

## CERTIFICATIONS

### CITY COUNCIL AGENDA Monday, March 16, 2020



5:00 p.m. Closed session as provided by Sections 2.2-3711 and 2.2-3712 of the Virginia Code  
Second Floor Conference Room (Boards and Commissions; Legal consultation; Personnel)

6:30 p.m. Regular Meeting - CALL TO ORDER  
Council Chamber

Pledge of Allegiance/ Roll Call Ms. Magill participated remotely due to illness with consent from all Councilors.

Approval of Agenda/ Announcements/ Recognitions

Appointments No Boards and Commissions quarterly appointments made

1. **Consent Agenda\*** (Items removed from consent agenda will be considered at the end of the regular agenda)

**PASSED 5-0 (HILL/SNOOK), removing Item "d" for separate vote**

- a. MINUTES: January 28 City/Schools Budget Worksession, March 2 Special and Regular meetings, March 5 Budget Worksession
- b. APPROPRIATION: Skate Park lighting donations - \$47,540 (2<sup>nd</sup> reading)  
#A-20-036
- c. APPROPRIATION: Transfer from the Historic Resources Committee funds to the examination of possible burials near the Gilmer/Craven/Hotopp Cemetery at Pen Park - \$3,500 (2<sup>nd</sup> reading)  
#A-20-037
- d. RESOLUTION: Harris Street Apartments special use permit (2<sup>nd</sup> reading) Pulled for separate vote  
**PASSED 3-2 (HILL/SNOOK; Walker and Magill opposed)**  
#R-20-038
- e. RESOLUTION: Reallocation for asset management system - \$1,250,367 (1 reading)  
#R-20-039
- f. RESOLUTION: Landlord Risk Reduction Fund (1 reading)  
#R-20-040
- g. RESOLUTION: Amendment to Charlottesville Supplemental Rental Assistance Program (CSRAP) Agreement (1 reading)  
#R-20-041
- h. RESOLUTION: Street name change (Levy/Garrett) (1 reading)  
#R-20-042
- i. RESOLUTION: Approval to apply for Safe Routes to Schools grant (1 reading)  
#R-20-043
- j. RESOLUTION: Starr Hill Vision Plan Extension (1 reading)  
#R-20-044

### CITY MANAGER RESPONSE TO COMMUNITY MATTERS (FROM PREVIOUS MEETINGS)

**COMMUNITY MATTERS** Public comment for up to 16 speakers (limit 3 minutes per speaker). Council modified meeting procedures to allow remote participation during public comment periods to accommodate social distancing recommendations related to Coronavirus.

#### Action Items

- 2. **PUBLIC HEARING:** Proposed Real Estate Tax Rate for FY2021
- 3. **PUBLIC HEARING:** City Manager's Proposed Budget for FY2021

#### General Business

**Other Business** Resolution authorizing or excusing certain actions to be taken consistent with the City's emergency operations in connection with COVID-19 declaration of emergency issued March 12, 2020 [Council voted separately on each item.]

#R-20-045 1-RESOLUTION\*: Granting permission for the shelter operated by The Haven at 112 West Market Street to operate without regard to the Special Use Permit conditions 1-3 approved on February 5, 2007 **PASSED 5-0 (HILL/PAYNE)**

#O-20-046 2-ORDINANCE\*: Extending deadline for elderly and disabled individuals to submit applications pursuant to Charlottesville City Code Section 25-59 **PASSED 5-0 (HILL/PAYNE); 4/5 vote required to pass**

#O-20-047 3-ORDINANCE\*: Extending mandatory review periods **PASSED 5-0 (HILL/SNOOK); 4/5 vote required to pass**

#R-20-048 RESOLUTION\*: Requesting Governor Northam to sign HB 66 **PASSED 5-0 (SNOOK/MAGILL)**

**Matters by the Public**

\*Action needed

**APPROPRIATION  
Skate Park Lightning  
\$47,540**

**WHEREAS**, the City of Charlottesville, through the through Parks and Recreation, has received donations to offset costs for Skate Park lightning.

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

**Revenue**

\$47,540      Fund: 426      WBS-P1034      G/L Account: 451020

**Expenditures**

\$47,540      Fund: 426      WBS-P1034      G/L Account: 599999

**BE IT FURTHER RESOLVED** by the Council of Charlottesville, that any future donations for Skate Park Lighting shall be added to increase the budget of this appropriation. This appropriation shall not be deemed to expire at the end of the fiscal year, but is hereby appropriated in the ensuing fiscal year unless altered by further action of this Council. Should the full amount necessary to install the Skate Park Lighting not be fully secured, then the donations received for the project will be returned to those individuals or organizations who made the donations, in the amount of the original donation.

Approved by Council  
March 16, 2020



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Kyna Thomas, CMC  
Clerk of Council

**APPROPRIATION**

**Transfer from the Historic Resources Committee funds to the examination of possible burials near the Gilmer/Craven/Hotopp Cemetery at Pen Park  
\$3,500**

**WHEREAS**, the Historic Resources Committee has instructed staff to transfer funds previously appropriated to the Historic Resource Committee;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia that the sum of \$3,500 be transferred from the Historic Resources Committee funds as a contribution to the examination of possible burials near the Gilmer/Craven/Hotopp Cemetery at Pen Park;

**Transfer From:**

\$3,500          Fund: 105                      Cost Center: 3901005000          G/L Account: 599999

**Transfer To**

Revenue  
\$3,500          Fund: 426                      Project: P-00819                      G/L Account: 498010

Expense  
\$3,500          Fund: 426                      Project: P-00819                      G/L Account: 599999

Approved by Council  
March 16, 2020



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Kyna Thomas, CMC  
Clerk of Council

**RESOLUTION  
APPROVING A SPECIAL USE PERMIT  
FOR PROPERTY LOCATED AT  
1221, 1223 and 1225 HARRIS STREET**

**WHEREAS**, landowner Cville Business Park, LLC is the current owner (“Landowner”) of certain land identified on 2019 City Tax Map 34 as Parcels 90B, 90C, and 90.1 (City Parcel Identification Nos. 340090B00, 340090C00, and 340090100, and current street addresses of 1221, 1223 and 1225, respectively) and having, collectively, an area of approximately 2.446 acres (106,547 square feet) (the “Subject Property”), and

**WHEREAS**, Landowner proposes to redevelop the Subject Property by constructing a mixed use building at a height of up to six (6) stories, containing: retail space on the ground floor facing Allied Street, up to 105 residential dwelling units, and underground parking (the “Project”); and

**WHEREAS**, the Subject Property is located within the Industrial Corridor zoning district;

**WHEREAS**, the Project is described in more detail within the Applicant’s application materials dated submitted in connection with SP19-00010 and a site plan exhibit dated December 16, 2019, as required by City Code §34-158 (collectively, the “Application Materials”); and

**WHEREAS**, the Planning Commission and City Council conducted a joint public hearing, after notice and advertisement as required by law, on February 11, 2020; and

**WHEREAS**, upon consideration of the comments received during the joint public hearing, the information provided by the Landowner within its Application Materials, and the information provided within the Staff Report, the Planning Commission voted to recommend approval of the proposed Special Use Permit for the Project; and

**WHEREAS**, upon consideration of the Planning Commission’s recommendation, the Staff Report, public comments received at the public hearing, as well as the factors set forth within Sec. 34-157 of the City’s Zoning Ordinance, this Council finds and determines that granting the proposed Special Use subject to suitable conditions would serve the public necessity, convenience, general welfare or good zoning practice; and

**WHEREAS**, the Applicant voluntarily offered a condition at the City Council’s March 2, 2020 meeting regarding affordable dwelling units as well as units reserved for housing choice voucher holders and that condition is incorporated into the Special Use Permit; now, therefore

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that, pursuant to City Code §§ 34-457(b)(5)(a.), 34-458(b), and 34-480, a special use permit is hereby approved and granted to authorize one mixed use building, with a height of up to six (6) stories and containing up to 105 residential dwelling units, within the Subject Property, subject to the following conditions:

1. The specific development being approved by this special use permit (“Project”), as described within the December 16, 2019 site plan exhibit submitted as part of the

Application Materials, as required by City Code §34-158(a)(1), shall have the following minimum attributes/ characteristics:

- a. Not more than one building shall be constructed on the Subject Property (the “Building”). The Building shall be a six-story Mixed Use Building, containing up to 105 residential dwelling units, ground floor commercial floor area, and underground parking.
  - b. The highest point of the Building, as defined within City Code §34-1100(a), shall not exceed an elevation of 520 feet above sea level. Exclusions from measurement of building height shall be those referenced within §34-1101(a).
  - c. The commercial space on the ground floor of the Building shall be designed, occupied and used for retail uses, facing Allied Street. The ground floor area to be used and occupied for retail uses shall be no less than that depicted in the December 16, 2019 site plan exhibit submitted as part of the Application Materials.
  - d. Underground parking shall be provided within a parking garage structure constructed underneath the Building.
  - e. The applicant shall provide a preliminary traffic study of the immediate area surrounding the building, as well as traffic impact on Allied Street, Harris Street and the intersection of Harris Street and McIntire Road. The scope of the traffic study shall be approved by the City Traffic Engineer prior to submission, and must be submitted to the City for review and comment prior to the approval of the final site plan for the project.
2. The Landowner shall provide three one-bedroom and two two-bedroom dwelling units located within the Building shall be affordable dwelling units as defined in Charlottesville City Code Section 34-12(c) for a period of ten years.
  3. During the first two months for which the Building leases dwelling units, the Landowner shall reserve five units for lease by housing choice voucher holders.

Approved by Council  
March 16, 2020



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Kyna Thomas, CMC  
Clerk of Council

**RESOLUTION**

**Enterprise Land Management (ELM) and Enterprise Asset Management (EAM) System  
Project Funding Resolution  
\$1,250,367**

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that funding for the use of the procurement and installation of a new Enterprise Land Management (ELM) & Enterprise Asset Management (EAM) System is hereby transferred in the following manner:

**Transfer From:**

\$615,663	Fund: 426	WBS: SS-009	G/L Account: 599999
\$522,218	Fund: 426	WBS: CP-080	G/L Account: 599999

**Transfer To**

\$1,137,881	Fund: 426	WBS: P-00946	G/L Account: 599999
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**BE FURTHER IT RESOLVED**, that remaining funding (\$112,485.59) in the CIP account (P-00946) originally appropriated for the replacement of the NDS Permitting Software Replacement project will be reprogrammed and used for the procurement and installation of a new Enterprise Land Management (ELM) and Enterprise Asset Management (EAM) System.

**BE FURTHER IT RESOLVED, this** appropriation serves to appropriate the total project costs to implement the full system for use by NDS, Public Works and Parks and Recreation. Project costs relating to any changes in project scope or cost will require further approval from Council. Further, any implementation costs related to Utilities will be presented to Council for approval through a separate appropriation.

Approved by Council  
March 16, 2020




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Kyna Thomas, CMC  
Clerk of Council

**RESOLUTION**

**Modification of the Charlottesville Landlord Risk Reduction Fund (CLRRF)**

**WHEREAS**, on November 20, 2017 the Council of the City of Charlottesville approved the adoption of the Charlottesville Landlord Risk Reduction Fund program pursuant to Charlottesville City Charter section 50.7;

**WHEREAS**, City Council approved \$75,000 in funding from the Charlottesville Affordable Housing Fund to reduce private market landlord concerns regarding rental income loss due to property damage, preserve the number of rental units available in the City to low-income households, and increase the number of City landlords willing to lease affordable rental units to low-income families;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia that the Charlottesville Landlord Risk Reduction Fund Program Modification is hereby approved.

Approved by Council  
March 16, 2020



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Kyna Thomas, CMC  
Clerk of Council

**RESOLUTION**  
**APPROVING THE SECOND AMENDED CHARLOTTESVILLE SUPPLEMENTAL**  
**RENTAL ASSISTANCE PROGRAM (CSRAP) AGREEMENT**

**WHEREAS**, on June 19, 2017 the City of Charlottesville approved the creation of a City-funded Supplemental Rental Assistance Program (“CSRAP”), and on May 6, 2019 City Council approved an allocation of \$945,000 from previously-appropriated funds in the Charlottesville Affordable Housing Fund (“CAHF”) to be used for the CSRAP program, which will be administered by CRHA; and

**WHEREAS**, the terms and conditions under which the Charlottesville Redevelopment and Housing Authority (“CRHA”) will administer the CSRAP Program are set forth within a written grant agreement which has been reviewed by City Council this same date;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia, **THAT**:

1. The CSRAP program shall be administered by CRHA in accordance with the terms and conditions set forth within the Second Amended CSRAP grant agreement, which is hereby approved by this City Council; and
2. The City Manager is authorized to execute the Second Amended CSRAP grant agreement on behalf of the City of Charlottesville and the City Manager and City staff are authorized and directed to apply funding allocated to the CSRAP program in accordance with the terms set out within the CSRAP grant agreement.

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**RESOLUTION**

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the right of way currently designated as Levy Avenue, located between 9<sup>th</sup>/Avon Street and 6<sup>th</sup> Street SE in the Belmont neighborhood, shall hereinafter be officially named Garrett Street as recommended by staff.

Approved by Council  
March 16, 2020

A handwritten signature in cursive script that reads "Kyna Thomas".

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Kyna Thomas, CMC  
Clerk of Council

**RESOLUTION**  
**Supporting Safe Routes to School (“SRTS”) Projects**

WHEREAS, obesity is one of the most serious threats to American public health, ranking third among preventable causes of death in the United States;

WHEREAS, motor vehicle crashes are also a leading cause of death and injury to children;

WHEREAS, between 1969 and 2009 the percentage of children walking and biking to school dramatically declined from 48 percent to 13 percent;

WHEREAS, the Safe Routes to School program, created by Congress in 2005, aimed to increase the number of children engaged in active transportation when traveling to school by funding (1) infrastructure projects, located within two miles of a public school, that directly increase safety and convenience for public school children walking and/or biking to school, and (2) non-infrastructure projects designed to encourage public school children to walk and bicycle to school;

WHEREAS, Safe Routes to School projects are a proven, effective approach to increasing the number of children actively traveling to school by foot or bike;

WHEREAS, Safe Routes to School projects provide important health, safety, and environmental benefits for children, including reducing risk of obesity/chronic disease and pedestrian/bicycle injuries as well as improving air quality;

WHEREAS, the need for Safe Routes to School projects is especially strong in low-income areas, which suffer from a disproportionately high incidence of both childhood obesity/chronic disease and pedestrian and bicycle injuries and often have inferior pedestrian and bicycle infrastructure;

WHEREAS, Safe Routes to School projects make it safer and more convenient for all residents to walk and bike to destinations, further promoting public health;

WHEREAS, a goal of the City of Charlottesville’s current Comprehensive Plan, Bicycle and Pedestrian Master Plan, Complete Streets Resolution and Healthy Eating Active Living Resolution supports active transportation options, which can be met in part by implementation of Safe Routes to School projects;

NOW, THEREFORE, BE IT RESOLVED that the City of Charlottesville affirms its commitment to active transportation and supporting Safe Routes to School infrastructure and non-infrastructure projects.

Approved by Council  
March 16, 2020



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Kyna Thomas, CMC  
Clerk of Council

**RESOLUTION TO EXTEND NEW HILL DEVELOPMENT CORPORATION'S  
PLANNING COMMISSION TIMEFRAME**

**WHEREAS**, on November 18, 2019, the Charlottesville City Council approved a Resolution directing the Charlottesville Planning Commission to conduct a public hearing within one hundred and twenty (120) days regarding the addition of New Hill Development Corporation's (hereinafter "New Hill") Starr Hill Small Area Plan to the Charlottesville Comprehensive Plan; and

**WHEREAS**, New Hill worked with the City of Charlottesville's Department of Neighborhood Development Services (hereinafter "NDS") in preparation for the Planning Commission public hearing; and

**WHEREAS**, the collaboration between New Hill and NDS resulted in a mutual decision to present a Starr Hill Vision Plan instead of a Starr Hill Small Area Plan to the Charlottesville Planning Commission; and

**WHEREAS**, this decision to present a vision plan rather than a small area plan will require a new time frame.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the Planning Commission shall conduct a public hearing on New Hill Development Corporation's proposed Starr Hill Vision Plan by August 31, 2020.

Approved by Council  
March 16, 2020



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Kyna Thomas, CMC  
Clerk of Council

**RESOLUTION**

**AUTHORIZING OR EXCUSING CERTAIN ACTIONS TO BE TAKEN CONSISTENT WITH THE CITY'S EMERGENCY OPERATIONS IN CONNECTION WITH COVID-19**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHARLOTTESVILLE, VIRGINIA THAT:

**1. Shelter operated by The Haven at 112 West Market Street:** The Haven operates a shelter care facility at 112 West Market Street, pursuant to a Special Use Permit granted on February 5, 2007. Effective upon the adoption of this Resolution, and continuing until the City Council discontinues the local state of emergency dated March 12, 2020, The Haven is hereby granted permission to operate without regard to the Special Use Permit conditions, and this Council hereby grants amnesty for any zoning violations that arise out of this permission.

Approved by Council  
March 16, 2020



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Kyna Thomas, CMC  
Clerk of Council

**ORDINANCE EXTENDING DEADLINE FOR ELDERLY AND DISABLED  
INDIVIDUALS TO SUBMIT APPLICATIONS PURSUANT TO  
CHARLOTTESVILLE CITY CODE SECTION 25-59**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHARLOTTESVILLE,  
VIRGINIA THAT:

2. **Rent Relief Application Deadline**: the deadline for elderly and disabled individuals to submit applications and affidavits to the City for the rent relief program is May 1, pursuant to City Code Chapter 25, Section 25-59. Notwithstanding the provisions of Sec. 25-59(a), the City's Commissioner of Revenue is hereby authorized to extend the deadline for filing applications and affidavits to June 1, 2020, and no medical doctor's statement shall be required to accompany any affidavit received for this year's rental relief applications.

Pursuant to Charlottesville City Code Section 2-97, this Ordinance was passed with the requisite four-fifths votes necessary to adopt an Ordinance on the date of its introduction.

Approved by Council  
March 16, 2020



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Kyna Thomas, CMC  
Clerk of Council

**ORDINANCE EXTENDING MANDATORY REVIEW PERIODS**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHARLOTTESVILLE,  
VIRGINIA THAT:

3. **Non-essential zoning application deadlines**: for so long as the declared local state of emergency dated March 12, 2020, remains in effect City Council hereby waives any mandatory review periods imposed by the Charlottesville City Code, as follows: City Council waives all mandatory review periods that are less than 60 days, and no application shall be “deemed approved” if staff or a City board or commission cannot meet a deadline of less than 60 days.

Pursuant to Charlottesville City Code Section 2-97, this Ordinance was passed with the requisite four-fifths votes necessary to adopt an Ordinance on the date of its introduction.

Approved by Council  
March 16, 2020



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Kyna Thomas, CMC  
Clerk of Council

**RESOLUTION REQUESTING GOVERNOR NORTHAM  
TO SIGN HB 66**

**WHEREAS**, Virginia House Bill 66 prohibits health insurance companies from charging their customers more than fifty dollars for a thirty day supply of prescription insulin drugs; and

**WHEREAS**, the Virginia House of Delegates and the Senate of Virginia have each voted to adopt House Bill 66.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia supports House Bill 66 and recommends that Governor Ralph S. Northam sign House Bill 66.

Approved by Council  
March 16, 2020



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Kyna Thomas, CMC  
Clerk of Council