



CITY COUNCIL AGENDA
January 20, 2015

6:00 p.m. – 7:00 p.m.

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

Second Floor Conference Room (Consideration of acquisition of real property on W. Main St., St. Clair Ave. and Melbourne Rd. for a public purpose; acquisition of a sanitary sewer easement along McIntire Rd.)

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL

Council Chambers

AWARDS/RECOGNITIONS
ANNOUNCEMENTS

Fontaine Fire Station Award

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.)

a. Minutes for January 5

b. APPROPRIATION:

2015 Department of Motor Vehicles Virginia Highway Safety Grant for Speed Enforcement - \$7,680 (2nd of 2 readings)

c. APPROPRIATION:

VDOT Funds for the Condemnation of CATEC Property Used for the Meadowcreek Parkway - \$144,700 (2nd of 2 readings)

d. APPROPRIATION:

National Endowment for the Arts (NEA) Our Town Grant "Play the City" – \$50,000 (2nd of 2 readings)

e. APPROPRIATION:

Central Library Restroom Renovation and A.D.A. Improvements Project – Albemarle County Reimbursement – \$10,033.19 (2nd of 2 readings)

f. APPROPRIATION:

Local Contributions for Crisis Intervention Training - \$16,000 (2nd of 2 readings)

g. APPROPRIATION:

2015 Department of Motor Vehicles Virginia Highway Safety Grant for Alcohol Enforcement – \$24,114 (2nd of 2 readings)

h. APPROPRIATION:

Preston Morris Building Envelope Restoration Project – Albemarle County Reimbursement – \$1,200 (2nd of 2 readings)

i. APPROPRIATION:

Outside Area Contributions for Crisis Intervention Training - \$3,500 (2nd of 2 readings)

j. APPROPRIATION:

Environmental Protection Agency Solid Waste Management Assistance Grant for Composting at the Charlottesville City Market - \$9,000 (2nd of 2 readings)

k. APPROPRIATION:

Adoption Incentive Funds – \$2,977.92 (2nd of 2 readings)

l. APPROPRIATION:

Virginia Initiative for Employment not Welfare (VIEW) – \$12,675 (2nd of 2 readings)

2. RESOLUTION*

Rental Assistance for Supportive Housing at the Crossings – \$150,000 (1st of 1 reading)

3. RESOLUTION*

Thomas Jefferson Area Coalition for the Homeless (TJACH) Spring for Housing -- \$105,000 (1st of 1 reading)

4. RESOLUTION*

University of Virginia Liaison to City Council (1st of 1 reading)

5. RESOLUTION*

Property Sublease at 100 East Water Street for City Market (1st of 1 reading)

6. REPORT*

Transient Lodging Facilities Planning Commission Report

7. RESOLUTION*

SIA (Strategic Investment Area) Implementation Process (1st of 1 reading)

OTHER BUSINESS

National League of Cities Annual Conference Review
Mayor and City Council Comments on West Main Street

MATTERS BY THE PUBLIC
COUNCIL RESPONSE TO MATTERS BY THE PUBLIC

*ACTION NEEDED

**CITY OF CHARLOTTESVILLE, VIRGINIA.
CITY COUNCIL AGENDA.**



Agenda Date:	January 5, 2014
Action Required:	Appropriate Grant Funding
Presenter:	Lieutenant Cheryl Sandridge, Police Department
Staff Contacts:	Lieutenant Cheryl Sandridge, Police Department
Title:	2015 Department of Motor Vehicles Virginia Highway Safety Grant for Speed Enforcement - \$7,680

Background:

The Commonwealth of Virginia Department of Motor Vehicles has awarded the City of Charlottesville \$5,120 through a Virginia Highway Safety Grant, with a required local in-kind match of \$2,560, for a total award of \$7,680.

Discussion:

The Virginia Highway Safety Grant is administered by the Commonwealth of Virginia Department of Motor Vehicles to provide funding for programs which are designed to reduce the number of fatalities, injuries and related economic losses resulting from traffic crashes on Virginia roadways.

The Charlottesville Police Department will utilize awarded grant funds in the following areas:

- Pedestrian and Bicycle Safety
- Speeding and Aggressive Driving
- Occupant Protection (seat belts and child safety seats)
- Alcohol and Impaired Driving
- Highway Safety Training and Equipment

Alignment with City Council's Vision Areas and Strategic Plan:

This appropriation aligns with Council's vision by helping to ensure safe neighborhoods through traffic enforcement and added equipment as a Smart, Citizen-Focused Government, with additional outside funding. Traffic enforcement is designed to slow traffic and reckless drivers, thus lowering traffic accident related injuries and deaths. This directly supports Goal 2 of the Strategic Plan, to be a safe, equitable, thriving, and beautiful community by promoting vehicular safety.

Community Engagement:

This item requires no community engagement.

Budgetary Impact:

These funds will be appropriated into a grants fund. The required local match will be satisfied through highway safety related expenditures that are already appropriated in the Police Department's General Fund budget, thus requiring no additional City funds to meet the match.

Recommendation:

Appropriate grant funds

Alternatives:

The alternative is to not approve this project.

Attachments:

N/A

APPROPRIATION.

**2015 Department of Motor Vehicles Virginia Highway Safety Grant for Speed Enforcement.
\$7,680.**

WHEREAS, the Police Department, through the City of Charlottesville, has received a Virginia Highway Safety Grant award from the Commonwealth of Virginia Department of Motor Vehicles in the amount of \$5,120, to be used for overtime, related to highway safety; and

WHEREAS, the Police Department will utilize regular traffic officer, related to highway safety as an in-kind match in the amount of \$2,560.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$5,120, received from the Commonwealth of Virginia Department of Motor Vehicles (2015 Virginia Safety Grant) and the local match of \$2,560 is hereby appropriated in the following manner:

Transfer Local Match of \$2,560 from Fund: 105 CC: 3101001000, G/L: 519999

Revenue

\$5,120	Fund: 209	IO: 1900238	G/L: 430120 State (Federal Pass-thru)
\$2,560	Fund: 209	IO: 1900238	G/L: 498010 Transfer from Other Funds

Expenditures

\$ 2,560	Fund: 209	IO: 1900238	G/L: 510010 Full Time Salaries
\$ 5,120	Fund: 209	IO: 1900238	G/L: 510060 Overtime

BE IT FURTHER RESOLVED that this appropriation is conditioned upon the receipt of \$5,120 from the Commonwealth of Virginia Department of Motor Vehicles (2015 Virginia Safety Grant).

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**CITY OF CHARLOTTESVILLE, VIRGINIA.
CITY COUNCIL AGENDA.**



Agenda Date:	January 5, 2015
Action Required:	Approve Appropriation
Presenter:	Maurice Jones, City Manager Leslie Beauregard, Director, Budget and Performance Management
Staff Contacts:	Maurice Jones, City Manager Leslie Beauregard, Director, Budget and Performance Management
Title:	V.D.O.T. Funds for the Condemnation of C.A.T.E.C. Property Used for the Meadowcreek Parkway - \$144,700

Background: The Charlottesville City School Board and the Albemarle County Schools Board each received a check in the amount of \$144,700 from the Virginia Department of Transportation (V.D.O.T.) for its share of compensation for the condemnation of 2.75 acres of the 15 acre Charlottesville Albemarle Technical Education Center (C.A.T.E.C.) property. The 2.75 acres was required for the Meadowcreek Parkway. The C.A.T.E.C. property is jointly owned by the County and City Schools Boards. City Council, as the appropriating body for the City Schools, must now appropriate these funds for their future use.

Discussion: The Charlottesville City School Board and the Albemarle County School Board have each indicated that they would like these funds to support the needs as determined by the C.A.T.E.C. Board. The County Board of Supervisors appropriated the County share into a reserve capital budget account for a future C.A.T.E.C. capital request. The City is recommending to follow the Albemarle County Board of Supervisors actions by placing the funds in a reserve capital account.

Alignment with Council Vision Areas and Strategic Plan: N/A

Community Engagement: N/A

Budgetary Impact: The condemnation funds, a total of \$144,700, will be appropriated into a reserve capital budget account, the use of which will be determined through future C.A.T.E.C. C.I.P. requests.

Recommendation: Staff recommends approval and appropriation funds.

Alternatives: Council may choose to not appropriate the funds at this time, or for a different purpose than recommended.

Attachments: None

APPROPRIATION
V.D.O.T. Funds for the Condemnation of C.A.T.E.C. Property Used for the
Meadowcreek Parkway
\$144,700

WHEREAS, the Charlottesville City School Board has received a check in the amount of \$144,700 from the Virginia Department of Transportation (V.D.O.T.) for its share of compensation for the condemnation of 2.75 acres of the 15 acre Charlottesville Albemarle Technical Education Center (C.A.T.E.C.) property.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$144,700 be appropriated in the following manner:

Revenues

\$144,700 Fund: 426 WBS: P-00845 G/L Account: 432085

Expenditures

\$144,700 Fund: 426 WBS: P-00845 G/L Account: 599999

**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



Agenda Date:	January 5, 2015
Action Required:	Approval of Appropriation
Presenter:	Melissa Thackston, Grants Coordinator
Staff Contacts:	Melissa Thackston, Grants Coordinator
Title:	National Endowment for the Arts (N.E.A.) Our Town Grant – “Play the City” - \$50,000

Background:

In January 2014, the City of Charlottesville and the Bridge Progressive Arts Initiative along with partners Piedmont Council for the Arts (P.C.A.), the University of Virginia School of Architecture, and other community partners, applied for funding through the National Endowment for the Arts (N.E.A.) “Our Town” grant for a project known as “Play the City”. The N.E.A. “Our Town” grant supports creative placemaking projects that contribute to the livability of communities and place the arts at their core.

The NEA has selected the City of Charlottesville as one of 66 2014 Our Town grant winners for “Play the City”. The project will receive \$50,000 towards the \$200,000 project focused on activating Charlottesville’s Strategic Investment Area (S.I.A.) through a series of workshops, public art installations, and festivals. The City of Charlottesville is also the only locality in Virginia to be awarded an Our Town grant this year.

Discussion:

“Play the City,” focuses on engaging those living in the S.I.A. to deeply understand their knowledge about the neighborhood, and then partner artists with the community to produce several artworks that respond to community concerns. Partnering with the City of Charlottesville, The Bridge P.A.I. will lead a series of community projects and conversations that seek to energize the S.I.A. through art installations, performances, and events to define a new future for the neighborhoods through the eyes of residents. Play the City will encourage adults and children alike to experiment with their preconceptions of Charlottesville and use the arts for self-expression.

Community Engagement:

A large component of “Play the City” involves engaging with the residents of the S.I.A. area through a series of workshops and resident directed art installations. “Play the City” will be the first time that residents not only participate in a planning effort, but also get to see their vision realized and developed into something tangible.

Alignment with Council Vision Areas and Strategic Plan:

“Play the City” aligns directly with Council’s vision for **C’ville Arts and Culture**. Expected outcomes include improved services provided to Charlottesville residents as well as enhanced local quality of life and creative economic development initiatives. The project also will help realize the following Strategic Plan objectives: *2.6. Engage in robust and context sensitive urban planning; 5.1. Respect and nourish diversity; 5.2. Build collaborative partnerships’ and 5.3. Promote community engagement.*

Budgetary Impact:

A local match of \$30,000 will be requested at a future date.

Recommendation:

Staff recommends approval of the appropriation.

Alternatives:

Council may decline the grant.

Attachments:

N/A

APPROPRIATION.

**National Endowment for the Arts Our Town Grant for “Play the City”.
\$50,000.**

WHEREAS, the City of Charlottesville has received a \$50,000 Our Town grant from the National Endowment for the Arts to support the implementation of project known as “Play the City”,

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

Revenues

\$50,000 Fund: 211 IO: 1900236 G/L: 431110

Expenditures

\$50,000 Fund: 211 IO: 1900236 G/L: 599999

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	January 5, 2015
Action Required:	Approve Appropriation of Reimbursement
Presenter:	Mike Mollica, Division Manager, Facilities Development – Capital Projects Coordinator, City of Charlottesville
Staff Contacts:	Leslie Beauregard, Director – Budget and Performance Management, City of Charlottesville Mike Mollica, Division Manager, Facilities Development – Capital Projects Coordinator, City of Charlottesville
Title:	Central Library Restroom Renovation and A.D.A. Improvements Project – Albemarle County Reimbursement - \$10,033.19

Background:

The City of Charlottesville received a reimbursement check in the amount of \$45,262.54 from Albemarle County for the County's share of the 1st Quarter 2015 joint project expenses related to the Central Library Restroom Renovation and A.D.A. Improvements project. Of that amount, \$10,033.19 was not included in the C.I.P. revenue budget because the project budget increased after the initial C.I.P. submission; therefore, appropriation of these funds is necessary to replenish the City's Government Lump Sum Large Cap account for these project related expenses.

Discussion:

The City of Charlottesville Facilities Development Division oversees capital projects for jointly owned buildings with Albemarle County. The City regularly invoices the County to recover the County's share of the joint project related expenses. In October 2014, the City and County agreed to move to monthly invoicing of the projects managed by the Facilities Development Division; however, in this case, the reimbursement is associated with the 1st Quarter 2015 billing.

Alignment with Council Vision Areas and Strategic Plan:

This request supports City Council's "Smart, Citizen-Focused Government" vision. It contributes to Goal 4 of the Strategic Plan, be a well-managed and successful organization, and objective 4.1, to align resources with the City's strategic plan.

Community Engagement:

N/A

Budgetary Impact:

This has no impact on the General Fund. The funds have been expensed from the Facilities Development Government Lump Sum Large Cap project budget and the reimbursement is intended to replenish the project budget for the County's portion of those expenses.

Recommendation:

Staff recommends approval and appropriation of reimbursement funds.

Alternatives:

If reimbursement funds are not appropriated, the Central Library Restroom Renovation and A.D.A. Improvements project budget will reflect a deficiency balance.

Attachments:

N/A

APPROPRIATION.
Albemarle County Reimbursement for the Central Library Restroom Renovation and
A.D.A. Improvements Project.
\$10,033.19.

WHEREAS, Albemarle County was billed by the City of Charlottesville in the amount of \$45,262.54, of which \$10,033.19 has not yet been appropriated.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that \$10,033.19 from Albemarle County is to be appropriated in the following manner:

Revenue: \$10,033.19

Fund: 426 Funded Program: CP-013 (P-00726-01) G/L Account: 432030

Expenditures: \$10,033.19

Fund: 426 Funded Program: CP-013 (P-00726-01) G/L Account: 599999

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**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



Agenda Date:	January 5, 2015
Action Required:	Appropriation of ongoing funding for Crisis Intervention Training
Presenter:	Lieutenant C. Sandridge, Police Department
Staff Contacts:	Lieutenant C. Sandridge, Police Department Thomas Von Hemert, Jefferson Area C.I.T. Coordinator
Title:	Local Contributions for Crisis Intervention Training - \$16,000

Background:

The Thomas Jefferson Area Crisis Intervention Program provides regular training courses for Law Enforcement and other agencies, both local and from throughout the state. These week long training sessions for Police Officers, along with other training sessions for security guards, dispatchers, and others are provided regularly over the course of each year led by C.I.T. Coordinator, Thomas von Hemert. This training serves to keep Agencies equipped with C.I.T. trained officers in order to better service those in mental crisis. Funding for this training is provided from multiple agencies on a previously agreed upon cost.

Discussion:

This funding will provide ongoing training, along with mentoring, technical assistance, and consultation, to C.I.T. programs and will be provided in the following manner per fiscal year:

Albemarle County Police Department	\$2,500
City of Charlottesville Police Department	\$2,500
University of Virginia Police Department	\$2,500
Albemarle/Charlottesville Regional Jail	\$2,500
Region Ten	\$2,500
Central Virginia Regional Jail	\$2,500
C.A.C. Foundation	\$1,000
Total contributions	\$16,000

Additional income may be received from outside jurisdiction agencies who attend training in the Thomas Jefferson Training Area. These are reimbursed through The Department of Criminal Justice Services, at \$500 per person and received on a case by case basis as the training occurs.

Alignment with Council Vision Areas and Strategic Plan:

Appropriation of this item aligns with Council's visions by providing funding to aid the Thomas Jefferson Crisis Intervention Team Program and the Charlottesville Police Department in delivering optimal C.I.T. services to our City as a Smart, Citizen-Focused Government. It supports our Mission

of **providing services that promote exceptional quality of life for all in our community** by providing important quality services to those in need of mental health assistance and safety.

This appropriation also supports **Goal 2** of the Strategic Plan: **Be a safe, equitable, thriving and beautiful community**. The C.I.T. program provides education and training to members of the Community who have frequent interaction with those in need of mental health assistance. These people include but are not limited to, police officers, dispatchers, corrections officers, and fire department personnel. C.I.T. encourages safer and more effective interaction between care providers and those in need, making those interactions and the community more equitable and safer for all. The Jefferson Area C.I.T. program also embraces **Goal 5: Foster Strong Connections** by involving all aspects of the mental health processes and making them more efficient and safer. C.I.T. facilitates and fosters relationships between Region 10, mental health providers, law enforcement, local hospitals, jails, and many others to ensure that those in need of mental health services can obtain them as safely and efficiently as possible. Outcomes for C.I.T. programs can be reported through the number of people who received services related to the program.

Community Engagement:

N/A

Budgetary Impact:

The funds will be used to operate the program through the Thomas Jefferson Area Crisis Intervention Team.

Recommendation:

Staff recommends approval and appropriation of funds.

Alternatives:

The alternative is to not approve this project to the detriment of increasing much needed mental health programs.

Attachments:

N/A

APPROPRIATION.

\$16,000.

Local Agency Contribution for Crisis Intervention Training.

WHEREAS, the City of Charlottesville, through the Thomas Jefferson Crisis Intervention Team and the Charlottesville Police Department, receives from local agencies \$16,000 per fiscal year;

WHEREAS, the City of Charlottesville, through the Thomas Jefferson Crisis Intervention Team and the Charlottesville Police Department, receives from other local agencies, funding to support Crisis Intervention Training programs;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the lump sum of \$16,000, received from local Agencies is hereby appropriated in the following manner:

Revenues: \$16,000

\$ 2,500	Fund: 209	Cost Center: 3101003000	G/L Account: 432030
\$ 8,500	Fund: 209	Cost Center: 3101003000	G/L Account: 432080
\$ 2,500	Fund: 209	Cost Center: 3101003000	G/L Account: 432152
\$ 2,500	Fund: 209	Cost Center: 3101003000	G/L Account: 498010

Expenditures: \$16,000

\$16,000	Fund: 209	Cost Center: 3101003000	G/L Account: 519999
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Transfer: \$2,500

\$ 2,500	Fund: 105	Cost Center: 3101001000	G/L Account: 561209
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BE IT FURTHER RESOLVED, by the Council of the City of Charlottesville, Virginia, that this appropriation is conditioned upon the receipt of funding by the participating agencies listed above, and will be hereby considered as a continuing appropriation and funds received for this purpose will be immediately available to spend for the C.I.T. program.

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**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



Agenda Date:	January 5, 2015
Action Required:	Appropriate Grant Funding
Presenter:	Lieutenant Cheryl Sandridge, Police Department
Staff Contacts:	Lieutenant Cheryl Sandridge, Police Department
Title:	2015 Department of Motor Vehicles Virginia Highway Safety Grant for Alcohol Enforcement - \$24,114

Background:

The Commonwealth of Virginia Department of Motor Vehicles has awarded the City of Charlottesville \$16,076 through a Virginia Highway Safety Grant, with a required local in-kind match of \$8,038, for a total award of \$24,114.

Discussion:

The Virginia Highway Safety Grant is administered by the Commonwealth of Virginia Department of Motor Vehicles to provide funding for programs which are designed to reduce the number of fatalities, injuries and related economic losses resulting from traffic crashes on Virginia roadways.

The Charlottesville Police Department will utilize awarded grant funds in the following areas:

- Pedestrian and Bicycle Safety
- Speeding and Aggressive Driving
- Occupant Protection (seat belts and child safety seats)
- Alcohol and Impaired Driving
- Highway Safety Training and Equipment

Alignment with City Council's Vision Areas and Strategic Plan:

This appropriation aligns with Council's vision by helping to ensure safe neighborhoods through traffic enforcement and added equipment as a Smart, Citizen-Focused Government, with additional outside funding. Traffic enforcement is designed to slow traffic and identify intoxicated drivers, thus lowering traffic accident related injuries and deaths. This directly supports Goal 2 of the Strategic Plan, to be a safe, equitable, thriving, and beautiful community by promoting vehicular safety.

Community Engagement:

This item requires no community engagement.

Budgetary Impact:

These funds will be appropriated into a grants fund. The required local match will be satisfied through highway safety related expenditures that are already appropriated in the Police Department's General Fund budget, thus requiring no additional City funds to meet the match.

Recommendation:

Appropriate grant funds

Alternatives:

The alternative is to not approve this project.

Attachments:

N/A

APPROPRIATION.

**2015 Department of Motor Vehicles Virginia Highway Safety Grant.
\$24,114.**

WHEREAS, the Police Department, through the City of Charlottesville, has received a Virginia Highway Safety Grant award from the Commonwealth of Virginia Department of Motor Vehicles in the amount of \$16,076, to be used for overtime, equipment, and training related to highway safety; and

WHEREAS, the Police Department will utilize highway safety related expenditures as an in-kind match in the amount of \$8,038.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$16,076, received from the Commonwealth of Virginia Department of Motor Vehicles (2015 Virginia Safety Grant-Alcohol Enforcement), and the local match of \$8,038 is hereby appropriated in the following manner:

Transfer Local Match of \$8,038 from Fund: 105 CC: 3101001000, G/L: 5199999

Revenue

16,076	Fund: 209	IO: 1900237	G/L: 430120 State (Federal Pass-thru)
\$ 8,038	Fund: 209	IO: 1900237	G/L: 498010 Transfer from Other Funds

Expenditures

\$ 8,038	Fund: 209	IO: 1900237	G/L: 510010 Full Time Salaries
\$ 8,640	Fund: 209	IO: 1900237	G/L: 510060 Overtime
\$ 5,041	Fund: 209	IO: 1900237	G/L: 520900 Machine/Equip/Furn.
\$ 750	Fund: 209	IO: 1900237	G/L: 530210 Training

BE IT FURTHER RESOLVED that this appropriation is conditioned upon the receipt of \$16,076 from the Commonwealth of Virginia Department of Motor Vehicles (2015 Virginia Safety Grant-Alcohol Enforcement).

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**CITY OF CHARLOTTESVILLE, VIRGINIA.
CITY COUNCIL AGENDA.**



Agenda Date:	January 5, 2015
Action Required:	Approve Appropriation of Reimbursement
Presenter:	Mike Mollica, Division Manager, Facilities Development – Capital Projects Coordinator, City of Charlottesville
Staff Contacts:	Leslie Beauregard, Director – Budget and Performance Management, City of Charlottesville Mike Mollica, Division Manager, Facilities Development – Capital Projects Coordinator, City of Charlottesville
Title:	Preston Morris Building Envelope Restoration Project – Albemarle County Reimbursement - \$1,200

Background:

The City of Charlottesville received a reimbursement in the amount of \$1,200 from Albemarle County for the County's share of the November 2014 joint project expenses related to the Preston Morris Building Envelope Restoration project. Appropriation of these funds is necessary to replenish the City's Government Lump Sum Large Cap account for these project related expenses.

Discussion:

The City of Charlottesville Facilities Development Division oversees capital projects for jointly owned buildings with Albemarle County. The City invoices the County on a monthly basis to recover the County's share of project expenses associated with these joint projects.

Alignment with Council Vision Areas and Strategic Plan:

This request supports City Council's "Smart, Citizen-Focused Government" vision. It contributes to Goal 4 of the Strategic Plan, be a well-managed and successful organization, and objective 4.1, to align resources with the City's strategic plan.

Community Engagement:

N/A

Budgetary Impact:

This has no impact on the General Fund. The funds have been expensed from the Facilities Development Government Lump Sum Large Cap project budget and the reimbursement is intended to replenish the project budget for the County's portion of those expenses.

Recommendation:

Staff recommends approval and appropriation of reimbursement funds.

Alternatives:

If reimbursement funds are not appropriated, the Preston Morris Building Envelope budget will reflect a deficiency balance.

Attachments:

N/A

APPROPRIATION.
Albemarle County Reimbursement for the Preston Morris Building
Envelope Restoration Project.
\$1,200.

WHEREAS, Albemarle County was billed by the City of Charlottesville in the amount of \$1,200.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that \$1,200 from Albemarle County is to be appropriated in the following manner:

Revenue: \$1,200

Fund: 426 Funded Program: CP-014 (P-00785-02) G/L Account: 432030

Expenditures: \$1,200

Fund: 426 Funded Program: CP-014 (P-00785-02) G/L Account: 599999

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$1,200 from Albemarle County.

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	January 5, 2015
Action Required:	Appropriation of ongoing funding for Crisis Intervention Training
Presenter:	Lieutenant C. Sandridge, Police Department
Staff Contacts:	Lieutenant C. Sandridge, Police Department Thomas Von Hemert, Jefferson Area C.I.T. Coordinator
Title:	Outside Area Contributions for Crisis Intervention Training - \$3,500

Background:

The Thomas Jefferson Area Crisis Intervention Program provides regular training courses for Law Enforcement and other agencies, both local and from throughout the state. This training cost is reimbursed to the program at \$500 per attendee. One current reimbursement check has been received through Region 10 in the amount of \$3,500.

Discussion:

These week long training sessions for Police Officers, along with other training sessions for security guards, dispatchers, and others are provided regularly over the course of each year led by C.I.T. Coordinator, Thomas von Hemert. This training serves to keep agencies in the Thomas Jefferson Area equipped with C.I.T. trained officers in order to better service those in mental crisis. Agencies from outside of the Thomas Jefferson Area C.I.T. Program can also send employees to this training if space allows. This external funding will provide training, along with mentoring, and consultation, to other C.I.T. programs and will be billed for each officer in attendance from areas not included in the Thomas Jefferson C.I.T. Region. Future attendees will be reimbursed through the Department of Criminal Justice Services when invoiced for the training.

Alignment with Council Vision Areas and Strategic Plan:

Appropriation of this item aligns with Council's visions by providing funding to aid the Thomas Jefferson Crisis Intervention Team Program and the Charlottesville Police Department in delivering optimal C.I.T. services to our City as a Smart, Citizen-Focused Government. It supports our Mission of **providing services that promote exceptional quality of life for all in our community** by providing important quality services to those in need of mental health assistance and safety.

This appropriation also supports **Goal 2** of the Strategic Plan: **Be a safe, equitable, thriving and beautiful community**. The C.I.T. program provides education and training to members of the Community who have frequent interaction with those in need of mental health assistance. These people include but are not limited to, police officers, dispatchers, corrections officers, and fire department personnel. C.I.T. encourages safer and more effective interaction between care providers and those in need, making those interactions and the community more equitable and safer for all.

The Jefferson Area C.I.T. program also embraces **Goal 5: Foster Strong Connections** by involving all aspects of the mental health processes and making them more efficient and safer. C.I.T. facilitates and fosters relationships between Region 10, mental health providers, law enforcement, local hospitals, jails, and many others to ensure that those in need of mental health services can obtain them as safely and efficiently as possible. Outcomes for C.I.T. programs can be reported through the number of people who received services related to the program.

Community Engagement:

N/A

Budgetary Impact:

The funds will be used to operate the program through the Thomas Jefferson Area Crisis Intervention Team.

Recommendation:

Staff recommends approval and appropriation of funds.

Alternatives:

The alternative is to not approve this project to the detriment of increasing much needed mental health programs.

Attachments:

N/A

APPROPRIATION.

**Outside Agency Contribution for Crisis Intervention Training.
\$3,500.**

WHEREAS, the City of Charlottesville, through the Thomas Jefferson Crisis Intervention Team and the Charlottesville Police Department, receives support from non-local agencies; and

WHEREAS, the City of Charlottesville, through the Thomas Jefferson Crisis Intervention Team and the Charlottesville Police Department, receives from The Department of Criminal Justice Services, funding to support Crisis Intervention Training programs;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the lump sum of \$3,500, received from Region 10 and additional sums to be received in the future from the Department of Criminal Justice Services for Crisis Intervention Training is hereby appropriated in the following manner:

Revenues: \$3,500

\$ 3,500 Fund: 209 Cost Center: 3101003000 G/L Account: 434410

Expenditures: \$3,500

\$3,500 Fund: 209 Cost Center: 3101003000 G/L Account: 519999

BE IT FURTHER RESOLVED, by the Council of the City of Charlottesville, Virginia, that this appropriation is conditioned upon the receipt of funding by the participating agencies listed above, and will be hereby considered as a continuing appropriation and funds received for this purpose will be immediately available to spend for the C.I.T. program.

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	January 5, 2015
Action Required:	Appropriation
Presenter:	Kristel Riddervold, Environmental Sustainability Manager
Staff Contacts:	Kristel Riddervold, Environmental Sustainability Manager Maya Kumazawa, Public Works Program Coordinator Stephanie Anderegg-Maloy, City Market Manager
Title:	Environmental Protection Agency Solid Waste Management Assistance Grant – Composting at the Charlottesville City Market - \$9,000

Background:

The City of Charlottesville has received funding of \$9,000 from the U.S. Environmental Protection Agency (E.P.A.) Region III to pilot a composting program during the 2015 summer season of the Charlottesville City Market. The program would serve as an opportunity to pilot a composting model and assess interest and opportunities in the City. The funds would be directly used to: capture organic waste from customers and market vendors, facilitate an organic waste drop-off location for residents, provide guidance for residents on how to compost at home, and collect community input to gauge public interest on composting initiatives.

Discussion:

Currently, all waste generated at the City Market is collected as one waste stream and brought to a regional dirty M.R.F. As other cities have demonstrated, establishing a composting component at the farmers market can be a springboard for increased composting awareness and participation. The Public Works Department, together with the Department of Parks & Recreation, has identified a strong, reasonable, and appropriately-sized composting initiative. The City Market features over 100 local vendors and attracts between 4,000 and 6,000 visitors during each market event. The program will provide market vendor and customer/resident education, a staffed collection point at every Saturday Market event from April through September, and composting hauling and management services. Further, the initiative will provide key experience-based data to inform future discussions around the design of a Charlottesville composting program.

Alignment with Council Vision Areas and Strategic Plan:

The project supports City Council's "Green City" vision. It contributes to Goal 2 of the Strategic Plan - Be a safe, equitable, thriving, and beautiful community, and Objective 2.5 - To provide natural and historic resources stewardship. Charlottesville has committed to reducing its community-wide greenhouse emissions, including those associated with waste processing. Specifically, the City's Comprehensive Plan sets forth goals to support increases in renewable materials and more effectively manage the solid waste produced in the community.

Community Engagement:

Discussions are currently on-going with community partners and composting providers. One primary goal of the program is to engage the community and gauge public interest regarding publically-available composting alternatives in the City.

Budgetary Impact:

Grant funds will be appropriated and expended from a grants fund account and will have no impact on the General Fund.

Recommendation:

Staff recommends approval and appropriation of grant funds.

Alternatives:

If grant funds are not appropriated, the pilot composting program will not be offered during the City Market in 2015.

Attachments:

Grant Award Letter



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Maya Kumazawa
City of Charlottesville, Department of Public Works
305 4th St. N.W.
Charlottesville, VA 22903

December 16, 2014

Solicitation Number: EPA-R3-LCD-14-07.

Dear Ms. Kumazawa:

I am pleased to notify you that your Fiscal Year 2014 Solid Waste Management grant proposal to do Composting at the Charlottesville City Market: Shrinking the Waste Footprint of a Food-Oriented Event has been recommended for funding of \$9,000 for the period of February 1, 2015 to January 31, 2016.

The Grants office has conducted an administrative review of the application you mailed to us and found that it complies with federal grant requirements. You will be notified if any additional documentation is needed or if there are any other issues that need to be addressed.

We are now preparing the proper forms to enter the grant into our system, once this is done E.P.A. will notify you by letter of an account which E.P.A. will set up for you to draw down funding from to pay for the grant activities. We anticipate the issuance of the official grant awards to be completed by January 15, 2015.

If you have any other questions regarding this information, please feel free to contact me at Giuranna.mike@epa.gov , or 215-814-3298 (office).

Sincerely,

Mike Giuranna

Mike Giuranna
Solid Waste Specialist
Office of Materials Management
Land and Chemicals Division

APPROPRIATION.

**Environmental Protection Agency Solid Waste Management Assistance Grant –
Composting at the Charlottesville City Market.
\$9,000.**

WHEREAS, the City of Charlottesville has received a Grant from E.P.A. Region III in the amount of \$9,000.

NOW, THEREFORE BE IT RESOLVED by the City Council of Charlottesville, Virginia, that the sum of \$9,000 received from the U. S. EPA Region III is hereby appropriated in the following manner:

Revenues - \$9,000

Fund: 211 IO: 1900239 G/L Account: 431110 Federal Grants

Expenditures - \$9,000

Fund: 211 IO: 1900239 G/L Account: 530550 Contractual Services

**CITY OF CHARLOTTESVILLE, VIRGINIA.
CITY COUNCIL AGENDA.**



Agenda Date:	January 5, 1015
Action Required:	Approve appropriation
Presenter:	Diane Kuknyo, Director Charlottesville Department of Social Services
Staff Contacts:	Diane Kuknyo, Director Laura Morris, Chief of Administration Charlottesville Department of Social Services
Title:	Adoption Incentive Funds- \$2,977.92

Background:

The Virginia Department of Social Services makes adoption incentive funding available to local Departments of Social Services to purchase resources for adoptive parents, celebrate with adoptive parents during adoption finalization, and host post adoption workshops for adoptive families. Charlottesville Department of Social Services has received \$2,977.92 in Adoption Incentive Funds.

Discussion:

These funds will help the Department develop resources and programming to support adoptive parents. We will establish a resource library for adoptive families to learn more about the clinical issues that arise during the adoption process and to help them prepare for future challenges. Some of the funds will be used for gifts at adoption finalization ceremonies. \$1,500 of the funds will be used to partner with Albemarle County D.S.S. to provide 4 post adoption workshops for adoptive parents.

Alignment with Council Vision Areas and Strategic Plan:

This initiative aligns with the Vision 2025 areas Economic Sustainability, Community of Mutual Respect, and Smart, Citizen-Focused Government. It contributes to Goal 1: Enhance the self-sufficiency of our residents; Goal 2: Be a safe, equitable, thriving and beautiful community; Goal 4: Be a well-managed and successful organization; and Goal 5: Foster strong connections.

Community Engagement:

The Department of Social Services works collaboratively with community partners to ensure individuals and families are safe and stable, and to enhance the self sufficiency of our residents. Celebrating adoption finalization and providing ongoing support to adoptive families are critical activities for community engagement.

Budgetary Impact:

The funds have been received and will be appropriated into the Department of Social Services Fund.

Recommendation:

Staff recommends approval and appropriation of the funds.

Alternatives:

The department will be unable to implement these new adoption incentive resources or programs if the funds are not appropriated.

Attachments:

None

APPROPRIATION.
Adoption Incentive Funds.
\$2,977.92.

WHEREAS, the Charlottesville Department of Social Services has received \$2,977.92 to purchase resources for adoptive parents, celebrate with adoptive parents during adoption finalization, and host post adoption workshops for adoptive families.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$2,977.92 is hereby appropriated in the following manner:

Revenue – \$2,977.92

Fund: 212 Cost Center: 3301008000 G/L Account: 430080

Expenditures - \$2,977.92

Fund: 212 Cost Center: 3301008000 G/L Account: 540060

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**CITY OF CHARLOTTESVILLE, VIRGINIA.
CITY COUNCIL AGENDA.**



Agenda Date:	January 5, 2015
Action Required:	Approve appropriation
Presenter:	Diane Kuknyo, Director Charlottesville Department of Social Services
Staff Contacts:	Kelly Logan, VIEW Supervisor Diane Kuknyo, Director Sue Moffett, Assistant Director Charlottesville Department of Social Services
Title:	Virginia Initiative for Employment not Welfare (VIEW) Purchase of Services--\$12,675

Background:

The Charlottesville Department of Social Services has received an additional \$12,675 to purchase job training and employment support services for participants in the Virginia Initiative for Employment not Welfare (VIEW) program.

Discussion:

The Department of Social Services has partnered with the Office of Economic Development to develop a job training program targeting entry level customer service and administrative positions. The pre-employment training program will be modeled after the successful GO Driver initiative. The curriculum will include training on general office administration, Microsoft Office certification, customer service training and certification, workplace readiness training, and the Career Readiness Certificate. This funding will support the enrollment of five (5) VIEW clients in this program.

Alignment with Council Vision Areas and Strategic Plan:

This project aligns with the Vision 2025 areas Economic Sustainability, A Center for Lifelong Learning, A Connected Community, and a Community of Mutual Respect. It contributes to Goal 1. Enhance the self-sufficiency of our residents; Goal 3. Have a strong, diversified economy; and Goal 5. Foster strong connections.

Community Engagement:

This collaborative project addresses the basic literacy, education and training barriers identified in the July 2013 Growing Opportunity report issued by the Strategic Action Team. The year-long work of that team included multiple opportunities for community engagement to identify

workforce development services provided to City residents, explore barriers to successful employment, and provide input on recommendations for workforce development strategies to help move city residents toward self-sufficiency.

Budgetary Impact:

The funds have been received and will be appropriated into the Department of Social Services Fund.

Recommendation:

Staff recommends approval and appropriation of grant funds.

Alternatives:

VIEW clients will be unable to enroll in this pre-employment training program if the funds are not appropriated.

Attachments:

None

APPROPRIATION.

**Virginia Initiative for Employment not Welfare (VIEW) purchase of services.
\$12,675.**

WHEREAS, the Charlottesville Department of Social Services has received \$12,675 to purchase job training and employment support services for participants in the Virginia Initiative for Employment not Welfare (VIEW) program.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$12,675 is hereby appropriated in the following manner:

Revenue – \$12,675

Fund: 212 Cost Center: 333002000 G/L Account: 451022

Expenditures - \$12,675

Fund: 212 Cost Center: 333002000 G/L Account: 540060

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**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



Agenda Date:	January 20, 2015
Action Required:	Approval of Resolution
Presenter:	Kathy McHugh, Housing Development Specialist Neighborhood Development Services (NDS)
Staff Contacts:	James E. Tolbert, NDS Director Kathy McHugh, NDS Housing Development Specialist
Title:	Virginia Supportive Housing Rental Assistance for Permanent Supportive Housing for the Crossings at Fourth & Preston – Charlottesville Affordable Housing Fund - CAHF - \$150,000

Background:

The City has previously provided assistance to Virginia Supportive Housing (VSH) by means of a locally funded “voucher” program that supported rental expenses for twenty-one (21) efficiency apartments at their facility known as the Crossings at Fourth & Preston (the Crossings).

The Charlottesville Redevelopment and Housing Authority (CRHA) assumed responsibility for the rents associated with these units effective June 1, 2014. This action was consistent with the Section 8 Project-Based Voucher Program Housing Assistance Payment Agreement executed on April 19, 2011 by CRHA and VSH. The delay between the initial agreement and payment by CRHA was attributable to several factors associated with HUD approval. This effort took longer than anticipated; however, HUD effectively provided its approval to CRHA on February 3, 2014. CRHA then proceeded to notify those persons on its waiting list and to establish a site based wait list for the Crossings, as required by HUD.

City funding supported these units from March 2012 (when the Crossings opened) until May 2014, per the following which shows the amount paid to VSH and to CRHA for administration support. CRHA is now providing full funding in support of these 21 units and VSH continues to provide supportive services consistent with what has been done in the past.

Fiscal Year	Voucher Payments (\$)	Voucher Admin Pd to CRHA (\$)
11/12 (March 2012)	45,500	4,537
12/13	156,492	17,617
13/14 (May 2014)	87,121	12,480
Total	\$289,113	\$34,634

Discussion:

To further Permanent Supportive Housing (PSH) efforts, VSH has asked that the City consider a

commitment to provide funding for 5 additional units (above the 21 currently being supported by CRHA). The proposed program would operate pursuant to the following:

1. **Tenant Selection & Homelessness Status** - will rely upon the current CRHA wait list for Project Based Vouchers (PBV) and review of available documentation to determine homeless status.

It is recognized that future appropriations from City Council are not guaranteed and that individuals could lose their position on the CRHA wait list; however, VSH believes that HUD will grant a waiver to allow tenants to transition over to PBV assistance in the event that local funding is discontinued. VSH has effectively worked with similar circumstances involving the HOME TBRA program in the past and believe that HUD will work with them to facilitate the transition. There are no guarantees, but no program is totally immune to these types of risks.

2. **Length of Stay** - funds are being requested to provide assistance for 5 units over 4.5 years.

4.5 years represents the national average length of stay for PSH. Some individuals require longer than this and some less; however, this average provides a reasonable amount of time. Given the tenuous nature of homelessness, creating a financial buffer to allow individuals to prepare for the future and potentially transition into other housing was deemed to be a reasonable approach. Funding has been calculated based on an average of \$510/unit/month over the 27 months that the City paid for the previous vouchers. While this would equate to only about \$137,700, we suggest rounding up to \$150,000, with the understanding that the City would only pay up to \$150,000 during the term of the agreement.

3. **Unit Inspections** – annual inspections as well as those at unit turn over would be performed by City property maintenance inspectors. Initially, there would be 5 units, with annual turnover being minimal. This should not be a significant work load and would eliminate the need to pay an independent inspector.
4. **Income Verification and Annual Recertification** - VSH will collect all necessary data, make an initial determination as to eligibility and then send to the City Housing Specialist for review and verification. This will provide independent review and document continued compliance relative to both admissions and rent levels.
5. **Housing & Supportive Services** – VSH would prioritize placement of persons in these 5 units as detailed herein. Further, they would provide supportive services for these tenants commensurate with the level provided for all PSH units.

Providing rental assistance directly to a PSH provider (i.e., Virginia Supportive Housing) will help reduce the homeless population (most of whom are known to be Charlottesville based). PSH is a HUD best practice and is supported locally by the Thomas Jefferson Coalition for the Homeless as a viable strategy for reducing homelessness. Attached hereto is some information from VSH regarding the known homeless population in our area as well as prior success stories and identification of those we are trying to help. This information provides perspective relative to the investment of CAHF dollars, as the proposal rental subsidies have the potential to significantly impact those in our

community who are currently homeless and have little (if any) reliable income.

Alignment with Council Vision Areas and Strategic Plan:

Approval of this agenda items aligns directly with the City Council Vision for Charlottesville to provide quality housing opportunities for all. Further, objective 2.5 of the Comprehensive Plan states that the City will continue to promote the use of rapid rehousing and **permanent supportive housing options** by providing support to programs and organizations serving the homeless and near-homeless populations, as well as those with challenges that would otherwise prevent independent living. The proposed action also aligns with the Strategic Plan at goal 1.3 which speaks to increasing affordable housing options.

Community Engagement:

On June 18, 2014, the Affordable Housing Policy Review, Formulation and Best Practices Sub-Committee of the HAC discussed the proposed use of CAHF monies to support additional rental subsidies. It was noted that such subsidies are specifically allowed under the original housing policy #1 and the proposed draft (which has subsequently been approved by City Council at their meeting on 10/20/14). While at least one member noted that this would decrease existing units that are generally affordable for single low income persons, there was no opposition to using funds to further supportive homelessness efforts. The group was in agreement that this would be something that could be supported with CAHF funding.

This matter was also discussed at the 9/24/14 and 10/22/14 meetings of the Thomas Jefferson Coalition of the Homeless Board. The Board was supportive of the City providing assistance to secure additional PSH for the homeless; however, members identified broad concerns about CRHA's lack of a vulnerability preference with current project based vouchers.

Budgetary Impact:

The proposed project will require \$150,000 from the CAHF. It is thought that this amount will cover expenses related to rent for up to 5 persons for roughly 4.5 years (annual average PSH stay). In addition, City Property Maintenance personnel will also provide initial and turn over inspections of apartment units and Housing Development staff will review and provide confirmation of income eligibility and rental calculations. The budgetary impact for staff resources is thought to be nominal, with inspections requiring both in town travel and staff time of roughly 1.5 hour per inspection, including written report. Income and rental verification is anticipated to take roughly 1 hour per applicant, including written report. This would equate to 12.5 staff hours initially, with future time contingent upon turnover. Using an estimated average of \$75 for staff, benefits and overhead expenses, this would equate to \$937.50 for the initial effort; however, this would not require extra funding over and above what is requested herein.

Recommendation:

Staff recommends approval of the attached resolution.

Alternatives:

Council could elect to provide less funding and/or to provide funding for only one (1) year.

Attachments:

Information Regarding the Crossing from VSH
Resolution

THE CROSSINGS VIRGINIA SUPPORTIVE HOUSING

Question: Can VSH document how many persons on the waiting list are long term Charlottesville residents? While homeless persons don't have an address, is there a way to substantiate that these people consider Charlottesville "home."

Response: The Haven was able to give us information on who is on our waitlist. We have between 50-60 people who are probably Chronically Homeless but have not necessarily finalized all their paperwork. Of those, we went through and almost all of them have been in Charlottesville for many years if not born here. There was only one person that was a more recent relocation but they have ties to the community.

Question: Can VSH provide some success stories from the Crossings about helping local homeless persons with both housing and their life situation?

Response: Mr. "Resident A" is a 54 year old man with who had been homeless more than 15 years before moving into The Crossings, a Permanent Supportive Housing apartment building, operated by Virginia Supportive Housing in Charlottesville, VA, on March 29, 2012. Mr. "Resident A" is a native of Charlottesville and a former cobbler. Years of untreated mental health issues and alcoholism eventually led to his lengthy time on the streets. Mr. "Resident A" had hundreds of arrest over that time for public intoxication, etc. In the year leading up to him being housed he averaged weekly arrests and was seen at the UVA Hospital Emergency Room at least 8 times. Mr. "Resident A" had a reputation of being intoxicated, belligerent, and disorderly that preceded him throughout the community. He was well-known to most downtown business, police, emergency services, and local city officials for his behaviors. At the time he was housed he was facing up to 3 years in prison for stealing a frozen dinner from a break room at City Hall (a 3rd misdemeanor that equaled a felony). Recognizing the difference that being housed was going to make in Mr. "Resident A's" life, the Commonwealth attorney agreed to a plea deal that included a year's probation and maintaining his residency at The Crossings. Nearly 2 years after moving in his new home, Mr. "Resident A" has only had 2 arrests and 1 trip to the ER. He is nearing successful completion of his probation. He has received mental health treatment and is now significantly more sober. He has begun receiving SSI benefits and no longer panhandles for money. Mr. "Resident A" is developing positive insights in to his mental health and substance abuse issues. Mr. "Resident A" is very grateful for his home at The Crossings and the support his receives there, he realizes that if not for it, he would likely be in prison and eventually back out on the streets.

Mr. "Resident B" is a 43 year old formally homeless Veteran. Mr. "Resident B" moved into The Crossings in April 2012. In February of 2012 Mr. "Resident B" was hospitalized at the VA hospital in Salem, VA and nearly died from complications of alcoholism. He was fortunate enough to have The Crossings to go home to once he was discharged. Since that time Mr. "Resident B" has been sober and stabilized his physical health. Mr. "Resident B" is now an advocate for the homeless in the Charlottesville community. He is a member of the Homeless Speakers bureau, a volunteer with Veterans for Peace and volunteers with PACEM, the local cold weather shelter. Mr. "Resident B" credits The Crossings and the supportive services he receives, especially in the early days of his sobriety, for providing the necessary foundation and support to assist on his journey of recovery.

Question: Are there current examples of people who need help, but cannot be assisted due to lack of resources?

Response: We have a lot of folks that rate high score of needs on the approval list for rapid rehousing waitlist and would be put into housing. However, we do not have many support services for these people and there is a high probability that those with high VI would not be successful and will become homeless again soon. We currently have a resident whose brother is living outside and his good friend is living outside as well. With the difficulties of getting into the Salvation Army and PACEM (who was sheltering an average of 54 people a night) being closed for the season, many people are currently living outside. He continues to find only closed doors when trying to find a place to live. VSH fights regularly with the VA to try to get him housing assistance and he feels frustrated by not moving up on any of the housing lists, so he lives outside.

A 51 year old chronically homeless man who lives outside and suffers from severe medical and mental health issues continues to get hit by cars and recently was hospitalized for 2 weeks after a suicide attempt after giving up hope that he will ever have a place to live. We applied for SSI/SSDI and he is grateful that someone has a new idea that could help him. We have a 40ish year old woman who is the girlfriend of a resident who is sleeping in her car and exacerbating a back issue. Her boyfriend often spends the night out with her because he worries about her being alone. When R10's PATH worker was asked to provide assistance, he struggled to think of anything to offer her. Hopefully, the Haven will be able to find her a tent so that she will at least be able to sleep flat at night. The rapid rehousing waitlist is averaging around 150 people. We can go on.....

RESOLUTION
Charlottesville Affordable Housing Fund Assistance for
Virginia Supportive Housing Rental Assistance for The Crossings
\$150,000

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$150,000 be allocated from previously appropriated funds in the Charlottesville Affordable Housing Fund to Virginia Supportive Housing for the purpose of providing rental assistance for five (5) apartment units at The Crossings at Fourth and Preston in the following manner:

Fund: 426

Project: CP-084

G/L Account: 599999

Virginia Supportive Housing \$150,000

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	January 20, 2015
Action Required:	Approval of Resolution
Presenter:	Kathy McHugh, Housing Development Specialist Neighborhood Development Services (NDS)
Staff Contacts:	James E. Tolbert, NDS Director Kathy McHugh, NDS Housing Development Specialist
Title:	Charlottesville Affordable Housing Fund (CAHF) Assistance for the Thomas Jefferson Area Coalition for the Homeless (TJACH) Spring for Housing (a.k.a. SURGE) -- \$105,000

Background:

TJACH has approached the City requesting Charlottesville Affordable Housing Fund (CAHF) assistance, in the amount of \$105,000, for a program to be known as **Spring for Housing**. This effort would essentially provide funding for short term rental assistance for those coming out of thermal shelters at the end of the 2015 season in March. While not strictly limited to shelter residents, the funds will be targeted toward keeping people from returning to the woods / other areas commonly used by the homeless.

TJACH serves as the lead agency on homelessness for Charlottesville and the Thomas Jefferson Planning District Commission area. Accordingly, TJACH is the entity responsible for establishing funding priorities for homelessness programs, providing state and federal funds for other agencies/programs that meet these priorities, as well as oversight/monitoring for such funds. As the lead entity, TJACH also identifies local goals and promotes system-wide coordination and collaboration to best achieve these. Their overarching mission is to make homelessness in our region rare, brief and nonrecurring.

This approach is in keeping with the Housing First model (where housing is provided without other qualifications other than homelessness) adopted by TJACH and will be supported by an all-out "**surge**" effort (coordinated through TJACH) to train local service providers in advance to prepare for this event. During the surge, TJACH and its coalition partners will work to: 1) identify housing units to be rented (working through the new housing navigator); 2) assign case managers to every household to develop a housing stabilization plan; 3) coordinate food/furniture donations of bedding and an initial two weeks supply of food; and 4) provide housekeeping move-in kits to include towels, dishes, and cleaning supplies. Staff from the Charlottesville Department of Social Services will work with program participants and their case managers to determine eligibility for main stream benefits, resulting in applications filed for qualified households.

As proposed, this program would provide 16 households with rapid rehousing assistance for approximately 6 months as well as 5 households with permanent support housing for a year. A total of \$105,000 is being requested from the CAHF, with an additional \$130,500 to \$200,500 (estimated) from other sources (see TJACH request attached hereto). The locally leveraged funds will be used to provide additional households with rapid rehousing and permanent supportive housing. Depending on the actual funding, the number of households receiving assistance could be as many as 33; however, a more conservative estimate is 27 to 30.

Discussion:

Staff has previously met with the TJACH Executive Director and Board regarding this proposal and has encouraged use of fund raising and other leverage to provide support services for those to be housed. TJACH has responded by proposing to provide approximately 55.4% to 65.6% of the total costs for this effort through other means depending on the final amount of funding for the other identified sources. Participants will be supported in a number of ways, including basic supplies (food, furnishings and household items) and through case management and development of individualized long term housing stabilization plans.

While there is concern over the lack of longitudinal data to demonstrate that programs such as this have a long term benefit in significantly reducing a return to homelessness by participants, this approach is a HUD recommended best practice and is clearly a way to inspire and motivate the larger community to think about homelessness as a housing crisis. TJACH intends to capitalize on this opportunity through an educational and outreach effort to involve the community's support to '**Spring for Housing**.'

Meanwhile, TJACH is looking to other programs to help gauge success and to determine the larger benefits of undertaking this challenge, with programs such as the Virginia Learning Collaborative Rapid Rehousing Challenge that took place from October 17, 2013 to January 24, 2014, where thirty-three organizations in Virginia placed 545 homeless families in permanent housing in 100 days through rapid re-housing efforts. In addition, the localized efforts of 'Home for the Holidays' in Fredericksburg, Virginia (where they housed 55 families in their 2013 campaign and will be attempting a similar level for 2014) and New Haven, Connecticut's 100 day Homeless Challenge (where they housed 97 people during the 2014 effort) are also providing excellent examples for evaluation and refinement of local efforts. All of these were time-limited, special initiatives that focused on allowing providers to work flexibly, quickly and cooperatively. Likewise, '**Spring for Housing**' will serve as an opportunity to test new ways of working together without requiring additional staffing or programmatic changes to existing policies/practices. With localized data showing savings of some \$26,000/year (cost associated with local service providers and law enforcement) to support homeless persons in our community, the benefits of a program such as this are broader than homelessness in general; however, without investment and localized support to undertake such an effort we will not be able to determine if or how well it works.

TJACH will step up efforts to organize and finalize planning immediately upon funding notification for this request, with housing efforts to coincide with the end of the PAEM shelter season (March 2015).

Alignment with Council Vision Areas and Strategic Plan:

Approval of this agenda item aligns directly with the City Council Vision for Charlottesville to provide quality housing opportunities for all. Further, objective 2.5 of the Comprehensive Plan states that the City will continue to promote the use of **rapid rehousing** and **permanent supportive housing options** by providing support to programs and organizations serving the homeless and near-homeless populations, as well as those with challenges that would otherwise prevent independent living. The proposed action also aligns with the Strategic Plan at goal 1.3 which speaks to increasing affordable housing options.

Community Engagement:

Community engagement has been accomplished through discussions with the local TJACH Service Providers Council (SPC) on November 4th and December 2nd. The SPC is a group of representatives from area social service agencies that provide critical prevention and intervention services to the homeless and very poor. This group is focused on identifying ways to improve the system of care for the homeless of our community by avoiding duplication of services, filling in gaps in the safety net and sharing information. The TJACH board has also discussed this proposal at both their October 22nd and December 17th meetings, with intent to approach the City for financial support. Feedback from all meetings has been generally positive, with hopes that this will bring in additional donations above and beyond typical giving, so that the initiative can reach even more homeless individuals/families than predicted based on estimated funding.

Budgetary Impact:

The proposed project will require \$105,000 from the CAHF. This is a one-time request for **'Spring for Housing'** only. TJACH has not previously requested or received funding from the CAHF, with the exception of FY 2009 when \$12,500 was provided to support organization start up efforts for TJACH and the Haven.

Recommendation:

Staff recommends approval of the attached resolution. While this use of funds is not directly related to providing the bricks and sticks required for supported affordable units, it does support local homelessness efforts and provides a means by which we can assess best practices in our community. Further, provision of rental subsidies is supported by Housing Policy 1, as adopted by City Council on October 20, 2014.

Alternatives:

Council could elect not to fund this request and/or to reduce funding with the understanding that either the number of beneficiaries and/or the amount of time (for housing) would have to be reduced. The proposal (as presented) is based on serving the people/households that will likely need assistance at the end of the PACEM season and the amount of time is the minimum that should be provided based on how this is done in other communities.

Attachments:

- TJACH "Spring for Housing: a Request for Support from the Charlottesville Affordable Housing Fund"
- City Council Resolution

RESOLUTION
Charlottesville Affordable Housing Fund Assistance for
Thomas Jefferson Area Coalition for the Homeless – Spring for Housing
\$105,000

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$105,000 be allocated from previously appropriated funds in the Charlottesville Affordable Housing Fund to Thomas Jefferson Area Coalition for the Homeless for the purpose of providing short term rental assistance in the following manner:

Fund: 426

Project: CP-084

G/L Account: 599999

Thomas Jefferson Area Coalition for the Homeless \$105,000



Thomas Jefferson Area Coalition for the Homeless

Spring for Housing:

A Request for support from the Charlottesville Affordable Housing Fund

Summary:

The Thomas Jefferson Area Coalition for the Homeless (TJACH) respectfully requests Charlottesville Affordable Housing Funds in the amount of \$105,000 to house 21 households experiencing homelessness in a short-term housing 'surge' in March and April 2015, focused on ending the PACEM shelter season with a permanent housing solution for its guests so that no one returns to living in the woods or streets when the shelter closes for the season.

Background on TJACH:

TJACH serves as the lead agency on homelessness for this region. In this capacity, TJACH establishes funding priorities, serves as a local funder and monitor for state and federal funds, identifies local goals and promotes system-wide coordination and collaboration. TJACH seeks to make homelessness in our region rare, brief and nonrecurring. A TJACH Governance Board, consisting of five local government appointees, five elected homelessness service provider representatives and up to eight at-large members, provides oversight. In the last year, TJACH has leveraged over \$950,000 in state and federal funds for local homelessness providers.

Background on local homelessness:

While homelessness is a tricky, complex problem worthy of a multi-disciplinary strategy, local numbers suggest the issue **can** be addressed meaningfully and permanently. What has been viewed as a permanent and impossible problem, is, with excellent coordination and a laser focus on solutions, something we can tackle...together. An annual homelessness census, called the Point in Time Count, conducted in January, reveals that 277 individuals in 233 households experience homelessness at any given time. In January 2014, 128 of the 233 were being served by emergency shelters, 50 were being served by transitional housing programs, 71 were housed through existing permanent supportive housing programs and 28 were unsheltered – living in the woods or in other places not meant for human habitation. Many of the 233 people in a housing crisis struggled with additional, exacerbating circumstances: 42 were under 18 years of age, 32 had repeated episodes of homelessness

and a documented disability, 37 had serious mental illness, 54 had histories of substance abuse, and 48 were survivors of domestic violence.

Background on solutions to homelessness:

The United States Interagency Council on Homelessness identified national goals for homelessness and strategies to meet them in 2010. The strategies included in the national plan, called Opening Doors, were well-founded in research and created the first set of true best practices for addressing homelessness. TJACH has worked hard to adopt many of these approaches in our local homeless crisis response system. The foundation of such a coordinated system is that solutions are targeted and varied. The result is that households experiencing a housing crisis receive the right intervention in the right amount at the right time. This reflects a significant change in local and national practice. Previous to this coordinated effort, homeless service providers attempted to secure any available resource for every household, largely in isolation from other providers. The result was a silo'd, inefficient system overwhelmed by the urgency of the collective need.

An efficient and effective homelessness system of care includes a coordinated assessment process to identify households experiencing homelessness and direct them to the appropriate resource. In this community, TJACH provides a daily coordinated assessment process through The Haven and a virtual coordinated assessment through the TJACH website to ensure access to the broad community of service providers. Decisions on next steps and resource referrals are based on structured, decision-making tools that direct households to the best resource for their circumstances. For the most part, federal and state funders require that service providers use available resources to serve the most difficult to serve. This is the right thing to do and the smart thing to do. Those households that are the most difficult to serve are also the most expensive, relying on the broad community safety net for basic survival. The U.S. Department of Housing and Urban Development estimates that it costs \$40,000 a year to maintain a person in homelessness. A local study suggests that regional costs are closer to \$26,000 a year in overnight and day shelter, police contact and arrest, jail, EMS response, local social services, and medical costs. It simply makes sense to house an individual or family experiencing homelessness: it is less expensive and it pays significant dividends. Households that have been housed use Medicaid-eligible services 60% less frequently, even when their behavioral or physical health issues have not been addressed. Once out of the housing crisis, most households can manage their exacerbating issues without additional assistance.

There are three primary components to a housing-focused system of care:

- 1) Case management and very short-term rental assistance is provided to households most likely to become homeless to prevent entry into emergency

shelter. (PREVENTION is partially funded by the Virginia Department of Housing and Community Development and implemented at The Haven.)

- 2) Case management and short-term rental assistance is provided to households experiencing homelessness with significant housing barriers. (RAPID RE-HOUSING is partially funded by the Virginia Department of Housing and Community Development and is implemented at Thrive.)
- 3) Case management and long-term rental assistance is provided to households with extensive experience of homelessness and a documented disability. (PERMANENT SUPPORTIVE HOUSING is primarily funded by the U.S. Department of Housing and Urban Development and is implemented by Thrive, Region Ten and Virginia Supportive Housing.)

By preventing homelessness, TJACH helps to make homeless rare. By returning homeless households to permanent housing as quickly as possible, TJACH helps to make homelessness brief. As a result, emergency shelter resources are reserved for households in crisis and the aggregated cost of homelessness is dramatically reduced.

Background on Spring for Housing – A SURGE

The TJACH Governance Board adopted ‘Spring for Housing’ in October 2014 based on the success experienced by other communities implementing similar initiatives. In 100 days from October 2013 to January 2014, 33 service providers in Virginia housed 545 families as part of a Rapid Re-Housing Challenge supported by the National Alliance to End Homelessness. Fairfax, Virginia has launched its second Rapid Re-Housing Challenge after successfully housing 18 families and 25 individuals between July and September 2014. Fredericksburg, Virginia housed 55 families in their 2013 ‘Home for the Holidays’ campaign and has re-launched this effort for 2014. New Haven, Connecticut has housed 97 people in their 2014 100-day Homeless Challenge. This strategy works: in the context of a time-limited, special initiative, providers work flexibly, quickly and cooperatively. In this way, ‘Spring for Housing’ will also serve as an opportunity to test out new ways of working together without changing agency policy or individual job descriptions. By launching a time-limited housing challenge, TJACH will inspire and motivate the broader community to think about homelessness as a housing crisis. Over the course of 30 days, beginning in March 2015 and ending in April 2015, TJACH will house 21 households.

Spring for Housing:

TJACH proposes to dedicate 30 days in Spring 2015 to house as many people as possible through a concentrated effort. The number of households will be determined by the amount of funding TJACH is able to secure before the beginning of the initiative. TJACH seeks support from CAHF to house 21 households.

- Service providers will prepare for the beginning of Spring for Housing by identifying likely households, making contact with local landlords to secure available units, and assigning a lead case manager to every targeted household to implement a long-term housing stabilization plan. The locally-funded housing navigator will play a significant role in this activity.
- TJACH will provide community-wide training to homelessness providers on Critical Time Intervention and Motivational Interviewing to prepare case managers for Spring for Housing.
- Chronically homeless households and individuals will be assigned a permanent supportive housing unit. TJACH will use available funds to support permanent supportive housing units for one full year at the estimated rate of \$550/month or \$6,600/year per unit. Households will be placed in housing at fair market rents ranging from \$550 to \$1200 a month. The amount of rental subsidy and the length of such subsidy will be determined by household income. Actual costs will vary based on the number of people being housed and the income amounts of each household. TJACH will subcontract with a permanent supportive housing provider such as Virginia Supportive Housing, Region Ten or Thrive to provide these housing services.
- Homeless households with significant housing barriers will be housed through rapid re-housing. TJACH will use available funds to provide rental assistance for 4-6 months, up to \$4,500 per household. TJACH will subcontract with a rapid re-housing provider such as Thrive to provide these housing services.
- TJACH will seek support from area food and furniture banks to ensure that each household moves into a unit with a bed and two weeks worth of food.
- TJACH will seek support from area churches to provide move-in kits, including towels, dishes, and cleaning tools for each unit.
- Staff from the Charlottesville Department of Social Services will determine eligibility for mainstream benefits for each participating household.
- Finally, applications for Social Security Disability Insurance benefits will be filed for each qualifying household.
- All data related to homelessness services is collected through a shared community database called the Homeless Management Information System. This system can track community and program-level data and will be used to produce reports specific to this initiative. This data will be used to assess the success of Spring for Housing.

The CAHF Project Budget:

While the total budget will include a significant amount of in-kind support, as described above, there are specific and known costs associated with housing. TJACH seeks assistance from Charlottesville Affordable Housing Fund for rental assistance to support

both permanent supportive housing and rapid re-housing activities. Candidates for permanent supportive housing will be, by definition, in the higher-needs range and will require longer-term support to be successful in housing. Community case managers will work with these candidates to secure ongoing income and benefits, such as SSDI, so that they can remain securely housed at the end of the 12 months of rental subsidy. In addition, supportive services will be in place throughout the rental subsidy period to ensure that any behavioral barriers are being adequately addressed. National data demonstrate that, with the right supports in place, even high needs individuals can remain in stable housing after the withdrawal of services.

5 units of permanent supportive housing @ \$550/month or \$6,600/year = \$33,000

16 units of rapid re-housing @ \$4,500/household = \$72,000

TOTAL CAHF REQUEST: \$105,000

TJACH is seeking financial support for Spring for Housing from foundations and private donors to expand the number of people that can be served. Existing resources will be used to support this concentrated effort as well. A program change at Region Ten's Dual Recovery Center may free up U.S. Department of Housing and Urban Development funds in March to support additional permanent supportive housing units. Finally, TJACH has proposed to the Virginia Department of Housing and Community Development that any unallocated funds at the state level be used in the service of this effort. It is TJACH's intention that Spring for Housing be supported by many sources.

Using CAHF monies for Spring for Housing:

Policy 1: Objectives for Use of Affordable Housing Funds And Criteria/Priorities for Award of Funds, adopted by council on 10/20/14, allows for the use of CAHF funds for rental subsidies. In addition, the policy promotes the expansion of housing 'opportunities' for special needs populations, including people experiencing homelessness.

Objective 2.5 of the Comprehensive Plan states that the City of Charlottesville will continue to promote the use of rapid re-housing and permanent supportive housing options by providing support to programs and organizations serving the homeless and near-homeless populations, as well as those with challenges that would otherwise prevent independent living.

Funding for Spring for Housing		
Source	Amount	Use
Charlottesville Affordable Housing Fund	\$33,000	5 units of permanent supportive housing for one year
	\$72,000	16 units of rapid re-housing with subsidies for approximately 6 months
Private donors	\$22,500	5 units of rapid re-housing with subsidies of approximately 6 months
	\$7,500	Additional case management support when a community case manager is not assigned or available
HUD	\$50,000-\$120,000	5+ units of permanent supportive housing + case management
Albemarle County	\$9,000	2 units of rapid re-housing with subsidies for approximately 6 months
	\$1,000	Additional case management support when a community case manager is not assigned or available
VA DHCD	~\$30,000	Additional funds to support rapid re-housing and prevention services and rental subsidies depending on amounts reallocating from nonperforming state contracts
In-kind support	\$10,500	\$500/unit for food, furniture, towels, etc for participating households. This amount calculated for CAHF supported units only. Amount will increase with each additional household served.

References:

www.usich.gov

www.naeh.org

www.healthshareoregon.org

www.medicaid.gov

www.csh.org

www.tjach.org

**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



Agenda Date:	January 20, 2015
Action Required:	Approve Resolution
Presenter:	John Connolly, University of Virginia Student Council Representative
Staff Contacts:	Maurice Jones, City Manager
Title:	University of Virginia Student Liaison to City Council

Background:

The University of Virginia's Student Council's Community Affairs Committee is requesting the establishment of a student liaison who would work with the City Council to address issues related to the University and its students. This would be an unpaid, non-voting position that would provide feedback to the City Council on student concerns and also report back to the Student Council on the activities and decisions of the City Council.

This is not the first time a liaison has been established between the Student Council and the City Council. A representative was appointed by the Student Council back in 2004 but the position did not last long. We believe it was lost when the appointed student graduated from the University. If approved, it will be incumbent upon both Councils and City staff to keep the intent of the program going during the inevitable transition of students.

Discussion:

This type of liaison has been created in other college communities around the country including Iowa City, Iowa, Ames, Iowa, Ashland, Oregon and Morgantown, West Virginia. From time to time, nuisance issues arise such as loud noise and trash complaints that can cause tension between our neighborhoods and students. This is not an uncommon occurrence in University towns and in most situations here in Charlottesville, the problems can be effectively solved. However, there is hope that a student liaison could help address those issues sooner, before they become an ongoing nuisance.

Alignment with Council Vision Areas and Strategic Plan:

Smart, Citizen-Focused Government

The delivery of quality services is at the heart of Charlottesville's social compact with its citizens. Charlottesville's approach to customer service ensures that we have safe neighborhoods, strong schools, and a clean environment. We continually work to employ the optimal means of delivering services, and our decisions are informed at every stage by effective communication and active citizen involvement. Citizens feel listened to and are easily able to find an appropriate forum to respectfully express their concerns.

Community Engagement:

There has been no community engagement recently on this issue.

Recommendation:

Staff recommends establishing the liaison as a pilot program and assessing its effectiveness at the end of its second year.

Budgetary Impact:

There is no budgetary impact.

Alternatives:

The City Council could reject the request to establish a student liaison from the University of Virginia.

Attachments:

Resolution to Establish a “Student Liaison” to City Council

RESOLUTION
to Establish a “Student Liaison” to City Council

WHEREAS, the University of Virginia is located adjacent to the City of Charlottesville; and,

WHEREAS, most of the University’s approximately 20,000 students live in or around the City of Charlottesville; and,

WHEREAS, University of Virginia students have a vested interest in the success of the City of Charlottesville; and,

WHEREAS, there is no current mechanism for official communication between the Charlottesville City Council and University of Virginia students; and,

WHEREAS, many similarly-sized towns and cities across the country have established “student liaison” positions; and,

WHEREAS, these positions have been very successful in increasing dialogue between the City and students; and,

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Charlottesville, Virginia agrees to create a student liaison position to be appointed by the University of Virginia Student Council. The student liaison will be tasked with representing student interests and concerns to City Council. The liaison will also serve as an avenue for City Council to communicate with the University of Virginia student body. The liaison will be invited to participate in City Council work sessions that pertain to the interests of the student body, as to be determined by the student liaison in conjunction with City Council and the City Manager. The liaison is not considered an “honorary” member of the Council and will not participate in any action taken by Council.

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	January 20, 2015
Action Required:	Approval of Resolution Authorizing Sublease of 100 E Water St.
Presenter:	Brian Daly, Director of Parks & Recreation Chris Engel, Director of Economic Development
Staff Contacts:	Brian Daly, Director of Parks & Recreation Craig Brown, City Attorney Chris Engel, Director of Economic Development
Title:	Resolution Authorizing Sublease of Property at 100 East Water Street for City Market

Background and Discussion: The City Market has operated from the city owned parking lot on Water Street since 1993. The city is now nearing an agreement to sell this property to an entity that will develop a significant mixed use project on the site. The project, known as Market Plaza, will accommodate a permanent home for the City Market. A temporary location is needed for the market during the construction period which is expected to last 2-3 years.

Staff has arranged to lease a surface parking lot located at 100 East Water Street for the market. The current location and the proposed temporary location are adjacent to one another thereby making the transition easy for vendors and patrons of the market. The property will continue to operate as a surface parking lot most of the time but will be available for market use on Saturdays from 5AM-3PM during the normal market season.

A copy of the proposed sublease between the City and Skyview Parking LLC is attached. The term of the lease is for the entire 2015 and 2016 market with the option to continue on a month to month basis until such time as the permanent home for market at Market Plaza is available for use. The rent for the lot is \$1,250 per day when the full lot is used and \$750 per day when $\frac{3}{4}$ of the lot is used for market purposes. Once construction begins on Market Plaza a portion of the lot at 100 East Water Street will be used as a construction lay down area thereby making it unavailable for market use.

Alternatives: City Council may adopt the Resolution or decline to do so.

Budgetary Impact: No additional funds will be needed beyond those already identified in the City Market Relocation Fund to cover the lease costs associated with the temporary market location at 100 East Water Street.

Recommendation: City staff recommends adoption of the attached signature resolution which authorizes the City Manager to execute the attached Sublease Agreement, in form approved by the City Attorney.

Attachments:

Proposed resolution for Council approval

Proposed Sublease Agreement

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.

Sublease Agreement between the City of Charlottesville (Subtenant) and Skyview Parking, LLC (Tenant) for the sublease of property on East Water Street, approximately .9920 acre, and bounded by 1st Street South, East South Street, 2nd Street, S.E. and East Water Street (Tax Map Parcel 280062000).

SUBLEASE AGREEMENT

THIS SUBLEASE AGREEMENT is made as of the ___ day of _____, 2015, by and between **SKYVIEW PARKING, LLC**, a Virginia limited liability company, Grantor, herein referred to as “Tenant”, and the **CITY OF CHARLOTTESVILLE, VIRGINIA**, a municipal corporation, Grantee, herein referred to as “Subtenant”.

WITNESSETH:

- 1. Subleased Property.** Effective January 1, 2015, the Tenant will be in rightful possession of the parcel of land located in the City of Charlottesville that is bounded by 1st Street South, East South Street, 2nd Street, S.E., and East Water Street, consisting of approximately .9920 of an acre, more or less, and shown on City Real Property Tax Map 28 as Parcel 62. The property that is the subject of this Sublease Agreement is herein referred to as “the Subleased Property”, and initially consists of all of Parcel 62, as shown on Exhibit A, dated December 16, 2014, and attached hereto. The sublease of the entire parcel shall continue until such time that construction activity commences on the adjacent property to the west (“Market Plaza”). Once construction begins on Market Plaza the Subleased Property will be reduced in area by that portion of Parcel 62 that is outlined in red on Exhibit A, and captioned “Reserved For Construction”. Tenant hereby subleases to Subtenant, and the Subtenant leases from the Tenant, the Subleased Property, under the terms and conditions set forth herein. In the event that Market Plaza is not approved or the Market Plaza property to the west is not transferred to Market Plaza LLC by December 31, 2015, Tenant may terminate this Sublease by giving Subtenant 60 days notice prior to April 1, 2016.

Exhibit A reflects planned improvements and a new parking layout for Parcel 62. In the event the improvements and the new layout are not implemented by the Commencement Date, as defined herein, the parties agree to prepare a new Exhibit A that defines the Subleased Property both prior to and during construction on the adjacent property. In the event that the City of Charlottesville City Council does not approve the Special Use Permit as requested by Subtenant by February 17, 2015, this lease may be declared void by either party.

- 2. Warranty by Tenant.** Tenant represents and warrants to the Subtenant that, for the term of this Sublease Agreement and any extension thereof, it has the power and authority under its Lease with the owner of the Subleased Property to execute this Sublease Agreement and to carry out and perform all covenants to be performed by the

Tenant under this Sublease Agreement without any requirement of consent by such owner, and that there are no outstanding uncured notices of default or termination.

Tenant agrees that Tenant shall not agree to the modification or amendment of the Lease Agreement between Tenant and the Owner of the Subleased Property during the term of this Sublease Agreement if such modification or amendment adversely affects the Subtenant's rights under this Sublease Agreement, decreases the size of the Subleased Property, or shortens the term of this Sublease Agreement, without the Subtenant's prior written consent.

- 3. Condition of Subleased Property.** The Subleased Property is currently used as a commercial surface parking lot open to the public for paid parking. The Tenant makes no representation or warranty as to the condition of the Subleased Property for the intended purpose of this Sublease prior to or at the time of the execution of this Sublease Agreement, and Subtenant agrees to accept the Subleased Property "as is" on the effective date of this Sublease Agreement, provided there is no material change in the condition of the Subleased Property between the execution of this Sublease Agreement and the Commencement Date. The parties acknowledge that Tenant plans to make various improvements to the Subleased Property as shown in the exhibits, including but not limited to installing new parking pay stations, re-sealing the pavement, and re-stripping the parking lines. This work is expected to be substantially complete by the commencement date, however in the event it is not Subtenant's remedy will be to either accept the Subleased Property as is or refuse to use the Subleased Property until such time as it is substantially completed. In the event Subtenant does not use the Subleased Property, rent will not be charged for those days it is not used.
- 4. Term.** The initial term of this Sublease shall be for a period which begins on the 1st day of April, 2015 ("Commencement Date") and continuing thereafter throughout the 31st day of December, 2016. If this Sublease is not in default at the expiration of the initial term or any subsequent renewal term, the Subtenant shall have the right to renew the Sublease on a month-to-month basis, until such time as the Market Plaza site (the current site of the City Market) has been redeveloped and is available for use as the site for the City Market. Subtenant shall give written notice to Tenant at least ninety (90) days prior to the expiration of the initial term of whether it is exercising its right to renew the Sublease on a month to month basis. Nothing herein shall be construed as giving the Subtenant the right to renew or continue this Sublease beyond the time that the Subleased Property is needed as the temporary site of the City Market. Either party may terminate this Sublease Agreement if a contract is not entered into for the sale of the Market Plaza site to Market Plaza LLC, the current site

of the City Market, for redevelopment on or before April 1, 2015. The parties hereto may mutually agree to extend that date if necessary to accommodate a later closing date for the sale of the Market Plaza site. Either party may terminate this Sublease Agreement if the current site of the City Market is not sold to Market Plaza LLC by December 31, 2015.

- 5. Use of Subleased Property.** The Subtenant warrants and covenants that the Subleased Property will only be used by the Subtenant as the temporary site for the City Market, operated by the Charlottesville Department of Parks and Recreation pursuant to Charlottesville City Code sec. 8-1 *et seq.* each Saturday between the hours of 5:00 a.m. and 2:00 p.m., during the months of April, May, June, July, August, September, and October, and each Saturday between the hours of 5:00 a.m. and 3:00 p.m. during the months of November and December. The Tenant shall retain full use and enjoyment of the Subleased Property on all days and during all times when the Subleased Property is not reserved for the City Market, as specified herein. The Tenant and the Subtenant may agree in advance on additional days and times that the Subleased Property may be used by the Subtenant for a specified purpose, subject to the per diem rent set forth below. The parties agree that the pay stations which are planned to be installed by Tenant on the Subleased Property may be used during the sub-lease period by anyone who needs to obtain a parking receipt to park in an adjacent parking lot owned or controlled by Tenant. As such, Subtenant agrees to allow access as needed and signage as needed, at Tenant's expense, to accommodate such use.
- 6. Rent.** During the time when the Subleased Property includes the entirety of Parcel 62, as shown on Exhibit A hereto, the Subtenant shall pay to the Tenant rent at the rate of One Thousand, Two Hundred Fifty and 00/100 Dollars (\$1,250.00) for each day that the City Market operates, or is scheduled to operate, on the Subleased Property. Each payment shall be due to Tenant in advance on or before the first day of each calendar month during the term of this Sublease. The monthly payment shall be calculated by multiplying \$1,250.00 times the number of scheduled City Market days during the month for which payment is being made.

Once construction on the Market Plaza site begins and the Subleased Property is reduced in area as shown on Exhibit A hereto, the rent shall be reduced and Subtenant shall pay to the Tenant rent at the rate of Seven Hundred, Fifty and 00/100 (\$750.00) for each day that the City Market operates, or is scheduled to operate, on the Subleased Property. Each payment shall be due to Tenant in advance on or before the first day of each calendar month during the term of this Sublease. The monthly payment shall be

calculated by multiplying \$750.00 times the number of scheduled City Market days during the month for which payment is being made.

7. **Quiet Enjoyment.** The Subtenant, on paying the rent and observing and keeping all covenants, warranties, agreements and conditions of the Sublease Agreement on its part to be kept, shall quietly have and enjoy the Subleased Property during the term of this Agreement, and any extension thereof.
8. **Land Use Approvals.** The Tenant and the Subtenant acknowledge that the Subtenant's intended use of the Subleased Property may require certain approvals, including, but not necessarily limited to, a special use permit and site plan approval. By its signature to this Sublease Agreement the Tenant hereby evidences its written consent for Subtenant to apply for and seek any and all land use and zoning approvals necessary for the future intended use of the property; provided, however, that Subtenant shall not be authorized to apply for or obtain any change in the land use or zoning status of the property that would be binding on Tenant after the expiration or termination of this Sublease Agreement unless Tenant shall have consented in writing in advance. The application, review and implementation of each such approval shall be at the Subtenant's sole expense.
9. **Improvements and Signage.** The Subtenant may, at its own cost and expense, install metered electric service to the Subleased Property for use during the City Market. Subtenant shall be responsible for installing lockboxes or otherwise securing the electric service from unauthorized use. Tenant shall not be responsible for any costs or charges incurred for the use of electric service installed and made available by Subtenant.

If there are proposed improvements to the Subleased Property that will be mutually beneficial to both the Tenant and Subtenant, which may include but not be limited to the electrical service referenced above and a new entrance to the property from South Street, the parties may enter into a memorandum of understanding that allocates both the responsibility for constructing the improvements and the agreed-upon costs for the improvements.

During the term of this Sublease Agreement and any extension, Subtenant may locate a storage shed and temporary toilets on the Market Plaza property for use by the Subtenant. Once construction begins on the Market Plaza property, Subtenant shall have the right to install and maintain a storage shed and up to three (3) portable toilets on the Subleased Property for use during the City Market. The shed and toilets shall be placed at locations mutually agreed to in advance by Subtenant and Tenant.

Subtenant shall be responsible for servicing the toilets on a scheduled basis and for securing them to prevent their use during times the City Market is not in operation, and shall be solely responsible for the contents of the shed.

Subtenant may, at its own cost and expense, at any time make such alterations, changes, replacements, improvements and additions in and to the Subleased Property as it deems advisable or necessary for operation of the City Market, subject to Tenant's prior written approval of each such action, which approval shall not be unreasonably withheld or delayed. No improvements will be permitted which would interfere with the use of the Subleased Property by Tenant during times other than the times the City Market is in operation, or with the portion of the balance of Parcel 62 that is not included in the Subleased Property. No improvements shall be undertaken on the Subleased Property unless and until the Subtenant shall have obtained any and all required local, state and federal governmental approvals and permits, and all such improvements shall be undertaken in strict compliance with all City, state and federal rules, regulations and laws.

The Subtenant shall have the right to place signs on the Subleased Property that are allowed under the provisions of the City of Charlottesville Zoning Ordinance, and necessary for the operation of the City Market, subject to Tenant's prior written approval, which approval shall not be unreasonably withheld or delayed. Subtenant and Tenant agree that Subtenant will install signs in prominent locations on the Subleased Property that inform motor vehicle operators that all vehicles must be removed from the Subleased Property at a specified time before the beginning of the City Market hours, and that vehicles not so removed from the property will be towed at the direction of the Subtenant at the expense of the vehicle owner or operator.

The Subtenant shall permit no mechanic's liens, materialmen's liens or other statutory liens to attach to the Subleased Property as a result of any alterations, improvements, additions or repairs performed by the Subtenant or at the Subtenant's direction. If any such lien or notice of lien rights shall be filed with respect to the Subleased Property, the Subtenant shall immediately take such steps as may be necessary to have such lien released, and shall permit no further work to be performed at the Subleased Property until such release has been accomplished.

10. Maintenance/Operational Expenses. The Subtenant shall, at its own cost and expense during the term of this Sublease, leave the Subleased Property in a reasonably clean, attractive condition following each day of City Market use, and shall not commit or allow any waste or damage to be committed on or to any portion of the Subleased Property. This includes but is not limited to, removing trash from the site

following each City Market Use. Subtenant agrees to keep the toilet area well maintained and to perform any maintenance or cleanup required at any time as a result of the toilets on the Subleased Property. During months when the City Market is in operation Subtenant agrees to power wash the Subleased Property up to twice a month if it becomes unsightly or unsanitary, in the opinion of Tenant, as a result of Subtenant's use of the Subleased Property.

As part of its maintenance responsibilities, Subtenant agrees to comply fully with any applicable governmental laws, regulations and ordinances limiting or regulating the use, occupancy or enjoyment of the Subleased Property, and to comply with the Virginia Uniform Statewide Building Code and the Virginia Statewide Fire Prevention Code, as supplemented and modified by duly enacted ordinances of the City of Charlottesville.

11. Taxes and Assessments. The Subtenant shall not be responsible for the payment of any real property taxes, special assessments or storm water utility fees applicable to the Subleased Property.

12. Utilities and Services. The Subtenant shall be responsible for and pay all costs and charges for utilities and services in connection with the Subtenant's occupancy and use of the Subleased Property for the City Market, including but not limited to permits and connection charges for gas, heat, light, water, sewer, power, telephone, cable, internet connection, janitorial, trash removal and other utilities or services. If Subtenant, in its sole discretion, determines that the foregoing utilities and services, or any of them, are necessary for its use of the Subleased Property for the City Market, the same shall be instituted and obligated for in the name of the Subtenant, and the Tenant shall have no responsibility whatsoever for the furnishing or cost of the same. In the event electric service is on a joint meter in Tenant's name, Subtenant agrees to reimburse such costs as may be determined by a sub-meter or by a recording of the meter readings before and after City Market events.

13. Damage or Destruction of the Leased Property. During the term of this Sublease Agreement or any extension thereof the Tenant shall have no responsibility for any damage caused to the Subleased Property during the operation of the City Market, except that proximately caused by the negligence or misconduct of the Tenant or its employees or agents. The Subtenant agrees that all property of every kind and description kept, stored or placed on the Subleased Property by the Subtenant shall be at the Subtenant's sole risk.

14. Insurance. Subtenant covenants and agrees that it will, at its own expense and at all times during the term of this Lease and any extension thereof, keep in full force and effect a policy of commercial general liability and property damage insurance with respect to the Subleased Property and the operations of the Subtenant on the Subleased Property with a good and solvent insurance company licensed to do business in the Commonwealth of Virginia. The limits of public liability for bodily injury and property damage shall not be less than One Million and 00/100 Dollars (\$2,000,000.00) per accident, combined single limit.

The Subtenant shall also maintain coverage against loss, damage or destruction by fire and such other hazards as are covered and protected against, at standard rates under policies of insurance commonly referred to and known as “extended coverage”, as the same may exist from time to time.

Copies of Subtenant’s policies of insurance (or certificates of the insurers) for insurance required to be maintained by the Subtenant shall be provided to Tenant on request.

15. Default. Each of the following occurrences relative to the Subtenant shall constitute default:

- a.** Failure by the Subtenant in the performance or compliance with any of the terms, covenants, or conditions provided in this Sublease Agreement, which failure continues uncured for a period of sixty (60) days after written notice from the Tenant to the Subtenant specifying the items in default; provided, however, if such failure is of a type that is not reasonably capable of being cured within such sixty (60) day period such sixty (60) day period shall be extended for so long as the Subtenant is making diligent efforts to cure such default;
- b.** Failure or refusal by the Subtenant to make the timely payment of rent or other charges due under this Sublease Agreement when the same shall become due and payable, provided the Tenant has given the Subtenant fifteen (15) days written notice of the same;

16. Assignment. The Subtenant shall have no right to assign or sublease, in any manner or fashion, any of the rights, privileges or interests accruing to it under this Sublease Agreement to any other individual or entity without the prior written consent of the Tenant, which shall not be unreasonably withheld or delayed.

- 17. Surrender.** Upon termination of the Lease, except as the parties may otherwise agree, the Subtenant shall quit and surrender to the Tenant the Subleased Property in substantially its condition as of the Commencement Date, provided that the Subtenant shall remove from the Subleased Property any personal property belonging to the Subtenant or third parties, and at its cost and expense shall repair any damage caused by such removal. Personal property not so removed shall become the property of the Tenant, which may thereafter remove the property and dispose of it. On the termination of this Sublease, the Tenant may, without further notice enter on, reenter, possess and repossess the Subleased Property on days and at times that it would have otherwise been used by the Subtenant for the City Market.
- 18. Right of Entry.** Tenant, or Tenant's agents and designees, shall have the right, but not the obligation, to enter upon the Subleased Property or any part thereof during its use as the City Market, to inspect and examine the same to ensure compliance with the terms of this Sublease Agreement. The Tenant's failure to detect any violation or to notify the Subtenant of any violation shall not relieve the Subtenant of its obligations under the terms of this Lease.
- 19. Waiver.** The waiver by the Tenant of the Subtenant's breach of any term, covenant or condition contained herein shall not be deemed to be a waiver of such term, covenant, or condition or any subsequent breach of the same or any other term, covenant or condition contained herein. The subsequent acceptance of rent hereunder by the Tenant shall not be deemed to be a waiver of any breach by the Tenant of the Subtenant of any term, covenant or condition of this Sublease regardless of knowledge of such breach at the time of acceptance or payment of such rent. No covenant, term or condition of this Sublease shall be deemed to have been waived by the Tenant or the Subtenant unless the waiver is in writing signed by the party to be charged thereby.
- 20. Entire Agreement.** This Sublease Agreement sets forth all the covenants, promises, agreements, conditions and understandings, between the Tenant and the Subtenant concerning the Subleased Property and there are no covenants, promises, agreements, conditions or understandings either oral or written, between them other than as herein set forth. Except as herein otherwise provided, no subsequent alteration, amendment, change or addition to this Sublease Agreement shall be binding upon the Tenant or the Subtenant unless reduced in writing and signed by them.
- 21. Headings.** The section headings in this Sublease Agreement are inserted only as a matter of convenience and in no way define, limit, construe, or describe the scope or intent of such sections of this Sublease nor in any way affect this Sublease.

- 22. Severability.** If any term, covenant or condition of this Sublease, or the application thereof, to any person or circumstance shall to any extent be invalid or unenforceable the remainder of this Sublease, or the application of such term, covenant, or condition to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby and each term, covenant, or condition of this Sublease shall by valid and be enforced to the fullest extent permitted by law.
- 23. Non-Appropriation.** Payment and performance obligations of the Subtenant (City of Charlottesville), beyond the initial year of this Sublease Agreement, are expressly conditioned upon the availability of and appropriation by the City public funds thereafter in each subsequent fiscal year. When public funds are not appropriated or are otherwise unavailable to support continuation of performance by the City in a subsequent fiscal period, this Sublease Agreement and the City's obligations hereunder shall automatically expire, without liability or penalty to the City. Within a reasonable time following City Council's adoption of a budget, the City shall provide the Tenant with written notice of any non-appropriation or unavailability of funds affecting this Sublease Agreement.
- 24. Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Virginia.
- 25. Notices.** Any notice, demand, request, or other instrument which may be, or are required to be given under this Sublease Agreement, shall be in writing and delivered in person or by United States certified mail, return receipt requested, postage prepaid, and shall be address as follows:

If to the City:

Maurice Jones
City Manager
605 East Main Street
Charlottesville, VA 22902

If to the Tenant:

Skyview Parking LLC
c/o Woodard Properties
224 14th Street NW
Charlottesville, VA 22903

or at such other address as designated by written notice of a party.

IN WITNESS WHEREOF, the Tenant and the Subtenant have signed and sealed this Lease as of the date first above written.

CITY OF CHARLOTTESVILLE, VIRGINIA

By: _____

Name: Maurice Jones

Title: City Manager

Date: _____

Funds are available:

Approved as to form:

Director of Finance

City Attorney

SKYVIEW PARKING LLC

By: _____

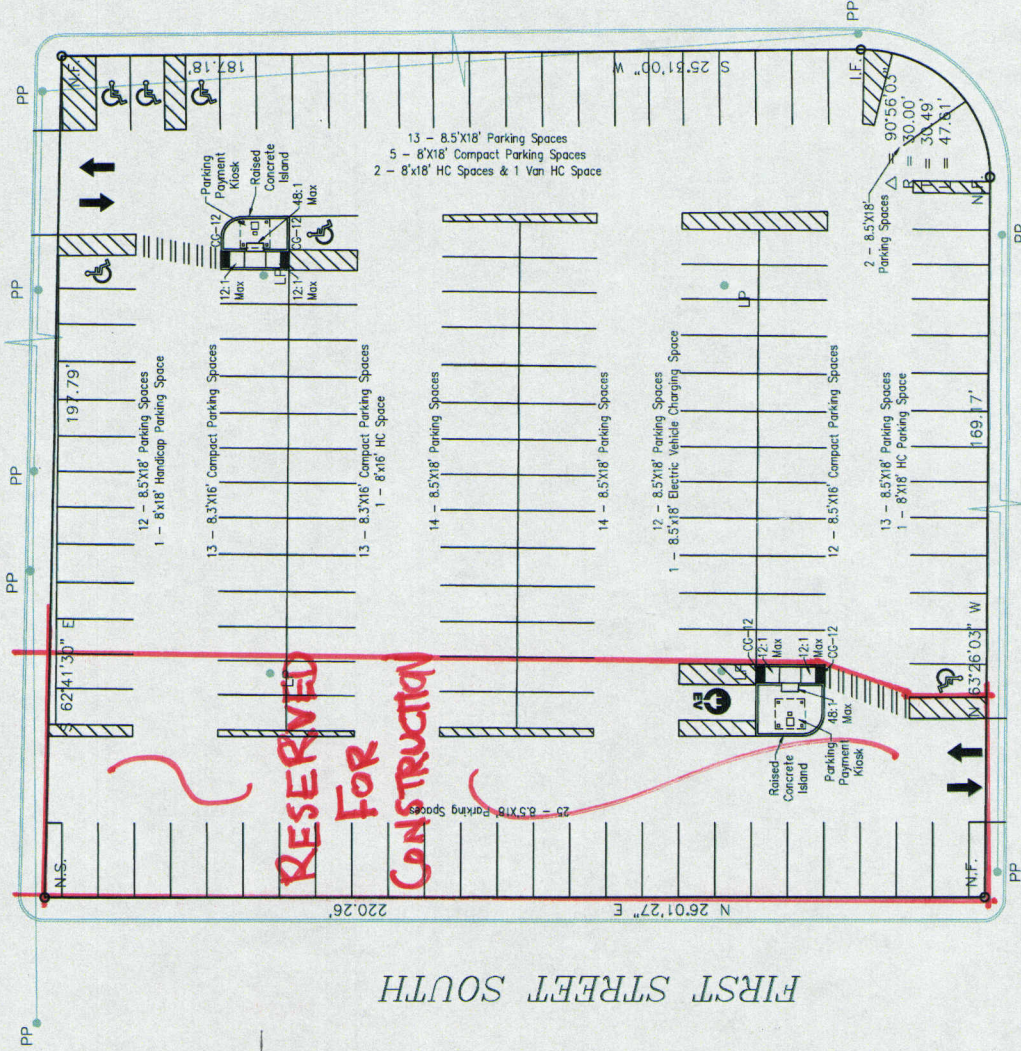
Name: _____

Title: _____

Date: _____



E. WATER STREET



FIRST STREET SOUTH

SOUTH STREET

SECOND STREET SE.

OWNER:
 Charlottesville Parking Center, Inc.
 P.O. Box 262
 Charlottesville, VA 22902

DEVELOPER:
 Woodard Properties
 224 14th Street NW
 Charlottesville, VA 22903

PARKING SUMMARY:

155 Total Spaces Proposed
 Compact: 30% Max. Allowed Parking in Compact Spaces = 155X.30=47 Spaces
 Compact Spaces Provided: 43

Handicap:
 1 Van Space & 5 Regular HC Spaces Required
 1 Van Space & 5 Regular HC Spaces Provided
 Electric Vehicle Charging:
 1 Space Provided

NOTES:

1. All parking lot travel aisles shall be 20' minimum width unless otherwise noted.

EXHIBIT 'A'

**NOTE: PRIOR TO CONSTRUCTION
 ENTIRE SITE IS FOR MARKET**

EXHIBIT SHOWING NEW PARKING LOT STRIPPING TO ACCOMMODATE
 CITY MARKET & TO ADD TWO (2) PAY STATION SHELTERS FOR:
 TMP 28-62
 12/16/2014



CITY OF CHARLOTTESVILLE



To: City of Charlottesville City Council

From: Matt Alfele, City Planner, Neighborhood Development Services
Read Brodhead, Zoning Administrator, Neighborhood Development Services

Date : January 20, 2015

Title: Report of the Planning Commission Discussing Possible **Zoning Text Amendment Tourist (Temporary) Lodging Offered Within Residential Dwellings**

Background:

Attached is a copy of a Resolution enacted by City Council in July 2014, asking the Planning Commission to study and make recommendations as to whether the City's zoning regulations should be amended to allow the use of residential dwelling units, or portions thereof, as temporary lodging for tourists or other temporary stays. One of the implications of such uses is that they are subject to a City tax called the "transient occupancy tax." Therefore, for purposes of this report, and for any city code amendments, we refer to the uses as "transient lodging".

Transient Lodging, such as the accommodations offered through website clearinghouses such as "Airbnb" and "HomeAway," are popping up in localities all over the country. This model of travel/temporary lodging is creating more options for travelers and new moneymaking opportunities for individuals and small businesses, but has potential to be disruptive to some neighborhoods—particularly low-density residential neighborhoods. Many localities are under-prepared for such a rapid growth in the number of Transient Lodging within their communities. As of the date of this study, three (3) of the most popular short term rental websites; Stay Charlottesville, Airbnb, and HomeAway listed a combined (318) available units in the Charlottesville area. The shared economy is developing rapidly and an ordinance is needed to balance the needs of neighborhoods and foster economic innovation. The City of Charlottesville is not alone in facing this changing landscape as other cities grapple with keeping their regulations relevant to new concepts.

To date, the Zoning Administrator has received complaints about (4) different properties at which this type of lodging is currently being offered. The main complaints stem from noise, safety and excessive vehicles utilizing already limited on-street parking. Two properties located on University Circle were cited for exceeding the maximum occupancy of three (3) unrelated persons, but it was difficult to document and prove that there was in fact a violation, and the City Attorney's office has

advised that “residential occupancy” is not the correct standard to be applied to this type of use (under our current zoning regulations, this use falls within the definition of a “Hotel”¹ which is prohibited entirely within residential zoning districts of the City). There is also a concern that the neighborhood dynamic will greatly change if Transient Lodging Facilities are permitted in residential zoning districts.

It is estimated that 100-150 property owners are currently operating Transient Lodging Facilities in the City and we are only aware of (4) properties which are causing problems in neighborhoods. A strong revocation clause, the requirement that a business license be obtained and an annual permit with a fee are all steps that staff believes are necessary to prevent abuses and ensure responsible operations of this type of use in the City.

Years ago, anticipating the trend, the City amended its zoning ordinance to allow for a category of use called “bed and breakfast (homestay)”. The Homestay B&B must be owner occupied and managed, and have no more than 3 guest rooms. More and more frequently, however, owners of residential dwelling units, including single-family residential dwellings (SFDs), wish to offer their entire dwelling unit for hire as a “vacation” type rental—typically for a weekend, or possibly for a week at a time—without being required to live within the premises themselves, and often with the lodging being managed by third parties. (Internet companies like “Airbnb” and “HomeAway” offer the convenience of managing the rental and fee-payment process, but may not typically offer property management or oversight)

Discussion:

In researching the impact Transient Lodging Facilities are having on communities staff examined municipalities in Virginia and similar cities in other states. Staff’s findings revealed that although Transient Lodging is prevalent in locations such as Virginia Beach and Williamsburg, the scale and regulatory measures in these places are not appropriate to the unique dynamics of Charlottesville. Cities such as Austin Texas and Madison Wisconsin more closely mirror the challenges Charlottesville faces and offered guidance on crafting this ordinance.

The Planning Commission considered a study on Transient Lodging Facilities and amending the City’s zoning text to allow Transient Lodging Facilities through Provisional Use Permits at their regular meeting on December 9, 2014. After reviewing materials and input by the public the Commission expressed concerns about the impact of Transient Lodging Facilities on the community. The Commission discussed the following issues:

- How would any regulations be enforced?
- Impact of homes being bought and built for the sole purposes of running Transient Lodging Facilities.
- Neighborhood integrity.
- Would regulation work more effectively through Provisional Use Permits or Special Use Permits?
- Do we have enough research to make a decision?

¹ Zoning Ordinance Sec. 34-1200 defines “hotel/ motel” as a building or portion thereof ...containing [or] providing guest rooms used, rented or hired out to be occupied for sleeping purposes on a transient basis (i.e., by the day or week).....

- How would the size of Transient Lodging Facilities effect any decision on regulation (homes with one or two bedrooms compared to homes with ten bedrooms)?
- How are Transient Lodging Facilities affecting housing stock in the City of Charlottesville?
- Taxation issues.
- Where in the City of Charlottesville are Transient Lodging Facilities trending and are they affecting home prices over time?

The commission’s comments are included as part of the report requested by Council. As the Planning Commission decided not to initiate the ZTA, the report is coming to Council for review and Council has the opportunity to initiate the ZTA as well as provide any input on the materials provided.

The Planning Commission took the following action:

“Ms. Keller moved to recommend forwarding a study on Transient Lodging Facilities to City Council.”

Ms. Green seconded the motion. The Commission voted 7-0 to recommend forwarding a study on Transient Lodging Facilities to City Council.

Citizen Engagement:

In addition to looking at other cities, staff participated in (4) outreach meetings to receive feedback from the public. On September 5, 2014 staff met with citizens that run Transient Lodging Facilities; on October 14, 2014 staff met with additional citizens that run Transient Lodging Facilities and the Charlottesville Albemarle Convention and Visitor Bureau; and on October 24, 2014 staff met with members of the hotel industry. Out of all those meetings the main feedback staff received focused on creating a level playing field for all parties, a safe environment for guests, and a way for Transient Lodging Facilities to become compliant. Staff also participated in a meeting on November 12, 2014 with residences of University Circle. Concerns were voiced that allowing Transient Lodging Facilities would alter the character of their neighborhood. They believe that the neighborhoods abutting the university are constantly striving for balance and by allowing Transient Lodging Facilities it would create an unwelcome stressor.

The Planning Commission, at its meeting on December 9, 2014, discussed this matter and received feedback from the public. Many members of the public expressed concern about and opposition to amending the zoning text to allow Transient Lodging Facilities. Many other members of the public stated support for allowing Transient Lodging Facilities through a zoning text amendment. The comments in opposition cited the impacts to neighborhood stability, effect on housing stock, and an increase in noise, trash, and parking problems. Comments in support highlighted creating more lodging options, a desire to operate Transient Lodging Facilities legally, and balancing the community’s needs with property owner’s rights.

Alignment with City Council’s Vision and Priority Areas:

These proposed changes are in conformity with the Comprehensive Plan and City Council’s Vision:
Chapter One, Land Use

Goal 1.1: When considering changes to land use regulations, respect nearby residential areas. *Transient Lodging Facilities are mainly in single family homes and need to be regulated in a way that respects the neighborhoods they are in.*

Goal 2.2: Encourage small businesses that enhance existing neighborhoods and employment centers. *Transient Lodging Facilities are small businesses that generate secondary income for home owners.*

Goal 5.5: Revise the Future Land Use Map so that it represents the desired vision for the City's future. Pay special attention to increasing the supply of affordable housing, increasing employment opportunities for all citizens, and encourage the development of mixed income neighborhoods throughout the City. *Transient Lodging Facilities can have an effect on housing stocks and income levels in neighborhoods throughout the City.*

Goal 5.8: Be aware of and learn from applicable experiences, policies, procedures, ordinances and plans of other municipalities in Virginia and the United States. *Municipalities in Virginia and the United States have adopted regulations and ordinances pertaining to Transient Lodging Facilities.*

Chapter Three, Economic Sustainability

Goal 3.6: Align zoning ordinances to facilitate economic activity in new areas of commercial opportunity identified in the updated future land use map. *Transient Lodging Facilities represents a new and growing form of economic diversity in the City.*

Goal 3.7: Work to ensure that newly aligned City ordinances and regulations balance the need to promote development opportunities and competing interests. *Transient Lodging Facilities will not go away and needs to be addressed to the satisfaction of all.*

Budgetary Impact:

The ZTA will permit the owners of properties greater flexibility in renting out their dwelling units for periods shorter than (30) days. The City would receive increased tax revenue from the Transient Occupancy Tax.

Recommendation:

Consider report provided by the Planning Commission and offer discussion on whether or not to initiate a specific ZTA.

Alternatives:

1. Place this matter on an upcoming City Council agenda to vote on whether or not to initiate a specific ZTA.
2. Take this report under advisement and do nothing at this time.

Attachment:

1. Possible Zoning Text Amendment
2. Maps of Transient Lodging Facilities (obtained through provider's web sites)
3. City Council's Resolution dated July 21, 2014
4. Appendix A
5. Sample Resolution

Possible addition to 34-1200 Definitions

“Transient Lodging Facility” refers to any dwelling unit offering guest rooms or other lodging rented out for continuous occupancy for fewer than 30 days, excluding any bed and breakfast.

Notes:

- According to the zoning administrator and individuals who spoke at the public hearing, larger properties (such as SFDs having many bedrooms) have greater potential to disrupt adjacent neighbors by noise and parking issues.
- One possibility would be to provide a definition that specifies “any dwelling unit containing more than 5 guest rooms rented out.....” [see discussion of USBC provisions, following below].
- The PC, and individuals who provided public comment, stated that a substantial number of people offer their property as lodging for only a few days per year (apparently, the IRS has special rules for reporting of income/ deduction of expenses, for a dwelling used as a taxpayer’s home but hired out to others for fewer than 15 days per year). There has been some discussion, but as yet no consensus, as to whether it would be desirable to allow this minimal level of activity under the zoning regulations without a permit. If that is desired, we recommend that the zoning ordinance be clarified to state that this type of use, at this level of activity, will expressly be allowed everywhere within the city by right. *[As a practical matter, it would be nearly impossible for the zoning administrator to obtain access to the documentation that would be needed to prove that a property was offered as lodging for 15 or more days per year.]*. Also, even if a property is only hired out as lodging for, say, 4 weekends per year, its use can still be potentially disruptive to adjacent properties.
- City Attorney’s Office recommends avoiding any definition that refers to “residential occupancy”. Although the buildings themselves were designed to serve as residences for individuals, the use involved here is one of “lodging” — i.e., accommodations/guest rooms offered for hire, on a temporary basis, for “transient occupancy.” Standards based

Possible New Sec. 34-1176 Transient Lodging Facility

(a) A transient lodging facility authorized by a provisional use permit shall be subject to the following regulations:

- (1) No person other than a property owner shall be eligible for a provisional use permit authorizing the use of a dwelling unit as a transient lodging facility.**

Notes:

- There seems to be consensus: a property owner must be the person who holds a zoning permit and who would be held responsible for compliance with zoning regulations
- For zoning purposes, each of the following is a “dwelling unit”: single-family dwelling (SFD= 1 dwelling); each half of a duplex (duplex=2 separate dwelling units); each individual unit within a multifamily dwelling (e.g., condo building or apartment building).
- Question: should zoning regulations restrict the number of dwellings for which any one property owner can obtain a PUP: citywide? on any one street? within any one building? (A “property owner” includes not only individuals, but also business/ legal entities such as corporations and LLCs). The owner of “Stay Charlottesville” indicated that a property owner can make 3x more money from a transient lodging facility than from a lease for residential occupancy. Theoretically, the proliferation of dwelling units devoted to transient lodging use could reduce the stock of affordable residential housing (both owner-occupied and rental stock) within the City.

(2) A property owner who submits an application seeking a provisional use permit for a transient lodging facility shall provide the following:

a. Evidence of a city business license, as may be required, and proof of payment of the transient occupancy taxes required by City Code 30-251 et seq.

Notes:

- Persons who are currently operating these facilities (at least those who provided public comment) seem willing to comply with the regulatory aspects of being engaged in a taxable income-producing activity—i.e., business license and payment of transient occupancy tax
- Logistically: if a PUP process were offered, a property owner would take the following steps to obtain a permit: (1) contact NDS to obtain verification the use is allowed by the zoning for a specific property, and to provide all required application materials other than the business license; (2) following initial zoning verification from NDS, the owner would obtain the required business license from the COR and then (3) with the business license in hand, the property owner could be issued the PUP. A simple routing form could be developed to promote “one-stop-shopping,” assuming the property owner comes prepared with all necessary information and documentation.

c. The name, phone number, e-mail address and other contact information of a local person who will serve as the property manager. The property manager must have an office within the City of Charlottesville, or outside the City limits and within 10 miles of the property.

Notes:

- Persons who spoke at public comment, both operators and neighbors of existing facilities, seemed to agree that personal contact between the property manager/ operator and neighbors is a key to responsible operation—particularly in low-density residential districts
- The property manager could be the property owner itself, himself or herself, or someone contracted/ hired by the property owner. (Keep in mind that legally, a “person” refers both to individuals as well as to business, corporate, and other legal entities). To date, City staff has not received complaints about properties managed by local business “Stay Charlottesville.” Of the four (4) complaints received over the past year or two, (2) related to properties owned by non-City residents which were being hired out with no local oversight or property manager.

d. A written fire evacuation plan for the transient lodging facility, in a format suitable for posting at each exit from the facility, and a written certification that the fire evacuation

plan will be and remain posted at each exit inside the transient lodging facility for the duration of the provisional use permit;

Notes:

- Staff has confirmed with the Building Official that, under the Virginia USBC transient lodging facilities offered within dwelling units with fewer than 5 bedrooms/ guest rooms, and which are not owner-occupied, may be classified as Group R-3 or R-5 “residential occupancies”. This means that, so long as they provide smoke detectors, there are no more restrictive requirements for these facilities than if they were being occupied by the owner as his/her residence.
- Nonetheless, staff believes that it would be a good idea to require the posting of a floor plan with evacuation instructions—similar to what can be found on the inside of any other hotel lodging.

e. Evidence that all adjacent property owners have been given written notice by the applicant that the property will be utilized as a transient lodging facility

Note:

- As noted above, citizens and operators who spoke at public comment seem to agree that these uses, where currently operating, have been less problematic when the operator has approached and made neighbors aware of the use. This information, combined with the requirement for a local property manager, will help assure accessibility and accountability of the operator to neighbors.

(3) A provisional use permit authorizing a transient lodging facility will be valid for one (1) year from the date of issuance.

Notes:

- Staff believes that a permit which can be limited in duration, and which can be administratively approved and revoked, would be most effective for this type of use. The zoning administrator would have authority to revoke, and his decision would be subject to BZA review.
- The PC also discussed the possibility of creating a use category (such as an “inn”) for certain larger dwellings (e.g., those with more than 5 bedrooms) which could only be authorized by an SUP approved by city council. Pro: This would allow review of potential impacts assessed in relation to specific proposed sites. Con: once granted, would require formal zoning action (notice, advertisement, review by PC and action by City Council) in order to be revoked or discontinued; once established, a use approved by SUP could continue as a nonconforming use even after a change in the City’s general zoning district regulations.

(4) A provisional use permit authorizing a transient lodging facility may be revoked by the zoning administrator:

- a. in the event that four (4) or more calls for police service are received by the city within any two (2) month period, or

Note:

- This will require neighbors to call for police assistance relative to noise complaints. If there is no record of such calls, then the zoning administrator could not establish grounds for revocation.
- What about complaints of property maintenance violations, such as accumulations of litter, trash?

- b. for failure to maintain compliance with the requirements of paragraph (2), above.

Following revocation of a provisional use permit for a transient lodging facility, no provisional use permit will subsequently be issued for the subject property for a period of one year (365 days).

Note: for similar provisions, see regulations for Music Hall PUPs, City Code Sec. 34-1174(2)

Related zoning regulations—Use Matrix

34-420- Use matrix for residential districts

Dwelling units, of one kind or another, are permitted in every zoning district. If the City decides to proceed, it will need to make findings and determinations as to whether use of a dwelling unit for “transient lodging” should be allowed in all, or only certain, residential zoning districts. Once that decision is made, the use matrix would need to be marked to indicate the zoning districts in which “transient lodging facilities” would be allowed.

34-796- Use matrix for mixed use corridor districts

See comments above, relative to residential districts. (Dwelling units, of one kind or another, are permitted in every mixed use corridor district).

34-480- Use matrix for commercial districts

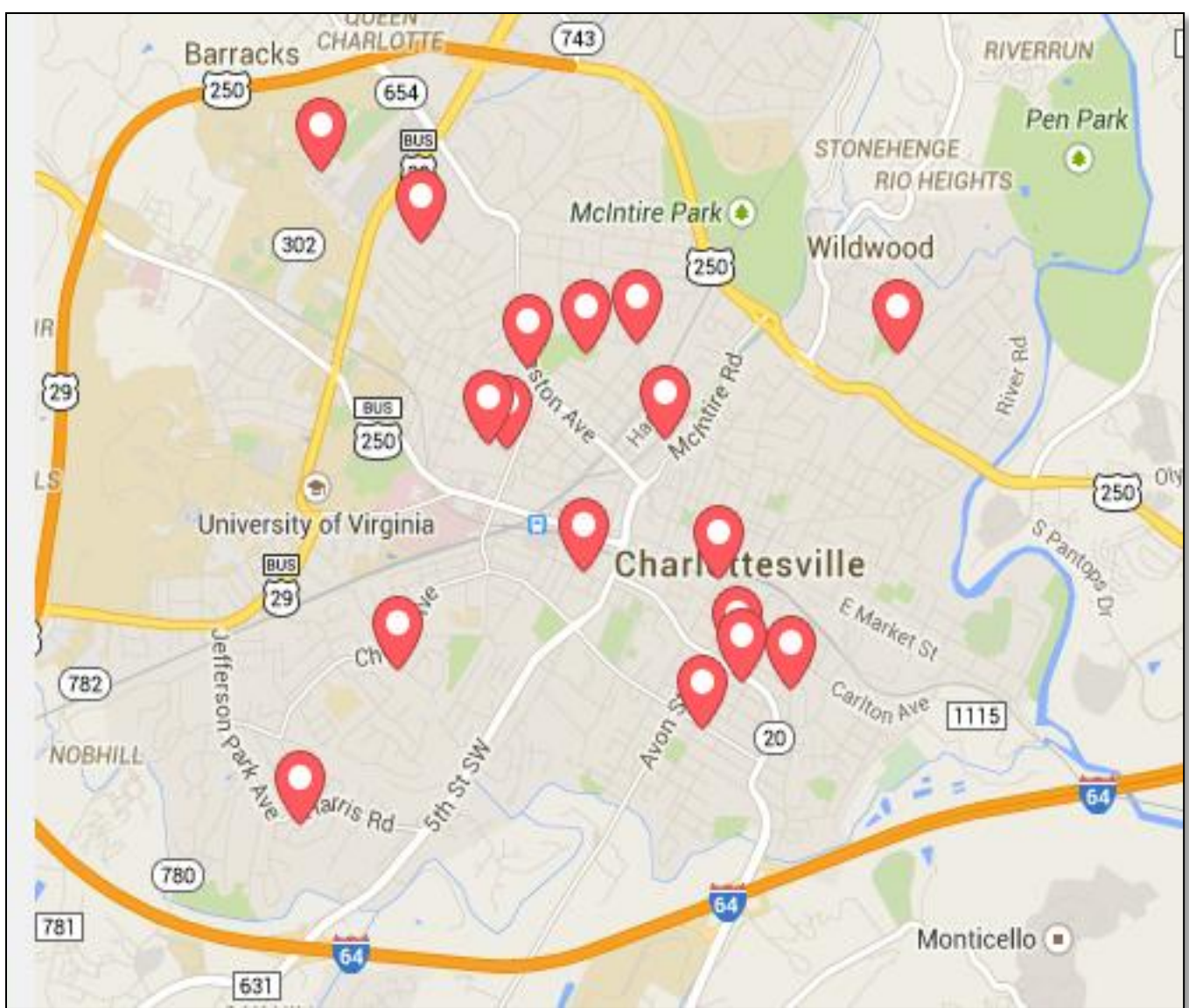
Dwelling units, of one kind or another, are allowed within four (4) of the City’s six (6) commercial zoning districts. However:

- dwelling units are NOT allowed in the Emmet Street Corridor (ES) District.
- Only multifamily developments are allowed within the Industrial Corridor (IC) District, so there could be some dwelling units located in the IC. However, only the owner of a property—not an apartment tenant—could obtain a PUP under staff’s recommended regulations. (This begs the question of whether the City should allow the owner of an apartment building a PUP to offer transient lodging within multiple units located within a single apartment building).



Snapshot of
Transient
Lodging
Facilities

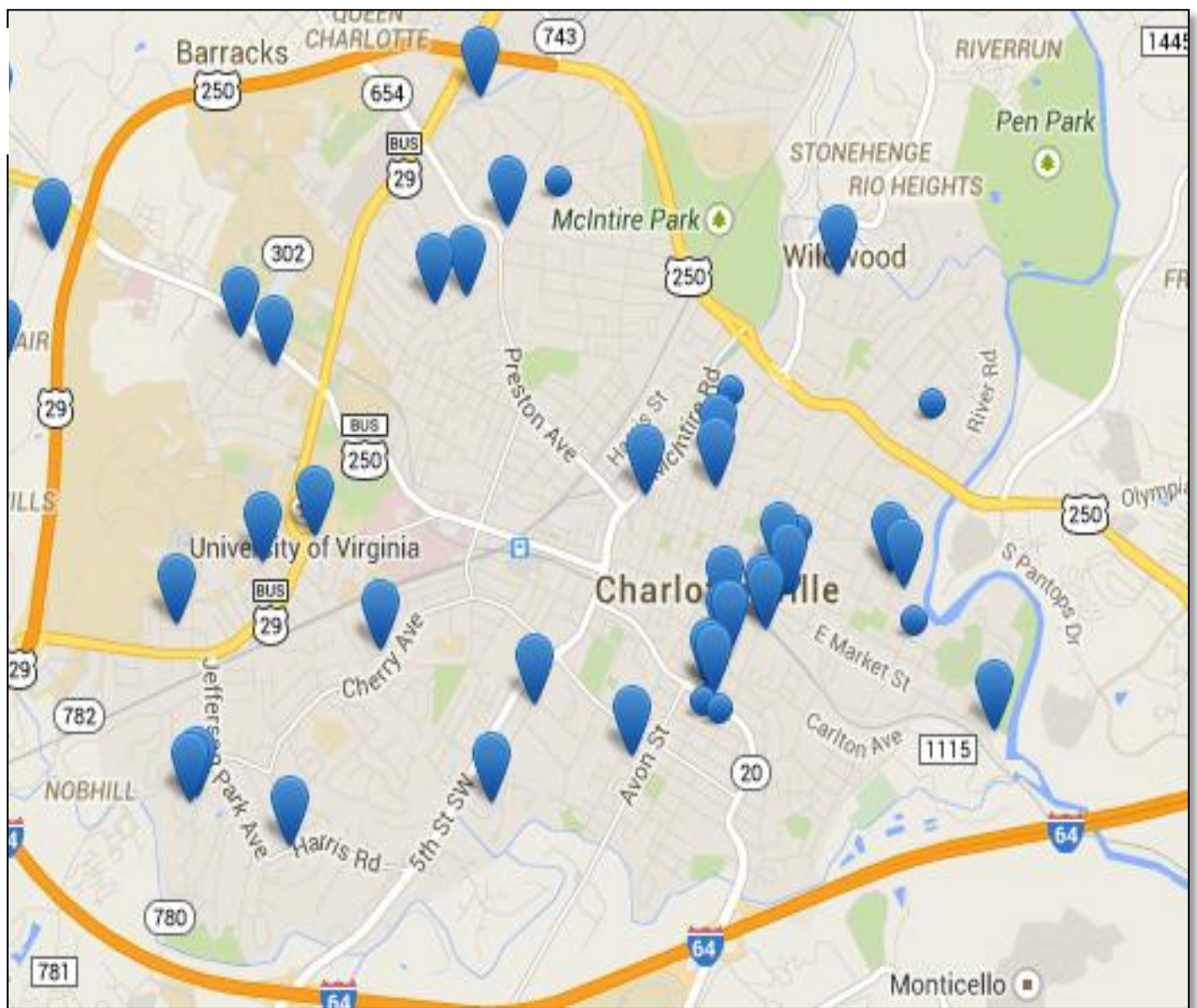
Prices range
from (\$20) a
night to
(\$2,000) a night



December 30, 2014
182 Rentals Available

Snapshot of
Transient
Lodging
Facilities

Prices range
from (\$200) a
night to
(\$1,650) a night

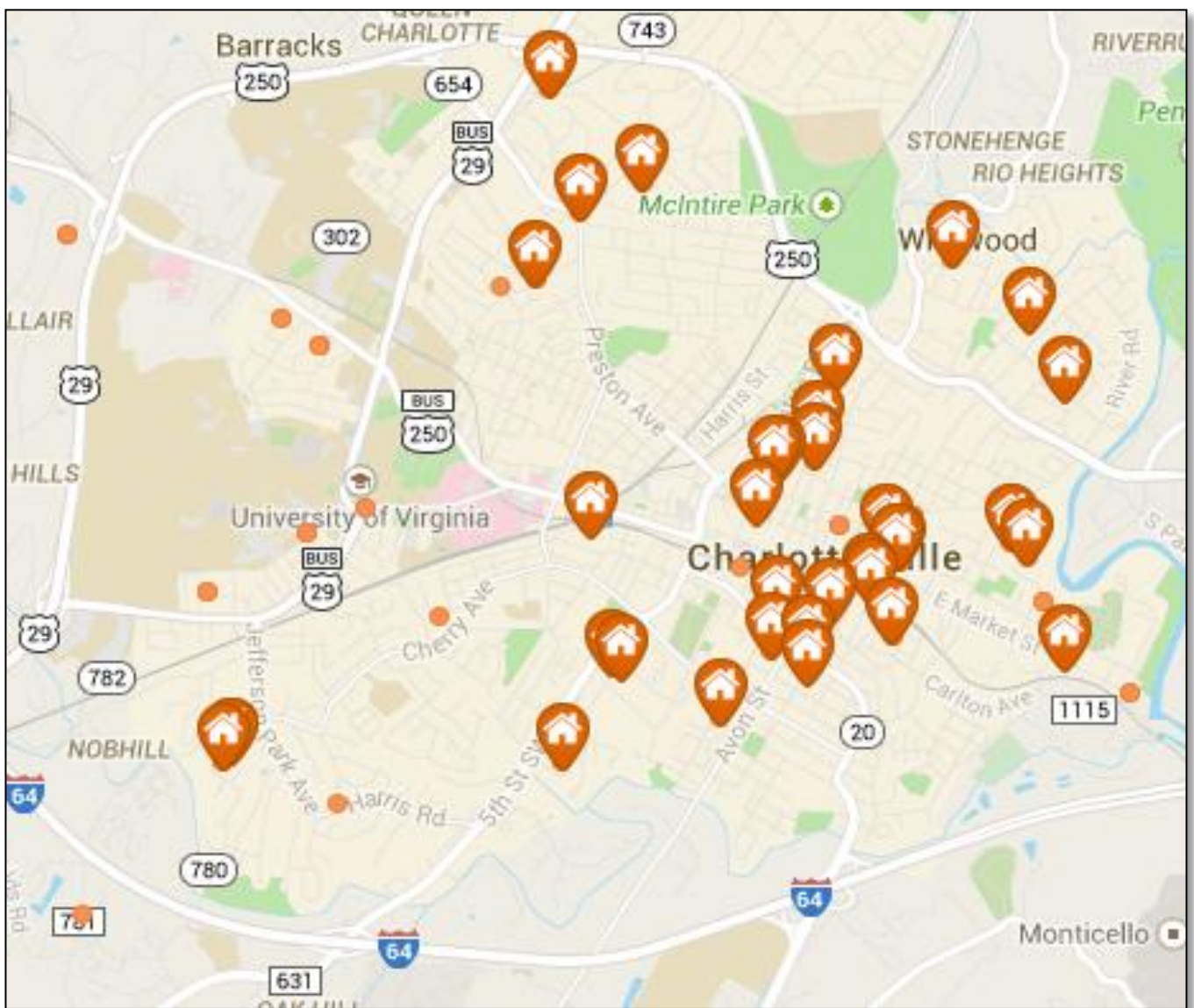


December 30, 2014
56 Rentals Available



Snapshot of
Transient
Lodging
Facilities

Prices range
from (\$80) a
night to
(\$1,150) a night



December 30, 2014
85 Rentals Available

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date: July 21, 2014

Action Required: Approval of Resolution

Staff Contacts: Jim Tolbert, Neighborhood Development Services

Presenter: Jim Tolbert, Neighborhood Development Services

Title: **Initiation of Study of Zoning Ordinance Provisions for Short Term Rentals**

Background: Section 34-41 of the City of Charlottesville Code of Ordinances provides that a change to zoning may be initiated by resolution of the City Council.

Discussion: There has been growing concern in our community, as well as others across the country, about short-term rentals in single-family neighborhoods. The most well-known operator is Air B&B, but there are others operating in Charlottesville and other communities. While we do not know for sure, we believe there are around 100 properties operating as short-term rentals in Charlottesville. Some of these operate as “homestay” businesses which are legal if done consistent with the code.

Homestay – A bed and breakfast homestay shall be permitted only where the character of such use is such that it is clearly subordinate and incidental to the principal residential use of a dwelling. In addition to the resident of the dwelling, not more than one (1) other person may be engaged in the activities of a bed and breakfast homestay and two (2) other persons in all other bed and breakfast categories. There must be one off-street parking space available for each staff person in addition to bed and breakfast off-street parking requirements.

The others present challenges in a number of ways. Some clearly rent to many more than the allowable three or four unrelated persons per unit and this constant

transient occupancy does impact neighborhood character. On the positive side the opportunity to rent rooms or an apartment in many cases provides needed income, making housing more affordable. This is clearly not a simple issue.

The other significant side to this issue is taxation. If short-term rentals are going to be allowed in any way we need to be concurrently addressing the appropriate way to collect tax revenue. This is a fairness issue for the hotels/motels and the legitimate bed and breakfast establishments. Many have raised concerns with Kurt Burkhart and the Convention and Visitors Bureau and with Todd Divers. Todd thinks that it is clear that the short-term rentals must pay taxes but until we have a clear enforcement path he is reluctant to pursue them in case they are not legal. He does not want to make them seem legal.

If Council desires to step back and take a look at this issue we suggest that they initiate study of the zoning questions and ask the Commissioner of Revenue to study the tax issues. This will give staff a chance to work with the short-term rental operators, the CACVB, the hotel/motel owners and our neighborhoods to review our codes to determine if there are changes we might want to consider to make sure that our regulations are the best that we can have.

Alignment with City Council Vision and Strategic Plan: There is no direct alignment with the City Council Vision or Strategic Plan. However, this effort is not in conflict with any vision or plan item.

Citizen Engagement: There have not yet been any citizen engagement efforts. There will be meetings with neighborhoods, short-term rental operators, local hotel/motel representatives and the CACVB and Office of Economic Development.

Budgetary Impact: The study will not impact the budget.

Recommendation Staff recommends approval of the resolution to initiate the zoning study.

Alternatives: The alternative is to not institute study of the ordinance and to continue to operate under existing codes.

Attachments: Resolution

RESOLUTION
REQUESTING THE PLANNING COMMISSION TO STUDY ZONING
ORDINANCE PROVISIONS REGULATING TEMPORARY LODGING
FACILITIES OFFERED WITHIN THE CITY’S SINGLE-FAMILY
DWELLINGS

WHEREAS, like other communities throughout the nation, the City is experiencing a proliferation of temporary lodging facilities offered by property owners to tourists and other guests, for compensation, within buildings designed and constructed as single-family residences or other dwelling units; and

WHEREAS, non-traditional lodging facilities, advertised as being available through sources such as “Airbnb.com”, “Craig’s list”, individual websites, or other media, have become a popular source of overnight accommodations desired by tourists and other visitors to Charlottesville, and an attractive way for property owners to realize income from their property; and

WHEREAS, the use or operation of residential dwelling units as lodging for tourists or other temporary stays, within neighborhoods zoned for low-intensity residential uses, can potentially create impacts not anticipated by the City’s current zoning regulations; and

WHEREAS, City Council has been requested to study whether or not its current zoning regulations should be amended to expressly allow these uses, in various forms, within the City’s residential neighborhoods, and, if so, what, if any, suitable regulations should be established for such uses;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville that the Planning Commission is hereby requested to study this issue and report its findings to the City Council within **150 days** from the date of this Resolution. At the option of the Planning Commission, its report may take the form of:

- (a) a motion initiating specific zoning ordinance text amendments recommended by the Commission, and/or

- (b) a report listing specific findings and recommendations, for Council’s decision as to whether any specific text amendments should be initiated.

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Appendix A

Additional Comments from Planning Commission

Comments from Commissioner Green and echoed by Commissioner Santoski:

- I too am very concerned with people purchasing property just for the purpose of using for short term rental. This is a concern for many reasons and these were discussed at the last planning commission meeting (loss of housing stock, possible loss of units that could be affordable, etc...). I also the number of units purchased and being used as just temporary housing would be larger than you think already.
- I think there are ways of regulating this use and I think other localities are working on regulations as well. As an example - we could add this use as an "accessory use to the primary residence". We could then limit the days (if that were desirable) and also that would mean that the owner would have to reside in the primary residence. Not at the same time but this would have to be the owner's primary residence. This way is also very enforceable which is always good to have when writing an ordinance.
- I do think if we create an ordinance that it should be applicable in all residential districts. It is much easier to track and enforce with an ordinance in place. Omitting certain districts will not keep people from renting out for short term they will just find another way to do it.
- I think this is a prime example of an ordinance that should be looked at in conjunction with the county. These places being rented and the businesses managing the temporary rentals do not see city county lines. The regulations being the same would also make it less confusing on the part of the public as a whole.

Comments from Commissioner Lahendro:

- In reviewing the maps, I am struck by how the entire city is experiencing Airbnb-type rentals. Cville is too small to think that targeting certain districts with transient lodging regulations will limit the problem.
- I'm most worried about absentee owners buying multiple properties for transient lodging, creating holes in our neighborhoods.
- This business is too new and fluid to think we can take the time to create a perfect set of regulations and enforcement. From my perspective, Airbnb-type rentals are increasing exponentially. I advocate doing the best we can now, knowing that refinements will be necessary as the city gets a handle on this issue.
- Link to BBC story on the detrimental impact transient lodging is having on Paris: <http://www.bbc.com/news/world-europe-30580295>

Appendix A

Additional Comments from Planning Commission

OBSERVATIONS OF PLANNING COMMISSIONER KELLER:

COMPARISONS WITH EXISTING B&B USES/ ISSUES

Smaller B&Bs(Homestays) ¹ are Allowed By-right in all Residential Districts

Transient Occupancy Facilities: Do **not** allow transient occupancy facilities in R-2 or R-3 zones as a way to protect housing affordability in the city—cite the Fry’s Spring rejected rezoning proposal—We have figures provided in report that this type of temporary use can bring in 3x as much to a property owner as a long-term residential lease to full-time tenants.

Transient Occupancy Facilities: Require owner residency of the transient occupancy facilities—residency does not mean the owner is present 24/7 but it does mean that it is a place where the owner is resident generally.

Transient Occupancy Facilities: Allow any homeowner to rent without a zoning permit for <14 days annually; leave enforcement to violators—neighbors will report as they do other nuisances; note that revenue is liable for city lodging tax

LARGER B&B FACILITIES

(B&BS² AND B&B INNS³) ARE NOT ALLOWED IN ANY R-1 AND R-2 DISTRICTS

Transient Occupancy Facilities: Do **not** allow transient occupancy facilities in R-2 or R-3 zones as a way to protect housing affordability in the city—cite the Fry’s Spring rejected rezoning proposal—We have figures provided in report that this type of temporary use can bring in 3x as much to a property owner as a long-term residential lease to full-time tenants.

¹ *Bed and breakfast (Homestay)* means a temporary lodging facility operated within a single family residence which is **OWNER OCCUPIED AND MANAGED**; having no more than **THREE (3) GUEST ROOMS**; and wherein food service shall be limited to breakfast and light fare for guests only.

² *Bed and breakfast ("B & B")* means a temporary lodging facility operated within a residential dwelling, which is **OWNER OCCUPIED AND MANAGED** or having a resident manager; having no more than eight (8) guest rooms; and wherein food service shall be limited to breakfast and light fare.

³ *Bed and breakfast (Inn)* means temporary lodging facility operated within a residential dwelling; **WHICH IS OWNER OCCUPIED AND MANAGED OR HAVING A RESIDENT MANAGER, HAVING NO MORE THAN (15) GUEST ROOMS**; and wherein food service may be provided.

Appendix A

Additional Comments from Planning Commission

Transient Occupancy Facilities: Require owner residency of the transient occupancy facilities—residency does not mean the owner is present 24/7 but it does mean that it is a place where the owner is resident generally

Transient Occupancy Facilities: Require an SUP for more than 3 bedrooms (assume this to be generally 6 people, 3 cars, the noise of 6 people plus their noise, etc.) which is the Homestay capped number for all residential categories; *Currently, the Bed and Breakfast can operate in R-3 zones and up with up-to-8 rooms; the Inn is capped at 15 rooms by SUP*

OTHER COMMENTS OF COMMISSIONER KELLER: ON POSSIBLE ZONING REGULATIONS FOR TRANSIENT OCCUPANCY FACILITIES

- Eliminate neighbor notification—how do you keep up with that when owners change, etc.—not required for home occupation, auxiliary dwelling units, etc.; let the business permit and zoning permit be the public acknowledgment
- If >4 calls for police service—Revocation of a zoning permit should be not just for service calls to the specific property but for the responsible property owner or manager to 4 calls for any one of their properties
- Cap the number of these uses in a **SINGLE OWNERSHIP** to 2 properties.
- Should this [regulation of transient occupancy facilities] address the number of employees as in the bed and breakfast categories?
- Is there a need to address deliveries and cleaning hours?
- Should this address meals served or delivered by an owner or manager?
- Should this address a minimum or maximum stay? Should it require a minimum # of 2 nights to distinguish this from hotels and the homestay?
- Should it restrict activities that can occur to overnight lodging?—ie so no gatherings/events such as weddings, parties, etc. of > 25 people—and possibly limit that to 4 a year for paying guests; notify city of the dates of these events

OTHER OBSERVATIONS OF COMMISSIONER KELLER

- There have been focus groups for bnb constituencies—what about for the hotel industry and what about for residents? We have at least 15 hotels in city limits to say nothing of in the urban ring of Albemarle County—if using the NDS figures, there are >323 facilities
- I still think that there is a missing category of hostel and without that, that there needs to be a requirement limiting people and not bedrooms.

NO ACTION IS REQUIRED BY COUNCIL AT THIS TIME. HOWEVER, IF CITY COUNCIL SHOULD DECIDE THAT IT WANTS TO TAKE ACTION TO ELECT TO INITIATE A ZONING TEXT AMENDMENT, A RESOLUTION SPECIFYING SPECIFIC PROPOSED AMENDMENT(S) IS REQUIRED.

THE FOLLOWING RESOLUTION IS OFFERED AS A SAMPLE OF AN APPROPRIATE INITIATING RESOLUTION (Of course, Council may edit the Resolution to include or delete any provisions, based on Council's own opinions and/or based on the information presented in the Planning Commission's Report)

**RESOLUTION
TO INITIATE A ZONING TEXT AMENDMENT
TO PERMIT TRANSIENT LODGING USE OF RESIDENTIAL DWELLING UNITS**

WHEREAS, upon consideration of the matters set forth within a Report received from the City's Planning Commission on the proliferation of the use of residential dwelling units as for-hire transient occupancy/ accommodations, the Charlottesville City Council does hereby find and determine that the public necessity, convenience, general welfare or good zoning practice requires amendment of the City's zoning regulations to allow "transient lodging" uses within residential dwelling units, under certain conditions and limitations; and

WHEREAS, taking into account the various options, regulations and impacts referenced within the Planning Commission Report on this matter, this City Council hereby initiates the following zoning text amendment and we hereby refer the following proposed zoning text amendment to the planning commission for its recommendations, and for presentation at a joint public hearing of the planning commission and city council:

PROPOSED ZONING TEXT AMENDMENT

City Code Sec. 34-1200 Definitions:

Add the following definition: "*Transient Lodging Facility*" refers to any dwelling unit offering guest rooms or other lodging rented out for continuous occupancy for fewer than 30 days, excluding any bed and breakfast.

City Code Sec. 34-420 (Residential Zoning Districts): allow "*Transient Lodging Facility*" in every residential zoning district (Provisional Use Permit)

City Code Sec. 34-480 (Commercial Zoning Districts): allow "*Transient Lodging Facility*" in the B-1, B-2, B-3 and IC zoning districts (Provisional Use Permit), but NOT in the Emmet Street Corridor (ES) district, because residential dwelling units are not allowed within ES.

City Code Sec. 34-796 (Mixed Use Corridor Districts): allow "*Transient Lodging Facility*" in ALL of the zoning districts (Provisional Use Permit)

Add: New City Code Sec. 34-1176. Transient Lodging Facilities

(a) A transient lodging facility authorized by a provisional use permit shall be subject to the following regulations:

(1) No person other than a property owner shall be eligible for a provisional use permit authorizing the use of a dwelling unit as a transient lodging facility.

(2) A property owner who submits an application seeking a provisional use permit for a transient lodging facility shall provide the following:

(i) Evidence of a city business license, as may be required, and proof of payment of the transient occupancy taxes required by City Code 30-251 et seq.

(ii) The name, phone number, e-mail address and other contact information of a local person who will serve as the property manager. The property manager must have an office within the City of Charlottesville, or outside the City limits and within 10 miles of the property.

(iii) A written fire evacuation plan for the transient lodging facility, in a format suitable for posting at each exit from the facility, and a written certification that the fire evacuation plan will be and remain posted at each exit inside the transient lodging facility for the duration of the provisional use permit.

(iv) Evidence that all adjacent property owners have been given written notice by the applicant that the property will be utilized as a transient lodging facility.

(b) A provisional use permit authorizing a transient lodging facility will be valid for one (1) year from the date of issuance.

(c) A provisional use permit authorizing a transient lodging facility may be revoked by the zoning administrator:

(i) in the event that four (4) or more calls for police service are received by the city within any two (2) month period, or

(ii) for failure to maintain compliance with the requirements of paragraph (a) (2), above.

Following revocation of a provisional use permit for a transient lodging facility, no provisional use permit will subsequently be issued for the subject property for a period of one year (365 days).

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CITY COUNCIL AGENDA CITY OF CHARLOTTESVILLE, VIRGINIA



Agenda Date:	January 20, 2015
Action Required:	Approval of Resolution
Presenter:	Jim Tolbert, AICP, Director, NDS Chris Engel, Economic Development Director
Staff Contacts:	Maurice Jones, City Manager Jim Tolbert, AICP, Director, NDS Chris Engel, Economic Development Director David Ellis, Assistant City Manager
Title:	SIA Implementation Process

Background: In December of 2013, the City Council adopted the Strategic Investment Area Plan. This plan is intended to provide guidance for investment in the target area south of downtown and for improved urban design to create a better quality of life. It anticipates the redevelopment of Charlottesville Redevelopment and Housing Authority sites but is not a redevelopment plan.

The Strategic Investment Area (SIA) is an area of approximately 300 acres in the Downtown Extended Zone of Charlottesville. It includes portions of the Ridge Street, Belmont, Downtown, and Martha Jefferson Neighborhoods. Three CRHA-owned public housing sites as well as a Section 8 apartment complex are located within the SIA. The City has identified this area as a potential “growth” area due to its low density and available land areas, and its location as a gateway to Downtown. The SIA Study was initiated in order to create a transformative process for redevelopment and to identify key strategies for both public and private development.

Core Goals of the SIA

1. To rebuild and preserve public and assisted housing as part of an integrated plan for revitalizing neighborhoods hallmarked by concentrated poverty.

2. To catalyze coordinated investments in neighborhood revitalization, including improvements in infrastructure, education and community assets that attract businesses and industries.
3. To build the foundations for economically viable neighborhoods of opportunity and choice within one of the city's most distressed communities by promoting mixed income residential development without displacement and employment growth.
4. To address interconnected challenges: housing decay, crime, disinvestment, health disparities, adult educational opportunities, transportation and economic opportunities for youth and adults.
5. To create a healthy, viable neighborhood with urban amenities such as public parks, institutions like libraries and excellent food sources and safe, interconnected streets that promote walking, biking and efficient public transit.

Guiding Principles of the SIA

1. To create a plan to help guide private and public investment in the Strategic Investment Area that will create a sense of place and improve the quality of life for the people who live there and those who may in the future.
2. To make a concerted and coordinated effort to increase economic, recreation and housing opportunities.
3. To improve quality of life.
4. To rebuild and preserve existing public and assisted housing as part of an overall plan to revitalize the area. (The SIA works in concert with the CRHA redevelopment plan and does not supersede or replace it).
5. Honor the Residents Bill of Rights.
6. To coordinate investments in the neighborhood, including improvements to infrastructure, education and community assets.

7. To build foundations for opportunity and choice by promoting mixed income residential development without displacing current residents.
8. To address challenges that are related to and influence each other, including housing decay, crime, health issues, job opportunities, adult educational opportunities and transportation.
9. To create a healthy neighborhood, with public parks, libraries and excellent food sources.
10. To have safe and interconnected streets that promote walking, bicycling and efficient public transit.
11. To utilize techniques of green infrastructure to improve water quality and create a better place.
12. To create a shared understanding of the issues, challenges, opportunities and desired outcome for the SIA.

In sum, the purpose of this work is to initiate a transformative process that will result in a clear road map to guide private development and investment, expand employment opportunities (for the low skilled and professional alike) and increase the city's real estate tax base. The SIA plan will ultimately build upon the good work of the 2000 Torti Gallas Corridor Study (among others) and facilitate connections (inclusive of bicycle, pedestrian, and vehicular interconnectivity both public and private) outside and within the study area so as to promote a high quality of life for all residents and a great place to live, work and play.

Discussion: The easy part of the plan has been done. To make this effort worthwhile, there must be a plan for implementation. Attached is an outline prepared by staff that is intended to guide the initial implementation. Highlights of the process include:

- Staff organization assignments
- Continued use of the Steering Committee
- Use of the recommended near term implementation recommendation to begin public investment and code/policy changes.

It is anticipated that there will be an annual review of this process with public investment projects selected annually.

Budgetary Impact: Current and proposed future Capital Improvement Program budgets show support for SIA implementation.

Community Engagement: The SIA Planning Process had a great deal of engagement and that will continue throughout that implementation process.

Alignment with Council Vision Areas and Strategic Plan: Approval of this item aligns with the Council Vision Statements to be a Smart-Citizen Focused Government, America's Healthiest City, Affordable Housing for All, and it also addresses the Strategic Plan Initiative for SIA Implementation.

Recommendation: Staff recommends the adoption of the resolution approving the attached implementation process.

Alternative: Council could choose not to move forward with implementation

Attachment: Resolution
SIA Implementation Process

RESOLUTION

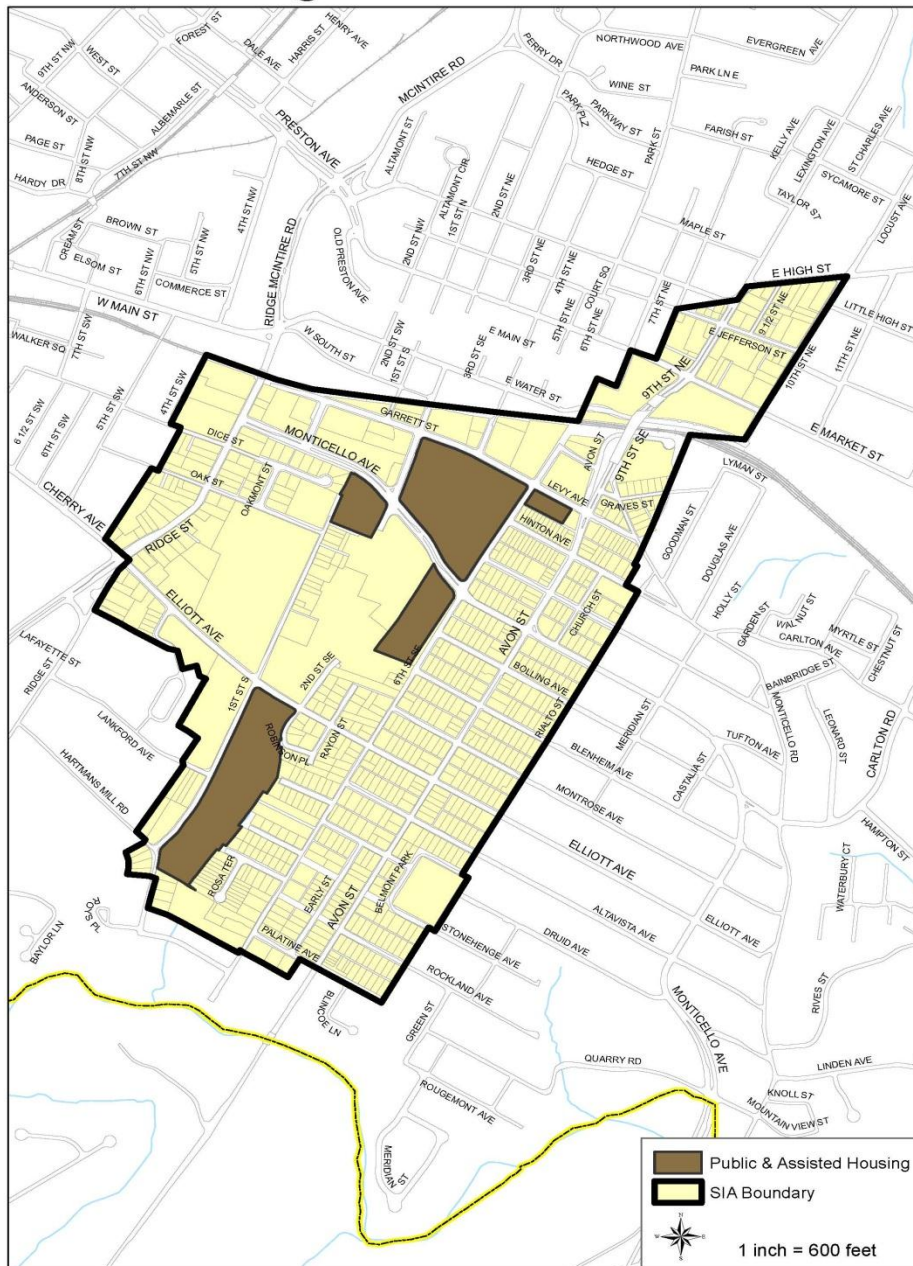
BE IT RESOLVED by the City Council of the City of Charlottesville that the attached Strategic Investment Area Implementation Team and Plan be adopted

City of Charlottesville Strategic Investment Area Implementation Team and Plan January 2015

Introduction

The City of Charlottesville adopted an economic and urban design plan in December, 2013 to guide and facilitate development in the area south of downtown bordered generally by the railroad, Avon Street, Elliott Avenue, and Ridge Street. Specific boundaries are shown on the map below.

Strategic Investment Area



The purpose of this document is to outline the process by which the plan will be implemented and the roles of the team members who will be involved.

Implementation Team

The following are the team members who will be engaged in the implementation of the Strategic Investment Area Plan. Their role is also identified.

Maurice Jones	City Manager	Overall Leadership
David Ellis	Assistant City Manager	Community Engagement
Chris Engel	Economic Dev. Director	Development Liaison and Facilitator
Amanda Poncy	Bike/Ped. Coordinator	Bike/Ped Facilities.
Lauren Hildebrand	Utilities Director	Utility Coordination
Melissa Thackston	Grants Coordinator	Grant Writing & Mgmt.
Dan Sweet	Stormwater Utility Administrator	Green Infrastructure
Kristel Riddervold	Environmental Sustainability Manager	Green Infrastructure
Kathy McHugh	Housing Specialist	Coordination of Housing Issues
Matthew Slaats	Bridge PAI	Arts
Hollie Lee	Chief of Workforce Development Strategies	Workforce Development
Carrie Rainey	Urban Designer	Urban Design & Develop. Review
Missy Creasy	Asst. NDS Director	Zoning Changes
	Public Service Mgr.	Public Space Maintenance

Brian Daly Parks & Rec. Director Public Space Maintenance

Connie Dunn CRHA CRHA Redevelopment

Others will be called upon as needed

Roles and Responsibilities

City Council

- Provide strategic direction for the plan implementation
- Provide needed funding

City Manager

- Ensures continued focus on implementation and priorities
- Convenes meetings of the implementation team as needed.

Implementation Team

- Implementation and Project Champions
- Includes a cross functional representation of department heads and staff
- Conducts a quarterly evaluation of plan progress and prepares report for City Council.
- Interacts with Steering Committee as necessary.

Steering Committee (same group as during process)

- Meets as needed or as requested by the implementation team.
- Communicates community concern to the implementation team.
- Communicates information and provides feedback to the community.

First Year Work Program

The Strategic Investment Area Plan calls for several catalyst and immediate implementation projects referred to as “near term” projects. The chart attached identifies those along with the responsible party, the status and funding.

SIA Near Term Implementation

Implementation Project	Responsible	Budget	Status	Notes
Remove metal fence at Friendship Court	PHA/NHT			
Repair fences at other CRHA Properties	CRHA			
Cosmetic improvements to public spaces: Paint, Lighting	CRHA			
Confirm proper function of all hearing and air conditioning units. Confirm adequate ventilation inside all CRHA-owned units. Repair and maintain equipment as required.	CRHA			
Construct/designate a new dog-walk area along the west property line – away from the building – at Crescent Halls (At minimum, provide a sign indicating this area)	CRHA			
Incorporate the regulating plan found in the SIA plan, including the transect character zones, building envelope standards, and public space standards and guidelines.	Jim Tolbert			
Revise the Zoning Map and amend Zoning.				
Refine, coordinate, and finalize form-based code components of the plan for the SIA Overlay District.	Jim Tolbert			
Create an SIA Development Review Checklist to outline criteria for special expedited review of projects by staff.	Jim Tolbert			
Begin design and engineering for streetscape improvements, 1) along the Second Street Corridor from Water Street to Monticello Avenue; 2) at the Lexington/9 th /High Street Intersection; and at 3) Monticello Avenue from 2 nd Street to Ridge Street.	City	\$300,000		
Finalize and approve the design for the new Belmont Bridge.	Jim Tolbert	\$12.4 mil.	In design	
Initiate process and discussions to facilitate new infill commercial street frontage facing 2 nd Street at Friendship Court.	City/CRHA/ Piedmont Housing Alliance/National Housing Trust			
Increase pedestrian and retail activity creating a more inviting environment in the Warehouse District with streetscape improvements at 2 nd Street, Garrett Street, and Monticello Avenue	Chris Engel			
Establish a transportation demand management program for major employers in the study area.	City			
Provide transit access seven days a week for SIA area residents.	City			
Begin design for the Levy Site as a mixed-income, mixed-use building.	CRHA + City			
Work with public housing occupants and PHAR to refine understandings of existing positive community housing features	City/CHRA			
Explore prototype implementation vehicles such as Community Development Corporations (CDCs), land trusts, and a mixture of market rate and affordable units in order to ensure long-term financial viability for affordable housing in	City/CRHA			

the SIA.				
Develop hybrids of housing types appropriate for the SIA providing residents with housing choice and affordability	Kathy McHugh/ CRHA			
Prioritize coordinating with CRHA regarding possible development opportunities for the Levy/Walker Garage Site.	City/CRHA			
Building prototype public housing replacement units (townhome and apartment styles) on existing land or alternative parcels.	City/CRHA			
Target neighborhood service oriented tenants, including both businesses and residents (food service, hair salon, dry cleaners, day care provider, banks, etc.)	Chris Engel			
Consider designating a City project liaison to facilitate local job recruitment at 5 th Street Station	City			
Amend zoning within the overlay district to allow additional uses (See V-14-15 for specific recommendations related to uses).	Jim Tolbert			
Amend zoning to allow for additional non-resident employees of a home businesses.	Jim Tolbert			
Simplify permitting process for sites in the SIA by providing a predictable time-frame for construction permits and allowing for staff approvals.	Jim Tolbert			
City purchase or designate property for this use, or provide development incentives for private development to incorporate these spaces.	City			
Nurture development plans with IX property owners. Work with property owner to establish a major public space and encourage longer term larger scale mixed-use development.	City			
Develop Pollocks Greenway as a “Central Park”	City			
Improve the East High Street at Lexington Avenue intersection by investing in street alignments and other traffic control to make the intersection safer for pedestrians and more user friendly for traffic.	Tony Edwards			
Focus on redesign of major street intersections and linkages to adjoining neighborhoods.	Donovan Branche			
Plan for Garrett Street abutment	City			
Establish a program to construct new sidewalk network	Amanda Poncy			
Bike lanes designate an exclusive space for bicyclists through the use of pavement markings and signage	Amanda Poncy			
At intersections with bicycle facilities on the approaches, intersection treatments such as bike boxes and intersection crossing markings should be explored	Amanda Poncy			

Schedule Moving Forward

To begin the near term implementation process, it is proposed that the following actions are taken in this fiscal year.

<u>Action</u>	<u>Estimated Milestones</u>
Request proposals and construction Lexington/ High Improvements (underway)	November 13, 2014
Request proposals and construct Garrett St. Improvements (underway)	November 13, 2014
Convene Steering Committee for update on Process	February 15, 2015
Engage community to discuss the regulating portion of the SIA	February 15, 2015
Prepare Form Based Code for SIA	March 15, 2015
Implement expedited review for projects in SIA	May 15, 2015
Request proposals for day lighting Pollocks Branch	May 15, 2015

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