



**CITY COUNCIL AGENDA
November 2, 2015**

6:00 p.m.

Closed session as provided by Section 2.2-3712 of the Virginia Code

Second Floor Conference Room (Consultation with legal counsel regarding: negotiation of terms and conditions for co-located City-County General District Courts, and potential City liability for proposed operations at the Ivy Material Utilization center.)

7:00 p.m.

Regular Meeting

**CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL**

Council Chambers

**AWARDS/RECOGNITIONS
ANNOUNCEMENTS**

MATTERS BY THE PUBLIC

Public comment permitted for the first 12 speakers who sign up before the meeting (limit 3 minutes per speaker) and at the end of the meeting on any item, provided that a public hearing is not planned or has not previously been held on the matter.

COUNCIL RESPONSE TO MATTERS BY THE PUBLIC

1. CONSENT AGENDA*

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

**Passed 5-0 (except item k)
(Szakos/Fenwick)**

a. Minutes for October 19

b. APPROPRIATION:

Runaway Emergency Shelter Program Grant – \$212,000 (2nd of 2 readings)

c. APPROPRIATION:

Charlottesville Affordable Housing Fund – \$331,450.68 (1st of 2 readings)

d. APPROPRIATION:

Virginia Department of Health Special Nutrition Program Child and Adult Care Food Program – \$32,000 (1st of 2 readings)

e. RESOLUTION:

Donated Funds to First Tee of the Virginia Blue Ridge – \$20,491 (1st of 2 readings)

f. RESOLUTION:

Charlottesville-Albemarle Health Department Carry Over Request – \$26,575.37 (1st of 1 reading)

g. RESOLUTION:

Purchase of Parcel of Land for Greenbelt Trail (1st of 1 reading)

h. RESOLUTION:

Rename Bent Creek Road (City Portion) to 5th Street Station Parkway (1st of 1 reading)

i. RESOLUTION:

Allocation of Charlottesville Affordable Housing Fund (CAHF) for repayment of CDBG Funds – \$4,600 (1st of 1 reading)

j. RESOLUTION:

Hillsdale Right-of-Way Acquisition (1st of 1 reading)

k. ORDINANCE:

Easement to RWSA for Water Line in Towe Park (2nd of 2 readings) **4-1 (Smith no)**

l. ORDINANCE:

Specimen Tree Designation in McIntire Park (2nd of 2 readings)

2. RESOLUTION*

Allocation of Charlottesville Affordable Housing Fund (CAHF) for Piedmont Housing Alliance (PHA) Predevelopment Planning for Friendship Court - \$350,000 (1st of 1 reading)

Passed 5-0 with conditions (Szakos/Galvin)

3. RESOLUTION*

Dogwood Housing Agreement Amendment (1st of 1 reading) **Passed 5-0 (Szakos/Galvin)**

4. ORDINANCE*

West Main Street Mixed-Use Corridors Amendment (1st of 2 readings) **5-0 resolution to refer back to Planning Commission (Szakos/Fenwick)**

5. ORDINANCE*

Rezoning Midland Street Parcel (1st of 2 readings) **5-0 to DENY (Smith/Szakos)**

**OTHER BUSINESS
MATTERS BY THE PUBLIC**

COUNCIL RESPONSE TO MATTERS BY THE PUBLIC

*ACTION NEEDED

APPROPRIATION.
Runaway Emergency Shelter Program
\$212,000.

WHEREAS, the City of Charlottesville has been awarded \$200,000 from the Department of Health and Human Services Administration for Children and Families with cash match of \$12,000 provided by Community Attention and in-kind match of \$10,222 provided by Ready Kids;

WHEREAS, the funds will be used to operate the Runaway Emergency Shelter Program through a partnership between Community Attention and Children, Youth and Family Services/Ready Kids. The grant award covers the period from September 30, 2015 through September 29, 2016;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$212,000 is hereby appropriated in the following manner:

Revenue – \$212,000

\$200,000	Fund: 211	Internal Order: 1900256	G/L Account: 431110
\$ 12,000	Fund: 211	Internal Order: 1900256	G/L Account: 498010

Expenditures - \$212,000

\$ 99,026	Fund: 211	Internal Order: 1900234	G/L Account: 519999
\$ 92,000	Fund: 211	Internal Order: 1900234	G/L Account: 530010
\$ 20,974	Fund: 211	Internal Order: 1900234	G/L Account: 599999

Transfer - \$12,000

\$ 12,000	Fund: 213	Cost Center: 3413001000	G/L Account: 561211
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$200,000 from the Department of Health and Human Services Administration for Children and Families.

RESOLUTION.

**Authorization of Carryover for Charlottesville-Albemarle Health Department
\$26,575.37**

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the Charlottesville-Albemarle Health Department is authorized to carry over the sum of \$26,575.37 from Fiscal Year 2015 for the above-stated purpose.

RESOLUTION

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia, that the City Manager is hereby authorized to sign the following document, in form approved by the City Attorney or his designee.

Purchase Agreement between the City of Charlottesville and Marie Braxton for the purchase by the City of a parcel of land on Rougemont Avenue for greenbelt trail purposes.

RESOLUTION
RENAMING THAT PORTION OF BENT CREEK ROAD
IN THE CITY OF CHARLOTTESVILLE
TO 5TH STREET STATION PARKWAY

WHEREAS, the 5th Street Station Ventures, LLC has requested the City to re-name Bent Creek Road to 5th Street Station Parkway to better define the new traffic pattern in that area, as shown on the attached drawing dated October 13, 2015; and

WHEREAS, Bent Creek Road, located partly in the City and partly in Albemarle County, is being extended and improved from 5th Street Extended in the City to a new shopping center located in the County of Albemarle; and

WHEREAS, City staff have reviewed and approved the request, citing improvements to the City portion of Bent Creek Road, such as a widened roadway with new sidewalks and turn lanes, and having no impact on the property owners adjoining Bent Creek Road; now, therefore

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the portion of the City street currently named “Bent Creek Road” that runs from 5th Street Extended to the City-County boundary line shall hereinafter be officially named “5th Street Station Parkway”; provided, however, that a similar request to re-name Bent Creek Road to 5th Street Station Parkway is approved by the Albemarle County Board of Supervisors.

RESOLUTION
Allocation of Charlottesville Affordable Housing Fund (CAHF) for
Community Development Block Grant (CDBG) Repayment to the U.S. Department of
Housing and Urban Development
\$4,600

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$4,600 be allocated from previously appropriated funds in the Charlottesville Affordable Housing Fund for repayment of CDBG funds to HUD.

Transfer from:

\$4,600 Fund: 426 Project: CP-084 G/L Account: 561218

Transfer to:

\$1,050	Fund: 218	WBS: P-00001-02-63	G/L Account: 451050
\$1,300	Fund: 218	WBS: P-00001-02-64	G/L Account: 451050
\$2,250	Fund: 218	WBS: P-00001-02-66	G/L Account: 451050

Expense:

\$1,050	Fund: 218	WBS: P-00001-02-63	G/L Account: 540368
\$1,300	Fund: 218	WBS: P-00001-02-64	G/L Account: 540368
\$2,250	Fund: 218	WBS: P-00001-02-66	G/L Account: 540368

RESOLUTION

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia, that the City Manager is hereby authorized to sign the following document, in form approved by the City Attorney or his designee.

Project Services Agreement between the City and the Virginia Department of Transportation (VDOT) for VDOT to perform right of way and easement acquisition in connection with the Hillsdale Drive project (U000-104-119, RW-201).

**AN ORDINANCE
GRANTING A PERMANENT EASEMENT TO THE
RIVANNA WATER AND SEWER AUTHORITY
FOR THE INSTALLATION OF WATER LINE FACILITIES
IN DARDEN TOWE PARK**

WHEREAS, the Rivanna Water and Sewer Authority (“RWSA”) has requested the City of Charlottesville (“City”) to grant a permanent easement across a portion of Darden Towe Park, located in the County of Albemarle on Stony Point Road and jointly owned by the City and the County of Albemarle, as shown on the attached plat dated May 12, 2015; and,

WHEREAS, the proposed easement will allow for the installation and maintenance of water line facilities to serve Towe Park; and,

WHEREAS, in accordance with Virginia Code Sec. 15.2-1800(B), a public hearing was held to give the public an opportunity to comment on the conveyance of this easement; and

WHEREAS, City staff have reviewed the request and have no objection to the conveyance of said easement to RWSA.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that the Mayor is hereby authorized to execute a Deed of Easement and such other documents as may be requested by RWSA, in form approved by the City Attorney, to convey the above-described easement to the Rivanna Water and Sewer Authority.

ORDINANCE
DESIGNATING CERTAIN TREES AS PROTECTED TREES
UNDER THE CITY'S TREE CONSERVATION ORDINANCE

WHEREAS, the City of Charlottesville (the City) adopted a Tree Conservation Ordinance on November 4, 2013 to preserve certain significant trees within the City of Charlottesville; and

WHEREAS, per Section 18-5 *et seq.* of the City Code (Tree Conservation Ordinance), the City Arborist and Tree Commission may make recommendations to Council on a quarterly basis to consider designation of certain trees as Heritage, Memorial, Specimen, or Street trees; and

WHEREAS, the Tree Commission has nominated and recommends that four (4) White Oak trees in McIntire Park be designated as Specimen Trees, and the City Arborist concurs with the recommendation; and

WHEREAS, City Council has considered the report and recommendation of the City Arborist and the Tree Commission, and conducted a public hearing on October 19, 2015; now, therefore,

BE IT ORDAINED by the Council for the City of Charlottesville that the above-described White Oak trees, located in McIntire Park, located as shown on the attached map, are hereby designated as Specimen Trees.

RESOLUTION
Allocation of Charlottesville Affordable Housing Fund (CAHF) for
Piedmont Housing Alliance Master Planning for Redevelopment of Friendship Court
\$350,000

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$350,000 be allocated from previously appropriated funds in the Charlottesville Affordable Housing Fund to the Piedmont Housing Alliance for the purpose of providing funds for Friendship Court Master Planning for Redevelopment efforts, and

BE IT FURTHER RESOLVED THAT the funding will be subject to the following conditions:

- 1.) Developing mutually agreed upon goals and outcomes.
- 2.) Incorporating Friendship Court resident participation in decision-making throughout the pre-redevelopment and redevelopment process, including but not limited to Friendship Court resident representation on the advisory committee.
- 3.) Incorporating City participation in decision-making throughout the pre-redevelopment and redevelopment process, including but not limited to City staff and Council representation on the advisory committee.
- 4.) Formulating a financially sustainable mix of low income, workforce, market rate units and commercial uses as envisioned by the City's Comprehensive Plan of which the SIA Plan is a part.
- 5.) Developing a site plan that incorporates key elements of the SIA plan, including the concept of the Pollack's Branch greenway, urban agriculture, stormwater management, and increased connectivity (in consultation with the SIA consultants).
- 6.) Improving resident health, well-being and economic mobility in partnership with the City and other community organizations, businesses and individuals.
- 7.) Working with the City to identify and establish the partnerships needed to coordinate community engagement, mixed income redevelopment and resident relocation efforts including Friendship Court residents, the City, PHA, CRHA, and the private sector as appropriate, and
- 8.) Setting a date (or dates) for a joint work session (s) between the PHA Board and the City Council with the goal of establishing a mutually beneficial strategy to move forward, no later than January 31, 2016.

Fund: 426

Project: CP-084

G/L Account: 599999

Piedmont Housing Alliance \$350,000

**RESOLUTION
APPROVING REVISION TO
DOGWOOD PROPERTIES OF CHARLOTTESVILLE LLC LOAN AGREEMENT**

BE IT RESOLVED by the City Council for the City of Charlottesville that

- 1) the City of Charlottesville's loan agreement with Dogwood Properties of Charlottesville, LLC, dated as of February 1, 2013, ("Loan Agreement") shall be revised to require the use the following rent levels for those families/households not receiving tenant based rental assistance through Housing Choice vouchers or other programs where the rent is set by other program guidelines: HUD Low HOME rent limits will be used for households with incomes at 50% AMI or less and HUD High HOME rent limits will be used for households with incomes greater than 50% but less than 80% AMI, and
- 2) the Loan Agreement be revised to provide a two year grace period for tenants who become over-income while leasing a Dogwood property, and
- 3) the City Manager is authorized to execute the revised Loan Agreement, following approval of the form of the revised Loan Agreement, consistent with the revisions authorized by this Resolution, by the City Attorney's Office.

**RESOLUTION
REFERRING ZONING TEXT AND ZONING MAP AMENDMENTS
AMENDING ZONING DISTRICT CLASSIFICATIONS
AND REGULATIONS FOR PROPERTY ALONG WEST MAIN STREET
BACK TO PLANNING COMMISSION FOR FURTHER REVIEW
AND ADDITIONAL PUBLIC HEARING**

WHEREAS, City Council has before it an ordinance initiated and recommended by the Planning Commission, proposing an amendment of the City's zoning ordinance, including amendment of zoning text and of the City's official zoning map, to change zoning district classifications of property along West Main Street; and

WHEREAS, City Council desires that the boundaries of the West Main Street mixed use zoning district classifications be further reviewed, and for the planning commission to consider and make a recommendation as to whether the property located at 100 Ridge Street should be rezoned from its current WMS mixed-use classification to any of the following mixed use classifications: the proposed WME, or alternatively, to WSD, DE or D; and

WHEREAS, City Council desires that the Planning Commission review the comments received by staff since October 13, 2015, and make recommendations as to whether any of the comments received at the public hearing or in writing should be incorporated into the proposed zoning amendments;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville that the proposed zoning ordinance (consisting of zoning text and zoning map amendments) attached to this Resolution are hereby referred to the Planning Commission, and the Planning Commission is directed to (i) review the proposed zoning text and zoning map amendments, (ii) consider WME, as well as WSD, DE and/or D as possible zoning district classifications for 100 Ridge Street, (iii) consider the comments received by staff after October 13, 2015, and (iv) schedule an additional joint public hearing for December 8, 2015, and then report its findings and recommendations back to City Council immediately after its December 8, 2015 meeting.