



**CITY COUNCIL AGENDA**  
**August 17, 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* (Boards and Commissions Appointments; Acquisition of Utility Easement along Schenk's Greenway on McIntire Road)

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

*Council Chambers*

**AWARDS/RECOGNITIONS**  
**ANNOUNCEMENTS**

Women's Equality Day; 80<sup>th</sup> Anniversary of the Social Security Act

**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 July 9 (Town Hall meeting) and July 20
- b. APPROPRIATION: Homelessness Solutions Grant - \$459,941 and Housing Opportunities for Persons with AIDS Grant - \$190,612 (2<sup>nd</sup> of 2 readings)
- c. APPROPRIATION: Check and Connect Student Engagement Grant - \$147,000 (2<sup>nd</sup> of 2 readings)
- d. APPROPRIATION: Police Department Community Response Vehicle - \$62,170 (2<sup>nd</sup> of 2 readings)
- e. APPROPRIATION: Urban and Community Forestry Grant - \$20,000 (1<sup>st</sup> of 2 readings)
- f. APPROPRIATION: Safe Routes to School Program (SRTS) Jackson-Via School Grant - \$249,959 (1<sup>st</sup> of 2 readings)
- g. APPROPRIATION: Victim Witness Assistance Program Grant--\$178,551 (1<sup>st</sup> of 2 readings)
- h. APPROPRIATION: Adoptions Through Collaborative Partnerships Grant Renewal -\$84,000 (1<sup>st</sup> of 2 readings)
- i. ~~APPROPRIATION: Azalea Park Stream Restoration Grant - \$950,000 (1<sup>st</sup> of 2 readings)~~
- j. RESOLUTION: Support for Transition Streets Initiative (1<sup>st</sup> of 1 reading)
- k. ORDINANCE: Abandonment of Gas Easement at 10<sup>th</sup> Street, NE and Water Street Extended (2<sup>nd</sup> of 2 readings)
- l. ORDINANCE: Lowering Speed Limit on Emmet Street from Ivy Road to Arlington Boulevard (2<sup>nd</sup> of 2 readings)
- m. ORDINANCE: Route 250 Bypass Speed Limit Adjustment (2<sup>nd</sup> of 2 readings)
- n. ORDINANCE: Quitclaim Gas Easement to VDOT in Boulders Road (2<sup>nd</sup> of 2 readings)
- o. ORDINANCE: Quitclaim Gas Easement to VDOT in Briarwood Drive (2<sup>nd</sup> of 2 readings)
- p. ORDINANCE: Amendment to Inoperable Motor Vehicles Ordinance (2<sup>nd</sup> of 2 readings)
- q. ORDINANCE: Stormwater utility fees – exemption for Albemarle County School Board property (1<sup>st</sup> of 2 readings)

**2. RESOLUTION\***

West Main Street Streetscape Plan (1<sup>st</sup> of 1 reading)

**3. RESOLUTION\***

Amendments to Housing Assistance Policy – Rental Rehab (1<sup>st</sup> of 1 reading)

**4. RESOLUTION\***

Parking – Albemarle County Courts (1<sup>st</sup> of 1 reading)

**5. ORDINANCE\***

Transient Lodging Ordinance Amendments (HomeStay Use) (1<sup>st</sup> of 2 readings)

**OTHER BUSINESS**

**MATTERS BY THE PUBLIC**

**COUNCIL RESPONSE TO MATTERS BY THE PUBLIC**

\*ACTION NEEDED

# GUIDELINES FOR PUBLIC COMMENT

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**We welcome public comment;  
it is an important part of our meeting.**

**Time is reserved near the beginning and at the end of each regular City Council meeting for Matters by the Public.**

**Please follow these guidelines for public comment:**

- If you are here to speak for a **Public Hearing**, please wait to speak on the matter until the report for that item has been presented and the Public Hearing has been opened.
- Each speaker has **3 minutes** to speak. Please give your name and address before beginning your remarks.
- Please **do not interrupt speakers**, whether or not you agree with them.
- Please **refrain from using obscenities**.
- If you cannot follow these guidelines, you will be escorted from City Council Chambers and not permitted to reenter.

CITY OF CHARLOTTESVILLE, VIRGINIA.  
CITY COUNCIL AGENDA.



Agenda Date:	July 20, 2015
Action Required:	Approval and Appropriation
Presenter:	Mike Murphy, Director, Human Services
Staff Contacts:	Mike Murphy, Director, Human Services Leslie Beauregard, Director, Budget and Performance Management
Title:	<b>Virginia Homelessness Solutions Grant (V.H.S.P.) - \$459,941 Housing Opportunities for Persons with AIDS (H.O.P.W.A.) - \$190,612</b>

**Background:**

The Department of Human Services in coordination with the Thomas Jefferson Area Coalition for the Homeless (T.J.A.C.H.) and the Service Provider Council (S.P.C.), applied for and received two grants from the Virginia Department of Housing and Community Development. The Virginia Homelessness Solutions Grant (V.H.S.P.) award is \$459,941, and the Housing Opportunities for Persons with AIDS (H.O.P.W.A.) award is \$190,612, for a total of \$650,553 in Homeless awards.

**Discussion:**

The City of Charlottesville has staff from Human Services, Social Services, and Neighborhood Development Services all taking a leadership role in the governance of T.J.A.C.H. The Virginia Homelessness Solutions Grant (V.H.S.P.) and Housing Opportunities for Persons with AIDS (H.O.P.W.A.) Grant are important resources in our community's efforts to end homelessness. The grant provides services in seven key areas.

1. **Rapid Rehousing and H.O.P.W.A.:** Thomas Jefferson Health District is the recipient of V.H.S.P. funds for Housing Opportunities for Persons with AIDS (H.O.P.W.A.) funds for rental subsidies. The Haven is the recipient of the V.H.S.P. funds for Rapid Re-Housing. Supportive Services will be provided to all recipients of financial subsidies for up to 24 months. A small portion of the rapid re-housing funds will be used to address the needs of women experiencing homelessness as a result of domestic violence. The remainder will be used to serve the most vulnerable households experiencing homelessness based on evidence-based decision-making tools. This category will also fund ¼ of a position for Housing Navigation to supplement the investment made by the local governments during the ABRT process.
2. **Prevention:** The Haven will provide prevention services and subsidies to individuals and families in order to avoid the need for emergency shelter stays. Rental subsidies and utility payments will be provided to those individuals and families determined eligible through the use of a validated, structured decision-making tool. Priority will be given to

those households with a previous experience of literal homelessness. The Haven will use a service approach focused on providing the least amount of subsidy necessary to avoid literal homelessness and will make use of all available informal and mainstream resources in this effort. Ongoing eligibility for subsidies will be assessed every 90 days, at a minimum. Monthly case management will be provided to develop and implement a housing stability plan.

3. **Shelter:** P.A.C.E.M. is the recipient of V.H.S.P. funds for shelter. P.A.C.E.M. will continue to provide emergency, low barrier shelter beds during the winter months for the Charlottesville area. With ten years of experience as a D.H.C.D. grantee, P.A.C.E.M. offers the community 60 emergency beds (55 ongoing plus 5 thermal triage beds) between late October and early April when the risk of freezing is tangible for those on the streets. Annually, P.A.C.E.M. shelters between 200 and 225 adults. As a last resort, low barrier shelter, P.A.C.E.M. does not screen for substance use, mental health status, or criminal record, and provides shelter to registered sex offenders. The Families in Crisis program in the Albemarle County Public Schools is an additional recipient in this category. The program is meant to ensure the enrollment, attendance, and the success of homeless children and youth in school. In addition, emergency services, referrals for health services, transportation, school supplies, and costs related to obtaining school records may be provided.
4. **Homeless Management Information System(HMIS):** The City of Charlottesville as the award recipient will ensure that H.M.I.S. data is complete through an agreement with T.J.A.C.H. to have the Executive Director ensure data quality. Our Continuum of Care (C.O.C.) has a well-populated database for individuals experiencing homelessness. H.M.I.S. collaboration provides real-time monitoring of the needs and progress of individuals and households facing homelessness. Collaborative use of H.M.I.S. among T.J.A.C.H. C.o.C. Service Providers expedites communication and reduces the need to interface disparate documentation systems.
5. **Coordinated Assessment process:** T.J.A.C.H., with service delivery through The Haven, will establish and publicize a daily central intake process for individuals and families in need of prevention, outreach, or shelter services. These assessments will be based on the agreed-upon Coordinated Assessment Packet developed through the Community Case Review which includes required demographic data elements, a vulnerability assessment, and release of information forms. Based on information gathered through the coordinated assessment process, clients will be referred to prevention services, emergency shelter services, housing navigation services, rapid re-housing services or permanent supportive housing resources. T.J.A.C.H. has made a commitment to using best-practice approaches and validated, structured decision-making tools to determine which resources will be most effective for people experiencing homelessness. These tools include the Shinn/Greer brief screener for access to prevention services, the Vulnerability Index for Service Provision and Decision-Making Assessment Tool (V.I.-S.P.D.A.T.) for access to rapid re-housing services, and the Community Case Review for collaborative problem-solving when the correct resource is not evident or available.
6. **Continuum of Care Planning:** T.J.A.C.H. will act as the lead agency of homelessness, conducting an annual Point in Time homeless census and submitting an annual Housing Inventory Chart. T.J.A.C.H. will track progress made on the goals of the Community

Plan to End Homelessness, revising this plan as directed by the T.J.A.C.H. Governance Board. T.J.A.C.H. will support the operation of the Community Case Review, identifying a convener and anchor agencies willing to work collaboratively on the development of housing stabilization plans for people who have been housed through rapid re-housing services. T.J.A.C.H. will review sub-contractor invoices, collect documentation, establish monitoring protocols and submit monthly invoices to the City for activities conducted under the V.H.S.P.

7. **Administration:** The City of Charlottesville as the award recipient is eligible for an administrative fee. Staff proposes that we pass these dollars through to T.J.A.C.H. to support the planning efforts of the Coalition.

### **Community Engagement:**

This grant and plan are the product of extensive engagement of the service provider community for persons experiencing homelessness. This partnership is reflective of the new governance model for T.J.A.C.H. and the priority requests of the Interfaith Movement Promoting Action by Congregations Together (I.M.P.A.C.T.).

### **Alignment with City Council's Vision and Strategic Plan:**

This grant advances the City of Charlottesville's Strategic Plan goal #1 of enhancing the self sufficiency of our residents. Specifically, it will facilitate the objective of increasing affordable housing options. This item primarily aligns with Council's vision for Quality Housing Opportunities for All. Outcomes will demonstrate a coordinated assessment process, individuals and families linked to housing and other resources, and the length of time homelessness was experienced. This grant also fosters the ideals of Community of Mutual Respect and Economic Sustainability by providing services to vulnerable citizens and promoting self-sufficiency.

### **Budgetary Impact:**

This grant will be entirely State, and Federal pass-through funds. No local match is required. There is no budget impact for the City of Charlottesville. All funds will be distributed to sub-recipients for service provision.

### **Recommendation:**

Staff recommends approval and appropriation of grant funds.

### **Alternatives:**

Council may elect to not accept the funds and the community will not have the capacity to administer the following services to persons experiencing homelessness: shelter, prevention funds, rapid rehousing, H.M.I.S., and administration.

### **Attachments:**

Sub Grant agreement and amendment are attached.

**APPROPRIATION**  
**Virginia Homelessness Solutions Grant \$459,941**  
**Housing Opportunities for Persons with AIDS \$190,612**

**WHEREAS**, The City of Charlottesville, through the Department of Human Services, has received the Virginia Homelessness Solutions Grant from the Virginia Department of Housing and Community Development in the amount of 650,553;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of \$650,553 is hereby appropriated in the following manner:

**Revenues**

\$196,066	Fund: 209	IO: 1900251 (VHPS)	G/L: 430110 State Grants
\$263,875	Fund: 209	IO: 1900251 (VHSP)	G/L: 430120 Federal Pass-Thru State
\$190,612	Fund: 209	IO: 1900252 (HOPWA)	G/L: 430120 Federal Pass-Thru State

**Expenditures**

\$459,941	Fund: 209	IO: 1900251 (VHSP)	G/L: 530550 Contracted Services
\$190,612	Fund: 209	IO: 1900252 (HOPWA)	G/L: 530550 Contracted Services

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon receipt of \$650,553 in funds from the Virginia Department of Housing and Community Development.

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



Agenda Date:	July 20, 2015
Action Required:	Appropriation
Presenter:	Rory Carpenter, Community Attention
Staff Contacts:	Rory Carpenter, Community Attention Leslie Beauregard, Director, Budget and Performance Management
Title:	<b>Check and Connect Student Engagement Continuation Grant - \$147,000</b>

**Background:**

Check and Connect is an evidence-based truancy prevention program funded by a Juvenile Assistance Grant (J.A.G.) from the Virginia Department of Criminal Justice Services (D.C.J.S.) and administered by Community Attention. The grant provides a comprehensive student engagement intervention for truant youth or youth at risk of truancy who live in the City of Promise footprint and attend Venable and Burnley-Moran Elementary and Walker Upper Elementary. The grant period is from July 1, 2015 through June 30, 2016. The total grant is \$132,300 in federal pass through funds, and a required local match of \$14,700 to be provided by the City's current appropriation for the City of Promise.

**Discussion:**

Truancy is a precursor to delinquent behavior that should be addressed in its early stages to avoid further penetration into the juvenile justice system. Locally, the connection between truancy and delinquency has been documented by the *Juvenile Offender Report, I* a research report developed by the Charlottesville/Albemarle Commission on Children and Families that deals with the risk and needs of 985 local juvenile offenders who were placed on probation between 1997 – 2000, 2004 – 2006, and 2011-2012. The average rate of truancy for the juvenile offenders in the study group was 48% per year over a nine year period.

**Alignment with Council Vision Areas and Strategic Plan:**

Approval of this agenda item aligns directly with Council's vision for Charlottesville to be **America's Healthiest City** and it aligns with the goals and objectives of the City's Strategic Plan:

**Goal 2: Be a safe, equitable, thriving and beautiful community**

2.4. Ensure families and individuals are safe and stable

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<sup>1</sup> *Characteristics of Juvenile Offenders*, Ellis, Carpenter, Balnave, Oudekerk, 2012



Community Attention's programs provide residential and community based services that prevent delinquency and promote the healthy development of youth. The Check and Connect Program provides comprehensive support services for elementary and upper elementary children experiencing school attendance problems to prevent early school withdrawal and ultimately delinquent behavior by promoting students' engagement with school and learning. Expected outcomes include increased attendance and decreased delinquent behavior during and after program participation.

**Community Engagement:**

The community is engaged through the City of Promise by serving students and families in the Charlottesville school system through the Check and Connect Program and by collaborating with the many different agencies that interface with the program.

**Budgetary Impact:**

This has no impact on the General Fund. The funds will be expensed and reimbursed to a Grants Fund. The terms of the award require a local match of 14,700 which will be provided by the current City appropriation to the City of Promise.

**Recommendation:**

Staff recommends approval and appropriation of grant funds.

**Alternatives:**

If the grant funds are not appropriated, City of Promise would not be able to provide this service to local youth.

**Attachments:**

N/A

**APPROPRIATION.**  
**Check and Connect Student Engagement Grant.**  
**\$147,000.**

**WHEREAS**, the City of Charlottesville has been awarded \$132,300 in Federal Funds from the Virginia Department of Juvenile Justice, and \$14,700 in Matching Funds for a total award of \$147,000 for the Check and Connect Student Engagement Program; and

**WHEREAS**, the grant award covers the period from July 1, 2015 through June 30, 2016.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$64,860 is hereby appropriated in the following manner:

**Revenue – \$147,000**

\$132,300	Fund: 209	Cost Center: 3413008000	G/L Account: 430120
\$ 14,700	Fund: 209	Cost Center: 3413008000	G/L Account: 498010

**Expenditures - \$147,000**

\$59,000	Fund: 209	Cost Center: 3413008000	G/L Account: 519999
\$88,000	Fund: 209	Cost Center: 3413008000	G/L Account: 599999

**Transfer - \$14,700**

\$14,700	Fund: 213	Cost Center: 3413001000	G/L: 561209 Transfers
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**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$132,300 from V.A. Department of Criminal Justice Services, and \$14,700 from Community Attention.

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



Agenda Date:	July 6, 2015
Action Required:	Approve Consolidation and Appropriation of Funds
Presenter:	Chief Timothy J. Longo Sr., Chief of Police Lieutenant Thomas McKean, Police Department
Staff Contacts:	Lieutenant Thomas McKean, Police Department
<b>Title:</b>	<b>Police Department Community Response Vehicle - \$62,170</b>

**Background:**

The Police Department is purchasing a Community Response Vehicle. It will meet many needs that the Police Department has for which no alternative currently exists. Funds have been identified from a variety of sources for this vehicle purchase. Council's approval of the funds is needed to consolidate the funding sources into one account. While the total cost of the vehicle is \$139,068, Council only needs to consolidate and appropriate \$62,170 to cover the remaining funding sources required.

**Discussion:**

The Community Response Vehicle is a large vehicle, much like an ambulance, or haz-mat truck. It serves as a mobile office when responding to, and planning at, the scene of large or critical event. The truck is large enough to accommodate a few people in the rear. It also allows for equipment and other resources to be assembled and stored in one location for immediate response when needed. Many items cannot be kept together in a regular patrol vehicle. This truck is climate controlled and has a generator for extended deployments. It contains two display screens for planning, documenting, and monitoring situations. Additionally the truck will be utilized monthly for training.

A Community Response Vehicle is an important asset for Law Enforcement to have. It will be utilized in many different capacities. When serving as a Command Center, the truck can provide a protected environment close to events for administrative people to coordinate and direct operations. This use is applicable in large community activities, natural disasters, as well as other types of critical public safety incidents.

A Community Response Vehicle is also able to serve as a place for negotiators to work from, near a volatile, often a hostage situation, while allowing them access to their equipment and other useful resources. These resources would not be as readily available if not stored and transported in the Community Response Truck. Clearly all tools available to facilitate a peaceful outcome are of critical importance and this vehicle will help us to meet that need more efficiently. Many situations of this type involve those who are in mental crisis and in need of services. For this reason the Thomas Jefferson Crisis Intervention Team Program supports this Community Response Vehicle, and is providing grant funds towards the project.

The funding sources for the truck are as follows:

Donation for the Charlottesville Police Foundation	\$43,000
Asset seizure funds	<u>\$19,170</u>
Total current appropriation	\$62,170
Vehicle replacement fund	\$31,898
Grant received by the Thomas Jefferson Area Crisis Intervention Team	<u>\$45,000</u>
Total previously appropriated	\$76,898

**Total \$139,068**

The funds in the vehicle replacement fund (\$31,898) and the Thomas Jefferson Area Crisis Intervention Team grant (\$45,000) were previously appropriated. This appropriation will appropriate the donation from the Charlottesville Police Foundation and allow for the transfer of seizure funds to the Equipment Replacement fund.

**Alignment with Council Vision Areas and Strategic Plan:**

Appropriation of this item aligns with Council's visions by providing necessary equipment to The Charlottesville Police Department, supporting the Police Department's ability to deliver optimal 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 equipment resources.

This appropriation supports **Goal 2** of the Strategic Plan: **Be a safe, equitable, thriving and beautiful community**. The Community Response Truck will be used to more efficiently direct and allocate resources at many types of events, protecting public safety and more effectively resolving critical issues.

**Community Engagement:**

N/A

**Budgetary Impact:**

This has no impact on the General Fund. The truck will be paid for with funds from donations and previously appropriated funds. To facilitate the creation of the purchase order, funds were moved from previously appropriated reserves in the Equipment Replacement fund. This appropriation will move the funds from the multiple sources listed above to reimburse the Equipment Replacement fund reserve.

**Recommendation:**

Staff recommends approval of the consolidation and appropriation of funds to purchase this vehicle.

**Alternatives:**

If the request is not approved, the truck cannot be purchased.

**Attachments:**

None.

**APPROPRIATION.**  
**Police Department Community Response Vehicle.**  
**\$62,170.**

**WHEREAS,** the City of Charlottesville Police Department will purchase a Community Response Vehicle;

**NOW, THEREFORE BE IT RESOLVED,** by the Council of the City of Charlottesville, Virginia that the sum of \$62,170 from various funding sources will be appropriated as follows:

**Transfer from:**

<b>Fund</b>	<b>Internal Order</b>	<b>G/L Account</b>	<b>Amount</b>
105	2000017	599999	\$13,593
105	2000018	599999	\$ 5,577

**Transfer to:**

<b>Fund</b>	<b>Cost Center</b>	<b>G/L Account</b>	<b>Amount</b>
106	1631001001	4498010	\$19,170

**Expense:**

106	1631001001	541040	\$19,170
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**Revenue:**

<b>Fund</b>	<b>Cost Center</b>	<b>G/L Account</b>	<b>Amount</b>
106	3101001001	451020	\$43,000

**Expense:**

<b>Fund</b>	<b>Cost Center</b>	<b>G/L Account</b>	<b>Amount</b>
106	3101001001	541040	\$43,000

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CITY OF CHARLOTTESVILLE, VIRGINIA.  
CITY COUNCIL AGENDA.



Agenda Date:	August 17, 2015
Action Required:	Appropriation
Presenter:	Chris Gensic, Parks and Recreation
Staff Contacts:	Chris Gensic, Parks and Recreation
<b>Title:</b>	<b>Urban and Community Forestry Grant appropriation - \$20,000</b>

**Background:** The City of Charlottesville, through the Parks and Recreation Department, has been awarded a \$7,000 grant from Urban and Community Forestry Fund. This grant is administrated through the Virginia Department of Forestry. There is a required local match in the amount of \$13,000, for a total grant award of \$20,000.

**Discussion:** The grant will assist with undertaking an update to the City Urban Tree Canopy assessment and will with the cost of hiring a firm to analyze satellite imagery to determine the extent of forest canopy and to analyze the data in subsets such as entry corridors, watersheds, neighborhoods, etc. This is an update to the same type of study undertaken in 2009.

**Community Engagement:** Charlottesville Parks and Recreation provided opportunities for the public to provide input into Urban forest Management Plan developed in 2010, and the Tree Commission supported this grant application.

**Alignment with City Council's Vision and Strategic Plan:** The project supports City Council's "Green City" vision by providing data to help guide planning and implementation of efforts to preserve and enhance the forested area of the City. It contributes to Goal 2 of the Strategic Plan, to be a safe, equitable, thriving and beautiful community, and objective 2.5, to provide natural and historic resources stewardship.

**Budgetary Impact:** This has no impact on the General Fund. The funds will be expensed and reimbursed to a Grants Fund. The balance of funding, \$13,000, for the study will be allocated from the Urban Tree Preservation and Planting (P-00428) account.

**Recommendation:** Staff recommends approval of the appropriation of the grant funds.

**Alternatives:** If grants funds are not appropriated, the updated urban tree canopy study will have to be funded entirely with local funds.



**APPROPRIATION.**

**Urban and Community Forestry Grant**

**\$20,000.**

**WHEREAS**, the City of Charlottesville has received \$7,000 from the Virginia Department of Forestry through the Urban Community Forestry Grant in order to perform an urban tree canopy assessment; and

**WHEREAS**, the City will contribute \$13,000 in funds from the Urban Tree Preservation and Planting fund to supplement the grant;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of \$7,000 received from the Virginia Department of Forestry is hereby appropriated in the following manner:

**Revenue - \$20,000**

\$7,000	Fund: 209	IO: 1900254	G/L Code: 430120
\$13,000	Fund: 209	IO: 1900254	G/L Code: 498010

**Expenditures - \$20,000**

\$20,000	Fund: 209	IO: 1900254	G/L Code: 599999
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**Transfer**

\$13,000	Fund: 425	WBS: P-00428	G/L Code: 561209
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**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$7,000 from the Virginia Department of Forestry.

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



<b>Agenda Date:</b>	August 17, 2015
<b>Action Required:</b>	Request for Appropriation
<b>Presenter:</b>	Amanda Poncy, Bicycle and Pedestrian Coordinator
<b>Staff Contacts:</b>	Amanda Poncy, Bicycle and Pedestrian Coordinator
<b>Title:</b>	Safe Routes to School Program (S.R.T.S.) Jackson-Via School Grant - <b>\$249,959</b>

**Background:**

On November 18, 2013, City Council approved a Resolution of Support for a Transportation Alternatives Grant that would provide bicycle and pedestrian improvements along Harris Road and Moore's Creek Trail to support Jackson-Via Elementary Safe Routes to School initiative. Staff submitted a grant application and the City was notified in the fall of 2014 that grant funding (in the amount of \$249,959) was awarded to reconstruct the Harris/Camilla/J.P.A. intersection to better accommodate pedestrians, improve pedestrian crossings on Harris Road and construct an off-road trail along Moore's Creek.

The City of Charlottesville, through Neighborhood Development Services, has received approval for reimbursement up to \$199,967 from the Virginia Department of Transportation for these improvements.

**Discussion:**

Jackson-Via Elementary has 333 students in grades K-4 and the special education department is home to the city's elementary programs for children with intellectual and developmental disabilities. Approximately 200 students or two-thirds of enrollment live within one mile of school, which is considered to be a walkable distance for elementary school students. However, both Harris Road and 5th Street/Ridge Street serve as a barrier to walking and biking to school. As a result, many students ride the bus the short distance to avoid walking along Harris or 5th Street. A small handful of students do occasionally walk along 5th/Ridge when they miss the bus. Approximately 25-35 students who live in the immediate vicinity of the school regularly walk in informal walking groups or walking school buses. This is only a fraction of the students who could walk when evaluating distance as the only factor.

The Jackson-Via P.T.O. champion gathered feedback from parents that indicate that if changes were made, many if not most of these students would be encouraged to walk to school. Parents are mainly concerned about existing traffic volumes and speeds on Harris Road. Because of gaps in the sidewalk network on the north side of Harris Road, students traveling west along Harris Road must cross unsupervised at intersections west of the school so they can stay on a separated facility for the whole journey home. Students traveling east may cross in front of the school with a crossing guard.

The proposed Transportation Alternatives – Safe Routes to School project seeks to improve the pedestrian experience on Harris Road by redesigning the Harris/Camellia/J.P.A. intersection to better accommodate pedestrians, filling in gaps in the pedestrian and bicycling network with improved crossings and continuous facilities along Harris Road to more safely accommodate these modes of travel, and formalizing an off-street trail network to connect the neighborhoods in the Ridge Street/Belmont neighborhoods to the school.

**Community Engagement:**

On August 17, 2013, the City began collecting input on bicycle and pedestrian improvements along the J.P.A. Extended/Harris Road corridor. We received feedback about the need for more continuous bike lanes and sidewalks, as well as improved pedestrian crossings along Harris at the Fry's Spring Neighborhood Association's 2nd Annual Bike Walk Play event. The feedback received helped to strengthen relationships with parents of Jackson-Via students and neighborhood representatives who are interested in safer walking/biking routes to school. As a result of these relationships, the City helped the Jackson-Via P.T.O. secure a grant to conduct a walkability audit for the school.

On September 25, 2013, ten participants met at Jackson-Via Elementary School to evaluate the walking and bicycling network around the elementary school and to identify potential improvements that the school could put forth in a Transportation Alternative Program (T.A.P.) grant application. Participants included representation from Jackson-Via Elementary School including the principal, assistant principal, and two parents (who are also active in the neighborhood association). There was also representation from the City with staff from the planning department, engineering department, and parks & recreation. The M.P.O. was also represented.

The P.T.O. discussed this grant opportunity and potential improvements at the November 13 Neighborhood Association Meeting and City Council public hearing was held on Nov. 18, 2013.

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

Approval of this agenda item aligns directly with Council's vision for Charlottesville to be America's Healthiest City and a Connected Community. Expected outcomes include increased biking and walking to school, which can also improve overall health and increase performance in school.

**Budgetary Impact:**

The funds will be expensed and reimbursed to a Grants Fund.

**Recommendation:**

Staff recommends approval and appropriation of grant funds.

**Alternatives:** If grants funds are not appropriated, the bicycle and pedestrian improvements along the corridor would not be constructed.

**Attachments:** November 18, 2013 Transportation Alternatives Project Support Resolution

**APPROPRIATION.**

Safe Routes to School Program (S.R.T.S.) Jackson-Via School Grant

**\$249,959**

**WHEREAS**, the Safe Routes to School Program (S.R.T.S.) grant, providing Federal payments for construction of sidewalks and crosswalks has been awarded the City of Charlottesville, on behalf of Jackson-Via School, in the amount of \$199,967;

**WHEREAS**, the S.R.T.S. program is a 80% reimbursement program requiring the City to meet all federal guidelines to qualify and;

**WHEREAS**, the grant requires a 20% match of \$49,992 to be provided by transfer from Citywide A.D.A. Sidewalks and Curb Ramps (P-00670);

**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**

\$199,967	Fund: 426	WBS: P-00877	G/L Account: 430120
\$49,992	Fund: 426	WBS: P-00877	G/L Account: 498010

**Expenses**

\$249,959	Fund: 426	WBS: P-00877	G/L Account: 530550
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**Transfer**

\$49,992	Fund: 426	WBS: P-00697	G/L Account: 561426
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**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$199,967 from the Virginia Department of Transportation.

**TRANSPORTATION ALTERNATIVES PROJECT ENDORSEMENT RESOLUTION**

**Whereas**, in accordance with the Commonwealth Transportation Board construction allocation procedures, it is necessary that a resolution be received from the sponsoring local jurisdiction or agency requesting the Virginia Department of Transportation to establish a Transportation Alternatives project in the City of Charlottesville.

**Now**, Therefore, Be It Resolved, that the City of Charlottesville, requests the Commonwealth Transportation Board to establish a project for the improvement of Harris Road and Moore's Creek Trail to support Jackson-Via Elementary Safe Routes to School initiative.

**Be It Further Resolved**, that the City of Charlottesville hereby agrees to provide a minimum 20 percent matching contribution for this project.

**Be It Further Resolved**, that the City of Charlottesville hereby agrees to enter into a project administration agreement with the Virginia Department of Transportation and provide the necessary oversight to ensure the project is developed in accordance with all state and federal requirements for design, right of way acquisition, and construction of a federally funded transportation project.

**Be It Further Resolved**, that the City of Charlottesville will be responsible for maintenance and operating costs of any facility constructed with Transportation Alternatives Program funds unless other arrangements have been made with the Department.

**Be It Further Resolved**, that if the City of Charlottesville subsequently elects to cancel this project the City of Charlottesville hereby agrees to reimburse the Virginia Department of Transportation for the total amount of costs expended by the Department through the date the Department is notified of such cancellation. The City of Charlottesville also agrees to repay any funds previously reimbursed that are later deemed ineligible by the Federal Highway Administration.

Adopted this 18<sup>th</sup> day of November, 2013

Charlottesville, Virginia

By: City Council

Attest Gaige Yice, Clerk of Council

Rev. 8/13

TRANSPORTATION ALTERNATIVES PROGRAM

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



<b>Agenda Date:</b>	August 17, 2015
<b>Action Required:</b>	Approval and Appropriation
<b>Presenter:</b>	Maggie Cullinan, Coordinator Victim and Witness Assistance Program
<b>Staff Contacts:</b>	Maggie Cullinan, Coordinator Victim and Witness Assistance Program Leslie Beauregard, Assistant City Manager
<b>Title:</b>	<i>Victim Witness Assistance Program Grant--\$178,551</i>

**Background:**

The City of Charlottesville, through the Commonwealth's Attorney's Office, has received the Victim Witness Program Grant from the Virginia Department of Criminal Justice Services in the amount of \$111,226 in Federal Funds, and \$37,075 in State General Funds. The City provides funding to provide computer support through the Commonwealth Attorney's budget. The Commonwealth Attorney's office will also supply a salary supplement of \$30,250 to support the City's living wage policy. Total appropriation, between the Federal funds and State funds and the City's contribution, equals \$178,551.

**Discussion:**

The victim's rights movement began in the 1970s as a result of victims being re-victimized by the criminal justice process. Victims had difficulty navigating the complexities of the criminal justice system and no voice or recourse when their cases were continued or pled out without their knowledge or consent. Prosecutors did not have the time or skills to respond to victims who were traumatized, but knew that in order to proceed with their case, many victims would need more services than the prosecutor's office could provide. In response to this need, the federal Victims of Crime Act was passed in 1984 and funds became available through the Virginia Department of Criminal Justice to respond to the needs of victims. The Charlottesville Victim/Witness Assistance Program was established in 1989 and has been meeting the needs of Charlottesville crime victims ever since. The Program is one of more than 60 such programs in the state that provides crisis intervention and advocacy, information and support during and after criminal justice proceedings, access to compensation and restitution, referrals to local community agencies and ensures victims are afforded their rights as outlined in Virginia's Crime Victim and Witness Rights Act. The Program also provides training on victim issues to law enforcement and allied agencies. It regularly serves more than 800 victims and 20 witnesses each year.

**Community Engagement:**

The Victim Witness Assistance Program is engaged daily with victims of crime who access services through referrals from police, court services, social services and other allied agencies. Program staff contacts crime victims within 48 hours of their reported victimization. Program staff serves on several coordinating councils, such as the Multi-Disciplinary Team on Child Abuse, the Domestic Violence Coordinating Council, the Sexual Assault Response Team, the Monticello Area Domestic Violence Fatality Review Team and the Charlottesville/Albemarle Evidence Based Decision



Making Policy Team. The program regularly provides outreach in the forms of government services day, training and speaking engagements at U.V.A., P.V.C.C. and other allied agencies as requested.

**Alignment with City Council’s Vision and Strategic Plan:**

Approval of this agenda item aligns directly with Council’s vision for Charlottesville to be America’s Healthiest City, a Community of Mutual Respect and a Smart, Citizen-Focused Government. According to the Bureau of Justice Statistics, the total economic loss to crime victims was \$1.19 billion for violent offenses and \$16.2 billion for property crime in 2008. Statistics vary on the amount of intangible losses victims accumulate, such as the effects of the crime on their sense of security, mental health and relationships. The Charlottesville Victim Witness Assistance Program contributes to the health of the community by connecting crime victims with medical and mental health providers through the Criminal Injury Compensation Fund. The Program helps create a **Community of Mutual Respect** by responding to the needs of crime victims and helps achieve a **Smart, Citizen-Focused Government** by ensuring their rights are recognized throughout the local criminal justice system, including police, prosecution, judges and probation.

**Budgetary Impact:**

The Victim Witness Assistance Program Grant is renewed annually; the amount of this year’s award, including the supplement, is \$178,551. The salary supplement of \$30,250 was budgeted in the Commonwealth’s Attorney’s budget as part of the F.Y. 2016 Adopted Budget and will be transferred into the grants fund.

**Recommendation:**

Staff recommends approval and appropriation of grant funds.

**Alternatives:**

If grant funds are not appropriated, Charlottesville crime victims will have no access to compensation, advocacy or services afforded to them under Virginia’s Crime Victim and Witness Rights Act.

**Attachments:**

Appropriation Memorandum

**APPROPRIATION.**

**Charlottesville Victim Witness Assistance Program Grant**

**\$178,551.**

**WHEREAS**, The City of Charlottesville, through the Commonwealth Attorney's Office, has received the Victim Witness Program Grant from the Virginia Department of Criminal Justice Services in the amount of \$148,301; and

**WHEREAS**, the City is providing a supplement in the amount of \$30,250, the source of which is the Commonwealth Attorney's salary budget (Cost Center: 1401001000; G/L Account: 519999).

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of \$178,551 is hereby appropriated in the following manner:

**Revenues**

\$111,226	Fund: 209	Cost Center: 1414001000	G/L Account: 430110
\$ 37,075	Fund: 209	Cost Center: 1414001000	G/L Account: 430120
\$ 30,250	Fund: 209	Cost Center: 1414001000	G/L Account: 498010

**Expenditures**

\$114,484	Fund: 209	Cost Center: 1414001000	G/L Account: 510010
\$ 8,756	Fund: 209	Cost Center: 1414001000	G/L Account: 511010
\$ 25,633	Fund: 209	Cost Center: 1414001000	G/L Account: 511020
\$ 878	Fund: 209	Cost Center: 1414001000	G/L Account: 511030
\$ 20,930	Fund: 209	Cost Center: 1414001000	G/L Account: 511040
\$ 4,808	Fund: 209	Cost Center: 1414001000	G/L Account: 520010
\$ 3,062	Fund: 209	Cost Center: 1414001000	G/L Account: 530100

**Transfer**

\$ 30,250	Fund: 105	Cost Center: 1401001000	G/L Account: 561209
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**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$148,301 from the Virginia Department of Criminal Justice Services.

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



<b>Agenda Date:</b>	August 17, 2015
<b>Action Required:</b>	Approve appropriation
<b>Presenter:</b>	Diane Kuknyo, Director Charlottesville Department of Social Services
<b>Staff Contacts:</b>	Diane Kuknyo, Director Sue Moffett, Assistant Director Charlottesville Department of Social Services
<b>Title:</b>	<b>Adoptions Through Collaborative Partnerships Grant Renewal - \$84,000</b>

**Background:**

The Virginia Department of Social Services issued R.F.P. # F.A.M-14-072 titled Adoption Through Collaborative Partnerships on May 8, 2014. Contract awards were made to 12 different collaborative partnerships throughout the Commonwealth, with the goal to achieve timely adoption for a subset of children in Foster Care. The Charlottesville Department of Social Services in collaboration with Albemarle County Department of Social Services, Greene County Department of Social Services and the Community Attention Foster Family program (C.A.F.F.) received an award of \$84,000 with the option for two additional renewals to achieve finalized adoptions for children and youth in foster care within our extended community. The primary outcome of this project is to increase the number of finalized adoptions for children and youth in our region and the secondary outcome is to increase the pool of families in our region that are qualified and trained to adopt eligible youth in foster care. The Charlottesville Department of Social Service is designated as the lead agency for this project.

**Discussion:**

The Virginia Department of Social Services is exercising its option to renew the contract for an additional 12 months. The period of renewal is July 1, 2015-June 30, 2016. The total dollar amount of the renewal is \$84,000.

**Alignment with Council Vision Areas and Strategic Plan:**

This project aligns with the Vision 2025 areas **A Connected Community**, and a **Community of Mutual Respect**. It contributes to **Goal 2:** Be a safe, equitable, thriving and beautiful community; and objective 2.4 Ensure families and individuals are safe and stable. It also contributes to **Goal 5:** Foster Strong Connections; and objectives 5.1 Respect and nourish diversity; 5.2 Build Collaborative Partnerships; and 5.3 Promote Community Engagement.

Using innovative practices to improve program outcomes and evaluate cost efficiencies also aligns with Vision 2025 area **Smart, Citizen-focused Government**. It contributes to **Goal 4: Be a well-managed and successful organization**; and objective 4.4 Continue strategic management efforts.

**Community Engagement:**

This collaborative project is a natural enhancement to the existing partnerships between Charlottesville, Albemarle, and Greene County Departments of Social Services and Community Attention Foster Families. It is the shared mission of these four agencies to assure that suitable families are available in this area for children and youth who require temporary or long-term placement and to enhance efforts aimed at achieving permanency for these children and youth. These agencies have been working together since 2009 to accomplish this mission using a formal Memorandum of Understanding that sets forth protocols to enhance interagency collaboration to recruit, train and approve foster/adoptive/resource/kinship families for the three local departments of social services and to provide ongoing training, oversight and renewal of both pool and kinship foster families.

**Budgetary Impact:**

Funds will be appropriated into the Social Services Fund.

**Recommendation:**

Staff recommends approval and appropriation of grant funds.

**Alternatives:**

This project will not continue if the grant funds are not appropriated.

**Attachments:**

None

**APPROPRIATION.**

**Adoption Through Collaborative Partnerships Grant Renewal - \$84,000.**

**WHEREAS**, the Charlottesville Department of Social Services has received \$84,000 to support Adoptions Through Collaborative Partnerships from the Virginia Department of Social Services R.F.P.# F.A.M.-14-072;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$84,000 is hereby appropriated in the following manner:

**Revenue – \$84,000**

Fund: 212                      Cost Center: 3343012000                      G/L Account: 430110

**Expenditures - \$84,000**

Fund: 212                      Cost Center: 3343012000                      G/L Account: 599999

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$84,000 from the Virginia Department of Social Services.

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CITY OF CHARLOTTESVILLE, VIRGINIA.  
CITY COUNCIL AGENDA.



<del>Agenda Date:</del>	<del>August 17, 2015</del>
<del>Action Required:</del>	<del>Appropriation</del>
<del>Presenter:</del>	<del>Kristel Riddervold, Environmental Sustainability Manager</del>
<del>Staff Contacts:</del>	<del>Kristel Riddervold, Environmental Sustainability Manager Leslie Beauregard, Assistant City Manager</del>
<del>Title:</del>	<del>D.E.Q. State Local Assistance Fund (S.L.A.F.) Grant - Azalea Park Stream Restoration - \$950,000</del>

ITEM WITHDRAWN



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



<b>Agenda Date:</b>	August 17, 2015
<b>Action Required:</b>	Approve Resolution Supporting the “Transition Streets” Project
<b>Presenter:</b>	Joanie Freeman, Transition Charlottesville Albemarle Initiating Group Logan Blanco, Transition Charlottesville Albemarle Initiating Group
<b>Staff Contacts:</b>	Susan Elliott, Climate Protection Program Coordinator Kristel Riddervold, Environmental Sustainability Manager
<b>Title:</b>	<b>Resolution in Support of “Transition Streets”</b>

**Background:**

Transition Charlottesville-Albemarle is asking City Council to vote on a resolution in support of the Transition Streets project. The local Transition group ran a successful pilot in conjunction with Transition US as Transition US worked to adapt this program and the workbook for audiences nationwide in the United States. Members of the local chapter are facilitating all aspects of this project and recognize alignment with the City’s community-wide sustainability goals.

Transition Streets is a community-based project to help individual households save energy, water, and waste right here and now. Program participants meet with their neighbors for seven sessions over a period of several months to build a sense of community on their street, and learn fun and easy ways to practice sustainable habits. Participant groups receive a workbook and a facilitator. Each session is guided by a chapter of the Transition Streets Handbook. The handbook details actions, tips, and facts to empower residents and neighbors to increase their energy efficiency, conserve water, cut down on waste, eat fresh and local, save money, and build a stronger community.

More information on the project, and how residents can get involved, can be found at:  
<http://www.transitionville.org/transition-streets>

**Discussion:**

The Transition Streets project is being run and facilitated by Transition Charlottesville-Albemarle. City staff has been tracking development of this program through its pilot stage and have coordinated with Transition members on alignments between City programs, especially Energize!Charlottesville and the Georgetown University Energy Prize competition. Staff anticipates continued collaboration with the project organizers to facilitate communication to participants about City programs, rebates, and incentives that aim to achieve City goals.

**Alignment with Council Vision Areas and Strategic Plan:**

This initiative aligns with the City Council Vision of “A Green City” and supports the Strategic Plan goals and objectives 1.1, 1.3, 1.4, 2.2, 2.4, 2.5, 5.1, 5.2, and 5.3. Results of this program are anticipated to be included in our community’s final report for the Georgetown University Energy Prize competition to address the categories of innovation, broad community engagement, community partnerships, and replicability.

**Community Engagement:**

Transition Charlottesville-Albemarle ran a pilot program with residents of the Woolen Mills, Martha Jefferson, and Little High neighborhoods. They held a program launch meeting on July 29 at the EcoVillage, dispersed information at the City Market about the program, and received media coverage of both the announcement and the launch party.

**Budgetary Impact:**

No funding impacts are anticipated from this action.

**Recommendation:**

Staff recommends approval of the resolution.

**Alternatives:**

Council can choose to not support the resolution.

**Attachments:**

Resolution

**RESOLUTION  
SUPPORTING THE TRANSITION STREETS INITIATIVE**

**WHEREAS**, Charlottesville is one of 50 cities competing for the Georgetown University Energy Prize of \$5 million based on reducing electricity and natural gas usage through 2016; and

**WHEREAS**, Transition Charlottesville Albemarle is a partner of the Energize!Charlottesville community campaign, which the Transition Streets Initiative supports; and

**WHEREAS**, Transition Charlottesville Albemarle is a grass-roots sustainability organization that supports lower energy use to combat climate change; and

**WHEREAS**, people are more likely to change their habits when actively engaged with their peers and neighbors; and

**WHEREAS**, Transition Charlottesville Albemarle will roll out an initiative called Transition Streets that encourages neighbors to come together to learn fun and easy earth friendly habits, and ways to save money on energy and water bills; and

**WHEREAS**, the City of Charlottesville benefits from lower energy use and stronger relationships among neighbors and a heightened sense of community.

**THEREFORE, BE IT RESOLVED**, that the Charlottesville City Council enthusiastically supports the Transition Streets initiative and directs its Staff to assist with outreach efforts to promote Transition Streets for the common good.

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

Agenda Date: July 20, 2015

Action Required: Yes (Public Hearing and First Reading of Ordinance)

Presenter: Lauren Hildebrand, Director of Utilities, Public Utilities Division

Staff Contacts: Lauren Hildebrand, Director of Utilities, Public Utilities Division

**Title: Abandonment of Natural Gas Easement – 10<sup>th</sup> Street, N.E. and Water Street Extended**

**Background:** In 1991 the City was granted a permanent easement for installation of natural gas lines across properties near the intersection of 10<sup>th</sup> Street, N.E. and Water Street Extended in anticipation of future development in that area. No gas line was ever installed in the easement. Recently, it was discovered that the building at 100 10<sup>th</sup> Street, N.E., constructed in 2001, encroaches into the gas line easement in several places, causing a title issue. The owner of the property, Ten Market Condominium Unit Owners Association, has requested the City to abandon that portion of the easement where the encroachments exist in order to clear the title problem.

**Discussion:** Attached is a plat showing the location of the easement portion to be abandoned. If approved, the City Attorney's Office will draft a quitclaim deed (substantially the same as the attached deed) to release the City's rights in the original gas easement with respect to a portion of the easement. The Public Utilities Division has confirmed that the subject easement is no longer needed and natural gas service in the area will not be affected.

**Community Engagement:** A public hearing is required by law to give the public an opportunity to comment on the proposed conveyance of a property interest. Notice of such public hearing was advertised in the local newspaper at least 7 days in advance of the public hearing.

**Alignment with City Council's Vision and Priority Areas:** Not applicable.

**Budgetary Impact:** None. The requesting party will pay all expenses to record the quitclaim deed.

**Recommendation:** Approve the ordinance abandoning a portion of the existing gas easement.

**Attachments:** Proposed Ordinance; Deed and Plat.

**AN ORDINANCE  
AUTHORIZING THE ABANDONMENT OF A  
PORTION OF A NATURAL GAS EASEMENT  
NEAR THE INTERSECTION OF 10<sup>TH</sup> STREET, N.E.  
AND WATER STREET EXTENDED**

**WHEREAS**, in 1991 the City acquired a natural gas line easement, of record in the Charlottesville Circuit Court Clerk's Office in Deed Book 563, Pages 249-251, along certain properties located at the intersection of 10<sup>th</sup> Street, N.E. and Water Street Extended ("Subject Easement"), to provide gas service in that area; and

**WHEREAS**, no gas lines were ever installed in the Subject Easement, and the construction of Water Street Extended as a public roadway allowed natural gas lines to be installed in the public right-of-way to serve that area; and

**WHEREAS**, the encroachment of the building at 100 10<sup>th</sup> Street, N.E. has caused a title problem which can be cured by abandonment of a portion of the Subject Easement, which now serves no useful purpose to the City; and

**WHEREAS**, the Director of Public Utilities has reviewed the request and determined that the City no longer has a need for the Subject Easement; and

**WHEREAS**, in accordance with Virginia Code Sec. 15.2-1800(B), a public hearing was held to give the public an opportunity to comment on the abandonment of a portion of the Subject Easement; now, therefore,

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that the Mayor is hereby authorized to execute a Quitclaim Deed, in form approved by the City Attorney, to abandon a portion of the 1991 natural gas easement located at the intersection of 10<sup>th</sup> Street, N.E. and Water Street Extended.

Prepared by Charlottesville City Attorney's Office  
S. Craig Brown, Esq. (VSB #19286)  
Tax Map Parcel 540277000 (100 10<sup>th</sup> Street, N.E.)

**This deed is exempt from state recordation taxes imposed by Virginia Code §58.1-802 pursuant to Virginia Code §58.1-811(C)(4).**

**THIS QUITCLAIM DEED** made this \_\_\_\_\_ day of \_\_\_\_\_, 2015, from the **CITY OF CHARLOTTESVILLE, VIRGINIA**, a municipal corporation and political subdivision of the Commonwealth of Virginia (hereinafter, the "CITY"), GRANTOR, to **TEN MARKET CONDOMINIUM UNIT OWNERS ASSOCIATION**, GRANTEE, whose address is 100 10<sup>th</sup> Street, N.E., Charlottesville, Virginia 22902.

WITNESSETH:

WHEREAS, GRANTEE is the owner of certain real property in the City of Charlottesville, Virginia, designated on City Real Estate Tax Map 54 as Parcel 277 (the "Property"); and

WHEREAS, by Deed of Easement dated July 17, 1991 to the CITY, of record in the Charlottesville Circuit Court Clerk's Office in Deed Book 563, Pages 249-251, the CITY was conveyed a permanent easement and right of way (the "Gas Easement") for the construction and maintenance of natural gas line facilities across the Property, but such gas lines were never installed; and

WHEREAS, GRANTEE has requested the City to Quitclaim and Release those portions of the Gas Easement that cross GRANTEE'S Property; and

WHEREAS, the CITY has agreed to Quitclaim certain portions of the Gas Easement as requested by GRANTEE, after holding a public hearing, advertised in accordance with Virginia Code Sec. 15.2-1800(B), and adoption of an Ordinance by the Charlottesville City Council on \_\_\_\_\_, 2015.

WITNESSETH:

NOW, THEREFORE, in consideration of the sum of ONE DOLLAR (\$1.00), receipt of which is hereby acknowledged, the CITY does hereby RELEASE and forever QUITCLAIM all its right, title and interest in and to certain portions of the Gas Easement, shown as a shaded area on the attached plat dated May 7, 2015, revised May 27, 2015, by Roudabush, Gale & Associates, Inc., acquired by the CITY by recordation of the deed and plat in the Charlottesville Circuit Court Clerk's Office in Deed Book 563, Pages 249-251.

IN WITNESS WHEREOF, the City of Charlottesville has caused this deed to be executed by its Mayor, pursuant to an Ordinance adopted by City Council on \_\_\_\_\_, 2015.



WITNESS the following signature and seal:

GRANTOR:

**CITY OF CHARLOTTESVILLE, VIRGINIA**

By: \_\_\_\_\_  
Satyendra Singh Huja, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
S. Craig Brown, City Attorney  
City of Charlottesville, Virginia

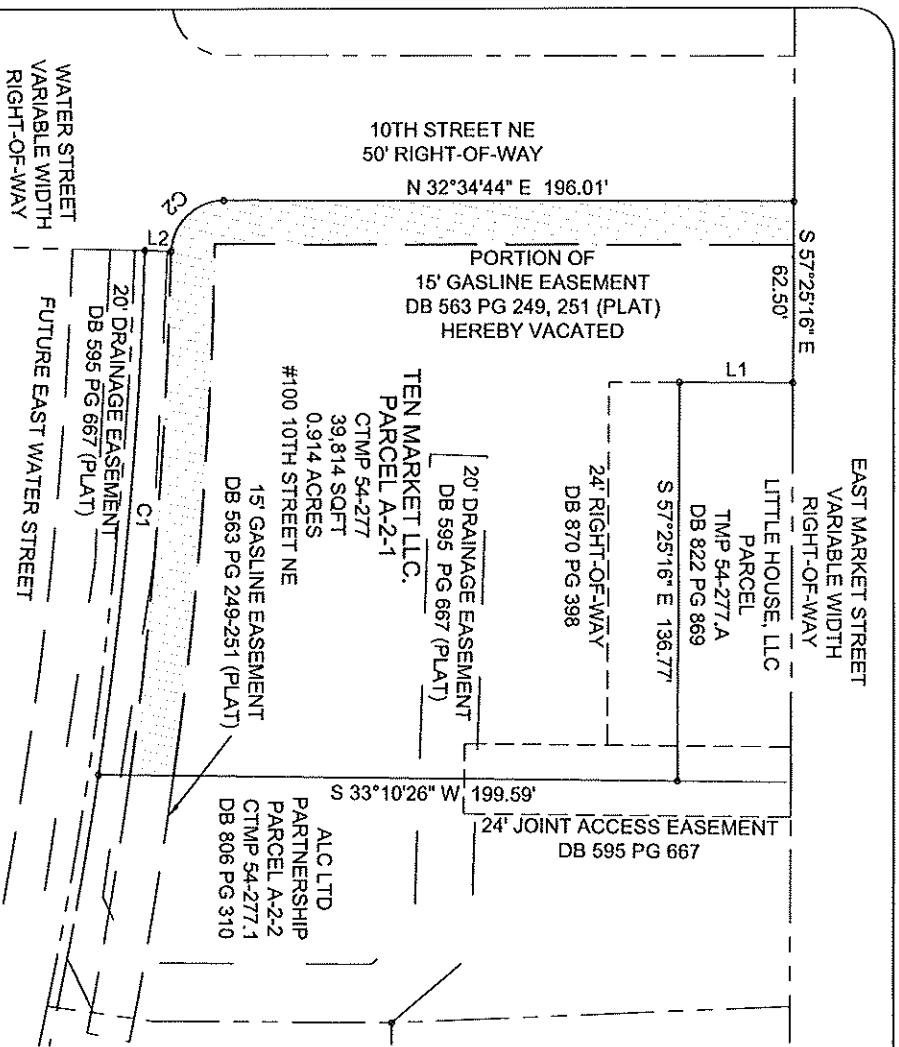
COMMONWEALTH OF VIRGINIA  
CITY OF CHARLOTTESVILLE

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2015 by Satyendra Singh Huja, Mayor, on behalf of the City of Charlottesville, Virginia.

\_\_\_\_\_  
NOTARY PUBLIC  
Registration #: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

**ROUDABUSH, GALE & ASSOCIATES, INC.**  
 ENGINEERS, SURVEYORS AND LAND PLANNERS  
 A PROFESSIONAL CORPORATION  
 SERVING VIRGINIA SINCE 1958  
 914 MONTICELLO ROAD - CHARLOTTEVILLE VIRGINIA 22902  
 PHONE 434-577-0205 - FAX 434-286-8220 - EMAIL INFO@ROUDABUSH.COM

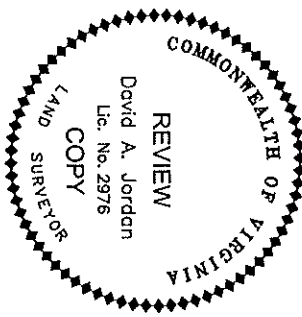
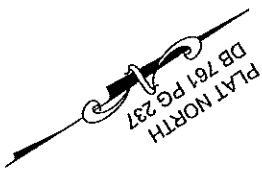
COAL TOWER ASSOCIATES, L.L.C.  
 CTMP 57-157  
 INST 2012005708 (DEED)  
 INST 2011002432 (PLAT)  
 EASEMENT VACATION PLAT



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	1510.27'	180.66'	180.55'	N 52°39'02" W
C2	18.00'	27.76'	25.09'	N 11°35'50" W

LINE	BEARING	DISTANCE
L1	S 32°34'44" W	38.65'
L2	N 33°55'21" E	9.21'



PLAT SHOWING  
 A VACATION OF  
 15' GAS LINE EASEMENT  
 ACROSS PARCEL A-2-1  
 CHARLOTTEVILLE, VIRGINIA

REVISED: MAY 27, 2015

MAY 7, 2015

SHEET 1 OF 1

FILE: 7915

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



**Agenda Date:** July 20, 2015

**Action Required:** Adoption of Ordinance

**Presenter:** Christina Fisher, Assistant Traffic Engineer

**Staff Contacts:** Christina Fisher, Assistant Traffic Engineer  
Donovan Branche, City Traffic Engineer

**Title:** **Emmet Street Speed Limit Reduction**

**Background:**

The University of Virginia asked the City of Charlottesville Traffic Engineering department to look into the possibility of reducing the speed limit of Emmet Street between Ivy Road and Arlington Boulevard. The current posted speed limit is 40 miles per hour, which does not align with the other posted speed limits at this intersection: University Avenue at Emmet Street is 25 miles per hour; the southern leg of Emmet Street at Ivy Road is 25 miles per hour; Ivy Road at Emmet Street is 35 miles per hour.

State law requires that changes in speed limits by a locality be supported by a traffic engineering study. The City conducted an in-house traffic study with the assistance of USLIMITS to determine the appropriate speed limit of Emmet Street from Ivy Road to Arlington Boulevard. USLIMITS is a web-based design tool developed by the Federal Highway Administration (FHWA) to help practitioners set reasonable, safe, and consistent speed limits for specific segments of roads. The results of the traffic study were also reviewed by traffic engineering at the Virginia Department of Transportation (VDOT).

**Discussion:**

The USLIMITS report recommends lowering the speed limit of Emmet Street from Ivy Road to Arlington Boulevard from 40 miles per hour to 35 miles per hour. VDOT agrees with this judgment.

City Code Section 15-99 sets forth the maximum speed limits on City streets. The ordinance needs to be amended to clarify the exact locations where the speed limits change.

**Budgetary Impact:** None.

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

This item aligns with Goal 2 of the Strategic Plan to be a safe, equitable, thriving and beautiful community.

**Community Engagement:** City staff worked closely with staff from the University of Virginia's Office of the Architect and Parking and Transportation division.

**Recommendation:**

Staff recommends lowering the speed limit on Emmet Street between Ivy and Arlington Boulevard from 40 miles per hour to 35 miles per hour.

**Alternative:** Do not change the speed limit.

**Attachments:**

Draft ordinance

Map of location and existing speed limits

USLIMITS report

Vehicular traffic summaries

**AN ORDINANCE  
 AMENDING AND REORDAINING SECTION 15-99  
 OF CHAPTER 15 (MOTOR VEHICLES AND TRAFFIC)  
 OF THE CODE OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED,  
 TO REDUCE THE SPEED LIMIT ON EMMET STREET FROM  
 IVY ROAD TO ARLINGTON BOULEVARD**

**WHEREAS**, the University of Virginia has requested the City to reduce the speed limit on Emmet Street from Ivy Road to Arlington Boulevard from 40 miles per hour to 35 miles per hour; and

**WHEREAS**, the City Traffic Engineer recently conducted a traffic engineering study and traffic surveys on Emmet Street within the City of Charlottesville, and such study and surveys were reviewed by the Virginia Department of Transportation; and

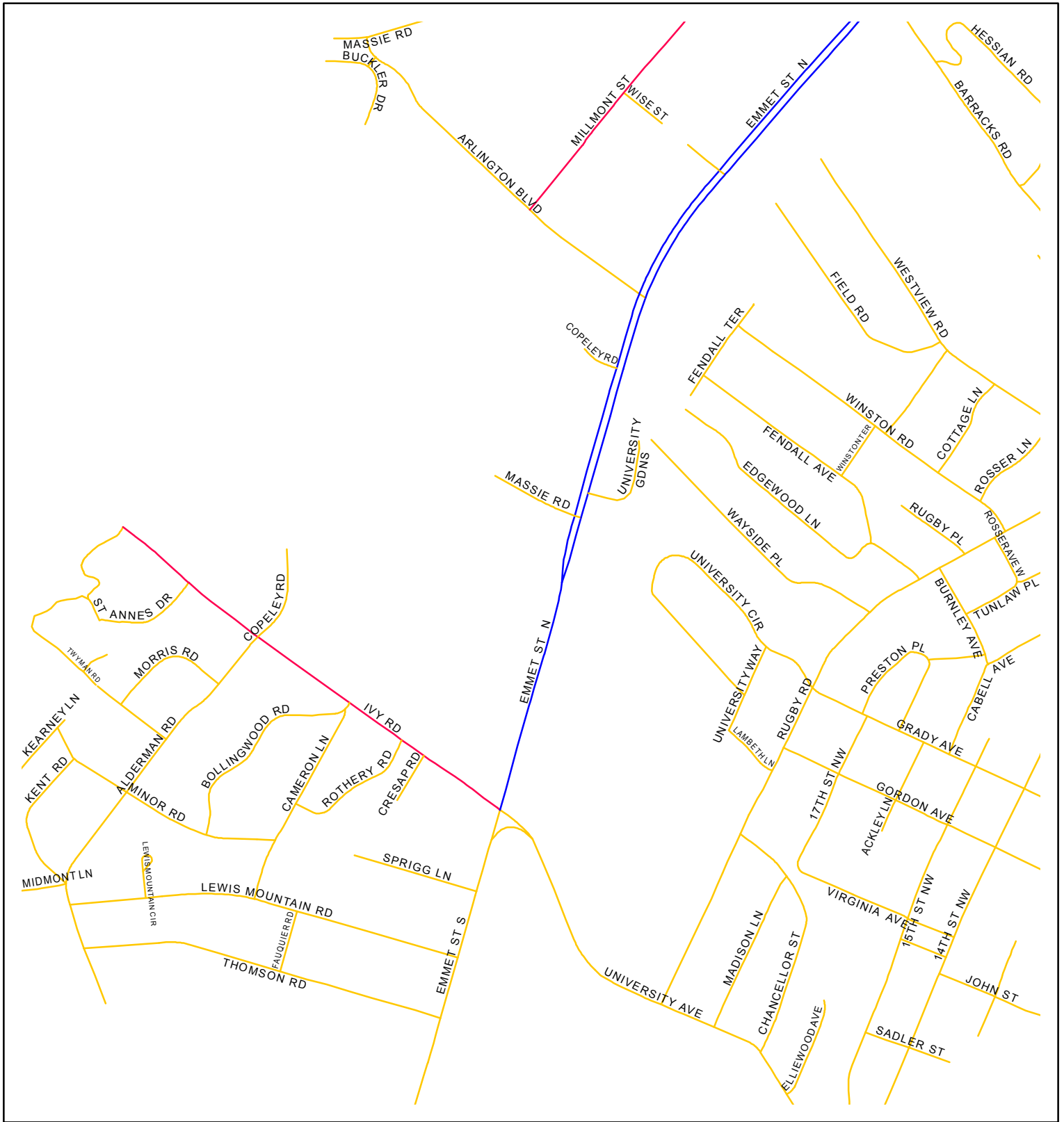
**WHEREAS**, the City Traffic Engineer has recommended, and VDOT concurs, that the speed limit on Emmet Street from Ivy Road to Arlington Boulevard be reduced to 35 miles per hour, which aligns with the speed limit set for the intersection of Ivy Road and Emmet Street; now, therefore

**BE IT ORDAINED** by the Council for the City of Charlottesville, Virginia, that Section 15-99 of Article IV (Speed Limits) of Chapter 15 (Motor Vehicles and Traffic) of the Charlottesville City Code, 1990, as amended, is hereby amended and reordained as follows:

**Sec. 15-99. Maximum limits on specific streets.**

Pursuant to a traffic engineering and traffic survey as required by Code of Virginia, section 46.2-1300, the following speed limits are imposed as hereinafter set forth and no person shall drive a vehicle at a speed in excess of such limits:

<b>Street</b>	<b>From</b>	<b>To</b>	<b>Speed Limit (MPH)</b>
...			
Emmet Street	Jefferson Park Avenue	Ivy Road	25
Emmet Street	Ivy Road	<del>Route 250 By-Pass</del> <u>Arlington Boulevard</u>	<del>40</del> <u>35</u>
Emmet Street	<del>Route 250 By-Pass</del> <u>Arlington Boulevard</u>	Hydraulic Road	40
...			



**Existing Speed Limits on Charlottesville Roads  
July 20, 2015**

**miles per hour**

— 25

— 35

— 40

0 500 1,000 Feet



# USLIMITS2 Speed Zoning Report

## Project Name: Emmet Road Speed Study

**Analyst:** fisherch

**Date:** 04-22-2015

### Basic Project Information

Project Number: 1  
Route Name: Emmet Road  
From: Ivy Road  
To: Arlington Road  
State: Virginia  
County: Charlottesville city  
City: Charlottesville city  
Route Type: Road Section in Developed Area  
Route Status: Existing

### Roadway Information

Section Length: .58 mile(s)  
Statutory Speed Limit: 40 mph  
Adverse Alignment: No  
One-Way Street: No  
Divided/Undivided: Undivided  
Number of Through Lanes: 4  
Area Type: Commercial  
Number of Driveways: 11  
Number of Signals: 4

### Crash Data Information

Crash Data Years: 5.00  
Crash AADT: 23115 veh/day  
Total Number of Crashes: 88  
Total Number of Injury Crashes: 0  
Section Crash Rate: 360 per 100 MVM  
Section Injury Crash Rate: 0 per 100 MVM  
Crash Rate Average for Similar Roads: 415  
Injury Rate Average for Similar Roads: 127

### Traffic Information

85th Percentile Speed: 42 mph  
50th Percentile Speed: 35 mph  
AADT: 23115 veh/day  
On Street Parking and Usage: High  
Pedestrian / Bicyclist Activity: High

**Recommended Speed Limit: 35**



**MH Corbin Traffic Analyzer Study  
 Computer Generated Summary Report  
 City: Charlottesville  
 Street: Emmet St b/w Arlington & Massie**

A study of vehicle traffic was conducted with the device having serial number 135001. The study was done in the L Lane NB lane at Emmet St b/w Arlington & Massie in Charlottesville, VA in Albermarle county. The study began on 28/01/2015 at 02:00 PM and concluded on 04/02/2015 at 02:00 PM, lasting a total of 168.00 hours. Traffic statistics were recorded in 15 minute time periods. The total recorded volume showed 49745 vehicles passed through the location with a peak volume of 199 on 30/01/2015 at [16:00-16:15] and a minimum volume of 1 on 30/01/2015 at [04:00-04:15]. The AADT count for this study was 7,106.

**SPEED**

Chart 1 lists the values of the speed bins and the total traffic volume for each bin. At least half the vehicles were traveling in the 35 - 40 MPH range or lower. The average speed for all classified vehicles was 37 MPH with 62.03% vehicles exceeding the posted speed of 35 MPH. 0.77% percent of the total vehicles were traveling in excess of 55 MPH. The mode speed for this traffic study was 35MPH and the 85th percentile was 42.61 MPH.

< to 9	10 to 14	15 to 19	20 to 24	25 to 29	30 to 34	35 to 39	40 to 44	45 to 49	50 to 54	55 to >								
53	177	278	629	3709	13880	18349	9297	2142	422	381								

CHART 1

**CLASSIFICATION**

Chart 2 lists the values of the classification bins and the total traffic volume accumulated for each bin. Most of the vehicles classified during the study were Passenger Vehicles. The number of Passenger Vehicles in the study was 31746 which represents 64 percent of the total classified vehicles. The number of Vans & Pickups in the study was 14115 which represents 29 percent of the total classified vehicles. The number of Busses & Trucks in the study was 2664 which represents 5 percent of the total classified vehicles. The number of Tractor Trailers in the study was 792 which represents 2 percent of the total classified vehicles.

< to 17	18 to 20	21 to 23	24 to 27	28 to 31	32 to 37	38 to 43	44 to >											
31746	10350	3765	2047	617	421	211	160											

CHART 2

**HEADWAY**

During the peak traffic period, on 30/01/2015 at [16:00-16:15] the average headway between vehicles was 4.5 seconds. During the slowest traffic period, on 30/01/2015 at [04:00-04:15] the average headway between vehicles was 450 seconds.

**WEATHER**

The roadway surface temperature over the period of the study varied between 32.00 and 72.00 degrees F.

**MH Corbin Traffic Analyzer Study  
Computer Generated Summary Report  
City: Charlottesville  
Street: Emmet St b/w Arlington & Massie**

A study of vehicle traffic was conducted with the device having serial number 135004. The study was done in the L Lane SB lane at Emmet St b/w Arlington & Massie in Charlottesville, VA in Albermarle county. The study began on 28/01/2015 at 02:00 PM and concluded on 04/02/2015 at 02:00 PM, lasting a total of 168.00 hours. Traffic statistics were recorded in 15 minute time periods. The total recorded volume showed 38541 vehicles passed through the location with a peak volume of 149 on 31/01/2015 at [12:15-12:30] and a minimum volume of 0 on 29/01/2015 at [02:45-03:00]. The AADT count for this study was 5,506.

**SPEED**

Chart 1 lists the values of the speed bins and the total traffic volume for each bin. At least half the vehicles were traveling in the 35 - 40 MPH range or lower. The average speed for all classified vehicles was 36 MPH with 59.02% vehicles exceeding the posted speed of 35 MPH. 2.07% percent of the total vehicles were traveling in excess of 55 MPH. The mode speed for this traffic study was 35MPH and the 85th percentile was 43.32 MPH.

< to 9	10 to 14	15 to 19	20 to 24	25 to 29	30 to 34	35 to 39	40 to 44	45 to 49	50 to 54	55 to >								
36	144	299	1002	3929	10158	12358	6567	2077	633	786								

CHART 1

**CLASSIFICATION**

Chart 2 lists the values of the classification bins and the total traffic volume accumulated for each bin. Most of the vehicles classified during the study were Passenger Vehicles. The number of Passenger Vehicles in the study was 26636 which represents 70 percent of the total classified vehicles. The number of Vans & Pickups in the study was 9760 which represents 26 percent of the total classified vehicles. The number of Busses & Trucks in the study was 1190 which represents 3 percent of the total classified vehicles. The number of Tractor Trailers in the study was 403 which represents 1 percent of the total classified vehicles.

< to 17	18 to 20	21 to 23	24 to 27	28 to 31	32 to 37	38 to 43	44 to >											
26636	7693	2067	918	272	191	73	139											

CHART 2

**HEADWAY**

During the peak traffic period, on 31/01/2015 at [12:15-12:30] the average headway between vehicles was 6 seconds. During the slowest traffic period, on 29/01/2015 at [02:45-03:00] the average headway between vehicles was 900 seconds.

**WEATHER**

The roadway surface temperature over the period of the study varied between 32.00 and 68.00 degrees F.

**MH Corbin Traffic Analyzer Study  
Computer Generated Summary Report  
City: Charlottesville  
Street: Emmet St b/w Arlington & Massie**

A study of vehicle traffic was conducted with the device having serial number 135008. The study was done in the R Lane NB lane at Emmet St b/w Arlington & Massie in Charlottesville, VA in Albermarle county. The study began on 28/01/2015 at 02:00 PM and concluded on 04/02/2015 at 02:00 PM, lasting a total of 168.00 hours. Traffic statistics were recorded in 15 minute time periods. The total recorded volume showed 33101 vehicles passed through the location with a peak volume of 147 on 31/01/2015 at [12:15-12:30] and a minimum volume of 0 on 30/01/2015 at [02:30-02:45]. The AADT count for this study was 4,729.

**SPEED**

Chart 1 lists the values of the speed bins and the total traffic volume for each bin. At least half the vehicles were traveling in the 35 - 40 MPH range or lower. The average speed for all classified vehicles was 38 MPH with 66.21% vehicles exceeding the posted speed of 35 MPH. 5.44% percent of the total vehicles were traveling in excess of 55 MPH. The mode speed for this traffic study was 35MPH and the 85th percentile was 45.88 MPH.

< to 9	10 to 14	15 to 19	20 to 24	25 to 29	30 to 34	35 to 39	40 to 44	45 to 49	50 to 54	55 to >								
40	215	377	593	2324	7298	9753	6246	2512	1002	1745								

CHART 1

**CLASSIFICATION**

Chart 2 lists the values of the classification bins and the total traffic volume accumulated for each bin. Most of the vehicles classified during the study were Passenger Vehicles. The number of Passenger Vehicles in the study was 17835 which represents 56 percent of the total classified vehicles. The number of Vans & Pickups in the study was 10529 which represents 33 percent of the total classified vehicles. The number of Busses & Trucks in the study was 2858 which represents 9 percent of the total classified vehicles. The number of Tractor Trailers in the study was 883 which represents 3 percent of the total classified vehicles.

< to 17	18 to 20	21 to 23	24 to 27	28 to 31	32 to 37	38 to 43	44 to >											
17835	7375	3154	1985	873	446	202	235											

CHART 2

**HEADWAY**

During the peak traffic period, on 31/01/2015 at [12:15-12:30] the average headway between vehicles was 6.081 seconds. During the slowest traffic period, on 30/01/2015 at [02:30-02:45] the average headway between vehicles was 900 seconds.

**WEATHER**

The roadway surface temperature over the period of the study varied between 32.00 and 72.00 degrees F.

**MH Corbin Traffic Analyzer Study  
Computer Generated Summary Report  
City: Charlottesville  
Street: Emmet St b/w Arlingotn & Massie**

A study of vehicle traffic was conducted with the device having serial number 135007. The study was done in the R Lane SB lane at Emmet St b/w Arlingotn & Massie in Charlottesville, VA in Albermarle county. The study began on 28/01/2015 at 02:00 PM and concluded on 04/02/2015 at 02:00 PM, lasting a total of 168.00 hours. Traffic statistics were recorded in 15 minute time periods. The total recorded volume showed 54155 vehicles passed through the location with a peak volume of 582 on 04/02/2015 at [13:45-14:00] and a minimum volume of 1 on 29/01/2015 at [02:45-03:00]. The AADT count for this study was 7,736.

**SPEED**

Chart 1 lists the values of the speed bins and the total traffic volume for each bin. At least half the vehicles were traveling in the 30 - 35 MPH range or lower. The average speed for all classified vehicles was 35 MPH with 46.65% vehicles exceeding the posted speed of 35 MPH. 2.79% percent of the total vehicles were traveling in excess of 55 MPH. The mode speed for this traffic study was 30MPH and the 85th percentile was 41.72 MPH.

< to 9	10 to 14	15 to 19	20 to 24	25 to 29	30 to 34	35 to 39	40 to 44	45 to 49	50 to 54	55 to >								
83	447	811	2316	7983	16385	14583	5927	1763	761	1467								

CHART 1

**CLASSIFICATION**

Chart 2 lists the values of the classification bins and the total traffic volume accumulated for each bin. Most of the vehicles classified during the study were Passenger Vehicles. The number of Passenger Vehicles in the study was 31777 which represents 60 percent of the total classified vehicles. The number of Vans & Pickups in the study was 13312 which represents 25 percent of the total classified vehicles. The number of Busses & Trucks in the study was 5706 which represents 11 percent of the total classified vehicles. The number of Tractor Trailers in the study was 1731 which represents 3 percent of the total classified vehicles.

< to 17	18 to 20	21 to 23	24 to 27	28 to 31	32 to 37	38 to 43	44 to >											
31777	8002	5310	4571	1135	831	437	463											

CHART 2

**HEADWAY**

During the peak traffic period, on 04/02/2015 at [13:45-14:00] the average headway between vehicles was 1.544 seconds. During the slowest traffic period, on 29/01/2015 at [02:45-03:00] the average headway between vehicles was 450 seconds.

**WEATHER**

The roadway surface temperature over the period of the study varied between 32.00 and 70.00 degrees F.

**MH Corbin Traffic Analyzer Study  
Computer Generated Summary Report  
City: Charlottesville  
Street: Emmet St b/w Ivy & Massie**

A study of vehicle traffic was conducted with the device having serial number 135009. The study was done in the L Lane NB lane at Emmet St b/w Ivy & Massie in Charlottesville, VA in Albermarle county. The study began on 28/01/2015 at 02:00 PM and concluded on 04/02/2015 at 02:00 PM, lasting a total of 168.00 hours. Traffic statistics were recorded in 15 minute time periods. The total recorded volume showed 45244 vehicles passed through the location with a peak volume of 178 on 28/01/2015 at [14:30-14:45] and a minimum volume of 1 on 30/01/2015 at [04:00-04:15]. The AADT count for this study was 6,463.

**SPEED**

Chart 1 lists the values of the speed bins and the total traffic volume for each bin. At least half the vehicles were traveling in the 35 - 40 MPH range or lower. The average speed for all classified vehicles was 33 MPH with 41.60% vehicles exceeding the posted speed of 35 MPH. 2.06% percent of the total vehicles were traveling in excess of 55 MPH. The mode speed for this traffic study was 35MPH and the 85th percentile was 41.11 MPH.

< to 9	10 to 14	15 to 19	20 to 24	25 to 29	30 to 34	35 to 39	40 to 44	45 to 49	50 to 54	55 to >								
217	1312	2615	4408	7123	9953	10597	4809	1394	546	906								

CHART 1

**CLASSIFICATION**

Chart 2 lists the values of the classification bins and the total traffic volume accumulated for each bin. Most of the vehicles classified during the study were Passenger Vehicles. The number of Passenger Vehicles in the study was 27767 which represents 63 percent of the total classified vehicles. The number of Vans & Pickups in the study was 13133 which represents 30 percent of the total classified vehicles. The number of Busses & Trucks in the study was 1560 which represents 4 percent of the total classified vehicles. The number of Tractor Trailers in the study was 1420 which represents 3 percent of the total classified vehicles.

< to 17	18 to 20	21 to 23	24 to 27	28 to 31	32 to 37	38 to 43	44 to >											
27767	9950	3183	1168	392	843	370	207											

CHART 2

**HEADWAY**

During the peak traffic period, on 28/01/2015 at [14:30-14:45] the average headway between vehicles was 5.028 seconds. During the slowest traffic period, on 30/01/2015 at [04:00-04:15] the average headway between vehicles was 450 seconds.

**WEATHER**

The roadway surface temperature over the period of the study varied between 32.00 and 72.00 degrees F.

**MH Corbin Traffic Analyzer Study  
Computer Generated Summary Report  
City: Charlottesville  
Street: Emmet St b/w Ivy & Massie**

A study of vehicle traffic was conducted with the device having serial number 135006. The study was done in the L Lane SB lane at Emmet St b/w Ivy & Massie in Charlottesville, VA in Albermarle county. The study began on 28/01/2015 at 02:00 PM and concluded on 04/02/2015 at 02:00 PM, lasting a total of 168.00 hours. Traffic statistics were recorded in 15 minute time periods. The total recorded volume showed 38721 vehicles passed through the location with a peak volume of 143 on 31/01/2015 at [12:15-12:30] and a minimum volume of 0 on 29/01/2015 at [02:45-03:00]. The AADT count for this study was 5,532.

**SPEED**

Chart 1 lists the values of the speed bins and the total traffic volume for each bin. At least half the vehicles were traveling in the 35 - 40 MPH range or lower. The average speed for all classified vehicles was 36 MPH with 54.38% vehicles exceeding the posted speed of 35 MPH. 1.14% percent of the total vehicles were traveling in excess of 55 MPH. The mode speed for this traffic study was 35MPH and the 85th percentile was 42.90 MPH.

< to 9	10 to 14	15 to 19	20 to 24	25 to 29	30 to 34	35 to 39	40 to 44	45 to 49	50 to 54	55 to >								
48	210	360	931	4614	11294	11427	6291	2079	577	438								

CHART 1

**CLASSIFICATION**

Chart 2 lists the values of the classification bins and the total traffic volume accumulated for each bin. Most of the vehicles classified during the study were Passenger Vehicles. The number of Passenger Vehicles in the study was 23878 which represents 62 percent of the total classified vehicles. The number of Vans & Pickups in the study was 11288 which represents 29 percent of the total classified vehicles. The number of Busses & Trucks in the study was 2652 which represents 7 percent of the total classified vehicles. The number of Tractor Trailers in the study was 451 which represents 1 percent of the total classified vehicles.

< to 17	18 to 20	21 to 23	24 to 27	28 to 31	32 to 37	38 to 43	44 to >											
23878	8532	2756	2103	549	199	77	175											

CHART 2

**HEADWAY**

During the peak traffic period, on 31/01/2015 at [12:15-12:30] the average headway between vehicles was 6.25 seconds. During the slowest traffic period, on 29/01/2015 at [02:45-03:00] the average headway between vehicles was 900 seconds.

**WEATHER**

The roadway surface temperature over the period of the study varied between 32.00 and 73.00 degrees F.

**MH Corbin Traffic Analyzer Study  
 Computer Generated Summary Report  
 City: Charlottesville  
 Street: Emmet St b/w Ivy & Massie**

A study of vehicle traffic was conducted with the device having serial number 135000. The study was done in the R Lane NB lane at Emmet St b/w Ivy & Massie in Charlottesville, VA in Albermarle county. The study began on 28/01/2015 at 02:00 PM and concluded on 04/02/2015 at 02:00 PM, lasting a total of 168.00 hours. Traffic statistics were recorded in 15 minute time periods. The total recorded volume showed 30513 vehicles passed through the location with a peak volume of 111 on 30/01/2015 at [16:00-16:15] and a minimum volume of 0 on 29/01/2015 at [03:15-03:30]. The AADT count for this study was 4,359.

**SPEED**

Chart 1 lists the values of the speed bins and the total traffic volume for each bin. At least half the vehicles were traveling in the 30 - 35 MPH range or lower. The average speed for all classified vehicles was 32 MPH with 38.80% vehicles exceeding the posted speed of 35 MPH. 0.69% percent of the total vehicles were traveling in excess of 55 MPH. The mode speed for this traffic study was 30MPH and the 85th percentile was 39.51 MPH.

< to 9	10 to 14	15 to 19	20 to 24	25 to 29	30 to 34	35 to 39	40 to 44	45 to 49	50 to 54	55 to >								
112	671	1657	3056	4719	8121	7909	2776	582	149	207								

CHART 1

**CLASSIFICATION**

Chart 2 lists the values of the classification bins and the total traffic volume accumulated for each bin. Most of the vehicles classified during the study were Passenger Vehicles. The number of Passenger Vehicles in the study was 21557 which represents 72 percent of the total classified vehicles. The number of Vans & Pickups in the study was 7274 which represents 24 percent of the total classified vehicles. The number of Busses & Trucks in the study was 881 which represents 3 percent of the total classified vehicles. The number of Tractor Trailers in the study was 247 which represents 1 percent of the total classified vehicles.

< to 17	18 to 20	21 to 23	24 to 27	28 to 31	32 to 37	38 to 43	44 to >											
21557	5482	1792	716	165	117	65	65											

CHART 2

**HEADWAY**

During the peak traffic period, on 30/01/2015 at [16:00-16:15] the average headway between vehicles was 8.036 seconds. During the slowest traffic period, on 29/01/2015 at [03:15-03:30] the average headway between vehicles was 900 seconds.

**WEATHER**

The roadway surface temperature over the period of the study varied between 32.00 and 73.00 degrees F.

**MH Corbin Traffic Analyzer Study  
Computer Generated Summary Report  
City: Charlottesville  
Street: Emmet St b/w Ivy & Massie**

A study of vehicle traffic was conducted with the device having serial number 135002. The study was done in the R Lane SB lane at Emmet St b/w Ivy & Massie in Charlottesville, VA in Albermarle county. The study began on 28/01/2015 at 02:00 PM and concluded on 04/02/2015 at 02:00 PM, lasting a total of 168.00 hours. Traffic statistics were recorded in 15 minute time periods. The total recorded volume showed 47330 vehicles passed through the location with a peak volume of 167 on 31/01/2015 at [12:15-12:30] and a minimum volume of 1 on 29/01/2015 at [02:45-03:00]. The AADT count for this study was 6,761.

**SPEED**

Chart 1 lists the values of the speed bins and the total traffic volume for each bin. At least half the vehicles were traveling in the 30 - 35 MPH range or lower. The average speed for all classified vehicles was 33 MPH with 37.23% vehicles exceeding the posted speed of 35 MPH. 2.84% percent of the total vehicles were traveling in excess of 55 MPH. The mode speed for this traffic study was 30MPH and the 85th percentile was 40.75 MPH.

< to 9	10 to 14	15 to 19	20 to 24	25 to 29	30 to 34	35 to 39	40 to 44	45 to 49	50 to 54	55 to >								
182	598	1192	3238	9472	14194	9600	4154	1438	624	1308								

CHART 1

**CLASSIFICATION**

Chart 2 lists the values of the classification bins and the total traffic volume accumulated for each bin. Most of the vehicles classified during the study were Vans & Pickups. The number of Passenger Vehicles in the study was 13115 which represents 29 percent of the total classified vehicles. The number of Vans & Pickups in the study was 18923 which represents 41 percent of the total classified vehicles. The number of Busses & Trucks in the study was 10874 which represents 24 percent of the total classified vehicles. The number of Tractor Trailers in the study was 3088 which represents 7 percent of the total classified vehicles.

< to 17	18 to 20	21 to 23	24 to 27	28 to 31	32 to 37	38 to 43	44 to >											
13115	7748	11175	8851	2023	1450	926	712											

CHART 2

**HEADWAY**

During the peak traffic period, on 31/01/2015 at [12:15-12:30] the average headway between vehicles was 5.357 seconds. During the slowest traffic period, on 29/01/2015 at [02:45-03:00] the average headway between vehicles was 450 seconds.

**WEATHER**

The roadway surface temperature over the period of the study varied between 32.00 and 73.00 degrees F.



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

Agenda Date:	July 20, 2015
Action Required:	Yes (Adoption of Ordinance)
Presenter:	Jeanette Janiczek, Urban Construction Initiative Program Manager
Staff Contacts:	Jeanette Janiczek, Urban Construction Initiative Program Manager
<b>Title:</b>	<b>250 Bypass Speed Limits</b>

**Background:** State law requires that changes in speed limits by a locality be supported by a traffic engineering study. A traffic engineering study was conducted by RK&K at the City's request to determine the appropriate speed limits for the Route 250 Bypass within the City limits on March 21, 2012. Subsequent thereto, construction of the Route 250 Interchange project (Interchange) commenced. The construction altered the road significantly in terms of width, geometry and proximity to workers, resulting in the need to reduce the speed limit in the construction zone for the duration of the project. RK&K reviewed the previous study, and took into account the construction conditions, to issue updated findings which recommended reductions in speed limits in the areas of construction. Based upon the RK&K report and City staff analysis, the speed limit was reduced to 25 miles per hour by ordinance adopted October 21, 2013.

**Discussion:** Now construction of the Interchange is complete. Before construction began, the project area was posted 35 mile per hour and the Interchange was designed to accommodate this 35 mph speed limit. RK&K is recommending, by letter dated June 23, 2015, that the speed limit be returned to 35 mph.

While the Interchange improved the safety and accessibility within the project limits, certain geometric constraints and adjacent land uses remain the same.

- Residential development along US 250 within the city limits
- Presence of the Covenant School
- Lack of sufficient acceleration/deceleration lanes at existing access points along US 250, including McIntire Park

- Limited sight distance to the deceleration lane for Birdwood Road resulting from the presence of a railroad bridge
- Lack of sufficient acceleration/deceleration lanes at existing interchange ramps at the interchanges with Park Street and Rugby Avenue
- The presence of an emergency service station along the US 250 Bypass northwest of the Rugby Avenue interchange requiring vehicles that access the station to make permissive left turns across 2 lanes of traffic
- Bike lanes on McIntire Road that end at the US 250 Bypass, potentially resulting in bicyclists using the US 250 Bypass.

For these reasons, staff recommends the project area return to its previous 35 mph speed limit.

**Budgetary Impact:** Costs to remove and/or replace speed limit signs is included within the project's scope and is minimal.

**Community Engagement:** N/A

**Alignment with City Council's Vision and Priority Areas:**

The Route 250 Interchange project is a large component in the transportation system within the City. The improvement in safe and efficient traffic flow throughout the City upon completion aligns with City Council's vision of having a Connected Community. The adjustment of speed limits within the construction area allowed for the project to continue safely and efficiently.

**Recommendation:** Staff recommends adoption of the proposed ordinance, based on the recommendation supported by traffic engineering studies provided by RK&K.


**Attachments:**

RK&K Recommendation Letter (6/23/2015)  
Proposed Ordinance



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Suite 309  
Richmond, VA 23223  
Phone 804.782.1903  
Fax 804.782.2142  
www.rkk.com

## MEMORANDUM

**Date:** June 23, 2015  
**To:** Jeanette Janiczek   
**From:** Owen Peery  
**Reference:** Route 250 Interchange Speed Limit  
Engineering Re-evaluation – Post Construction

Now that construction is complete on the referenced project and refinements have been made in the field, RK&K requests that the City of Charlottesville allow the contractor to install and implement the return to the pre-construction speed limit through the construction limits as planned during the design of the project. We provide you the following supporting information regarding this request:

- Prior to the Rte. 250 Bypass Interchange project's advertisement the posted speed on the Bypass ranged from 35 MPH to 55 MPH. The speed limit for the area approaching the proposed Interchange was 35 MPH.
- A Speed Study was conducted by RK&K for the Bypass in 2010 and updated in 2012. This analysis showed that vehicle speeds, both the 85<sup>th</sup> percentile and the average speed, exceeded the posted 35 mile per hour speed limit. The study further concluded that the appropriate speed limit in the vicinity of the Route 250 Interchange at McIntire Road project should remain 35 miles per hour. This conclusion was reached when looking at the various land uses and situations in the vicinity of the interchange location, including a major City park, a residential neighborhood with access directly from the Bypass, a park entrance and exit with access directly onto the Bypass and numerous ramps that have no merge area.
- Since the interchange project removed a signal from the Bypass, but many of the other conditions still exist, we continue to support the conclusion of the 2012 Speed Study.
- During construction, the speed was reduced to 25 miles per hour through the project site to help improve safety for both the traveling public and the contractor personnel.
- The Bypass is part of the National Highway System and is classified by VDOT and the FHWA as an Urban Principal Arterial Roadway. This type of roadway does not support continued implementation of a speed limit of 25 miles per hour, as this was a temporary condition implemented for construction purposes.
- With knowledge of the Speed Study and with consultation with the City of Charlottesville, VDOT and the Federal Highway Administration, a design speed of 40 miles per hour for all geometric features of the Bypass with a posted speed of 35 miles per hour was determined to be appropriate for the interchange design. The design elements of the interchange will not support a speed limit in excess of these amounts.

After review of the field conditions and the engineering design of the major features of the project, our previous recommendations included in the 2010 and 2012 Speed Studies still stand based on the data collected and analysis performed. Upon conclusion of the interchange project, we recommend that the posted speed limit be returned to the 35 mile per hour speed limit that was present before the construction began. We believe this speed limit is appropriate for this facility and this location based on the previous studies. This type of facility does not support a speed limit as low as 25 miles per hour and the new facility was not designed for speeds in excess of 40 miles per hour with a posted speed of 35 miles per hour.

Please let us know if you need any additional information.

S:\PROJECTS\2005\05140\_250INT\TRAFFIC\SPEED MEMORANDUM 2015\SPEED MEMORANDUM 06 23 15.DOC

**AN ORDINANCE  
AMENDING AND REORDAINING SECTION 15-99  
OF CHAPTER 15 (MOTOR VEHICLES AND TRAFFIC)  
OF THE CODE OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED,  
RELATED TO SPEED LIMITS ON THE 250 BYPASS.**

**WHEREAS**, the City contracted with RK&K, Traffic Consultants, to perform a traffic engineering study and traffic surveys on various streets within the City of Charlottesville, and such study and surveys were completed in October 2010, March 2012 and September 2013; and

**WHEREAS**, RK&K submitted the report entitled "U.S. 250 Speed Study", dated March 21, 2012, to the City Traffic Engineer, who concurs with the recommendations made by RK&K for appropriate speed limits (from an engineering and safety standpoint) on various streets, including the Route 250 Bypass; and

**WHEREAS**, subsequent to the submission of the speed study, construction of the Route 250 Interchange project commenced, and RK&K issued an update of the study dated September 9, 2013; and

**WHEREAS**, by ordinance adopted October 21, 2013, the speed limits on portions of the 250 Bypass were reduced in accordance with the recommended speed limits in the RK&K study; and

**WHEREAS**, construction has been completed on the Route 250 Bypass Interchange project at McIntire Road and all roadway impacts due to construction has been eliminated, and RK&K has issued a letter dated June 23, 2015 recommending the speed limit be returned to its original 35 miles per hour; now, therefore

**BE IT ORDAINED** by the Council for the City of Charlottesville, Virginia, that Section 15-99 of Article IV (Speed Limits) of Chapter 15 (Motor Vehicles and Traffic) of the Charlottesville City Code, 1990, as amended, is hereby amended and reordained as follows:

**Sec. 15-99. Maximum limits on specific streets.**

Pursuant to a traffic engineering and traffic survey as required by Code of Virginia, section 46.2-1300, the following speed limits are imposed as hereinafter set forth and no person shall drive a vehicle at a speed in excess of such limits:

Street	From	To	Speed Limit (MPH)
Route 250 By-Pass (Westbound)	East corporate limits	<del>Five hundred feet west of Park Street off ramp</del> <u>Westernmost McIntire Park Entrance</u>	35
Route 250 By-Pass (Westbound)	<del>Five hundred feet west of Park Street off ramp</del> <u>Westernmost McIntire Park Entrance</u>	Eight hundred feet west of Birdwood Road <u>West corporate limits</u>	25 <u>45</u>
<del>Route 250 By-Pass (Westbound)</del>	Eight hundred feet west of Birdwood Road	<del>Westernmost McIntire Park Entrance</del>	35
<del>Route 250 By-Pass (Westbound)</del>	<del>Westernmost McIntire Park Entrance</del>	<del>West corporate limits</del>	45
Route 250 By-Pass (Eastbound)	West corporate limits	Four hundred feet west of Emmet Street southbound ramp	55
Route 250 By-Pass (Eastbound)	Four hundred feet west of Emmet Street southbound ramp	<del>Four hundred fifty feet west of Birdwood Road</del> <u>Westernmost McIntire Park Entrance</u>	45
Route 250 By-Pass (Eastbound)	<del>Four hundred fifty feet west of Birdwood Road</del> <u>Westernmost McIntire Park Entrance</u>	<del>Five hundred fifty feet east of McIntire Road</del> <u>East corporate limits</u>	25 <u>35</u>
<del>Route 250 By-Pass (Eastbound)</del>	<del>Five hundred fifty feet east of McIntire Road</del>	<del>East corporate limits</del>	35
McIntire Road	Preston Avenue	<del>Three hundred fifty feet south of Harris Street</del> <u>Route 250 By-Pass</u>	35
McIntire Road	Three hundred fifty feet south of Harris Street	Route 250 By-Pass	25

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**CITY OF CHARLOTTESVILLE  
CITY COUNCIL AGENDA**



<b>Agenda Date:</b>	July 20, 2015
<b>Action Required:</b>	Yes (First Reading of Ordinance)
<b>Staff Contacts:</b>	Craig Brown, City Attorney Phillip Garber, P.E., Chief Gas Engineer
<b>Title:</b>	<b>Quitclaim Gas Easement to VDOT (Boulders Road)</b>

**Background:** In June 2000, the City acquired a gas line easement in Boulders Road in Albemarle County, where the National Ground Intelligence Center (NGIC) is now located. The developer of that project was Next Generation LLC. In 2009, the Boulders Road right of way was altered such that a portion of the gas line easement had to be relocated, and in July 2009 Next Generation LLC granted a second easement to the City for the relocated gas line and extending the easement to the end of Boulders Road. By ordinance adopted August 17, 2009, Council abandoned that portion of the original easement that was relocated, and a deed signed by the Mayor was sent to Next Generation LLC to record in the Clerk's Office. The deed was never recorded, however, because soon thereafter Next Generation LLC dedicated the Boulders Road right-of-way to the County of Albemarle.

The Virginia Department of Transportation is now prepared to accept Boulders Road into the state highway system. At the request of the Gas Division, we have drafted an ordinance and deed quitclaiming to VDOT all of the City's natural gas easements crossing this roadway.

**Discussion:** The quitclaim deed requires the gas lines to remain in its present location, and if the street ceases to be part of the state's highway system, the easements will automatically revert back to the City. The natural gas lines and facilities continue to be owned and maintained by the City even after the easements are quitclaimed to the state.

**Alignment with Council Vision Areas and Strategic Plan:** Not applicable.

**Community Engagement:** Not applicable.

**Alternatives:** If the ordinance is not approved, VDOT will not accept the roadways into its road maintenance system.

**Budgetary Impact:** None.

**Recommendation:** Approval of the attached ordinance and quitclaim deed.

**Attachments:** Ordinance and Deed of Quitclaim (with plats attached).

**AN ORDINANCE  
TO QUITCLAIM NATURAL GAS LINE EASEMENTS  
WITHIN THE BOULDERS ROAD RIGHT OF WAY  
LOCATED IN ALBEMARLE COUNTY  
TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION**

**WHEREAS**, the Virginia Department of Transportation (VDOT) is prepared to take over maintenance of the roadway known as Boulders Road in Albemarle County; and

**WHEREAS**, the City owns natural gas lines located within this roadway, and also owns easements for such lines, and VDOT has asked that the foregoing easements crossing Boulders Road be released upon VDOT's acceptance of the roadway; now, therefore,

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that the Mayor is hereby authorized to execute a deed of quitclaim, substantially the same in form as the deed attached hereto, approved by the City Attorney, for release of the above-described gas line easements to the Virginia Department of Transportation conditioned upon receipt by the City of a VDOT permit allowing said lines to continue to be located in said right-of-way.

*Prepared by S. Craig Brown, City Attorney (VSB #19286)  
Charlottesville City Attorney's Office  
P.O. Box 911, Charlottesville, VA 22902  
Albemarle County Tax Map 32, Parcels 5C and 5C3; Tax Map 33, Parcel 14  
(Boulders Road)*

**This deed is exempt from recordation taxes pursuant to  
Virginia Code Secs. 58.1-811(A)(3) and 58.1-811(C)(4).**

**DEED OF QUITCLAIM**

**THIS DEED OF QUITCLAIM**, made and entered into on this \_\_\_\_ day of \_\_\_\_\_, 2015, by and between the **CITY OF CHARLOTTESVILLE, VIRGINIA**, a municipal corporation, **GRANTOR**, and the **COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION, GRANTEE**, whose address is P. O. Box 671, Culpeper, Virginia 22701.

**WITNESSETH:**

That for and in consideration of the sum of One Dollar (\$1.00) cash in hand paid, receipt of which is hereby acknowledged, the GRANTOR does hereby QUITCLAIM and RELEASE to the GRANTEE, subject to the reservations hereinafter set forth, the easements and rights of way, as shown on the attached plat made by the City of Charlottesville Gas Division dated June 24, 2015, to construct, maintain, operate, alter, repair, inspect, protect, remove, and replace certain improvements in Boulders Road in the County of Albemarle, namely: Natural gas lines and related gas facilities upon and across Boulders Road, insofar as the land embraced within said easements falls within the boundaries of a public street or highway to be maintained by the Virginia Department of Transportation. Said gas line easements in Boulders Road were conveyed to the City by: (1) Deed from Next Generation, LLC, dated June 27, 2000, recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia, in Deed Book 1931 at

page 330, and (2) Deed from Next Generation, LLC, dated July 23, 2009, recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia, in Deed Book 3784 at page 679.

The Grantor reserves unto itself, its successors and assigns, all of the rights and privileges under the aforesaid Deed of Easement until such time as the Virginia Department of Transportation has issued a permit to the GRANTOR subject to the following two conditions which shall also be covenants running with the land:

1. That the above described improvements of the GRANTOR may continue to occupy such streets or highways in the existing condition and location.

2. The GRANTOR shall at all times indemnify and save harmless the Commonwealth of Virginia, Department of Transportation, its employees, agents, and officers from any claim whatsoever arising from GRANTOR'S exercise of rights or privileges stated herein.

The GRANTEE is to have and hold the above-described property for so long as said property is used as part of its public street or highway maintained by the GRANTEE or its successors or assigns charged with the responsibility and obligation to maintain public streets and highways, but upon abandonment of said property's use for such purposes, all rights, privileges, interests and easements in the property herein described under aforesaid Right of Way Easement shall revert to the GRANTOR, its successors and assigns.

Notwithstanding other language contained herein which might appear to the contrary, the parties agree that GRANTOR shall continue to own in fee simple the gas line improvements located within the above described public roadway.

**IN WITNESS WHEREOF**, the **GRANTOR** has caused its name to be assigned hereto and its seal to be affixed and attested by its appropriate officers, all after due authorization, on the day and year first above written.

**CITY OF CHARLOTTESVILLE, VIRGINIA**

BY: \_\_\_\_\_  
Satyendra Singh Huja, Mayor

ATTEST:

\_\_\_\_\_  
Acting Clerk of Council

STATE OF VIRGINIA  
CITY OF CHARLOTTESVILLE

I, Lisa M. Miller, a Notary Public in and for the City of Charlottesville within the State aforesaid, do hereby certify that Satyendra Singh Huja, Mayor of the City of Charlottesville, Virginia, and Barbara K. Ronan, its Acting Clerk of Council, whose names are signed to the foregoing writing, bearing date of \_\_\_\_\_, 2015, have each duly acknowledged the same before me within my City and State aforesaid.

My Commission Expires: \_\_\_\_\_

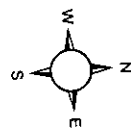
Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Notary Public  
Registration #187826

CITY OF CHARLOTTEVILLE PUBLIC UTILITIES: GAS

PLAT SHOWING  
EXISTING 15-FOOT WIDE GAS LINE EASEMENT  
LOCATED WITHIN THE ROAD RIGHTS-OF-WAY OF  
"BOULDERS ROAD"

ALBEMARLE COUNTY TAX MAP 32 PARCEL 5C AND TAX MAP 33 PARCEL 14  
RECORDED IN ALBEMARLE COUNTY AT DEED BOOK 1931 PAGE 330  
TO BE QUIT CLAIMED TO:  
THE COMMONWEALTH OF VIRGINIA DEPARTMENT OF TRANSPORTATION  
DATE: JUNE 24, 2015 SCALE: 1" = 100'



CO TXMP 32 PARCEL 5C1  
UNITED STATES OF AMERICA  
D.B. 1595 P. 138

CO TXMP 32 PARCEL 5C2  
NEXT GENERATION, L.L.C.  
D.B. 1534 P. 617

CO TXMP 32 PARCEL 5C  
NEXT GENERATION, L.L.C.  
D.B. 1534 P. 617

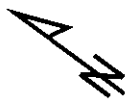
CO TXMP 33 PARCEL 14  
NEXT GENERATION, L.L.C.  
D.B. 1534 P. 617

GAS LINE EASEMENT  
DEED BOOK 1931 PAGE 330

The M.A.O.P. of 4" & 1 1/4" P.E. pipe  
is 99 P.S.I., which is <20% S.M.Y.S.  
When installed the minimum depth was:  
42" below paved travelways  
and 36" deep in grassy areas.

CO TXMP 32 PARCEL 5C1  
UNITED STATES OF AMERICA  
D.B. 1595 P. 138

MATCH TO SHEET 2



Back of Curb  
New R.O.W. 15.0'

The M.A.O.P. of 4" & 2" P.E. pipe is 99 P.S.I., which is <20% S.M.Y.S. When installed the minimum depth was: 42" below paved travelways and 36" deep in grassy areas.

GAS LINE EASEMENT RECORDED AT: DEED BOOK 3784 PAGE 684

TXMP 33 PAR 14

"Boulders Road"

Tax Map 32 Parcel 5C3

CITY OF CHARLOTTESVILLE PUBLIC UTILITIES: GAS PLAT SHOWING:

AN EXISTING 15-FOOT WIDE GAS LINE EASEMENT LOCATED WITHIN THE CIRCA 2009 (REVISED) RIGHTS-OF-WAY ALIGNMENT OF "BOULDERS ROAD"

ALBE.CO. TAX MAP 32 PARCEL 5 C 3 RECORDED AT: DEED BOOK 3784 PAGE 684

TO BE QUIT CLAIMED TO: THE COMMONWEALTH OF VIRGINIA DEPARTMENT OF TRANSPORTATION DATE: JUNE 24, 2015 SCALE 1" = 80'

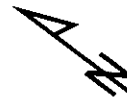
Gas Line Easement D.B. 1931 P. 330

SHEET 1 OF 2

TXMP 33 PAR 1D

CITY OF CHARLOTTESVILLE  
PUBLIC UTILITIES: GAS  
PLAT SHOWING  
AN EXISTING 15-FOOT WIDE EASEMENT  
GAS LINE EASEMENT  
LOCATED WITHIN THE CIRCA 2009  
(REVISED) RIGHTS OF WAY ALIGNMENT  
OF: "BOULDERS ROAD"  
ALBE. CO. TAX MAP 32 PARCEL 5 C 3  
RECORDED AT: DEED BOOK 3784 PAGE 684  
TO BE QUIT CLAIMED TO:  
THE COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF TRANSPORTATION  
DATE: JUNE 24, 2015 SCALE: 1" = 80'  
SHEET 2 OF 2

The M.A.O.P. of 4" & 2" P.E. pipe  
is 99 P.S.I., which is <20% S.M.Y.S.  
When installed the minimum depth  
was: 42" below paved travelways  
and 36" deep in grassy areas.



Tax Map 32  
Parcel 5C3

"Boulders Road"

GAS LINE  
EASEMENT  
RECORDED AT:  
DEED BOOK 3784 PAGE 684

TXMP 33 PAR 1D LOT 1

TXMP 33 PAR 1D

TXMP 32  
PAR 5C4

TXMP 33 PAR 1D

TXMP 33 PAR 14

TXMP 33 PAR 14

MATCH FROM SHEET 1



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CITY OF CHARLOTTESVILLE  
CITY COUNCIL AGENDA



Agenda Date:	July 20, 2015
Action Required:	Yes (First Reading of Ordinance)
Staff Contacts:	Craig Brown, City Attorney Phillip Garber, P.E., Chief Gas Engineer
Title:	<b>Quitclaim Gas Easement to VDOT (Briarwood Drive)</b>

**Background:** In 2011 the City acquired a gas line easement within the Briarwood Subdivision in Albemarle County. The Virginia Department of Transportation is now prepared to accept the roadway identified as Briarwood Drive in this subdivision into the state highway system. At the request of the Gas Division, we have drafted an ordinance and deed quitclaiming to VDOT the easement crossing Briarwood Drive.

**Discussion:** The quitclaim deed requires the gas line to remain in its present location, and if the street ceases to be part of the state's highway system, the easement will automatically revert back to the City. The natural gas lines and facilities continue to be owned and maintained by the City even after the easement is quitclaimed to the state.

**Alignment with Council Vision Areas and Strategic Plan:** Not applicable.

**Community Engagement:** Not applicable.

**Alternatives:** If the ordinance is not approved, VDOT will not accept the roadway into its road maintenance system.

**Budgetary Impact:** None.

**Recommendation:** Approval of the attached ordinance and quitclaim deed.

**Attachments:** Ordinance and Deed of Quitclaim (with plat attached).

cc: Phil Garber, Gas Division

**AN ORDINANCE  
TO QUITCLAIM A NATURAL GAS LINE EASEMENT  
WITHIN BRIARWOOD DRIVE  
LOCATED IN THE BRIARWOOD SUBDIVISION IN ALBEMARLE COUNTY  
TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION**

**WHEREAS**, the Virginia Department of Transportation (VDOT) is prepared to take over maintenance of the roadway known as Briarwood Drive in the Briarwood Subdivision in Albemarle County; and

**WHEREAS**, the City owns natural gas lines located within this roadway, and also owns an easement for such line, and VDOT has asked that the foregoing easement crossing Briarwood Drive be released upon VDOT's acceptance of the roadway; now, therefore,

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that the Mayor is hereby authorized to execute a deed of quitclaim, substantially the same in form as the deed attached hereto, approved by the City Attorney, for release of the above-described gas line easement to the Virginia Department of Transportation conditioned upon receipt by the City of a VDOT permit allowing said line to continue to be located in said right-of-way.

*Prepared by Charlottesville City Attorney's Office  
S. Craig Brown, City Attorney (VSB #19286)  
Albemarle County Tax Map 32G (Briarwood Drive)*

**This deed is exempt from recordation taxes pursuant to  
Virginia Code Secs. 58.1-811(A)(3) and 58.1-811(C)(4).**

**DEED OF QUITCLAIM**

**THIS DEED OF QUITCLAIM**, made and entered into on this \_\_\_\_ day of \_\_\_\_\_, 2015, by and between the **CITY OF CHARLOTTESVILLE, VIRGINIA**, a municipal corporation, **GRANTOR**, and the **COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION, GRANTEE**, whose address is P. O. Box 671, Culpeper, Virginia 22701.

**WITNESSETH:**

That for and in consideration of the sum of One Dollar (\$1.00) cash in hand paid, receipt of which is hereby acknowledged, the GRANTOR does hereby QUITCLAIM and RELEASE to the GRANTEE, subject to the reservations hereinafter set forth, the easements and rights of way, as shown on the attached plat made by the City of Charlottesville Gas Division dated June 25, 2015, to construct, maintain, operate, alter, repair, inspect, protect, remove, and replace certain improvements in Briarwood Drive in the Briarwood Subdivision in the County of Albemarle, namely: Natural gas lines and related gas facilities upon and across Briarwood Drive, insofar as the land embraced within said easement falls within the boundaries of a public street or highway to be maintained by the Virginia Department of Transportation. Said gas line easement was conveyed to the City by deed from Woodbriar Associates, dated September 7, 2011, recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia, in Deed Book 4077 at page 228.

The Grantor reserves unto itself, its successors and assigns, all of the rights and privileges under the aforesaid Deed of Easement until such time as the Virginia Department of Transportation has issued a permit to the GRANTOR subject to the following two conditions which shall also be covenants running with the land:

1. That the above described improvements of the GRANTOR may continue to occupy such streets or highways in the existing condition and location.

2. The GRANTOR shall at all times indemnify and save harmless the Commonwealth of Virginia, Department of Transportation, its employees, agents, and officers from any claim whatsoever arising from GRANTOR'S exercise of rights or privileges stated herein.

The GRANTEE is to have and hold the above-described property for so long as said property is used as part of its public street or highway maintained by the GRANTEE or its successors or assigns charged with the responsibility and obligation to maintain public streets and highways, but upon abandonment of said property's use for such purposes, all rights, privileges, interests and easements in the property herein described under aforesaid Right of Way Easement shall revert to the GRANTOR, its successors and assigns.

Notwithstanding other language contained herein which might appear to the contrary, the parties agree that GRANTOR shall continue to own in fee simple the gas line improvements located within the above described public roadway.

**IN WITNESS WHEREOF**, the **GRANTOR** has caused its name to be assigned hereto and its seal to be affixed and attested by its appropriate officers, all after due authorization, on the day and year first above written.

**CITY OF CHARLOTTESVILLE, VIRGINIA**

BY: \_\_\_\_\_  
Satyendra Singh Huja, Mayor

ATTEST:

\_\_\_\_\_  
Acting Clerk of Council

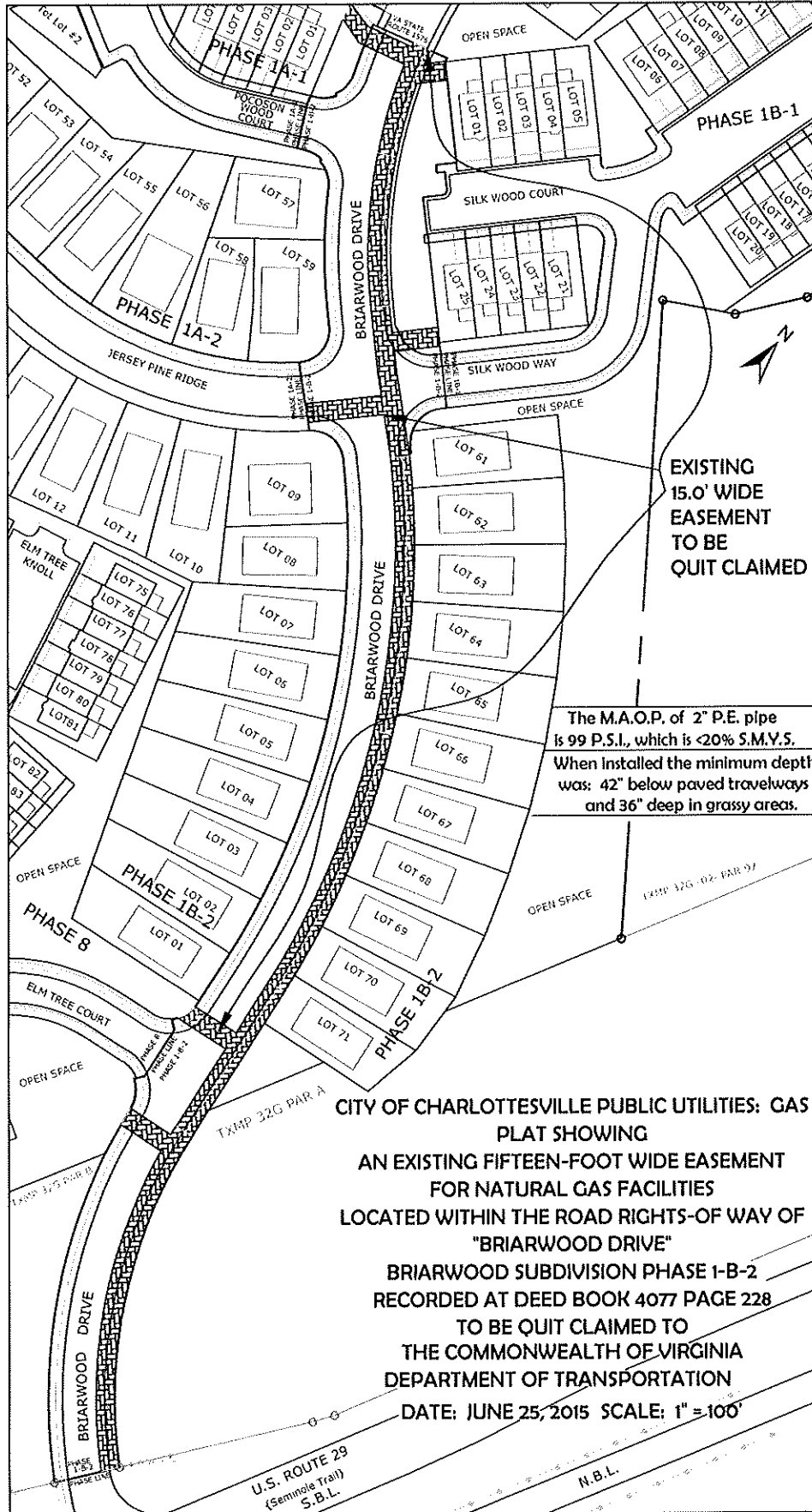
STATE OF VIRGINIA  
CITY OF CHARLOTTESVILLE

I, Lisa M. Miller, a Notary Public in and for the City of Charlottesville within the State aforesaid, do hereby certify that Satyendra Singh Huja, Mayor of the City of Charlottesville, Virginia, and Barbara Ronan, its Acting Clerk of Council, whose names are signed to the foregoing writing, bearing date of \_\_\_\_\_, 2015, have each duly acknowledged the same before me within my City and State aforesaid.

My Commission Expires \_\_\_\_\_.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Notary Public  
Registration # \_\_\_\_\_



EXISTING  
15.0' WIDE  
EASEMENT  
TO BE  
QUIT CLAIMED

The M.A.O.P. of 2" P.E. pipe  
is 99 P.S.I., which is <20% S.M.V.S.  
When installed the minimum depth  
was: 42" below paved travelways  
and 36" deep in grassy areas.

**CITY OF CHARLOTTESVILLE PUBLIC UTILITIES: GAS  
PLAT SHOWING  
AN EXISTING FIFTEEN-FOOT WIDE EASEMENT  
FOR NATURAL GAS FACILITIES  
LOCATED WITHIN THE ROAD RIGHTS-OF WAY OF  
"BRIARWOOD DRIVE"  
BRIARWOOD SUBDIVISION PHASE 1-B-2  
RECORDED AT DEED BOOK 4077 PAGE 228  
TO BE QUIT CLAIMED TO  
THE COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF TRANSPORTATION  
DATE: JUNE 25, 2015 SCALE: 1" = 100'**

U.S. ROUTE 29  
(Seminole Trail)  
S.B.L.

N.B.L.

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CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date: July 20, 2015

Action Required: Approval of Ordinance

Staff Contacts: Andrew Gore, Assistant City Attorney

Presenter: S. Craig Brown, City Attorney

**Title: Ordinance Amendment - Open Storage of Inoperable Motor Vehicles**

**Background:**

Pursuant to Section 5-150 of the City Code, the open storage of inoperable motor vehicles is prohibited within most, but not all, City zoning districts. This proposed amendment would expand the applicability of Section 5-150 to include all property zoned for residential or commercial purposes.

**Discussion:**

Section 5-150 provides authority for the City to efficiently enforce the prohibition on the open storage of inoperable vehicles through removal of such vehicles at the expense of the property owner. This amendment would ensure that the City can use this enforcement tool in any property zoned for residential or commercial use within the City, without exception. The amended language would align closely with the authorizing Code of Virginia provision, § 15.2-904.

**Community Engagement:**

The City has received complaints from multiple citizens regarding open storage of inoperable vehicles. This amendment will improve the City's ability to respond to and address such complaints.

**Budgetary Impact:**

No budgetary impact.

**Recommendation:**

Staff recommends approval of the proposed ordinance.

**Alternatives:**

Council could choose not to amend this section to expand the applicability of Section 5-150.

**Attachments:**

Proposed Ordinance

**AN ORDINANCE  
AMENDING AND REORDAINING SECTION 5-150 OF THE CODE  
OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED,  
RELATED TO THE OPEN STORAGE OF INOPERABLE MOTOR VEHICLES.**

**BE IT ORDAINED** by the Council for the City of Charlottesville, Virginia, that Section 5-150 of Article V (Blighted Property) of Chapter 5 (Building Regulations; Property Maintenance) of the Charlottesville City Code, 1990, as amended, is hereby amended and re-ordained, to read as follows:

**CHAPTER 5. BUILDING REGULATIONS; PROPERTY MAINTENANCE**

**ARTICLE V. Blighted Property**

**Sec. 5-150. - Open storage of inoperable vehicles.**

(a) It shall be unlawful for any person to keep, except within a fully enclosed building or structure or otherwise shielded or screened from view, on any property zoned for residential purposes, see section 34-350 of the City Code, or commercial purposes, see sections 34-440 and 34-541 of the City Code, ~~(R-1,, R-1U, R-1S, R-1SU, R-2, R-2U, R-3, University Medium Density, University High Density, or McIntire 5th Residential) purposes, commercial (B-1, B-2, B-3 or Emmet Street Commercial) purposes, Overlay Districts (Public Park Protection Overlay, Historic Districts, Entrance Corridors, Parking Exempt Zone Boundary, Planned Unit Development or Special Use Permit), or Mixed Use (Downtown Corridor, Downtown Extended Corridor, Downtown North Corridor, West Main North Corridor, West Main South Corridor, Central City corridor, Urban Corridor, High Street Corridor, Highway Corridor, Neighborhood Commercial Corridor, or Cherry Avenue Corridor) purposes~~ any inoperable motor vehicle. However, the provisions of this section shall not apply to a licensed business which, on June 26, 1970, was regularly engaged in business as an automobile dealer, salvage dealer or scrap processor.

- (1) As used in this section "inoperable motor vehicle" means any motor vehicle, trailer or semitrailer (as defined within Virginia Code § 46.2-100) which: (i) is not in operating condition (including, without limitation any motor vehicle, trailer or semitrailer which for a period of sixty (60) days or longer, has been partially or totally disassembled by the removal of tires or wheels, the engine, or other essential parts required for operation); (ii) does not display a valid license plate; (iii) does not display a valid inspection decal; or (iv) displays an inspection decal that has been expired for more than sixty (60) days.
- (2) As used in this section, "otherwise shielded or screened from view" shall mean, on property zoned for residential purposes, not visible to the unaided eye from anywhere below the level of the third story of a building outside the boundaries of the lot on which the vehicle is kept; on property zoned for business purposes, "otherwise shielded or screened from view" shall mean not visible to the unaided eye from street or ground level outside the boundaries of the lot on which the vehicle is kept.

(b) No person shall keep more than one (1) inoperable motor vehicle outside of a fully enclosed building or structure. The one (1) vehicle allowed outside of a fully enclosed building or structure shall still be subject to the requirement of being shielded or screened from view.

(c) Whenever a violation of this section is determined by the director, the director shall serve notice on the owner of the property whereon the inoperable motor vehicle is located, requiring the owner to remove or cause the removal of such vehicle.

(1) All notices sent pursuant to this section shall be served to an owner as follows: (i) by hand-delivery to the owner of record, (ii) by regular, first-class mail, to the owner of record at the address listed in the city's real estate tax records, or to any occupant of the property at the address where the violation exists; (iii) to a person who has charge of real estate as an executor, administrator, trustee, guardian or agent, by hand delivery, or by regular mail to the last known address of such person, or (iv) to a person who is the beneficiary of any easement or right of use of a parcel of real estate, by hand delivery, or by regular first-class mail to the person's last known address. If the real estate parcel on which the violation exists is undeveloped or vacant, the notice shall also be posted in a conspicuous place on the property.

(2) Such notice shall require the owner to correct the condition within ten (10) days from the date of delivery or mailing of the notice.

(d) Should the owner of the premises fail to remove or cause the removal of an inoperable motor vehicle as directed within the director's notice, and if the owner also fails within the ten-day period to request an informal administrative hearing with an official designated by the chief of police for the purpose of challenging the validity of the violation determination or the necessity for removing the vehicle, then the city may take action to remove the inoperable motor vehicle(s). The costs and expenses of such removal by the city shall be assessed and billed to the property owner, and the director shall prepare an affidavit certifying the costs and expenses incurred by the city. In the event the charges billed to the property owner remain unpaid for more than thirty (30) days, such charges shall constitute a lien against such property enforceable as provided by section 5-4 of the City Code.

(e) After removing an inoperable motor vehicle from property, the city may then dispose of the vehicle after giving an additional ten (10) days' written notice to the owner of the vehicle and, if different, also to the owner of the property from which the vehicle was removed. However, if a timely request for an administrative hearing has been made to challenge the validity of the violation determination, then disposal by the city shall not be made unless and until the matter is resolved in favor of the city.

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CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	August 17 <sup>th</sup> , 2015
Action Required:	Approval of Ordinance (First Reading)
Presenter:	Lisa Robertson, Chief Deputy City Attorney
Staff Contacts:	Lisa Robertson, Chief Deputy City Attorney Dan Sweet, Stormwater Utility Administrator Lauren Hildebrand, Director of Utilities
Title:	<b>Amendment of City Code Section 10-103 – Stormwater Utility Fee</b>

**Background:**

Code Section 10-103 section (d) defines the conditions in which the City shall waive the stormwater utility fee in its entirety. A change in Virginia Code § 15.2-2114 effective July 1, 2015 adds an additional condition in which the stormwater utility fee must be waived. The proposed ordinance incorporates this change into City code.

**Discussion:**

The Albemarle County School Board owns two properties within the City of Charlottesville that were not eligible for waivers of the Stormwater Utility Fee in its entirety under the prior statutory exemption. The County of Albemarle obtained corrective legislation effective July 1, 2015 which requires the City to modify Code Section 10-103 to reflect the corrective legislation. Upon adoption of the proposed code amendment, the City will provide a waiver of the stormwater utility fee in its entirety for the two school board properties. The corrective legislation is not anticipated to result in fee waivers for any additional properties beyond the two school board properties at this time.

The fee waiver will be effective starting July 1, 2015. The Albemarle County School Board will still be responsible for payment of the unpaid fees and penalties (\$12,489.16) which have accrued since the inception of the Stormwater Utility on January 1, 2014, and which remain unpaid.

**Alignment with Council Vision Areas and Strategic Plan:**

The Stormwater Utility 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”.

**Community Engagement:**

Not Applicable

**Budgetary Impact:**

This has no impact on the General Fund. This will result in small reduction in revenue in fiscal year 16 to the Stormwater Utility Enterprise Fund. This reduction will not adversely impact delivery of the program and services provided by the Stormwater Utility as adopted and approved by City Council.

**Recommendation:**

Staff recommends adoption of the proposed ordinance.

**Alternatives:**

Council has no alternative, because state law now requires us to incorporate this waiver provision into our local ordinance.

**Attachments:**

Ordinance, proposing amendment of City Code 10-103

**AN ORDINANCE  
AMENDING AND REORDAINING SECTION 10-103 OF ARTICLE VI OF  
CHAPTER 10 (WATER PROTECTION) OF THE CODE OF THE CITY OF  
CHARLOTTESVILLE, 1990, AS AMENDED, TO WAIVE THE STORMWATER  
UTILITY FEE ON PROPERTY OWNED BY ALBEMARLE COUNTY OR ITS  
SCHOOL BOARD**

**BE IT ORDAINED** by the Council for the City of Charlottesville, Virginia, that Section 10-103 of Article VI (Stormwater Utility) of Chapter 10 (Water Protection) of the Charlottesville City Code, 1990, as amended, is hereby amended and reordained, as follows:

**CHAPTER 10. WATER PROTECTION**

**ARTICLE VI. Stormwater Utility**

**Sec. 10-103. Stormwater utility fee.**

(a) A stormwater utility fee is hereby imposed on every parcel of improved real property in the city that appears on the real property assessment rolls as of December 31 of each year. All stormwater utility fees and other income from the fees shall be deposited into the water resources protection fund.

(b) The rate per billing unit to be used for calculating the stormwater utility fee shall be one dollar and twenty cents (\$1.20) per month.

(c) Except as otherwise provided in this article, the impervious area for a property shall be determined by the city using aerial photography, as-built drawings, final approved site plans, field surveys or other appropriate engineering and mapping analysis tools.

(d) Notwithstanding subsection (a) above, and consistent with Virginia Code § 15.2-2114, the stormwater utility fee shall be waived in its entirety for the following:

- (1) A federal, state, or local government, or public entity, that holds a permit to discharge stormwater from a municipal separate storm sewer system; except that the waiver of charges shall apply only to property covered by any such permit;
- (2) For so long as there exists a revenue sharing agreement between the City and the County of Albemarle, Virginia, the waiver authorized by this section shall also apply to the property of each such locality, and to property of each locality's school board that is accounted for within that locality's municipal storm sewer program plan, regardless of whether such property is located within the territorial jurisdiction of the other locality;
- (3) Public roads and street rights-of-way that are owned and maintained by state or local agencies including property rights-of-way acquired through the acquisitions process; and,
- (4) Unimproved parcels.

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# CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA



**Agenda Date:** August 17, 2015

**Action Required:** Approval or Disapproval of Conceptual Streetscape Plan

**Staff Contacts:** Missy Creasy, Interim Director, NDS

Carrie Rainey, Urban Designer, NDS

**Subject:** West Main Street Conceptual Streetscape Plan

## **Background**

West Main Street is an emerging, mixed-use corridor that has seen significant private reinvestment in recent years. This investment has led to an increase in the number of people who live on, work on, and visit West Main Street. Currently, the street lacks cohesiveness, a coherent image, and a thematic idea that ties the street together. West Main Street is an important corridor both locally and nationally. It is part of U.S. Bicycle Route 76/TransAmerican Trail, a transatlantic bike route which runs from coastal Virginia to the coast of Oregon. The Street serves as a vital link between two of the most famous public spaces in the Commonwealth of Virginia– The Downtown Mall, designed by Lawrence Halprin in the 1970s, and the University of Virginia (UVA), designed by Thomas Jefferson in the 1800s. Both designers were visionary in their time. It seems only appropriate that the link between them be equally as important and visionary for our time – the beginning of the 21st century – when we are re-examining the potential of our urban corridors and making strides to treat them as important parts of the public realm and not only as conduits for vehicles. The street provides direct access to a number of businesses and also serves a vital link to adjacent neighborhoods. As an important multi-modal corridor for the City, the street accommodates a wide range of transportation modes. Although the street has facilities to accommodate bicyclists, pedestrians, vehicles and transit, they are inadequate and no longer meet the needs of the growing district and City. The growth of businesses and residents along the corridor has increased the demand for wider sidewalks for pedestrians; facilities to support alternative transportation options; and efficient parking resources to ensure patronage of businesses.

West Main Street has long been recognized as a critical corridor in need of improvement. The attached existing conditions report summarizes the issues faced on the corridor. The update to the *2003 Bicycle and Pedestrian Master Plan*, underway, has identified West Main Street as the second highest priority

corridor in need of improvement using the ActiveTrans Priority Tool developed by the National Cooperative Highway Research Program. In 2000, the corridor was studied by Tortis Gallas as part of a larger effort to ensure appropriate urban design on several important City corridors. Years later, the City commissioned Wallace Roberts & Todd, LLC to create comprehensive urban open space recommendations for the downtown area, including the West Main Street corridor. Both studies noted the importance of ensuring a vibrant, mixed-used, pedestrian oriented environment. No major public improvements were undertaken after the conclusion of these studies. The recent efforts of the West Main Street Steering Committee, the hundreds of citizens who provided feedback throughout the project, and the consultant team led by Rhodeside & Harwell have resulted in a concept plan for the corridor that addresses issues that have been raised over a decade ago.

## **Discussion**

The proposed Streetscape Plan approved by the Steering Committee reallocates public space to provide wide sidewalks where pedestrians can easily pass one another, dedicated and safe bicycle facilities, and efficiently managed public parking. Intersection improvements such as curb extensions provide additional pedestrian protection and comfort. The Plan accommodates first responders and maintains adequate traffic flows for motorists. Also included are improvements to bus stops on the most heavily traveled bus route in the City to improve safety and accessibility for patrons. The Plan calls for a diverse system of street trees and planting areas that provide the potential for stormwater management and Low Impact Development. Opportunities are created for art and heritage education, as well as establishing gateways and gathering places. The Plan calls for a reduction in public on-street parking, but provides strategies for regaining the lost spaces through other means, such as improved signage, shared parking arrangements, and parking management strategies. The presentation from the March 2015 Council Work Session is attached for reference.

### *Next Phases of Design*

The Streetscape Plan is a conceptual design that would be refined through subsequent phases of the project. The final layout and details of the streetscape will evolve based on feedback from the community and City officials. The next phases of design would include 1) a schematic design, which refines and further details the conceptual Streetscape Plan, and 2) detailed design that would be packaged in construction documents for use during the construction of street improvements. Both design and construction of the project could be completed in two phases: east of the bridge and west of the bridge.

### *Parking Improvements*

Before implementation of physical changes to the corridor could take place, improvements to the public parking system would need to occur. Public parking spaces are an important component of West Main Street and ensure economic viability by providing patrons a place to park and pick up or load purchased

goods. The existing public parking spaces were found to be inefficiently utilized (see attached parking study produced by Nelson/Nygaard), and removing approximately 33 parallel spaces as required with the Streetscape Plan will exacerbate this situation if new strategies are not put in place. A primary issue for many business owners, patrons, and residents of West Main Street is this proposed reduction of public parking spaces from the corridor. Parking improvements could be accomplished simultaneously with schematic and detailed design, or could take place before the next phase of design begins. The parking study included several suggested solutions to ensure the corridor continues to be a vibrant and active commercial space. Briefly, these suggestions by Nelson/Nygaard include:

- 1. Enforce parking limits on parallel public parking spaces. The study found that spaces on West Main Street are regularly occupied by the same vehicles for much longer than the posted limit.**
  - a. Positive: Turn-over of convenient parking spaces provides opportunities for additional patrons to visit West Main Street.
  - b. Negative: Concern that patrons will avoid the area once ticketed. Additional resources are needed by law enforcement to increase enforcement on the corridor. In addition, parking enforcement does not take place in the evenings when parking utilization is at its highest (see attached parking study produced by Nelson/Nygaard).
  
- 2. Meter parallel public parking spaces.**
  - a. Positive: Generate revenue for the City that could be invested back into the corridor. Encourage parking turn over without the potential negative consequences of ticketing.
  - b. Negative: On-street public parking will no longer be free. However, modern public parking theory encourages charging (or charging more) for the most convenient and therefore most valuable spaces, while rewarding those who use parking lots or garages with free or reduced charge parking.
  
- 3. Establish designated delivery zones and times to minimize usage of parallel spaces during peak hours.**
  - a. Positive: Limited public monetary resources required. Could be implemented quickly.
  - b. Negative: Mostly unregulated. Success depends on business owners and delivery personnel following through on an established system. Delivery times may be tied to larger routing and timing systems and difficult to affect.
  
- 4. Establish agreements with local businesses to utilize private parking lots for public parking during hours when the associated business is closed.**
  - a. Positive: The parallel public spaces lost in the proposed Streetscape Plan could be recouped plus additional public parking could be secured.
  - b. Negative: The City may share in insurance and maintenance costs, depending on the nature of agreements reached with private parking lot owners.

## *Pilot Program*

The work session presentations for Council by the consultant team in December 2014 and March 2015 outlined the estimate of probable cost for the proposed Streetscape Plan. With any major street redesign, the associated costs for construction and design will be substantial (approximately \$30 million). The pursuit of several federal and state funding sources is recommended to minimize direct effective cost for the City.

Members of the West Main Street Steering Committee have proposed the implementation of a pilot project to test the ideas put forth in the Streetscape Plan (see attached West Main Street Pilot Program Proposal Memo). A pilot could be designed to test items such as curb extensions and bike facilities with striping or cost-effective items such as moveable planters. It is important to note that the parking strategies outlined above must be implemented before the removal of parallel parking spaces to ensure adequate access to businesses on the corridor. A pilot program should be designed with established metrics to measure success, as well as a specified timeframe to ensure the public does not begin to view the pilot as permanent.

While the pilot project budget requirements are much less than full implementation of the Streetscape Plan, it is not without cost. Designs must be created by City staff or by consultants, materials must be procured, installation by City staff or contractors must be coordinated and implemented, and study and analysis of the programs' success must be undertaken. However, funds remain designated for the West Main Street project, West Main Street is eligible for repaving in 2015/2016 through Public Works Street Paving and Maintenance Program, and funding for striping work is available through the Bicycle Improvements Fund.

## **Community Engagement**

### *West Main Street Steering Committee*

The West Main Streetscape Plan has been guided by a Steering Committee comprised of local business owners, residents of the adjacent neighborhoods, and representatives from various advisory groups. The Steering Committee met six (6) times during the course of the project to aid in the identification of issues in the corridor, the creation of design alternatives, and the refinement of the preferred street configuration (as chosen by the Committee). The Steering Committee approved the concept plan on June 10<sup>th</sup>, 2014. The Steering Committee produced a memo regarding the West Main Street project on March 3<sup>rd</sup>, 2015 outlining their support of the basic design principles put forth in the Streetscape Plan (see attached Steering Committee Memo to Council). The memo's closing remark are as follows: *West Main's limited space requires that we allocate the available land for many uses, and the stakeholder groups each have their own priorities for that land. Some favored additional trees, or safer bike lanes, or on-street parking, or increased sidewalk space. The current streetscape plan represents all of these important elements and helps to solve complex problems for our city.*

## *Public Meetings*

Three (3) public meetings were held to gather input on what the corridor is to the various stakeholders that live, work, travel, and play on West Main Street. Each meeting had close to or over 100 citizens in attendance. Several themes developed from these discussions:

1. Celebrate history
2. Accommodate people who walk, bike, drive, and ride transit
3. Increase public green space and tree canopy along the street
4. Encourage a mix of land uses that support local residents and students

The first public meeting was held on December 7<sup>th</sup>, 2013 to gather public input on existing conditions and the community vision for West Main Street. A synopsis of public comments gathered at the meeting can be found at: [http://gowestmain.com/pdf/02222014/Public-Meeting%201\\_Results.pdf](http://gowestmain.com/pdf/02222014/Public-Meeting%201_Results.pdf)

Preliminary concepts were presented at the second public meeting occurred on February 22<sup>nd</sup>, 2014. The public provided feedback on options for streetscape character, road configuration, and urban form analysis. The concepts were refined based upon this feedback, and presented to the West Main Street Steering Committee on March 26<sup>th</sup>, 2014. A single concept was subsequently chosen and refined.

On August 5<sup>th</sup>, 2014 the third public meeting was held to share the conceptual Streetscape Plan and gather input for stakeholders and citizens. Over 100 people attended the meeting and provided comments on the Streetscape Plan. Comments were generally positive; particularly regarding the improved pedestrian facilities, diverse planting plans, and gathering spaces proposed at the bridge. Several commenters noted concerns about the removal of parking and the addition of 4-way stops, which were subsequently removed (with existing traffic signaling remaining as it is today).

## *Parking Surveys*

City staff also distributed surveys to businesses on West Main Street in August 2014 to gather further input regarding transportation and parking conditions. Two surveys were created; one geared towards business owners and one for employees and patrons. The survey for employees and patrons was provided online and on paper. Two dozen business owners responded to a survey targeted at their interests. Respondents comprised a good representation of the diverse mix of commercial enterprises on the corridor. Business owners highlighted a need for additional patron and employee parking, better enforcement of on-street parking, and potentially the extension of the duration of permitted parking. Over 275 people responded to the survey for employees and patrons of West Main Street. The survey indicated that a large proportion (70%) of business patrons typically drive and park on the corridor with smaller percentages accessing businesses primarily through walk, bike, or transit. A large majority of respondents stated that they are willing to walk a block or more from a parking space to their destination (74% of retail consumers and 63% of the general populace). Less than a third of respondents felt that, as it is today, West Main Street is a nice street to walk along. Only one third of respondents indicated that they are generally satisfied with the corridor as it is today.

## *Planning Commission*

At the July 28<sup>th</sup>, 2015 work session, the Planning Commission discussed the Streetscape Plan. The following is a synopsis of the comments made during the work session. Please see the attached statement by the Planning Commission for more information.

1. The Commissioners reached a consensus that the proposed streetscape plan conforms with the Comprehensive Plan, particularly in regards to environmental and transportation goals.
2. The Commissioners reached a consensus that they liked the design for east of the bridge, but would like additional study on the design west of the bridge.
3. The Commissioners reached a consensus that they support the proposed pilot program, as well as installing and evaluating the pilot prior to schematic and detailed design.
4. A Commissioner noted a concern about the loss of parking west of the bridge.
5. A Commissioner noted a concern with flush medians west of the bridge.
6. A Commissioner noted West Main Street west of the bridge may be further broken down by north and south sides during consideration.
7. A Commissioner noted a desire for the City to continue to consider shared parking, public valet parking, and improvements to bus service on the corridor.
8. A Commissioner noted the City Manager and Mayor should discuss undergrounding and potential cost sharing with officials at Dominion Power.
9. A Commissioner noted UVA should be more involved in the project as it moves forward.
10. A Commissioner requested Parks and Recreation provide an official statement regarding support of the proposed streetscape plan.
11. Several Commissioners stressed a sense of urgency should be maintained while moving this project forward.

## *Board of Architectural Review*

The Board of Architectural Review (BAR) discussed the Streetscape Plan at the July 21<sup>st</sup>, 2015 meeting. The following comments were made by the BAR:

1. This is a historic district, and as such the BAR should be involved with meaningful input early in the process.
2. There is concern that the study did not accomplish the list of concerns that it was supposed to address, such as lack of cohesiveness, creating gateway and gathering places, and celebrating history.
3. A more regional approach to the street needs to be taken.

## *Tree Commission*

On July 24<sup>th</sup>, 2015 the Tree Commission provided comments on tree plantings on West Main Street to Council and the Planning Commission. The Tree Commission requested Council keeps in mind all the public input to date that has called for West Main Street to be a green corridor with lots of trees.

### *Mid-Town Business Association Meeting*

On October 1<sup>st</sup>, 2014 City staff and consultants from the project team met with the Mid-Town Business Association to discuss concerns regarding changes to the parallel parking on West Main Street as well as explain the recommended changes. Members of the association stressed the need for loading space for deliveries and customers, as well as parking for employees.

### *University of Virginia*

Officials at the University have reviewed the Streetscape Plan. Several concerns were raised regarding the impacts on traffic flow. The traffic analysis and information from the consultant team was provided in response. Please see the attached documents *West Main Street Streetscape Plan Review by VHB* and *Response from Nelson/Nygaard to Submitted Review of Traffic Analysis* for further information regarding the concerns brought forward. In general, it is important to note that the project budget did not provide for traffic counts at all study area intersections. In addition, further traffic analysis is necessary for subsequent phases of design, and will be conducted when Council directs staff to continue the project into the next phases of design.

## **2014 Council Vision Areas**

Each of the Council Vision Areas can be addressed through the West Main Street Streetscape Plan. The following Areas will be particularly impacted by the project.

### *Economic Sustainability*

The West Main Street Streetscape Plan seeks to retain and grow the patrons of the corridor by creating a pleasant and usable space for all users, thereby sustaining the customer base for local businesses.

### *C'ville Arts and Culture*

The West Main Street Streetscape Plan proposes the commission and installation of new public art along the corridor. Several potential locations are identified in the Plan, and additional opportunities may be discovered during the next phases of design. The Plan also recommends celebrating the unique history of the adjacent neighborhoods through informational plaques and commemorative art at locations such as the bridge across the railroad tracks.

### *A Green City of Charlottesville*

The West Main Street Streetscape Plan proposes a 400% increase in street trees along the corridor. In addition, a variety of large-canopy, medium-canopy, columnar, and small trees are proposed to create an interesting and healthy plant culture. Species are proposed for both their visual interest and their ability to adapt and thrive in the West Main Street environment. The Plan also establishes several areas

for Low Impact Development where green infrastructure practices could be utilized and highlighted. Recommendations for technologies to preserve tree root zones prevent compaction, a deadly force upon many urban trees. The Plan also proposes undergrounding overhead utilities, which are limiting to the health and canopy of large trees due to the regular trimming or removal of branches to prevent conflicts with utility lines.

## America's Healthiest City

The West Main Street Streetscape Plan encourages physical activity by creating a safe and welcoming place to walk or bike. The Plan's proposed increase in tree canopy discussed above may also have a positive impact on the environmental quality of the immediate area through carbon dioxide reduction, although the exact effect is currently unknown.

## A Connected Community

The West Main Street Streetscape Plan improves the walkability and bikeability of a vital corridor connecting neighborhoods, downtown, and the University of Virginia. The Plan also improves bus service on the City's busiest route by eliminating pull-outs, adding shelters and amenities, and creating access to the Jefferson School on Fourth Street, a highly desired connection.

## Strategic Plan Goals

The West Main Street Streetscape meets many of the aspects of Council's Strategic Plan:

### *Goal 2: Be a safe, equitable, thriving and beautiful community*

**2.1. Provide an effective and equitable public safety system:** The West Main Street corridor is an important route for emergency response personnel. The Streetscape Plan maintains effective movement through the corridor by providing elements such as flush (and mountable) medians and reconfiguring intersection geometry to increase emergency vehicle turning capacity.

**2.2. Consider health in all policies and programs:** The West Main Street Streetscape Plan provides a pleasant and safe atmosphere for walking and biking; activities with improve citizen health in a variety of ways.

**2.3. Provide reliable and high quality infrastructure:** The West Main Street Streetscape Plan recommends reorientation of public and private utilities in locations that reduce conflicts with elements such as tree roots. Undergrounding utilities also minimizes potential outages due to the increased protection. Implementation of the Plan will call for new technologies to improve longevity of streetscape elements, such as Sliva Cells to reduce sidewalk upheaval and deterioration from tree roots.



**2.4. Ensure families and individuals are safe and stable:** The West Main Street Streetscape Plan improves safety for all users by providing wider sidewalks where pedestrians can safely pass on another, and dedicated bike facilities to minimize conflicts with vehicular traffic.

**2.5. Provide natural and historic resources stewardship:** The West Main Street Streetscape Plan proposes locations for art and installations providing education on the history of the West Main Street area and adjacent neighborhoods.

**2.6. Engage in robust and context sensitive urban planning:** The West Main Street Streetscape Plan is the result of extensive public engagement, Steering Committee efforts, and the collaboration of a variety of disciplines to create a comprehensive plan for the corridor. The Plan takes into account the existing features of the corridor, the historic resources, and the vibrant commercial fabric.

### *Goal 3: Have a strong diversified economy*

**3.2. Attract and cultivate a variety of new businesses:** The West Main Street Streetscape Plan provides a pleasant and safe atmosphere for walking and biking; the potential changes in travel modes may encourage businesses geared towards these groups (i.e. cycling shops, etc.)

**3.3. Grow and retain viable businesses:** The West Main Street Streetscape Plan improves the quality of the experience for users on the street, encouraging patrons to linger on the corridor and potentially visit multiple businesses. The Plan also improves access to the businesses on West Main Street for all users.

**3.4. Promote diverse cultural tourism:** The West Main Street Streetscape Plan improves the quality of the experience for users on the street, attracting visitors who desire to walk and bike in pleasant locations while traveling. At the time of this report, one hotel is under construction on the corridor, and another is under site plan development. These projects have the potential to greatly increase the number of tourists spending time on West Main Street.

## **Budgetary Impact**

The West Main Street Streetscape Plan includes substantial associated costs (close to \$30 million). These costs could be greatly offset by federal and state funding opportunities. However, many funding sources require projects to be either shovel-ready, or substantially ready in order to qualify for funds. These sources of funding could be pursued further along in the design process.

Design fees to complete schematic and final designs, prepare construction documents, and consultant assistance with bidding and construction phases will cost approximately \$3 million.

The parking strategies will have associated costs that are difficult to determine until negotiations begin with property owners.

The pilot program is estimated to have a budget of approximately \$75,000.00. As outlined above, existing funds are available to complete this work. The following funds are currently available for this project:

**FY2015** Approximately \$680,000 is still available.

**FY2016** \$500,000 has been set designated for West Main Street.

## **Recommendations**

Staff recommends the following:

1. Approval of the **conceptual Streetscape Plan**, but waiting to begin schematic and detail design phases until the proposed parking strategies and the pilot program are implemented and measured for success. These tasks are estimated to require one year to complete, which may change depending on time required to establish parking agreements and other considerations.
2. Moving forward with **parking recommendations 1, 3, and 4** while waiting on the results of the downtown parking study currently underway (conducted by Nelson/Nygaard) to decide whether to pursue recommendation 2, as this study will consider the effects of metering parallel parking.
3. Moving forward with the **creation of a pilot program**, with the stipulation that installation will not occur until parking management strategies are in place. Staff recommends a follow up report to Council subsequent to conceptual approval outlining potential costs and a more detailed timeline for the pilot program, as well as recommendations regarding completing work with City staff or consultants, dependent upon staff availability and desired timeframes.

## **Alternatives:**

**BY MOTION**, City Council may take action on this agenda item. Council's alternatives include the following:

1. Direct staff to proceed with installation and analysis of the parking management strategies and pilot program, and after those are completed return to Council for consideration of approval of the Conceptual Streetscape Plan.
2. Approve staff's recommendation.
3. Approve the Conceptual Streetscape Plan and EITHER:
  - a. Begin schematic and detail design phases, either simultaneously with the parking strategies and pilot program, or without those items, or

- b. Defer continuing work on the project until a later date.
- 4. Disapprove the conceptual Streetscape Plan and direct staff to cease further work on the corridor.
- 5. Defer the decision on approval of the conceptual Streetscape Plan until a later date.

## **RESOLUTION**

### **APPROVING WEST MAIN STREET STREETScape PLAN**

BE IT RESOLVED by the City Council for the City of Charlottesville THAT the West Main Street Streetscape Plan reviewed by City Council August 17, 2015, is hereby approved, upon a finding that the general character and extent of the public facilities that are the subject of the Plan are consistent with and will promote the goals of the City's adopted Comprehensive Plan.



# West Main Street

STREETSCAPE & URBAN DESIGN FRAMEWORK

## EXISTING CONDITIONS ANALYSIS MEMO

City of Charlottesville, VA

West Main Street is an emerging, mixed-use corridor that has seen significant private reinvestment in recent years. This investment has led to an increase in the number of people who live on, work on, and visit West Main Street. Currently, the street lacks cohesiveness, a coherent image, and a thematic idea that ties the street together. The Street serves as a vital link between two of the most famous public spaces in the Commonwealth of Virginia— The Downtown Mall, designed by Lawrence Halprin in the 1970s, and the University of Virginia (UVA), designed by Thomas Jefferson in the 1800s. Both designers were visionary in their time. It seems only appropriate that the link between them be equally as important and visionary for our time – the beginning of the 21st century – when we are re-examining the potential of our urban corridors and making strides to treat them as important parts of the public realm and not only as conduits for vehicles.

This report summarizes the conditions currently found along West Main Street, from Jefferson Park Avenue to the Ridge McIntire intersection. This analysis provides the context for identifying the range of issues that will need to be addressed in developing a streetscape and urban design framework for West Main. It will help define a range of actions needed to encourage this corridor to realize its potential as a place that provides both economic and community benefits for the street and the City. The existing conditions data was obtained through:

- Review of previous reports, plans and studies
- Detailed field work
- Stakeholder meetings, and
- An open, public workshop

# Corridor Context

## Overall Function

**Facilities are inadequate and no longer meet the needs of either this growing district or the City.**

West Main Street is an important urban mixed-use corridor in the City. The street provides direct access to a number of businesses and also serves a vital link to adjacent neighborhoods. As an important multi-modal corridor for the City, the street accommodates a wide range of transportation modes. Currently, West Main Street has a 60-foot wide right-of-way that consists of one travel lane in each direction with on-street parking, bike lanes, and sidewalks on each side of the street.

### LEGEND

Vehicular Zone	Sharrow	Mural	Building	Driveway	Signalized Crosswalk	Overhead Utility Line	Bicycle Parking
Sidewalk	Crosswalk	Bus Stop	Signalized Intersection	Curb Cut	Building Entrance	Tree	Marked On-Street Parking
Bike Lane	Public Art	Building Proposed / Under Construction	Parking Lot	Non-Signalized Crosswalk	Parcel	Park	



Although the street has facilities to accommodate bicyclists, pedestrians, vehicles and transit, they are inadequate and no longer meet the needs of the growing district and City. The growth of businesses and residents along the corridor has increased the demand for wider sidewalks for pedestrians; facilities to support alternative transportation options; and efficient parking resources to ensure patronage of businesses.

## The Street Zone

**There are a number of elements that detract from the overall visual appearance of the Street.**

The pedestrian realm of the street includes character-defining elements such as trees, varied building facades,

and a mix of uses. Murals on the facades of buildings along the corridor allude to the importance of arts and culture on the corridor and provide stimulating moments for visitors; while street trees provide shade in the hot summer months. Beyond the immediate pedestrian realm, buildings provide important “walls” along the corridor creating a rhythm of store fronts and open spaces. There are also a number of elements that detract from the overall visual appearance of the street. In many areas along the corridor, overhead utility poles dominate the street, creating impediments for pedestrians and visual clutter from overhead wires. Outdated and tired furnishings such as benches, trash receptacles, light fixtures, and transit shelters are uninviting to patrons along the corridor and detract from its potential as a vibrant civic place.

Street trees have likely reached their full growth due to less than adequate root zones. In addition, many trees have developed surface roots that have displaced sidewalks creating tripping hazards for pedestrians and impediments for visitors with disabilities. Also there are several trees along the corridor with canopies limited by overhead utilities and in poor health. The trees are mainly Zelkova Serrata and represent a large monoculture here. Monocultures can be vulnerable to infection, with the possibility of a single virus, fungus, destructive insect, or other disease wiping out all of the trees at once.

Existing Conditions Map



# Elements that Detract from the Appearance and Function of the Street

Narrow Sidewalks



Narrow Bike Lanes and Potential for "Dooring"



Pedestrian Groups constrained by Narrow Sidewalk



Uninviting Bus Shelters





**Uplifted Pavement Due to Constrained Tree Box**



**Monoculture of Trees Vulnerable to Disease**



**Unightly Overhead Utilities**



**Outdated and Deteriorated Street Furnishings**



## Character Zones

The Norfolk-Southern Railroad traversing north-south through the City bisects the West Main Street corridor. To the west, the character of the street has been heavily influenced by UVA and its growing campus (Zone 1). This zone extends from Jefferson Park Avenue to the West Main Street Bridge, and serves as a gateway to the UVA campus from the east. Over the past few years, the urban form in this zone has evolved to include larger and taller buildings to accommodate student housing, hotels, the University hospital, and other University support facilities. On the western end of this zone, Clark Park and the Battle Building Plaza enhance the pedestrian experience of West Main Street at the UVA campus.

Major challenges of this zone include narrow sidewalks — many of which are in disrepair and obstructed by utility poles; an inconsistent pattern of street trees— some of which are in poor health; overhead utilities that detract from the visual clarity of the street; transit shelters that are in disrepair; and a lack of appropriate and safe pedestrian and bicycle accommodations at intersections.

Zone 2 includes the West Main Street bridge. The bridge spans the Norfolk-Southern Railroad and provides pedestrian access to Charlottesville’s Amtrak station. As the highest location on the corridor, spectacular views out to the adjacent mountainside can be observed from

the bridge. However, the full potential of this zone has not been realized. Pedestrian areas on the bridge are narrow, leaving little space for pedestrians to stop and enjoy the spectacular views from this location.

To the east of the bridge, the urban form of the street has maintained a traditional “main street” character (Zone 3). This zone is characterized by an eclectic mix of small scale (primarily 1-3 stories) buildings and large street trees. While the urban form of Zone 3 creates a strong sense of place, streetscape elements such as furnishings are outdated; bike and pedestrian amenities are constrained; and parking is largely unmanaged, ultimately detracting from the appeal of the street.



West Main Street is comprised of three character zones: the Western Zone, the Bridge Zone, and the Eastern Zone. Each has a unique character that is largely unappreciated given current street



## Land Use

Existing land uses on West Main Street represent the diversity of activities that one would hope to capture on a mixed use corridor including retail, office, medical facilities, multi-family residential, food service, hotel, places of worship, and other uses that serve the public and promote commerce. This mix of land uses makes West Main Street an economically diverse corridor that offers a range of services for citizens living along the corridor; in adjacent neighborhoods; and in other areas of the City and region. Some concern has been expressed regarding the growing concentration of student residences on West Main Street, and the need to maintain a main street thoroughfare that appeals to the broader community.

## Relationship Between Land Uses and the Street

**On West Main Street, however, the constrained configuration of the pedestrian right-of-way, the dominance of fast-moving vehicular traffic and the lack of public realm amenities provide few incentives for people to come to the street...**

There is a symbiotic relationship between land use and street vibrancy. Great land uses attract people to a street, and great streets (as public places) bring people into the restaurants, shops, offices, and housing along them. A great street is a place where people want to

be- to live, to work, to visit with friends, to shop, and to spend time. Throughout the world, walkable and bikeable streets provide the economic engines for successful communities. On West Main Street, however, the constrained configuration of the pedestrian right-of-way, the dominance of fast-moving vehicular traffic and the lack of public realm amenities provide few incentives for people to come to the street to spend time, spend money, meet with people, and window shop.



## Historic Context

West Main Street has a storied past with its beginnings as a significant Eighteenth-Century Virginia transportation route-- the "Three Notch'd Road" that connected the Tidewater to the Shenandoah Valley. By the early Twentieth-Century, West Main Street had emerged as an important commercial center and the principal hotel district of the City due to its proximity to the railroad station. The immediate area also developed as the institutional core of Charlottesville's African-American community, including the Delevan and Ebenezer Baptist Churches and Jefferson School. Over time, Vinegar Hill quickly grew to become a primary commercial center for the African American community. By the early 1930's West Main Street was the principal east-west route through town. Activity on the corridor gradually declined through the mid-20th century due to

the emerging popularity of suburban areas. However, like many urban areas across America over the past 10-20 years, the center-city, including the West Main Street corridor, has reemerged as a place to live, shop and work.

A result of the street's historical context, there are a number of historically significant structures along the corridor. West Main Street is a designated Architectural Design Control (ADC) District. The goal of local designation is to identify and preserve buildings, structures, landscapes, settings, neighborhoods, places, and features with historic, cultural and architectural significance; to protect visible reminders of the historic, cultural, architectural, or archaeological heritage of the city; to ensure that new buildings, additions, and landscaping will be in harmony with the existing

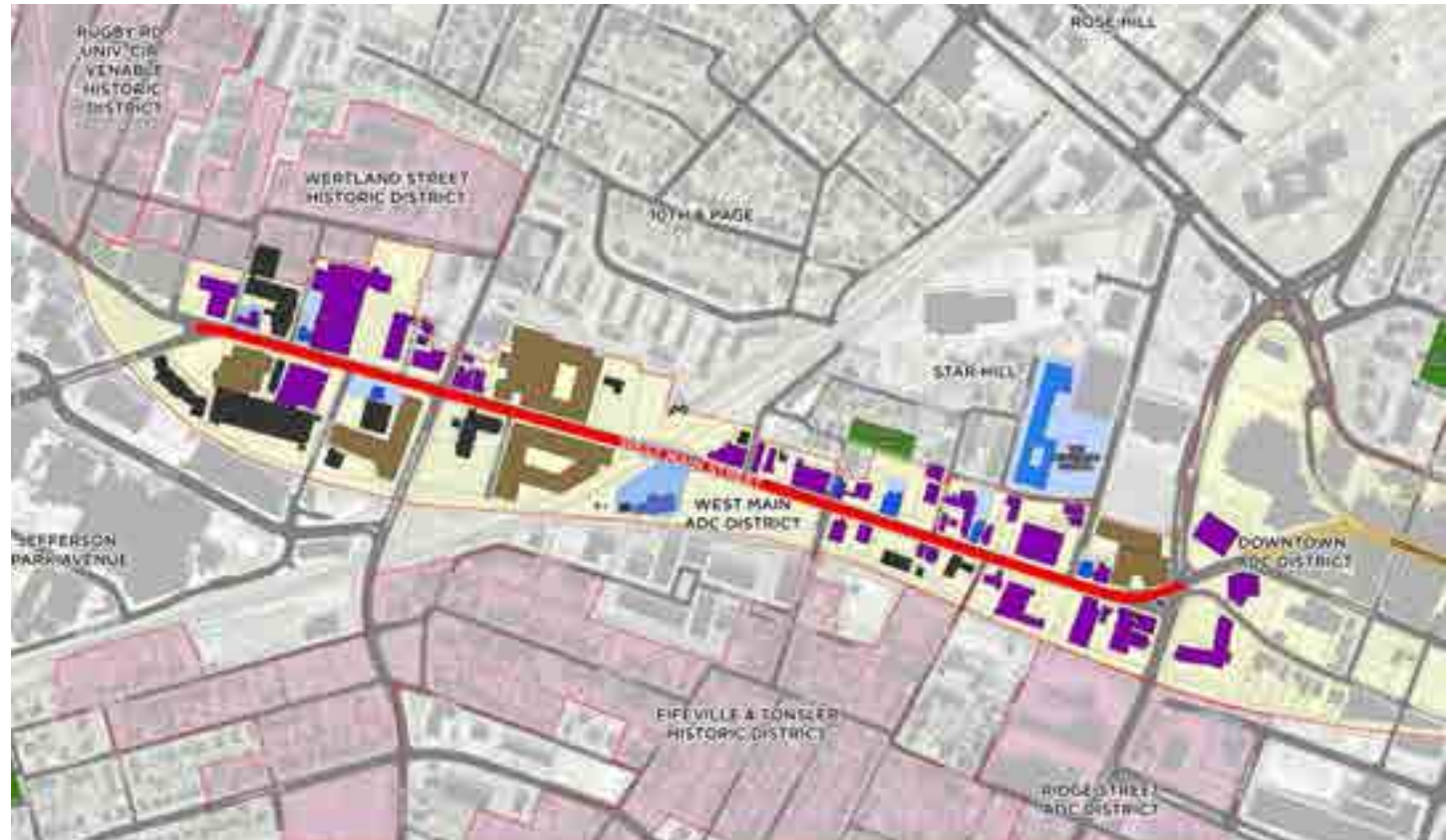
character; to maintain property values; and to promote tourism and quality of life.

This West Main ADC District includes all properties along West Main Street from 14th Street to 5th Street SW. A few structures in the ADC District are listed on the Virginia Landmarks Register and/or the National Register of Historic Places. All properties designated within a local ADC district are subject to review by the Board of Architectural Review (BAR) for any exterior changes including demolition. This ensures a public notification and review process before changes can be made to a protected property. Historic properties may also be recognized on the Virginia Landmarks Register or the National Register of Historic Places. State or National designation is an honorary recognition that, unlike local designation, does not impose any review restrictions.

### Historic Properties Map

- Contributing building
- Non-Contributing building
- Building / property listed on the Virginia Landmarks Register & National Register of Historic Places
- Building / property eligible for listing on the Virginia Landmarks Register & National Register of Historic Places
- Historic district listed on the Virginia Landmarks Register and the National Register of Historic Places
- Local historic district / overlay
- Building proposed /under construction
- Study corridor
- Ex. Building
- Ex. Parcel
- Ex. Road
- Ex. Park
- Ex. Pedestrian Mall

0' 150' 300'



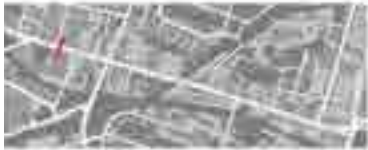
# The Vehicular Zone

Given the narrow right-of-way of the street, streetscape elements such as sidewalks and bike lanes have a narrower-than-optimal width.

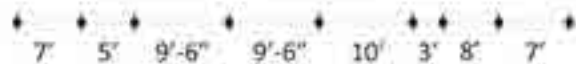
## Existing Right-of-Way

West Main Street maintains a 60-foot right-of-way throughout the length of the corridor, which is comprised of one travel lane in each direction with on-street parking, bike lanes, and sidewalks on each side of the street. Given the narrow right-of-way of the street, streetscape elements such as sidewalks and bike lanes have a narrower-than-optimal width. Travel lanes are roughly 12', but are occasionally pinched, causing challenges for buses, trucks, and other large vehicles. Designated loading zones for trucks delivering to local businesses along the street are inadequate, with delivery trucks "double parking" in travel lanes, resulting in traffic and transit delays and increased conflicts for vehicles, transit and bicyclists.

Designated bike lanes vary between 4' and 5' in width, with no protective buffer between bicycle lanes, travel lanes, or parking lanes. Narrow bike lanes adjacent to narrow parallel parking areas present hazards to bicyclists, increasing the risk of "dooring" by motorists exiting their vehicles. Sidewalks are narrow as well, ranging from 5' to roughly 7' in width in most areas. Compounding this problem are utility poles, street trees, signage and street furnishings that become obstacles for pedestrians, and make it difficult to walk with strollers, in wheelchairs, in pairs or in small groups.



Existing Right-of-Way Cross Section



Existing Right-of-Way Cross Section



## Transit

### Transit service must be direct, reliable, easy to use, logical, attractive and dignified.

Charlottesville has wisely chosen to prioritize transit use and facilitate services to attract not only transit-dependent riders, but so-called “choice riders” – travelers who have the personal resources to own and operate a private vehicle but who may choose transit for its convenience and cost benefits. Promotion of transit can reduce vehicle volumes, decrease household transportation costs (allowing more money to be saved for other purposes or spent in the local economy), reduce greenhouse gas emissions and overall fuel consumption, in addition to other benefits. Accomplishing this, however, means that transit service must be direct, reliable, easy to use, logical, attractive and dignified.

West Main Street is one of the busiest transit corridors in Charlottesville. At present, it carries two CAT (Charlottesville Area Transit) routes – the Route 7 and the Trolley. These lines form the backbone of the entire Charlottesville transit system and connect the two primary transit hubs -- one located at the east end of the pedestrian mall and the other located at the primary employment center and destination of the UVA Hospital.

Together, these two lines alone generate 64% of the transit system’s annual ridership. The Trolley line has an average of 2138 daily rides, while the Route 7 line has an average of 2475 daily rides. Transit services are also provided on the two parallel routes of Preston/Grady Avenues and Cherry Avenue with connecting service on 10th Street/Roosevelt Brown Boulevard. However ridership and frequencies on these routes are only a fraction of that on West Main Street.

The recently completed Charlottesville Transit Study recommends realigning some routes to improve efficiency, service and legibility to riders. This realignment could result in additional bus routes and services on West Main Street. Although alternative vehicle routes do exist and do carry transit service, for the above reasons it is NOT recommended that transit service be relocated off of West Main Street to any alternative routes. Doing so would decrease transit system performance, reduce connectivity and degrade services for riders. Additionally, the realignment of the 4th Street NW intersection will allow better transit access for the Jefferson School and Recreation center.

Buses on West Main Street suffer from traffic delays, which affect travel time and reliability. The eastbound stop at 11th Street NW, has a pull-out area where buses

can stop without blocking traffic, however bus operators have reported either challenges in getting buses all the way to the curb or a desire to only partially exit the travel lane lest the bus have difficulty getting back into traffic.

West Main Street is also responsible for 12% of all bus stop boardings in Charlottesville. The corridor is home to two of the city’s busiest bus stops-- one at West Main and 11th Street NW and the other at West Main at 4th Street NW. The stop at West Main and 11th Street NW has 335 boardings westbound and 435 in the eastbound direction. The next busiest stop, at West Main and 4th Street NW, has 138 westbound boardings and 136 eastbound boardings.

Amenities for riders at transit stops along the corridor vary widely. Transit stops at 11th Street both have covered shelters set back from the sidewalk with seating, as well as trash receptacles and newspaper boxes. At other transit stops along the corridor, benches are commonly provided at minimum, but these stops have no covered waiting areas. Nor is there adequate space on existing sidewalks to accommodate improved bus stop facilities. To the extent possible, transit service should be enhanced on the corridor by expanding stop areas for greater depth and improved amenities, and extending curbs at bus stops to the travel lane to permit buses to stop and load in the travel lane.

Average Weekday Transit Ridership



Average Weekday Transit Boardings



# The Pedestrian and Bike Zones

## Pedestrian Zone

**Despite the high amount of foot traffic, the pedestrian environment on West Main Street is lacking....Compounding the lack of sidewalk width are utility poles, street trees, signage, and street furnishings which become obstacles...**

As a conduit between the University of Virginia and downtown Charlottesville, West Main Street carries a considerable amount of pedestrian traffic. Pedestrian counts are highest at the western end of the study area, near the university grounds, the hospital, and The Corner, a student-oriented commercial district. An estimated 1.69 million pedestrian trips take place at the intersection of West Main Street and Jefferson Park Avenue each year. There are an estimated 1.03 million annual pedestrian trips at the intersection of West Main and 4th Street NW, and 1.20 million trips at West Main and Ridge McIntire Road, closer to the downtown pedestrian mall.

Despite the high amount of foot traffic, the pedestrian environment on West Main Street is lacking. Accommodating the present and future volumes of pedestrian traffic on the street is and will continue to be quite difficult due to the narrow sidewalk widths along the corridor. Compounding the lack of sidewalk width are utility poles, street trees, signage, and street furnishings, which become obstacles for pedestrians, and make it difficult for pedestrians to walk with strollers and in clusters. Numerous curb cuts along the corridor increase the number of potential conflicts between pedestrian, bicyclists, and vehicles. Many intersections along the corridor lack crosswalks on all legs which creates barriers and increases travel time for pedestrians. At signalized intersection, pedestrian push-button signals are available to activate the walk

signal, allowing pedestrians to legally cross the street. Street lighting is poor, which leads to a perceived unsafe environment at night.

There are no viable alternatives to having excellent pedestrian facilities on West Main Street. Pedestrians are vital to the health, safety and prosperity of the corridor. Sidewalk dimensions today are insufficient to allow pedestrians to walk comfortably two abreast, preclude most opportunities for outdoor dining or retailing, and virtually no opportunities to support the social life/public gathering typical of an urban corridor.

A comfortable pedestrian environment, especially in a southern climate, requires both light and shade and therefore adequate space must be found to provide for pedestrian zone clear of obstacles and a distinct furnishing zone to accommodate adequate pedestrian lighting and trees.

## Bike Lanes

**Bike lanes ...are often too narrow to facilitate safe passage.**

West Main Street is one of the busiest bicycling corridors in Charlottesville, with the highest bike traffic counts at Ridge McIntire Road, closer to the Downtown Mall. An estimated 237,000 bicycle trips occur there each year. The second highest traffic counts are at Jefferson Park Avenue next to the University of Virginia, where there are an estimated 219,000 bike trips annually. Additionally, in the central portion of the study area; the intersection of West Main and 4th Street NW has 197,000 bike trips each year.

There are limited bicycle facilities on West Main Street. Currently, there are only 12 bike racks within a 600 foot walk of the corridor. Bike lanes exist along most portions of the corridor, but the width is inconsistent, and they are often too narrow to facilitate safe passage. In all locations along the corridor where parking is provided, bike lanes are located between the parking lane and the general traffic lane, creating a significant hazard for bicyclists. The location of the bike lane increases the risk of bicyclist being “doored” by drivers and passengers existing parked vehicles. Drivers and cyclists alike have expressed both frustration and fear in cohabitation on the corridor – both generally with regard to the narrow

Annual Pedestrian and Bicyclist Trips



A Turning Bicyclist in Mixed Traffic



passage between parked cars and travel lanes, the volume of bicyclists given the condition of this facility, and the limited sight lines at intersections caused by constrained conditions and topography.

Due to the limited street network, there are few alternate routes and connections to other areas for bicyclists. Dedicated bike lanes are provided on Preston Avenue. Preston Avenue does exist as an alternate parallel route – although this high speed, higher traffic corridor can be somewhat unappealing to more novice bicyclists. The assumed connection from this corridor to West Main Street is 10th Street NW connecting to the bike lanes provided on Roosevelt Brown Boulevard south from the corridor. However 10th Street NW is narrow and experiences heavy traffic volumes which create conditions unfavorable to more novice bicyclists. Community bicyclists reported finding the lower speed and lower traffic volumes on 8th Street NW and this street is the preferable connector between the two corridors.

Similar to vehicle traffic, much of the bicycle traffic on the corridor is through traffic with origins and destinations beyond the immediate limits of West Main Street. Research has shown, however, that bicycle facilities on commercial corridors do have positive effects on retail and food service sales and, therefore, should be encouraged and accommodated.

### Service Deliveries

West Main Street has nine loading and delivery spaces. The need for loading comes primarily from commercial uses along the corridor and occurs during the morning period when deliveries are a key element of business activity. Additionally, on street loading zones are important for the food and beverage industry to facilitate trash collection in the early morning. However, existing loading spaces are poorly marked and regulated, leading to delivery trucks double parking in travel lanes, causing backups.

# Transportation Conditions

## Current Traffic Conditions

West Main Street’s position as the only direct connection between UVA and downtown for vehicles, transit, bicyclists, and pedestrians has created significant travel pressure on the corridor. The constrained multimodal travel conditions along the street have contributed to an unsafe environment for all users. The segment between Jefferson Park Avenue and Ridge McIntire Road carries an average annual daily traffic count (AADT) load of 14,000 vehicles. This is a significant volume of traffic for a two lane corridor.

## Intersections

There are traffic signals at the intersections of West Main Street and Jefferson Park Avenue, 11th Street NW, 10th Street NW/Roosevelt Brown Boulevard, 7th Street NW, 4th Street NW, and Ridge McIntire Road.

Major intersections occur at Jefferson Park Avenue, 10th Street NW, 4th Street NW, and Ridge McIntire Road. All four intersections have left-turn lanes. The intersection of Jefferson Park and West Main is Y shaped, while two smaller streets, 13th Street and 12 ½ Street, enter West Main Street perpendicular near this intersection.

The 10th Street intersection is conventional, and comprised of four-legs with controlled movements in all directions. The West Main and 10th Street intersection currently operate a “B” level of service. The 4th Street intersection is a T-shaped, with the entrance to a surface parking lot forming the fourth leg.

The terminus of West Main Street with Ridge McIntire Road presents a complicated, multi-legged intersection. The West Main Street and Ridge-McIntire intersection currently operates a “C” level of service. West Main Street is divided around the Lewis and Clark Monument as it approaches Ridge McIntire Road. The southern leg contains a parking lane and a right-turn lane from eastbound West Main to southbound Ridge McIntire. The northern leg contains one left-turn lane for eastbound traffic headed northbound on Ridge McIntire, and a left-turn/through lane for traffic continuing east on West Main, or crossing the intersection and bearing right toward South Street West. It also contains one westbound lane.

## Safety

**Safety and efficiency concerns demand a reworking of the West Main Street right-of-way to better accommodate all modes of travel along the corridor.**

The West Main St. and Ridge McIntire Rd. Intersection



The West Main St. and Jefferson Park Ave. Intersection





Unfortunately, the constrained travel conditions and heavy multi-modal use of the street has led to significant crashes – including traffic fatalities – at the 4th, 5th and 10th Street intersections, several of which involved bicyclists or pedestrians. A total of 65 crashes occurred on West Main Street between January 2011 and February 2013. Thirteen of those crashes involved vehicles and bicycles, eight involved vehicles and pedestrians, and the remaining forty four involved a single or multiple vehicles.

Safety and efficiency concerns demand a reworking of the West Main Street right-of-way to better accommodate all modes of travel along the corridor. Wider travel lanes, bicycle lanes and sidewalks can only be constructed through intelligent management of the ROW, which necessitates a comprehensive analysis of on-street and off-street parking. Stakeholders from the residential communities abutting the corridor, the

businesses along the corridor, and local and historic institutions all highlighted the vitality of accessible, available, convenient and visible parking to maintaining the fragile success and stability of their interests.

### Parking

**Through the use of better on-street parking management techniques, combined with shared parking agreements, and clear wayfinding could significantly increase the available parking supply at comparatively minimal cost.**

At present there are roughly 85 public on-street parking spaces on the corridor itself and several more on adjoining and nearby streets. These parking spaces are largely unmarked and unmetered. Turnover is encouraged through a two-hour maximum time limit,

although corridor stakeholders readily acknowledge that enforcement is spotty and ineffective at achieving the desired parking availability. Workers and merchants routinely park in these on-street spaces, which are so valuable to patrons and visitors, and engage in a “two hour shuffle” to avoid getting tickets.

In addition to these on-street resources, a handful of two or four-hour public parking spaces are available in an off-street lot adjacent to the Albemarle Hotel on the 600 block of West Main Street. Complementing on-street resources are a tremendous number of parking spaces within roughly a block of the main corridor (about 600') – over 4,000 in fact. Nearly all of these parking resources are privately held and dedicated to a single user.

The largest repositories of parking are the two structured garages associated with the UVA Medical Center. These represent a combined total of approximately 1,800 spaces – about 2/5 of the total. Stakeholders report that these garages are well utilized at nearly all hours of the day, despite the sizable charge for parking. Other significant parking resources are available at the Jefferson School complex, Staples, and the Amtrak Station. Significant new parking will be constructed with new development on both the east and west ends of the corridor.

### Parking Spaces Within Proximity to West Main Street



Parking needs and demands vary along the corridor. Retail customers want immediate access and proximity to their destination. Dining customers want reliably convenient access, but may be willing to walk a short distance and enjoy other aspects of the corridor. Daytime workers want longer parking periods while evening workers need safe connections to their vehicles. Workers, patrons and visitors across the board wish to avoid tickets and penalties for serving and accessing the many amenities and destinations of West Main Street.

While off-street parking alternatives exist, the value and importance of on-street parking should not be underestimated. On-street parking provides an important buffer for pedestrians, a calming element on the street, vital loading space for retail establishments, and, of course, an inviting resource for retail and

commercial patrons. The National Main Street Center has estimated that a well-managed on-street parking space can generate between \$100,000 and \$300,000 in annual commercial sales that are typically not recaptured when these spaces are relocated to off-street locations. HOWEVER, that statistic assumes that curbside spaces are well-managed and efficiently utilized with frequent turnover and reliable availability. That is not the case on West Main Street where parking is neither efficiently turned over nor reliably available.

Efficient utilization of the on-street spaces – typically by way of metering with a demand-responsive pricing structure – could more than triple the productivity of these spaces, thereby tripling the effective supply. This means that by employing better on-street parking management, West Main Street could reduce some quantity of on-street parking while still increasing on-street parking access and availability.

This, combined with shared parking agreements for parking resources throughout the corridor and implementation of public assisted parking services could significantly increase the available parking supply at comparatively minimal cost. This could be even further enhanced through clear wayfinding to parking locations and a localized smartphone app of legal and available parking locations. A further analysis of current parking conditions can be found in the recently completed parking study.

## Utilities Infrastructure

**Not all utilities need to be relocated or replaced. For those that need to be upgraded, however, placing them underground at the time of road reconstruction eliminates the eyesore of utility poles and overhead wires, and lowers the cost that would be incurred by undergrounding these at a later date.**

The West Main Street corridor is severely congested with numerous private utilities that share the public space, many of which are located overhead. These overhead utilities greatly detract from the visual appearance of the street. As is true for the strategic location of public utilities, there is an opportunity to place private utilities underground, eliminating them from view. Although this cost will be substantial and borne by the City, locating utilities into a well-planned and strategically located underground system will eliminate this eyesore and maximize the visual effect of any proposed streetscape improvements. Planned underground utility infrastructure can be equipped to accommodate future utility providers (i.e. Google Fiber).

An additional benefit to relocating utilities underground as part of the streetscape project is to preserve constructed elements from future damage. If the relocation is postponed until after streetscape

improvements are made, the replacement of surface elements demolished during utility replacement will degrade the intended appearance. Also, if underground utility work is performed in coordination with the streetscape work, the overall relocation cost will be significantly lower due to taking advantage of the requisite traffic control and mass excavations associated with the road work, as well as being able to resolve conflicts through a collaborative design effort.

Sanitary sewer, water and gas are public utilities located along the corridor. The existing sanitary sewer line is in good working condition and does not require replacement. However, water and gas lines along the corridor have reached the end of their useful lives and need to be replaced. As with the relocation of private utilities underground, it is most cost effective and efficient to replace these utilities as part of the streetscape project.

### Existing Overhead Utilities



The City of Charlottesville Department of Public Utilities (DPU) also requires that the location of these facilities maintain minimum clearances between other utilities and specific streetscape elements such as trees or other green infrastructure elements. With these minimum standards in mind, and the fact these lines need to be replaced, an opportunity is created to evaluate the ideal location for these relocated lines and include them as a part of the streetscape project. This will not only satisfy the replacement needs of DPU, but also allow for greater flexibility with locating trees and sustainable practices that would have otherwise been a significant challenge with meeting spacing requirements.

The following provides a summary of utilities along the West Main Street Corridor:

### Sanitary Sewer (Public)

The sanitary sewer collection system on West Main comprises of an 8" main located mostly under the centerline of the existing roadway. There is approximately 3,040 linear feet of sanitary sewer line from the intersection of Ridge McIntire Road to the University Avenue/ Jefferson Park Avenue intersection.

Approximately 2,350 linear feet has been rehabilitated (lined). Over 130 linear feet of sanitary sewer line has been replaced with new pipe (located in front of the new hotel near Ridge McIntire Road). The remaining pipe in West Main Street is in satisfactory condition. All connecting sanitary sewer lines on side streets have been rehabilitated, with the exception of the connecting sewer line on 4th Street NW. Service laterals to individual buildings are owned by the respective property owners, and, in many cases, these laterals are old and in need of replacement. Opportunities to improve service laterals where practical should be considered.

### **Water (Public)**

Approximately 2,970 linear feet of existing 10-inch water line were installed in the 1950's. The line would be upsized with a new 12-inch water line to handle additional capacity required as a result of future development.

Also, DPU is currently working on plans to relocate an existing 18-inch waterline that runs down 9th Street SW and crosses the railroad tracks. The line, currently inaccessible under the tracks, is being relocated to West Main Street from 9th Street SW to Roosevelt Brown Boulevard where it will turn south to Grove Street. This is part of a long term plan to replace the entire 18-inch water main, which serves a large portion of the citizens of Charlottesville. This project is being designed separately but in coordination with the West Main project engineer. The 18-inch waterline relocation should be completed prior to or concurrent with any construction on West Main Street.

### **Gas (Public)**

The low pressure gas line in West Main Street was installed prior to 1930. In 1990, the joints on the pipe were encapsulated to prevent leakage. The West Main project would involve replacing approximately 5,000 linear feet of 10-inch cast iron gas main line and 4,710 feet polyethylene gas line and associated services. The gas line does not have any current problems, but Utilities would replace the current gas line with a high

pressure gas line concurrent with the West Main project construction in order to minimize the disruption to the area. The gas line would be replaced from Ridge Street going west to Rugby Road and involve the following side streets: Elliewood Avenue, Chancellor Street, Madison Lane, Rugby Road, Jefferson Park Avenue, and Elsom Street. The replacement of the gas line will better position the City to provide gas service for future development.

### **Electric (Private)**

The existing electrical power service on West Main Street is owned by Dominion Virginia Power. The majority of these lines run overhead on poles, which also contain other utilities, however a portion of these lines were recently undergrounded in coordination with improvements to the Battle Building from Jefferson Park Avenue to 11th Street. A short section of overhead lines remains, from 11th Street to 10 ½ Street, with these lines dropping underground to 8th Street east of the railroad bridge. The overhead lines resume at 8th Street and extend overhead to the Ridge/McIntire intersection, and beyond.

Existing underground lines run on the south side of West Main, however overhead lines are located on both sides of the street in most cases. A request to underground lines on West Main Street under Dominion Virginia's Power's Strategic Underground Program was sent to Dominion for consideration. This request was denied as the lines along West Main Street do not meet the program's guidelines which focuses on service to neighborhoods that are most prone to outages based on a 10-year history. As a result, it is assumed that all cost related to undergrounding power lines and other overhead utility lines on the corridor, would be borne by the City.

### **Comcast (Private)**

Existing communication lines owned by Comcast are located underground west of the railroad bridge, except for the short remaining section of overhead lines near 11th Street. All Comcast facilities are located overhead east of the railroad bridge. There is a major

hub for Comcast located on the south side of West Main near Ridge/McIntire that provides service to all of Charlottesville. The overhead lines located in proximity to the hub will be expensive to relocate.

### **Century Link (Private)**

Existing communication lines owned by Century Link are all underground and located on the south side of the road with stub lines extending to the north. There is a major hub for Century Link located on the north side of West Main near 4th Street that provides service to all of Charlottesville, and beyond. Century Link lines located in proximity to the hub will be extremely expensive to relocate and should be avoided by construction to the maximum extent practical.

### **Lumos (Private)**

Existing communication lines owned by Lumos are located underground west of the railroad bridge with the exception of the remaining overhead lines near 11th Street. These lines continue underground across the bridge to 7th Street where they go overhead to 4th Street. Lumos lines would require underground conduit, and separate junction boxes, if overhead lines are to be undergrounded.

### **Stormwater Management**

The existing street trees and planters are undersized and provide no significant treatment of stormwater runoff in the area. West Main Street and the associated right-of-way (ROW) covers approximately 5.5 acres, the vast majority of which is impervious asphalt and concrete. Surface runoff runs directly into an existing storm sewer system with no facilities for detention or retention. The future streetscape should provide opportunities to intercept this water before it enters the storm sewer system, in order that it be used for more sustainable stormwater management approaches.

# Urban Form

...Many participants noted that the ‘eclectic mix’ of buildings and ‘small town’ character of West Main Street should be retained.

West Main Street is comprised of an eclectic mix of buildings, with development along the corridor divided into two zones- east and west of the bridge. West of the bridge, newer buildings such as the University of Virginia Children’s Hospital and The Flats residential building, are taller and bulkier than their historic and contributing neighbors. East of the bridge, more historic and contributing buildings have survived, making for a lower skyline. Currently, a 7-story hotel at the corner of West Main Street and Ridge McIntire is under construction and will increase the urban scale at the eastern gateway end of West Main Street.

Buildings provide an important “structure” to the public realm of the street. The built edge along West Main Street is uneven, with gaps and openings along the entire corridor. These gaps are typically comprised of driveways and parking lots. Buildings located close to

the street create a rhythm of storefronts, porches, and outdoor cafes, all of which activate the street. Buildings such as the First Baptist Church and Amtrak Train Station are notable buildings on West Main and are important landmarks. Many older structures are set back from the street and a number of large parcels along West Main Street are undeveloped or paved as parking lots, creating a number of potential future development sites. The topography of the street also contributes to the diversity of the street. The Amtrak train station is two stories below the bridge, and its adjoining parking lot is also lower than the street. As a result, views from the bridge out to the nearby mountains are preserved.

Through the public engagement process, many participants noted that the “eclectic mix” of buildings and “small town” character of West Main Street should be retained. Factors that contribute to this characteristic include the height and mass of existing buildings, as well as the relationship between buildings and the street. The relationship between existing development and larger proposed, new development should be compatible to ensure that the community vision of West Main Street retained.

West Main Street is a changing corridor that is experiencing an influx of new development and redevelopment/revitalization of existing structures. Zoning is a tool often used by communities to guide and manage development. The West Main Street corridor is comprised of two zoning districts-- the north side of West Main Street falls within the “West Main Street North Corridor” (WMN) and the south side falls within the “West Main Street South Corridor” (WMS). Both districts include minimum heights of 40’ for new development but the districts vary in maximum height allowance. The maximum height of buildings is taller on the south side of the street at 70’, and up to 101’ with special permit. The north side of the street includes a minimum height of 40’ with a maximum height of 60’, and up to 70’ with special permit.

Through our analysis and listening to the community, it is noted that the development character along West Main Street changes along the corridor east/west more than north/south. The street today comprises a mix of building styles – from historic to modern – and building shapes and sizes, from modest, two story single family houses to very large, multi-family and institutional structures. The railroad bridge at the mid-point between downtown and The University of Virginia demarcates an approximate dividing line between larger and smaller scale structures on West Main Street: the tallest and newest buildings (i.e. 6-10 stories) are generally west of the bridge, while shorter buildings (i.e. 2-4 stories) are to the east.

## Zoning

Enhanced development regulations can provide standards that improve the overall quality of the street...



Over the past few years, there have been a number of development projects both proposed and constructed along West Main Street, particularly west of the Bridge. Many of these developments have been designed to maximize height and bulk. Recently, The Flats of West Village, became the first “mega” project along the corridor to be constructed at maximum zoning ordinance and special permit allowances. Many of these developments along the corridor have been perceived by the public as too big, too tall, lacking in open spaces and character, and not compatible with adjacent streets and neighborhoods.

## Height

Building height is a major concern of residents, particularly those living adjacent to proposed developments. The West Main Street corridor lies within the greater context of residential areas comprised of shorter-height houses, townhouses and apartments. West Main Street lies on a ridge that transitions to lower residential neighborhoods, which compounds the issue of height for proposed development along the corridor. Residents within adjacent residential neighborhoods are concerned about new developments that “tower” over their neighborhoods. Existing zoning does not transition to residential neighborhoods that have lower height limits. In addition, existing zoning allows negotiation

for additional development height through the use of special permits. While this can, in some communities, yield higher quality buildings and public benefits, it appears that this has not been realized on West Main Street.

## Use and Appearance

The existing West Main Street zoning is overly focused on allowed uses. It is challenging to adaptively re-use existing structures, and some flexibility on use may be needed to tenant these structures. The existing development review system relies heavily on “design guidelines” instead of measurable standards which are clear and do not rely on interpretations that can lead to inconsistencies. Also, existing zoning does not require accommodation of bicycle parking through its parking requirements. Providing requirements for bicycle parking will help encourage the use of alternative transportation for visitors and residents of new developments.

## Form-Based Code

There is a great need to ensure the types of future patterns of development along West Main that are desired by the community and that will allow for the preservation of the essential design character of the street. New zoning (whether through form-based code

or and traditional zoning ordinance) must improve controls on mass, bulk, and open space. Standards for transitions to adjacent residential neighborhoods must be addressed and the interface of development (street-facing building façade) to adjacent streets must be improved. Enhanced development regulations can provide standards that enhance the overall quality of the street including how windows, doors and blank walls are regulated and even how new development incorporate public amenities such as bicycle parking standards.

These controls will ensure that buildings contribute to both the street and adjacent neighborhoods, and do not overwhelm them. The new development regulations will not only enhance the character of the street but it will also ensure more predictability in the development process as the need for negotiation on every project would be eliminated. This will level the playing field for existing small property owners to contribute to the future of the corridor.

Existing Zoning Map



# Input from Public Workshop #1

December 7, 2013

The first public meeting for the West Main Street project was intended to give the community an overview of the project and the areas that are being explored, present existing conditions, and give participants an opportunity to provide input in general and in response to specific questions and themes. The following points provide an general overview of comments expressed by participants:

## History

History (both personal history and community/city history) is important to the way that people experience the corridor and it influences the character of West Main Street. It is a historic street that has experienced both gradual and abrupt, disruptive change.

Many participants expressed concern that the desired, historic character of the corridor is disappearing (or already has disappeared), especially in the west side of the corridor. It was suggested that a historical walk (with signage, similar to the existing historic signage) could be a way to keep that history at the forefront of corridor visitors' minds.

Several participants have memories of West Main Street that span from their personal experiences (such as getting married) to shared experiences (e.g., street fairs,

watching the Olympic torch, attending school). They also remember certain stores and the historic character of the street.

## Pedestrian and bicycle improvements

There was considerable agreement that both pedestrian and bicycle infrastructure need improvement. There was a lot of support (in precedent images) for wider sidewalks and pedestrian areas that contain places to gather.

## ROW design

Participants were encouraged to illustrate their ideal right-of-way (ROW) designs using the online program Streetmix. The idea of utilizing Streetmix was to have participants think about tradeoffs required when



- On-Street Parking
- Place Utilities Underground
- Build Neighborhood Connections
- More Trees
- More Affordable Housing
- More Parks
- Improved Bus Stops
- Small Scale / Historic Development
- Historic Character
- Historic Signage
- Historic Buildings
- Historic Landmarks
- Historic District
- Historic Preservation
- Historic Architecture
- Historic Landmarks
- Historic District
- Historic Preservation
- Historic Architecture

working in a limited ROW. Participants who used taller buildings tended away from transit, while most of the streetscapes with shorter (<=3 stories) height limits incorporated a streetcar or other permanent transit modes. Notably, every design incorporated street trees – many with two or more rows on each side of the street, and some in a median.

### Parking

Parking is an important issue on the corridor as this is viewed as a viable resource to ensure the sustainability of local businesses. Some expressed concern that many small lots near Main Street are filled by local employees, rather than customers. There were also suggestions to investigate parking strategies such as public/ private partnerships, to utilize off-street parking resources.

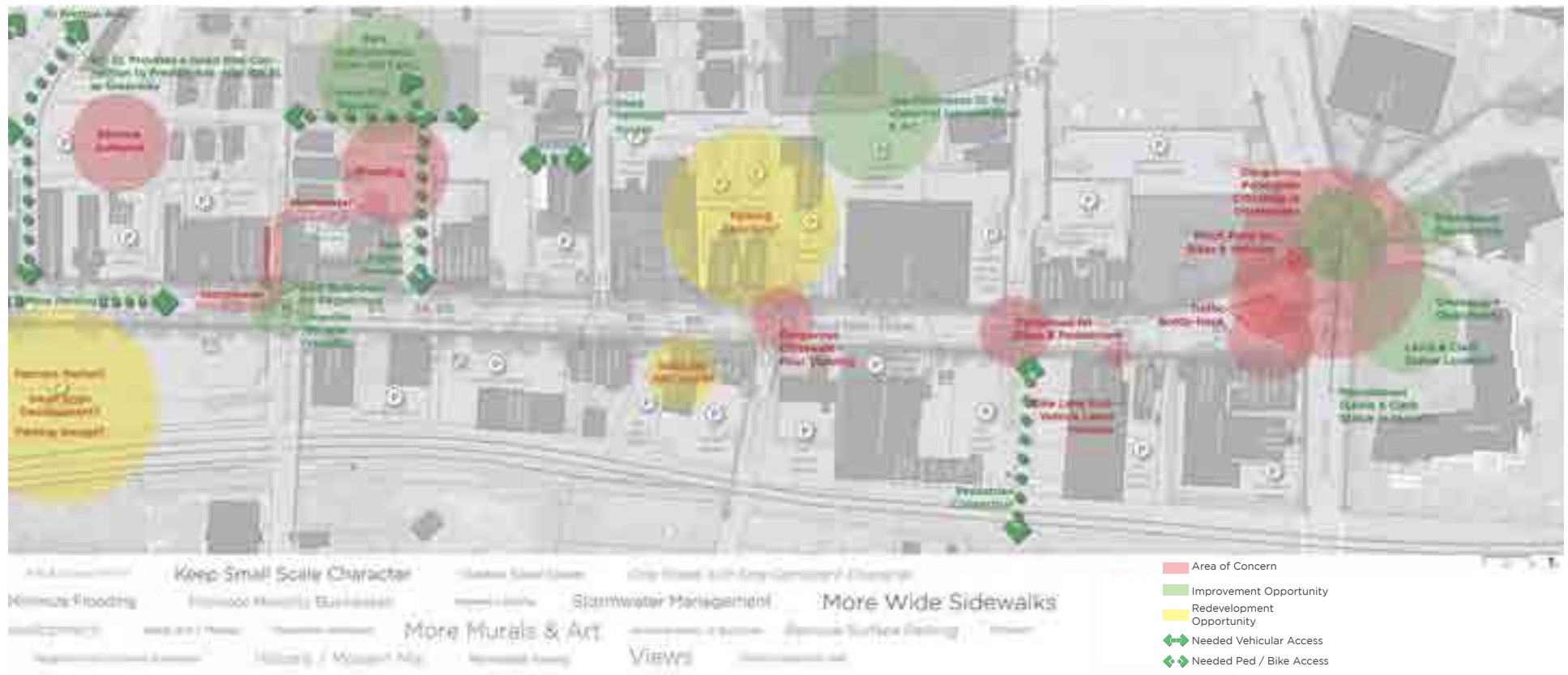
### Character

Most participants like the “small town feel” and “eclectic mix” of West Main Street but some fear that this preferred character has become or will soon become lost to new development. There seems to be a particular fear of larger buildings, either in terms of horizontal size (e.g., the length of a block), or vertical size (e.g., anything 5+ stories, or non-pedestrian-scale buildings). There is a fear of losing the view of the mountains.

### Urban Design

The large scale of recent/new development is one area of major concern, as people feel it detracts from the historical character of the corridor. Regardless of the type of building being shown to participants through the use of precedents – historic, contemporary, etc. – people

Most participants believed that there are zones and districts that comprise the corridor, with many saying that there two zones... 'funky', 'historic' character east of the bridge and a more 'modern' street character to the west of the bridge.



tended to have more positive opinions about buildings that have a unique design, a generous setback, and a relatively low height. People also expressed support for designs that encouraged a good mix of uses.

## **Community**

There is concern about the character of the corridor in terms of the people who live on/near West Main Street. Some of the new buildings being developed (especially toward the west end) are student housing, and participants expressed concern that having students as the majority of the people living in the community will change the neighborhood character. There was an emphasis on wanting a diverse (economically, racially, etc.) community.

## **Perceptions of West Main**

When asked whether participants view West Main as one street or a series of zones, there were different opinions. Several mentioned that West Main was (or should be) treated as one street, with different opinions on how the character should or should not change along the corridor. Most participants believed that there are zones and districts that comprise the corridor, with many saying that there are two zones/districts, divided by the railroad including a “funky”, “historic” character east of the bridge and a more “modern” street character to the west of the bridge.

## **Green Streets**

There was support for green infrastructure along the corridor. The major takeaway is that people want to see more trees, especially trees that are well maintained. In general, people want to see more “green” along West Main. Infrastructure improvements such as parklets and planting beds received a lot of support through precedent imagery and the Streetmix exercise.

## **Vision**

There were many different ideas for how West Main should look/function in 20 years. Although ideas varied in the details, residents expressed to desire to see

West Main change over the next 20 years in ways that incorporate its history, improve on pedestrian and bicycle infrastructure, and increase public green space and tree canopy.

Some participants imagined more density and services, while some feared that more density would bring more people and a loss of character. One idea that got a lot of approval from other participants was the rebirth of African American businesses in the community (which was greatly affected by urban renewal). Several ideas supported a mix of people in the neighborhood – a racially, economically diverse community, not just a corridor for UVA students.



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# WEST MAIN STREET ACTION PLAN... A PLACE FOR EVERYONE!



**WEST MAIN ST**  
CHARLOTTESVILLE

March 23th, 2015

# GREAT CITIES - GREAT STREETS



Great streets (as public places) bring people into the restaurants, shops, offices, and housing along them. A great street is a place where people want to be- to live, to work, to visit with friends, to shop, and to spend time. Throughout the world, walkable and bikeable streets provide the economic engines for successful communities.

# WHAT MAKES A STREET GREAT?

- **Memorable character**
- **Balanced competing needs**
- **Safety**
- **Variety of activities**
- **Thriving businesses**
- **Community spaces**
- **Sustainability**
- **Context sensitivity**

# GREAT CITIES - GREAT STREETS



**Congress Street  
Portland, ME**



**State Street  
Santa Barbara, CA**



**King Street  
Charleston, SC**



**Washington Street  
Indianapolis, IN**

# GREAT CITIES - GREAT STREETS

- **Charlottesville is a Great City**
- **West Main Street has potential to be a Great Street**
  - » Connection between two nationally celebrated destinations
  - » Proximity to thriving neighborhoods
  - » Emerging hub of local businesses



# WEST MAIN STREET TODAY



# CONTEXT



UNIVERSITY

10TH & PAGE

STARR HILL

WEST MAIN STREET

FIFEVILLE

DOWNTOWN



# CHARACTER OF THE STREET TODAY



"Small town feeling"



Historic



Variety of building types and uses



# WEST MAIN STREET IS CHANGING...



**New businesses**



**New housing**



**Growing institutions**

# **WEST MAIN STREET IS CHANGING...**

**The growth of businesses and residents along the corridor has increased the demand for wider sidewalks for pedestrians; facilities to support alternative transportation options; and efficient parking resources to ensure patronage of businesses.**



# THE STREETScape HAS NOT KEPT PACE WITH CHANGE...

**Narrow Sidewalks**



**Narrow Bike Lanes and Potential for “Dooring”**



**Uplifted Pavement Due to Constrained Tree Box**



**Monoculture of Trees Vulnerable to Disease**



**Unightly Overhead Utilities**



**Outdated and Deteriorated Street Furnishings**



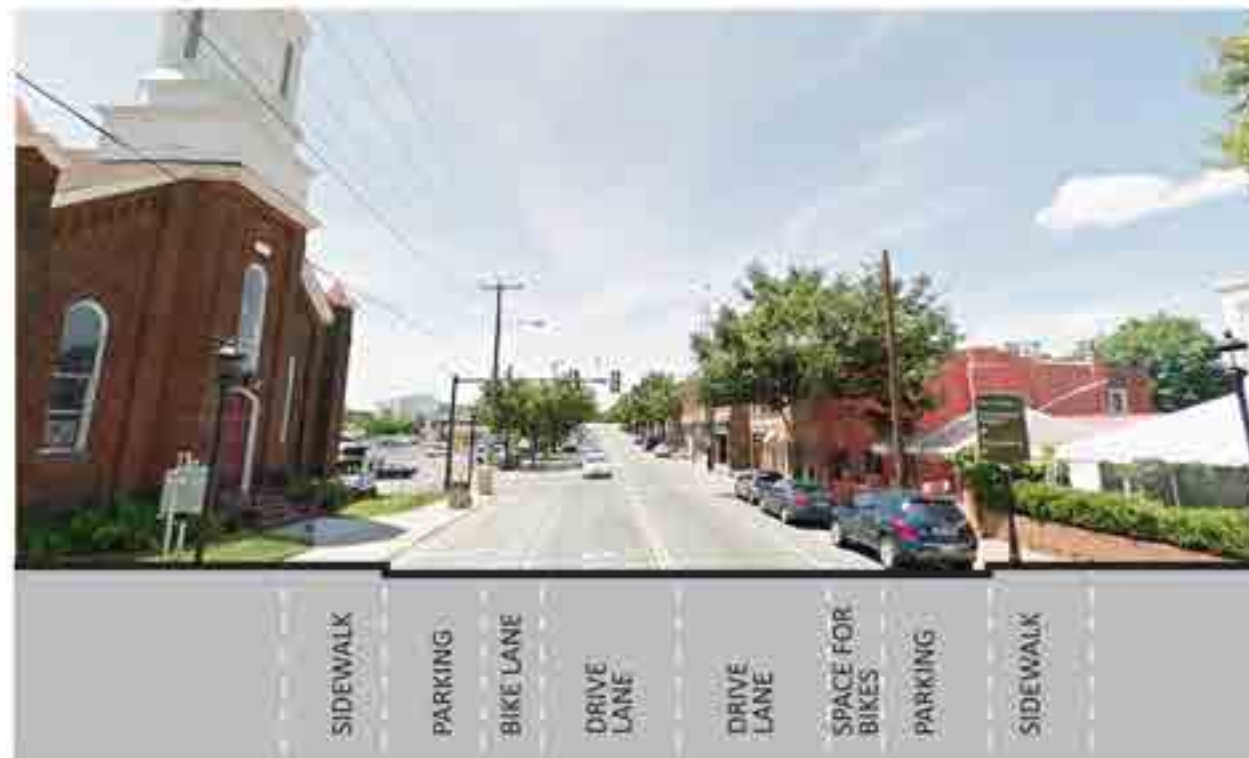
# EXISTING STREET CROSS SECTIONS



## West of Bridge



## East of Bridge



Although West Main Street has facilities to accommodate bicyclists, pedestrians, vehicles and transit, they are inadequate and no longer meet the needs of the growing district and City.

# **WEST MAIN STREET IS NOT A GREAT STREET TODAY...**

On West Main Street, however, the constrained configuration of the pedestrian right-of-way, the dominance of fast-moving vehicular traffic over other modal accommodations and the lack of public realm amenities provide few incentives for people to come to the street...

**WHAT'S NEEDED IS A TRANSFORMATION...**

# RIDGE MCINTIRE ROAD GATEWAY BEFORE...



# RIDGE MCINTIRE ROAD GATEWAY AFTER...





# WEST OF THE BRIDGE BEFORE...



# WEST OF THE BRIDGE AFTER...





# A COMMUNITY PROCESS

# STEERING COMMITTEE MEETINGS

- **Representatives from local business owners, residents, and organizations**
- **Guided the development of the Master Plan**
  - » Evaluated design ideas and made sure the needs of the community were being met
- **6 Meetings with the Steering Committee**
- **Unanimous approval of preferred street configuration**

# PUBLIC MEETINGS

## What We Heard

- » Celebrate history
- » Accommodate people who bike, walk, drive, and ride transit
- » Increase the public green space and tree canopy along the street
- » Support a mix of land uses that support local residents and students
- » Encourage compatible development that is in-keeping with the historic character of West Main Street

- **Meeting #1 - 98 Participants**
- **Meeting #2 - 165 Participants**
- **Meeting #3 - 125 Participants**

# WHAT CHANGES DID PEOPLE WANT TO SEE?



- Eliminate On-Street Parking
- Place Utilities Underground
- Protect Sight Lines to Mountains
- More Trees
- Woonerf
- Preserve Resident Parking
- Bus "pull-off" Areas
- Arts & Culture District
- Minimize Flooding
- Maximize Pedestrian and Bicycle Access
- Remove Surface Parking
- Keep Small Scale Character
- Promote Minority Businesses
- Keep Art / Murals
- Repurpose Alleyways
- Historic / Modern Mix
- One Street with One Consistent Character
- Preserve Trees
- Need High Visibility Crosswalks
- More Affordable Housing
- Add Seating
- Build Neighborhood Connections
- Improve Bus Stops
- Incorporate Pedestrian Plazas
- Improved Bus Stops
- Minimize Vehicular Through Traffic
- Improve Lighting
- More Wide Sidewalks
- Colored Bike Lanes
- Bike Boxes
- Views
- Unobstructed Sidewalks
- "Funky Mix" of Buildings
- Outdoor Social Spaces
- Stormwater Management
- Minimize Large Development
- Improve Safety of Bicyclists
- More Murals & Art
- Neighborhood Oriented Businesses
- Permeable Paving
- Protect Adjacent Neighborhoods From Increased Traffic



# FOUNDATION OF A GREAT WEST MAIN STREET

1

A Multimodal Street

2

A Mix of Land Uses

3

Established Neighborhood  
Connections

4

Cultural Landscapes/Historic  
Preservation

5

Accommodated Parking

6

An Activated Street

7

Environmental Stewardship

8

Views of Surroundings

9

A Celebrated History

10

An Eclectic Streetscape

# MANY ALTERNATIVES WERE CONSIDERED...





# THE APPROVED ALTERNATIVE

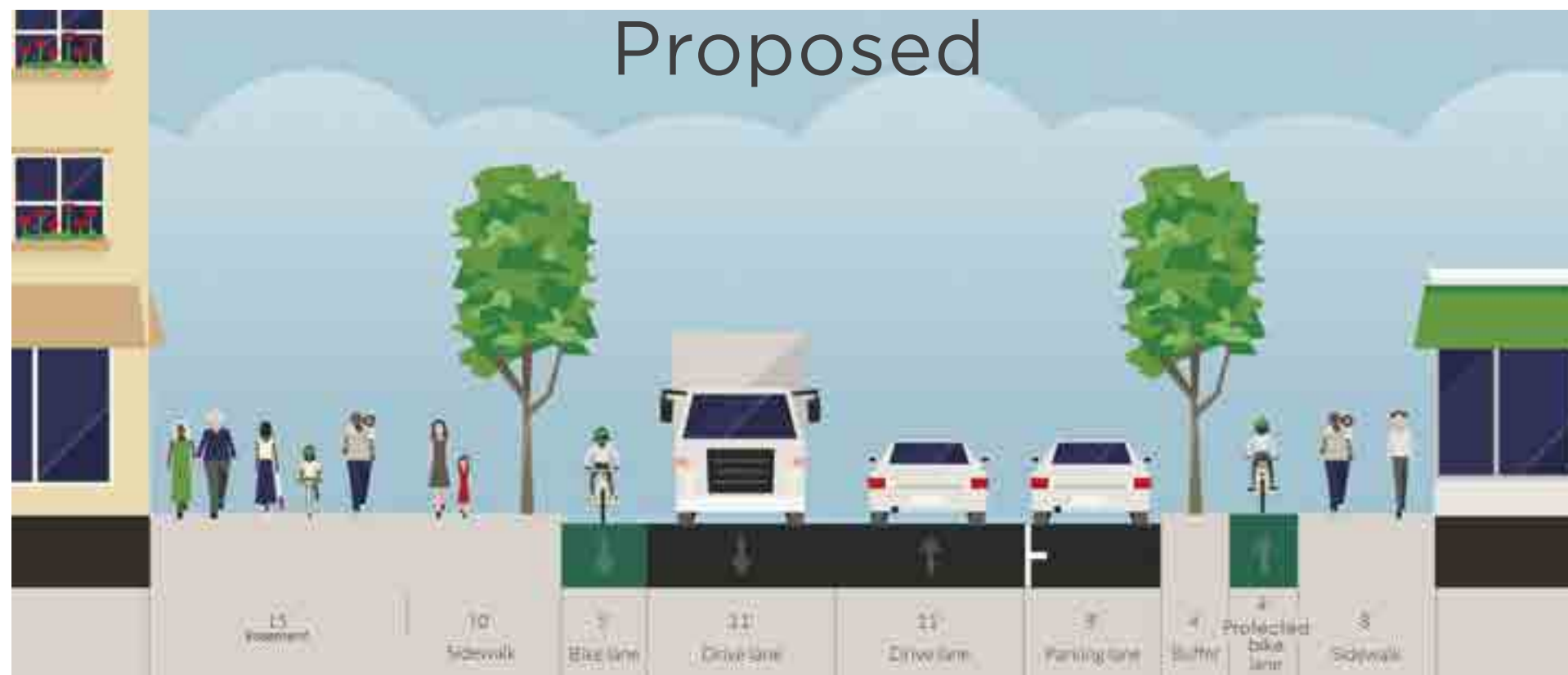
APPROVED BY STEERING COMMITTEE - JUNE 10TH



59.5' Right-of-Way



West of Bridge



60' Right-of-Way & 15' Easement



East of Bridge



# THE STREETSCAPE MASTER PLAN

# HIGHLIGHTS OF THE PLAN

- **Wider Sidewalks**
- **Protected Bike Lanes**
- **On-Street and Managed Parking**
- **Gateways and Gathering Places**
- **Accommodation of First Responders**
- **Hundreds of Trees**
- **Low Impact Development (LID)/Green Design**
- **New Lighting and Furnishings**
- **Interpretation Signage**
- **New Utilities/Utilities Relocated Underground**
- **Safe, Accessible Bus Stops**

# THE STREETScape MASTER PLAN



# TRANSPORTATION

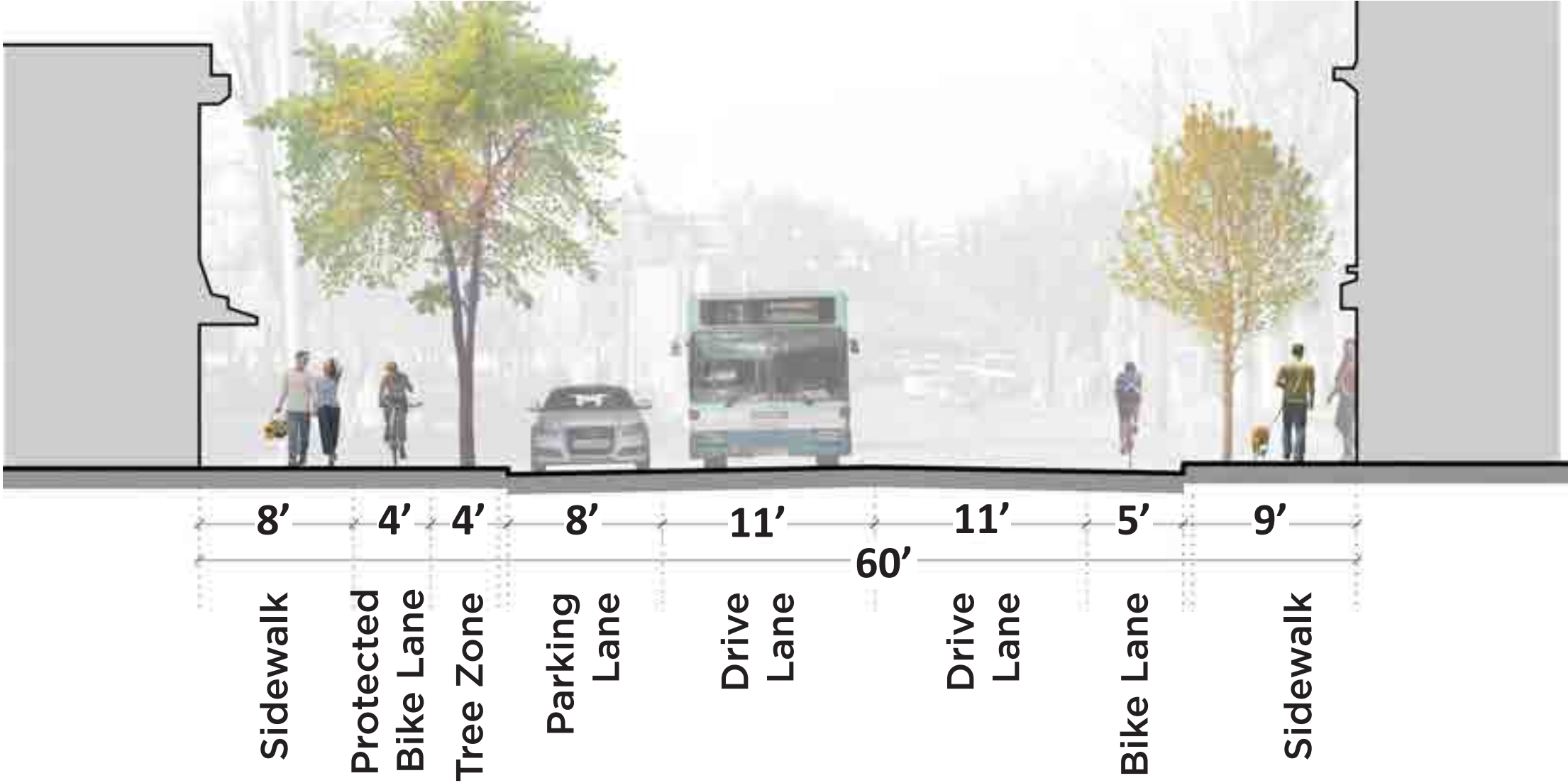
## DIFFERING STREET CHARACTERS

- **The character of West Main Street is different in its eastern segment from the western portion.**
  - » Context sensitive solutions design streets that respond to adjacent land uses and traveler needs
  - » The western segment has a higher density of emergency vehicles
  - » The eastern segment has a higher density of local businesses and sidewalk commercial activity



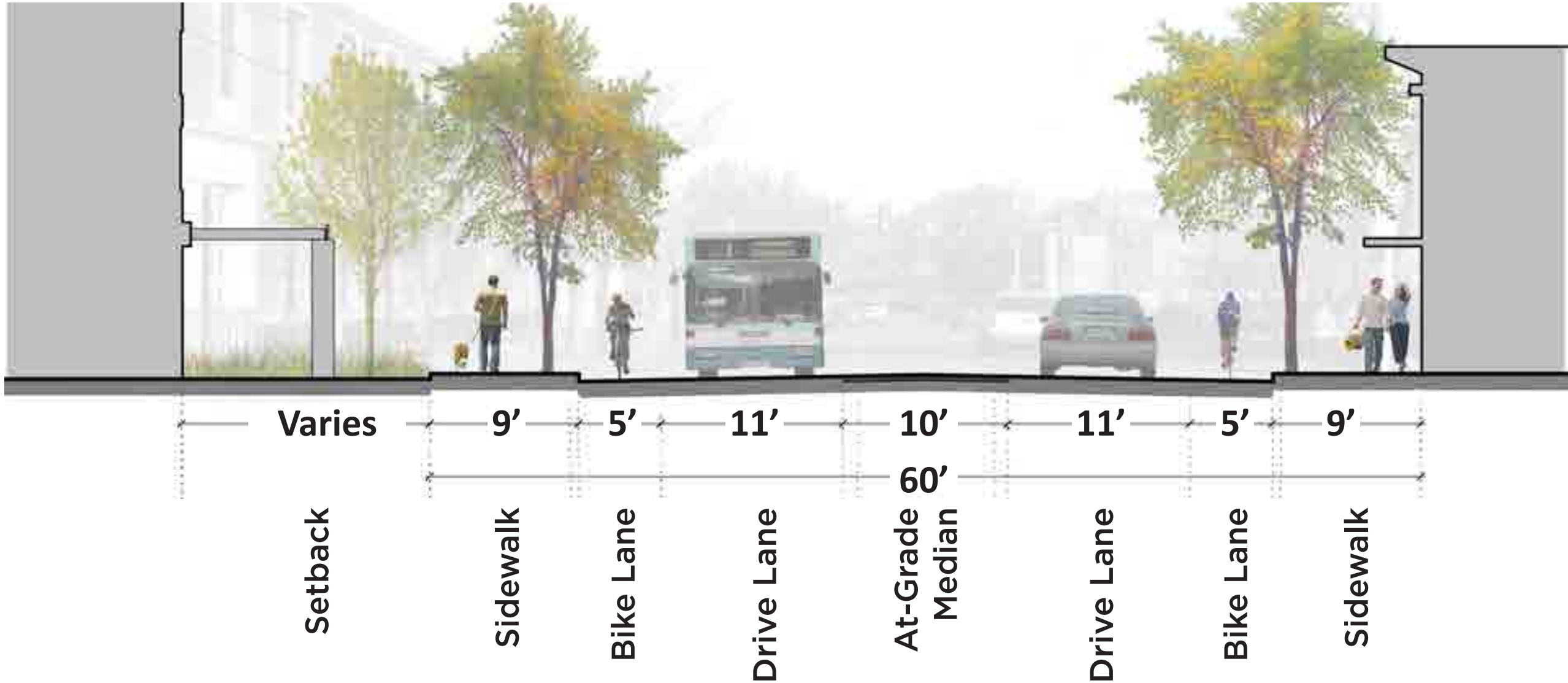
# THE STREETScape MASTER PLAN

EAST OF BRIDGE



# THE STREETScape MASTER PLAN

WEST OF BRIDGE



# GATEWAYS



Jefferson Park Ave. Intersection



The Bridge



Ridge-McIntire Rd. Intersection





# GATEWAYS

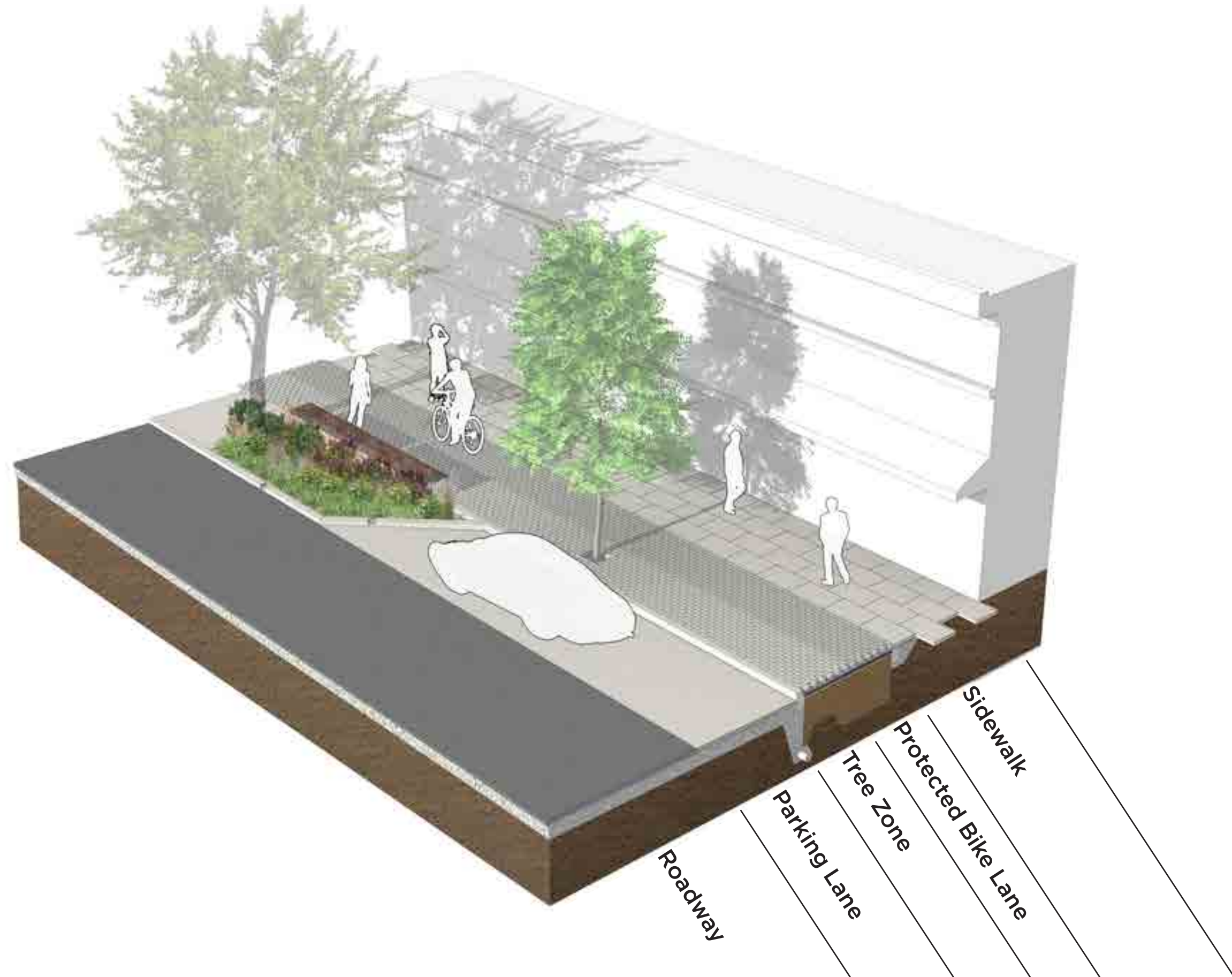
## RIDGE-MCINTIRE RD. INTERSECTION



**Goal: Create a signature gateway to West Main Street that provides a safer intersection for pedestrians, bicyclists, and drivers.**

- A. Elimination of “slip-lane” from West Main St. onto Ridge St.
- B. Refine intersection geometry to reduce intersection crossing times
- C. Reconfigure travel lanes on Ridge, Ridge-McIntire, & Water Streets to accommodate bike lanes

# WIDER SIDEWALKS & PROTECTED BIKE LANES



# STREET CONFIGURATION

## BICYCLE INFRASTRUCTURE



Sidewalk-Level,  
Protected Bike lane



Street-Level  
Bike Lane



# HOW THIS WORKS...

CAMBRIDGE, MASS.

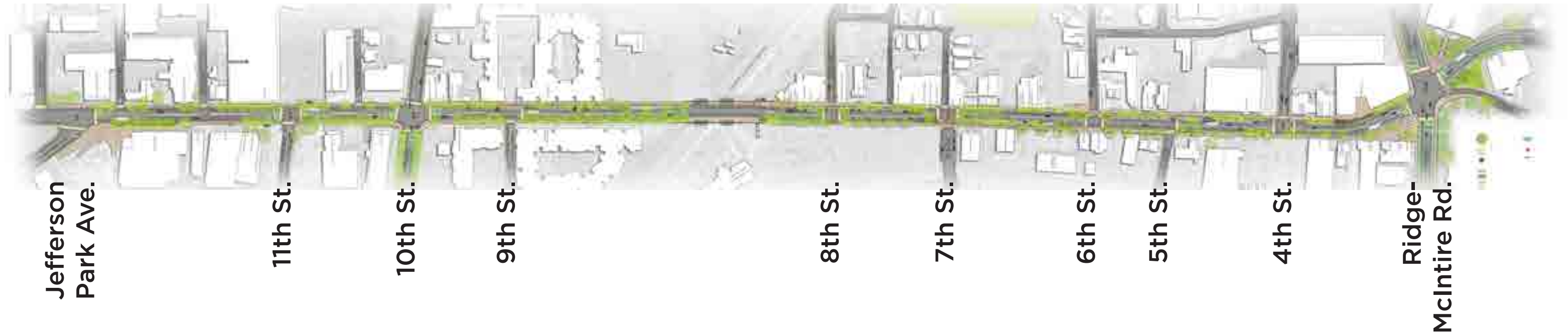


**Bike Lane  
Transition to  
Protected Bike Lane**



**Protected Bike Lane  
With On Street Parking**

# RETAINING EXISTING TRAFFIC LIGHTS



- Ridge-McIntire Rd.
- 4th St.
- 7th St.
- 10th St. / Roosevelt Brown Blvd.
- 11th St.
- Jefferson Park Ave.

# PARKING



## 52 ON-STREET PARKING SPACES

- » 85 Existing
- » 33 Removed

- » Existing spaces are not managed to maximize effectiveness
- » Managed spaces are typically 3x more productive
- » Loss can be mitigated with enforcement, management, & other incentives
- » Need for loading and short-term “transactional” parking.
- » Delivery & waste services to be specifically managed (e.g., early morning when demand is lower)
- » Plan places parking on blocks that lack off-street loading or customer spaces

# TREES



- KEY**
- Existing Tree
  - ✗ Potential Tree To Be Removed

# VEGETATION

Large Canopy Trees--Street Worthy Oaks & Natives with a Focus on Fall Color



Medium Canopy Trees:



Columnar Trees:

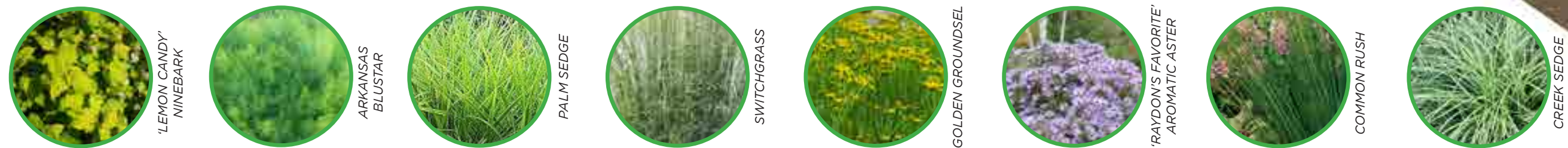


Small Trees (Median):



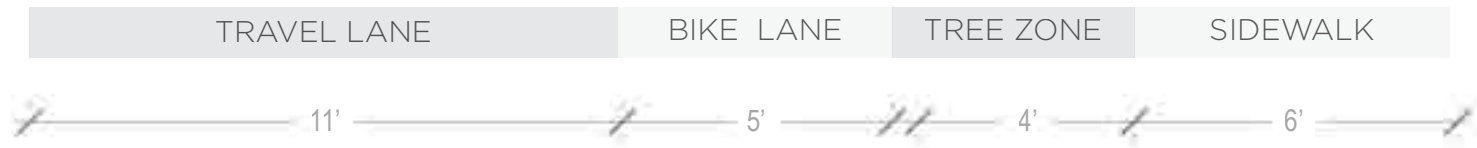
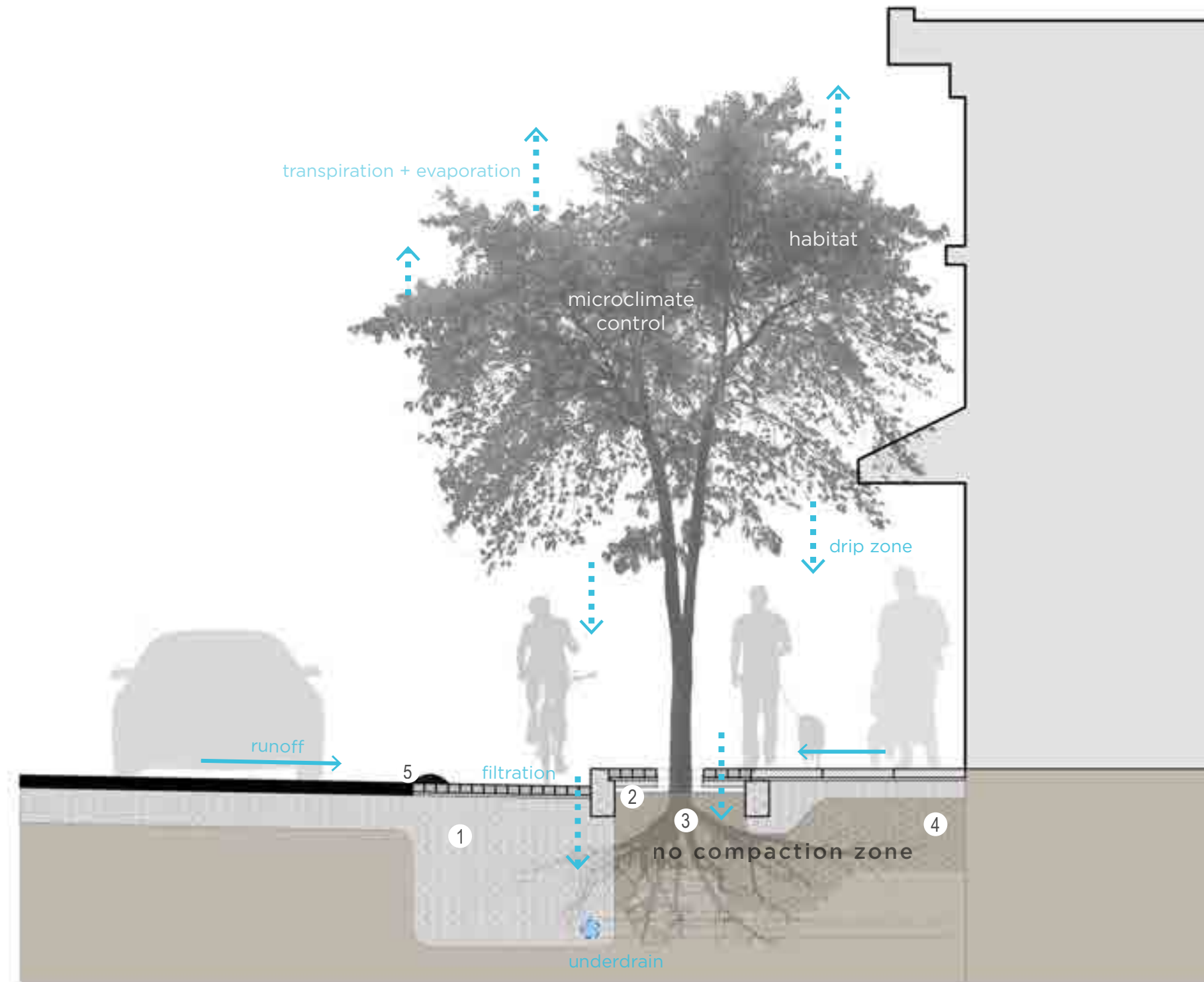
\* INDICATES SPECIES APPROPRIATE IN BIORETENTION TREE PITS

Bioretention Perennials & Grasses--Tough, Ground-Holding Plants

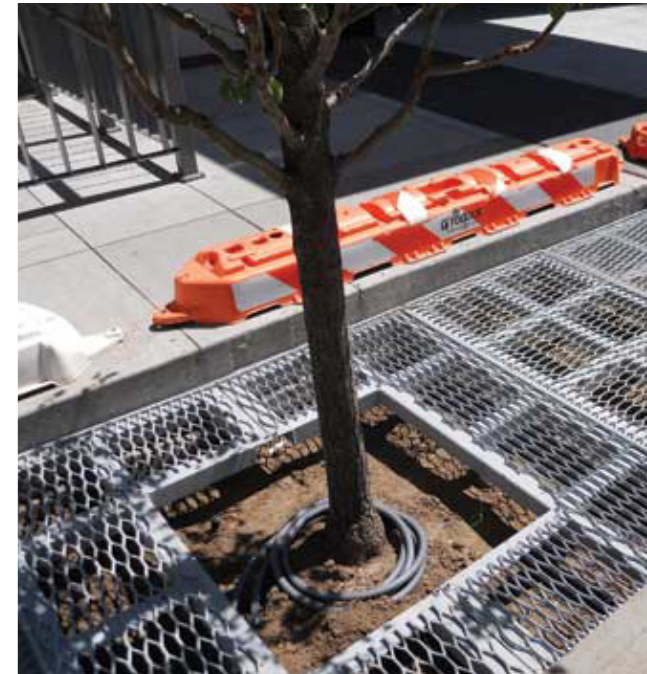




# LOW IMPACT DEVELOPMENT (LID)



- crushed aggregate ①
- paver-grate ②
- planting soil ③
- structured soil ④
- reflector dome ⑤



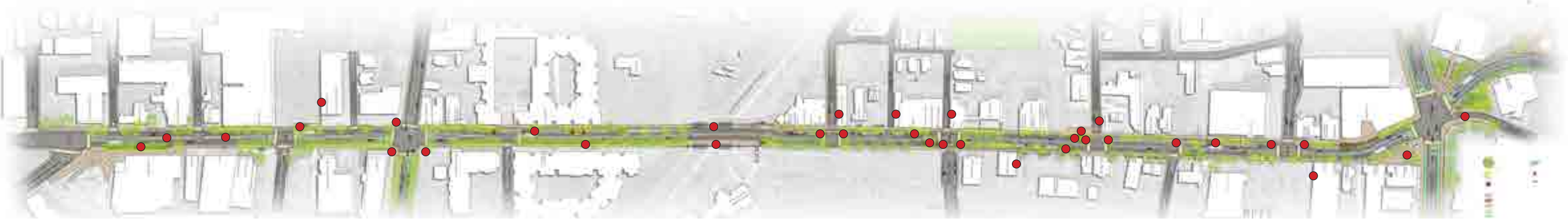
# FURNISHINGS

SEATING & LIGHTING



# INTERPRETATION & SIGNAGE

HISTORY, ART & WAYFINDING



● Potential locations for art/interpretation



# KEY ISSUES ADDRESSED BY THE PLAN



# TRANSPORTATION

## WEST MAIN STREET IS...

- A significant vehicular corridor linking downtown to the University and hospital
- The trunk line of the CATS system with the highest density of routes and trips in the system
- The only flat connection between downtown and the University that is comfortable for community/novice cyclists
- A main street currently too narrow for a double stroller to navigate existing sidewalks
- A framework (primary) response street for both fire and ambulance vehicles
- A corridor where institutions and local businesses rely on curbside parking for deliveries, drop off and parking

# TRANSPORTATION

WEST MAIN STREET IS ONLY 60' WIDE

- **Choice 1:** Provide/retain suboptimal dimensions for one or more users
- **Choice 2:** Do not accommodate all modes and needs (Pick favorites)
- **Choice 3:** Compromise to provide a safe, yet balanced street that accommodates all needs to some degree



# TRANSPORTATION

## RECOMMENDED DESIGN

- **Balanced street that preserves:**
  - » As much parking as possible
  - » As much vehicular capacity and flow as possible
- **While...**
  - » Enhancing transit rider amenities and accommodation
  - » Improving bicycle facility safety
  - » Accommodating street trees and green features
- **And meeting our performance goal**
  - » To provide sidewalks of adequate width to permit a double-wide stroller on the corridor so it need not be pushed in the street

# TRANSPORTATION

## PARKING

- **85 existing parking spaces reduced to 52**
  - » Curbside parking spaces are vital, but not really for parking
  - » While a well-managed parking space can have significant economic value to a main street, West Main Street parking is currently effectively unmanaged and underperforming in terms of economic value
  - » Managing parking spaces can increase productivity 3-fold and prioritize use by customers
  - » On-street parking is a small minority of total parking





# TRANSPORTATION

## BICYCLES

- **Safety is the imperative**
  - » Doorings – currently very common on the corridor.
  - » Accommodations are insufficient to attract users to this mode.
  - » Design is a compromise – alternating between protected space (preferred by bicyclists) and adjacent space (necessary to preserve parking)
  - » Will vastly improve safety and significantly improve appeal of this travel option for less confident bicyclists
  - » A number of studies have found that enhanced bicycle facilities not only reduce injuries, but increase retail sales and corridor patronage



# TRANSPORTATION

## TRANSIT

- » Bus bulbs minimize the amount of curbside space needed for bus stops
- » Can improve bus speeds along the corridor (as buses do not need to wait to merge back into traffic)
- » Can reduce friction between bicycles and buses
- » Provide access to 4th Street
- » A bus stop (occupying 2 parking spaces) can generate more than 100 pedestrian trips per hour compared to 30 generated by 2 well managed parking spaces
- » Businesses on transit corridors have been found to have higher retail sales than comparable businesses not proximate to transit



# TRANSPORTATION

## AUTOS

- **Auto accommodation and cut-through risk**
  - » Design does not diminish corridor capacity
  - » All intersections operate at an acceptable level of service
  - » The vehicular performance of the corridor does not change measurably from what it is today
  - » The adjacent street network does not invite cut-through traffic

# TRANSPORTATION

## EMERGENCY VEHICLES

- **Emergency vehicle accommodation**
  - » Maintenance of center turn lane/median space in western segment is measure to ensure efficient emergency response
  - » Curb radii have been tested and adjusted to accommodate emergency vehicles
  - » Emergency responders support proposed design

# UTILITIES



# UTILITIES

## EXISTING PUBLIC UTILITIES

- **Water**

- » City and Rivanna Water and Sewer Authority owned/operated
- » Existing City 10” Cast Iron waterline installed in the 1950’s
- » Lines not currently problematic, but approaching the end of service life
- » City recommends upsizing to 12” lines

- **Sanitary Sewer**

- » Majority of gravity sewer recently rehabilitated (lined)
- » Lines in West Main are in satisfactory condition - no improvements recommended
- » Service laterals owned by private property owners (unknown condition)
  - May require adjustment with streetscape or other utility improvements

# UTILITIES

## EXISTING PUBLIC UTILITIES

- **Gas**

- » Existing low pressure 10” cast iron lines installed in 1930’s
- » Lines not currently problematic, but approaching the end of service life
- » City recommends replacing with high pressure line

# UTILITIES

## EXISTING PRIVATE UTILITIES

- **Electric - Dominion Virginia Power**
  - » Overhead east of bridge
  - » Mostly underground west of the bridge
    - Portion recently undergrounded with Battle Building construction
  - » Dominion Virginia Power Strategic Undergrounding Program
    - Request to underground West Main lines (at Dominion's expense) denied





# UTILITIES

## EXISTING PRIVATE UTILITIES

- **Telecommunications**

- » Comcast

- Generally follows Dominion's location
- Major hub near Ridge/McIntire (south side)

- » Century Link

- All lines underground
- Major hub near 4th Street (north side)

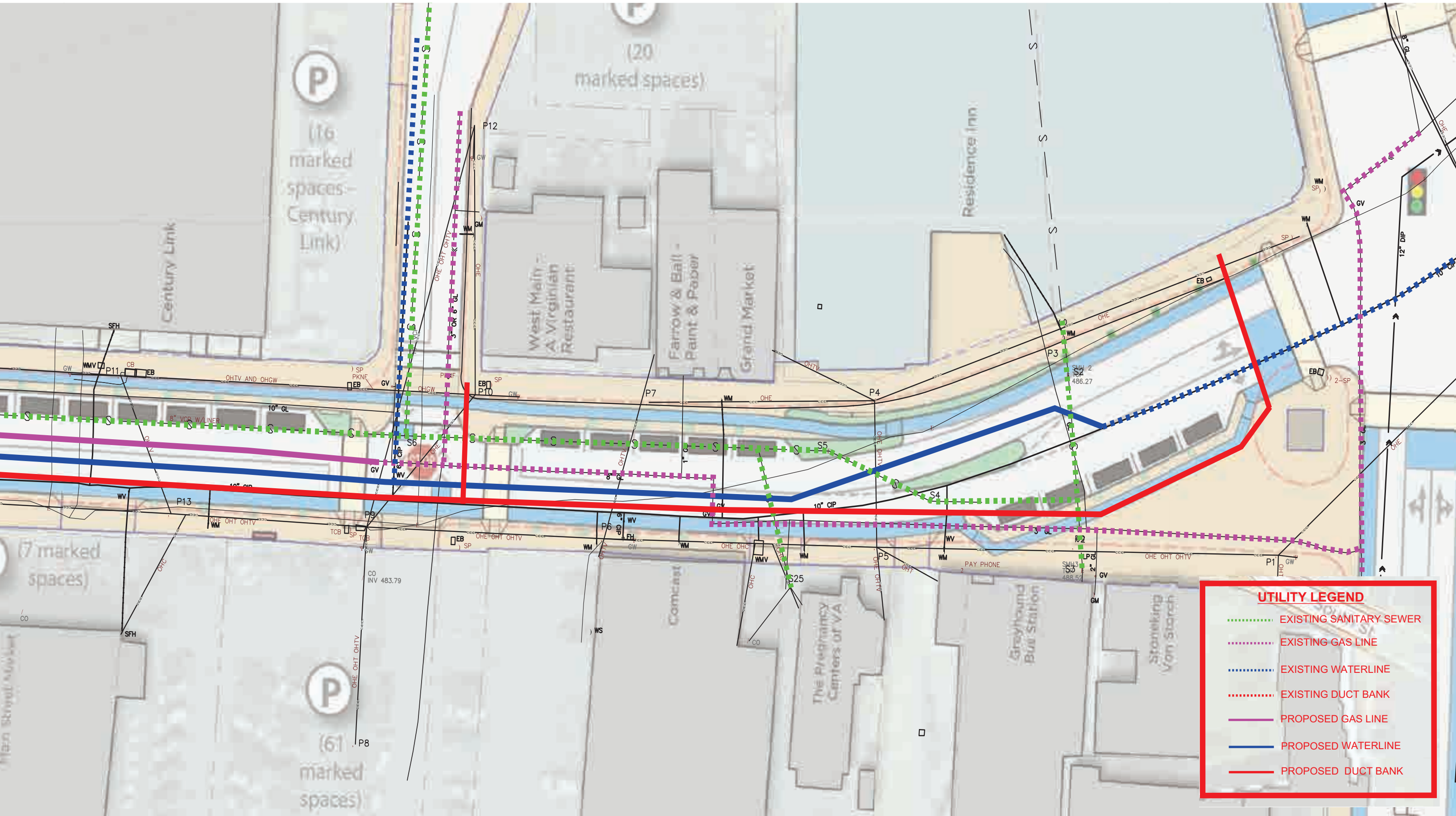
- » Lumos

- Largely follows Dominion's location



# UTILITIES

## STRATEGIC RELOCATION OF UTILITIES



# UTILITIES

## RECOMMENDATIONS FOR IMPROVEMENT

- **Water & Gas replacement (& improved capacity)**

- » Lower cost to DPU if completed with streetscape

- Certain utility replacement costs reduced (ie., mobilization, excavation/backfill, surface repair, maintenance of traffic, etc.)
- Takes advantage of streetscape construction operations

- » Preserves streetscape

- Future trenching into streetscape improvements to replace lines can be avoided
- Many times maintenance replacement of surface materials is different (in type and/or appearance) if done later

- » Collaborative Design

- Conflicts will arise (either directly or indirectly) during design with existing utility locations
- Design of utility replacement with streetscape design allows these to be resolved through the design process
- Provides for the most ideal location for all stakeholders

# UTILITIES

## RECOMMENDATIONS FOR IMPROVEMENT


- **Undergrounding of Overhead Wires**

- » Enhance visual appeal and eliminate conflicts with mature tree canopies
  - Will open up the view shed of West Main
- » Collocation as part of streetscape design
  - Allows for the organized placement into shared duct bank (instead of fighting for space where available)
  - Placement in location that is ideal for access and maintenance
- » Space reserved for future utilities
  - Ability to plan for future providers (ie., Google Fiber) by providing spare conduit to grow
- » Cost is significant (3 main components)
  - Infrastructure - duct bank, conduit, junctions, etc.
  - New utility equipment required for underground lines (ie., ground mounted transformers)
  - New underground service connection to each customer

# URBAN DESIGN

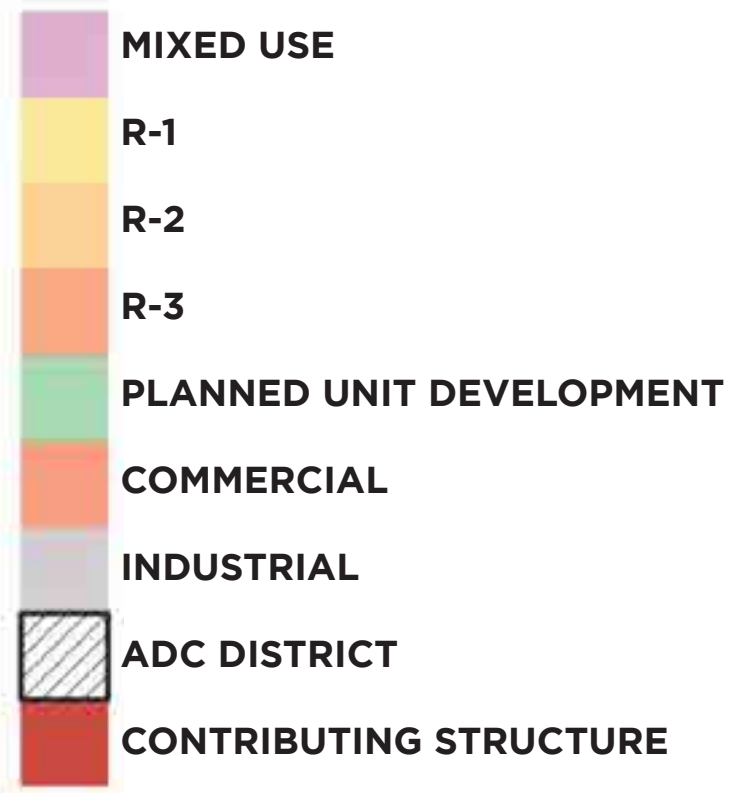


# GREAT STREETS SUPPORT GREAT NEIGHBORHOODS

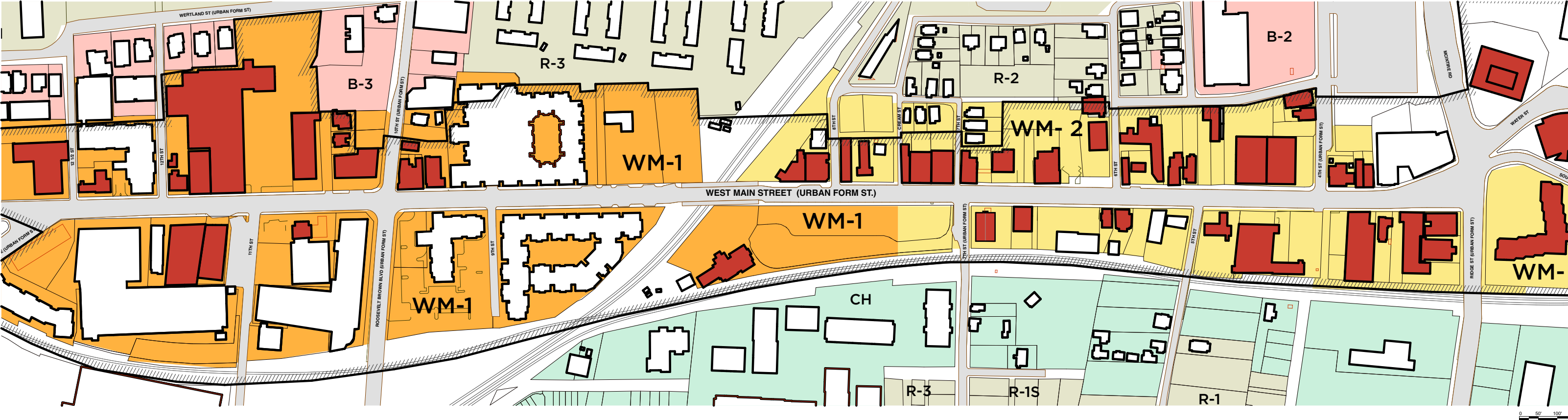


There is a symbiotic relationship between land use and street vibrancy. Great land uses attract people to a street, and great streets (as public places) bring people into the restaurants, shops, offices, and housing along them. A great street is a place where people want to be: to live, to work, to visit with friends, to shop, and to spend time.

# EXISTING ZONING





# PROPOSED ZONING





 ADC DISTRICT



### PROPOSED DISTRICTS

-  WEST MAIN ST. EAST
-  WEST MAIN ST. WEST

### EXISTING STRUCTURES

-  CONTRIBUTING
-  OTHER

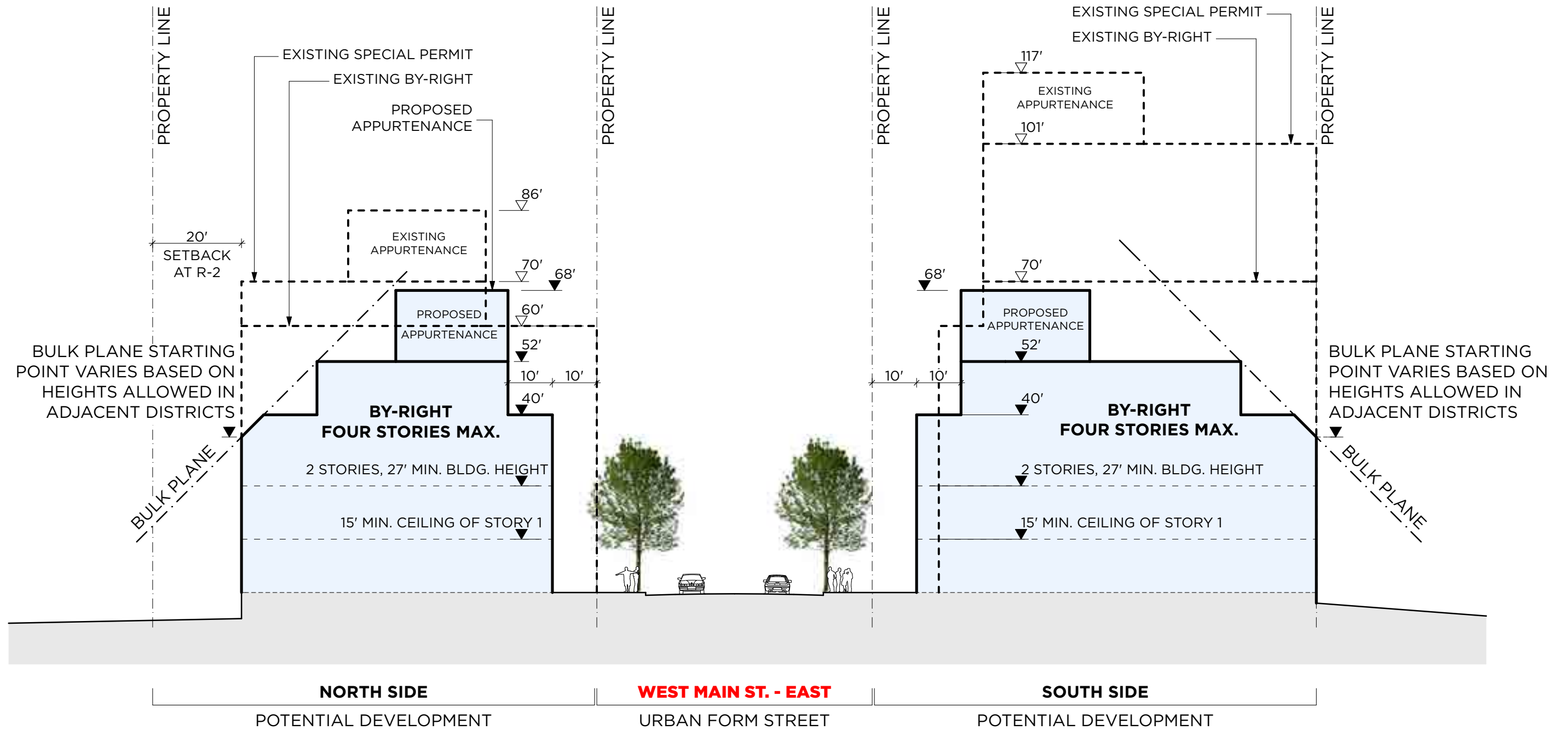
### ADJACENT DISTRICTS

-  MIXED USE
-  RESIDENTIAL
-  COMMERCIAL
-  INDUSTRIAL



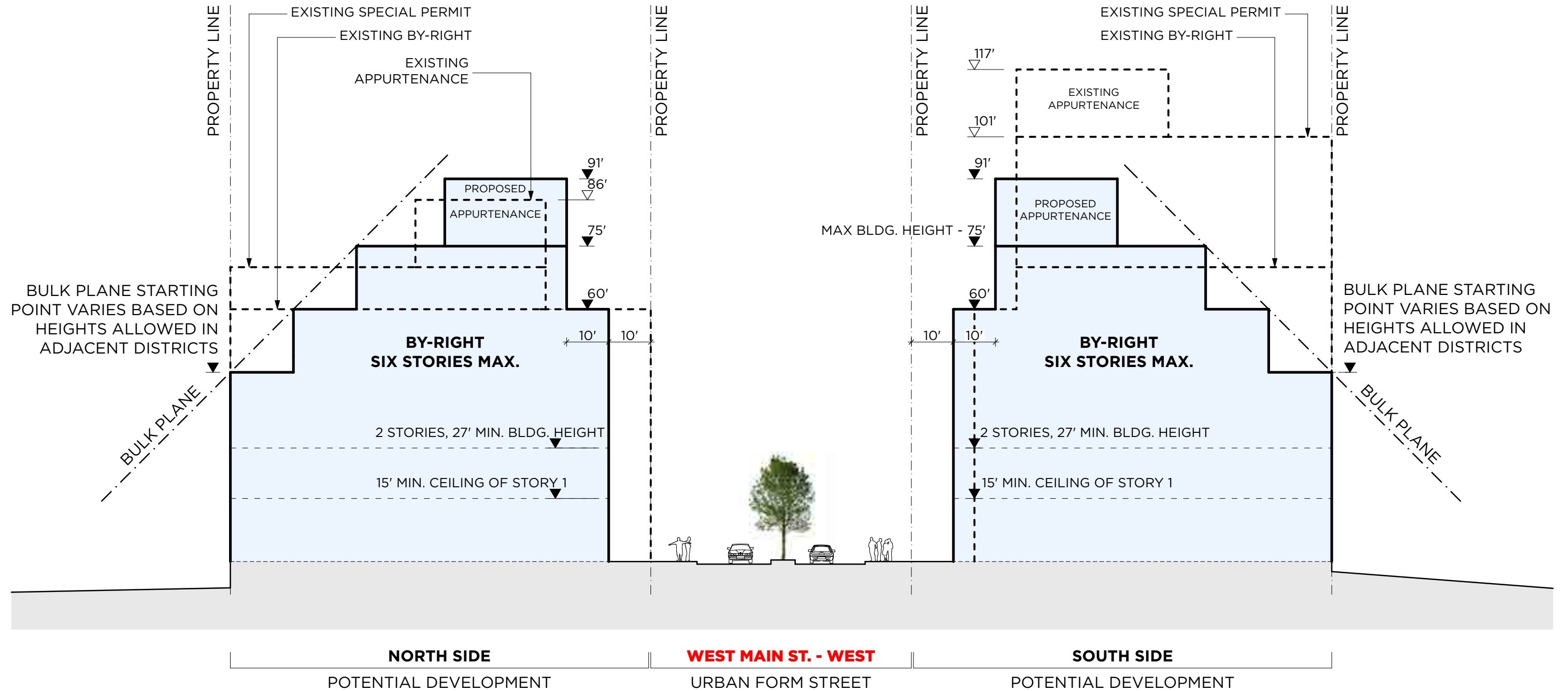
# TYPICAL CROSS-SECTION

EAST OF BRIDGE



# TYPICAL CROSS-SECTION

WEST OF BRIDGE





# COSTS/PHASING



# TOTAL ESTIMATED CONSTRUCTION COSTS

WITH VALUE ENGINEERING & DESIGN FEES

Streetscape Surface Improvements (Areas A, B)	\$13,639,602
Undergrounding Overhead Utilities (Areas A, B)	\$9,633,000
Betterment Utility Work (Areas A, B)	\$1,705,775
Design Fees (Areas A, B), includ. opt. services	\$2,996,379
<b>Total cost</b>	<b>\$27,974,756</b>

Gas Relocation (Area C)	\$1,752,400
Design Fees (Area C)	\$265,195
<b>Total cost</b>	<b>\$2,017,595</b>



# IMPLEMENTATION

- **The Plan can be implemented in phases**

- » East and west of bridge
- » A few blocks at a time
- » Block by block

- **Pilot Projects**

- » Test key Plan recommendations before permanent construction
- » Low costs to implement
- » May require extensive coordination with other departments and private land owners
- » Initiation of parking management recommendations needed as a first step



# WEST MAIN STREET - A GREAT STREET





City of Charlottesville, VA

# WEST MAIN STREET PARKING OPPORTUNITIES AND ANALYSIS

October 2014

## Table of Contents

	<b>Page</b>
<b>Introduction .....</b>	<b>4</b>
<b>Project Approach .....</b>	<b>4</b>
<b>Summary Findings.....</b>	<b>5</b>
Study Area.....	5
Parking Supply.....	6
Parking Demand .....	6
Parking and Travel Surveys and interviews.....	7
Findings and Conclusions .....	8
<b>Issues and Opportunities.....</b>	<b>10</b>
Parking and Travel Survey – business owners.....	10
Parking and Travel Survey – visitors/residents.....	11
<b>Curbside Assets and demands .....</b>	<b>13</b>
Curbside And Right of Way.....	13
off-street parking resources .....	14
Parking Utilization .....	15
<b>Parking Policy and Management.....</b>	<b>20</b>
<b>Recommendations .....</b>	<b>28</b>



**WEST MAIN STREET PARKING OPPORTUNITIES AND ANALYSIS**  
City of Charlottesville

**Table of Figures**

	<b>Page</b>
Figure 1	West Main Street Study Area..... 5
Figure 2	West Main Street Parking Overview ..... 14
Figure 3	West Main Street Parking Survey Inventory..... 16
Figure 4	Monthly Parking Facilities and Regulations ..... 17
Figure 5	West Main Street On-Street Parking Utilization Rates..... 18
Figure 6	West Main Street Expected Development ..... 19
Figure 7	Potential Municipal Garage Locations ..... 24

## INTRODUCTION

The City of Charlottesville retained Nelson\Nygaard to conduct a parking analysis along the West Main Street corridor. The work was performed in conjunction with the West Main Street Streetscape study being conducted at the same time and is intended to help inform the City of Charlottesville's assessment of the parking demand along the corridor, the potential and opportunities for change, parking alternatives and the need to provide additional off-street parking to accommodate existing development and future growth.

The parking opportunities and analysis study is a continuation of the work that the City of Charlottesville has completed to date in evaluating its parking supply. In 2008, the City conducted a Downtown Parking Study to assess existing conditions and project future parking requirements. The report concluded that the creation of a parking management plan would enable a proactive relationship with parking as compared to the current reactive approach. This included the recommendation of creating a Parking Department or Division where parking could be managed on a full-time basis.

The following report is a review of the City's existing and projected parking supply and demand, along the West Main Street corridor and whether or not its supply is adequate for its current and projected land use under existing conditions and proposed modifications.

## PROJECT APPROACH

This consultant's approach focused on collecting as much existing use information as possible to develop a profile of parking activity along West Main Street. Key questions the data was intended to answer included:

- Identify existing issues.
- Estimate the existing private and public parking supply in the West Main Street corridor
- Collect and analyze parking demand and utilization data in the corridor.
- Identify parking demand management alternatives based on proposed land-use development and best practices.
- Identify off-street parking options to explore.

To answer these questions, the consultant collected and reviewed all existing studies related to parking as well as all zoning code and regulatory language influencing the operation and provision of parking in the corridor.

Several data collection tasks were conducted, including:

- **Parking Inventory.** In September, 2014, the consultant conducted a field inventory of all public and private spaces within the West Main Street study area, creating a detailed map and database of all regulations, time-limits, hours of operation, ownership, etc.
- **Parking Utilization.** During the late September, 2014 timeframe, the consultant conducted field surveys of select off-street lots and all on-street spaces in the inventory to establish their daily parking utilization. Observations were conducted every two hours for 12-hour periods on average weekdays and weekends

**WEST MAIN STREET PARKING OPPORTUNITIES AND ANALYSIS**  
City of Charlottesville

- **Stakeholder Meeting.** In October, 2014, the consultant attended a Midtown Business Association meeting to record input on problems in the parking system, as well as recommended changes.
- **Parking User Surveys.** The consultant prepared two on-line surveys that sought basic parking preference information from both the business community and visitors/users of West Main Street. It was distributed and advertised among stakeholders by City staff and local businesses. Over 300 responses were recorded.
- **Parking Opportunities.** The consultant assessed the applicable parking technologies, policies and management procedures that could be initiated along West Main Street to manage on- and off-street parking.

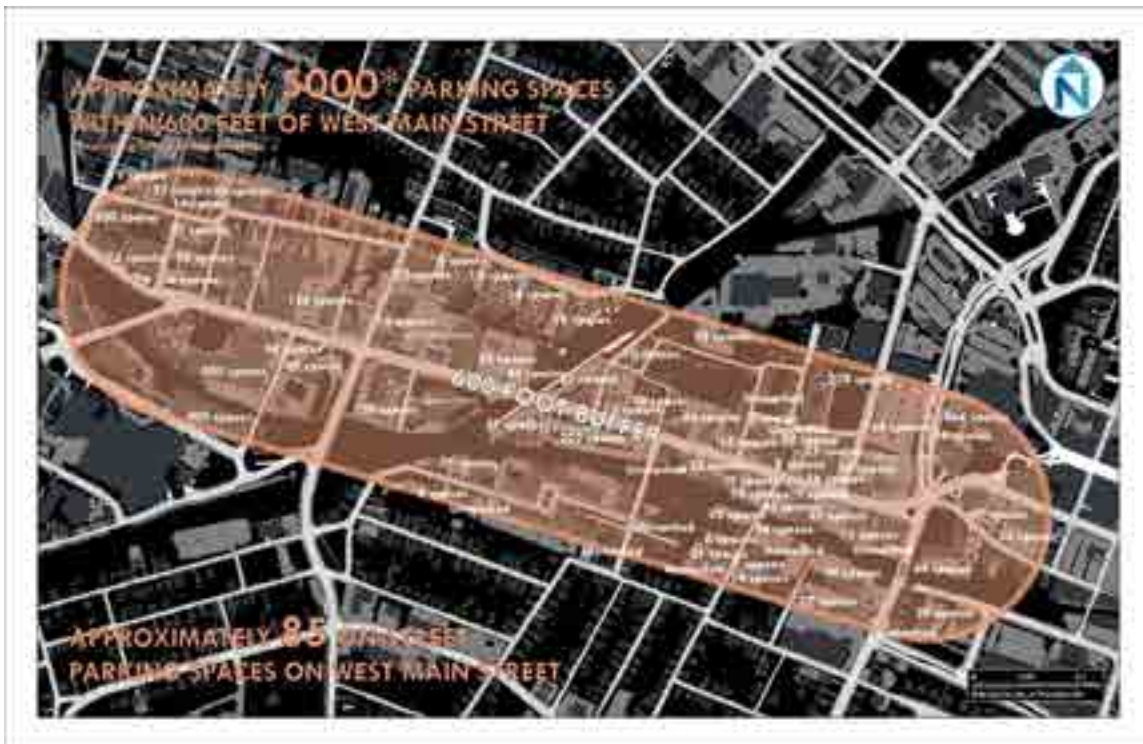
## SUMMARY FINDINGS

The findings below are highlights of the findings from the parking supply and demand data collection and analysis effort. Detailed findings and methodologies can be found in the sections that follow these summary findings.

### STUDY AREA

The parking analysis focused on the West Main Street corridor as shown in Figure 1 West Main Street Study Area.

Figure 1 West Main Street Study Area



## **PARKING SUPPLY**

The parking inventory identified West Main Street’s parking supply as:

<b>West Main Street Parking Overview</b>	
Commercial	1098
Residential	1135
Hotel	762
Civic	455
<i>UVA Health System</i>	<i>2059</i>
Other	293
On Street Spaces	85
Total	5887

Most parking spaces within the West Main Corridor are off-street (98% of spaces, or 5,802 spaces). These spaces are controlled by a variety of off-street regulations, categorized as public/not time-limited, customer only, customers/employees, employee only, permit only, residential, and residents/employees. Almost all of the off-street spaces, or 5,327 spaces, are dedicated to employee/permit and customer parking with only 8% of off-street spaces being publicly-available.

The 85 on-street spaces along the West Main corridor are categorized by two distinct on-street regulatory categories (15-minutes and 2-hours), plus unregulated spaces (e.g. those without regulatory signs governing them). All of these on-street spaces are publicly available and nearly all on-street spaces are time-limited; most are for two hours or less.

Based on interviews with both merchants and staff, enforcement of time limits on the corridor is fairly lax and sporadic. At present on-street parking is not metered at any time of the day, week or year.

## **PARKING DEMAND**

On-and off-street demand was observed during week days and weekends on an average week in September 2014. Field observations counted 88 on- street spaces and 18 loading spaces. Based on observed demand, peak periods in the study area occur during weekday midday (11am to 3pm); weekday evenings (5pm to 9pm), Saturday evenings and Sunday mornings – although there is relatively constant demand throughout the day.

Due to the small block size, the study area was segmented into three parts:

- Ridge McIntire to 6<sup>th</sup> Street
- 6<sup>th</sup> Street to 8<sup>th</sup> Street/rail bridge
- 8<sup>th</sup> Street to 10<sup>th</sup> Street

Generally speaking, demand for on-street parking was highest in the segment from 6<sup>th</sup> Street to the rail overpass while off-street occupancy was highest in the segment from Ridge McIntire to 6<sup>th</sup> Street.

On-street parking was at or above 90% on Friday and Saturday for most hours of the day in the 6<sup>th</sup> Street to 8<sup>th</sup> Street segment. This is over the 85% threshold for optimum parking occupancy. At the same time, publically available parking in the same segment (available at the Old Albermarle Hotel and Amtrak parking facilities) was underutilized with occupancies hovering between forty and sixty percent – a clear sign that better public parking management is needed.

Public off-street parking is not presently available in the Ridge McIntire to 6<sup>th</sup> Street segment. Although private off-street facilities exist that are capable of absorbing demand should any on street spaces be repurposed, off-street occupancy presently is routinely at or above 75%, which is under the typical 85% threshold for optimum occupancy.

The segment west of the rail overpass had the lowest demand for both on-and off-street spaces and abundant capacity to absorb demand during all hours of the day on both weekdays and weekends (typically less than 50% for off-street parking and less than 70% on average for on-street spaces)

## **PARKING AND TRAVEL SURVEYS AND INTERVIEWS**

Two surveys were conducted as well as interviews with key agency and corridor stakeholders.

Over 275 people responded to a survey geared toward parking consumers. The majority of respondents patronize West Main Street establishments at least occasionally (over 75%), however only 31% indicated that their primary purpose in coming to West Main Street was to support the commercial enterprises. The balance of respondents were bicycle or vehicle commuters, parishioners of corridor churches, employees of local offices, or local neighborhood residents.

The survey indicated that a large proportion (70%) of business patrons typically drive and park on the corridor with smaller percentages accessing businesses primarily through walk, bike, or transit.

Interestingly, a roughly equal proportion of respondents indicated that parking can easily be found on the corridor as did the proportion of people who stated that they had turned around or avoided West Main Street due to a lack of parking (about 1/3 of each). A large majority of respondents stated that they are willing to walk a block or more from a parking space to their destination (74% of retail consumers and 63% of the general populace). While parking is currently free on the corridor, just under half the respondents (and a greater proportion of commercial consumers) indicated a willingness to pay \$1 or more per hour to park on the corridor. Roughly a quarter were unwilling to pay any amount for parking; however, of these, two-thirds did not identify themselves as primarily coming to the corridor to shop or dine.

Fewer than a third of respondents felt that, as it is today, West Main Street is a nice street to walk along. Only one third of respondents indicated that they are generally satisfied with the corridor as it is today.

Two dozen business owners responded to a survey targeted at their interests. Respondents comprised a good representation of the diverse mix of commercial enterprises on the corridor. Business owners highlighted a serious perceived need for additional patron and employee parking, better enforcement of on-street parking, and potentially the extension of the duration of permitted parking.

Meetings and interviews with corridor businesses and stakeholders found similar concerns and perceptions. Specific issues raised during these conversations related to accommodating church patron needs, deterring university-related consumption of on-street parking, the need for short-term transactional parking and loading, the lack of enforcement, and the need to protect residential streets from parking encroachment.

## **FINDINGS AND CONCLUSIONS**

Designated public parking – both on-street and off-street – is constrained on the West Main Street corridor at present but generally sufficient to meet existing demands. The highest demand occurs during weekday mid-day hours when off-street parking is generally occupied by university or hospital-associated employees, students or visitors while, at the same time, general daytime consumers come to the corridor to shop and dine. Sunday mid-morning through mid-afternoon also poses a challenge as church and commercial parking demands converge. Although retail and dining demands are high on weekends and during evening hours, employment or university associated demands have abated providing some parking relief.

Reducing the on-street parking supply on the corridor, while modest in total numbers, could have significant negative impacts on corridor’s commercial enterprises *unless* it is concurrently mitigated with better on-street management, better information on available parking resources, and more off-street opportunities for workers and patrons. These parking policy and management recommendations are addressed later in the report.

Parking on the corridor is currently unmanaged or poorly managed. On-street or public off-street parking is routinely occupied for long periods of time by employees of both the small commercial establishments as well as university patrons. There is a substantial quantity of underutilized off-street parking, however, this parking is generally not publically available. All of these provide an opportunity for mitigation for any potential reduction in on-street parking.

Initial recommendations are to:

- Meter both on-and off-street public parking, accommodating free very short term parking (15 minutes or less). Metering parking can more than triple parking turn-over rates effectively increasing parking access even with a decrease in parking supply.
- Prioritize on-street parking for short duration, transactional parking and loading activities. Through pricing strategies, encourage longer period parkers (greater than 1 hour) to utilize off- street facilities.
- Maintain parking time limits during the week, but relax time limits during non-workday days and hours. Four-hour parking limits in off-street lots should be reduced to 2 hours during the work day to deter employee parking.
- Promote trolley and Route 7 service, especially for lunch hour trips. Although data is not specifically available, observational indications are that a significant share of mid-day, weekday patrons are traveling short distances that may be effectively accommodated by transit service if barriers to transit use can be overcome.
- Negotiate agreements for employee parking. Underutilized existing private lots can accommodate employee needs well on weekends and after 4pm. This would open up on-street parking for higher value patron use.
- Improve wayfinding and guidance for visitors to indicate where public off-street parking is available. Adopt and encourage the use of “smart” meters and off-street lot/garage control devices to provide patrons with real time parking availability information via apps and other techniques.

**WEST MAIN STREET PARKING OPPORTUNITIES AND ANALYSIS**  
City of Charlottesville

- Encourage or require new developments along the corridor to provide publically available off street parking as a component of their project. Enable shared parking to maximize the use of any spaces constructed. Developments may charge prevailing hourly rates for parking spaces; however, off-street parking fees must be priced below on-street rates.
- Improve access to the corridor via non-driving modes including additional bicycle parking, bicycle accommodation, transit enhancements, and a significantly improved walk environment.

The need for construction of an off-street municipal garage is not supported by this data. Parking needs can adequately, and more evenly, be met through the above enumerated strategies. This conclusion is based on the following:

- Parking demand is spread across the corridor. West of 6<sup>th</sup> Street on-street parking demand is lower, but off-street demand is higher and the segment lacks any off-street public parking accommodations. 6<sup>th</sup> Street to the rail overpass has higher on-street occupancy, but unused publically available off-street capacity.
- Retail patrons generally prefer to walk 600 feet or less between parking and their destination. A parking garage would be proximate to only one segment of the corridor while parking demand is spread along the length of the corridor.
- Supply can be increased and met through partnership with private development or existing underutilized lots.
- Structured parking is expensive. Small and awkwardly shaped sites result in inefficient parking layouts and even greater cost. The tight configuration of available sites on the corridor would result in construction costs of roughly \$15,000 per parking space. Amortized over a 20 year financing period, this equates to nearly \$30,000 or \$6million for a 200 space garage. A smaller facility would not be economical.
- Supportable parking rates need to be low. The estimated tolerable price point for parking on the corridor is between \$1.00 and \$1.50 per hour for on-street parking. Off-street parking would need to be lower to preserve the availability of on-street spaces.
- The city should focus first on regulating and enforcing existing on-street parking.

## ISSUES AND OPPORTUNITIES

Respondents to a public survey conducted as a component of this study were asked their perceptions about West Main Street. Although patrons of the corridor, over two-thirds of respondents did not feel that West Main Street was a very nice place to walk along nor were they satisfied with the current state of parking along the corridor.

The West Main Street Streetscape plans proposes to improve the environment, experience and opportunity of West Main Street. It does so through enhancements to the public realm – wider sidewalks, safer bicycle accommodations, greater efficiencies in public transit, and expanded street tree canopy and environmental features. While vehicle travel to and along the corridor is, and remains, a significant and viable alternative, the largest share of the roadway is presently allocated to auto movement and parking. This allocation compromises the viability and enjoyment of other modes.

The plan proposes to repurpose some of this right of way to improve the walkability of the corridor, enhance the visual image of it, and improve safety for all users. The proposed design would result in a net reduction of roughly 30 of the existing 88 on-street parking spaces (roughly one-third).

This opportunity for enhancement introduces a potential issue for business access as the majority of patrons, at present, use driving as their dominant travel mode to the corridor.

Merchants voiced strong concerns about parking on West Main Street. While many businesses do provide or have access to modest amounts of off street parking, several rely on on-street parking. Business concerns ranged from the need for short term, transactional patron parking, to loading issues, to providing adequate access for their employees. The cited parking pressures from the nearby university and hospital. Weekday daytime constraints are the highest for both on and off-street parking resources.

Merchants recognized an opportunity for better management and enforcement of existing on-street spaces. Surveys of the corridor further identified opportunities to utilize off-street parking resources that are generally unused during evening and weekend peak demand hours.

In order to gain a true assessment of the parking issues that face both retailers and patrons of the West Main Street corridor an online parking and travel survey was distributed to business owners, customers and publicized to City residents and visitors. The survey focused on gathering information on how people utilized the West Main Street corridor in terms of use (shopping, work, dining etc.), how they access the corridor, when they frequent the corridor and their parking preferences. In addition meetings were held with the business community to discuss their opinions and issues regarding parking along the corridor.

### PARKING AND TRAVEL SURVEY – BUSINESS OWNERS

23 business owners responded to a survey targeted at gaining insight of their observations and operations. Respondents represented the diverse range of establishments in the corridor. All operate Monday thru Friday, three quarters are open on Saturdays and two thirds open on Sundays. Overall the busiest time for the corridor is on weekdays between 11:00am and 4:00pm.



**WEST MAIN STREET PARKING OPPORTUNITIES AND ANALYSIS**  
City of Charlottesville

Fifty-seven percent of businesses offer their customers dedicated spaces in private lots. Forty-three percent indicated that parking was available to patrons either in a public parking lot or garage.<sup>1</sup>

Despite being in an urbanized location, the majority of business owners (over 80%) did not feel that parking was adequate and of an expected amount. Business owners generally felt that existing time limits (maximum 2 hours) were sufficient for their patrons to comfortably do business on the corridor. More than two-thirds felt parking enforcement was inadequate. Owners were divided as to whether “park once” strategies – where patrons can leave their car at one location and visit many places on the corridor – were good for business.

Business owners reported that the majority of their employees – over 50%, or about 1,100 workers - get to work by car. Roughly equal portions (around 10%) arrive on foot or via public transit, and about 5% come by bike. Employees who drive are reported to primarily (68%) park in dedicated off-street spaces provided by the establishment, although over 40% may also occasionally or routinely park on-street and 15% in a public lot. Roughly a third of the businesses reported employees utilizing remote parking options.<sup>2</sup>

Owners were asked to provide their top 3 recommendations to improve patron access to West Main Street. Their responses are included in full within Appendix A, but the three primary responses were:

- Building a paid public parking lot/garage
- Enforcement of the existing on-street parking and public lots
- Provision of extended duration parking (>2hr)

## **PARKING AND TRAVEL SURVEY – VISITORS/RESIDENTS**

Two hundred and seventy-eight (278) individuals responded to an online survey primarily oriented toward retail and dining patrons of the corridor. Although 76% occasionally dine on the corridor and 54% have shopped there, less than one-third of the respondents identified their primary association with the corridor as being a retail or dining customer (31%). Large portions of survey respondents were employees or students (29%), residents of nearby neighborhoods (23%), or members of one of the local churches (12%). The remaining few (5%) used the corridor for commuting by bike or car, or for exercise.

Over 88% of respondents were regular or frequent visitors coming to the corridor either daily or a few times a month. Over half typically visit two or more places when they come. Walking is overwhelmingly the mode of choice to move between destinations on the corridor (over 60%), however roughly 18% typically drive between locations, with the balance opting for bicycles, transit or varying their modes. The Main Street Market, Blue Moon Diner, Continental Divide, and Albemarle Bakery were the most commonly cited destinations.

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<sup>1</sup> Business owners were able to select more than one option thus the responses are not cumulative.

<sup>2</sup> Owners could select more than one option for locations utilized for employee parking.

**WEST MAIN STREET PARKING OPPORTUNITIES AND ANALYSIS**  
City of Charlottesville

Among commercial patrons, weekday evenings and weekend days and evenings were the most popular times to visit. The general populace tended to favor daytime hours during both the week and on weekends.

Driving and parking is the most often cited mode for accessing the corridor (86% of commercial consumers and 72% of general respondents). This was followed by walking, bicycling and transit use (in order of frequency of use).

Drivers did not indicate any strong preference for parking on street versus off street locations. Few currently do, and fewer yet wish to, park on nearby residential streets.

Consumer perceptions of the corridor closely mirrored that of general respondents. Interestingly roughly comparable numbers of people (roughly one-third of respondents) feel it is easy to find parking near West Main Street as the number of people who have avoided West Main Street due to a perceived lack of parking. Two-thirds indicated that current parking time limits may be insufficient to do all they would like to do on the corridor. Less than a third of respondents think West Main Street is a nice walking street and fewer still are satisfied with the current parking situation on the corridor.

Encouragingly, a significant majority of respondents are willing to walk up to a block from their parking space to their destination. While parking is currently free on the corridor, just under half the respondents (and a greater proportion of commercial consumers) indicated a willingness to pay \$1 or more per hour to park on the corridor. Roughly a quarter were unwilling to pay any amount for parking, however of these, two-thirds did not come to the corridor primarily to shop or dine.

Comments from respondents highlighted two consistent themes – parking **IS** important to the success of the corridor, but so too is the character of the corridor. Most comments expressed support to enhance the corridor to improve the retail environment and safety provided parking remained available and affordable.

The full survey responses are included as Appendix B.

# CURBSIDE ASSETS AND DEMANDS

## CURBSIDE AND RIGHT-OF-WAY

West Main Street is a vital urban street, a locally designated historic district, and an important connection between the University of Virginia and Downtown Charlottesville, and to its surrounding neighborhoods. In recent years West Main Street has become a vibrant, mixed-use corridor that has a number of competing demands for its curbside space. These demands all need to be met, but should also be prioritized and accommodated accordingly.

### Transit Access

West Main Street is one of the busiest transit corridors in Charlottesville. At present, it carries just two CAT (Charlottesville Area Transit) routes – Route 7 and the Trolley. However, these lines form the backbone of the entire Charlottesville transit system. They connect the two primary transit hubs – one located at the east end of the Pedestrian Mall and the other located at the UVA Hospital, a primary employment center and destination. Additional transit service and increased frequencies are anticipated on the corridor to respond to rising demand.

### Pedestrian Access

Despite the high amount of foot traffic along West Main Street between the University of Virginia and downtown Charlottesville the pedestrian environment on West Main Street is lacking. The sidewalks are narrow, and many intersections lack crosswalks on all approaches. All traffic signals in the study area require pedestrians to push a button to activate the walk signal, allowing them to legally cross the street. Street lighting is poor, which leads to a perceived unsafe environment at night. The notable elements of the current West Main Street Streetscape plan that address the quality of the pedestrian environment include:

- Raised crosswalks
- Sidewalk widening
- Highlighted crosswalks (different materials)

### Bicycle Access

West Main Street is also one of the busiest bicycling corridors in Charlottesville, with the highest bike traffic counts at Ridge McIntire Road, closer to the Downtown Mall. An estimated 237,000 bicycle trips occur here each year. The second highest traffic counts are at Jefferson Park Avenue next to the University of Virginia, where there are an estimated 219,000 bike trips annually. Counts fall in the central portion of the study area; the intersection of West Main and 4<sup>th</sup> Street NW has 197,000 bike trips each year, suggesting that bike traffic, like pedestrian traffic, is oriented to destinations at the ends of the study area.

However, there are limited bicycle facilities on West Main Street. There are 12 bike racks within a 600 foot walk of the corridor.

## Loading and Short-term Parking

Through discussions with the local business community as well as the field observations, there is a substantial demand for curbside loading and short-term parking. The demand for loading comes primarily from commercial uses along the corridor and occurs during the morning period when deliveries are a key element of business activity. Additionally curbside space is a required aspect for the food and beverage industry that need curbside space for trash collection in the early morning.

Parking for customer utilization is also in demand to enable the short-term exchange of goods (i.e., collection or drop-off of goods). The combination of curbside space demands to focus on loading zones in the morning period and the transfer to short-term parking spaces later in the day are elements under consideration in the streetscape plan.

## OFF-STREET PARKING RESOURCES

At present there are approximately 88 public on-street parking spaces on the corridor itself and several more on adjoining and nearby streets. These parking spaces are largely unmarked and unmetered. Turnover is encouraged through a posted two-hour maximum time limit, although it is acknowledged that enforcement is spotty and ineffective at achieving the desired parking availability.

In addition to these limited on-street resources, a handful of 2- or 4-hour public parking spaces are available in an off street lot adjacent to the Albermarle Hotel on the 600 block of West Main Street.

Despite the limited availability of publically held and maintained parking spaces, there are a vast number of parking spaces within a block of the main corridor – over 5,000 in fact! However, nearly all are privately held and dedicated to a single user. Only 648 spaces are publicly available.

The parking inventory identified as West Main Street’s parking supply is:

West Main Street Parking Overview			
	Total Spaces	Publicly Available	Location
<b>Commercial</b>	1098	280	Amtrak Station
<b>Residential</b>	1135	None	
<b>Hotel</b>	762	None	
<b>Civic</b>	455	228 55	Carver Recreation Center Old Albermarle Hotel
<b><i>UVA Health System</i></b>	<i>2059</i>	<i>None</i>	
<b>Other</b>	293	None	
<b>On Street Spaces</b>	85	85	
<b>Total</b>	5887	648	

## **PARKING UTILIZATION**

To gain a comprehensive understanding of the existing parking supply, parking trends, regulations, rates and management practices, the West Main Street study area was divided into three zones, by geographic location and facility type, which were then subdivided into individual block codes.

Zone A: West Main Street between Ridge McIntire Road to 7<sup>th</sup> Street (On-street parking)

Main Street Market Lot

Old Albemarle Hotel Lot

Lot next to Old Albemarle Hotel (Private)

Zone B: West Main Street between 7<sup>th</sup> Street and 10<sup>th</sup> Street (On-street parking)

House & Hound Lot

Starr Hill Lot

Sweethaus Lot

Zone C: Staple Lot (243 Ridge McIntire Road)

Amtrak Lot

Hampton Inn Lot

Republic Plaza (839 West Main Street)

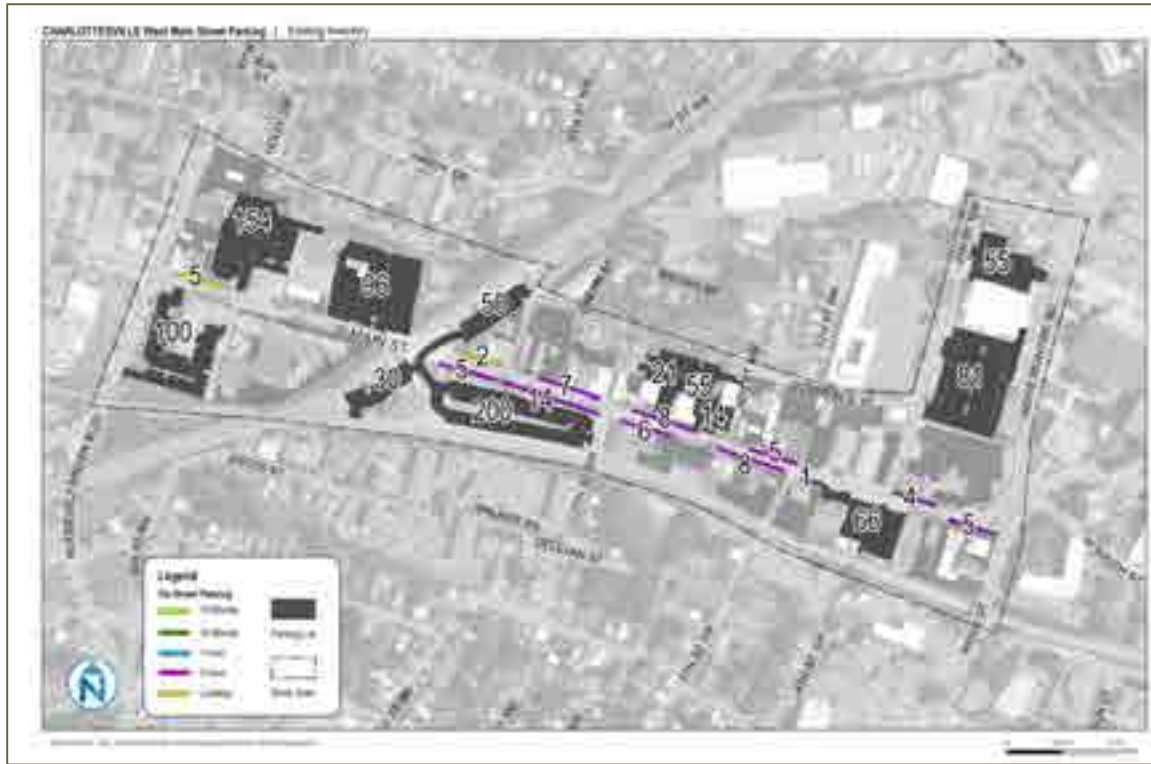
These zones and locations were prioritized for on-street and off-street surveys as they included commercial blocks with a significant presence of street-fronting retail, as well as the most immediately relevant off-street parking within the West Main Street corridor.

### **Parking Zone Overview**

On-street surveying of each zone was conducted over a five day period in September 2014, prioritizing commercial blocks with significant presence of street-fronting retail, residential streets with high-density housing developments or commercial-spillover demand, and off-street parking lots catering to mixed, commercial, and civic uses.

This parking survey includes all on-street spaces and select off-street lots. Overall, the survey included a total of 1,084 spaces, of which 401 are publicly-available and 683 are use-restricted.

Figure 3 West Main Street Parking Survey Inventory



## REGULATIONS AND GENERAL OBSERVATIONS

The use category and applicable regulations were recorded for all spaces within the study area. Multiple regulatory approaches co-exist along the West Main Street corridor, including free on-street public parking, paid off-street public parking, free off-street private parking (for customers), paid off-street private parking, and paid off-street permit parking.

The 70 free on-street public parking spaces and the 51 free off-street public parking spaces have varying time restrictions and regulatory periods. Between Ridge Street and 9<sup>th</sup> Street, and in the Old Albemarle Hotel parking lot, public parking is granted in two-hour limits, from 8 a.m. to 6 p.m., Monday through Saturday. The parking limit between 9<sup>th</sup> and 10<sup>th</sup> Streets is 15 minutes, from 8 a.m. to 6 p.m., Monday through Saturday. Public on-street parking is unmonitored on Sundays.

In addition to standard on-street public parking spaces, there are at least nine loading zone spaces and six handicapped spaces (the three spaces fronting First Baptist Church between 6<sup>th</sup> and 7<sup>th</sup> Streets are only active on Sundays). Many loading zone spaces are not clearly demarcated, which encourage and lead to non-uniform and illegal parking practices. Included in the supply are 28 total handicapped spaces available in the study area.

The largest parking facility along the West Main Street corridor, public or private, is the Amtrak station lot, which features 280 total spaces subdivided into three lots. Hourly rates are \$2 per hour (paying with cash) and \$2.50 per hour (paying with credit); the daily rate is \$12; the weekly rate is \$50. Wild Wing Café, located above the Amtrak station, offers parking validation for up to two hours.

**Figure 4 Monthly Parking Facilities and Regulations**

Parking Lot	Number of Spaces	Monthly Charge
CB Richard Ellis	55	\$78
Starr Hill	71	\$55
Sweethaus	84	\$60
Amtrak	280	\$200 (\$50 weekly)

Monthly permit parking is available at three private lots in the study area. The most centrally located permit lot – between Ridge Street and 4<sup>th</sup> Street (north of the private Staples parking lot) – is managed by CB Richard Ellis, and costs \$78 per month; 14 additional, uncounted spaces in the northern section of this lot are presently occupied by construction trucks and trailers working on the Residence Inn on West Main, located at the corner of Ridge Street and West Main Street. The monthly rate for the Starr Hill lot (835 W. Main Street) is \$55; the monthly rate for the 84 permit-only spaces in the Sweethaus lot (843 W. Main Street) is \$60.

Illegal on-street parking is a recurring issue on multiple blocks within the study area. While surveying the parking utilization rates, taxi cabs were repeatedly observed parking illegally on-street outside the Greyhound Station (310 West Main Street) between Ridge Street and 4<sup>th</sup> Street. Multiple cars were also consistently observed parking illegally on-street on the northern side of West Main Street between 6<sup>th</sup> Street and 7<sup>th</sup> Street, fronting the 601/603 West Main Street parking lot, where signage is missing and no spaces exist.

In several instances private companies located near public lots (Safelite Auto Glass at Amtrak) and reserved/permit only facilities (Century Link at CB Richard Ellis) were observed parking work vehicles in these facilities; whether this practice is illegal or permitted is not clear.

Additionally, numerous blocks within the study area are missing regulatory signage, or do not feature explicitly marked parking spaces. This is most notably an issue on the south side of West Main Street between 4<sup>th</sup> and 5<sup>th</sup> Streets, on the north side between 5<sup>th</sup> and 6<sup>th</sup> Streets, and on the north side between 9<sup>th</sup> and 10<sup>th</sup> Streets, where the total number of legal parking spaces is unclear. Clearly marking existing on-street spaces can provide greater clarity for infrequent or one-time visitors.

## **RESTRICTED USE VS. PUBLIC-ACCESS PARKING**

A total of 1,084 parking spaces in the study area were surveyed, split between public-access, private, and reserved/permit only use. Thirty-seven percent of spaces are public-access, 29% are private parking, and 33% are reserved/permit-only parking. There are 121 free public parking spaces (both on-and off-street), and 280 paid off-street public spaces. The largest private and reserved/permit-only lots are located on the east and west ends of the study area.

## PARKING UTILIZATION PATTERNS

To determine availability of parking in the West Main Street study area, parking utilization counts were conducted in September 2014. On a midweek day (Wednesday) and Sunday, all parked cars within the study area were counted every two hours between 9 a.m. and 7 p.m. On Friday and Saturday, all parked cars in the study area were counted every two hours between 9 a.m. and 9 p.m.

In order to eliminate the perception that parking is not available, it is ideal to have at least one empty space per block face in a commercial district, ensuring easy customer access to businesses. This typically equates to about 1 out of 8 on-street spaces free, or a target of 15-percent vacant spaces per block face. Similarly, a goal of at least 10-percent vacancy in off-street lots is optimal. If any facility has less availability, it is effectively at its functional capacity.

Utilization patterns include all inventoried spaces – both restricted-use and publicly available spaces. The utilization pattern analysis for West Main Street indicates that, for the majority of the time the study area has more than adequate parking supply to satisfy its demand, most notably in off-street private and reserved/permit only lots during non-business hours.

Public on-street parking in the study area is generally well utilized, but not yet overcapacity. The lowest demand was observed during the morning midweek periods (9 and 11 a.m.), with utilization rates hovering between 25 and 70%. Utilization rates for midday periods (1 and 3 p.m.) is more robust, generally clustering around 75%.

On-street parking utilization predictably approaches capacity on Friday and Saturday nights (7 p.m.), when demand peaks at 86% and 90%, respectively.

**Figure 5 West Main Street On-Street Parking Utilization Rates**

Day	Period	Total Cars	Utilization Rate
Wednesday (9/17)	9 a.m.	27	39%
	11 a.m.	--*	--*
	1 p.m.	42	60%
	3 p.m.	31	44%
	5 p.m.	--*	--*
Friday (9/19)	9 a.m.	32	46%
	11 a.m.	47	67%
	1 p.m.	57	81%
	3 p.m.	58	83%
	5 p.m.	60	86%
	7 p.m.	60	86%
Saturday (9/20)	9 a.m.	36	51%
	11 a.m.	58	83%
	1 p.m.	55	79%
	3 p.m.	43	61%
	5 p.m.	54	77%
	7 p.m.	63	90%
Sunday (9/21)	9 a.m.	14	20%
	11 a.m.	53	76%
	1 p.m.	N/A**	
	3 p.m.	N/A**	
	5 p.m.	N/A**	
Sunday (10/26)	9 a.m.	30	43%
	11 a.m.	74	106%
	1 p.m.	53	76%
	3 p.m.	44	63%
	5 p.m.	56	80%

\*Insufficient data; \*\*On-street parking prohibited due to Midtown Street Fair



**WEST MAIN STREET PARKING OPPORTUNITIES AND ANALYSIS**  
City of Charlottesville

The Midtown Street Fair was held on Sunday September 21<sup>st</sup> from 1-6 p.m., closing West Main Street from 4<sup>th</sup> Street to 7<sup>th</sup> Street; on-street parking was also prohibited during this time, resulting in the loss of 27 on-street public parking spaces. The street fair, and its attendant parking restrictions, provided the opportunity to observe how parking patterns fluctuate during a special event, and the impact of increased demand for off-street parking. Additional surveys were undertaken on Sunday October 26<sup>th</sup>, which was a typical Sunday (i.e., no special events). During this time on-street parking peaked at 106% of capacity at 11am due to the parking of vehicles in illegal spaces. Throughout the rest of the day, on-street parking utilization rates ranged from 43% to 80%.

At the Amtrak Station – the nearest public off-street parking facility – near capacity utilization rates were recorded for the 1-3 p.m. (93%) and 3-5 p.m. (93%) periods during the Midtown Street Fair. In the 43 on-street public parking spaces that remained open during the street fair (Ridge to 4<sup>th</sup>, 7<sup>th</sup> to 8<sup>th</sup>, 8<sup>th</sup> to 9<sup>th</sup>, and 9<sup>th</sup> to 10<sup>th</sup>), utilization rates nearly met or exceeded capacity from 1-3 p.m. (98%), 3-5 p.m. (95%), and 5-7 p.m. (105%).

Demand for reserved/permit only facilities is evident during the work week, with utilization rates for the CBRE facility steady at 58%, an average of 64% utilization at the Starr Hill facility, and 50% utilization for the Sweethaus lot. However, during the weekend periods utilization rates for these facilities were lower than 10%. Implementing shared parking policies in select private and reserved/permit, where private spaces are opened for public use during non-business hours, could help relieve the demand for on-street public parking and reduce the time visitors spend circling for parking, especially during special events that result in the loss of publicly-accessible on-street parking.

The utilization maps for each day and time period are included as Appendix C.

## Land Use development

To determine the future potential for West Main Street’s parking supply the most recent project information was gathered from the City of Charlottesville. Five major development projects have been completed or are expected to be completed in the near future, as shown in Figure 6.

The West Main Street parking supply will increase by a net of 2,266 spaces and over 780 residential units and 235,000 square feet of commercial land uses if all six developments are built as proposed. The growth of West Main Street as a mixed-use corridor with significant proposed development creates multiple opportunities for viable alternatives to the existing parking system.

**Figure 6 West Main Street Expected Development**

Project	Square Footage/Units	Parking Spaces
Battle Building – University of Virginia -completed	155,471 sq.ft office	1050 (at the 11 <sup>th</sup> Street Parking Garage)
Marriot -under construction	124 residential units 27,251 sq. ft office	118
The Flats -completed	219 residential units 24,600 sq. ft retail	411
The Standard	205 residential units 15,905 sq. ft retail	499
1000 West Main	240 residential units 9,340 sq.ft retail	188

# PARKING POLICY AND MANAGEMENT

Parking is best managed pro-actively as a critical component of a corridor management plan. The best practice is to move away from the approach of constantly reacting. Many cities are now adopting parking management elements in concert with marketing and development efforts. Along the West Main Street corridor as well as throughout the City of Charlottesville, the following alternatives are recommended for further exploration and would formulate a considered parking management approach.

## **Department of Parking**

Creating a City Parking Department, or a Parking Division within an existing City department, to provide full-time management of the parking system. This would include oversight of the parking enforcement, dynamic rate management, maintenance and stakeholder liaison.

### *Benefits*

- Would provide central oversight of the City parking system and facilities.

### *Limitations*

- Additional staff cost and management, Dept. annual budget and initial set-up.

## **Enforcement of Time limits**

Currently on-street parking along West Main Street is time limited to 2 hours but these limits are rarely enforced. This results in overuse of parking spaces thus reducing the available supply of parking for visitors particularly those in need of short-term spaces. Implementing an enforcement program through the time limit with the strengthening of enforcement activities would increase turnover and ensure an occupancy level where there are some available parking spaces at any given time. This strategy reduces the perception of a lack of available parking and provides valuable short-term spaces for local businesses.

### *Benefits*

- Would increase turnover and ensure availability of on-street spaces.
- Would force employee and long-term parkers to lots/garages.

### *Limitations*

- Would be a big change to the existing system and may be seen as a revenue generator.
- Would require the capital outlay of parking enforcement equipment, software and collections contract. Most collections contracts will include enforcement equipment and be based on a per citation cost.
- A parking enforcement officer salary and benefits is approximately \$50,000/year (with potential revenue within a City-wide system at approx. \$150,000)

### *Challenges*

- Proper parking enforcement is not possible unless regulatory signs are in place to notify people of the intended purpose of a parking area and the rules that apply.
- Fines should be set merely as a deterrent to illegal parking and should not be viewed as a revenue source. Fines also should escalate depending on the severity of the infraction. If fines are set too low, they will not discourage people from parking illegally.
- Would require the implementation of an enforcement division with the City (or the new parking dept.).

## **Metered parking**

There is currently no metered on-street parking along West Main Street, though the City does operate one public parking lot with meters at 100 East Water Street, a few blocks outside the study area near the Downtown Mall. The Downtown Parking Study did recommend establishing the West Main Street corridor as an “Outer Zone” to the Downtown Mall, where on-street parking was free and with a two-hour time limit only on specific spaces in certain areas<sup>3</sup>. Meanwhile, City Planning Commissioners have expressed interest in expanding on-street meters to free up more parking spaces in congested commercial corridors such as West Main Street<sup>4</sup>.

### *Benefits*

- Manage occupancy levels to ensure that most spaces are used but some spaces are always available for arriving shoppers and visitors. The usual target occupancy level for on-street parking is 85%.
- Make it cost-effective and easy for commuters to buy monthly garage permits, rather than utilizing on-street spaces that are needed for short-stay shoppers and visitors.
- Reinvest the parking revenue to pay for the parking meters and associated costs, as well as enforcement costs. City code should also be altered to enable any net revenue to fund transit improvements or enhancements to the West Main Street district.
- Fees would apply to all on-street parking spaces and further study would be required to determine the desired hourly rate, hour of use and/or the use of dynamic rates. The objective would be to provide a rate that is cost-effective for those long-term parkers to utilize the off-street garages/lots.

### *Limitations*

- Would be a big change to the existing system and may be seen purely as a revenue generator.
- Would require capital outlay for parking meter equipment. Typical costs for “smart meters” enabling credit card payment and pay-by-cell is \$250/meter with associated fees per transaction.

### *Challenges*

- Proper parking enforcement is not possible unless regulatory signs are in place to notify people of the intended purpose of a parking area and the rules that apply.
- Fines should be set merely as a deterrent to illegal parking and should not be viewed as a revenue source. Fines also should escalate depending on the severity of the infraction. If fines are set too low, they will not discourage people from parking illegally.
- Would require the implementation of an enforcement division with the City (or the new parking department).

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<sup>3</sup> “Charlottesville Downtown Parking Study,” Martin Alexiou Bryson, [http://www.dailyprogress.com/news/article\\_3d33cd09-7547-5d20-af6e-1a5265458390.html](http://www.dailyprogress.com/news/article_3d33cd09-7547-5d20-af6e-1a5265458390.html); retrieved May 28, 2014.

<sup>4</sup> “Parking meters worth look-see, say some in city,” The Daily Progress, [http://www.dailyprogress.com/news/article\\_3d33cd09-7547-5d20-af6e-1a5265458390.html](http://www.dailyprogress.com/news/article_3d33cd09-7547-5d20-af6e-1a5265458390.html); retrieved May 28, 2014.

## **Shared parking**

Despite the number of parking spaces on or near West Main Street, residents and business owners state that parking can still be difficult to find. Shared parking, or allowing businesses and institutions to pool their resources, is one potential solution. It is effective in mixed use environments, either when there is a mix of uses on a single site or when sites with different uses are located suitably close together. One example of this is an office building sharing parking with a restaurant or movie theater, since most of the office workers (and their cars) will be gone in the evenings when there is the most demand for parking from the restaurant or theater.

### *Benefits*

- This would maximize the amount of available parking for all users along the corridor.
- Not only would this better utilize the corridor's parking amenities, but it would improve access and encourage customers and businesses to the area.
- Regulations and restrictions for parking in private lots, which are currently confusing at best, would be reviewed and codified into an understandable, consumer friendly form.
- By allowing for and encouraging shared parking, the City could implement minimum parking requirements and reduce the required number of parking spaces for mixed use developments or single-use developments in mixed-use areas.

### *Limitations*

- There are over 70 different parking facilities along the West Main corridor. Some of them have as few as 7 parking spaces, and several lots are completely unmarked. All of the facilities have different and potentially competing owners.

### *Challenges*

- One challenge with shared parking is working out an agreement between land owners or developers if the uses are not all on the same property.
- Any shared parking scheme would require extensive cooperation among owners and standardization of parking rates and restrictions. Many local jurisdictions have utilized Business Improvement Districts (BIDs), parking authorities or parking management partnerships to formulate and organize private resources.

## **Public (or District) Valet Parking**

A growing practice to expand the efficiency of available parking resources is the use of valet parking in public and private parking areas. The available off-street parking lots along West Main Street could be utilized during peak periods (such as Friday evenings, seasonal weekends, and special events) as public valet parking at no additional charge.

### *Benefits*

- In many cases parking supply can increase by 40% as attendants can utilize drive aisles and other available space. The City of Annapolis successfully provided valet parking in its downtown garage during the summer season of 2013 and noted increased usage, revenue and customer satisfaction.
- For the City of Charlottesville to pursue public valet parking as a viable option there would be a few obstacles relating to regulation and implementation.

### *Limitations*

- The primary concern would be the insurance and liability concerns related to valet parking and ensuring that all private operators met the City's demands.

### *Challenges*

- Enforcement of parking fees may be required to provide a “level playing field” and to ensure that price gouging is deterred. As previously stated this could be collectively managed through a BID or Parking Authority.
- Overcoming the initial public hesitancy of valet parking as shown through the parking and travel survey where 78% of respondents stated they would be unlikely to utilize public valet. A marketing campaign would be needed to make people aware and comfortable with this option.

### **Remote Employee Parking**

Remote parking for employees would utilize available parking at the outskirts of the West Main Street corridor where demand is lower. The location of the remote parking would be tied into the existing trolley service or provided with a separate shuttle service to the corridor.

#### *Benefits*

- Would remove employees from the in-demand spaces along West Main Street.
- Would provide employees with either free or low cost all-day parking.

#### *Limitations*

- The availability of a remote parking facility.
- Cost to provide a remote facility. As previously stated this could be collectively managed through a BID or parking authority.

#### *Challenges*

- Encouraging employees to utilize a remote location.
- Ensuring the safety of employees especially restaurant/bar staff that leave work past midnight.

### **Municipal Parking Development**

With the implementation of the recommended policies and strategies described above to manage parking along the West Main Street corridor, the need for a newly constructed municipal parking resource (off-street) would not be needed, certainly not in the near future. However, with such a large portion of the existing parking spaces being privately owned in and near the corridor the land could be redeveloped or simply remain as private parking. As such, the potential in the future for a public parking garage to accommodate the parking demand could be feasible.

#### *Benefits*

- Would provide a significant increase in publicly available parking.
- Would alleviate the need for corridor-wide collaboration of the individual parking lot owners/operators.

#### *Limitations*

- The availability of a property for a new parking facility.
- Cost to provide a new facility. Recent studies by the VTPI show the national average for constructing an off-street parking space at \$15,552 with additional “soft” costs at 30-40% (design, permits and financing) of the total construction cost.

#### *Challenges*

- Using the above cost estimates a 200-space facility would require over \$6million for construction and an annual operating budget of \$250,000.

**WEST MAIN STREET PARKING OPPORTUNITIES AND ANALYSIS**  
City of Charlottesville

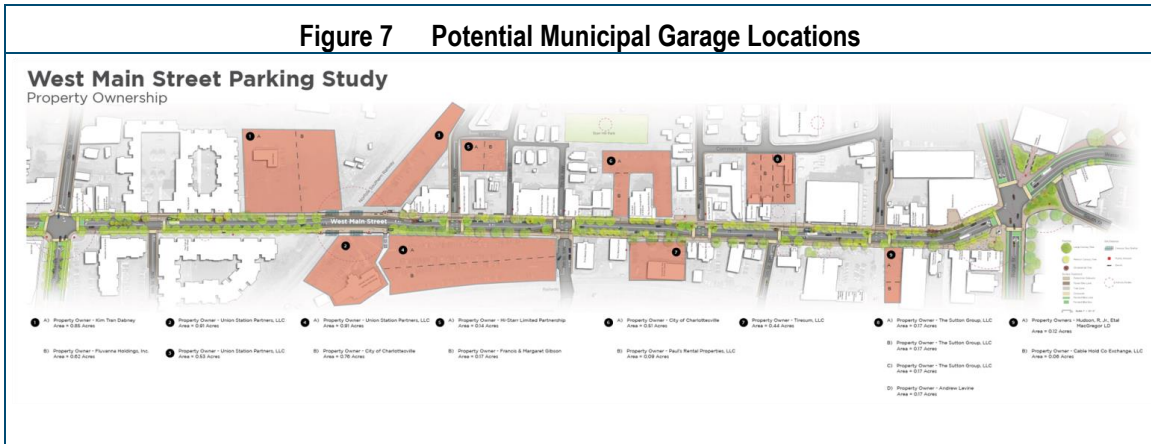
- Given the unknown development potential along West Main Street, would a new municipal parking facility be competing against private garage owners in the future?

**Off-street parking options**

The feasibility of constructing a new parking facility requires additional review and study, but the observations and data provided within this report as well as discussions with City staff and local stakeholders indicates that such a facility is an option within the West Main Street corridor.

The critical element of constructing a new parking facility would be the availability and suitability of locations within the corridor as many existing properties are privately owned and are not under the City’s control. A list of potential locations along West Main Street with an initial assessment of their merits, deficiencies and challenges are shown below.

Figure 7 Potential Municipal Garage Locations



1. 843 West Main Street (Current use = private parking and retail)

Property Size = 0.85acres

Potential Parking Yield (at 350 sq.ft/space) = 105 spaces/level

*Merits*

- Access from West Main Street
- Shape and size of lot

*Deficiencies*

- Not centrally located
- Privately owned property
- Greater potential for mixed-use development

2. 810 West Main Street (Current use = private parking and retail)

Property Size = 0.91acres

Potential Parking Yield (at 350 sq.ft/space) = 113 spaces/level

*Merits*

- Close to railway line with lower commercial development potential

**WEST MAIN STREET PARKING OPPORTUNITIES AND ANALYSIS**  
City of Charlottesville

- Can utilize elevation change under bridge

*Deficiencies*

- Not directly accessed from West Main Street
- Privately owned property

3. 154 8th Street (Current use = private parking)

Property Size = 0.53 acres

Potential Parking Yield (at 350 sq. ft./space) = 65 spaces/level

*Merits*

- Close to railway line with lower commercial development potential
- Can utilize elevation change under bridge

*Deficiencies*

- Not directly accessed from West Main Street
- Privately owned property
- Elongated parcel

4. 810 West Main Street (Current use = Amtrak parking)

Property Size = 0.91 acres

Potential Parking Yield (at 350 sq. ft./space) = 113 spaces/level

*Merits*

- Rectangular parcel
- Utilized for existing Amtrak parking
- Can utilize elevation change under bridge
- Good access from 7<sup>th</sup> Street to West Main Street
- Centrally located property

*Deficiencies*

- Privately owned property
- Greater potential for mixed-use development

5. Elsom Street (Current use = commercial and private parking)

Property Size = 0.31 acres

Potential Parking Yield (at 350 sq. ft./space) = 37 spaces/level

*Merits*

- Rectangular parcel
- Lower commercial development potential

*Deficiencies*

- Two privately owned parcels
- Limited access from West Main Street
- Limited yield potential

**WEST MAIN STREET PARKING OPPORTUNITIES AND ANALYSIS**  
City of Charlottesville

6. Starr Hill Park/Old Albermarle Hotel (Current use = public parking)

Property Size = 0.60acres

Potential Parking Yield (at 350 sq. ft./space) = 74 spaces/level

*Merits*

- Centrally located
- Existing public parking location
- Lower commercial development potential
- One parcel is owned by the City of Charlottesville

*Deficiencies*

- Two separately owned parcels
- Limited yield potential
- L-shaped parcel with limited width

7. 616 West Main Street (Current use = commercial)

Property Size = 0.44acres

Potential Parking Yield (at 350 sq.ft/space) = 54 spaces/level

*Merits*

- Centrally located
- Single rectangular parcel
- Access from West Main Street

*Deficiencies*

- Limited yield potential
- Existing commercial use
- Located opposite existing surface public parking lot

8. 421 West Main Street (Current use = commercial)

Property Size = 0.68acres

Potential Parking Yield (at 350 sq.ft/space) = 84 spaces/level

*Merits*

- Centrally located
- Combined parcels would create an efficient shape
- Access from West Main Street or Commerce Street

*Deficiencies*

- Four parcels with two separate owners
- Limited yield potential
- Existing commercial uses

9. 324 West Main Street (Current use = private parking lot)

Property Size = 0.18acres

Potential Parking Yield (at 350 sq.ft/space) = 22 spaces/level

*Merits*



**WEST MAIN STREET PARKING OPPORTUNITIES AND ANALYSIS**  
City of Charlottesville

- Access from West Main Street or 4<sup>th</sup> Street (south approach)
- Existing surface parking lot

*Deficiencies*

- Two privately owned parcels
- Very limited yield potential
- Existing commercial uses
- Eastern location

As previously stated the cost to provide a new facility can vary with the type of construction. Recent construction costs have however, shown that show the national average for constructing an off-street parking space at approximately \$15,000 per space in a multi-level facility. A single level facility would bear lower costs in the region of approximately \$10,000/space. In addition “soft” costs throughout the process such as design, financing and permitting can add as much as 30-40% to the total constructions costs.

# RECOMMENDATIONS

The recommendations that follow were developed to prioritize the parking needs and demands of West Main Street as well as informing the planning process as future development is proposed in conjunction with the West Main Street Master Plan. The recommended actions provide for the short-term and then several additional recommendations for consideration.

## Summary

### Short-Term Recommendations

- Creation of a City Parking Department to oversee the on-street and off-street parking system City-wide.
- Implementation of a robust parking enforcement strategy to help create availability and to better balance parking demand in the West Main Street corridor.
- Implementation of a metered parking district along West Main Street to include smart-meters, allowing multiple payment methods (i.e., credit card, pay-by-cell).
- Consideration of the use of Smart parking technologies should be considered to enhance customer convenience, information, revenue collection, enforcement, and overall efficiency.(e.g., pay-by-phone, credit card meters, parking app)
- Creation of metered on-street parking to enable demand-responsive pricing in order to help create availability and manage occupancy within the corridor.
- Implementation of Shared Parking Policies and Management Regulations for private property owners and existing parking facilities through the City Parking Department and Planning Office
- Designation of employee parking areas that are price and convenience competitive with customer spaces to help ease user conflicts at prime front-door spaces.
- On-going monitoring of parking utilization in order to adjust programs in response to performance on the ground.
- Development of an implementation program for pricing, regulatory, signing, and technology changes, including a robust outreach and education program.

### Additional Recommendations

- The City should establish a parking & transportation fund that reinvests parking revenues generated on the corridor on West Main Street improvements and connections to remote parking.
- Decisions should be made in close coordination with West Main Street's business community with the creation of a Business Improvement District.
- The City should consider creating and offering a municipal management program for private parking facilities to improve utilization of these assets and generate new public and private revenues.

**WEST MAIN STREET PARKING OPPORTUNITIES AND ANALYSIS**  
City of Charlottesville

- Several low-cost supply increases in existing lots should be considered after better management practices have been operating successfully and before additional parking lots or garages are contemplated.
- Continue the feasibility and exploration of new parking resources as development opportunities arise.

### Background

The West Main steering committee recently recommended that City Council endorse a vision for the corridor and consider supporting the following preliminary actions to manage and redevelop West Main:

- Initiate zoning changes to ensure the survival of the corridor's historic character
- Manage existing parking to maximize efficiency
- Manage traffic to reduce the vehicular use of neighborhood streets near West Main
- Undertake utility improvements, including putting overhead utilities underground
- Provide safe multimodal infrastructure

### Challenges

- The design for the streetscape has not been approved yet
- The cost of the proposed streetscape plan appears to exceed available funding
- People are concerned about the consequences of the proposed plan, particularly how it will affect safety, congestion and business vitality

### Proposal

The streetscape plan for West Main is based on several design concepts that can be tested before implementation. In particular, new parking strategies and on-street bike lane improvements may be appropriate subjects for pilot or test programs to confirm their feasibility for the corridor in advance of construction. Street re-striping presents an opportunity to experiment with changes between the existing curbs for a relatively low cost. In 2013, West Main Street had a deficiency rating of 82, which makes it eligible for repaving and restriping.

The work required for this proposal could be accomplished through the efforts of city staff or by on-call consultants if necessary.

### *Parking*

1. Test the streetscape plan's reduction of on-street parking spaces by removing selected spaces while undertaking strategies to satisfy West Main parking needs in other ways. According to the 2014 West Main parking study, appropriate options include:
  - a. Managing existing parking supply through wayfinding and enforcement
  - b. Leveraging potential supply through leases, insurance and other incentives for public parking, and employee and church parking arrangements
  - c. Expanding supply through zoning and financial incentives for shared parking resources

### *Bike Infrastructure*

2. Replace selected on-street parking spaces with improved bike lanes and bike parking facilities:
  - a. Re-stripe new protected bike lanes
  - b. Provide bicycle parking facilities through partnerships with corridor businesses and property-owners or in on-street locations. An application for a curbside space conversion to a bicycle 'corral' has been received by the city already.

### Potential metrics for success

1. Improved on-street parking utilization compared to 2014 West Main parking study
2. Annual retail sales stability or improvement for West Main businesses tracked through an evaluation of taxable revenue
3. Accident reduction for all modes of movement (ped/bike/car)
4. Improved traffic mobility for cars and bikes (any traffic-calming required for adjacent neighborhoods should follow guidelines developed through the Streets That Work project)
5. User surveys

Factors that might sway the study results either positively or negatively could include construction activity or the arrival of new people using the West Main hotels or apartments. Results for the metrics listed above should attempt to account for those factors.

#### Duration

This proposed pilot project recommends that the duration of the study be sufficiently long to test the plan concepts (for example, 6-12 months). If these metrics show strong negative trends after an initial start-up period (for example, 2 months), then the pilot project could be discontinued.

#### Community Involvement

The West Main stakeholders are a critical voice in the street revitalization process and the city should involve the community in the pilot projects if they go forward. Stakeholders can provide the city with information about appropriate wayfinding opportunities and needed safety improvements, and general feedback on the progress of the pilot program. Stakeholders may also work together and with the city to establish shared parking arrangements or other agreements.

Short-term or pop-up streetscape projects are excellent opportunities to involve the community in the pilot study. These efforts could build on the West Main street fairs that the stakeholders have already established. See information developed by Team Better Block at <http://teambetterblock.com/> for more ideas.

#### Attachments

- *West Main Street Steering Committee Memorandum*, March 3, 2015 (see next page)
- *Better Block Project Reports* from Brownsville, TX (see <http://teambetterblock.com/blog/project/brownsville-better-block-project/> and download the report) and Richmond, VA (see <http://teambetterblock.com/blog/2014/11/18/better-block-richmond-video-and-report-available/> and download the report)
- *Protected Bike Lane Report*, NYC (see <http://www.nyc.gov/html/dot/downloads/pdf/2014-09-03-bicycle-path-data-analysis.pdf>)

## MEMORANDUM

To: Charlottesville City Council  
From: West Main Steering Committee  
Re: West Main project  
Date: March 3, 2015

Members of the West Main Steering Committee met on February 13<sup>th</sup> to summarize known local perspectives on the corridor's final concept plan and urban design guidelines. The steering committee includes multiple stakeholders such as neighborhood leaders; bike/ped advocates; businesses; institutions such as the First Baptist Church and the University; and preservation, planning and design professionals. **We all agree that West Main is changing. The community's imperative is to get ahead of future changes and guide that change in beneficial directions.**

The city and many engaged community members have invested much time and significant resources in the development of the West Main project to this point. We urge the city council to capture the excellent ideas that have come forward from that effort and to support the concepts embedded in the plans for West Main. We hope you will take the best of what the community engagement process and the professional consultants have offered, add the best of your wisdom and sense of what is most important to the community, and initiate implementation of a framework for West Main St. that will guide the redevelopment of this corridor over the coming decade.

All present agreed on the following priorities for this important multimodal corridor, and we urge city council to consider the committee's following recommendations to facilitate its expeditious and thoughtful management:

- Decouple the approval process for the urban design guidelines and streetscape plan to minimize delays for corridor improvements, and **initiate essential zoning changes to ensure the survival of the corridor's historic character** and cultural resources
- **Manage our existing parking** to maximize its efficiency and to provide a reality-check for the proposed changes to current on-street parking
- **Manage traffic** to minimize the effects of heavy vehicular use of smaller residential streets adjacent to West Main
- Commit to undertaking the necessary **utility improvements**, including putting overhead utilities underground, and reducing conflicts between utilities, trees, and buildings
- In keeping with the city's Complete Streets Policy, commit to **improved multimodal infrastructure** that
  - Ensures people of all ages and abilities feel safe biking the corridor
  - Provides safer, more commodious and welcoming pedestrian space

The steering committee understands that implementing the ideal plan—in fact, any plan—is expensive and will require prioritization and phasing. We all agree that at this stage in the process it is essential to have a vision and plan to guide beneficial West Main Street improvements. To implement these improvements, the next step is for City Council to endorse a vision for the corridor; adopt necessary legal and policy changes; plan for infrastructure investment proposals; and develop realistic implementation phasing.

We all agreed on the basic design principles for the corridor, and we believe that the interests and concerns of the stakeholder groups are sincere and often well-aligned. Steering committee members share a deep concern about the changing character of the corridor and its potential effect on adjacent neighborhoods and the city in general, believing recent new by-right and SUP developments (both constructed and planned) are changing the character and scale for West Main in ways that many did not anticipate. These changes—and the prospect of further change—have troubled the traditional neighborhoods adjacent to West Main with worries of additional unmanaged traffic, lost views and vistas, and density. Steering committee members also agree that deteriorating conditions in the corridor seem to warrant the city's reinvestment in major public infrastructure such as sidewalks and underground utilities. Furthermore, we share a hope for improved safety in the corridor for all. Such improvements support business retention and current and future economic development.

The steering committee is disappointed that one of the most critical elements of the project—the zoning guidelines—has been the final plan component to be completed. We all believe the potential new zoning framework is crucial for the preservation of the corridor's historic character and for its sensitive redevelopment. Moving forward with the required legal process is an essential first step in addressing a shared community vision for West Main.

While the plan is not transformative for West Main in the same way that the downtown mall was for the eastern portion of Main Street, it satisfies a multitude of unmet needs in the corridor—**the need for safe, functional, accessible, thriving, sustainable, diverse, and comfortable public space that will support a significant mixed-use multimodal corridor.** West Main's limited space requires that we allocate the available land for many uses, and the stakeholder groups each have their own priorities for that land. Some favored additional trees, or safer bike lanes, or on-street parking, or increased sidewalk space. The current streetscape plan represents all of these important elements and helps to solve complex problems for our city.

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## **West Main Street Streetscape Plan**

### **Statement from the Planning Commission**

#### **Received After July 28<sup>th</sup> Planning Commission Work Session**

On July 28<sup>th</sup>, 2015 the Planning Commission reviewed the West Main Street Streetscape Plan, per the request of Council. The following statements were provided to staff on July 30<sup>th</sup>, 2105.

1. The Commissioners reached a consensus that the proposed streetscape plan, especially on the east side, conforms with the Comprehensive Plan, particularly in regards to environmental and transportation goals. There was some concern (though not consensus) that the proposal on the west side was not in conformity with the economic development portion of the plan.
2. The Commissioners reached a consensus that they were in support of the design for east of the bridge, but some commissioners would like additional study on the design west of the bridge. Specifically, there was some interest (but not unanimity) in seeing if some strategic on-street parking could be reinserted west of the bridge in order to support street level, smaller-scale land uses. Also, there was concern that trees had been removed from the medians on the west side and some members of the commission wanted to reengage stakeholders about restoring those trees and ensuring shade for pedestrians. Two commissioners stated that ensuring the emergency vehicle access route to the UVA Medical Center is a priority concern. All commissioners understood that there were many competing desires for programming in the 60' ROW, however, some commissioners wanted to explore whether taking some width from each of the elements (sidewalks, lane widths, etc.) would enable reinsertion of some on-street parking and/or a more robust program in the median.
3. The Commissioners reached a consensus that they support the proposed pilot program, as well as installing and evaluating the pilot prior to schematic and detailed design, but they also acknowledged that existing conditions—especially existing infrastructure would interfere with the effectiveness of the pilot project(s).
4. A Commissioner noted West Main Street west of the bridge may be further broken down by north and south sides during consideration.
5. A Commissioner noted a desire for the City to continue to consider shared parking, public valet parking, and improvements to bus and trolley service on the corridor.



6. A Commissioner noted the City Manager and Mayor should discuss undergrounding and potential cost sharing or innovative uses of grant or other Dominion funding with high-ranking officials at Dominion Power. In addition, other influential members of the community and the University might be able to facilitate a dialogue at the highest levels. One commissioner would like to understand if there is a way to, in addition to undergrounding much of the utilities, reengineer some of the existing aerial infrastructure in order to save existing trees and, perhaps, lower the overall cost of the project.
7. A Commissioner noted UVA should be more involved in the project as it moves forward.
8. A Commissioner requested Parks and Recreation provide an official statement regarding support of the proposed streetscape plan.
9. Several Commissioners stressed a sense of urgency and priority should be maintained while moving this project forward.
10. During Public Comment representatives of the University of Virginia Office of the Architect and the Medical Center spoke about the need for continued participation in the West Main project.
11. A representative of the Tree Commission spoke about the need to plan for the health and longevity of trees in the West Main Street corridor.

# West Main Street Streetscape Plan Review

May 21, 2015

Prepared by: University of Virginia

Technical support by: VHB



VHB, Inc with support from University of Virginia (UVA), has performed a review of the West Main Street Streetscape Plan, presented to the Charlottesville City Council in December 2014 and March 2015, according to the website <http://www.gowestmain.com>. The plan is available online as a PDF presentation and this review was performed based on the information provided in that presentation. The plan provides for a multi-modal approach to West Main Street with comprehensive recommendations and numerous positive benefits, particularly relating to aesthetics and improved multimodal accommodations. However, the University, with technical analysis support from VHB, has identified multiple concerns from a transportation safety and operation standpoint detailed in this memorandum. The University is particularly concerned with congestion that would impede the ability for emergency vehicles to access the hospital as well as the safety of our students and staff who use the corridor.

VHB and UVA met with City of Charlottesville staff on May 4 to discuss the identified concerns. As a result of the meeting, the City provided additional information from their consultant including traffic counts and analyses as well as responses to the primary concerns presented at the meeting and the draft version of this memo. This memo has been revised to reflect our review of the additional information, which did not alleviate all the concerns expressed.

**The primary concerns are provided below with additional detailed information following:**

1. West Main corridor vehicular capacity will be reduced due to the removal of existing vehicle lanes turn lanes. This is of particular concern in regard to emergency vehicles accessing the hospital, in addition to our large population of patients that visit the Health System on a daily basis.
2. The City has approved multiple large scale housing/hotel projects in 2014-15 along West Main – The Flats at West Village, The Standard, 1000 West Main, Sycamore House Hotel – that will add over 1,700 beds and 1,100 parking spaces to the corridor further impacting vehicular flows.
3. West Main Street vehicular flows will be impacted due to constrained capacity noted above and the plan to have CAT busses stop in the single vehicle lanes to pick up passengers rather than in pullouts provided currently.
4. West Main Street adjacent the Health System area will be reconfigured to a flush median from the existing center two-way left-turn lane. This could impede vehicular flows, reduce turn lane queuing capacity and could cause conflicts between vehicles and pedestrians that do not exist today.
5. The Ridge Street/McIntire Road intersection has been reconfigured in the plan and the capacity is significantly reduced - this will result in significantly increased congestion on all approaches to the intersection.
6. The plan shows the bike lane in some locations to be protected from the through travel lane by both a tree line and a parking lane which creates a conflict between bicycles and vehicles at intersection locations. There would be a significant sight distance issue for turning vehicles trying to access a side street from West Main Street.

The technical analysis and data supporting the concerns noted above are detailed in the paragraphs below with summary recommendations provided at the end of the memorandum. In summary, based on our review of the available information, UVA requests more detailed information on the impact of the improvements before the City approves the proposed conceptual plans..

- **West Main corridor vehicular capacity will be reduced due to the removal of existing vehicle turn lanes. This is of particular concern in regard to emergency vehicles accessing the hospital, in addition to our large population of patients that visit the Health System on a daily basis.**
- **The City has approved multiple large scale housing/hotel projects in 2014-15 along West Main – The Flats at West Village, The Standard, 1000 West Main, Sycamore House Hotel – that will add over 1,700 beds and 1,100 parking spaces to the corridor further impacting vehicular flows.**

The online PDF presentation (on page 50 of 69) states that the “design does not diminish corridor capacity,” that “all intersections operate at an acceptable level of service,” and that “the vehicular performance of the corridor does not change measurably from what it is today.” However, this document

is not supported with any traffic analysis data.. A traffic analysis for the UVA Health System, performed by VHB in 2015 on the western end of this segment of West Main Street, shows operational deficiencies for vehicular traffic along West Main Street between Jefferson Park Avenue and 10<sup>th</sup> Street/Roosevelt Brown Boulevard under both current and future conditions with the current geometric configuration of West Main Street in place. Planned developments along the corridor (The Flats, Standard, 1000 West Main Street, ED expansion, etc.) will increase traffic volume along Main Street considerably, based on traffic studies submitted to the city during the projects' entitlement process. Even after trip reductions are applied, the Standard and the Flats will add 2,400 vehicle trips per day resulting in LOS E or F operations during the PM peak hour at both intersections studied along West Main Street, according to the TIA submitted to the City last year. Therefore, it does not appear that all intersections operate at an acceptable level of service. Information provided by the City included traffic counts at the Ridge/McIntire and 10<sup>th</sup> Street/Roosevelt Brown Boulevard intersections and a Synchro analyses for morning and evening peak hours. The email from the City that transmitted these documents said that "the depth of our transportation analysis was fairly shallow". Based on a review of the Synchro analyses, VHB believes that the analyses weren't calibrated to reflect the changed conditions of the proposed intersection such as appropriate clearance intervals and the increased travel distances due to bike boxes, and the Ridge/McIntire intersection didn't include pedestrian or bicycle volumes. The traffic volumes used in the analyses were based on existing counts and did not include any growth in volumes which would be expected based on the new developments as well as general growth in the area. The UVA Health System traffic analysis covered the section of West Main Street along the property of the UVA Health System, but it is recommended that all intersections along the corridor be analyzed to identify traffic operations deficiencies before any plan is enacted.

- **West Main Street vehicular flows will be impacted due to constrained capacity noted above and the plan to have CAT busses stop in the single vehicle lanes to pick up passengers rather than in pullouts provided currently**

The narrowing of the traveled way of the street results in the removal of any existing bus pull-out lanes. With only a single through travel lane in each direction, any bus stop condition can create a bottleneck along West Main Street. According to the CAT's web page, routes 4, 6, 7, 9, and T serve West Main Street along the frontage of UVA Hospital, and routes 7 and T serve West Main Street from east of 10<sup>th</sup> Street to the end of the streetscape corridor. This high transit exposure results in up to 12 busses per hour stopping along West Main Street and blocking through traffic with no location to pull off the street. This could be another blocking concern that diminishes capacity along the corridor. With these potential losses of capacity, concerns are raised that traffic will be diverted to surrounding residential or campus streets such as Lee Street. These streets are not conducive to additional diverted traffic and Lee Street, in particular, is the primary entrance and drop-off area to the UVA Hospital. This concern should be considered in any traffic analysis that will be conducted to assess the viability of this streetscape plan for West Main Street.

- **West Main Street adjacent the Health System area will be reconfigured to a flush median from the existing center two-way left-turn lane. This could impede vehicular flows and turn lanes and could cause conflicts between vehicles and pedestrians that do not exist today.**

The streetscape plan does provide for the same number of through travel lanes along West Main Street in the Health System area, but a median would replace the existing center two-way left-turn lane (TWLTL) and small left-turn lane storage pockets are provided. Vehicles can queue in a TWLTL in each direction throughout the day as needed. For example there is a heavy westbound left-turn onto 11<sup>th</sup> Street every morning as employees travel to the 11<sup>th</sup> Street garage. In the PM peak, this movement is low, however there is a heavy movement for the eastbound left-turn onto 10<sup>th</sup> Street as individuals head home to the residential areas north of West Main Street. Removing the TWLTL eliminates the space for left-turning vehicles to pull around a stopped queue in the through lane and changes the 200' to 250' of flexible stacking to a set 50' westbound left-turn pocket at 11<sup>th</sup> Street and a 75' eastbound left-turn 10<sup>th</sup> Street. With block lengths of 500 feet or less between cross streets, there is a potential of gridlock conditions with traffic queues blocking upstream intersections. To maintain the capacity of these left-turn lanes, storage lengths should be determined by combining the outputs of a traffic queuing and blocking

analysis for a horizon year with any geometric constraints in the area. Median sections could be applied to any remaining center turning lane space, if available. Table 1, below, shows a comparison of the existing and proposed left turn storage lengths, and the 95<sup>th</sup> percentile queues calculated at the three intersections studied in the UVA Health System TIA, as an example of this potential blocking issue. Of particular concern to the UVA Medical Center is the turning movement at Roosevelt Brown since that is the path that EMS vehicles take to the Emergency Room to avoid possible delays at the railroad crossing on 11<sup>th</sup> Street.

Intersection	Movement	Existing Storage (feet)	Plan Storage (approx. feet)	95th Percentile Queue Length			
				Current (2014)		Future (2016)	
				AM	PM	AM	PM
West Main Street at Jefferson Park Avenue	EBT	-	-	200	325	250	575
	EBR	125	0*	25	25	50	50
	WBL	TWLTL	125	200	175	250	275
	WBT	-	-	225	225	350	275
West Main Street at 11th Street	EBL	TWLTL	50	25	25	25	25
	EBTR	-	-	125	175	125	250
	WBL	TWLTL	50	50	25	50	25
	WBTR	-	-	125	150	125	150
West Main Street at Roosevelt Brown Boulevard/10th Street	EBL	TWLTL	75	25	50	25	75
	EBTR	-	-	75	650	200	850
	WBL	TWLTL	75	75	75	75	150
	WBTR	-	-	400	375	600	500

TWLTL = Two-way Left turn lane (no median)

\*Lane is removed on streetscape plan.

It appears that the plan (on page 30 of 69) calls for an “at-grade” or “flush” median west of the bridge, in front of the UVA Hospital. While this median would be easily traversable by emergency vehicles, it could invite traffic to travel over it without impedance, causing illegal turning movements or parking along its surface, while also inviting pedestrians into a false sense of security of feeling that this median is not part of the roadway. This confusion between drivers feeling this at-grade median is part of the traveled way and pedestrians feeling this median is off the traveled way could cause significant conflicts. In general, the value of an at-grade median is not apparent as it does not really provide a safe and raised pedestrian refuge, does not enforce access management and does not substantially calm traffic or improve aesthetics through new landscaping. It does, however, limit stacking and create confusion to drivers and pedestrians as to whether it is part of the traveled way.

Any median installation that limits a vehicle’s ability to pull over and give way to emergency vehicles in the vicinity of the UVA Hospital would raise concerns about delay for emergency vehicles urgently attempting to enter the hospital site with a patient. However, the plan states (on page 51 of 69) that “(e)mergency responders support (the) proposed design.” It should be confirmed that EMS that deliver patients to UVA Hospital are in agreement. There are approximately 21,000 EMS transports to UVA Health System each year. While most of the longer distance transports arrive from Jefferson Park Avenue or other routes to the south, many local routes use West Main Street as it’s the most direct and fastest path to the hospital for large portions of Charlottesville. Changes to the roadway that reduce capacity or slow EMS vehicles urgently travelling to the hospital is a concern.

The plan appears to remove the painted crosswalk at 12<sup>th</sup> Street. University students and employees regularly use this crosswalk to travel between Stacey Hall, residential, and commercial destinations north of Main Street and the medical center and other destinations south of the street. The plan should

accommodate pedestrian crossing at this intersection. We understand that this crosswalk removal may just be an accidental omission in the plan, however the University requests that it remains in the future.

- **The Ridge Street/McIntire Road intersection has been reconfigured in the plan and the capacity is significantly reduced - this will result in significantly increased congestion on all approaches of the intersection.**

At the Ridge Street/McIntire Road intersection, it appears capacity is significantly reduced. Eastbound West Main Street currently has a right-turn “slip” lane, a left-turn lane, and a through/left-turn shared lane. The streetscape plan creates a single right-turn lane and a through/left-turn shared lane. Additionally, a bike box and wide crosswalk are proposed. This configuration results in greatly diminished capacity for left-turning vehicles, and right-turning vehicles would have a significant sight-distance challenge because the resultant stop bar is so far behind the adjacent crosswalk that right-turning vehicles both have a long distance to look to spot pedestrians on the crosswalk and will have accelerated to a higher-than-normal rate of speed before reaching the point of pedestrian conflict. Moreover, additional lanes are removed on all other approaches at this intersection:

- Westbound West Main Street: remove right-turn slip lane, keep left-turn lane and through lane becomes through/right-turn shared lane;
- Northbound Ridge Street: remove left-turn lane, keep through/left-turn shared lane, and through/right-turn shared lane;
- Southbound McIntire Road: remove through lane, and remove through lane downstream; keep left-turn lane and through/right-turn shared lane.

These lane removals and reconfigurations do provide space for bike lanes, and in some (but not all) cases narrow pedestrian crossing distances. However, these lane removals will result in significantly diminished vehicular capacity at this intersection and will likely result in split-side street signal phasing on Ridge Street/McIntire Road to go along with the split-side street signal phasing on West Main Street. To accommodate all pedestrian movements, this four-way split-side street signal phasing configuration will result in a long signal cycle length and (when coupled with the lane removals) likely longer traffic queues on all approaches at this intersection. To maintain a coordinated traffic signal network, all other traffic signals synchronized with this one would also have to be adjusted to this longer signal cycle length. Longer cycle lengths can again result in longer traffic queues at these adjacent intersections. While the enhancements proposed for bicyclists and pedestrians provide significant benefits, they come at a high cost of congestion and the possibility of gridlock near the intersection. When considering these trade-offs, a more balanced approach is recommended to maximize the benefits of a more multi-modal intersection configuration while taking into consideration the constraints of existing and future vehicular demand.

- **The plan shows the bike lane in some locations to be protected from the through travel lane by both a tree line and a parking lane which creates a conflict between bicycles and vehicles at intersection locations. There would be a significant sight distance issue for turning vehicles trying to access a side street from West Main Street.**

The streetscape plan has several features that provide enhanced facilities for bicyclists and pedestrians. These enhancements are beneficial to bicyclists and pedestrians in nearly all cases. However, the plan calls for a protected bike lane along some sections of West Main Street along the corridor. The protected bike lane does provide the ability for bicyclists to ride on a travelway buffered from the vehicular street, and prevents “dooring” by cars parked in the parking lane. However, the plan shows the bike lane to be protected from the through travel lane by both a tree line and a parking lane. At intersection locations, this treatment can result in a significant sight distance issue for turning vehicles trying to access a side street from West Main Street. It is very difficult for a right-turning vehicle to see a bicyclist through the parked cars and tree line when making a turning decision. Left-turning vehicles are looking at oncoming traffic, and when the bike lane is adjacent to the travel lane, bicyclists are easier to spot. However, the provision of a parking lane and tree line between the oncoming through vehicles and bicyclists may cause left-turning vehicles to miss bicycles when making a turning decision. Therefore, a

vehicular/bicycle conflict is created that could result in a more significant collision than a dooring incident or one that would occur with a bicyclist in a lane adjacent to a moving through travel vehicle. We suggest that consideration be given to this condition during the next phase of design.

## Recommendations

UVA supports improvements to West Main Street. The plan provides for a multi-modal approach to West Main Street with comprehensive recommendations and numerous positive benefits, particularly relating to aesthetics and improved multimodal accommodations. Based on our review of the available information, UVA requests more detailed information on the impact of the improvements.

1. UVA be provided with information that technically supports the plan's conclusion that it does not diminish the capacity of the corridor and that all intersections operate at an acceptable level of service (see page 1). Information provided to UVA following the May 4<sup>th</sup> meeting is insufficient. UVA requests that the City conduct a detailed traffic analysis of the entire corridor to assess the impact of the proposed design on all modes of transportation operating on West Main Street, including EMS travel to the UVA Medical Center. The analysis should be based on traffic projections for a future year (2025) and should include all signalized and full access unsignalized intersections. The traffic simulation should include projected pedestrian and bicycle volumes and should reflect the impact of transit stops. A left-turn queuing and blocking analysis should be used to determine the necessary future left-turn storage lengths with a median in place.
2. Based on the results of the above noted corridor study, the plan may require changes. Plan changes should be considered in the following areas:
  - a. Accommodations for transit that would not impact vehicle movement in the corridor (see page 2)
  - b. Left turn lane storage adjustments west of the bridge (see page 3)
  - c. Median modifications
  - d. Painted crosswalk at 12<sup>th</sup> Street (see page 3)
  - e. Modifications at Ridge-McIntyre intersection that better accommodate pedestrians but minimize the impact on overall intersection operation



## West Main Street Streetscape Plan

### Response to Submitted Review of Traffic Analysis Provided by VHB on Behalf of the University of Virginia

This memorandum addresses the concerns brought forth in the review of the traffic analysis provided by Vanasse Hangen Brustlin, Inc. (VHB) at the request of the University of Virginia (UVA). In general, it is important to note that the project budget did not provide for traffic counts at all study area intersections. Counts were only done at 10th/Roosevelt Brown and McIntyre/Ridge. The intervening intersections (save for 4th Street) are relatively minor and little in the way of traffic diversion is anticipated. In addition, further traffic analysis is necessary for subsequent phases of design, and will be conducted when Council directs staff to continue the project into the next phases of design.

The proposed Streetscape Plan strives to strike a balance between various modes of travel to provide safe and viable accommodations for all users. However, the minor operational changes proposed for the corridor are not anticipated to cause additional traffic congestion or redistribution of traffic to other streets. West of the bridge, traffic is congested under existing conditions in the UVA Medical Center area. While the proposed Streetscape Plan does not alter this, it also does not aggravate the traffic situation. Buses in the western section will not stop at bus bulb-outs, as implied; they will remain curbside as they are today. The three bus bulb-outs proposed east of the bridge are east of 10<sup>th</sup> Street, where only 2 bus lines operate. The impact of these three stops will be limited in the totality of the street.

The following are responses provided by Nelson/Nygaard, the traffic consultant for the West Main Street Streetscape Plan project, to the numbered items found on page 2 of the *West Main Street Streetscape Plan Review* completed by VHB on May 21<sup>st</sup>, 2015. Please note the responses were provided on May 5<sup>th</sup>, 2015 to a previous draft of the review provided to City staff, and have been slightly reformulated to respond to the final review document provided. In addition,

- 1. Vehicular capacity will be reduced due to the removal of existing vehicle lanes and turn lanes.** No vehicle lanes are being removed. The concept plan appears to remove the turn lanes at 4<sup>th</sup> Street in order to maintain the curb extensions and narrow the crossing (this was the location of pedestrian/bike/vehicle crashes), however this should potentially be reevaluated and turn pockets reintroduced in the final design.

Given the minor operational changes proposed for the corridor, we are not anticipating any significant redistribution of traffic. In fact, vehicle throughput may actually be modestly increased due to block faces where on-street parking is proposed for removal. This reduces the "friction" in through vehicle travel as cars maneuver in and out of parking spaces and/or wait for



a parking space to free up (although that was not one of our objectives, it may be an unintended positive consequence for through vehicle travel).

The supporting material in the body of the report points to "operational deficiencies for vehicular traffic...between Jefferson Park Avenue and 10th Street/Roosevelt Brown" without specifying the operational deficiencies. In an urban corridor, vehicle LOS of D or E (for short durations of time) is often acceptable but from the report we do not know what their threshold of non-deficiency is. Regardless, the concept plan does not alter the typical section from Jefferson Park to 10th Street and thus should not be contributing to any of these deficiencies (true that neither does it resolve them).

2. **Additional traffic resulting from additional development.** The majority of the new major developments, while not specifically intended for student residences are anticipated to be occupied by students. Given proximity to the University and the high cost of parking at the University, few student residents will drive from the properties to the University. A number of studies have concluded that housing in downtown, mixed use, walkable areas like West Main Street contribute only modestly to peak hour vehicle traffic. I am not certain of the uses that occupied these development parcels prior to their development, but if they were parking lots or similar uses, the residential properties may actually generate *fewer* peak period vehicle trips than their former use.
3. **CAT buses will block traffic.** This is a potential impact, however we discussed the option with the emergency responders and they generally felt comfortable with the concept. Bus bulbs are only proposed on the segment between 10th Street and Ridge McIntyre. Only two bus routes operate in this segment - the free trolley and Route 7 (both on 15 minute headways). It is possible that there may be a bus every 7.5 minutes or so, but this is not a high enough frequency to significantly obstruct traffic (especially when emergency lights and sirens are going). Five transit routes service the UVA hospital and travel the segment of West Main between the hospital and 10th Street where the center "flush median" is also present to permit emergency vehicle access down the middle of the road.

**Diversion of traffic to Cherry Street and Preston Avenue (a concern raised in a previous version of the review).** As described in "1", there is no reason for significant amounts of traffic to divert to these streets as the impact on vehicle throughput on West Main is minimal. Furthermore, Charlottesville is a growing city. Unless alternative modes of travel such as bicycling, transit and walking are made more attractive and efficient, congested corridors is a long term problem the University will not be able to solve.

4. **The flush median will impede vehicle flows and cause conflicts between vehicles and pedestrians.** According to the table provided on page 4 the proposed plan storage length is sufficient to, or exceeds the need in all instances except West Main at Jefferson Park Avenue and the unexplained doubling of PM turn queues anticipated at Roosevelt Brown in 2016. Our detailed analysis did not fully include this intersection so we do concur that any reconfiguration of turn lanes or queue lengths should be consistent with the traffic work UVA has done.

We do not agree that a flush median will invite pedestrians into the middle of the street, such surface treatments have demonstrated good effect at traffic calming. At the end of the day, the

flush median is an aesthetic treatment more than an operational feature and is just a matter of navigating trade-offs and preferences.

- 5. Ridge/McIntire intersection reconfiguration results in increased congestion.** The analysis shows that **overall** the proposed configuration of the intersection operates at an LOS C in the AM and D in the PM peak hours. This is acceptable, but there are some approaches, during the peak hour, that will have some congestion (none "fail").

During AM peak, the shared Eastbound thru/left lane coming off Water is showing an LOS of E with a 50th percentile queue length of 179 feet (about 10 cars). The southbound left turn off Ridge McIntyre would also have an LOS of E and a queue length of 96 feet (about 5-6 cars).

During the PM peak hour, the eastbound and westbound through movements (West Main to/from Water) also operate at LOS E with queue lengths of 243 and 173 feet respectively. These are not short, but they are not long enough to disrupt other signals either. The stacking is due to the split phasing and higher volume of left turns. Signal timing should potentially be evaluated further to see if there are strategies for reducing these queues but we still stand behind the recommendation as overall the signal works in all hours and in the 20 hours per day that are not peak hours it is a radically improved situation.

All other approaches are D or better.

The right turn (where the slip lane is being eliminated) operates at a LOS B, though this does include permission of a Right on Red which the city may want to evaluate more closely.

Flow into the intersection is already metered (constrained) due to the limited number of lanes approaching the intersection. Dropping the extra through lanes on Ridge McIntyre do not result in massive stacking (the 96' queue is the longest) while they do significantly aid non-auto accommodation and safety.

In regard to the signal timing phasing, it would be analyzed in more detail with updated traffic counts upon implementation but the existing counts and proposed configuration would keep the existing phasing (i.e., east-west as split phases). The cycle length and individual phase lengths would need to be altered, with the proposed cycle length at an optimal 90secs. This cycle length is well-within the acceptable standard for an arterial roadway such as Ridge-McIntire and would continue to allow the coordinated signal system with the adjacent signals at Preston Ave and Cherry Ave.

- 6. Protecting the bike lane with trees will cause sight line issues.** This is conceptual design only. The actual location of trees will be determined based on more refined designs. Sight lines are an important consideration.

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



<b>Agenda Date:</b>	August 17, 2015
<b>Action Required:</b>	Approval of Resolution
<b>Presenter:</b>	Kathy McHugh, Housing Development Specialist, Neighborhood Development Services
<b>Staff Contacts:</b>	Kathy McHugh, Housing Development Specialist, Neighborhood Development Services
<b>Title:</b>	<b>Housing Assistance Program Policies, Procedures, Protocols and Rehabilitation Standards</b>

**Background:**

The City's housing rehabilitation program has historically been operated based on written policies that indicate an origination date of June 1980. We know that the program operated for many years utilizing annual CDBG and/or HOME funding provided by the City to Charlottesville to the Charlottesville Redevelopment and Housing Authority (CRHA); however, it does not appear that the policies were ever officially adopted by City Council (City) or the CRHA Board, as staff has not been able to identify that this was ever done. The City Department of Neighborhood Development Services (NDS) later took over the administration of housing rehabilitation program and has continued to use these historical policies to govern program implementation.

The policies were most recently amended by NDS staff in October 2010, upon hiring and receiving recommendations from the City's Housing Development Specialist. The primary changes incorporated at that time included the following:

- 1.) Specification of a property standard for housing rehabilitation, as required by the U.S. Department of Housing & Urban Development (HUD)
- 2.) Added language about inspections by Neighborhood Development Services staff
- 3.) Addition of applicability for all housing funds (CDBG, HOME & CAHF)
- 4.) Incorporation of a program goal and various objectives
- 5.) Addition of definitions for clarification
- 6.) Addition of staggered loan terms based on the amount of assistance received
- 7.) Elimination of follow-up financial evaluation for program recipients
- 8.) Elimination of the Installment Loan Program
- 9.) Allowance for Housing Reconstruction (a.k.a. replacement) if deemed necessary on a case by case basis
- 10.) Establishment of a cap of \$25,000 for the hard cost of rehab with allowance for extra expenses if related to lead based paint compliance
- 11.) Addition of emphasis on priority repairs necessary to extend the life of the structure and eliminate health and safety hazards
- 12.) Elimination of the required use of Home Tech software to estimate rehab costs
- 13.) Changes to improve and/or simplify wording

With the approval of the first Block by Block 10<sup>th</sup> and Page program in December 17, 2012, NDS staff saw the need to make further changes to clarify some procedural issues and include guidelines for rental rehabilitation. Initially, guidance for the rental rehab policy was issued separately; however, due to the need for other changes, staff believes that additional changes should be made at this time and that Council approval should be sought.

**Discussion:**

Staff recommends that the attached Housing Assistance Program Policies, Procedures, Protocols and Rehabilitation Standards (Policy) be adopted. This Policy seeks to amend the prior version from October 2010 to include provisions for rental rehabilitation and to add text to adjust policies to comply with various administrative issues that have arisen during program implementation to improve service delivery and programmatic implementation (e.g., elimination of requiring property maintenance inspector involvement). These include a variety of minor changes/clarifications (e.g., allowance of specialty inspections as needed), as well as an increase in the amount of financial assistance from \$25,000 to \$35,000 per rehab job and a revision to the loan to value ratio policy that would allow for potential exceptions to support target area projects and/or when circumstances merit such an allowance.

**Alignment with Council Vision Areas and Strategic Plan:**

Approval of this agenda items aligns indirectly with the City Council Vision for Charlottesville to provide quality housing opportunities for all. The proposed action also indirectly aligns with the Strategic Plan at goal 1.3 which speaks to increasing affordable housing options. Housing rehabilitation efforts are also supported by objective 2.1 of the Comprehensive Plan - *Preserve and improve the quality and quantity of the existing housing stock through the renovation, rehabilitation and/ or expansion of existing units as a means of enhancing neighborhood stability.*

**Community Engagement:**

There has been no specific community engagement on these policies; however, recommendations for changes contained herein are the result of NDS program implementation experience, as well as input from both the Albemarle Housing Improvement Program (AHIP) and the City Attorney's Office.

**Budgetary Impact:**

The proposed policies should not have any impact on the budget.

**Recommendation:**

Staff recommends approval of the attached Housing Assistance Program Policies, Procedures, Protocols and Rehabilitation Standards.

**Alternatives:**

Council could recommend suggestions for changes/revisions; however, some version of the Policies needs to be approved and put into place.

**Attachments:**

Resolution and Proposed Housing Assistance Program Policies, Procedures, Protocols and Rehabilitation Standards

## **RESOLUTION**

### **APPROVING HOUSING ASSISTANCE PROGRAM POLICIES**

BE IT RESOLVED by the City Council for the City of Charlottesville THAT the “Housing Assistance Program (HAP) Policies, Procedures, Protocols, and Rehabilitation Standards” proposed as of August 17, 2015 by the City’s Housing Development Specialist (“HDS”) are hereby approved and adopted by this Council, and shall hereafter be utilized by the HDS and other City officials and employees for the administration of the City’s Housing Assistance Program.

# **CITY OF CHARLOTTESVILLE**

## **HOUSING ASSISTANCE PROGRAM POLICIES, PROCEDURES, PROTOCOLS & REHABILITATION STANDARDS**

August 17, 2015

NOTE: These policies, procedures, protocols and rehabilitation standards have existed in some format since June 1980. These have been revised multiple times and policies made to be retroactive based on the following schedule. There is no record of prior approval by the Charlottesville City Council; however, this may be the result of prior administration being handled through the Charlottesville Redevelopment & Housing Authority (CRHA). Copies of prior versions (to the extent that these have are available) are on file in the City of Charlottesville Attorney's Office.

<b>Revised</b>		<b>Retroactive to</b>	
June	1980		
November	1981		
October	1982	July	1982
December	1982	July	1982
May	1984		
September	1985	July	1985
November	1986	July	1986
March	1987		
August	1987		
February	1989		
February	1990		
August	1992	July	1992
December	1994		
July	1997		
August	2003		
March	2005		
August	2009		
October	2010		



## TABLE OF CONTENTS

### A. GENERAL

1. Funding Sources
2. Program Description
3. Program Focus
4. Program Goal
5. Program Objectives
6. Definition of Terms

### B. CRITERIA FOR SELECTION

1. Selection of Qualified Applicant
  - 1.1 Qualified Applicant
  - 1.2 Income Criteria
  - 1.3 Rental Rehabilitation Occupancy Requirements
  - 1.4 Emergency Repairs for Mobile Homes
2. Financing
  - 2.1 Non-CDBG/HOME/CAHF Sources
  - 2.2 CDBG/HOME/CAHF Assistance
  - 2.3 Types of CDBG/HOME/CAHF Assistance
  - 2.4 Terms for Deferred Payment Loans
3. Selection of Qualified Housing Structures
  - 3.1 Verification of Housing Conditions
  - 3.2 Verification of Structure Feasibility for Rehabilitation
  - 3.3 Financial Reasonableness for Rehabilitation & Feasibility for Reconstruction

### C. REHABILITATION PROCESS

1. Selection of Applicants for Housing Assistance
  - 1.1 Competitive Selection
  - 1.2 Evaluation and Ranking of Applicants
2. Initiation
  - 2.1 Initiation of Applicant Review
3. Eligibility
4. Preliminary Inspection
5. Work Write-Up
6. Other Work Items
7. Cost Estimates
8. Authorization of Funds / Change Order Approval
9. Inspection of Work Performed

10. Payment of Funds for Rehabilitation, Soft Costs and Administration
11. Validity / Severability
12. Other Issues Not Addressed Herein
  - 12.1 Loan to Value (LTV) Ratio Policy

## A. GENERAL

### 1. Funding Sources

The City of Charlottesville is classified as a U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Entitlement Community. The City also participates in a HOME Investment Partnership (HOME) funded consortium through the Thomas Jefferson Planning District Commission (TJPDC). Both Federal programs can be used to undertake various housing assistance activities which are consistent with programmatic rules and the authorizing statutes which established each program. Decisions regarding use(s) of funds are made on an annual basis by the Charlottesville City Council. In addition, the City can also provide direct funding through set aside general fund programs; consistent with state enabling legislation (e.g., Capital Improvement Program Budget includes the Charlottesville Affordable Housing Fund - CAHF). All three programs currently provide a viable source of funding for housing assistance programs.

Should additional funding for housing assistance activities become available to the City of Charlottesville, this document will need to be reviewed to determine applicability.

### 2. Program Description

The Housing Assistance Program (“HAP” and/or “Program”) focuses on providing housing repairs to owner<sup>1</sup> occupied dwelling units within the City of Charlottesville, although funding may also be used for renter occupied units, under conditions specified herein. While the program is focused on cost effective repair / rehabilitation, funds may also be used for reconstruction / replacement housing when the funding source allows for this type of activity and housing conditions and estimated repair cost dictates that this is the best alternative. While the source of funding may vary, the purpose of the HAP remains the same. Specifically, funds are to be used to address housing deficiencies for qualified applicants as defined herein.

### 3. Program Focus

Given limited funding, program resources will be targeted toward economical and cost effective approaches which prioritize extending the useful life of the housing structure over more aesthetic and/or strictly quality of life factors; however, a balanced approach is necessary as housing needs and individual circumstances differ.

### 4. Program Goal

To assist income eligible owners and tenant households, by providing funding for housing repair and rehabilitation within the City of Charlottesville.

### 5. Program Objectives

- a) Extend the life of the housing unit, thus insuring continued viability of the structure to provide basic shelter.
- b) Protect residents from fire and other health and safety hazards.
- c) Ensure mechanical, plumbing and electrical systems are working properly<sup>2</sup>.

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<sup>1</sup> Owner occupied dwelling units include both owners in fee simple title and those who have a recorded life estate interest.

<sup>2</sup> Funding for mechanical systems is limited to essential items such as water heaters and properly vented heating/cooling appliances. Refrigerators, stoves, ovens, ranges, dishwashers, and garbage disposals are generally not eligible for funding without advance approval from NDS. Mechanical lifts / other devices necessary for accessibility are eligible.

- d) Lower housing expenses by providing energy efficiency improvements, where feasible.
- e) Provide an improved living environment for residents of the housing unit.

## 6. Definition of Terms

- a. Accessibility – modifications necessary (as per 24 CFR Part 8) to a housing unit to accommodate physical disabilities that limit mobility.
- b. Applicant – owner(s) that make(s) application/request to the Grant Recipient for housing repair / rehabilitation assistance. Also see Qualified Applicant.
- c. Area Median Income (AMI) – annual program income limits provided by U.S. Department of Housing and Urban Development (HUD) based on an estimate of median family income, as adjusted for family / household size for Charlottesville, Virginia.
- d. Borrower – qualified applicant selected to receive housing assistance under the Housing Assistance Program which requires a signed promissory note and may also require a signed Deed of Trust.
- e. Charlottesville Affordable Housing Fund (CAHF) – non-federal housing assistance program funded locally through annual appropriations to the Capital Improvement Program by the Charlottesville City Council. The CAHF includes, without limitation, cash contributions made by developers pursuant to City Code §34-12(d) and (e) of the City's zoning regulations.
- f. Community Development Block Grant (CDBG) – entitlement grant program from U.S. Department of Housing and Urban Development which allocates funding annually to the City for use on eligible activities that meet a national objective.
- g. Conflict of Interest – situation where an individual (with a vested property interest) could potentially receive assistance from the Housing Assistance Program, while involved with policy decision making or other responsibilities in connection with the planning and implementation of Housing Assistance Program funds.
- h. Deed of Trust - a legal instrument that identifies: the names of all involved parties; legal description of the property being used as security for the note; inception and maturity date of the note; provisions of the note and requirements; fees (if any); legal procedures; recitals; covenants; clauses; riders and / or other terms. Involves three parties: 1) Borrower; 2) trustee which holds the title; and 3) lender.
- i. Deferred Payment Loan - a loan that will have **no** monthly payments, and become payable in full whenever the property is sold, transferred, devised or otherwise vacated by the applicant. The maximum term for a Deferred Payment Loan shall be thirty (30) years.
- j. Documentation of Ownership – any information that proves clear ownership of the property proposed to be assisted with Housing Assistance Program funding.
- k. Eligible Property – a dwelling unit within the City of Charlottesville used for residential occupancy by a qualified applicant. Each of the following terms, when used in this policy shall be deemed to have the same meaning as Eligible Property: dwelling, residential structure, housing unit, housing, house, home, structure, building, etc....
- l. Emergency Repairs – home maintenance, repair and construction work undertaken to correct dangerous deficiencies to address issues of health and safety. Such repairs are typically isolated to correct specific deficiencies, are less comprehensive in scope and cost than housing rehabilitation, and are funded by the City separately from rehabilitation.

- l. Grant Recipient – organization(s) that receive grant funding from the City of Charlottesville to undertake and administer the Housing Assistance Program.
- m. Hard Costs of Rehabilitation – include all hard costs, regardless of source of funds, except for costs related to lead-based paint hazard evaluation and hazard reduction activities. Costs of site preparation, occupant protection, relocation, interim controls, abatement, clearance, and waste handling attributable to compliance with the requirements are not included in the hard costs of rehabilitation.
- n. HOME Investment Partnership (HOME) – HUD funded entitlement program which provides a formula grant to the TJPDC Consortium to fund a wide range of activities that build, buy, and/or rehabilitate affordable housing for rent or homeownership or provide direct rental assistance to low-income people (i.e., defined as those making 80% AMI or less).
- o. Housing Assistance Program (HAP) – a program focused on cost effective repair / rehabilitation of housing in the City of Charlottesville with provision for reconstruction / replacement housing when the funding source allows for this type of activity and housing conditions and estimated repair cost dictate that this is the best alternative. Advance approval for reconstruction / replacement housing is required. The HAP program will subordinate its policies, procedures and protocols if found to be in conflict with HUD program rules specific to the use of CDBG and/or HOME funds.
- p. Housing Development Specialist (“HDS”)—the NDS employee who has responsibility for administering this policy.
- q. Housing Rehabilitation – home maintenance, repair and construction work undertaken to rehabilitate a portion of a residential structure or the entire structure. The terms rehab or rehabilitation may be used interchangeably.
- r. Lead-Based Paint Regulations – refers to HUD Federal Regulations found at Subpart J of 24 CFR Part 35.900 – 35.940, which deal with housing rehabilitation specifically and to EPA’s Lead-Based Paint Renovation, Repair and Painting Program per 40 CFR Part 745, which is mandated by 54.1-501 of the Code of Virginia.
- s. Neighborhood Development Services (NDS) – City of Charlottesville department which handles administration and oversight of CDBG, HOME and CAHF funds.
- t. Owner--An individual (or, for rental property only, a legal entity) that holds a title interest, in full or in part, with respect to the property that is the subject of an application. Such title interest may include an individual who holds a life estate in the subject property.
- u. Property Standards – are the standards used to assess the physical condition of a housing unit and to determine the minimum scope of rehabilitation necessary to address identified deficiencies. The Property Standards for the Charlottesville Housing Assistance Program shall be the currently enforced **Virginia Maintenance Code (Part III of the USBC)** and the administrative requirements of the currently enforced **Virginia Uniform Statewide Building Code (“USBC”)** for reconstruction, alteration or repair.
- v. Qualified Applicant – an owner occupant (including mobile home owners as well as those with a recorded life estate interest) whose household income is 80% or less of the current HUD Area Median Income for Charlottesville, Virginia<sup>3</sup>. Note that the housing unit to be assisted must be the principal place of occupancy for the owner / applicant and proof of ownership and occupancy must be provided. A qualified applicant can also be an owner of a

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<sup>3</sup> Determination of income will be based on HUD’s Part 5 definition found at 24 CFR Part 5.

rental property located in the City of Charlottesville that is either currently occupied by an income qualified tenant or is vacant and will be occupied by an income qualified tenant within 90 days of rehab completion. All property taxes, fees, fines, interest and outstanding liens owed to the City must be paid in full or a payment plan established with evidence of satisfactory on-time payments. Adequate fire/hazard insurance coverage must be maintained on the property throughout the term of the deferred payment loan.

- w. Rehabilitation Contractor – State licensed and insured contractor that is not listed on the List of Excluded Parties as maintained by the U.S. Government Accounting Office and has the capability of undertaking all housing rehabilitation activities as required by the scope of work and specified Property Standards. When specialty work is required, separate certification/licensing requirements may also apply (e.g., plumbing, electrical, removal of lead based paint, mold, asbestos, etc...). The rehabilitation contractor could also be the Grant Recipient and/or a subcontractor of the Grant Recipient.
- x. Rehabilitation Standards – locally adopted standards for all housing rehabilitation work which will bring substandard housing into compliance with the adopted Property Standards (see definition of Property Standards also).
- y. Work Write-Up – written details regarding all work to be undertaken under the Housing Assistance Program.

## **B. CRITERIA FOR SELECTION**

### 1. Selection of Qualified Applicant

Applicants for assistance through the HAP will be required to meet specific income and tenure criteria for eligibility. These criteria are based on income as well as ownership (control) of the real estate. All structures will be reviewed for feasibility for rehabilitation (which includes financial and structural considerations) and in the instance where rehabilitation is deemed infeasible, the construction of a replacement home and financial assistance for the project will be reviewed and considered. Qualified applicants must voluntarily agree to participate in this program and any contractual documents between the Grant Recipient and the qualified applicant shall reflect the voluntary nature of the agreement.

#### 1.1 Qualified Applicant

A Qualified Applicant must: (a) meet income guidelines set forth in paragraph B.1.2 and (b) own the dwelling unit proposed for assistance. In the case of a rental unit, the owner must apply, but the tenant will be required to meet the requisite income criteria.

#### 1.2 Income Criteria

Any household (defined as all persons residing in the housing unit at the time of the application), whose income is 80% or less of the current Area Median Income (AMI) as defined by HUD. Income calculations will be based on 24 CFR Part 5.

#### 1.3 Rental Rehabilitation Occupancy Requirements

For rental properties, occupancy requirements for income qualified tenants remain in effect for the term of the loan; however, it is recognized that occupancy may change from time to time based on tenant preference and/or lease enforcement. No existing tenants can be displaced to gain access to HAP financial assistance and any temporary displacement necessitated by rehabilitation efforts will be the responsibility of the owner. The owner of assisted rental property

must agree that rent and tenant paid utilities<sup>4</sup> will not exceed the allowed maximum monthly rents during the term of the Deferred Payment Loan on the property. The maximum monthly rent will be established based on the household income level for each qualified tenant. If household income is 50% or less of Area Median Income, adjusted for household size, the low HOME rent limits must be used. If household income is between 51% and 80% of Area Median Income, adjusted for household size, the lesser of the high HOME rent limits, the HUD Fair Market Rent, or 30% of the imputed household income will apply.<sup>5</sup>

Should an owner decide that he/she needs to occupy the unit for his or her own use during the term of the Deed of Trust, he/she will need to either: 1) pay the pro rata share remaining on the Deferred Payment Loan to satisfy conditions or 2) contact the City to see if his or her current household income would qualify under current HUD regulations as being at or below the 80% AMI level. If income qualified, the owner could take occupancy of the unit, but would still be responsible for satisfying the terms of the Deed of Trust if the property is sold or transferred prior to the end date.

To ensure continued compliance during the term associated with the Deed of Trust, owners will be required to provide the City with a copy of lease renewals and/or new leases (as applicable) within 90 days of such an event, as well as documentation of current household income. If there has been a change such that the current tenant no longer qualifies based on income, the tenant can continue to occupy the unit for another full calendar year, or the term of the revised lease (whichever is less). If there has been a change in tenancy, the owner will need to ensure that new/ replacement tenants also meet HUD income guidelines (in effect at that time) and that rent levels meet the occupancy requirements described above. To ensure compliance, owners must verify income and rent levels with the City prior to re-letting. The unit should be consistently occupied by an income qualified tenant during the term associated with the Deed of Trust. Should the unit become vacant or uninhabitable for more than 90 days, the HDS should be notified immediately. All communications with the City should be directed to the attention of the City of Charlottesville, Housing Development Specialist, Neighborhood Development Services, P.O. Box 911, Charlottesville, Virginia 22902.

#### 1.4 Emergency Repairs for Mobile Homes

The owners and tenants of individual mobile homes are eligible to receive funding for emergency repairs, pending advance approval by the HDS. For purposes of eligibility for funding for emergency repairs, mobile home residents may be individuals who own or rent their mobile homes, and each individual who is a mobile home owner or tenant is responsible for applying for assistance. The applicant will be asked to assist with the cost of the emergency repairs, as he/she is able; however, no cost-share will be required for an applicant who is financially unable to contribute.

## 2. Financing

### 2.1 Non-CDBG/HOME/CAHF Sources

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<sup>4</sup> Based on Allowances for Tenant Furnished Utility and Other Services, HUD Form 52667 for tenant paid utilities.

<sup>5</sup> Low and high HOME rent levels are established by HUD annually for the Charlottesville, Virginia MSA. These may be accessed at <https://www.hudexchange.info/manage-a-program/home-income-limits/>. Fair Market Rents are also established by HUD annually for the Charlottesville, Virginia MSA. These may be accessed at <http://www.huduser.org/portal/datasets/fmr.html>. Rent calculation for households with incomes at 51 to 80% AMI, will utilize the most current HOME High rents and the HUD Fair Market Rents. For the purposes of calculating 30% of the imputed household income - imputed household size for various bedroom units will be used based on 1.5 persons for 1 bedroom, 3 persons for 2 bedrooms, 4.5 persons for 3 bedrooms and 6 persons for 4 bedrooms.

The applicant will be asked to assist with the cost of the housing assistance as he/ she is able. The Grant Recipient will explore financing options with the owner / applicant to the maximum extent feasible, in consideration of the individual's financial situation, examining both front and back end ratios.

In the case of rental rehabilitation, applicant owners must provide 50% of the estimated rehab cost, including any contingency and change orders. City funds will provide the remaining 50%. Estimated cost share must be provided / paid before work can begin and again, if additional funds are required for change orders as work progresses, in advance of the commencement of work for which funding is sought.

For the purposes of emergency repairs for an individual who is an owner or a tenant of a dwelling unit, no cost share is required if an applicant is financially unable to contribute; however, each applicant will be asked to assist with the cost of the emergency repairs, as he/ she is able.

## 2.2 CDBG/HOME/CAHF Assistance

The maximum CDBG, HOME, or CAHF funds available for housing assistance is \$35,000<sup>6</sup> (limit of \$5,000 for emergency repair and \$10,000 for small repair). The HDS may make exceptions to this limit, upon finding that some additional funding is necessary to address housing needs which must be undertaken to best accomplish program objectives (e.g., when more substantial rehabilitation is required or reconstruction of housing would be more appropriate).

However, when HUD Lead-Based Paint Regulations apply, the initial contract and combined change orders shall not exceed \$25,000 for the "Hard Costs of Rehabilitation" unless specifically approved in advance by NDS and there is evidence of full compliance with applicable lead-based paint regulations.

For special neighborhood or target area projects approved by City Council, the maximum assistance may be different than specified within this paragraph, but will need to be specified in advance and approved by City Council as a condition of funding of those projects.

## 2.3 Types of CDBG/HOME/CAHF Assistance

CDBG, HOME, or CAHF assistance is provided by the City in the form of a Deferred Payment Loan. Given the level of economic distress of potential Borrowers, it is assumed that the Borrower has limited or no ability to assist with housing repair / rehabilitation costs; however, should financial participation be deemed feasible by the HDS, based on financial information reasonably available, financial participation may be required of a Borrower, including use of an installment loan.

A Deferred Payment Loan is a loan that has **no** monthly payments, and becomes payable in full whenever the property is sold, transferred, devised or otherwise vacated by the applicant. The maximum term for a Deferred Payment Loan shall be thirty (30) years, but is subject to pro-rata reduction as provided at 2.4(d).

At the expiration of the loan term period, the Deferred Payment Loan shall be forgiven and the Deed of Trust lien released. The Borrower will be responsible for requesting a Certificate of Satisfaction from the City and for recordation of the Certificate of Satisfaction in the Charlottesville Circuit Court Clerk's Office, as well as all costs associated with the release of the lien.

All CDBG, HOME, CAHF loans will be evidenced by a promissory note and, if the loan amount exceeds five thousand dollars (\$5,000), secured by a recorded Deed of Trust.

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<sup>6</sup> This amount does not include service delivery costs or costs associated with specialty inspections.



## 2.4 Terms for Deferred Payment Loans

### a) Evaluation of Eligibility throughout Loan Term

During the term of the loan, it is the Borrower's responsibility to disclose a change in status that would require repayment as outlined in 2.4c.

### b) Prepayment

The Deferred Payment Loans may be paid off prior to the expiration of the loan term during the occupancy of the Borrower in order to remove the lien on the property. A loan administration fee equal to 3% of the original loan amount will be due to the City of Charlottesville at the time the loan is paid off.

### c) Due in Full

Deferred Payment Loans provided to owner occupants shall become due and payable in full on conveyance or transfer of the property by the Borrower. Should the property be leased, become vacant or undergo a change of occupancy, the Borrower shall immediately repay the loan in full based on the eligible pro-rata reduction. On transfer of the property by inheritance, the loan is due in full and payable by the heirs to the property within six (6) months of the death of the Borrower. If the property is transferred to heirs (who are occupants of the house or become occupants of the house) who qualify under the income guidelines of the program for a deferred payment loan, the heir(s) may assume the loan under the same terms in the sole discretion of the City. In the case of rental rehab assistance, Deferred Payment Loans shall become due and payable in full if occupancy requirements per section 1.3 are not met.

### d) Loan Term and Pro Rata Reduction in Deferred Payment Loan

The amount due on a Deferred Payment Loan shall be in accordance with the following schedule (a.k.a. loan term). If a Borrower is in compliance with the policies, procedures and protocols for the HAP program, the amount of the Deferred Payment Loan will be reduced each year of the loan term by an amount equal to the original loan amount divided by the number of years in the loan term.

up to \$5,000 – one year
\$5,001 to \$10,000 – three years
\$10,001 to \$15,000 – five years
\$15,001 to \$25,000 – ten years
\$25,001 to \$40,000 – fifteen years
\$40,001 to \$55,000 – twenty years
\$55,001 to \$70,000 – twenty five years
\$70,001 and over - thirty years

*Example: on a 20 year loan of \$40,500 the loan balance would be reduced by 1/20 of \$40,500 (or \$2,025) for each full year (12 month period) that the loan is in effect. After 5 years, if the property is sold or transferred, the loan balance due would be \$30,375.*

Note that while this schedule extends to \$70,001 and over, assistance awarded from the HAP will generally be limited to \$35,000 per house, unless otherwise provided within this policy.

### e) Subordination of Lien

The City's secured lien may be subordinated, at the sole discretion of the City, under limited circumstances. Refinancing of the primary mortgage will not be sufficient reason to approve

subordination unless certain criteria are met, including but not limited to, lower mortgage payment, lower mortgage interest rate, and/or reduction of the loan term . If the Borrower is receiving cash back from the refinanced mortgage in excess of \$1,000.00, the subordination request will be denied unless the Borrower can prove to the City's satisfaction that the cash funds will be spent solely on home repairs or improvements.

f) End of Loan Term

The Borrower will receive a certificate of satisfaction from the City upon request. Borrower is responsible for recordation of the certificate of satisfaction and the cost thereof.

### 3. Selection of Qualified Housing Structures

All housing structures must be inspected by a NDS inspector to determine the work necessary to bring the property into compliance with the Virginia Property Maintenance Code. Other specialty inspections may also be performed. These inspections may include termite, chimney, roofing, plumbing, electrical, structural, asbestos, mold, lead paint, and others as determined by the HDS to be necessary to verify the financial reasonableness/ feasibility of a proposed rehabilitation.

#### 3.1 Verification of Housing Condition

Verification of existing deficiencies shall be made by an NDS inspector and further informed through specialty inspections as deemed necessary.

#### 3.2 Verification of Structural Feasibility for Rehabilitation

A NDS Inspector will inspect the structure (proposed for rehabilitation) in order to determine if the rehabilitation is structurally feasible based on the current conditions.

#### 3.3 Financial Reasonableness for Rehabilitation & Feasibility for Reconstruction<sup>7</sup>

Once NDS Inspectors and other specialty inspectors have identified the Property Standard deficiencies, the Grant Recipient and/or Rehabilitation Contractor will prepare a scope of work and an estimate of costs. The HDS will review and determine general reasonableness of cost and work to be done. In instances where housing reconstruction is being considered, due to the poor structural condition of the property, financial feasibility shall also be considered in the final determination.

As to a determination of the feasibility for reconstruction, the HDS will make the final determination based on the cost estimate and the structural condition of the property. Such cases will be evaluated thoroughly on a case by case basis and potential reconstruction will be subject to standardized local review processes (i.e., zoning, historical, entry corridor, etc...) dependent upon property location.

## C. REHABILITATION PROCESS

### 1. Selection of Applicants for Housing Assistance

#### 1.1 Competitive Selection

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<sup>7</sup> According to the U.S. Department of Housing and Urban Development a replacement structure can be provided through what is termed "reconstruction" or like for like replacement. Reconstruction is an eligible activity under CDBG regulations and means demolishing and re-building a housing unit on the same lot in substantially the same manner. The number of housing units on the lot may not be increased as part of a reconstruction; however, the number of rooms may be increased or decreased. The number of housing units on the lot may be decreased to reduce density; however decreasing units may trigger the one-for-one replacement of low to moderate income dwelling units at 24 CFR part 42, subpart C

Selection of applicants for assistance under the HAP must be based upon a competitive process.

## 1.2 Evaluation and Ranking of Applicants

All applications received must be evaluated for eligibility (based on income and tenure criteria set forth herein) by the Grant Recipient and then ranked in accordance with a written methodology acceptable to the HDS.

## 2. Initiation

### 2.1 Initiation of Applicant Review

The request for assistance must be made (in accordance with the approved format / procedure provided by the Grant Recipient) by a qualified applicant. In each case, the application for CDBG, HOME, or CAHF assistance will be presented to the Grant Recipient with relevant required data. The recipient shall be responsible for assisting households with all aspects of the application process and for determining potential financial assistance. .

## 3. Eligibility

The Grant Recipient shall have responsibility for determining eligibility of each applicant, as required herein.

## 4. Preliminary Inspection

The Grant Recipient will request that NDS perform the inspection(s) necessary to identify housing needs and structural feasibility. The Grant Recipient will also request specialty inspections subject to approval by the HDS.

## 5. Work Write-up

The Grant Recipient and/or Rehabilitation Contractor will be responsible to prepare a work write-up, detailing proposed work to be done. Specifications for repairs shall be in compliance with the Virginia Property Maintenance Code. All rehabilitation work shall be done in compliance with all applicable requirements of the USBC in effect at the time of the work, including, without limitation, Part 1 (Section 103.5), which reads, in relevant part, as of the date of adoption of this policy:

*“Any reconstruction, alteration or repair shall not adversely affect the performance of the building or structure, or cause the building or structure to become unsafe or lower existing levels of health and safety.*

*Parts of the building or structure not be reconstructed, altered or repaired shall not be required to comply with the requirements of this code applicable to newly constructed buildings or structures.*

*The installation of material or equipment, or both, that is neither required nor prohibited shall only be required to comply with the provisions of this code relating to the safe installation of such material or equipment of a similar kind or capacity.*

*Material or equipment, or both, may be replaced in the same location with material or equipment of a similar kind or capacity.*

*Exceptions:*

*This section shall not be construed to permit noncompliance with any applicable flood load or flood-resistant construction requirements of this code.*

*Reconstructed decks, balconies, porches and similar structures located 30 inches or more above grade shall meet the current code provisions for structural loading, connections and structural attachment. This requirement excludes handrails and guardrails."*

## 6. Other Work Items

All work performed shall be designed and constructed to eliminate health and safety hazards, while extending the useful life of the dwelling unit to the maximum extent feasible.

The rehabilitation of any dwelling which is occupied by an individual(s) with disabilities shall provide accommodation(s) to the maximum extent feasible to remove physical barriers as well as provide necessary alterations such as ramps, wider doorways and accessible bathroom facilities. All accessibility modifications shall be designed to provide the most efficient and cost-effective solution to the specific accessibility need. Exterior improvements shall be compatible with the architectural character and scale of the existing streetscape. Design solutions shall, in all cases, attempt to comply with the intent of the guidelines established by the Americans With Disabilities Accessibility Guidelines (ADAAG), but discretion is allowed in achieving acceptable solutions which meet project cost parameters.

As required, lead-based paint will be handled in accordance with 24 CFR Part 35 (specifically subpart J which addresses rehabilitation specifically). Work performed will need to also be consistent with the U.S. Environmental Protection Agency final rule "Lead; Renovation, Repair, and Painting Program," found at 40 CFR Part 745, which is mandated by 54.1-501 of the Code of Virginia.

Work to be performed on a property located within a design control zoning district (zoning overlay districts) will be designed and constructed in accordance with all applicable City guidelines and approvals.

## 7. Cost Estimates

Either of the following types of cost estimate methods may be used to estimate rehabilitation project costs:

a. Generally accepted estimating procedure (software with adjustment for the Charlottesville area or other practice using the skill and expertise of qualified personnel).

b. Competitive bid method.

All bidding, construction management, and contract administration shall be the responsibility of the Grant Recipient. The Grant Recipient will forward the cost estimation information, and recommendation and rationale for reconstruction (if applicable) to the HDS for review and approval prior to commencing any work.

## 8. Authorization of Funds / Change Orders Approval

The recipient will need to have approval from the HDS, prior to authorization of any CDBG, HOME, or CAHF funds for any qualified housing assistance project for which there is a qualified applicant. Given that housing conditions are highly variable in older structures, it is recognized that change orders will be required from time to time; however, any change order that exceeds 10% of the estimated cost (and or would exceed the \$35,000 funding cap) will need to be approved in advance by the HDS. In order to be considered, a written summary describing the

need for the work and estimated costs (along with photos and other information as may be useful) will be required to be submitted to the HDS.

#### 9. Inspections of Work Performed

NDS will be required to inspect all repairs / rehabilitation work during construction, but only to the extent required by routine permitting procedures. The Grant Recipient will be required to complete all work per the work write up / scope of work and all work should be performed using only high quality materials and workmanship. The City reserves the right for its HDS to undertake additional inspections and/or to request third party inspections.

#### 10. Payment of Funds for Rehabilitation, Soft Costs and Administration

The approved cost for each rehabilitation project shall be paid to the Grant Recipient at intervals of 25%, 50%, 75% and 100% or as otherwise agreed by the HDS in writing. A detailed invoice must be submitted showing approved costs (including change orders), work completed to date, previously billed amounts (if applicable) and total amount due. Final payment will only be made when all of the following conditions are met:

- Signed form acknowledging completion of the scope of work by the qualified applicant / Borrower
- Documentation of any required financial share
- Receipt of the fully executed Promissory Note and Deed of Trust (including required modifications)
- Submission of a Final Request for Payment
- Submission of paperwork related to any final change order(s) as consistent with this policy

In cases where the Borrower refuses to sign applicable invoice and/or completion paperwork (pending evidence of due diligence by the Grant Recipient), the Grant Recipient will cooperate with the City to pursue available legal remedies as deemed appropriate. The HDS may release payment to the Grant Recipient if there is clear documentation that reasonable due diligence has been exercised.

In the case of construction related soft costs (which include service delivery such as preparation of a scope of work, project administration, etc.) the allowable amount that can be charged to each rehabilitation project is 10% of the total housing rehab budget for that project. Administrative costs should be billed separately and will be limited to 10% of the total grant awarded to the Grant Recipient (e.g., given a \$100,000 grant, the maximum administrative charge would be \$10,000 regardless of the number of rehabilitation projects).

#### 11. Validity / Severability

In the event that any term, provision, or condition of this document, or the application thereof to any person or circumstance shall be held by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this document, and the application of any other wording contained herein to any person or circumstance other than those to which it has been held invalid or unenforceable, shall not be affected thereby.

#### 12. Other Issues Not Addressed Herein

Various administrative matters not specified herein, but related to the implementation of the HAP Policies, Procedures, and Protocols and Rehabilitation Standards may be addressed and added as addendum(s) to this document or within other City policies, regulations or ordinances.

## 12.1 Loan to Value (LTV) Ratio Policy<sup>8</sup>

Deferred loans will only be approved for property owners when there is sufficient value/equity in the home to cover the amount of the promissory note/Deed of Trust for the proposed improvements, based on a LTV Ratio of 110%. Sufficient value/equity of the property will be determined by taking 110% of assessed value less any recorded debt. A third-party appraisal can also be used to establish value for the purposes of determining compliance with this policy; however, this should only be done when assessed value is deemed to be significantly lower (i.e., greater than 10%) than the current market value.

For applicants who cannot otherwise qualify for assistance because the LTV Ratio for a property would exceed 110%, an exception can be granted by the HDS to allow repairs to address immediate health and safety hazards that may exist. In these instances, any additional work to be undertaken would be limited to 110% of LTV and would be based on a reduced scope of work as approved by City staff. All expenditures for such health and safety hazards must be included in the promissory note/Deed of Trust; regardless of repayment potential.

Additionally, the HDS may authorize a deferred loan for a property with a LTV Ratio of not more than 150%, to allow a comprehensive rehab other than immediate health or safety hazards, upon finding that (i) funds are being applied to improve a neighborhood or target area of a neighborhood and success of the overall target-area project will be enhanced by granting an exception, or (ii) when circumstances unique to a particular property justify the additional risk to the City and the HDS finds that the objectives articulated within Section A.5. of this Policy will be served. In all other cases, City Council must approve any request for an exception to the 110% LTV Ratio established by this Policy.

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<sup>8</sup> As initially adopted by the City of Charlottesville City Council on July 15, 2013.

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



Agenda Date:	August 17, 2015
Action Required:	Yes
Presenter:	Maurice Jones, City Manager
Staff Contacts:	Maurice Jones, City Manager
<b>Title:</b>	<b>General District Court Parking Resolution</b>

**Background:**

In July of 2014, the Charlottesville City Council and the Albemarle County Board of Supervisors met to discuss a variety of issues including the future location of the Albemarle General District Court. The County has considered several sites for a future court as it moves to accommodate a significant increase in caseloads as its population grows. A decision was made at the July 2014 meeting to convene a committee to help address the challenges associated with the planning, design and construction of a co-located General District Court.

Representatives from the City, County, Charlottesville-Albemarle Bar Association and General District Court Judges Downer and Barkley have met on numerous occasions during the past year to determine the feasibility of co-locating the courts downtown, preliminary concept designs for the building, and future parking needs.

The committee will be presenting the concepts for the building this fall to the Council and the Board for review and discussion. One immediate concern raised by the County is a need for parking to accommodate the new building. There is an estimate that between 75 and 100 spaces will be required to meet the future needs of the courts.

**Discussion:**

The proposed resolution will commit the City to providing access to parking spaces in downtown that will serve stakeholders associated with the Court including employees and visitors. Staff is proposing the City guarantee 35 spaces for Court related activities by the beginning of the construction of the new building and the rest upon completion. The County would share in the cost of providing these spaces at a price subject to future negotiations.

The spaces could be made available through the re-allotment of spaces in Downtown, improved management of parking in Downtown or the construction of a future parking structure or some combination thereof. The City is currently undertaking a parking study that will provide options for the Council to consider as it addresses general long term needs for parking. The specific details of where the spaces will be located will be determined well before construction is expected to begin in 2018. If the co-located General District Court does not materialize the spaces will not be guaranteed.



### **Alignment with Council Vision Areas and Strategic Plan:**

Accommodating the future parking needs of the Albemarle County General District Court ensures that many of the businesses associated with the courts and the economic activity associated with those businesses remain in Downtown Charlottesville.

### **Economic Sustainability**

*Our community has an effective workforce development system that leverages the resources of the University of Virginia, Piedmont Virginia Community College, and our excellent schools to provide ongoing training and educational opportunities to our residents. We have a business-friendly environment in which employers provide well-paying, career-ladder jobs and residents have access to small business opportunities. The Downtown Mall, as the economic hub of the region, features arts and entertainment, shopping, dining, cultural events, and a vibrant City Market. The City has facilitated significant mixed and infill development within the City.*

### **Citizen Engagement:**

Albemarle County has had numerous public meetings on the future location of its General District Court. Parking has been part of that discussion. Many groups and individuals have demonstrated support of the courts remaining in Downtown.

The City has included funding for the design and construction of a jointly located General District in its Capital Improvement Budget for Fiscal Year 2018. There were a series of meetings and public hearings held on the budget earlier this year.

The City has not held public meetings on this specific issue of General District parking. However, we will schedule opportunities for the public to weigh in on this issue as additional information is made available and hearings scheduled to discuss possible options.

### **Recommendation:**

The staff recommends approval of the resolution.

### **Budgetary Impact:**

There is no immediate budgetary impact. There will be costs associated with any future parking spaces created or re-allocated. However, a portion of the cost of those spaces will be off-set by investment by the County.

### **Alternatives:**

Council could vote against the resolution.

## **RESOLUTION**

### **TO PROVIDE ACCESS TO PARKING TO ACCOMMODATE FUTURE PARKING NEEDS OF THE ALBEMARLE GENERAL DISTRICT COURT**

Whereas, the County of Albemarle has demonstrated a strong interest in keeping its General District Court in Downtown Charlottesville; and

Whereas, the presence of the Albemarle County General District Court in Court Square contributes to the economic vitality of the Downtown Charlottesville; and

Whereas, Albemarle County projects a need of between 75 and 100 parking spaces to accommodate future growth of its court; and

Whereas, the City and the County are researching the possibility of co-locating their general district courts in Downtown;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Charlottesville, Virginia that the City will provide access to thirty-five (35) parking spaces near Court Square for use by the Albemarle County court system at the outset of construction of the new General District Court. The additional spaces will be provided upon the completion of the project and with the financial support of Albemarle County.

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

Agenda Date: August 17, 2015

Action Required: Ordinance Adoption

Presenter: Matthew Alfele, City Planner, Neighborhood Development Services  
Read Brodhead, Zoning Administrator, Neighborhood Development Services

Staff Contacts: Matthew Alfele, City Planner, Neighborhood Development Services  
Read Brodhead, Zoning Administrator, Neighborhood Development Services

**Title: ZM14-00011 – Transient Lodging (Homestay)**

**Background:**

For the purpose of this ordinance, the following definition has been deemed appropriate.

*Transient Occupancy (TO) – refers to the use of any building or structure, or portion thereof, as overnight accommodations for any individual(s), for any period(s) of 30 or fewer consecutive days, in return for a fee or charge. No transient occupancy shall be deemed or construed as being a residential occupancy of any dwelling, and the terms “transient occupancy” and “residential occupancy” shall be interpreted as being mutually exclusive.*

Transient Occupancy (TO) such as the accommodations offered through website clearinghouses “airbnb”, “TurnKey”, and “VRBO” are popping up in localities all over the country. This model of travel/ temporary lodging is creating more options for travelers and new revenue opportunities for individuals and small businesses, but could be disruptive to some traditional neighborhoods if left unregulated. Many localities are underprepared for the rapid growth in the number of TOs within their communities. Other locations have enacted regulations only to find they are insufficient or unenforceable. As of May 2015, three (3) of the most popular TO websites; Stay Charlottesville, airbnb, and HomeAway/ VRBO listed a combined two hundred and five (205) available units in the Charlottesville area. The last report prepared for the Planning Commission (dated December 9, 2014) listed a combined three hundred eighteen (318) available units. This highlights how fluid TOs are and how they can fluctuate dramatically over short periods of time. The “shared economy” or more aptly the “micro economy” is developing rapidly, and an

ordinance, or modifications to existing ordinances, is needed to balance the needs of the community 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 date, the Zoning Administrator has received complaints about five (5) properties at which this type of lodging was offered. The main complaints stem from noise, safety, and excessive vehicles utilizing already limited on-street parking. Two (2) 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" which is prohibited entirely within residential zoning districts of the City). The City has spent the last twelve (12) months reviewing this issue to refine proposed regulations for code inclusion.

### **Discussion:**

The Planning Commission held a joint public hearing at their July 14, 2015 meeting.

The topics of discussion that the Commission focused on at that meeting include:

- The Planning Commission believes residents of the City should be allowed to use their property as TOs, but did not have consensus on what a "resident" or "owner occupied" is defined as. The City's deputy attorney stressed that any definition for "residence" or "owner occupied" needs to be easily verifiable by staff. No further guidance was provided on this so it would be interpreted by the Zoning Administrator.
- The Planning Commission is worried that too many unforeseen scenarios are not covered with this ordinance. They talked about the possibility of having different tiers of regulations through Provisional Use Permits or Special Use Permits, but did not pursue at this time.
- Limiting the number of times a dwelling could be used as a TO was discussed. The Zoning Administrator made it clear that enforcement would be impossible.
- The Commissioner of Revenue informed the Planning Commission that tax information could not be shared to track the number of times or locations of dwellings being used as TOs. He also stated that the tax information the Revenue Department receives would not be useful in regulating TOs.
- The Planning commission chose to refer the ordinance as attached to City Council.

### **Alignment with City Council Vision Areas and Strategic Plan:**

The ordinance supports City Council’s “Economic Sustainability” vision by providing small business opportunities to residential home owners and also supports City Council’s “Charlottesville Arts & Culture” vision by allowing visitors to fully experience the City’s unique neighborhoods. It contributes to Goal 3 of the Strategic Plan, Have a strong diversified economy, and Objective 2.4, Ensure families and individuals are safe and stable.

### **Citizen Engagement:**

Staff participated in numerous outreach meetings and work sessions. Below is a timeline of events.

**July 21, 2014** – City Council initiated a study of Zoning Ordinance Provisions for Short Term Rentals (TO)

**September 5, 2014** – Staff met with citizens that run TOs to collect feedback and capture their input.

**October 14, 2014** – Staff met with additional citizens that run TOs and the Charlottesville Albemarle Convention and Visitor Bureau to collect feedback.

**October 24, 2014** – Staff met with members of the hotel industry. They expressed concern with the safety of TOs, taxation, and providing a level playing field for all.

**November 12, 2014** – Staff met with residents of University Circle. Concerns were voiced that allowing TOs would alter the character of their neighborhood. They believe that the neighborhoods abutting the University are constantly striving for balance and by allowing TOs it would create an unwelcome stressor.

**December 9, 2014** – Planning Commission considered a study on TOs and a Zoning Text Amendment. After consideration, the Planning Commission referred the matter to City Council for additional study. Many citizens spoke in favor of and in opposition to the proliferation of TOs. Many in favor stated that TOs help home owners keep their homes and provide a secondary source of income. Citizens that spoke in opposition voiced concern that neighborhoods could become transient and full of investment properties.

**January 20, 2015** – The TO Planning Commission Report was presented to City Council. No action was taken as a request for a resolution for a Zoning Text Amendment would be requested at a later date.

**February 17, 2015** – City Council passed a resolution for initiation of a Zoning Text Amendment for TO. City Council directed that the minutes from this meeting be included in the Planning Commissions discussions.

**February 24, 2015** – Planning Commission held a work session to address questions raised by City Council. The public was offered an opportunity to speak. Several members of the public spoke in favor of allowing TOs.

**February 26, 2015** – A public Open House on TOs was held at the Water Street Center. Twenty six (26) members of the public attended the event. The vast majority expressed favorable attitudes toward allowing TOs in the City.

**March 24, 2015** – The Planning Commission held a work session to address more detailed questions about the effect of allowing TOs in the City and what type of dwelling structures they should or should not be allowed in.

**March 26, 2015** – Staff met with the Virginia Short Term Lodging Association (VSTLA) to discuss zoning text amendments and the needs of the VSTLA community.

**April 15, 2015** – Staff meet with the Greater Charlottesville Lodging Council at Hyatt Place to update the hotel industry on TO and get feedback on their concerns.

**May 12, 2015** - Planning Commission considered a study on TOs and a Zoning Text Amendment. After consideration, the Planning Commission referred the matter for more discussion with City Council at a joint work session.

**May 21, 2015** – City Council and the Planning Commission held a joint work session to discuss TO and provide an outline for staff moving forward.

**July 14, 2015** – Planning Commission held a joint public hearing on a Zoning Text Amendment to address TOs by updating the Homestay ordinance. Five (5) members of the public spoke about concerns with the ordinance. A few believed the ordinance to be too restrictive and prevents owners of second homes from using their property in this manner. Other believed the ordinance will not preserve the integrity of neighborhoods. Planning Commission voted to send the ordinance, with changes, to City Council.

### **Budgetary Impact:**

The Commissioner of Revenue anticipates a small increase in revenue over 2014 based off similar uses and increased enforcement powers.

### **Recommendation:**

The Commission took the following action:

Ms. Keller moved to recommend approval of a zoning text amendment to Section 34-1200 and 34-1172 of the Zoning Ordinance, to allow Transient Occupancy in residential dwellings (under the term “Homestay”) with a Provisional Use Permit in every zoning district where Home Occupation is allowed as proposed with the following changes:

- Removal of the requirement to notify adjacent property owners;
- Removal of the requirement to post an evacuation plan;
- Removal of the option that Homestays can post exterior signage;
- Removal of the restriction limiting (1) permit per tax map parcel;

The addition of the word “overnight” to the definition of Homestay;  
The addition of a requirement that all Homestays have working smoke alarms, fire extinguishers and carbon monoxide detectors;  
The additional restricting of Homestays to (6) adults per tax map parcel;  
And that City Council consider the feasibility of placing time limitations on the number of nights a Homestay can be in operation each year.

Ms. Green seconded the motion. The Commission voted 4-2 to recommend approval.

### **Alternatives:**

City Council has several alternatives:

- (1) adopt the attached ordinance to amend the text of the City’s zoning ordinance;
- (2) by motion, deny approval of the attached ordinance for a zoning text amendment; or
- (3) by motion, defer action on the attached ordinance for a zoning text amendment.

### **Attachment:**

- Zoning Text Ordinance
- Proposed Zoning Text Amendment Staff Report Dated July 14, 2015
  - February 17, 2015 City Council resolution initiation of a Zoning Text Amendment
  - Transient Occupancy in Residential Dwellings Structure Matrix
  - Discussion-Draft NEW Homestay within Home Occupation
  - Link to City Council July 21, 2014 minutes
    - <http://www.charlottesville.org/index.aspx?page=3540>
  - Link to Planning Commission December 9, 2014 minutes
    - <http://www.charlottesville.org/index.aspx?page=3549>
  - Link to City Council January 20, 2015 minutes
    - <http://www.charlottesville.org/Index.aspx?page=3662>
  - Link to City Council February 17, 2015 minutes
    - <http://www.charlottesville.org/Index.aspx?page=3662>
  - Link to Planning Commission February 24, 2015 minutes
    - <http://www.charlottesville.org/Index.aspx?page=3680>
- Link to Planning Commission March 24, 2015 minutes
  - <http://www.charlottesville.org/Index.aspx?page=3680>
- Link to Planning Commission May 12, 2015 minutes
  - <http://www.charlottesville.org/Index.aspx?page=3680>



**AN ORDINANCE  
AMENDING AND REORDAINING SECTIONS 34-1172 AND 34-1200  
OF CHAPTER 34 (ZONING) OF THE CODE OF THE CITY OF  
CHARLOTTESVILLE, 1990, AS AMENDED, TO ESTABLISH A SPECIAL  
CATEGORY OF HOME OCCUPATION TO BE KNOWN AS A “HOMESTAY”**

**BE IT ORDAINED** by the Council for the City of Charlottesville, Virginia, that Section 34-1172 of Article IX, and Section 34-1200 of Article X, of Chapter 34 (Zoning) of the Charlottesville City Code, 1990, as amended, are hereby amended and reordained as follows:

**CHAPTER 34. ZONING  
ARTICLE IX. GENERALLY APPLICABLE REGULATIONS**

**Sec. 34-1172. Standards—Home occupations.**

A home occupation authorized by a provisional use permit shall be subject to the following regulations:

- (1) A home occupation 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.
- (2) In addition to the resident of the dwelling ~~unit~~, not more than one (1) other individual person may be engaged in the activities of the home occupation business on the property premises at any given time. There must be off-street parking available for this other individual staff person.
- (3) No more than three (3) customers or clients of ~~the~~ a home occupation business shall be present on the premises at the same time; for homestays: no more than six (6) adult overnight guests are allowed, per tax map parcel, per day. No customers, clients or employees shall be allowed to visit the property on which a home occupation business is conducted premises earlier than 8:00 a.m. or later than 9:00 p.m.; these hours of operation shall not apply to a Homestay.
- (4) Deliveries of supplies associated with the home occupation business shall occur only between the hours of 8:00 a.m. and 9:00 p.m.
- (5) No mechanical or electrical equipment shall be employed within or on the property premises, other than machinery or equipment customarily found in a home.
- (6) No outside display of goods, and no outside storage of any equipment or materials used in the home occupation business shall be permitted.
- (7) There shall be no audible noise, or any detectable vibration or odor from activities or equipment of the home occupation beyond the confines of the dwelling, or an accessory building, including transmittal through vertical or horizontal party walls.
- (8) The storage of hazardous waste or materials not otherwise and customarily associated with residential occupancy of a dwelling ~~home use~~ is prohibited.
- (9) There shall be no sales of any goods, other than goods that are accessory to a service delivered on-premises to a customer or client of the home occupation business.

- (10) The home occupation business must be conducted entirely within the dwelling, ~~or~~ an accessory building or structure, or both; however, with the exception of homestays, not more than twenty-five (25) percent of the total floor area of the dwelling shall be used in the conduct of the home occupation business, including storage of stock-in-trade or supplies.
- (11) For pet grooming services, all animals must be kept inside during the provision of services and no animals may be boarded or kept overnight.
- (12) All parking in connection with the home occupation business (including, without limitation, parking of vehicles marked with advertising or signage for the home business) must be in driveway and garage areas on the property premises, or in available on-street parking areas.
- (13) Homestays may not have any exterior signage. For other home occupation businesses: ~~One~~ (1) exterior sign, of dimensions no greater than two (2) square feet, may be placed on the exterior of the dwelling or an accessory structure to indicate the presence or conduct of the home business; and (i) this sign may not be lighted; and (ii) in all other respects the property from which a ~~the~~ home occupation business is to be conducted must be in compliance with the sign regulations set forth within Division 4, sections 34-1020, *et seq.*
- (14) Except for a ~~the~~ sign authorized by subparagraph (13) above, there shall be no evidence or indication visible from the exterior of the dwelling that the dwelling or any accessory building is being utilized in whole or in part for any purpose other than ~~as a residential occupancy dwelling~~.
- (15) Applicants for a provisional use permit authorizing a home occupation shall provide evidence of a city business license (or a statement from the commissioner of revenue that no city business license is required), proof of payment of taxes required by City Code, Chapter 30, if any, and a certificate of occupancy or other written indication from the city's building code official that use of the dwelling or accessory building structure for the home occupation business is in compliance with all applicable building code regulations.
- (16) In addition to the provisions of (1)-(15), above, the following regulations shall apply to homestays:
- a. An individual who applies for a provisional use permit to authorize the operation of a homestay shall present proof of such individual's ownership of, and permanent residence at, the property that is the subject of the application. Acceptable proof of permanent residence includes: applicant's driver's license, voter registration card or U.S. passport, showing the address of the property, or other document(s) which the zoning administrator determines provide equivalent proof of permanent residence by the applicant at the property that is the subject of the application.
  - b. Contact information for a responsible party must be provided. If the owner is not the responsible party who will be present during the time of service, then the responsible party must be identified and must sign the application form.
  - c. Every homestay shall have working smoke detectors, carbon monoxide detectors and fire extinguishers. All such equipment shall be accessible to overnight guests of the homestay at all times.
  - d. By his or her application for a provisional use permit for a homestay, an applicant authorizes City inspectors to enter the subject property, upon reasonable advance

written notice to the applicant, at least one (1) time during the calendar year for which the permit is valid, to verify that the homestay is being operated in accordance with the regulations set forth within this section.

- e. Each provisional use permit for a homestay will be valid from January 1 (or such other date during a calendar year on which such permit is issued) through December 31 of the calendar year in which the permit is issued.
- f. A provisional use permit for a homestay 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 any of the regulations set forth within this section. A property owner whose provisional use permit has been revoked pursuant to this paragraph shall not be eligible to receive any new provisional use permit for a homestay, for the remaining portion of the calendar year in which the permit is revoked, and for the entire succeeding calendar year.

(17)The following are specifically prohibited, and shall not be deemed or construed as activities constituting a home occupation:

- a. Auto detailing, where more than two (2) vehicles being serviced are present on the property at any given time.
- b. Barber shops or beauty salons having more than two (2) chairs.
- c. Funeral home with or without chapel.
- d. Medical or dental clinic (other than psychiatric or psychological counseling services).
- e. Motor vehicle sales, repair, equipment installation, and similar activities.
- f. Nursing homes and adult care facilities.
- g. Offices or staging facilities for any non-professional service-oriented businesses (for example, maid services, landscaping and lawn maintenance services, construction services, etc.), except where the sole activity on the premises would be telephone order/dispatching functions and there would be no vehicles, equipment, workers, or customers on the premises at any time.
- h. Repair or testing of machinery, including internal combustion engines.
- i. Restaurants.
- j. Retail or wholesale sales, where any goods or merchandise are (i) displayed or otherwise offered or available on-site for sale or purchase, or (ii) delivered to or picked-up by purchasers on-site, including, without limitation: antique shops, sales of firearms, computer sales, and similar activities.
- k. Schools, nursery schools, and day care facilities.
- l. Veterinary clinics and animal kennels.

## **ARTICLE X. DEFINITIONS**

### **Sec. 34-1200. Definitions.**

The following words, terms and phrases, when used in this chapter, will have the meanings ascribed to them in this article, except where the context clearly indicates a different meaning:

...

***Guest room*** means a portion of a building hired out for use as room used for transient lodging and which does not contain a complete set of living accommodations, in which no kitchen is provided. A room which is designed or intended for occupancy by one (1) or more persons, but in which no provision is made for cooking. A guest room does not include dormitory rooms located on a college or university campus or owned or operated by a college or university.

***Bed and breakfast Homestay*** means a home occupation temporary lodging facility in which an individual who owns a dwelling and uses it as his or her permanent residence operated within a residential dwelling which is owner occupied and managed hires out, as lodging: (i) such dwelling, or any portion thereof, having no more than three (3) guest rooms within such dwelling, or (ii) a lawful accessory dwelling. And wherein food service shall be limited to Breakfast and light fare may be provided for overnight guests within the homestay, as part of the home occupation.

***Home occupation*** means any occupation or business activity which is clearly incidental and secondary to the lawful residential occupancy use of the premises as a dwelling property and which is carried on by an individual who resides within a dwelling on such property. The activities of a home occupation may be conducted, wholly or in part, only within a the main such dwelling building, or within an accessory building located on the same property.

***Hotel/motel*** means a building, or portion thereof, or any group of buildings, 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). This definition includes facilities commonly known as motor lodges, motor courts, and convention centers. The following are excluded from this definition: bed-and-breakfasts, rooming/ boarding houses, and homestays.

***Lodging*** means a building, or a portion of a building (including, without limitation, any guest room) that is used or advertised for transient occupancy.

***Occupancy, transient*** means the use of any building or structure, or portion thereof, as overnight accommodations for any individual(s) for any period(s) of thirty (30) or fewer consecutive days, in return for a fee or charge. No transient occupancy shall be deemed or construed as being a residential use of any dwelling, or portion thereof.

***Residence, permanent*** means residential occupancy of a dwelling unit by the same individual(s) for a period of more than thirty (30) consecutive days.

***Responsible party*** means an individual or business entity designated by the owner of a dwelling in which a homestay is conducted, who will be available 24 hours a day, 7 days a week, to respond to and resolve issues and complaints that arise during a period of time in which the dwelling is being used for transient occupancy. The responsible party must be located not more

than thirty (30) miles from a homestay at the time of a transient occupancy, so that a reasonably prompt, in-person response can be made at the homestay when necessary.

**CITY OF CHARLOTTESVILLE**  
**DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES**  
**MEMORANDUM**



**To:** Charlottesville Planning Commission  
**From:** Matt Alfele, City Planner  
Read Brodhead, Zoning Administrator  
**Meeting Date:** July 14, 2015  
**Re:** Proposed Zoning Text Amendment  
New Homestay (Short Term Lodging in Residential Dwellings)

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**Background:**

Attached is a copy of a Resolution enacted by City Council on February 17, 2015, 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". Accordingly previous reports and suggested City code amendments were referred to as "transient lodging" (TL). One aspect of this report will be the introduction of new definitions under City Code 31-1200. For purposes of this report, and for any City code amendments, we refer to the uses as:

*Transient Occupancy (TO) – refers to the use of any building or structure, or portion thereof, as overnight accommodations for any individual(s), for any period(s) of 30 or fewer consecutive days, in return for a fee or charge. No transient occupancy shall be deemed or construed as being a residential occupancy of any dwelling, and the terms "transient occupancy" and "residential occupancy" shall be interpreted as being mutually exclusive.*

The abbreviation TO in this report will refer to Transient Occupancies in residential dwellings.

**Transient Occupancy (TO)** in residential dwellings, such as the accommodations offered through website clearinghouses "airbnb," "HomeAway," and "VRBO," are popping up in localities all over the country. This model of travel/ temporary lodging is creating more options for travelers and new revenue opportunities for individuals and small businesses, but could be disruptive to some traditional neighborhoods. Many localities are underprepared for such a rapid growth in the number of TOs within their communities. Other locations have enacted regulations only to find they are insufficient or unenforceable. As of May 2015, three (3) of the

most popular TO websites; Stay Charlottesville, airbnb, and HomeAway listed a combined two hundred and five (205) available units in the Charlottesville area. The last report prepared for the Planning Commission (dated December 9, 2014) listed a combined three hundred eighteen (318) available units. This highlights how fluid TOs are and how they can fluctuate dramatically over short periods of time. The “shared economy” or more aptly the “micro economy” is developing rapidly, and an ordinance, or modifications to an existing ordinance, is needed to balance the needs of the community 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 date, the Zoning Administrator has received complaints for about five (5) properties at which this type of lodging was offered. The main complaints stem from noise, safety, and excessive vehicles utilizing already limited on-street parking. Two (2) 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”<sup>1</sup> which is prohibited entirely within residential zoning districts of the City). There is also a concern that the neighborhood dynamic could greatly change if TOs are permitted in traditional residential zoning districts.

It is estimated that one hundred (100) to one hundred and fifty (150) property owners are currently operating TOs in the City and staff is only aware of five (5) properties which are causing problems in the community. Updating the Home Occupation Code and adding a strong revocation clause, business license requirement, and an annual permit are steps staff believes are needed to prevent abuses and ensure responsible operations of this type of use in the City.

In researching the impact TOs are having on communities staff examined codes and ordinances in Austin, Texas; Madison, Wisconsin; Portland, Oregon; and Nashville, Tennessee. Staff also looked at similar regulations in Virginia Beach, Virginia, Williamsburg, Virginia, East Lansing, Michigan, and DeKalb, Illinois.

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<sup>1</sup> 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)...

City	Population	Square Miles	People Per Square Mile	Currently Regulates Transient Occupancy in Residential Dwellings
<b>Charlottesville, Virginia</b>	<b>45,593</b>	<b>10.3</b>	<b>4,426</b>	<b>No</b>
Austin, Texas	885,400	251.5	3,520	Yes
Madison, Wisconsin	243,344	68.7	3,542	Yes
Portland, Oregon	609,456	134.3	4,538	Yes
Nashville, Tennessee	634,464	473.3	1,340	Yes
Virginia Beach, Virginia	450,980	248.3	1,816	Yes
Williamsburg, Virginia	14,691	8.54	1,720	No*
East Lansing, Michigan	48,518	11.2	4,314	No*
Binghamton, New York	46,551	10.4	4,460	No
Burlington, Vermont	42,282	10.6	4,003	No*
Athens, Ohio	23,755	8.34	2,850	No
DeKalb, Illinois	43,842	12.6	3,476	No*

*Data source: United States Census Office. (2014), and municipality's Code Sections*

*\*Regulate short term or vacation rentals, but do not have a specific ordinance regulating transient occupancy as an accessory use to a residential dwelling.*

Staff's findings revealed that although TOs are prevalent in locations such as Virginia Beach and Williamsburg, the scale and regulatory measures in place are not comparable to Charlottesville. The regulations are focused more on fostering tourism than protecting traditional neighborhoods. Madison, Wisconsin's ordinances, while less restrictive, limits TOs to be no closer than five hundred (500) feet of other TOs. This might not be problematic for a city covering sixty-eight point seven (68.7) square miles, but would be very limiting, and might not be legally enforceable, for a city our size. Austin, Texas' regulations are more robust, but again limit location through capping the amount per census blocks. It is the understanding of staff that regulating the quantity of an allowed use based on geographic restrictions could be problematic. The City has the authority to say a use is allowed or not allowed in specific zoning districts, but limiting the number would require an interpretation of zoning that the City has never used before. The only precedents for this type of capping are related to private clubs and adult entertainment establishments. The parallel would be allowing coffee shops in the Cherry Avenue



Mixed Use District, but only allowing three (3). Portland, Oregon's ordinance is the most comprehensive, but has had the most problems. Portland created a division within the government just to focus on TOs, but even a city of their size has had problems with enforcement. Although the regulations passed in Nashville Tennessee are the newest out of all the ordinances staff examined, they provide the clearest outline for how Charlottesville could facilitate some level of TO regulation in the City.

Staff also looked at cities more comparable to Charlottesville in size, population, and density. Cities like DeKalb, Illinois, Burlington, Vermont, and East Lansing, Michigan meet these criteria, but lack regulations for TOs. Some of these communities do regulate short term rentals and vacation rental, but not as an accessory use to a residential dwelling.

In addition to researching other cities and regulations staff participated in numerous outreach meetings and work sessions. Below is a timeline of events.

**July 21, 2014** – City Council initiated a study of Zoning Ordinance Provisions for Short Term Rentals (TO)

**September 5, 2014** – Staff met with citizens that run TOs to collect feedback and capture their input.

**October 14, 2014** – Staff met with additional citizens that run TOs and the Charlottesville Albemarle Convention and Visitor Bureau to collect feedback.

**October 24, 2014** – Staff met with members of the hotel industry. They expressed concern with the safety of TOs, taxation, and providing a level playing field for all.

**November 12, 2014** – Staff met with residents of University Circle. Concerns were voiced that allowing TOs would alter the character of their neighborhood. They believe that the neighborhoods abutting the University are constantly striving for balance and by allowing TOs it would create an unwelcome stressor.

**December 9, 2014** – Planning Commission considered a study on TOs and a Zoning Text Amendment. After consideration, the Planning Commission referred the matter to City Council for additional study. Many citizens spoke in favor of and in opposition to the proliferation of TOs. Many in favor stated that TOs help home owners keep their homes and provide a secondary source of income. Citizens that spoke in opposition voiced concern that neighborhoods could become transient and full of investment properties.

**January 20, 2015** – The TO Planning Commission Report was presented to City Council. No action was taken as a request for a resolution for a Zoning Text Amendment would be requested at a later date.

**February 17, 2015** – City Council passed a resolution for initiation of a Zoning Text Amendment for TO. City Council directed that the minutes from this meeting be included in the Planning Commissions discussions.

**February 24, 2015** – Planning Commission held a work session to address questions raised by City Council. The public was offered an opportunity to speak. Several members of the public spoke in favor of allowing TOs.

**February 26, 2015** – A public Open House on TOs was held at the Water Street Center. Twenty six (26) members of the public attended the event. The vast majority expressed favorable attitudes toward allowing TOs in the City.

**March 24, 2015** – The Planning Commission held a work session to address more detailed questions about the effect of allowing TOs in the City and what type of dwelling structures they should or should not be allowed in.

**March 26, 2015** – Staff meet with the Virginia Short Term Lodging Association (VSTLA) to discuss zoning text amendments and the needs of the VSTLA community.

**April 15, 2015** – Staff meet with the Greater Charlottesville Lodging Council at Hyatt Place to update the hotel industry on TO and get feedback on their concerns.

**May 12, 2015** - Planning Commission considered a study on TOs and a Zoning Text Amendment. After consideration, the Planning Commission referred the matter for more discussion with City Council at a joint work session.

**May 21, 2015** – City Council and the Planning Commission held a joint work session to discuss TO and provide an outline for staff moving forward.

### **Discussion:**

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 three (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 a third party. (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)

During the May 21, 2015 joint work session with City Council and the Planning Commission many aspects of amending the City’s Homestay ordinance or creating a new ordinance to address TOs were discussed. Although consensus could not be reached on all aspects, an outline emerged as to how the City should handle TOs and the micro economy. Below are areas of consensus or near consensus staff was able to take away from the joint work session.

- Transient Occupancy in residential dwellings should be ancillary to the residential use of the dwelling.
- TOs should be owner occupied.
- The owner is not required to be on site during time of service.

- The owner or a responsible party should be available 24/7 to respond to any problems that might occur.
- TOs should not be a by right use and the City should be able to revoke the use as needed.

Based on this information and the dialog City Council, Planning Commission, and the public had on May 21, 2015, staff recommends amending the current Bed and Breakfast Homestay ordinance and supporting regulations. These changes will accommodate Transient Occupancy in residential dwelling units in a measured and calculated manner. One important aspect of the suggested changes will require Homestay provisional use permits be issued on a calendar year basis. This will help in tracking the prevalence of Homestays in the city.

Over the past year staff has worked with City Council, Planning Commission, the public, and the private sector to understand the benefits and pitfalls of Transient Occupancy in residential dwellings. Staff has heard from concerned citizens, the hotel industry, representatives from the short term rental and vacation industry, and individuals who run airbnb type lodging out of their homes. Below are important elements repeatedly discussed during this process.

- The practice of individuals running TOs throughout the City is widespread and growing. Under the City’s current regulations the majority of TOs are unaccounted for and clandestine. The vast majority of individuals running TOs would like the opportunity to become compliant.
  - Under the proposed discussion-draft, individuals would have a clear set of guidelines for running TOs and be more inclined to do it legally.
- Many individuals running TOs credit the additional revenue stream for making it possible to retain their home during financially hard times. Others have expressed concerns that TOs are driving out long term renters and depleting the housing stock.
  - Under the proposed discussion-draft, it would be possible for home owners to access this additional revenue potential. The discussion-draft limits the practice to one dwelling unit or accessory dwelling per tax map parcel. This will insure TOs are used only as additional revenue streams and do not become commercial endeavors.
  - No data is available at this time to determine if TOs are driving out long term rentals or depleting the housing stock. By having regulations in place the City will be able to gather and analyze data and adjust future regulations accordingly.
- Maintaining neighborhood integrity and stability is very important to the City and a valid concern voiced throughout this process.
  - The discussion-draft addresses neighborhood integrity and stability in five ways.
    1. Transient Occupancy in residential dwellings through the new “Homestay” is strictly an accessory use to the primary residential use of the dwelling.

2. Permits are limited to one dwelling or lawful accessory dwelling per tax map parcel.
  3. Adjacent property owners must be notified about the operation of a “Homestay.”
  4. The proposed discussion-draft contains a strong revocation clause to revoke permits.
  5. By tracking Transient Occupancy in residential dwellings, the City will be able to create reports over time to determine the impact on neighborhoods and adjust regulations accordingly.
- Unsafe properties or nonresidential dwellings could be used as TOs
    - The discussion-draft requires the posting of evacuation plans and the applicant authorizes the City’s Building or Maintenance Code Official entry into the dwelling.
    - Transient Occupancy in residential dwellings through the new “Homestay” is strictly an accessory use to the primary residential use of the dwelling.
  - Large companies or individuals could buy up properties for the sole purpose of being run as TOs.
    - The discussion-draft addresses “investment properties” in four ways.
      1. Transient Occupancy in residential dwellings operated through the new “Homestay” are required to be “owner occupied.”
      2. The applicant must provide documented proof of permanent residence each year.
      3. Transient Occupancy in residential dwellings through the new “Homestay” is strictly an accessory use to the primary residential use of the dwelling.
      4. Permits are limited to one dwelling or lawful accessory dwelling per tax map parcel.
  - Noise, trash, traffic, and other ancillary problems that may arise with increased visitors to a residential dwelling unit.
    - The discussion-draft requires the designation of a “Responsible Party” that is available 24/7 to address problems that might arise. The Responsible Party must be local and no more than 30 miles away. The owner may also be the Responsible Party, but also must be no more than 30 miles away and readily available at time of service.
  - The involvement of Home Owner Associations, mortgage companies, and insurance providers in the operation of TOs.
    - The City has no option in regards to how Home Owner Associations, mortgage companies, or insurance providers regulate policies. Individuals and/or corporations enter into agreements with these entities and any conflict is handled as a civil matter.

- The City’s Assessor stated, “Officially, there is no evidence to support either side of this coin. Potential buyers of adjacent properties might be a little hesitant to purchase with possible increase in parking and noise, and lack of stability.”

This discussion-draft would amend City Code 34-1200 creating and/or amend definitions for “Homestay,” “Home Occupation,” “Lodging,” “Occupancy, Transient,” “Residence, Permanent,” “Responsible Party,” and “Guest Room.” It would also amend Sec. 34-1172 Home Occupation by amending certain text and adding content to facilitate Transient Occupancy in residential dwellings as “Homestay” under “Home Occupation.” With the new “Homestay” falling under “Home Occupation,” it would be allowed in all zoning districts that allow “Home Occupation.”

	<b>Current “Bed and Breakfast Homestay”</b>	<b>New “Homestay”</b>
Owner must be onsite during time of service	YES	NO
Residential Dwelling unit must be owner occupied	YES	YES
Allowed through issuance of a Provisional Use Permit	YES	YES
Defines permanent residence for owner occupied	NO	YES
Zoning Districts	Allowed in all zoning districts that allow Home Occupations (Only ES -Emmet Street Commercial and IC – Industrial Corridor prohibit Home Occupations)	Allowed in all zoning districts that allow Home Occupations (Only ES -Emmet Street Commercial and IC – Industrial Corridor prohibit Home Occupations)
Revocations	Permits can be revoked if misused	Permits can be revoked if misused
Notification of adjacent properties	YES	YES
Lengths of Provisional Use Permit	One (1) Year from date of issue	One (1) Calendar Year
24/7 contact available to respond to problems	NO	YES
Posted Evacuation Plan	NO	YES
Authorization to inspect the property by a City’s Building or Maintenance Code Official	NO	YES

## **Standard of Review:**

As outlined in Section 34-42 of the Zoning Ordinance, the Planning Commission shall review and study each proposed amendment to determine:

1. Whether the proposed amendment conforms to the general guidelines and policies contained in the Comprehensive Plan;
2. Whether the proposed amendment will further the purposes of this chapter and the general welfare of the entire community;
3. Whether there is a need and justification for the change; and
4. When pertaining to a change in the zoning district classification of property, the effect of the proposed change, if any, on the property itself, on surrounding property, and on public services and facilities. In addition, the commission shall consider the appropriateness of the property for inclusion within the proposed zoning district, relating to the purposes set forth at the beginning of the purposes district classification.

## **Staff Analysis:**

### **Conformity to the Comprehensive Plan**

Proposed changes are in conformity with the Comprehensive Plan in the following areas:

#### **Land Use**

**1.1:** When considering changes to land use regulations, respect nearby residential areas.

**2.2:** Encourage small businesses that enhance existing neighborhoods and employment centers.

**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.

**5.8:** Be aware of and learn from applicable experiences, policies, procedures, ordinances, and plans of other municipalities in Virginia and the United States.

#### **Economic Sustainability**

**3.6:** Align zoning ordinances to facilitate economic activity in new areas of commercial opportunity identified in the updated future land use map.

**3.7:** Work to ensure that newly aligned City ordinances and regulations balance the need to promote development opportunities and competing interests.

## **Intent of the Zoning Ordinance and General Welfare of the Community**

This change will permit Transient Occupancy in residential dwellings as “Homestay” to operate by Provisional Use Permit in all zoning districts that permit residential dwelling units.

## **Need and Justification for Ordinance Change**

The City of Charlottesville cannot accommodate Transient Occupancy in residential dwelling units as a permitted use unless an existing City Code is amended or a new City Code approved. Allowing the use of dwelling units as Transient Occupancy in residential dwellings as “Homestay” will offer diversity for tourists and visitors and also create small business opportunities. The impact of this use, when managed correctly, should be similar to other uses already permitted in the City’s residential zoning districts.

## **Effect on Property, Public Services and Facilities**

These changes do not affect public services and facilities within the City.

## **Staff Recommendations**

The Planning Commission should recommend the following to City Council:

- 1) The amendment of Zoning ordinance Sections 34-1200 (to provide a definition of “Lodging,” “Occupancy, Transient,” “Residence, permanent,” and “Responsible Party;” and to amend the existing definitions of “Homestay,” “Home Occupation,” and “Guest Room”) and amend Zoning ordinance Section 34-1172 (Home Occupation) to establish regulations that would apply to any Transient Occupancy in residential dwellings (under the term “Homestay”) authorized by a Provisional Use Permit.

## **Suggested Motion:**

1. Based on a finding that the proposed zoning text amendments will serve the public necessity, convenience, general welfare, or good zoning practice. I move to recommend approval of a zoning text amendment as proposed to Section 34-1200 and 34-1172 of the Zoning Ordinance, to allow Transient Occupancy in residential dwellings (under the term “Homestay”) with a Provisional Use Permit in every zoning district where Home Occupation is allowed.

### **Alternative Motions:**

2. I move to recommend to City Council that “Transient Occupancy” should not be allowed within residential dwelling units, and that the text of the zoning ordinance should not be amended to allow such use within any of the City’s zoning districts.

### **Attachments:**

- February 17, 2015 City Council resolution initiation of a Zoning Text Amendment
- Transient Occupancy in Residential Dwellings Structure Matrix
- Discussion-Draft NEW Homestay within Home Occupation
- Link to City Council July 21, 2014 minutes
  - <http://www.charlottesville.org/index.aspx?page=3540>
- Link to Planning Commission December 9, 2014 minutes
  - <http://www.charlottesville.org/index.aspx?page=3549>
- Link to City Council January 20, 2015 minutes
  - <http://www.charlottesville.org/Index.aspx?page=3662>
- Link to City Council February 17, 2015 minutes
  - <http://www.charlottesville.org/Index.aspx?page=3662>
- Link to Planning Commission February 24, 2015 minutes
  - <http://www.charlottesville.org/Index.aspx?page=3680>



**RESOLUTION  
TO INITIATE A PUBLIC PROCESS FOR CONSIDERATION OF  
ZONING ORDINANCE TEXT AMENDMENTS  
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 public consideration of the advisability of amendments to the City's zoning regulations to allow "transient lodging" uses within residential dwelling units, within certain specified zoning districts, subject to 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 Council believes that initiation of zoning text amendments, for further debate and consideration within a public hearing process, is advisable; **NOW, THEREFORE**,

**BE IT RESOLVED THAT** this City Council hereby initiates amendments of the Charlottesville City Code, Chapter 34 (Zoning), as follows: **to Sec. 34-1200**, add a definition of "transient lodging facility"; **to Sec. 34-1176**, add provisions to establish the conditions and regulations under which "transient lodging facilities" would be authorized through issuance of a provisional use permit; and **to Secs. 34-420, 34-480, and 34-796**, add annotations to the use matrices for the City's residential, commercial and/or mixed use corridor districts, to indicate the zoning district classifications in which "transient lodging facilities" will be authorized; and

**BE IT FURTHER RESOLVED THAT** this matter is hereby referred to the Planning Commission for its recommendations, and for an advertised joint public hearing with Council. In the interest of expediting the public hearing process by which these zoning text amendments may be considered, that the Planning Commission is requested to utilize the attached Discussion Draft Ordinance, dated January 21, 2015, as a starting point for their discussions; **HOWEVER**, the Commission's consideration of the zoning text amendments need not be limited to the specific provisions within the Discussion Draft. Based on input received during the public hearing process, and the Planning Commission's own deliberations, the Planning Commission should report back to Council, its specific recommendations:

(1) as to whether or not amendments of the City's zoning and subdivision ordinances, allowing the use of residential dwelling units as transient lodging facilities, are necessary or advisable, and

(2) if the Commission determines that amendments are necessary or advisable, then the Commission shall return to this Council its recommendations as to final language proposed for the referenced zoning text amendments, including a list of the specific zoning district classification(s) in which the Planning Commission recommends that transient lodging facilities should be permitted.

Transient Occupancy in Residential Dwellings Structure Matrix			
Use / Structure Type		Under Current Homestay	Under Proposed NEW Homestay within Home Occupation
Single Family Detached (SFD)	Owner is present at time of service	YES	YES
	Owner is <b>NOT</b> present at time of service	NO	YES
Accessory Apartment, Internal (SFD)	Owner is present at time of service	YES	YES
	Owner is <b>NOT</b> present at time of service	NO	YES
Accessory Apartment, External (SFD)	Owner is present at time of service	YES	YES
	Owner is <b>NOT</b> present at time of service	NO	YES
Townhouse Dwelling (SFA)	Owner is present at time of service	YES	YES
	Owner is <b>NOT</b> present at time of service	NO	YES
Duplex (aka two-family dwelling on 1 parcel of land)	Owner is present at time of service	YES	YES
	Owner is <b>NOT</b> present at time of service	NO	YES
Duplex (aka two-family dwelling where the property line runs through the shared wall)	Owner is present at time of service	YES	YES
	Owner is <b>NOT</b> present at time of service	NO	YES <sup>1</sup>
Multi-Family Dwelling (Apartment)	Owner is present at time of service	NO <sup>2</sup>	NO <sup>2</sup>
	Owner is <b>NOT</b> present at time of service	NO	NO <sup>2</sup>
Multi-Family Dwelling (Condominium)	Owner is present at time of service	YES	YES <sup>3</sup>
	Owner is <b>NOT</b> present at time of service	NO	YES <sup>3</sup>

**YES<sup>1</sup>** Allowed provided only the owner's permanent residence portion of the duplex is being used as for Homestay.

**NO<sup>2</sup>** Technically YES if the owner of the apartment is also living in one (1) of the units and it is his or her permanent residence.

**YES<sup>3</sup>** Provided no HOA covenants restrict the use. This is a civil matter between the HOA and property owners.

**AMEND City Code 34-1200 Definitions, to read as follows:**

*Bed and breakfast Homestay* means **a home occupation** temporary lodging facility **in which an individual who owns a dwelling as his or her permanent residence** operated within a residential dwelling ~~which is owner occupied and managed~~ **hires out, as lodging, (i) such dwelling, or any portion thereof,** having no more than three (3) guest rooms within such dwelling **or (ii) a lawful accessory building.** And wherein food service shall be limited to Breakfast and light fare **may be provided for guests within the Homestay, as part of the home occupation.**<sup>1</sup>

*Home Occupation* means any occupation or activity which is clearly incidental and secondary to **the lawful residential occupancy of** use of the premises as a dwelling, and which is carried on **The activities of a home occupation may be conducted,** wholly or in part, **only** within a **such** main dwelling building, or **within an** accessory building.

*Lodging* - a building, or portion of a building (including, without limitation, any guest room) that is used or advertised for transient occupancy.

*Occupancy, Transient* – refers to the use of any building or structure, or portion thereof, as overnight accommodations for any individual(s), for any period(s) of 30 or fewer consecutive days, in return for a fee or charge. No transient occupancy shall be deemed or construed as being a residential occupancy of any dwelling, and the terms “transient occupancy” and “residential occupancy” shall be interpreted as being mutually exclusive.

*Residence, permanent* – residential occupancy of a dwelling unit by the same individual(s) for a period of 30 or more consecutive days.

*Responsible Party* - an individual or business designated by the Owner of a Homestay as the individual/entity who will be available 24 hours a day, 7 days a week during service periods to address issues that may arise during such service. The Responsible Party must be local (local is defined as being no more than (30) miles distance from a Homestay at the time said Homestay is in use) such that a reasonably prompt, in-person response at the Homestay can be made when necessary.

*Guest room* means **a portion of a building hired out for use as lodging, and which does not contain a complete set of living accommodations (see definition of “dwelling”).** A room which is designed or intended for occupancy by one (1) or more persons, but in which no provision is made for cooking. A guest room does not include dormitory rooms located on a college or university campus or owned or operated by a college or university.

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<sup>1</sup> Re-defining “homestay” to make it a special category of “home occupation” eliminates the need for the provisions of 34-935(1), which simply repeat the requirement that the use must be subordinate/ incidental to a residential use.

**AMEND Sec. 34-1172. Home occupations, to read as follows:**

A home occupation authorized by a provisional use permit shall be subject to the following regulations:

- (1) A home occupation 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.
- (2) In addition to the resident of the dwelling ~~unit~~, not more than one (1) other **individual** ~~person~~ may be engaged in the activities of the **home occupation** ~~home business~~ on the **property** ~~premises~~ at any given time. There must be off-street parking available for this ~~staff person~~ other individual.<sup>2</sup>
- (3) No more than three (3) customers or clients of the home occupation shall be present on the property at the same time. No customers, clients or employees shall be allowed to visit the property earlier than 8:00 a.m. or later than 9:00 p.m. **The restrictions of this paragraph shall not apply to Homestays.**
- (4) Deliveries of supplies associated with the home **occupation** ~~business~~ shall occur only between the hours of 8:00 a.m. and 9:00 p.m.
- (5) No mechanical or electrical equipment shall be employed within or on the **property** ~~premises~~, other than machinery or equipment customarily found in a home.
- (6) No outside display of goods, and no outside storage of any equipment or materials used in the home occupation shall be permitted.
- (7) There shall be no audible noise, or any detectable vibration or odor from activities or equipment of the home occupation beyond the confines of the dwelling, or an accessory building, including transmittal through vertical or horizontal party walls.
- (8) The storage of hazardous waste or materials not otherwise and customarily associated with residential use of a dwelling is prohibited.
- (9) There shall be no sales of any goods, other than goods that are accessory to a service delivered on-premises to a customer or client of the business.
- (10) The home **occupation** ~~business~~ must be conducted entirely within the dwelling, ~~or~~ an accessory **building** or structure, or both; however, **with the exception of Homestays**, not more than twenty-five (25) percent of the total floor area of the dwelling shall be used in the conduct of the home **occupation** ~~business~~, including storage of stock-in-trade or supplies.
- (11) For pet grooming services, all animals must be kept inside during the provision of services and no animals may be boarded or kept overnight.

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<sup>2</sup> Re-defining “Homestay” to make it a special category of “home occupation” will also eliminate the need for the provisions of 34-935(2), which are the same as set forth in this paragraph.

PLANNING COMMISSION DISCUSSION DRAFT TRANSIENT OCCUPANCY PROVISIONS  
(July, 14 2015)

(12) All parking in connection with the home occupation business (including, without limitation, parking of vehicles marked with advertising or signage for the home business) must be in driveway and garage areas on the property premises, or in available on-street parking areas.

(13) One (1) exterior sign, of dimensions no greater than two (2) square feet, may be placed on the exterior of the dwelling or an accessory structure to indicate the presence or conduct of the home occupation business. This sign may not be lighted. In all other respects the property from which the home occupation is to be conducted must be in compliance with the sign regulations set forth within Division 4, sections 34-1020, et seq.

(14) Except for the sign authorized by subparagraph (13) above, there shall be no evidence or indication visible from the exterior of the dwelling that the dwelling or any accessory building is being utilized in whole or in part for any purpose other than as part of a residential use dwelling.

(15) Applicants for a provisional use permit authorizing a home occupation shall provide evidence of a city business license (or a statement from the commissioner of revenue that no city business license is required), proof of payment of taxes required by City Code, Chapter 30, if any, and a certificate of occupancy or other written indication from the city's building code official that use of the dwelling or accessory building structure for the home occupation business is in compliance with all applicable building code regulations.

**(16) The following regulations shall apply to Homestays:**

- a. An applicant for a provisional use permit to authorize the operation of a Homestay shall present proof of ownership and permanent residence. Acceptable proof of permanent residence includes: applicant's driver's license, voter registration card or U.S. passport showing the address of the property, or other document(s) which the zoning administrator finds to provide equivalent proof of permanent residence by the applicant.**
- b. A permit is limited to one dwelling OR lawful accessory dwelling per tax map parcel.**
- c. Contact information for a Responsible Party must be provided. If the Owner is not the Responsible Party and/or present during time of service, then the Responsible Party must also sign the application form.**
- d. Application materials must include a written evacuation plan for the Homestay, in a format suitable for posting at each exit from the Homestay, and a written certification that the fire evacuation plan will remain posted at each exit inside the Homestay for the duration of the provisional use permit.**
- e. The applicant shall authorize the City's Building or Maintenance Code Officials, or an authorized inspector, to enter the subject property after reasonable advance written notice to the applicant, at least one (1) time during the calendar year for which the permit is valid.**

- f. Application materials must include evidence that all adjacent property owners have been given written notice that the property will be utilized as a Homestay and the identity and contact information for the “Responsible Party”. Evidence of such notice is not required if the subject property was issued a provisional use permit for the preceding calendar year.**
- g. Each provisional use permit for a Homestay will be valid from January 1<sup>st</sup> through December 31<sup>st</sup> of each calendar year.**
- h. A provisional use permit for a Homestay 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 any of the regulations set forth within this section. A property owner whose provisional use permit has been revoked pursuant to this paragraph shall not be eligible to receive any new Homestay provisional use permit, for the remaining portion of the calendar year in which the permit is revoked, or for the succeeding calendar year.**

**(17)** The following are specifically prohibited, and shall not be deemed or construed as activities constituting a home occupation:

- a. Auto detailing, where more than two (2) vehicles being serviced are present on the property at any given time.
- b. Barber shops or beauty salons having more than two (2) chairs.
- c. Funeral home with or without chapel.
- d. Medical or dental clinic (other than psychiatric or psychological counseling services).
- e. Motor vehicle sales, repair, equipment installation, and similar activities.
- f. Nursing homes and adult care facilities.
- g. Offices or staging facilities for any non-professional service-oriented businesses (for example, maid services, landscaping and lawn maintenance services, construction services, etc.), except where the sole activity on the premises would be telephone order/dispatching functions and there would be no vehicles, equipment, workers, or customers on the premises at any time.
- h. Repair or testing of machinery, including internal combustion engines.
- i. Restaurants.
- j. Retail or wholesale sales, where any goods or merchandise are (i) displayed or otherwise offered or available on-site for sale or purchase, or (ii) delivered to or picked-up by purchasers on-site, including, without limitation: antique shops, sales of firearms, computer sales, and similar activities.
- k. Schools, nursery schools, and day care facilities.
- l. Veterinary clinics and animal kennels.

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