership. She said that she thought she heard an expectation for more than displacement, and she is hearing from Ms. Mallek that she is not sure this is the case. Ms. Echols mentioned that she was not present for the discussion and thus does not fully grasp what the Board's expectations were, and she asked them individually to clarify their positions.

Mr. Gallaway stated that the Board member from that district – Mr. Randolph – was the trusted liaison until the item came back to the Board. He said that he understood the non-displacement and felt it

was an admirable goal, but he never expected that to be 100%, and he felt that it was different than the number of houses counted as affordable. He stated that his expectation was that the number of affordable units was going to grow, but what that grows by was not discussed before. Mr. Gallaway stated that at the time he was very enthusiastic about having the residents involved, but there was a significant investment from the County and if they do not see an increase in affordable housing stock, he does not understand why they invested in the project as a public entity.

Mr. Rosensweig responded that they will see an increase in stock, the question is whether it has to happen onsite or if it can happen somewhere else in the County.

Mr. Gallaway emphasized that he signed onto this project for onsite affordable housing, and it was presented to him that the units would increase onsite; maintaining what they had. He commented that they had two-on-two meetings in addition to full Board meetings about this, and he recalled that this was presented as an opportunity for an amount of affordable stock onsite – with a project that would not displace current residents and would increase the number of affordable units. Mr. Gallaway emphasized that this was not discussed in the context of having affordable units somewhere else in the County or even out of the County, and this is the first he has heard of it.

Ms. Mallek said that it is a question being asked, so they should not be mad that they are being asked.

Mr. Gallaway responded that he is not mad but when it comes to investing money, with this \$675,000 being done outside of the process and out of the context of other priorities, there was criticism from people for taking that kind of approach. He stated that they need to be clear that they wanted to address affordable housing, and this money was to help them accomplish that.

Ms. McKeel stated that she agrees with Mr. Gallaway, but she does not remember anything magic about 51%, with the overall goal of increasing affordable housing. She added that she could support other locations in Albemarle County but not outside of that, and a selling point for this project was that the affordable housing would stay affordable.

Ms. Mallek said that her goals for the project were: non-displacement and affordable housing for the current residents; increasing the number of affordable units onsite; and not losing the affordable housing that was there. She stated that she does not recall 51% having any significance other than its relation to some formula for HUD funding – but it is the applicant's issue if they chose not to use that funding.

Ms. Palmer stated that she agrees with Mr. Gallaway and is also concerned about the percent AMI they are getting and did not see anything about that.

Mr. Randolph said that he has his notes from a March 15, 2018 Southwood community meeting, and they talked about 51% affordable housing in Phase I. He stated that his notes from a March 1, 2018 report showed that "A CDBG-funded project must show at least 51% of the beneficiaries as low to moderate income by federal statute. DHCD has no flexibility with this federal mandate. A CDBG-funded project is typically the activity related to one specific application." He said that this was a reason why the 51% was built in as an expectation to maximize the possibility of having federal dollars.

Ms. McKeel stated that it was not part of the Board's broader discussion.

Mr. Randolph confirmed this, adding that the discussion with Habitat included repeated references to the 51%.

Ms. Mallek asked if Ron White had any comments on this.

Mr. Dill stated that he is more in favor of flexibility, as this project is long term and has another 15-20 years ahead of it. The Board cannot stay rigid to what was agreed on three years ago. He said he is okay with it not being onsite, but it needs to be in Albemarle County unless there is some deal with Greene County or the City of Charlottesville. Mr. Dill said that while \$675,000 is a significant contribution, but in the world of building it is about 1.5 houses, and they should try to leverage it as much as possible. He stated that he also agrees that the housing should stay affordable for the long term.

Mr. Ron White, Chief of Housing, stated that he heard three different things being discussed: rezoning, which says nothing about 51%; a contribution by the County and Habitat with expectations that may not yet be completely clear; and CDBG potential, which would be considered on a project-by-project basis. He explained that Community Development just put in an application on Habitat's behalf for \$2.25 million, and they were offered the opportunity to submit an application for a structured small village of 15 houses that would more than meet the 15% – with 100% of those units would be affordable. Mr. White emphasized that the CDBG will be dependent on the specific project, not the overall development. He said that he feels they should deal with contributions in a clear enough way that they know what they are getting for that contribution up front, whether it be performance agreements, contributions, etc., and that seems to be where the questions arose on the number or percentage of units.

Ms. Mallek stated that she thought the 1.5 units for people below 40% AMI made tremendous sense because of the inability of those families to contribute more to their rent, so they essentially need more support. Mr. White responded that this aligns with the 2015 Comprehensive Plan, in which there was consideration of a weighted scale for giving credit for affordable units. He stated that from his point of



view, the weighted scale and non-displacement are huge compensating factors for considering what they want to require as a level of affordable housing for the rezoning versus requirements for monetary contributions, staff time contributions, CDBG funding, etc.

Ms. Echols stated that her understanding is that most Board members expect additional affordable units to be provided in Albemarle County – and it would be preferential to have them onsite but there could be some flexibility.

Board members agreed that they could accept that.

Ms. Echols said that she feels they have gotten somewhere with this discussion and asked Mr. Rosensweig if he feels that he has received some direction.

Ms. Mallek asked if question 4 required a lot of extra presentation. Ms. Echols responded that they need the questions from the other session first.

Mr. Kamptner stated that the 43% was tied to the non-displacement theory, and if the applicant is going to proceed with the bonus factor for AMIs that are around 40%, he asked how that would interplay with the non-displacement. He said that if they did 100 units at 40 AMI or less and got a 1.5 credit, that was 200 units. Mr. Rosensweig responded that the intent is for non-displacement and support for people who want to live elsewhere, and that number would ultimately be increased. He stated that the additional bonus was requested by Mr. Mark Graham and Mr. Kamptner, and they included it because this was a pilot project for the County. Mr. Rosensweig emphasized that they are committed to supporting people, and this is something that could help create a policy for the County that will have broader applicability.

Ms. Riley agreed that it is a policy question and for this particular set of commitments, people should run the numbers – which are greatly different in terms of AMI data, as 35.7% of residents are below the 30% level, and even just taking 20 of the 43 would mean 55% of the units. She stated that this is a policy question but has implications in terms of how many units would ultimately be built. Ms. Riley added that these will more likely be rental units than ownership units, and it is a far more complicated affordable housing discussion that lacks policy dictating direction.

Ms. Mallek commented that this is what made the discussion at this meeting so challenging.

Mr. Kamptner stated that the Board's resolution of October 5, 2016 envisioned non-displacement, which has been Habitat's pledge, resulting in approximately 400 new affordable housing units – which is close to the 51%. He said that the other factor coming into play is the current affordable housing policy, which are not intended to be exclusively affordable housing and instead should be mixed-income housing types incorporated into the development. Mr. Kamptner stated that they are usually looking at it as a market-rate development.

Ms. Mallek said that she understands that for Block A but would be very reluctant to insist that the existing neighborhood have to give over some of their property to another market rate.

Mr. Keller stated that the Supervisors may want to consider actual numbers versus percentages, as the number may be lower because of the lower AMI.

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Agenda Item No. 3. Planning Commission Adjourn to Regular Scheduled Planning Commission Meeting at 6:00 p.m. in Lane Auditorium.

At 5:01 p.m., Mr. Keller adjourned the Planning Commission meeting to its regular scheduled meeting in the Lane Auditorium at 6:00 p.m.

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Agenda Item No. 4. Resolution Authorizing the County Executive to Declare a Local Emergency.

Ms. Mallek said the Board members have been provided with a copy of a draft resolution. She asked if there were any questions, discussion or debate.

Ms. McKeel **moved** that the Board adopt the proposed Resolution authorizing the County Executive to declare a local emergency. Ms. Mallek **seconded** the motion.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. Mallek, Ms. McKeel, Ms. Palmer, Mr. Randolph and Mr. Dill.  
NAYS: None.

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE  
TO DECLARE A LOCAL EMERGENCY  
(Virginia Code § 44-146.21)**

**WHEREAS**, the County Executive is designated as the Director of Emergency Management for the County of Albemarle; and

**WHEREAS**, the weekend of August 10-12, 2018 will be the first anniversary of last year’s so-called “Unite the Right” rally which resulted in demonstrations, protests, counter-protests, violence, and threatened violence so as to warrant the declaration of a local emergency by the County; and

**WHEREAS**, it is anticipated that there will be similar demonstrations, protests, and counter-protests on the weekend of August 10-12, 2018 (the “Event”).

**NOW THEREFORE, BE IT RESOLVED**, that the Albemarle County Board of Supervisors authorizes the County Executive, acting as the Director of Emergency Management, to declare a local emergency related to the Event at any time he determines to be appropriate; and

**BE IT FURTHER RESOLVED** that, during the local emergency declared for the Event, the County Executive is authorized to exercise the powers conferred to him as the Director of Emergency Management by Virginia Code § 44-146.21 and any other section of the Emergency Services and Disaster Law (Virginia Code § 44-146.13 *et seq.*) .

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Agenda Item No. 4. Board of Supervisors Adjourn to August 8, 2018, 2:00 p.m., Lane Auditorium.

At 5:04 p.m., with no further business, the Board adjourned its meeting to August 8, 2018 at 2:00 p.m. in Lane Auditorium.

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Chairman

Approved by Board
Date 01/16/2019
Initials CKB